

# Agenda

## **Ordinary Meeting**

**Thursday, 22 July 2021**

**commencing at 9:00am**



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**1 DECLARATION OF OPENING**

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

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

That the Minutes of the Special Meeting held on 24 June 2021 and the Ordinary Meeting held on 24 June 2021 be received and confirmed.

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

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

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

**6.2 DECLARABLE CONFLICTS OF INTEREST**

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

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

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

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

**7 PRESENTATIONS / COUNCILLOR REPORTS**



**8 REPORTS DIRECT TO COUNCIL****8.1 ORGANICS WASTE COLLECTION****File No:** Council Meeting**Author:** Manager Waste and Resource Management  
Customer Engagement & Planning Services Group**Attachments:** Att 1 - Garden Organics Collection Map ..... 19  
Att 2 - Scenario Analysis and Modelling..... 21  
Att 3 - Proposed Garden Organics transition and FOGO ..... 29**PURPOSE**

The purpose of this report is to seek Council endorsement for the introduction of an opt-out Garden Organics (GO) collection service from July 2022 aligned to the commencement of Council's next generation waste collection contract. Following on from this decision, Council will progress an investigation and a business case for the eventual transitioning of the Garden Organics collection service to a region wide Food Organic / Garden Organic (FOGO) collection service pending establishment of a FOGO processing facility.

**EXECUTIVE SUMMARY**

In alignment with Strategic Priorities itemised in the *Queensland Waste Management and Resource Recovery Strategy* and in line with the State Government target of diverting 65% of waste from landfill by 2025, Council's *Sunshine Coast Waste Strategy 2015-2025* includes actions to improve waste diversion from landfill by transitioning towards a circular economy approach to managing the regions waste.

Approximately 120,000 tonnes of Sunshine Coast kerbside collected waste is disposed to landfill each year. This material is a major contributor to Council's carbon footprint. Characterisation studies show that over 50% of waste from Council's general waste bins is organic material that could be diverted from landfill and processed to produce compost and other by-products. Better management of kerbside waste is therefore considered a priority focus for action to achieve improved landfill diversion.

Reduction of waste to landfill and reduction in associated carbon emissions links strongly to our Environment and Liveability Strategy Strategic Pathway 5 (move towards a zero emission organisation). Furthermore, this reflects the existing (and in draft future) Sunshine Coast Waste Strategy 2015-2025 major actions, specifically the reduction of organics going to landfill. This will assist in extending landfill life, reducing long-term greenhouse gas emissions, and help achieve landfill diversion targets. Council's Corporate Plan 2021-2025 notes specific outcomes for Environment and Liveability (Council's greenhouse gas emissions reduced) and Service Excellence (progress transition to advanced waste recovery options, and explore innovative waste treatment and infrastructure options) which link directly to evaluation of systems and processes that reduce waste to landfill.

The commencement of Council's next generation waste collection contract in July 2022 will provide a timely and ideal opportunity to introduce an improved, efficient, flexible collection service configuration that has the potential to access sufficient quantities of organic waste to support the establishment of local advanced technology organic processing options. This assumption is supported by recommendations outlined in the draft SEQ Waste Management Plan prepared by the Council of Mayors South East Queensland (CoMSEQ) which Sunshine Coast Council endorsed at the April 2021 Ordinary Meeting.

To gain community input regarding organic waste management and kerbside collection services, a Community Engagement project was undertaken across the Sunshine Coast region from November 2020 to March 2021. Initially, a series of community workshops were conducted between November and December 2020 followed by release of the 'Our Future Waste' survey, which was open for community comment from 2<sup>nd</sup> February 2021 to 2<sup>nd</sup> March 2021. Over 7,500 survey responses were received which is amongst the highest ever recorded for a Sunshine Coast community consultation process and the results can be considered highly representative of community views:

- 84% of respondents agreed it is very important that Council provide a service to reduce organic waste in landfill and convert recovered organic material to useful by-products.
- 74% of respondents support Council implementing an 'opt-out' garden waste bin to eligible households.
- 83% of respondents support Council implementing FOGO waste services.
- 29% of respondents indicated that affordability of improving organics diversion is important.
- 24% respondents said the cost of FOGO was necessary and worth it to tackle climate issues and reduce waste to landfill.

Feedback and results from the community workshops and the survey provide compelling reasons for Council to expand the current opt-in garden waste collection service by replacing it with an affordable opt-out Garden Organic (GO) collection service, followed by transition to a Food Organic / Garden Organic (FOGO) collection service pending establishment of a FOGO processing facility.

In summary, the suite of recommendations itemised in this report align with actions outlined in the *Sunshine Coast Waste Strategy 2015 – 2025*, have community support and represent a next step towards achieving landfill diversion targets established in the Queensland State Government Waste Strategy.

The decision to implement opt-out Garden Organics collections is the first step in Council moving towards significant diversion of waste from landfill and the associated greenhouse gas emissions. This will prompt evaluation of Food Organics collections and processing (to be brought to Council as a future report), to achieve significant waste diversion rates and greenhouse gas reductions.

## **OFFICER RECOMMENDATION**

**That Council:**

- (a) receive and note the report titled "Organics Waste Collection "**
- (b) implement an opt-out kerbside Garden Organics collection service from the commencement of the next generation waste collection contract on 10 July 2022**
- (c) request the Chief Executive Officer develop opt-out criteria for the kerbside Garden Organics collection service for Council's consideration**
- (d) undertake ongoing community engagement to inform and educate the community about the Organics Collection Service.**

## **FINANCE AND RESOURCING**

The Queensland Waste Management and Resource Recovery Strategy released in 2019 established a target to divert 65% of waste from landfill by 2025. To provide a clear price



signal that all waste generators should take action to divert waste from landfill, on 1 July 2019 the Queensland Government introduced a waste levy that applies to each tonne of waste disposed to landfill. At present, the levy rate is \$85.00 per tonne and is subject to future review and increase by the State Government.

To coincide with the introduction of the waste levy, the Queensland Government introduced an interim annual 'advance payment' to local governments to offset the levy liability for household waste. The interim advance payment means that for the time being local governments do not apply a waste levy component to domestic waste utility charges or to domestic self-haul customers that use Council disposal facilities. A pending State Government decision regarding the future of the waste levy advance payment to local governments will likely affect Council's domestic waste utility charges beyond 30 June 2022.

When the advance payment ceases (potentially as of 1 July 2022) or progressively zeroes out during the term of Council's next generation waste collection contract, domestic waste utility charges will increase by approximately \$61.88 per annum, based on a waste levy of \$85.00 per tonne (subject to any further increase applied to the waste levy by the State Government beyond \$85.00 per tonne). Replacing the current opt-in garden organic bin service with an expanded opt-out garden organic bin service will reduce the cost of organic bin collection services by around \$27.52, per organics bin, per annum and may present the opportunity for pricing incentive packages in future budgets. It is also estimated that when the opt-out organics service transitions to a region wide FOGO service, State Government waste levy costs will be reduced by up to \$24.75 per property per annum.

## CORPORATE PLAN

**Corporate Plan Goal:** *Our service excellence*

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

**Operational Activity:** S25 - Waste and resource management – collection and disposal of solid and liquid wastes, operation of waste transfer facilities and landfills, recycling and materials recovery, community education programs.

## CONSULTATION

### Councillor Consultation

Waste Advisory Group Councillor members have been briefed and consulted on various aspects of this report at group meetings

- Councillor C Dickson
- Councillor W Johnston
- Councillor M Suarez
- Councillor J Natoli

### Internal Consultation

- Group Executive Customer Engagement and Planning Services
- Manager Waste and Resources Management
- Coordinator Collection Services, Waste and Resources Management
- Coordinator Waste Diversion / Disposal, Waste and Resources Management
- Chief Strategy Officer

## External Consultation

- Engagement Plus Consultants
- Resource Analytics Consultants

## Community Engagement

Understanding community values, concerns and waste habits is vital to the successful implementation of waste reduction and resource recovery service programs and activities across the Sunshine Coast.

The *Sunshine Coast Waste Strategy 2015-2025* includes, as an objective, “A community that is well-informed and satisfied with waste management services”.

To gain community input regarding waste service delivery options under the next generation waste collection contract, a Community Engagement project was conducted between November 2020 and March 2021.

The overall purpose of the engagement was to:

- Gather information from the community to assist Council decision making for matters concerning waste and resource recovery.
- Provide stakeholders and community with balanced and objective information about Council’s waste services and targets.
- Obtain community feedback on options to improve organic waste management and kerbside collection services.
- Gather information to assist in the implementation of the *Sunshine Coast Waste Strategy 2015-2025* in support of Council’s goal to be Australia’s most sustainable region.

Engagement Plus consultants were contracted to lead the community engagement project which consisted of a series of workshops conducted between November and December 2020, followed by a large scale survey of residents that was open for response to the Sunshine Coast community from 2<sup>nd</sup> February 2021 to 2<sup>nd</sup> March 2021.

The outcomes of the workshops and results of the survey were positive and considered representative of broader community views given the response rates. The results of consultation are further discussed in the Proposal section of this report and provide compelling reasons for Council to further develop and evolve the current ‘opt-in’ garden waste collection service.

## PROPOSAL

### Drivers for Change

Council’s Environment and Livability Strategy, Waste Strategy and Corporate Plan provide a supportive basis for the investigation and implementation of strategies to reduce waste to landfill, with flow on positive impacts on greenhouse gas emissions, expansion of landfill life, an increased overall community awareness of the waste cycle, and community satisfaction with the waste services Council delivers.

Council is currently in the process of revising the *Sunshine Coast Waste Strategy 2015 - 2025* to align with strategic priorities outlined in the National Waste Policy 2018, the National Waste Policy Action Plan 2019, the South East Queensland Waste Management Plan 2021 (endorsed by Sunshine Coast Council at the April 2021 Ordinary Meeting) and the Queensland Waste Management and Resource Recovery Strategy 2019. To this effect, the Queensland Waste Management and Resource Recovery Strategy released in 2019 established a waste diversion from landfill target of 65% by 2025. By comparison, in the

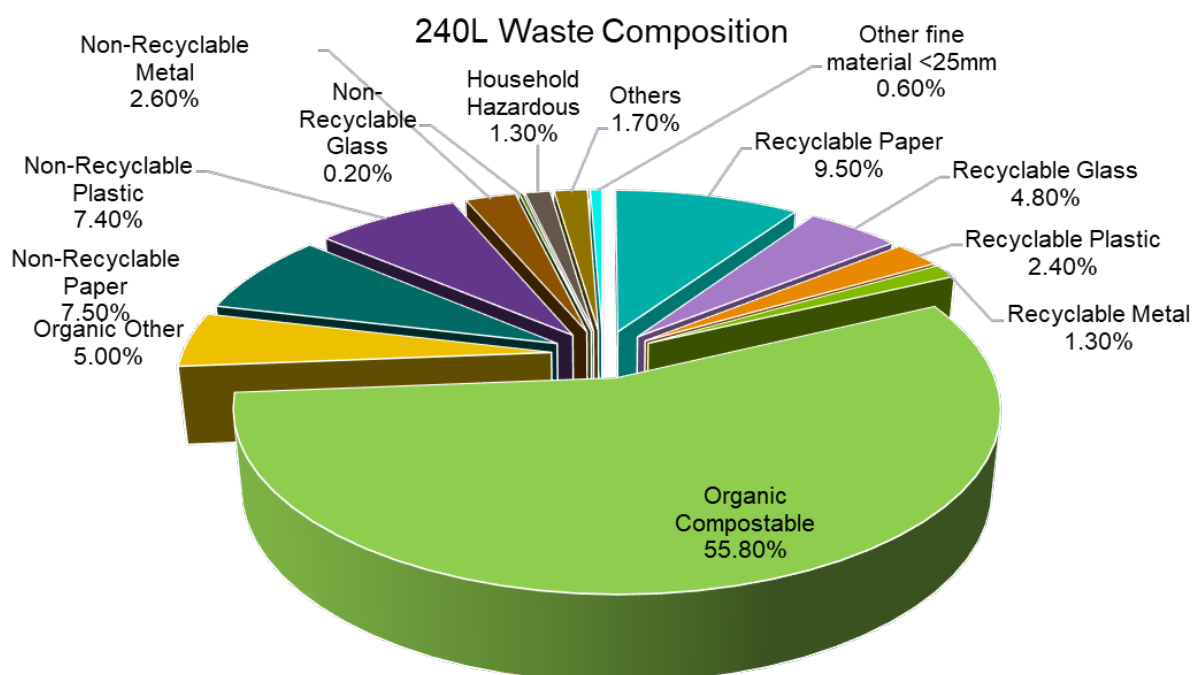
2019/20 financial year, Sunshine Coast Council diverted 37% of its total waste stream from landfill.

### **Reducing Waste to Landfill**

The *Sunshine Coast Waste Strategy 2015 – 2025* outlines how we can collectively reach landfill diversion targets through the introduction of new services and infrastructure upgrades that will benefit our community by establishing a circular economy approach to waste management across the region and encourage improved use of kerbside collection services.

Characterisation studies of Sunshine Coast waste bins show that over 70% of material in general waste bins is reusable and could be diverted from landfill, with over 55% of the contents being organic and suitable for composting (refer Figure 1).

**Figure 1 - Sunshine Coast General Waste Bin Composition - January 2020**



Based on the high proportion of organic material in general waste bins and to provide a pathway to meeting State Government landfill diversion targets, it is therefore sensible to prioritise diverting organic material from general waste bins by encouraging take-up and participation in Council's garden waste kerbside collection service through:

- introduction of an 'opt-out' garden organics collection service aligned to the commencement date of the next generation waste collection contract in July 2022; and
- pending establishment of a Food Organic / Garden Organic (FOGO) processing facility, transition the garden organics collection service to a region wide FOGO collection service (circa 2025).

### **Community Engagement Outcomes**

#### **Community Workshops**

Engagement Plus undertook a series of workshops for Sunshine Coast Council to explore community awareness of existing regional waste services. The aim was to develop options to improve service provision with a focus on better management of organic waste delivery outcomes aligned to Council's vision to be Australia's most sustainable region. Participants in

the workshops consisted of randomly recruited members of the community and representatives from the regions' community organisations.

To ensure a representative spread from across different areas of the region, six workshops were conducted, two in each of three locations across the region, (north) Coolumb, (south) Caloundra and (hinterland) Maleny.

A total of 57 people participated in the workshops which were based on a deliberative inquiry approach, during which, information was presented, followed by opportunity to ask questions and then deliberation of solutions.

#### Workshop 1

Workshop 1 focused on understanding waste and introduced Alternative Waste Treatment (AWT) technology including FOGO processing. The purpose of workshop 1 was to understand participants' baseline values on waste management, develop participants' knowledge of Alternative Waste Treatment approaches, think about options to divert organic waste from landfill and consider what is important for households if FOGO is implemented.

#### Workshop 2

Workshop 2 focused on refining the options for organic waste collection and processing. The purpose of workshop 2 was to understand community preferences for an organic waste collection service and determine a suitable methodology for introducing FOGO.

#### Workshop Findings

The workshops were highly successful in gathering a range of information to assist in Council's decision making around organic waste services. Key findings from the workshops include:

- When asked about participants understanding of some of the key waste concepts, there were high levels of understanding of recycling and waste management but significantly less understanding of Alternative Waste Treatment or FOGO.
- Education was the key to assist the community to understand why Council has waste diversion targets and what is impacting on the region from a waste perspective.
- The need for further information and education around the concept of Alternative Waste Treatment, its cost and benefits to the community.
- 79% of participants had not heard of FOGO before the waste workshop.
- Some were hesitant to support FOGO because of perceptions of smell, flies and concerns about space and cost of service. It was also noted that some households already compost, so would be less likely to use a FOGO service.
- Once people were provided with information about FOGO and had time to consider the impacts and opportunities of FOGO, there was general support for the service.

Participants indicated that if Council is to implement a FOGO service across the region, the service should be:

- easy to understand and use;
- provided weekly;
- affordable; and
- accompanied by a good education campaign.

Information gathered in the workshops was used to design the 'Our Future Waste' community survey which was conducted during February 2021 and closed on 2 March 2021.

### Our Future Waste Survey

The survey was advertised through a multi-media campaign using radio, print ads in local newspapers, online (social media & Council website), Councillor communication channels and posters in Council libraries etc.

As a result of the high-profile media campaign, there was enormous participation in the survey with over 7,500 responses received. This is amongst the highest number of responses Council has ever received for a community consultation process and the results can be considered highly representative of community views.

Survey participants were asked to provide details about how they currently manage waste and were then asked their thoughts on options to introduce an opt-out garden organics service followed by a Food Organics / Garden Organics (FOGO) service.

Overall, the community response indicates a high level of support for expanding organic waste collection services in the Sunshine Coast.

- 84% of respondents said it is very important that Council provide the service to reduce organic waste in landfill and convert recovered organic material to useful by-products.

Addressing climate change, improving the future for families, reducing waste to landfill, and finding better uses for waste materials were identified as important, along with a high level of support for reducing greenhouse gas emissions balanced by the expectation that cost of change should be a consideration.

### Opt-out Garden Organics Collection.

- 74% of respondents either support or strongly support Council implementing an opt-out garden waste bin to eligible households.

There was a consistent high level of support from across the region for an opt-out garden waste service. The feedback indicates that an opt-out garden waste service would benefit the community overall and lead to improved environmental outcomes.

### FOGO Collection

- 78% of respondents said they would be very likely, or likely, to use a FOGO bin collection service if it was available. Many of those indicated they have been waiting for Council to consider introducing the service.
- 83% of respondents strongly supported, or supported, Council implementing a FOGO waste service in the region.

There is awareness that introducing a FOGO service will involve a different approach to managing food waste, and feedback included suggestions that Council could assist by providing items such as kitchen caddies and compostable bags to enable households to better manage their food waste.

Respondents also raised several expectations that were considered important for Council to address in providing a FOGO service. Being able to understand the new service and what is required is seen as a priority, aligned to a good ongoing education program.

It was suggested the education program should include:

- reasons for having the service
- understanding the services and how they should be used
- understanding how to maintain a hygienic collection service and
- understanding how changes to existing services may impact their household.

### Cost

To understand the importance of cost to the FOGO service, respondents were asked to elaborate on why the cost of the FOGO service is important or not important to them personally.

- 29% of respondents indicated affordability was important.
- 24% of respondents suggested that the cost of the FOGO service was necessary and worth it to tackle the climate emergency and to reduce waste to landfill.

Other respondents said that they supported the service if the cost is kept low or incentivised (18%), whilst 13% suggested that they already have a third bin so the cost would be the same.

### Overview of Existing Garden Waste Collection

Council's current opt-in garden organics waste collection system results in approximately 11,000 tonnes of green waste being collected per annum, represented by an uptake of 37,034 out of 133,293 residential, residential rural and rural rated properties, and equating to around 28% of those property types across the region. *Attachment 1* details this by location of bin service for opt-in organics collection.

Council has assessed a number of relevant scenarios for potential further rollout of organics bins and collection services, by both service type and frequency. These are detailed in *Attachment 2* to this report. Analysis shows that not all service and frequency types are suitable for the region due to a range of factors including amenity, servicing schedules and servicing costs. The most appropriate option for the Sunshine Coast to achieve widespread collection services is a rollout of 240L organics (green lid) bins services on a fortnightly schedule. This option would then allow Council to switch to a weekly organics collection and fortnightly general waste collection once FOGO processing becomes available, potentially achieving the greatest volumes of waste diverted from landfill and reduction in long-term carbon emissions.

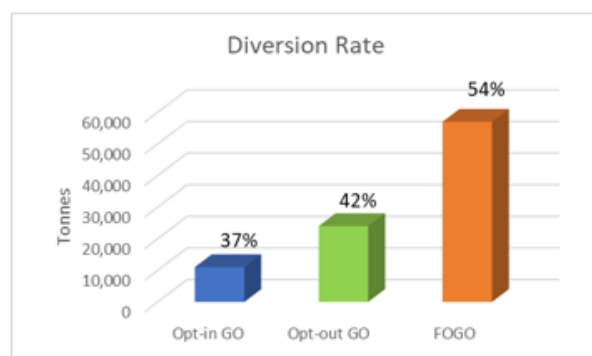
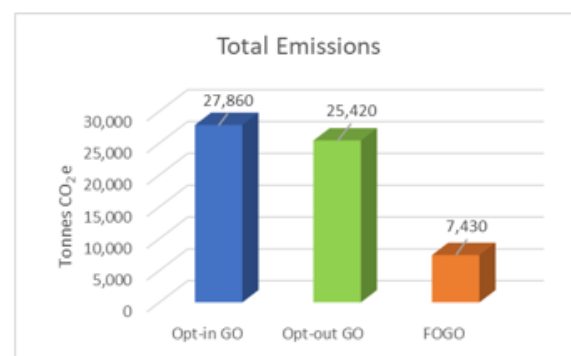
Under the proposal, Council would continue to accept self-haul garden waste from both domestic and commercial customers at its Resource Recovery Centre's, which will be mulched and made available to residents in line with current practices. Long-term, excess garden waste could be diverted to a FOGO facility once available.

### Environmental Benefits

Chart 1 below illustrates that an opt-out garden organics system moves Sunshine Coast Council closer to the State landfill diversion target by improving landfill diversion from 37% to 42%. This increase in diversion also extends landfill life. Chart 2 shows the proportional reduction in greenhouse gas emissions for year one, independent of legacy emissions. This reduction will contribute to Council's Environment and Liveability Strategy goal to be a zero-net emissions organisation. Analysis demonstrates significant improvements in landfill diversion and greenhouse gas emission reductions through the introduction of FOGO.

For these reasons, an opt-out garden organics system that would include approximately 70% of the regions properties is recommended as the start on Council's journey to a FOGO collection system, practically implementing diversion from landfill and carbon reduction measures.

Chart 1 - Landfill Diversion

Chart 2 - Landfill Gas CO<sub>2</sub>e

### Waste Utility Charge Impacts

Based on the current State Government Waste Levy amount of \$85.00 per tonne, each residential property will be subject to an increase of approximately \$61.88 based on average collection of 728 kg generated per annum should the advance payments cease or zero out. It should be noted that the \$85.00 per tonne levy is subject to ongoing review and increase annually by the State Government. Figures used for modelling in this report are indicative of the current levy amounts, and pricing under Council's waste collection contract.

Cost modelling (Attachment 2) shows the difference between no organics bin, opt-in organics bin, opt-out organics bin and FOGO scenarios. Currently just over 37,000 properties across the Sunshine Coast have elected to have a garden organics collection service. For the 2021/22 financial year a standard 240L wheelie bin weekly waste and fortnightly recycling collection service costs \$316.80 per annum. The current opt-in garden organics bin service costs an additional \$62.10 per annum. Replacing the current opt-in garden organics bin service with an expanded opt-out garden organics bin service will reduce the cost of organic bin services by around \$27.52 per annum (based on a take up rate of 80,000 properties). It is also estimated that when the opt-out organics service transitions to a region wide FOGO service, State Government Waste Levy costs will be reduced by up to \$24.75, per rateable property, per annum.

### Opt-out Garden Organics Service

Aligned to commencement of the next generation waste collection contract, it is therefore proposed that the current opt-in garden organics service be replaced with an opt-out garden organics service by extending the service to include a much higher proportion of domestic properties that generate garden waste.

Under the opt-out approach, a lime green lidded garden organics bin will be provided to all residential properties across the region unless they are eligible to opt-out based on yet to be developed exemption criteria.

The process, including the decision arising as a result of this report, is shown in Attachment 3, and outlines the potential progression from Garden Organics and integration into Council's next waste collection contract. A Food Organics collection and processing implementation would then be brought to Council pending the undertaking of a future business case to evaluate available technology and cost modelling.

### Transition to FOGO

On the balance of environmental outcomes, social benefits and cost impact on the ratepayer, a FOGO collection service supported by organic waste processing technology that uses source separated garden waste and food scraps represents a low cost, sustainable option for Council to deliver landfill diversion targets established by the State Government.

Council has an opportunity to adopt a staged transition to Food Organics / Garden Organics (FOGO) by initially extending the existing opt-in garden organics service to become an opt-out service. This represents the next step towards a FOGO service. It will allow for the phased extension of organic waste bins across the region and supports an ongoing community information and education program aimed at gaining understanding and acceptance of the organic waste service by most households prior to a future transition to FOGO.

It is proposed that the opt-out garden organics service transition to a FOGO collection service when a FOGO processing facility is established in the region. It is anticipated that a FOGO processing facility could be available as soon as July 2025. The FOGO collection service would utilise the same lime green lidded bins issued to premises receiving a garden organics collection service. However, the FOGO service will be provided to all residential premises and participating food waste generating commercial premises across the region. Prior to commencement of a FOGO service, lime green lidded bins will be issued to those premises not already participating in the opt-out garden organics service.

With most residential premises and many commercial premises across the region using a FOGO bin service, it is anticipated that an additional 33,000 tonnes per annum of organic waste can be diverted from landfill compared to business as usual, eventually increasing total waste diversion to 54%.

### **Overview of Benefits - Expanded Organic Collection Service**

Expanding garden organic collection services to an opt-out system will:

1. Provide a staged approach to introducing a FOGO service.
2. Achieve a low-cost impact to household waste utility charges within the Sunshine Coast region, demonstrating a prudent fiscal choice for Council.
3. Meet the community needs while minimising risk to ratepayers and the community.
4. Progress Council towards State Government landfill diversion targets.
5. Provide residents with the infrastructure and services to enable choices that deliver environmentally sustainable practices.
6. Create new local jobs:
  - a. Increasing the collection and processing of organic waste will potentially create up to 12 new driving positions and
  - b. Up to 10 new processing facility jobs.

### **Legal**

The recommendations and outcomes arising from this report have the potential to impact the next generation Waste Collection Contract. The contract issued by Council will accord with National Competition Policy.

Pricing methodology through both utility charges and Council's fees will be undertaken in line with requirements under the *Local Government Act 2009* and the *Local Government Regulation 2012*.

### **Policy**

The *Sunshine Coast Waste Strategy 2015-2025* includes actions to reduce the impact of waste on the environment and transition to a Circular Economy for waste.

The Environment and Liveability Strategy 2017 includes a target for Council to be a zero-net emissions organisation and the community is low carbon by 2041.



## Risk

Identified risks are presented in Table 2 along with mitigation measures.

**Table 2: Summary of risks**

RISK CATEGORY	RISK DESCRIPTION	MITIGATION
01. Contractual	Opt-out Garden Organic decision delays Next Generation Collection Contract commencement	<ul style="list-style-type: none"> <li>▪ Proceed to award Next Generation Collection Contract. If opt-out Garden Organics not decided, then proceed to award for base case (current service).</li> </ul>
02. Financial	Collection service costs for opt-out Garden Organics escalate due to excessive opt-out by households	<ul style="list-style-type: none"> <li>▪ Collection contract pricing schedule contains banded price brackets based on number of services.</li> </ul>
03. Approvals	Organics processing - AWT facility ERA approval is delayed	<ul style="list-style-type: none"> <li>▪ Pre-lodgement meeting with DES</li> <li>▪ Engagement of external consultant to develop ERA application</li> </ul>
04. Timetable	Delay in FOGO operational commencement of organics AWT beyond 1 July 2025	<ul style="list-style-type: none"> <li>▪ Continue garden waste collection and processing until AWT facility operational.</li> </ul>
05. Operational	Lack of markets for outputs (eg compost) from processing facility	<ul style="list-style-type: none"> <li>▪ Comprehensive assessment in FOGO business case.</li> <li>▪ Product marketing included in processing contract.</li> </ul>
06. Financial	Financial collapse of AWT contractor	<ul style="list-style-type: none"> <li>▪ Robust evaluation process</li> <li>▪ Credit assessment during tender evaluation</li> <li>▪ Performance guarantee</li> </ul>
07. Community support	Community does not support the spending of Council funds on the facility	<ul style="list-style-type: none"> <li>▪ Early community engagement</li> <li>▪ Stakeholder communication plan</li> <li>▪ Council resolution to support facility</li> </ul>
08. Community support	Community backlash against increased waste utility charges	<ul style="list-style-type: none"> <li>▪ Organic service costs partially offset by reduced landfill disposal and waste levy costs</li> </ul>

## Previous Council Resolution

### Ordinary Meeting 29 April 2021 (OM21/39)

*That Council:*

- (a) *note the report titled "Council of Mayors South East Queensland Waste Management Plan"*
- (b) *endorse the Draft Council of Mayors South East Queensland Waste Management Plan*
- (c) *authorise the Chief Executive Officer to publicly release the Council of Mayors Waste Management Plan once it has been adopted by all member Council's.*

### Ordinary Meeting 20 August 2015 (OM15/139)

*That Council:*

- (a) *receive and note the report titled "Draft Sunshine Coast Waste Strategy 2015-2025" and*

- (b) *adopt the draft Sunshine Coast Waste Strategy 2015 – 2025 (Appendix A) as a key document to guide Council in delivering key waste management objectives for the Sunshine Coast Region.*

### Related Documentation

- *Sunshine Coast Waste Strategy 2015-2025*
- *Sunshine Coast Council Environment Livability Strategy 2017*
- *Queensland Waste Management and Resource Recovery Strategy*

### Critical Dates

Key timelines related to the provision of organics collection services are outlined below.

**Table 3 - Key Timelines**

<b>KEY TIMELINES</b>	<b>ACTIVITY</b>
November 2020	Released Invitation to Tender (ITT) for the next generation Waste Collection Contract
July 2021	Proposed contract execution date for the next generation Waste Collection Contract
July 2021	Release of ITT for the FOGO processing design, construct, operate, maintain (DCOM) facility contract
December 2021	Proposed contract execution for FOGO processing facility design, construct, operate, maintain (DCOM) contract.
January 2022	Commence opt-out Garden Organics awareness and education program
June 2022	Roll-out of Garden Organics Bins to balance of eligible households
10 July 2022	Service commencement date (including opt-out GO) for the Waste Collection Contract
July 2024	Commence FOGO awareness and education program
June 2025	Roll-out of remainder of FOGO and Food Waste Bins
July 2025	FOGO Service commencement date – Launch FOGO services

### Implementation

Should the recommendation be accepted by Council, the Waste and Resources Management Branch will lead the activities itemised in Table 3.

**8.2 SURVEILLANCE PROGRAM - BIOSECURITY ACT 2014**

<b>File No:</b>	<b>F2016/210350</b>
<b>Author:</b>	<b>Coordinator Healthy Places Customer Engagement &amp; Planning Services Group</b>
<b>Appendices:</b>	<b>App A - 6 September 2021 to 5 September 2022 Surveillance Program for Sunshine Coast Council under the Biosecurity Act 2014 .....39</b>

**PURPOSE**

This report seeks Council endorsement to conduct the annual biosecurity surveillance program for the management of invasive plants. Under section 235 of the *Biosecurity Act 2014* Council must give authorisation for officers to carry out the program. The program is scheduled to commence on 6 September 2021 and end on 5 September 2022 and will be implemented by Council's Vector and Pest Plant Education and Control Team.

**EXECUTIVE SUMMARY**

A biosecurity surveillance program is proposed to occur and will be known as the 6 September 2021 to 5 September 2022 Surveillance Program for Sunshine Coast Council (the Program). The Program (refer to Appendix A) requires authorisation from Council under section 235 of the *Biosecurity Act 2014* (the Act) to lawfully conduct this work in the management of invasive plants (invasive biosecurity matter).

The *Sunshine Coast Council Local Government Area Biosecurity Plan 2017* (Biosecurity Plan) prescribes the prioritisation of all invasive species with management options for the five major Sunshine Coast catchments (Mary River, Upper Stanley River, Pumicestone Passage, Mooloolah River, Maroochy River, and part of Noosa River).

The objectives of the Program are to reduce the environmental, social, economic and amenity impacts associated with invasive biosecurity matter, i.e. invasive plants that are prohibited, restricted, or listed as locally significant under Council's Biosecurity Plan. Council aims to inspect all properties within the program area for invasive plants, regardless of whether the property is private or publicly managed. Council receives hundreds of complaints each year from members of the community in relation to infestations of biosecurity matter and the Program balances Council's reactive response with a proactive approach to invasive plant management in our region.

The Program focuses on invasive plants listed in the Act such as Groundsel bush, Cat's claw creeper, Fireweed, Giant rat's tail grasses and Salvinia. Work to be conducted through the Program involves confirming the presence, absence, and extent of targeted invasive plants. The Program also includes an educational component, providing advice and monitoring compliance activities and measures that prevent and/or control invasive plants.

Council has been managing invasive plants in our community since the mid-1980s, the commencement of the *Biosecurity Act 2014* included the requirement for Council to endorse the yearly program which is developed in consultation with the Department of Agriculture and Fisheries.

While Council partners closely with the Department of Agriculture and Fisheries and more specifically Biosecurity Queensland to design and implement the program, Council also works with a variety of other government agencies including the Department of Transport and Main Roads and the Department of Environment and Science. Non-government organisations (including non-for-profit community groups such as Landcare) assist Council

with the program helping to communicate and educate the community in relation to invasive plants.

Council's focus with the program is to educate and empower landholders to understand and manage invasive plants on their property. This educational approach has had a high level of success with less than 1% requiring Council's intervention to manage the plants.

The 2021/2022 budget allocation provides sufficient finance and resources to undertake the proposed inspection Program, the treatment for Council-controlled land will be scheduled based on risk and in accordance with the operational budget. The Program is consistent with Council's *Corporate Plan 2021-2025* goals and provides an instrument for the implementation of actions specified in the *Sunshine Coast Council Local Government Area Biosecurity Plan 2017*.

## OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Surveillance Program - Biosecurity Act 2014"
- (b) adopt the 6 September 2021 to 5 September 2022 Surveillance Program (Appendix A) for Sunshine Coast Council in accordance with section 235 of the *Biosecurity Act 2014*
- (c) delegate the Chief Executive Officer to authorise the carrying out of the 6 September 2021 to 5 September 2022 Surveillance Program for Sunshine Coast Council (Appendix A) in accordance with section 235 of the *Biosecurity Act 2014* on conclusion of the consultation with the Department of Agriculture and Fisheries and
- (d) note the following details of the 6 September 2021 to 5 September 2022 Surveillance Program for Sunshine Coast Council (which are required to be specified in this authorisation under Section 236 *Biosecurity Act 2014*), the Program:
  - (i) relates to invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the *Biosecurity Act 2014*
  - (ii) purpose is to monitor for compliance with the *Biosecurity Act 2014* and monitor the presence and extent of invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the *Biosecurity Act 2014*
  - (iii) will be carried out from 6 September 2021 to 5 September 2022
  - (iv) is for monitoring compliance with the *Biosecurity Act 2014* and places that will be entered and inspected are privately owned land within the Sunshine Coast Council Local Government Area and are properties with land size equal to or greater than 4,000m<sup>2</sup>
  - (v) is for determining the presence or extent of the spread of specific invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the *Biosecurity Act 2014* and applies to privately owned land within the Sunshine Coast Council Local Government Area and are properties with land size equal to or greater than 4,000m<sup>2</sup>
  - (vi) surveillance in the localities of Balmoral Ridge, Diamond Valley, Beerwah, Mt Mellum, Bells Creek, Crohamhurst, North Maleny, Flaxton, Dulong, Eerwah Vale, Verrierdale, Belli Park, Peachester, Montville, Obi Obi, Mapleton and

- (vii) Individual properties also previously known to harbour invasive biosecurity matter may be surveyed for ongoing compliance.

## FINANCE AND RESOURCING

The 2021/2022 budget allocated to address invasive plant issues through the biosecurity surveillance program is \$440,588 allocated as follows:

Salaries	\$ 289,087
Materials and services	\$ 66,657
Vehicles and plant	\$ 59,767
Internal materials and services	\$ 25,077

This equates to 3.5 x full time equivalent persons allocating their time to this program:

- 2.7 x full time equivalent positions conduct the proactive inspections, management, and administration (currently around 1500 inspections per year) and
- 0.8 x full time equivalent positions responding reactively to complaints (around 400 customer requests per year) lodged by the community on invasive plants.

One of the full-time equivalent positions is funded from the Environment Levy (\$82,164). The Environment Levy funds \$60,000 for Community Action and Engagement which includes educational materials and the free weed hire equipment that can be accessed by landholders.

The 2021/2022 budget allocation provides sufficient finance and resources to undertake the proposed inspection Program in accordance with the *Biosecurity Act 2014*. The required treatment for Council-controlled land will be scheduled based on risk and in accordance with the operational budget.

## CORPORATE PLAN

<b>Corporate Plan Goal:</b>	<b><i>Our service excellence</i></b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	S22 - Public health – protecting public health by managing declared pests, controlling mosquitoes and administering environmental health regulations.

## CONSULTATION

### Councillor Consultation

- Councillors P Cox and M Suarez – Portfolio Councillors for Environment and Liveability
- Councillors W Johnston and C Dickson – Portfolio Councillors for Service Excellence

### Internal Consultation

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

- Vector and Pest Plant Education and Control Team

### External Consultation

The following external stakeholders will be formally consulted as part of the implementation plan:

- The Chief Executive Officer of the Department of Agriculture and Fisheries

Council officers have engaged with officers from the Department of Agriculture and Fisheries to develop the Program.

### Community Engagement

In 2017 community consultation was undertaken with a broad spectrum of land care groups and external agencies in prescribing the prioritisation of invasive plants and management options for the five major Sunshine Coast catchments in the *Sunshine Coast Council Local Government Area Biosecurity Plan 2017*. This plan remains current.

### PROPOSAL

Biosecurity matter is defined in full in the *Biosecurity Act 2014*, but in brief is a living plant or animal, pathogen, disease, or contaminant. The Program (refer to Appendix A) is targeting specific invasive plants listed in the Act such as Groundsel bush, Cat's claw creeper, Fireweed, Giant rat's tail grasses and Salvinia.

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

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

Council officers always make efforts to locate the landholder and an information leaflet is sent in the weeks prior to inspections to notify residents of the Program and to prompt a productive pre-inspection discussion. Officers provide information and education to assist them with their management options during and post the inspections.

Part of this education process includes assisting the person in understanding their "general biosecurity obligation", noting that the person who is in control of the property *has an obligation to take all reasonable and practical measures to prevent or minimise the biosecurity risk* (section 23(2) of the Act).

Council also offers access to free weed control equipment to assist the landholder to comply with their requirements. The Program is a necessary initial step before compliance work under the Act can occur such as issuing a Biosecurity Order.

Council's endorsement of the Program gives authorised persons (Council officers) power to enter private property without consent in the very unusual circumstance where a landholder does not want to work with Council to manage invasive plants (this occurs in less than 1% of cases).

The Program will continue work that Council has delivered under previous biosecurity surveillance programs. Based on the 1042 inspections completed in the 2020/2021 biosecurity surveillance programs:

- 28% of properties (292 properties) proactively inspected through the current program contained invasive plants
- 12% of landholders (125 landholders) received a Notice requesting further control actions to meet their general biosecurity obligations
- less than 1% of properties (9 properties) inspected resulted in Council engaging a contractor to enter and clear the property.

### Legal

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

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

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

While these powers are in place, Council officers will continue to work closely with landholders to seek their support and voluntary compliance with their obligations as their primary approach.

### Policy

Local governments in Queensland have a biosecurity obligation to control invasive biosecurity matter within their local government area in compliance with the *Biosecurity Act 2014* (section 48). The Program contributes to the outcomes of the Sunshine Coast Council Local Government Area Biosecurity Plan 2017.

### Risk

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

- that Council is not meeting its obligations under the Act
- lead to the potential loss of agricultural productivity and community amenity
- risks associated with not controlling invasive plants throughout the region are increased
- lead to potential significant longer-term environmental damage and the resulting loss or reduction of biodiversity
- that stock and domestic animals are exposed to threats.

Under section 50 of the Act the State Government minister responsible for biosecurity may direct by issue of a formal notice to the local government to perform a biosecurity function or obligation. The local government must comply with this notice.

### Previous Council Resolution

#### Ordinary Meeting 23 July 2020 (OM20/74)

*That Council:*

- (a) *receive and note the report titled "Surveillance Program – Biosecurity Act 2014"*

- (b) *adopt the 7 August 2020 to 31 July 2021 Surveillance Program for Sunshine Coast Council (Appendix A) in accordance with section 235 of the Biosecurity Act 2014*
- (c) *authorise the carrying out of 7 August 2020 to 31 July 2021 Surveillance Program for Sunshine Coast Council (Appendix A) in accordance with section 235 of the Biosecurity Act 2014*
- (d) *note the following details of the 7 August 2020 to 31 July 2021 Surveillance Program for Sunshine Coast Council (which are required to be specified in this authorisation under Section 236 Biosecurity Act 2014):*
- (i) *relates to invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the Biosecurity Act 2014*
  - (ii) *purpose is to monitor for compliance with the Biosecurity Act 2014 and monitor the presence and extent of invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the Biosecurity Act 2014*
  - (iii) *the period over which the program is carried out is from 7 August 2020 to 31 July 2021*
  - (iv) *is for monitoring compliance with the Biosecurity Act 2014 and places that will be entered and inspected are privately owned land within the Sunshine Coast Council Local Government Area and are properties with land size equal to or greater than 4,000m<sup>2</sup>*
  - (v) *is for determining the presence or extent of the spread of invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the Biosecurity Act 2014 and applies to privately owned land within the Sunshine Coast Council Local Government Area and are properties with land size equal to or greater than 4,000m<sup>2</sup>*
  - (vi) *surveillance in the localities of Balmoral Ridge, Diamond Valley, Beerwah, Mount Mellum, Bells Creek, Crohamhurst, North Maleny, Flaxton, Dulong, Eerwah Vale, Verrierdale, Belli Park, Peachester, Montville, Obi Obi, Pacific Paradise, Mapleton and*
  - (vii) *individual properties also previously known to harbour invasive biosecurity matter will be surveyed for ongoing compliance.*

### **Related Documentation**

- *Local Government Act 2009*
- *Biosecurity Act 2014*
- *Work Health and Safety Act 2011*
- *Queensland Invasive Plants and Animals Strategy 2019-2024*
- *Sunshine Coast Council Local Government Area Biosecurity Plan 2017*
- *Sunshine Coast Council Corporate Plan 2021-2025*
- *Sunshine Coast Council Operational Plan 2021-2022*

### **Critical Dates**

If adopted the Chief Executive Officer will formalise consultation with the Department of Agriculture and Fisheries, feedback will be requested to be provided by 16 August 2021 to finalise the Program.

The Program has been scheduled to commence monitoring activities from 6 September 2021 to 5 September 2022. Notice of the Program must be given at least 14 days prior to the



commencement of the program. The notification would be raised no later than 23 August 2021.

### Implementation

The Chief Executive Officer will formalise consultation with the Department of Agriculture and Fisheries, feedback will be requested to be provided by 16 August 2021 to finalise the Program

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

The Program will be implemented by Council's Vector and Pest Plant Education Team in conjunction to Council's land management schedules from 6 September 2021 to 5 September 2022. This ensures an efficient delivery for maximum benefit to both community and Council's assets. Council has several tools to be used in the education, surveillance, compliance, and enforcement work including an entry notice and fact sheet that will be supplied to the landholder/land manager outlining the requirements of the legislation and their options.

A number of resources including pest plant identification manuals, a smartphone application, fact sheets, and public notices will be provided to rural and peri-urban landholders via social media, mail outs and surveys. Information is also available online at Council's website and Biosecurity Queensland's website.

Council's Vector and Pest Plant Control Officers will seek voluntary compliance and collaborate with landholders/land managers wherever possible to facilitate the control of invasive plants. The Program will:

- allow the confirmation of the presence of invasive plants on a property
- allow Council to communicate and inform a person about their general biosecurity obligation and
- assess whether to issue a Biosecurity Order to a person for failure to discharge their general biosecurity obligation (which may require the person to undertake management action – such as prevention or control).

If a landholder/land manager fails to comply, (or the occupier fails to allow the owner to comply) the authorised Program under the *Biosecurity Act 2014* provides for the property to be entered and for Council to undertake the work required (section 263). Costs can be recovered from the person that has failed to comply (section 380). Based on the history of the program, this intervention is required in less than 1% of cases.

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will ensure the Program is undertaken in line with the specified requirements.



**8.3 FERAL ANIMAL PREVENTION AND CONTROL PROGRAM -  
BIOSECURITY ACT 2014**

<b>File No:</b>	<b>2018/30481</b>
<b>Author:</b>	<b>Coordinator Healthy Places Customer Engagement &amp; Planning Services Group</b>
<b>Appendices:</b>	<b>App A - 6 September 2021 to 5 September 2022 Prevention and Control Program for feral animals under the Biosecurity Act 2014 for the Sunshine Coast Council area .....55</b>

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**PURPOSE**

This report seeks Council endorsement to conduct a feral animal prevention and control program. The State Government requires that Council under section 235 of the *Biosecurity Act 2014* must give authorisation to carry out the program. The program is scheduled to commence on 6 September 2021 and end on 5 September 2022 and will be implemented by Council's Feral Animal Education and Control Team.

**EXECUTIVE SUMMARY**

A feral animal prevention and control program is proposed and shall be known as the Feral Animal Prevention and Control Program under the *Biosecurity Act 2014* (the Act) for the Sunshine Coast Council area (the Program) 6 August 2021 to 5 September 2022. The Program requires endorsement from Council under section 235 of the Act to lawfully conduct this work in the management of feral animals (invasive biosecurity matter).

Council has been managing feral animals in our community for many years. The commencement of the *Biosecurity Act 2014* included the requirement for Council to endorse programs annually, developed in consultation with the Department of Agriculture and Fisheries.

The Program is targeting specific feral animals throughout the Sunshine Coast Council area namely wild dogs and dingo (other than a domestic dog), feral pigs, feral goats, feral cats (other than a domestic cat), feral deer, European foxes, European rabbits and Indian Myna Birds.

Work under the Program involves confirming the presence, absence, extent and/or magnitude of certain feral animals within specific locations that are mapped and the capture and euthanasia of them.

Council offers assistance through training, advice, and on-ground support to occupiers of properties to support them with feral animal control which includes trapping and baiting programs. There are also several proactive education stalls that are provided by Council on feral animal management at community events throughout the year.

In the first instance Council officers will contact (try to locate on the property) the landholder, provide them with information / education and obtain their consent to allow the management of feral animals. Under the current legislation it has not occurred however, in the unlikely event that the landholder refuses to work with Council, the Program gives authorised persons (Council officers) power to enter private property without consent for the purposes under the program.

Council officers respond to around 700 requests for service each year regarding feral animals and this Program will support this service. This Program will also support the community led partnerships such as the Community Wild Dog Baiting Programs and operate on both Council owned or controlled lands and private properties.

The Program will be delivered within the allowances of the 2021/2022 operational budget. The Program is consistent with the Corporate Plan 2021-2025 goals and provides an instrument for the implementation of actions specified in the Sunshine Coast Local Government Area Biosecurity Plan 2017.

Whilst the majority of control work is conducted on private land, it is also carried out on Council-owned and managed land to ensure General Biosecurity Obligations are met under the *Queensland Biosecurity Act 2014*. Government and other land managers are engaged to effect cross tenure controls within the region. Council's landmark proactive strategic control efforts play an integral role in the region to ensure high risk native species including endangered, vulnerable and near threatened species (EVNT) are protected.

## OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Feral Animal Prevention and Control Program - Biosecurity Act 2014"
- (b) adopt the *6 September 2021 to 5 September 2022 Prevention and Control Program for feral animals under the Biosecurity Act 2014 for the Sunshine Coast Council area (Appendix A)* in accordance with section 235 of the *Biosecurity Act 2014* and
- (c) delegate the Chief Executive Officer to authorise the carrying out of the *6 September 2021 to 5 September 2022 Prevention and Control Program for feral animals under the Biosecurity Act 2014 for the Sunshine Coast Council area* in accordance with section 235 of the *Biosecurity Act 2014* on conclusion of the consultation with the Department of Agriculture and Fisheries.

## FINANCE AND RESOURCING

The budget allocated to address feral animal issues through the prevention and control program for 2021/2022 is \$1,203,502 allocated as follows:

Salaries	\$831,112
Materials and services	\$164,654
Vehicles and plant	\$154,644
Internal materials and services	\$53,092

This equates to nine full time equivalent staff allocated to this program. The Environment Levy is funding \$308,136 of the Program which includes a community action and engagement component of \$60,000. In the 2020/2021 budget a Feral Animal Officer and Feral Deer Officer position previously funded by the Environment Levy were converted to permanent positions funded by the general fund. This included the wages for these positions and the vehicle costs. Materials and Services were not funded by the general fund and continued to be funded by the Environment Levy. As these positions were a project and had been removed from the projects the \$50,000 to resource materials and services was not supported in the 2021/2022 Environment Levy program, leaving a shortfall. This shortfall is now permanently funded by the general fund. The Program will be delivered within the operational budget allocation and in accordance with the *Biosecurity Act 2014*.

## CORPORATE PLAN

<b>Corporate Plan Goal:</b>	<b><i>Our service excellence</i></b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	S22 - Public health – protecting public health by managing declared pests, controlling mosquitoes and administering environmental health regulations.

## CONSULTATION

### Councillor Consultation

- Councillors P Cox and M Suarez – Portfolio Councillors for Environment and Liveability
- Councillors W Johnston and C Dickson – Portfolio Councillors for Service Excellence

### Internal Consultation

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

- Feral Animal Education and Control Team

### External Consultation

The following external stakeholders will be formally consulted as part of the implementation plan:

- The Chief Executive Officer of the Department of Agriculture and Fisheries

Council officers have engaged with officers from the Department of Agriculture and Fisheries to develop the Program.

### Community Engagement

There has been no community engagement undertaken in relation to this report. However, Council undertakes a number of proactive education programs including information displays at agricultural shows and other community events throughout the year to inform the community on feral animals and Council's programs.

## PROPOSAL

Biosecurity matter is defined in full in the *Biosecurity Act 2014*, but in brief is a living plant or animal, pathogen, disease, or contaminant. The Program is targeting specific feral animals, namely wild dog, and dingo (other than a domestic dog), feral pigs, feral goats, feral cats (other than a domestic cat), feral deer, European foxes, European rabbits, and Indian Myna Birds. Council officers respond to around 700 requests for service each year regarding feral animals and this Program will support this service.

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

1. Provide information and education to an occupier of a place.
2. Undertake property assessments to determine the travel routes or harbourage areas of the feral animals being targeted in the Program.
3. Collect information from occupiers of properties to inform the Program to maximise its functioning.
4. Establish monitoring cameras, sand pads or other animal detection devices on a property to determine the presence of roaming domestic animals or feral animals.

5. Undertake regular monitoring programs to inform the distribution, habitat use and populations of specific feral animal species within the region.
6. Install traps and or deploy poisons (1080, PAPP and strychnine or other scheduled poisons as they become approved by regulatory authorities) in line with regulatory controls including humane destruction.
7. Install warning signage on the property to alert the public to the actions being conducted.
8. Visit the property at varying hours to attend to traps or other devices.
9. Visit the property at varying hours to undertake removal/destruction of feral animals in line with regulatory controls and humane destruction.
10. Undertake the use of firearms for feral animal destruction purposes within the regulatory controls.
11. Engage a veterinarian for animal care or destruction purposes where required.

In the first instance Council officers will contact (try to locate on the property) the landholder, provide them with information / education and obtain their consent to allow the management of feral animals. Part of this education process will include assisting the person in understanding their “general biosecurity obligation”. The person who is in control of the property *has an obligation to take all reasonable and practical measures to prevent or minimise the biosecurity risk* (section 23(2) of the Act).

Council also offers access to free training and feral animal control equipment to assist the occupier to comply with their obligations.

Under the current legislation, it has not occurred however, in the unlikely event that the landholder refuses to work with Council the Program gives authorised persons (Council officers) power to enter private property without consent for the purposes under the Program.

It should be noted Council has been managing feral animals in our community from 2002. Since the commencement of the *Biosecurity Act 2014* Council must endorse a program which is developed in consultation with the Department of Agriculture and Fisheries before it can be carried out.

### **Background**

Long term monitoring forms a key component of the programs and demonstrates the necessity of robust monitoring. This approach allows for informed decision making in the design and delivery of efficient feral animal control programs.

Examples of successful programs based on long term monitoring include:

- **Hunchy Wild Dog Canid Pest Ejector Program**  
Agricultural protection - This program has run for three years and in that time wild dog attacks and reports have dropped from 12 in 2018 to just two once the program was operational.
- **Coastal Fox Control Program**  
Endangered Native Species Protection – This program has run for seven years, during this time the program has been monitored using trail cameras in treatment and non-treatment sites. This ensures robust data that can infer positive change in species assemblage over time due to the consistent control of predominantly foxes. This has led to the ongoing protection of endangered species ensuring their survival into the future. This has produced an increase in marsupials at the treatment site compared to the non-treatment site. Specifically, no turtle nests have been predated on in the last two years in the treatment area as reported by Coolum and North Shore Coast Care to Council as records are kept by them and the recent confirmed discovery of a Spotted

Tailed Quoll on two occasions within the Coastal Fox Control Program area is a significant discovery made by Council's Feral Animal Officers. This is a species thought to be locally extinct and has not been sighted since 2004. A subsequent image has been captured of Quoll in the treatment area confirming the quoll is a resident of the area.

- Feral Deer Control - Agricultural and Environmental asset protection

This program has run since 2015. In that time the overall deer density varied from a high of 10.4 deer/km<sup>2</sup> in August 2015 to a low of 2.7 deer/km<sup>2</sup> in December 2017. Numbers continue to fall in the control areas with stable populations in areas where control is not carried out. These findings were presented by Dr Matt Amos, Department of Agriculture and Fisheries – Invasive Animal Researcher as at the last Pest Animal and Weeds Symposium 2019. This data has been gathered over the last six years of surveys conducted by Council staff. The survey was designed by the Team Leader Feral Animal Education and Control in consultation with Feral Deer Officer for on-ground knowledge. The data was initially assessed as number of deer/km of transect and was subsequently adapted to program distance as a formal distance sampling method in 2019 for the paper mentioned above. Council was unable to conduct feral deer surveys until earlier this year due to Covid-19 restrictions for travelling in vehicles. Surveys have commenced again early this year and these datasets will inform the current impacts on these populations. The deer control program continues to expand focusing on halting range extension of the main species of Red and Rusa deer. It is imperative that range extension be halted before it reaches high speed roadways leading to the region to avoid deer vehicle collisions experienced in other regions along the eastern seaboard of Australia.

- Mary River Turtle Protection Program - Native species protection and direct agricultural asset protection as an indirect benefit of the control.

The program has been active for three years. In that time Council has deployed control techniques across initially 20 properties. This figure has now grown to 80 properties where landholders participate in the delivery of the program. Controls are implemented across these properties with a range of monitoring and control techniques in the Mary Valley. This includes 17 properties with camera detection, 49 fox den detection properties and five properties participating in the 1080 wild dog baiting program. These partnerships and on-ground control work over the last three years have resulted in removal of 20 foxes, 15 active fox den fumigations, 51 wild dogs, 21 feral cats and 116 feral pigs. Sunshine Coast Council has become the lead agency in the delivery of Mary River Turtle Protection moving from a clutch to catchment approach. The latest artificial intelligence (AI) technology is used to gather information on the passive activity index of all species within the program area. Cameras are placed at intervals along the Mary River and monitor animal movements 365 days of the year. This information creates a live data base for animal population indices.

### Control techniques

The bulk of animals are removed by deploying trapping techniques such as cage or foothold. Other controls that are used to effectively and humanely control invasive species in our region are outlined in Table 1.

As a lead agency, Council uses innovative control techniques along with standard trapping. Older practices are being slowly replaced with new technologies such as Canid Pest Ejectors (CPE) with new poisons like PAPP (Para-aminopropiophenone). The use of AI technology monitoring projects continues to grow driving innovation and efficiency in data gathering leaving officers to concentrate on service delivery.

In addition, the table below outlines which control methods are utilised for each species.

**Table 1** – Invasive species controlled for period 1 July 2020 to (year to date) 19 May 2021

Invasive Species Controlled	Numbers removed	Control method
Feral cat	40	Cage trap
Feral pig	34	Corral trap
Fox	25	CPE activation
Fox	56	Foot hold
Myna Bird	578	Cage trap
Pigeon	88	Cage trap
Rabbit – domestic	1	N/A
Rabbit – wild	3	Foot hold/Field shot
Deer	81	Field shot
Wild dog	34	CPE activation
Wild dog	38	Foot hold

## Legal

Authorisation of the Program by a resolution of the local government is required in accordance with section 235 of the Act. Section 236 of the Act outlines what must be stated in the program authorisation for a biosecurity program.

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

While these powers are in place, Council officers will continue to work closely with landholders to seek their support and voluntary participation in the Program as their primary approach.

The Act provides for powers of entry; however, these powers are rarely exercised in only 0.1% of cases such as to apprehend domestic rabbits. Council works with Biosecurity Queensland to carry out this work in most cases. Local landholders are pleased to have the service available to assist in the control of feral animals considering the specialist techniques and training requirements.

## Policy

Local governments in Queensland have a biosecurity obligation to control invasive biosecurity matter within their local government area in compliance with the *Biosecurity Act 2014* (section 48). The Program contributes to the outcomes of the Sunshine Coast Council Local Government Area Biosecurity Plan 2017.

## Risk

The activities conducted to address feral animals include several risks and can be categorised in the broader areas detailed below:

Risk	Mitigation
Firearms	The use of firearms is undertaken in accordance with the Queensland legislation and internal policies and procedures.



<b>Animal welfare</b>	Throughout the capture and management of animals, procedures are followed in accordance with Queensland legislation, codes of practice for humane outcomes and internal policies and procedures.
<b>Best practice</b>	Routine training adhered to, to ensure appropriate methodology applied to feral animal control and the early adoption of technology and advancements across the industry.
<b>Workplace Health and Safety</b>	Safe Work Method Statements and documented processes adhered to, to prevent risk to officers and the community.
<b>Poisons</b>	Use of poisons (including 1080) undertaken in line with Queensland legislation and officers undertake relevant training approved by Biosecurity Queensland and Queensland Health.

With the control of feral animals comes the use of tools, techniques, and chemicals that many are unfamiliar with. These items are seen as high risk and their misuse could cause great harm to the operators. These high-risk items are heavily regulated by legislation and supported by significant training and proficiency testing. In addition, Council procedures provide governance in the use of firearms and chemicals and are reviewed on a regular basis to ensure compliance with legislative and technical changes.

### Previous Council Resolution

#### Ordinary Meeting 23 July 2020 (OM20/73)

*That Council:*

- (a) *receive and note the report titled "Biosecurity Feral Animal Prevention and Control Program"*
- (b) *adopt the Feral Animal Prevention and Control Program under the Biosecurity Act 2014 for the Sunshine Coast Council area 7 August 2020 to 31 July 2021 in accordance with section 235 of the Biosecurity Act 2014 (Appendix A) and*
- (c) *authorise the carrying out of the Feral Animal Prevention and Control Program under the Biosecurity Act 2014 for the Sunshine Coast Council area 7 August 2020 to 31 July 2021 under the Biosecurity Act 2014 for the Sunshine Coast Council area (Appendix A) in accordance with section 235 of the Biosecurity Act 2014.*

### Related Documentation

- *Local Government Act 2009*
- *Biosecurity Act 2014*
- *Work Health and Safety Act 2011*
- Queensland invasive plants and animals Strategy 2019-2024
- Sunshine Coast Council Local Government Area Biosecurity Plan 2017
- Sunshine Coast Council Corporate Plan 2021-2025
- Sunshine Coast Council Operational Plan 2021-2022
- *Health (Drugs and Poisons) Regulation 1996*

**Critical Dates**

If adopted the Chief Executive Officer will formalise consultation with the Department of Agriculture and Fisheries, feedback will be requested to be provided by 16 August 2021 to finalise the Program.

The Program has been scheduled to commence monitoring activities from 6 September 2021 to 5 September 2022. Notice of the Program must be given at least 14 days prior to the commencement of the program. The notification would be raised no later than 23 July 2021.

**Implementation**

The Chief Executive Officer will formalise consultation with the Department of Agriculture and Fisheries, feedback will be requested to be provided by 16 August 2021 to finalise the Program

The Program will be available for customers and the public to view at all Customer Service Centres and will be published on the Council website at least 14 days before commencement. The Program is a necessary initial step before Council can undertake compliance and enforcement work can commence to prevent and control feral animals.

The Program will be implemented by Council's Feral Animal Education and Control Team in correlation with Council land management schedules. This ensures an efficient delivery for maximum benefit to both community and Council's assets. Council has a number of tools to be used in the education, surveillance, compliance, and enforcement work including an entry notice and fact sheet that will be supplied to the occupier outlining the requirements of the legislation and their options.

A number of resources including educational booklets, a smartphone application, fact sheets and public notices will be provided to occupiers of a property via social media, mail outs and surveys. Information is also available online at Council's website and Biosecurity Queensland's website.

The Program will:

1. Allow the confirmation of the presence of feral animals on a property.
2. Allow Council to communicate and inform a person about their general biosecurity obligation.
3. Assess whether to issue a Biosecurity Order to a person for failure to discharge their general biosecurity obligation (which may require the person to undertake management action – such as prevention or control).
4. Ensure Sunshine Coast Council is meeting its general biosecurity obligation to manage invasive biosecurity matter – invasive animals that are prohibited or restricted matter in the Sunshine Coast Council local government area, to reduce the impacts on human health, social amenity, the economy or the environment (section 48 of the Act).
5. Assist in capacity building of the occupiers of properties to minimise the impacts from invasive animals – prohibited or restricted matter on pets, animals and livestock, native animals, the environment, or agricultural crops.
6. Determine the extent of invasive animals – prohibited or restricted matter in identified locations.
7. Collect data and undertake research to assist in determining trends in invasive animals – prohibited or restricted matter populations and better understand how to manage these populations whilst reducing their impacts including refining and enhancing current programs and services.
8. Determine the effectiveness of education, community/Council partnerships and on-ground treatment programs.

9. Permit the deployment of data collection methods such as sand pads, monitoring cameras and infield thermal site surveys.
10. Permit the deployment of trapping systems, Canid Pest Ejectors, tied and buried 1080 meat baits, manufactured 1080 or PAPP baits and strychnine providing these deployments are within the regulatory controls. Recent developments in control delivery provided a new pig control poison known as HOGGONE. This is a simple yet advanced poison that has minimal off target implications.
11. Provision of 1080 or PAPP manufactured and or 1080 meat baits to landholders to use for approved feral animal control programs.
12. Permit the destruction of invasive animals – prohibited or restricted matter subject to meeting regulatory controls including humane destruction under animal welfare legislation.
13. Permit the use of other control methods as they become available through federal and state approving authorities.

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will ensure the program is implemented as detailed in this report.

**8.4 2021 SPORTS FIELD MAINTENANCE FUNDING PROGRAM**

<b>File No:</b>	<b>Council Meetings</b>
<b>Author:</b>	<b>Community Connections and Partnerships - Lead Economic &amp; Community Development Group</b>
<b>Appendices:</b>	<b>App A - 2021 Sports Field Maintenance Funding Program Recommendations .....71</b>

**PURPOSE**

This report seeks Council consideration and endorsement of recommendations for the 2021 Sports Field Maintenance Funding Program (Appendix A).

**EXECUTIVE SUMMARY**

The inaugural Sports Field Maintenance Funding Program and supporting guidelines were endorsed by Council at its Ordinary Meeting of 2 February 2011. The funding program commenced in the 2011/12 financial year, providing funding for up to three years to successful applicants.

On 20 June 2013, Council adopted the *Community Grants Policy* under which the Sports Field Maintenance Funding Program guidelines are administered.

The aim of this program is to contribute to maintenance costs incurred by, and provide expert advice to, organisations maintaining turf surfaces to competition standard.

The program is jointly managed by the Economic and Community Development and Built Infrastructure Groups and is premised on the following four elements:

- The sports field maintenance undertaken ensures fields are at competition standard
- The costs are attributed per field, per annum and based on the type of sport played
- Council's contribution is a percentage of the full contractor rate
- The program is not applicable to specialised, exclusive and/or restricted access sports.

Pivotal to the program is the availability of a dedicated Council staff member, Parks Community Sports Officer (Parks and Gardens), to provide support to sporting organisations by providing expert advice on maintaining their sports field to competition standard.

There is one Sports Field Maintenance Funding Program round per year and the 2021 round is the second of the current three-year cycle. The program has existing commitments to 46 sporting organisations that were awarded multiple years of funding in the 2020 round.

Applications for the 2021 Sports Field Maintenance Funding Program round closed on 24 May with two organisations which are taking over responsibility for the maintenance of new sports fields during 2021/22 applying to enter the program.

This report recommends a total of \$29,660 funding for 2021/22 and \$39,646 for 2022/23 to the applicant organisations as follows:

1. Kawana Park Junior AFL Club to receive annual funding of \$19,674 per year for a period of 2 years based on the club taking responsibility for maintenance of 2 AFL fields at Meridan Fields Sports Complex from 1 July 2021.
2. Chancellor Park Soccer Club to receive funding of \$9,986 (calculated pro rata) in 2021/22 and \$19,972 for the 2022/23 financial year based on primary responsibility for maintenance of 4 soccer fields at Harmony Sports Park transferring to the club from 1 January 2022.

Details of this recommendation are provided in Appendix A.

## OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “2021 Sports Field Maintenance Funding Program” and
- (b) endorse the 2021 Sports Field Maintenance Funding Program Recommendations (Appendix A).

## FINANCE AND RESOURCING

Funding of sporting organisations through the Sports Field Maintenance Funding Program is based on a formula which considers field type, number of fields and period of responsibility and is allocated (subject to budget) for one, two- or three-year funding periods.

There are existing commitments totalling \$734,051 to 46 sporting organisations that were awarded multiple years of funding in the 2020 round. It was determined that a maximum of two years of funding will be allocated in the 2021 round to bring the new allocations into line with existing Sports Field Maintenance Funding Program agreements which end on 30 June 2023.

The 2021/22 Grants & Partnerships Budget is sufficient to support the recommendations in this report:

- \$29,660 recommended in this report for two (2) sporting organisations (Appendix A)
- \$734,051 which will be distributed to organisations already committed under multi-year agreements from the 2020 round.

As funding is allocated for up to a two (2) year funding period, the recommendations in this report have implications for future budgets (see Table 1 below).

Budget Implications	2021/2022	2022/2023
2021 round - 1 <sup>st</sup> year – Recommendations in this report	\$29,660	
2021 round - 2 <sup>nd</sup> year - Recommendations in this report		\$39,646
2020 round – 2 <sup>nd</sup> year - Existing commitments	\$734,051	
2020 round – 3 <sup>rd</sup> year – Existing commitments		\$734,051
<b>Total</b>	<b>\$763,711</b>	<b>\$773,697</b>

Table 1. Budget Implications

## CORPORATE PLAN

**Corporate Plan Goal:** *Our strong community*

**Outcome:** 1.4 - Connected, resilient communities, with the capacity to respond to local issues

**Operational Activity:** 1.4.2 - Provide support to the community and other not for profit organisations in the delivery of resources, facilities and services that meet the needs of communities through the grants program.

## CONSULTATION

### Portfolio Councillor Consultation

- Community Portfolio – Councillor R Baberowski and Councillor D Law

### Internal Consultation

Consultation has been undertaken with relevant internal stakeholders across various groups and branches of Council including:

- Parks Community Sports Field Officer, Parks and Gardens
- Team Leader Sports Planning and Development, Sport and Community Venues
- Sport and Recreation Officer x 2, Sports Planning and Development, Sport and Community Venues
- Senior Projects Officer, Community Connections, Community Planning and Development
- Planning Officer, Community Connections, Community Planning and Development

### External Consultation

Consultation with representatives from partner sporting organisations is undertaken on a regular basis by both the Parks Community Sports Field Officer and relevant Sport and Recreation Officers to ensure compliance with and support for their funding agreements.

### Community Engagement

No external community engagement was undertaken in relation to this report.

## PROPOSAL

The inaugural Sports Field Maintenance Funding Program and supporting guidelines were endorsed by Council at its Ordinary Meeting of 2 February 2011. The funding program commenced in the 2011/12 financial year, providing funding for up to three years.

On 20 June 2013, Council adopted the Community Grants Policy under which the Sports Field Maintenance Funding Program guidelines are administered.

The aim of the program is to contribute to maintenance costs and provide expert advice to organisations to assist in maintaining turf surfaces to competition standard.

Funding through the Sports Field Maintenance Funding Program is based on a formula which considers field type, number of fields and period of responsibility.

The program is jointly managed by the Economic and Community Development and Built Infrastructure Groups and is premised on the following four elements:

- Sports fields are maintained to competition standard.
- Costs are attributed per field, per annum and based on the sport played.
- Council's contribution to the maintenance costs is a percentage of the full contractor rate
- The program is not applicable to specialised, exclusive and/or restricted access sports. Examples of these activities include lawn bowls, tennis, croquet, archery and pony clubs.

Pivotal to the program is the availability of a dedicated Council officer, the Parks Community Sports Officer (Parks and Gardens) to support the partner sporting organisations by providing expert advice on maintaining their sports fields to competition standard.

**2021 Sports Field Maintenance Funding Program**

There is one Sports Field Maintenance Funding Program round per year and the 2021 round is the second year of the current three-year cycle. The program has existing commitments to 46 sporting organisations that were awarded multiple years of funding in the 2020 round.

The assessment of applications for this funding program required clarification of tenure, type of sport played on the field/s, number of fields and period of maintenance responsibility. An assessment panel made up of Council officers with relevant expertise met to review the applications and determine an outcome. Assessment panel membership is detailed in the Internal Consultation section of this report.

**Promotion and support**

The 2021 Sports Field Maintenance Funding Program round opened on 19 April 2021 and closed on 24 May 2021. The program was promoted through direct contact with organisations identified as potentially eligible for funding as well as on Council's website.

**Applications**

Council received Sports Field Maintenance Funding Program applications from the Kawana Park Junior AFL Club and Chancellor Park Soccer Club.

**Assessment**

The assessment of applications for this funding program required clarification of tenure, type of sport played on the field/s, number of fields and period of maintenance responsibility. An assessment panel made up of Council officers with relevant expertise met to review the applications and determine an outcome. Assessment panel membership is detailed in the Internal Consultation section of this report.

**Recommendation*****Kawana Park Junior AFL Club - (Meridan Fields Sports Complex)***

Funding for a period of two years is recommended at \$19,674 per year for the Kawana Park Junior AFL Club based on the club taking responsibility for field maintenance from 1 July 2021.

***Chancellor Park Soccer Club - (Harmony Sports Park)***

Based on primary responsibility for field maintenance at Harmony Sports Park transferring to the Chancellor Park Soccer Club from 1 January 2022, funding of \$9,986 (calculated pro rata) is recommended for 2021/22. Council's Parks Operations and Arboriculture Unit will undertake maintenance and renovation works on these fields until 31 December 2021.

The second year of funding is recommended based on the club having responsibility for field maintenance for a full 12-month period in the 2022/23 financial year and is calculated at \$19,972.

Total funding of \$29,660 in 2021/22 and \$39,646 in 2022/23 is recommended for endorsement by Council and is detailed in Appendix A.

**Legal**

The act of providing funding does not, of itself, raise issues of legal liability for Council. Rather it is the conduct of the funding recipient in carrying out what may be considered a local government type activity on local government owned or controlled land that will have some legal liability exposure issues for Council.

This will be mitigated, as best as is possible, by having the successful funding applicants enter into Agreements that clearly articulate the relationship between the parties and obligate them to be incorporated bodies with adequate risk management plans, levels of insurance, training, reporting and financial controls.

**Policy**

Delivery of the Sports Field Maintenance Funding Program is governed by the Community Grants Policy and supporting guidelines.

**Risk**

There is minimal financial risk associated with the program in supporting identified eligible organisations to carry out field maintenance, due to the ongoing working relationships between the organisations and dedicated Council officers. This relationship is supported by individually tailored funding agreements.

**Previous Council Resolutions****Ordinary Meeting 23 July 2020 (OM20/72)**

*That Council:*

- (a) *receive and note the report titled “2020 Sports Field Maintenance Funding Program” and*
- (b) *endorse the 2020 Sports Field Maintenance Funding Program Recommendations (Appendix A).*

**Ordinary Meeting 20 June 2013 (OM13/109)**

*That Council:*

- (a) *receive and note the report titled “Community Grants Policy”*
- (b) *adopt the Community Grants Policy (Appendix A)*
- (c) *note the Community Grants Guidelines (Appendix B) as amended by (f) below to implement the Community Grants Policy*
- (d) *adopt the Mayoral and Councillor Discretionary Funding Policy as amended (Appendix C)*
- (e) *note the Mayoral and Councillor Discretionary Funding Program Guidelines (Appendix D) and*
- (f) *amend the grants guidelines to include a clause that stipulates that each program is subject to annual budget allocations.*

**Ordinary Meeting 2 February 2011 (OM11/12)**

*That Council:*

- (a) *receive and note the report titled “Sports Field Maintenance Funding Program”*
- (b) *adopt a 70% Council funding contribution of the full contractor rate to maintain fields noting potential funding sources and refer funding to 2011/12 budget process*
- (c) *adopt the Sports Field Maintenance Funding Program Policy (Appendix A) and note Guidelines (Appendix B) and*
- (d) *request the Chief Executive Officer to review the Sports Field Maintenance Funding Program one year after adoption and provide a progress report back to Council.*

**Related Documentation**

Funding arrangements with individual organisations include individual agreements which must demonstrate field maintenance plans. These plans are formulated in consultation with the Parks Community Sports Field Officer.



There are also a number of related policies and governing legislation that guide and inform the management and delivery of the Sports Field Maintenance Funding Program. These include:

- Community Grants Policy (2013)
- *Local Government Act (2009)*
- *Local Government Regulation (2012)*
- Sport and Active Recreation Plan 2011-2026
- Sports Field Maintenance Funding Program Guidelines
- *Statutory Bodies Financial Arrangements Act (1982)*
- Sunshine Coast Community Strategy 2019-2041

### **Critical Dates**

All current Sports Field Maintenance Funding Program agreements will end at 30 June 2023.

### **Implementation**

Upon Council endorsement of the recommendations in this report, the applicants will be notified of the recommended funding amount, funding conditions including reporting and acquittal requirements and any conditions to be met prior to funding being processed.

The recipients will also develop a maintenance agreement in consultation with Council's Parks Community Sports Field Officer, clarifying expectations in relation to the maintenance of the sports fields.

Funding will be distributed once the transfer of responsibility is confirmed and the online agreement is submitted to Council. All recipients will be required to display Council supplied signage acknowledging Council's support for field maintenance.

Details of the successful partner organisations will be posted on Council's website.



## 8.5 DEVELOPMENT APPLICATIONS FOR COLES BEERWAH - ROYS ROAD, BEERWAH

<b>File No:</b>	MCU19/0267, MCU19/0270 & RAL19/0118
<b>Author:</b>	Principal Development Planner Customer Engagement & Planning Services Group
<b>Attachments:</b>	<p>Att 1 - Detailed Assessment Report - Application MCU19/0267 – Preliminary Approval and Shopping Centre ..... 5/141</p> <p>Att 2 - Detailed Assessment Report - Application MCU19/0270 - Service Station and Food and Drink Outlet ..... 65/141</p> <p>Att 3 - Detailed Assessment Report - Application RAL19/0118 – Reconfiguring a Lot ..... 95/141</p> <p>Att 4 - Proposal Plans - Application MCU19/0267 – Preliminary Approval and Shopping Centre ..... 113/141</p> <p>Att 5 - Proposal Plans - Application MCU19/0270 - Service Station and Food and Drink Outlet ..... 121/141</p> <p>Att 6 - Proposed Plan - Application RAL19/0118 - Reconfiguring a Lot ..... 125/141</p> <p>Att 7 - State Assessment and Referral Agency Response - Application MCU19/0267 - Application MCU19/0270 - Application RAL19/0118 ..... 127/141</p>

### Links to Development.i:

#### MCU19/0267:-

[https://developmenti.sunshinecoast.qld.gov.au/Home/ApplicationDetailsView?appNo=MCU19%2F0267&type=plan\\_scc\\_development\\_apps](https://developmenti.sunshinecoast.qld.gov.au/Home/ApplicationDetailsView?appNo=MCU19%2F0267&type=plan_scc_development_apps)

#### MCU19/0270:-

[https://developmenti.sunshinecoast.qld.gov.au/Home/ApplicationDetailsView?appNo=MCU19%2F0270&type=plan\\_scc\\_development\\_apps](https://developmenti.sunshinecoast.qld.gov.au/Home/ApplicationDetailsView?appNo=MCU19%2F0270&type=plan_scc_development_apps)

#### RAL19/0118:-

[https://developmenti.sunshinecoast.qld.gov.au/Home/ApplicationDetailsView?appNo=RAL19%2F0118&type=plan\\_scc\\_development\\_apps](https://developmenti.sunshinecoast.qld.gov.au/Home/ApplicationDetailsView?appNo=RAL19%2F0118&type=plan_scc_development_apps)

<b>SUMMARY SHEET</b>	
<b>Applicant:</b>	Coles Group Property Developments Pty Ltd
<b>Consultant:</b>	Project Urban Pty Ltd
<b>Owner:</b>	Ms M Biondi
<b>Proposal</b>	<p><b>MCU19/0267</b></p> <ul style="list-style-type: none"> <li>Preliminary Approval for Material Change of Use of Premises (Including a Variation Request to Vary the Effect of the <i>Sunshine Coast Planning Scheme 2014</i>) to Establish a Business, Industrial, Community, Sport and Recreation and Other Activities</li> <li>Development Permit for Material Change of Use of Premises to Establish a Shopping</li> </ul>

	Centre (Full Line Supermarket and Showroom) <b>MCU19/0270</b> <ul style="list-style-type: none"><li>Development Permit for Material Change of Use of Premises to Establish a Service Station and Food and Drink Outlet</li></ul> <b>RAL19/0118</b> <ul style="list-style-type: none"><li>Development Permit to Reconfigure a Lot (4 Lots into 4 Lots and New Road)</li></ul>
<b>Properly Made Date:</b>	11 November 2019
<b>Information Request Date:</b>	2 December 2019
<b>Information Response Date:</b>	3 September 2020
<b>Decision Due Date:</b>	23 July 2021
<b>Number of Properly Made Submissions:</b>	<b>MCU19/0267</b> – 41 <b>MCU19/0270</b> – 9 <b>RAL19/0118</b> – N/A (code assessment)
<b>PROPERTY DETAILS</b>	
<b>Division:</b>	1
<b>Property Address:</b>	8 Roys Rd BEERWAH
<b>RP Description:</b>	<b>MCU19/0267 &amp; RAL 19/0118</b> - Lot 122, 123, 124 and 125 CG 155 <b>MCU19/0270</b> – Lots 122 & 123 CG 155
<b>Land Area:</b>	<b>MCU19/0267 &amp; RAL 19/0118</b> - 16.491 hectares <b>MCU19/0270</b> – 8.094 hectares
<b>Existing Use of Land:</b>	Rural (agriculture and dwelling house)
<b>STATUTORY DETAILS</b>	
<b>Planning Scheme:</b>	<i>Sunshine Coast Planning Scheme 2014</i> (11 November 2019)
<b>SEQRP Designation:</b>	Urban Footprint
<b>Sunshine Coast Planning Scheme Strategic Framework Land Use Category:</b>	Industry and Enterprise Area
<b>Sunshine Coast Planning Scheme Zone:</b>	Medium Impact Industry & Environmental Management and Conservation
<b>Assessment Type:</b>	<b>MCU19/0267</b> – Impact Assessment (Variation Request) <b>MCU19/0270</b> – Impact Assessment <b>RAL19/0118</b> – Code Assessment

## PURPOSE

This report seeks Council's determination of three (3) separately lodged but related applications for development at Roys Road Beerwah, being:

- **Application MCU19/0267** - Preliminary Approval for Material Change of Use of Premises (Including a Variation Request to Vary the Effect of the *Sunshine Coast Planning Scheme 2014*) to Establish a Business, Industrial, Community, Sport and Recreation and Other Activities AND Development Permit for Material Change of Use of Premises to Establish a Shopping Centre (Full Line Supermarket and Showroom)
- **Application MCU19/0270** - Development Permit for Material Change of Use of Premises to Establish a Service Station and Food and Drink Outlet
- **Application RAL19/0118** - Development Permit to Reconfigure a Lot (4 Lots into 4 Lots and New Road)

The applications are before Council because application MCU19/0267 involves a Variation Request, and applications MCU19/0270 and RAL19/0118 are related to and dependent upon application MCU19/0267. For reasons of clarity and efficiency, all three applications are discussed in this single report to Council.

## EXECUTIVE SUMMARY

The applicant seeks to develop the site primarily as a “homemaker centre” incorporating a full-line supermarket and other commercial land uses. In order to progress this, the applicant lodged three separate but related applications over the subject land at the same time.

“Homemaker centre” is not defined by the planning scheme but is generally understood to involve a shopping precinct mostly occupied by large format retail shops or showrooms selling goods related to home furnishings, homewares, and electronics. A Full line supermarket is defined by the planning scheme as “a supermarket offering all or most major lines of groceries for sale and having a gross leasable floor area generally in excess of 2,500m<sup>2</sup>”.

The subject site is located to the east of the North Coast rail line and Steve Irwin Way and is situated at the south-eastern corner of the Roys Road and Steve Irwin Way intersection. The site is included in the Medium impact industry and Environmental management and conservation zones in the Sunshine Coast Planning Scheme 2014. The site is presently farmed for strawberries and Coochin Creek forms its southern border. The existing Moroney Place industrial estate is located opposite the site on the northern side of Roys Road.

The location of the site and an aerial photograph is included in Figure 1 and Figure 2 below.

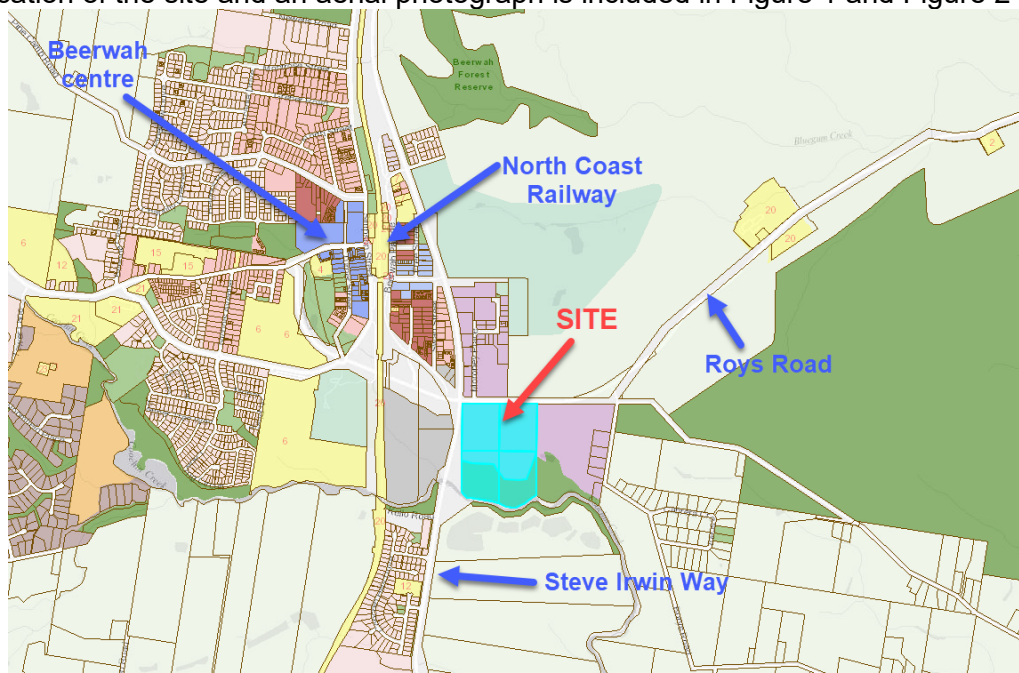


Figure 1: Location Plan



*Figure 2: Aerial photograph of the site*

The first application (MCU19/0267) seeks a Preliminary Approval, including a Variation Request, to vary the effect of the *Sunshine Coast Planning Scheme 2014*. The application proposes to establish new planning controls for the site, which is currently included in both the Medium impact industry zone and the Environmental management and conservation zone. In very general terms, the application seeks to treat the Medium impact industry zoned portion of the land (approximately 11.29 hectares) as if it were included in the Specialised centre zone, which is a zone where a homemaker centre would be expected to be located. The first application also seeks to secure a Development Permit for a Material Change of use to establish a Shopping Centre (Full Line Supermarket and Showroom).

The second application (MCU19/0270) seeks to secure a Development Permit for a Material Change of Use to establish a Service Station and a Food and Drink Outlet. These uses would form part of the overall homemaker centre development intended for the site.

The third application (RAL19/0118) seeks to secure a Development Permit to reconfigure four (4) existing lots into four (4) lots and new road. The proposed lot layout generally reflects the development concepts sought in the first and second applications.

The applicant has prepared an overall Masterplan Concept for the site to illustrate how the site is intended to be developed. An extract from the Masterplan Concept with key elements identified is included in Figure 3 below. The Development Permit elements have been identified in red.

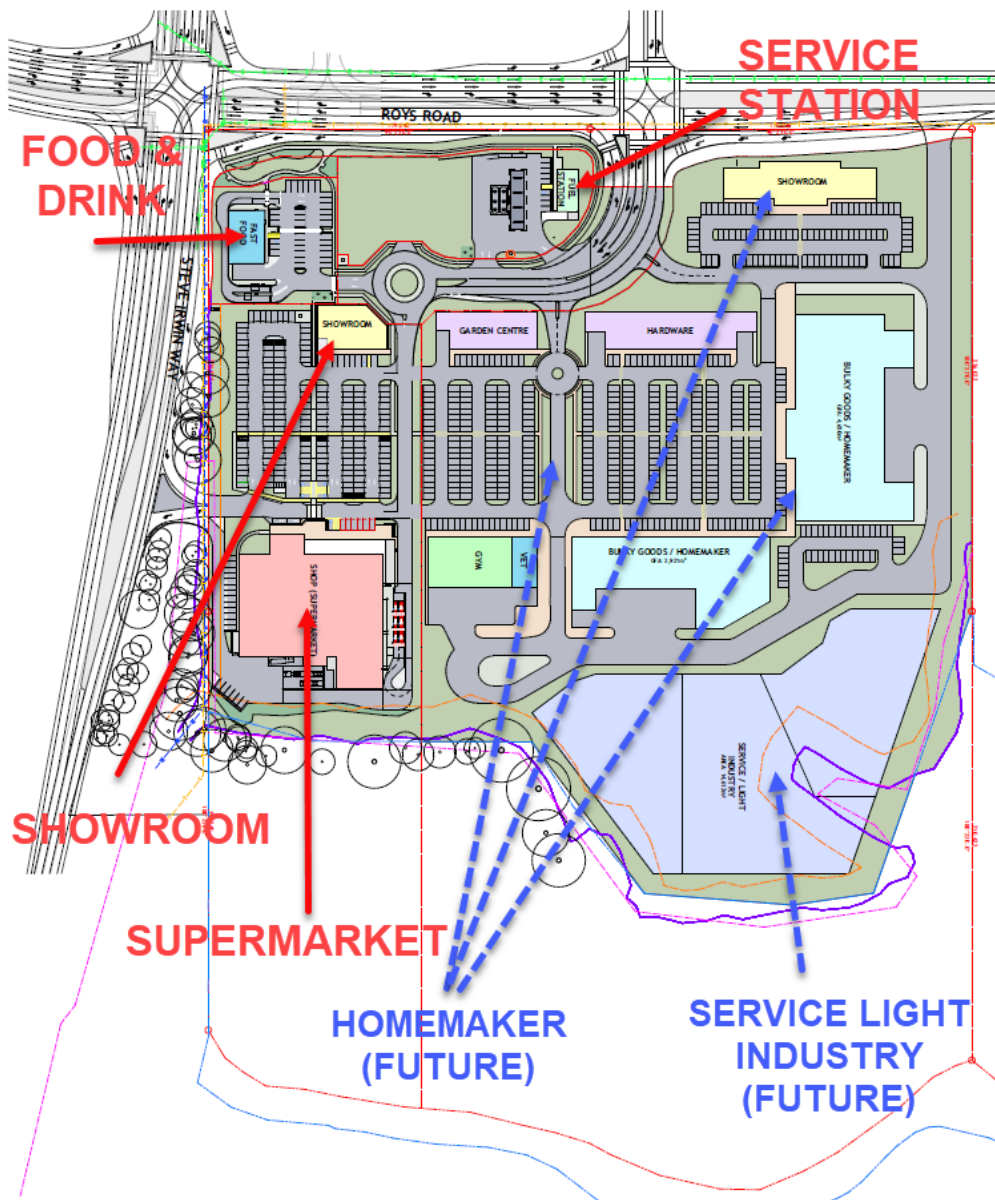


Figure 3: Masterplan Concept with key elements identified

The first application (MCU19/0267) is subject to impact assessment due to the inclusion of a Variation Request, and the uses proposed being impact assessable and largely inconsistent in the Medium impact industry zone. The application has been assessed against the applicable assessment benchmarks, and has been found not to comply with a number of benchmarks contained within the *Sunshine Coast Planning Scheme 2014*, including the Strategic Framework and a number of Planning Scheme codes, including the *Beerwah local plan code* and the *Medium impact industry zone code*, because:

- The proposal conflicts significantly with Council's strategic vision for Economic Development, specifically in relation to activity centres and industry and enterprise areas.
- The proposal is inconsistent with the Sunshine Coast Activity Centre Network as it involves the creation of a new retail centre that is located well outside of the Beerwah Major Regional Activity Centre.
- The proposal would undermine the Beerwah Major Regional Activity Centre as it would draw retailing activity away from and outside of the existing centre. This would result in Beerwah having a fragmented, disconnected and unwalkable centre, to the detriment of its character, identity, functionality, and viability.

- The proposal would result in a significant loss of industry zoned land, and it is considered that this loss would severely compromise and frustrate the potential of the Beerwah Sub-Regional Industry and Enterprise Area being realised.

Due to the abovementioned conflicts with the Planning Scheme, consultation has been undertaken with key specialists within Council, including the Economic Development, Urban Growth Projects, and Strategic Planning branches. Additionally, the applicant's economic need and impact assessment has been peer reviewed by an external economic expert. Both internal and external specialists consider that the relevant matters provided by the applicant do not represent either a planning, economic or community need that would overcome the identified conflicts with the Strategic Framework and Planning Scheme codes. It is also considered that the proposal is premature and would have a significant impact on the planning and delivery of centres in within the Beerwah Major Development Area. Furthermore, the retention and utilisation of industrial land assets is a key element in driving attainment of the objectives of Council's Regional Economic Development Strategy, and therefore the proposed loss of industry zoned land is of significant concern.

The second application (MCU19/0270) is subject to impact assessment due to the proposed Food and Drink Outlet being impact assessable in the Medium impact industry zone. The application has been assessed against the applicable assessment benchmarks, and also does not comply with a number of benchmarks contained within the *Sunshine Coast Planning Scheme 2014*, including the Strategic Framework and a number of Planning Scheme codes, including the *Beerwah local plan code* and the *Medium impact industry zone code*, because:

- Due to its size, scale and intended function, the proposed Food and Drink Outlet would represent an unwarranted intrusion of a business activity into an identified Industry and Enterprise Area and would neither be compatible with nor provide a desirable support activity to industrial uses.
- The size, scale and design of the proposed development would undermine the ongoing preservation of the remainder of the site for future industrial development and would likely frustrate the full potential of the Beerwah industry and enterprise area being realised.

The third application (RAL19/0118) is subject to code assessment and the proposed lots meet the minimum lot sizes specified in the *Reconfiguring a lot code*. However, it is considered that the proposal does not comply with a number of codes within the *Sunshine Coast Planning Scheme 2014*, including the relevant local plan and zone codes, the *Biodiversity, waterways and wetlands overlay code*, the *Reconfiguring a lot code* and the *Transport and parking code*, because:

- The proposed layout does not provide for, and will frustrate the future provision of, a range of lot sizes to cater for a range of medium and low impact industrial uses.
- The proposed internal lot and street layout does not facilitate the orderly, efficient, and legible development of the balance areas and provide for suitable development integration.
- The proposal does not protect, rehabilitate, and enhance ecologically important areas, nor does it protect and establish appropriate buffers to waterways and native vegetation.

All three development applications do not comply with, nor can they be conditioned to comply with, the assessment benchmarks contained within the *Sunshine Coast Planning Scheme 2014*. There are no other relevant matters applicable to the application, including the existence of planning, economic or community need, that justify approving any of the applications despite the non-compliances described in this report. As such, all three applications are recommended for refusal.



**OFFICER RECOMMENDATION**

That Council:

- (a) receive and note the report titled “Development Applications for Coles Beerwah - Roys Road, Beerwah” and
- (b) REFUSE Application MCU19/0267 for Preliminary Approval for Material Change of Use of Premises (Including a Variation Request to Vary the Effect of the *Sunshine Coast Planning Scheme 2014*) to Establish a Business, Industrial, Community, Sport and Recreation and Other Activities; and Development Permit for Material Change of Use of Premises to Establish a Shopping Centre (Full Line Supermarket and Showroom), situated at Roys Road BEERWAH for the following reasons:
  - i. The proposed development departs from the policy direction of the Strategic Framework for the *Sunshine Coast Planning Scheme 2014*, in particular, Theme 2 – Economic development, and the Strategic Outcomes and Specific Outcomes therein relating to activity centres and industry and enterprise areas. Additionally, the proposed development departs from Overall Outcomes (e) and (m) of the Beerwah local plan code, and, the Purpose and Overall Outcomes (a), (b) and (c) of the Medium impact industry zone code, because:
    - a. The proposed development represents a major out-of-centre development that would undermine the Sunshine Coast Activity Centre Network and would fragment the Beerwah Major Regional Activity Centre. The proposed development would draw retailing activity away from and outside of the Beerwah Major Retail Activity Centre and would result in Beerwah having a fragmented, disconnected and unwalkable centre, to the detriment of its character, identity, functionality, and viability.
    - b. The proposal would result in a significant loss of industry zoned land, and this loss would severely compromise and frustrate the integrity and the potential of the Beerwah Sub-Regional Industry and Enterprise Area being realised.
  - ii. The proposed development departs from the Purpose and Overall Outcome (b) for the *Flood hazard overlay code* because it has not demonstrated that floodplains and the flood conveyance capacity of waterways will be protected.
  - iii. The proposed development departs from the Purpose and Overall Outcomes (a), (c) and (d) of the *Height of buildings and structures overlay code* because the proposed building height of the supermarket does not comply with the specified height limit, exceeds the additional height allowance for flood hazard, and therefore would not be consistent with the reasonable expectations of the community.
  - iv. The proposed development departs from the Purpose and Overall Outcomes (a) and (c) of the *Transport and parking code* because:
    - a. The proposed external works and road reserve widening on Roys Road, including the proposal’s primary access intersection to Roys Road, is insufficient and inappropriate and therefore does not:
      - (1) facilitate the orderly provision of transport infrastructure in accordance with the intended role, function, and characteristics of the transport network

- (2) provide for the reserve width, pavement, and verge of a transport corridor to support the intended role, function, and amenity of the transport corridor and
      - (3) provide for a verge width that permits access to be retained for vehicles onto a property at an existing driveway to another site.
    - b. The internal layout proposed by the development does not provide for a transport network that achieves a high level of permeability and connectivity to the surrounding area, nor does it facilitate the orderly provision of transport infrastructure in accordance with the intended role, function and characteristics of the transport network.
  - v. The proposed development departs from the Purpose and Overall Outcomes (a) and (b) of the *Stormwater management code*, because it has not demonstrated that it would protect and enhance the environmental values and flow regimes of constructed and natural waterways and drainage systems, and, it has not demonstrated that it would provide effective stormwater drainage systems to protect people, property and the environment.
  - vi. The proposed development is premature and would have a significant impact on the planning and delivery of centres within the Beerwah Major Development Area.
  - vii. The proposed development departs from the Northern Sub-regional “Outcomes For Live – Our Great Places” within the *South East Queensland Regional Plan 2017* because it does not maintain or promote, and would adversely affect, Beerwah’s active and lively main street.
  - viii. The departures from the assessment benchmarks above are not capable of being addressed or mitigated by conditions of approval.
  - ix. The departures from the assessment benchmarks support refusal of the proposed development.
  - x. Compliance with some assessment benchmarks and the submission of relevant matters advanced by the applicant are not, on balance, material, and should be given little weight and do not otherwise sufficiently support approval of the proposed development.
  - xi. Refusal of the proposed development advances the Purpose of the *Planning Act 2016* because the development would not facilitate the achievement of ecological sustainability in that it fails to maintain the cultural, economic, physical, and social wellbeing of people and communities and
- (c) REFUSE Application MCU19/0270 for Development Permit for Material Change of Use of Premises to Establish a Service Station and Food and Drink Outlet, situated at Roys Road BEERWAH for the following reasons:
  - i. The proposed development departs from the policy direction of the Strategic Framework for the *Sunshine Coast Planning Scheme 2014*, in particular, Theme 2 – Economic development, and the Strategic Outcomes and Specific Outcomes therein relating to the protection and design of industry and enterprise areas. Additionally, the proposed development departs from the Purpose and Overall Outcomes (a), (b) and (c) of the *Medium impact industry zone code*, and Overall Outcome (m) of the *Beerwah local plan code*, because:
    - a. the development fails to protect an area that is planned for legitimate industry activity from unwarranted intrusion by non-industrial

- development, and proposes a use that is neither compatible with, nor is a direct and desirable support activity to, industrial uses.
- b. the development would prevent the full potential of the Beerwah industry and enterprise area from being realised by compromising and frustrating the integrity and orderly development of the Beerwah Medium impact industry zone.
  - ii. The proposed development departs from the Purpose and Overall Outcome (e) of the *Beerwah local plan code* because it does not provide for centre activities to be consolidated in the Major centre zone on the western side of the rail line.
  - iii. The proposed development departs from the Purpose and Overall Outcomes (a) and (c) of the *Transport and parking code* because the internal layout proposed by the development does not provide for a transport network that achieves a high level of permeability and connectivity to the surrounding area, nor does it facilitate the orderly provision of transport infrastructure in accordance with the intended role, function and characteristics of the transport network.
  - iv. The proposed development departs from the Purpose and Overall Outcomes (a) and (b) of the *Stormwater management code*, because it has not demonstrated that it would protect and enhance the environmental values and flow regimes of constructed and natural waterways and drainage systems, and, it has not demonstrated that it would provide effective stormwater drainage systems to protect people, property and the environment.
  - v. The departures from the assessment benchmarks above are not capable of being addressed or mitigated by conditions of approval.
  - vi. The departures from the assessment benchmarks support refusal of the proposed development.
  - vii. Compliance with some assessment benchmarks and the submission of relevant matters advanced by the applicant are not, on balance, material, and should be given little weight and do not otherwise sufficiently support approval of the proposed development.
  - viii. Refusal of the proposed development advances the Purpose of the *Planning Act 2016* because the development would not facilitate the achievement of ecological sustainability in that it fails to maintain the cultural, economic, physical, and social wellbeing of people and communities and
- (d) REFUSE Application RAL19/0118 for Development Permit to Reconfigure a Lot (4 Lots into 4 Lots and New Road), situated at Roys Road BEERWAH for the following reasons:
- i. The proposed development departs from the Purpose and Overall Outcomes (a) and (b) of the *Biodiversity, waterways and wetlands overlay code* because it does not protect, rehabilitate, and enhance ecologically important areas, nor does it protect and establish appropriate buffers to waterways and native vegetation.
  - ii. The proposed development departs from the Purpose and Overall Outcome (m) of the *Beerwah local plan code*, and the Purpose and Overall Outcome (d) of the *Medium impact industry zone code*, because it does not provide for, and will frustrate the future provision of, a range of lot sizes to cater for a range of medium and low impact industrial uses.

- iii. The proposed development departs from the Purpose and Overall Outcomes (k), (l) and (m) of the *Medium impact industry zone code*, because it has not demonstrated that future industrial activities would have access to an appropriate level of transport infrastructure and would not interfere with the safe and efficient operation of the surrounding road network.
- iv. The proposed development departs from the Purpose and Overall Outcomes (a) and (d) of the *Environmental management and conservation zone code* because it does not conserve or protect the parts of the site with natural environmental values.
- v. The proposed development departs from the Purpose and Overall Outcomes of the *Reconfiguring a lot code*, and the Purpose and Overall Outcomes (a) and (c) of the *Transport and parking code* because the internal lot and street layout does not:
  - a. provide for an efficient land use pattern
  - b. effectively connect and integrate the site with existing or potential development on adjoining sites
  - c. create a legible and interconnected movement network
  - d. avoid the use of culs-de-sac
  - e. avoid the sporadic and out-of-sequence creation of lots
  - f. facilitate a high standard of urban design which reflects a grid pattern to assist connectivity
  - g. provide for the dedication and construction of roads to allow access to and proper development of adjoining land that is intended for development
  - h. provide for a transport network that achieves a high level of permeability and connectivity to the surrounding area
  - i. facilitate the orderly provision of transport infrastructure in accordance with the intended role, function, and characteristics of the transport network
  - j. provide for public esplanade adjoining Coochin Creek.
- vi. The proposed development departs from the Purpose and Overall Outcomes (a) and (b) of the *Stormwater management code*, because it has not demonstrated that it would protect and enhance the environmental values and flow regimes of constructed and natural waterways and drainage systems, and, it has not demonstrated that it would provide effective stormwater drainage systems to protect people, property and the environment.
- vii. The departures from the assessment benchmarks above are not capable of being addressed or mitigated by conditions of approval.
- viii. The departures from the assessment benchmarks support refusal of the proposed development.
- ix. Compliance with some assessment benchmarks do not otherwise sufficiently support approval of the proposed development.
- x. Refusal of the proposed development advances the Purpose of the *Planning Act 2016* because the development would not facilitate the achievement of ecological sustainability in that it fails to protect ecological processes and natural systems, and, fails to maintain the

**cultural, economic, physical and social wellbeing of people and communities.**

## **FINANCE AND RESOURCING**

In the event of an approval, infrastructure charges are payable for each development application in accordance with Council's Infrastructure Charges Resolution. Council's proportion of infrastructure charges, in the event of approvals of Development Permits for Material Changes of Use, are estimated at this time as follows:

- Supermarket and Showroom only (MCU19/0267) – \$885,400
- Service Station and Food and Drink Outlet (MCU19/0270) - \$156,600

## **CORPORATE PLAN**

**Corporate Plan Goal:** *Our service excellence*

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

**Operational Activity:** S19 - 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**

### **Councillor Consultation**

The Divisional Councillor R Baberowski has been consulted on the application.

### **Internal Consultation**

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

- Traffic Engineer, Engineering and Environment Assessment Team, Development Services Branch, Customer Engagement and Planning Services Group
- Development Engineer, Engineering and Environment Assessment Team, Development Services Branch, Customer Engagement and Planning Services Group
- Development Engineer – Hydraulics, Engineering and Environment Assessment Team, Development Services Branch, Customer Engagement and Planning Services Group
- Ecology Specialist, Engineering and Environment Assessment Team, Development Services Branch, Customer Engagement and Planning Services Group
- Environment Officer, Engineering and Environment Assessment Team, Development Services Branch, Customer Engagement and Planning Services Group
- Urban Designer, Planning Assessment Team, Development Services Branch, Customer Engagement and Planning Services Group
- Strategic Planning Branch, Customer Engagement and Planning Services Group
- Urban Growth Projects Branch, Liveability and Natural Assets Group
- Economic Development Branch, Economic and Community Development Group
- Transport and Infrastructure Planning Branch, Built Infrastructure Group

### External Consultation

The application was referred and/or discussed with the following external parties and their assessment forms part of this report:

- State Assessment and Referral Agency (SARA) at Department of State Development, Infrastructure, Local Government and Planning
- Department of Transport and Main Roads
- External economic peer reviewer

### Community Engagement

The two applications involving a material change of use were both subject to impact assessment and were publicly notified as follows:

#### APPLICATION MCU19/0267

The application was publicly notified for 31 days between 1 October 2020 and 16 November 2020 in accordance with the requirements of the *Planning Act 2016*. A total of 53 submissions were received, of which 41 were determined to be 'properly made' in accordance with the *Planning Act 2016*. Of the 41 properly made submissions received, 31 were opposed to the application and 10 were in support. A number of submissions received in opposition to the development are business owners, operators and/or employees within the existing Beerwah town centre.

A summary of the issues raised by submitters together with a response is provided in the officer's Detailed Assessment Report Application MCU19/0267 at **Attachment 1**.

#### APPLICATION MCU19/0270

The application was publicly notified for 16 days between 1 October 2020 and 26 October 2020 in accordance with the requirements of the *Planning Act 2016*. A total of 20 submissions were received, of which nine (9) were determined to be 'properly made' in accordance with the *Planning Act 2016*. All nine (9) of the properly made submissions were opposed to the application.

A summary of the issues raised by submitters together with a response is provided in the officer's Detailed Assessment Report Application MCU19/0270 at **Attachment 2**.

### PROPOSAL

The applicant seeks to develop the site primarily as a "homemaker centre" incorporating a full-line supermarket and other commercial land uses. In order to progress this, the applicant lodged three separate but related applications over the subject land at the same time.

"Homemaker centre" is not defined by the Planning Scheme but is generally understood to involve a shopping precinct mostly occupied by large format retail shops or showrooms selling goods related to home furnishings, homewares and electronics. A Full line supermarket is defined by the Planning Scheme as "a supermarket offering all or most major lines of groceries for sale and having a gross leasable floor area generally in excess of 2,500m<sup>2</sup>". A summary of each application and the key assessment findings are provided in the following sections. Full details of each application and the assessment are provided in the officer's Detailed Assessment Reports at **Attachments 1 (MCU19/0267), Attachment 2 (MCU19/0270) and Attachment 3 (RAL19/0118)**, proposed plans of development for Application MCU19/0267 and Application MCU19/0270 are included as **Attachments 4 and 5** and the proposed reconfiguring a lot plan is included as **Attachment 6**.

#### Application MCU19/0267 – Preliminary Approval and Shopping Centre

The application seeks approval for:

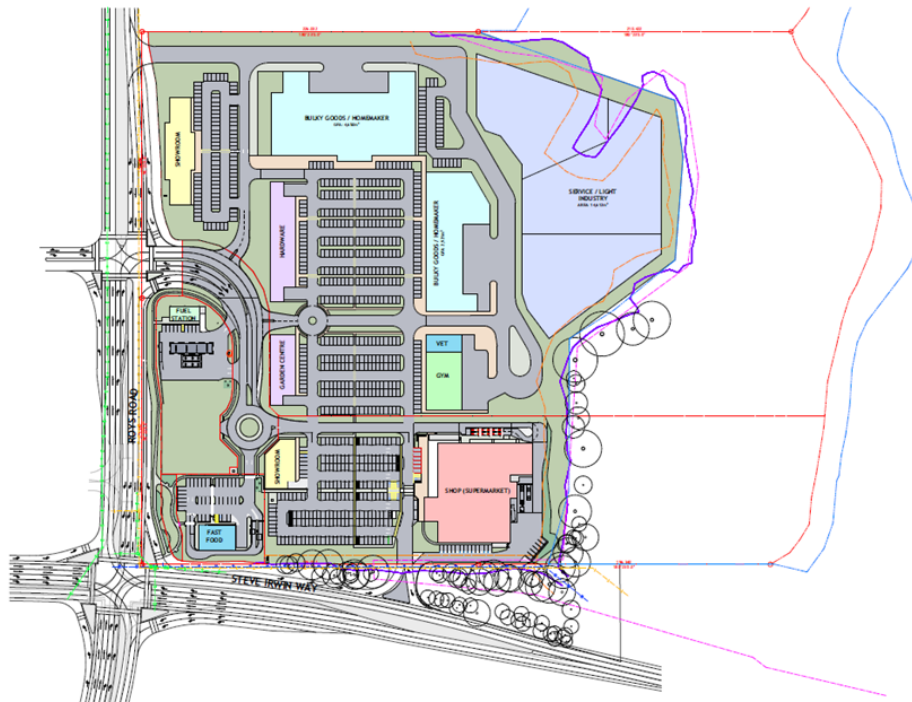
- Preliminary Approval for Material Change of Use of Premises (Including a Variation Request to Vary the Effect of the *Sunshine Coast Planning Scheme 2014*) to Establish Business, Industrial, Community, Sport and Recreation and Other Activities.
- Development Permit for Material Change of Use of Premises to Establish a Shopping Centre (Full Line Supermarket and Showroom).

With respect to the Preliminary Approval/Variation Request component, the application proposes to establish new planning controls for the site, which is currently included in both the Medium impact industry zone and the Environmental management and conservation zone. In essence, the application seeks to treat the Medium impact industry zoned portion of the land (approximately 11.29 hectares) as if it were included in the Specialised centre zone, which is a zone where a “homemaker centre” would be expected to be located. In order to achieve this, the applicant has prepared a Beerwah Homemaker Centre Variation Approval Document which would regulate development on the site in conjunction with certain Assessment Benchmarks in the *Sunshine Coast Planning Scheme 2014*.

The proposed Variation Approval Document includes a table of assessment that copies the table of assessment for the Specialised centre zone in the *Sunshine Coast Planning Scheme 2014*, but with some key changes to facilitate the proposed development and land uses. The Variation Approval Document also includes its own version of the *Beerwah local plan code* and the *Specialised centre zone code*. Again, these codes have been copied from the *Sunshine Coast Planning Scheme 2014* but include key changes to facilitate the proposed development and land uses. Essentially these changes provide for the homemaker centre to incorporate a single full-line supermarket, health care premises (capped at 1,000m<sup>2</sup>) and some limited industrial activities, and also cap showroom development at 10,500m<sup>2</sup>.

It should be noted that the Planning Scheme does not contemplate supermarkets or health care premises being provided in the Specialised centre zone, rather, the scheme specifically provides for and encourages these uses to occur within activity centres. The subject application therefore proposes a somewhat unconventional juxtaposition of land uses.

The applicant has submitted an overall Masterplan Concept for the site for to illustrate how the site is intended to be developed. An extract from the Masterplan Concept is included below at Figure 4.



BEERWAH HOME MAKER CENTRE - MASTERPLAN CONCEPT  
 FOR COLES GROUP PROPERTY DEVELOPMENT AT 8 ROYS ROAD, BEERWAH QLD 4519  
 T +61 7325 70 202 | W www.powearchitects.com | 6A Ground Floor, 108 Wickham Street, Fortitude Valley Qld. 4006

Figure 4: Masterplan Concept

With respect to the Development Permit component, the application proposes to establish a Shopping Centre (Full Line Supermarket and Showroom). The proposed Shop, being a Full Line Supermarket has a gross floor area (GFA) of 3,768m<sup>2</sup> and is intended to be a Coles supermarket. The proposed Showroom has a GFA of 600m<sup>2</sup>. A site plan of the proposed development is included below at Figure 5.

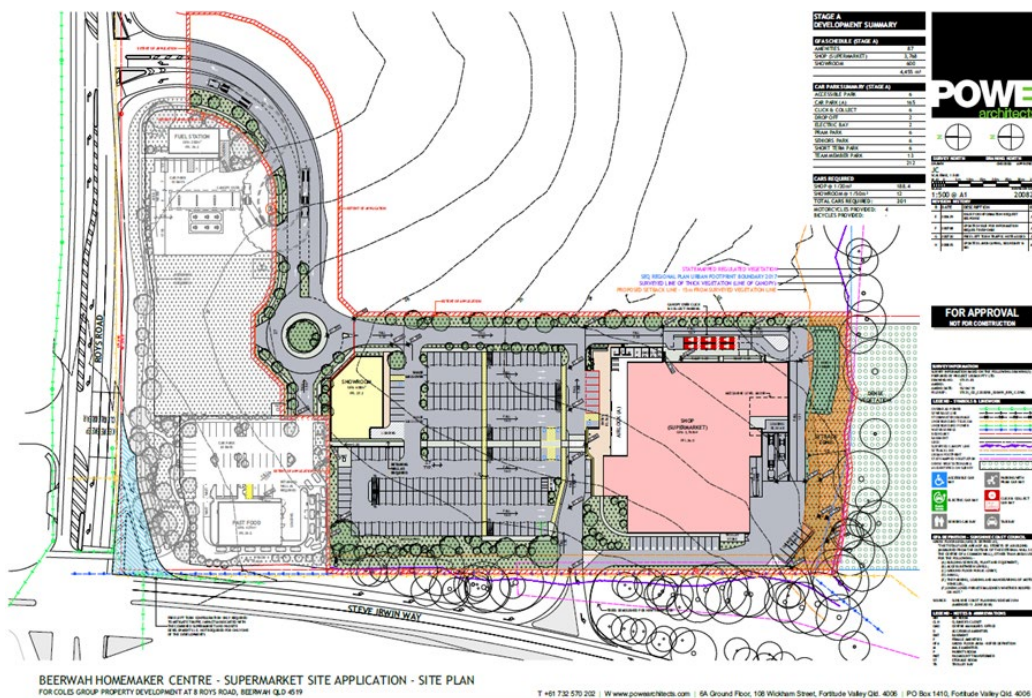


Figure 5: Supermarket and Showroom Site Plan

Assessment Summary



As the application involves a Preliminary Approval including a Variation Request to vary the effect of the Planning Scheme, the assessment focuses on the key issues arising from the assessment of the proposal against the Strategic Framework of the Planning Scheme. The assessment has determined that the proposal conflicts significantly with Council’s strategic vision for Economic Development, specifically in relation to activity centres and industry and enterprise areas. There are other strategic areas of concern relating to the protection and enhancement of scenic routes and ecologically important areas. These issues are important but are potentially capable of being addressed through a modified proposal, whereas the proposed impacts on activity centres and industry and enterprise areas are not.

The subject site is identified as being located within an Industry and Enterprise Area on Strategic Framework Map 1 (Land Use Elements) and on Strategic Framework Map 2 (Economic Development Elements). The Beerwah Sub-Regional Industry and Enterprise Area is identified in light purple on Strategic Framework Map 2 (included below in Figure 6). The site’s location within an industry and enterprise area in the Strategic Framework is reinforced by its inclusion in the Medium impact industry zone.

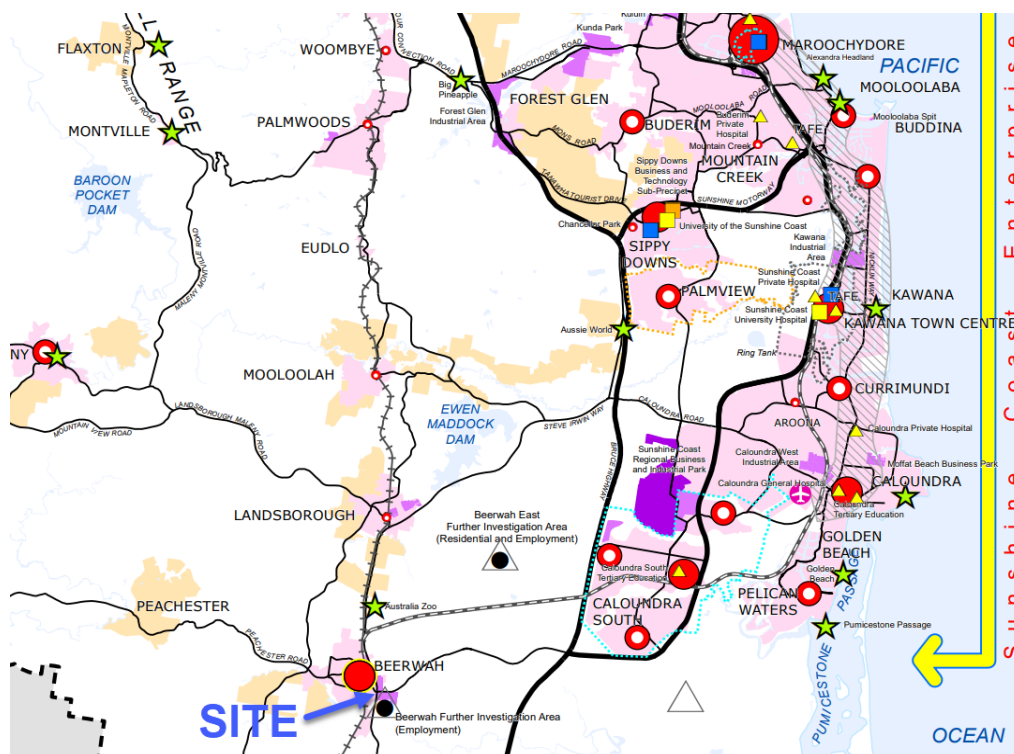


Figure 6: Strategic Framework Map 2 (Extract)

The site is located to the south-east of the Beerwah Major Regional Activity Centre which is identified as a solid red dot on Strategic Framework Map 2. The site is separated from the Beerwah Major Regional Activity Centre by the Steve Irwin Way and the North Coast Rail Line to the east, and the Kilcoy-Beerwah Road Overpass to the north-east. Lands that form part of the Beerwah Major Regional Activity Centre are included in the Major centre zone in the Planning Scheme. The site is also located to the south-west of the Beerwah East Further Investigation Area (Residential and Employment) which is identified as a black dot inside a triangle on Strategic Framework Map 2.

The proposal involves the creation of a new retail centre that is located outside of Beerwah Major Regional Activity Centre. The proposed centre is separated from the existing centre by major roads and the North Coast Rail Line and is not within reasonable walking distance from the existing centre (by road, the site is approximately 1.2km from the intersection of Simpson Street and Peachester Road). The proposal, if approved, would draw retailing activity away from and outside of the existing centre and would result in Beerwah having a fragmented, disconnected and unwalkable centre, to the detriment of its character, identity, functionality, and viability. The proposal presents clear conflicts with the Strategic and

Specific Outcomes of the Strategic Framework which seek to provide well-designed and interconnected activity centres, to facilitate centre development within areas specifically identified and zoned for activity centres, and to avoid undermining the activity centre network.

The proposal also results in an effective loss of 11.29 hectares of Medium impact industry zoned land from the Beerwah Sub-Regional Industry and Enterprise Area. The proposal presents clear conflicts with the Strategic and Specific Outcomes of the Strategic Framework which seek to ensure that identified industry and enterprise areas provide for the full potential of the enterprise opportunity area to be realised so as to maximise opportunities for investment and employment generation in high value industries.

The relevant matters provided by the applicant to justify the conflicts with the *Sunshine Coast Planning Scheme 2014* are summarised as follows:

- (a) There is a community need for the proposed development in that it would improve the choice, convenience and competition in the supermarket and showroom provision at Beerwah.
- (b) There is an economic need for the proposed development because projected performance would be consistent with benchmark trading levels and that population growth could accommodate a new full-line supermarket within the next five years.
- (c) There is a planning need as there are no alternative sites to accommodate the proposed full-line supermarket and showrooms.
- (d) The proposed development would generate 180 direct jobs.
- (e) The scale of impacts (less than 15%) is not unreasonable such that no centre's viability would be threatened.

With respect to the above matters provided by the applicant, the following counterpoints are made:

- Council's external economic expert disagrees that there is a community or economic need for an additional full-line supermarket within the main trade area at the present time. Rather, it is anticipated that there may be a need for a third full-line supermarket by around the 2025 to 2030 period.
- The application has not considered the social and economic impacts that would arise from splitting the Beerwah Major Regional Activity Centre. It is considered that the proposal would significantly affect the ability of the centre to function as intended by the Planning Scheme, by undermining its current dynamics.
- There is no planning or economic need to include the site in the Specialised centre zone as the Caloundra South Town Centre has the capacity to provide a major homemaker centre, and this town centre will be highly accessible to Beerwah and other communities within the railway corridor once the Bells Creek Arterial Road is complete. Furthermore, Caloundra South is more likely to attract a larger quantum of showroom floor space than Beerwah.
- The application fails to consider the implications of the development on the Beerwah East Major Development Area identified in the *South East Queensland Regional Plan 2017*. Given the ultimate capacity of the Major Development Area, a range of commercial and retailing centres within Beerwah East will be required. Due to the location of the proposed development it is considered that it would delay the delivery of centres within the Major Development Area and is therefore premature.
- The proposal would result in a significant loss of industry zoned land, and it is considered that this loss would severely compromise and frustrate the potential of the Beerwah Sub-Regional Industry and Enterprise Area being realised. Although it is possible that the loss of industry zoned land may be ameliorated to some extent by the provision of industrial land in the Beerwah East Major Development Area in the future,

this is not absolutely guaranteed. Loss of planned industrial land at this location will place pressure on the planning of other areas to compensate.

It is considered that the applicant has not demonstrated that there is a compelling planning, economic or community need that justifies a major out-of-centre development that would undermine the Sunshine Coast Activity Centre Network and fragment the Beerwah Major Regional Activity Centre, and that would also result in a significant loss of industrial land assets from the region. Significant changes to activity centres and industry and enterprise areas such as this should not be pre-empted by individual development applications. Rather, these changes ought to be considered holistically in conjunction with the both the planning for the Beerwah East Major Development Area and the new Sunshine Coast Planning Scheme Project. The application is therefore unable to be supported.

**Application MCU19/0270 - Service Station and Food and Drink Outlet**

The application seeks to secure a Development Permit for Material Change of Use of Premises to Establish a Service Station and Food and Drink Outlet. These uses would form part of the overall homemaker centre development intended for the site.

The proposed Service Station incorporates a single storey building with a gross floor area of 200m<sup>2</sup>, as well as fuel bowsers, canopy, air/water bay, car parking, loading, manoeuvring areas, and landscaping.

The proposed Food and Drink Outlet incorporates a single storey building with a gross floor area of 427m<sup>2</sup>. The Food and Drink Outlet is intended to function as a high-volume convenience restaurant and a drive-through facility has been incorporated in the design. Plans submitted with the application show that the Food and Drink Outlet would be a McDonalds. A site plan of the proposed development is included below at Figure 7.

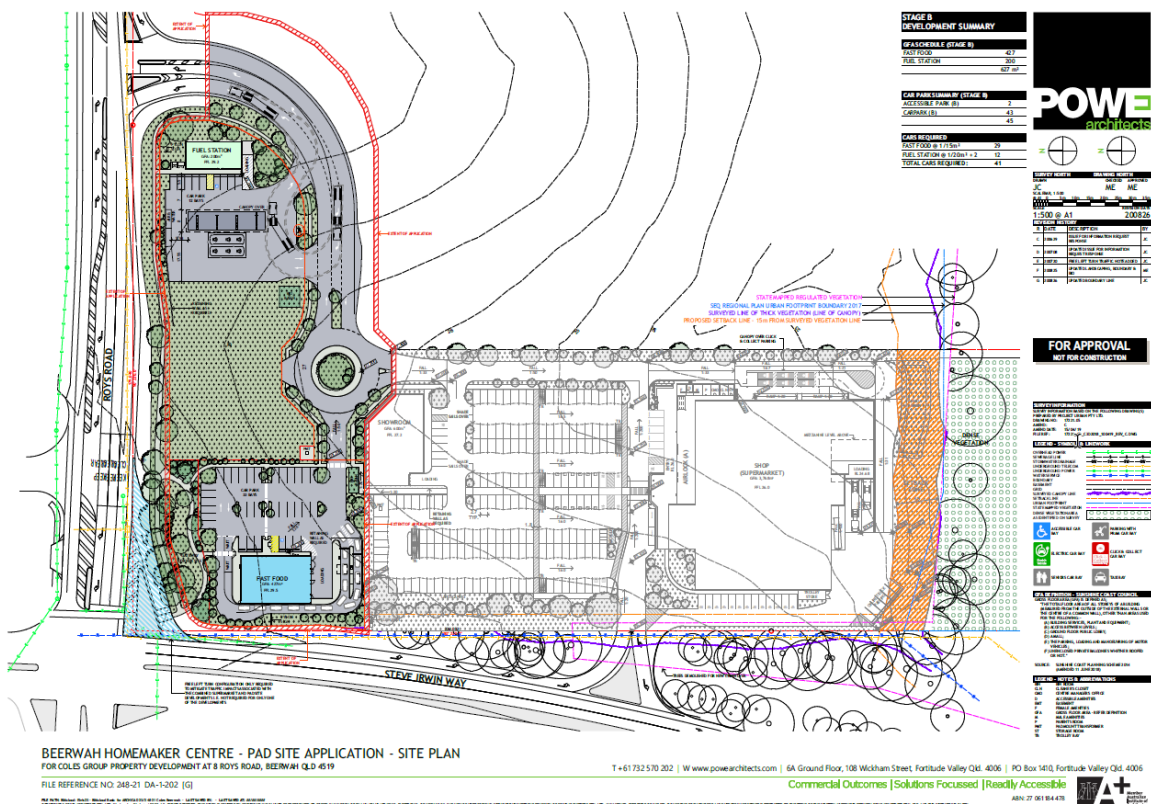


Figure 7: Service Station and Food and Drink Outlet Site Plan

Assessment Summary

The assessment has determined that the proposal does not comply with a number of benchmarks contained within the *Sunshine Coast Planning Scheme 2014*, including the Strategic Framework and a number of Planning Scheme codes, including the *Beerwah local plan code*, the *Medium impact industry zone code* and the *Transport and parking code*.

As mentioned in the assessment for the first application (MCU19/0267) the subject site is identified as being located within an Industry and Enterprise Area on Strategic Framework Map 1 (Land Use Elements) and on Strategic Framework Map 2 (Economic Development Elements). The site is also included in the Medium impact industry zone.

Service Station is nominated as a Consistent Use for the Medium impact industry zone in the *Medium impact industry zone code* and is subject to code assessment in the zone. The Planning Scheme therefore identifies service stations as a non-industrial use that would be compatible with and support industrial uses.

However, Food and Drink Outlet (where having a gross leasable floor area exceeding 100m<sup>2</sup>) is nominated as a Potentially Consistent Use for the zone in the *Medium impact industry zone code* and is subject to impact assessment in the zone. The proposed Food and Drink Outlet, which is intended to operate as a high volume convenience restaurant with a drive-through facility, and which includes over 400m<sup>2</sup> of gross floor area, may only be considered to be consistent with the *Medium industry zone code* where it is compatible with and provides a desirable support activity to industrial uses.

The proposed Food and Drink Outlet would provide a support activity to existing and future industrial uses located to the north of the site off Moroney Place and Biondi Crescent. It would also provide a support activity to any future industrial uses established on either on the subject land or other industry zoned land located to the east, noting that the applicant, through application no. MCU19/0267, intends to develop the industry zoned parts of Lots 122-125 CG155 primarily for business activities. However, this support activity would not be its primary function.

There are currently no other high-volume convenience restaurants that incorporate a drive-through located along the Steve Irwin Way. Steve Irwin Way is an Arterial Road that carries high volumes of regional, tourism and local traffic. Roys Road is a Sub-arterial road that carries high volumes of regional and local traffic, which is expected to increase as Caloundra South further develops. The proposed Food and Drink Outlet is therefore likely to draw the majority of its customers from outside of the local industrial area. Most customers are likely to comprise residents of Beerwah, the southern railway towns, and hinterland area, as well as commuters, tourists and travelers using Steve Irwin Way and Roys Road.

Furthermore, the proposed Food and Drink Outlet has been designed and sized to accommodate a high volume of customers. The proposal is a stand-alone use occupying approximately 3,300m<sup>2</sup> of land and incorporating a building with a gross floor area of 427m<sup>2</sup>, as well as 33 on site car parking spaces, loading, drive through queuing and waiting spaces, and landscaping areas. Food and Drink Outlets in industry zones, as provided by the Planning Scheme, are intended to be small in scale and to complement and support the primary industry uses. The size and scale of the proposed Food and Drink Outlet results in a large area of land that is intended to be used for Medium Impact Industry, being occupied by a business activity.

It is considered that due to its size, scale and intended function, the proposed Food and Drink Outlet would represent an unwarranted intrusion of a business activity into an identified Industry and Enterprise Area, and that the proposed Food and Drink Outlet would not be compatible with and would not provide a desirable support activity to industrial uses.

Furthermore, it is also considered that the size, scale, and design of the proposed development would undermine the ongoing preservation of the remainder of the site for future industrial development. In particular, the internal street layout proposed by the development incorporates a cul-de-sac with an abrupt bend immediately adjacent to its access intersection with Roys Road. This layout is not conducive to legible, safe, and

efficient integration of the proposal with any future development of the balance of the site for industrial purposes and indeed the balance of the entire industrial zoned land south of Roys Road.

Accordingly, it is considered that the proposal would likely frustrate the full potential of the Beerwah industry and enterprise area being realised and is therefore in conflict with the Strategic and Specific Outcomes of the Strategic Framework relating to industry and enterprise areas. The proposal is also in conflict with related overall outcomes of the *Beerwah local plan code, Medium impact industry code* and the *Transport and parking code*.

The relevant matters provided by the applicant to justify the conflicts with the *Sunshine Coast Planning Scheme 2014* are summarised as follows:

- (a) The site occupies a gateway location and is well serviced by major roads. The Food and Drink Outlet is relatively small in scale and will not compromise the operation of industrial activities or the integrity of the zone.
- (b) The Planning Scheme does not confine Food and Drink Outlets to sites that are within designated centres. The use is not significant in the context of the Sunshine Coast Activity Centre Network and is ancillary to the industrial activities that may occur on the wider site.
- (c) The proposal will enhance the built form and streetscape character of this important gateway site, certainly to a higher standard than the built form and streetscape that is likely to be created by other land uses envisaged for the zone.

With respect to the above matters provided by the applicant, the following counterpoints are made:

- It is agreed that the location of the subject site would provide excellent exposure to the proposed McDonalds, which relies heavily on a car-based customer patronage. However, this is not sufficient justification to override the Planning Scheme intent for the subject site, which is to provide predominantly for low to medium intensity industrial activities.
- The statement that the proposal would be ancillary to industrial activities that may occur on the wider site does not recognise the applicant's overall intent for the wider site, which, through the related application MCU19/0267, is to develop the site primarily for business activities, in conflict with the Planning Scheme. The proposal is not considered ancillary to, or particularly compatible with, an industrial estate that accommodates predominantly low to medium intensity industrial activities.
- The proposed Food and Drink Outlet represents an introduction of business activities onto the site that is of a size and scale that would undermine the ongoing preservation of the remainder of the site for future industrial development.
- The applicant has not demonstrated that the proposed Food and Drink Outlet cannot practically be established within the Beerwah Major centre zone. The proposal would be consistent with the purpose of the Major centre zone which is to accommodate a range of higher order business activities.

It is considered that the applicant has not demonstrated that there is a compelling planning, economic or community need to justify the proposed Food and Drink Outlet despite the identified conflicts with the Strategic Framework and Planning Scheme codes. The application is therefore unable to be supported.

#### **Application RAL19/0118 – Reconfiguring a Lot**

The application seeks to secure a Development Permit for Reconfiguring a Lot to reconfigure four (4) existing lots into four (4) lots and new road. The proposed lot layout generally reflects the development concepts sought in the previously described applications for a material change of use. Proposed Lot 1 would incorporate the proposed Food and Drink Outlet, proposed Lot 2 would incorporate the proposed Service Station, proposed Lot 3 would

incorporate the proposed Shopping Centre (Full Line Supermarket and Showroom) and proposed Lot 4 represents the balance of the land. Access to each lot is proposed via an access easement over the proposed main access road off Roys Road which would be located in Lot 4. The easement would be provided in favour of Lots 1, 2 and 3 to enable each lot to have lawful access to Roys Road. The proposal plan is included at Figure 8 below.

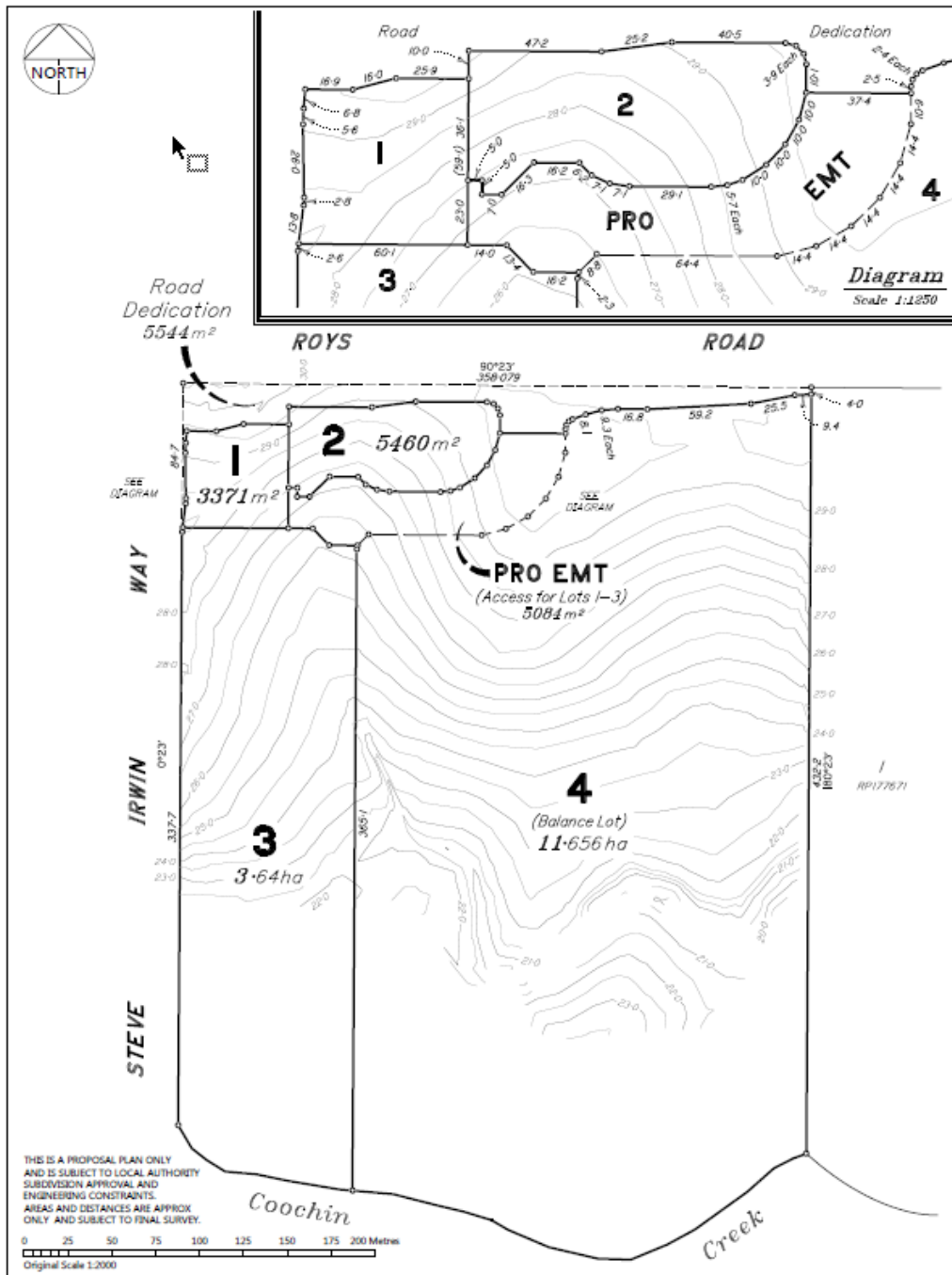


Figure 8: Reconfiguring a lot proposal plan

Assessment Summary

The proposed lots meet the minimum lot sizes specified in the *Reconfiguring a lot code*. However, it is considered that the proposal does not comply with a number of codes within the *Sunshine Coast Planning Scheme 2014*, including the *Beerwah local plan code*, the *Medium impact industry zone code*, the *Biodiversity, waterways and wetlands overlay code*, the *Reconfiguring a lot code* and the *Transport and parking code*.

As the land is primarily included in the Medium impact industry zone, any proposal to reconfigure the subject lots must provide lots that have a layout, size and dimensions that

are appropriate for the industrial uses intended by the Planning Scheme. The proposed lot layout provides for a private internal street with an access intersection on Roys Road approximately 150 metres from the existing Moroney Place intersection to the west. Access arrangements to Roys Road are consistent with the requirements of the *Transport and parking code* for the subdivision of industrial zoned land.

However, the internal street layout proposed by the development, incorporating an easement-only cul-de-sac with an abrupt bend immediately adjacent to its access intersection with Roys Road, is not conducive to legible, safe and efficient integration of the proposal with potential future development of the balance of the site and indeed the balance of the entire industrial zoned land south of Roys Road. A grid-like internal street layout should be planned (allowing for safe and convenient internal intersection locations) to help facilitate the orderly, efficient, and legible development of the balance areas and provide for suitable development integration.

It is therefore considered that the proposed development departs from the purpose and overall outcomes of the *Beerwah local plan code*, and the purpose and overall outcomes of the *Medium impact industry zone code*, because it does not provide for, and will frustrate the future provision of, a range of lot sizes to cater for a range of medium and low impact industrial uses.

Additionally, it is considered that the proposed development departs from the purpose and overall outcomes of the *Reconfiguring a lot code*, and the purpose and overall outcomes of the *Transport and parking code* because the internal lot and street layout does not:

- (a) provide for an efficient land use pattern
- (b) effectively connect and integrate the site with existing or potential development on adjoining sites
- (c) create a legible and interconnected movement network
- (d) avoid the use of cul-de-sac
- (e) avoid the sporadic and out-of-sequence creation of lots
- (f) facilitate a high standard of urban design which reflects a grid pattern to assist connectivity
- (g) provide for the dedication and construction of roads to allow access to and proper development of adjoining land that is intended for development
- (h) provide for a transport network that achieves a high level of permeability and connectivity to the surrounding area
- (i) facilitate the orderly provision of transport infrastructure in accordance with the intended role, function, and characteristics of the transport network
- (j) provide for public esplanade adjoining Coochin Creek.

Furthermore, it is noted that part of the site is included in the Environmental management and conservation zone, with the boundaries of this zoned area generally coinciding with the area mapped as a Native Vegetation Area and Wetlands on the Biodiversity, waterways and wetlands overlay map. It is considered that the proposed reconfiguring a lot departs from the purpose and overall outcomes (a) and (b) of the *Biodiversity, waterways and wetlands overlay code*, because it does not protect, rehabilitate and enhance ecologically important areas, nor does it protect and establish appropriate buffers to waterways and native vegetation. Furthermore, it is considered that the proposed development departs from the purpose and overall outcomes (a) and (d) of the *Environmental management and conservation zone code*, because it does not conserve or protect the parts of the site with natural environmental values.

The application is therefore unable to be supported.

**Legal**

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

**Policy**

The applications have been assessed against the *Sunshine Coast Planning Scheme 2014* and regard has been given to all relevant Council policies.

**Risk**

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

**Previous Council Resolution**

There is no previous Council resolution which is applicable to the applications.

**Related Documentation**

Copies of the officer's full and detailed assessment reports for each application are included as **Attachments 1 (MCU19/0267), Attachment 2 (MCU19/0270) and Attachment 3 (RAL19/0118)** to this report. The detailed assessment reports contain all the specific assessment details under the Planning Scheme considered in Council's assessment of the applications.

A copy of the proposed plans of development for Application MCU19/0267 and Application MCU19/0270 are included as **Attachments 4 and 5** respectively to this report.

A copy of the proposed reconfiguring a lot plan for Application RAL19/0118 is included as Attachment 6 to this report.

A copy of the State Assessment and Referral Agency response and conditions for all three applications is included as **Attachment 7** to this report.

**Critical Dates**

There are no critical dates relevant to this report. Council's decision for each application is due on 23 July 2021.

**Implementation**

Council officers will communicate the outcome of Council's resolutions to the applicant and submitters as appropriate.



**8.6 JUNE 2021 FINANCIAL PERFORMANCE REPORT**

<b>File No:</b>	<b>Financial Reports</b>
<b>Author:</b>	<b>Coordinator Financial Services Business Performance Group</b>
<b>Attachments:</b>	<b>Att 1 - June Financial Performance Report .....99</b>

**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 June 2021 in terms of the operating result and delivery of the capital program.

**Operating Performance****Table 1: Operating Budget as at 30 June 2021**

	<b>Original Budget \$000</b>
Total Operating Revenue	465,069
Total Operating Expenses	460,733
<b>Operating Result</b>	<b>4,336</b>

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

**OFFICER RECOMMENDATION**

**That Council receive and note the report titled "June 2021 Financial Performance Report".**

**FINANCE AND RESOURCING**

This report sets out the details of Council's financial performance and investments for the month ending 30 June 2021 and meets Council's legislative reporting requirements.

**CORPORATE PLAN**

<b>Corporate Plan Goal:</b>	<b><i>Our outstanding organisation</i></b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	S28 - Financial and procurement services – financial and procurement management and governance, ensuring effective business management and legislative compliance, coordination 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

### Portfolio Councillor Consultation

Consultation has been undertaken with the Portfolio Councillor, E Hungerford.

### Internal Consultation

This report has been written in conjunction with advice from:

- Group Executive Business Performance
- Chief Financial Officer

### External Consultation

No external consultation is required for this report.

### Community Engagement

No community engagement is required for this report.

### Legal

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

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

### Policy

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

### Risk

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

### Previous Council Resolution

#### Special Meeting Budget 25 June 2020 (SM20/16)

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

- the statement of income and expenditure*
- the statement of financial position*
- the statements of changes in equity*
- the statement of cash flow*
- the relevant measures of financial sustainability*
- the long term financial forecast*
- the Debt Policy (adopted by Council resolution on 11 June 2020)*
- the Revenue Policy (adopted by Council resolution on 11 June 2020)*
- the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*

- x. *the Revenue Statement*
- xi. *Council's 2020/21 Capital Works Program, endorse the indicative four-year program for the period 2022 to 2025, and note the five-year program for the period 2026 to 2030*
- xii. *the rates and charges to be levied for the 2020/21 financial year and other matters as detailed below in clauses 3 to 12 and*
- xiii. *endorse the full time equivalent establishment as per the Sunshine Coast Council Establishment 2020/2021 report.*

**Related Documentation**

2020/21 Adopted Budget

**Critical Dates**

There are no critical dates for this report.

**Implementation**

There are no implementation details to include in this report.

## 8.7 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR DISPOSAL OF AN EASEMENT FOR SEWERAGE PURPOSES WITHIN LOT 902 SP318725

<b>File No:</b>	<b>F2021/28678</b>
<b>Author:</b>	<b>Senior Property Officer Business Performance Group</b>
<b>Attachments:</b>	<b>Att 1 - Lot 902 SP318725 Locality Map ..... 115</b>
	<b>Att 2 - Easement AE in Survey Plan 324773..... 117</b>
	<b>Att 3 - Lot 902 SP318725 Aerial Map ..... 119</b>

### PURPOSE

In accordance with Section 236 of the *Local Government Regulation 2012*, this report seeks an exception from Council, from undertaking a tender or auction process to facilitate the registration of a sewerage easement in favour of Unitywater. The sewerage easement is for sewerage purposes over Council freehold land located at 48 Solandra Street, Nambour, legally described as Lot 902 SP318725.

### EXECUTIVE SUMMARY

This report seeks an exception from Council to facilitate the registration of a sewerage easement of approximately 90m<sup>2</sup> over Council freehold land located at 48 Solandra Street, Nambour legally described as Lot 902 SP318725 as shown on **Attachment 1 – Lot 902 SP318725 Locality Map**. The sewerage easement is proposed to be granted in favour of Unitywater for the purpose accommodating a sewer main as shown on **Attachment 2 – Easement AE in Survey Plan 324773** and **Attachment 3 – Lot 902 SP318725 Aerial Map**.

The *Local Government Regulation 2012* provides that a disposal, other than by tender or auction, may occur if an exception applies. If the disposal is to a government agency, then an exception under, Section 236(1)(b)(i) applies. As Unitywater is a government agency, then an exception to the tender/ auction can apply under Section 236(2). Local Government must decide by resolution than an exception may apply.

This report seeks an exception for the purpose of granting a sewerage easement, in favour of Unitywater, over Council freehold land.

### OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Exception under Local Government Regulation 2012 for Disposal of an Easement for Sewerage Purposes within Lot 902 SP318725”
- (b) resolve, pursuant to section 236(2) of the *Local Government Regulation 2012*, that an exception to dispose of an interest in land over Lot 902 SP318725, other than by tender or auction applies, as the disposal is pursuant to section 236(1)(b)(i) to a government agency and
- (c) note that Unitywater is a government agency.

## FINANCE AND RESOURCING

Property Management Branch commissioned a compensation assessment for the diminished value of the encumbered land.

Costs associated with facilitating the easement are expected to be approximately \$5,000 including GST. The preparation of an easement plan and documentation, valuation report, and registration fees are payable to the Titles Office to register the dealing, which will be met by the applicant, Unitywater.

## CORPORATE PLAN

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

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

**Operational Activity:** S22 - Property management: comprehensive management of Council's land and building assets to ensure that Council's property dealings are optimised, centrally managed, and support Councils objectives.

## CONSULTATION

### Councillor Consultation

Councillor D Law – Divisional Councillor

Councillor P Cox – Environment and Liveability Portfolio Councillor

Councillor M Suarez – Environment and Liveability Portfolio Councillor

### Internal Consultation

- Strategic Planner, Strategic Planning
- Environment Project Officer, Environment and Sustainability Policy
- Manager, Transport and Infrastructure Planning
- Manager, Stormwater Management
- Acting Technical Officer, Open Space Planning
- Project Officer, Environmental Operations
- Coordinator, Strategic Property
- Head of Property, Property Management
- Solicitor, Legal Services
- Senior Property Officer, Land Management

### External Consultation

Council's Property Management Branch has liaised with the Survey Manager, Formia Project Management, who has been coordinating with Unitywater.

### Community Engagement

Due to the administrative nature of this report, no community engagement has been undertaken or is required.

## PROPOSAL

There is a requirement to install a sewer main at 48 Solandra Street, Nambour for sewerage purposes as shown on **Attachment 1 – Lot 902 SP318725 Locality Map, Attachment 2 – Easement AE in Survey Plan 324773 and Attachment 3 – Lot 902 on SP318725 Aerial Map**. The proposed sewerage easement location is also shown on **Figure 1. Lot 902 SP318725 Locality Map, Figure 2. Easement AE in SP324773 and Figure 3. Lot 902 on SP318725 Aerial Map** below. Therefore, an easement for sewerage purposes is required to be registered in favour of Unitywater, over Council freehold land located at 48 Solandra Street, Nambour legally described as Lot 902 SP318725 for the registration of a sewerage easement.

**Figure 1. Lot 902 SP318725 Locality Map**

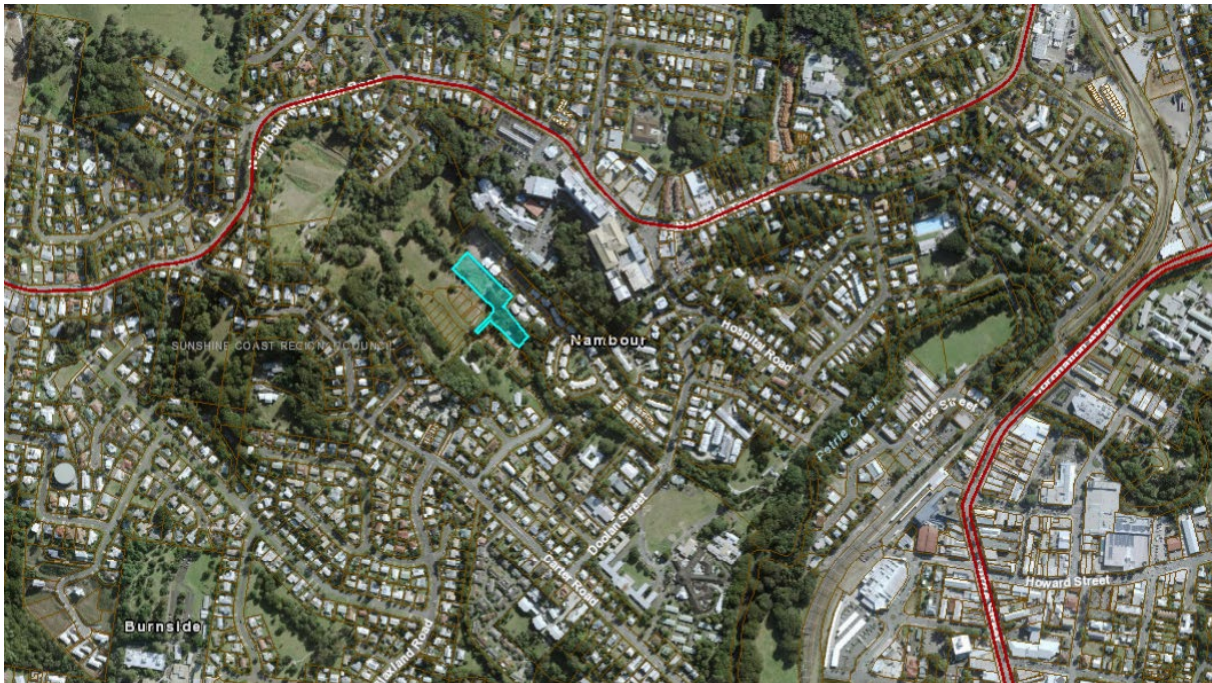


Figure 2. Easement AE in SP324773

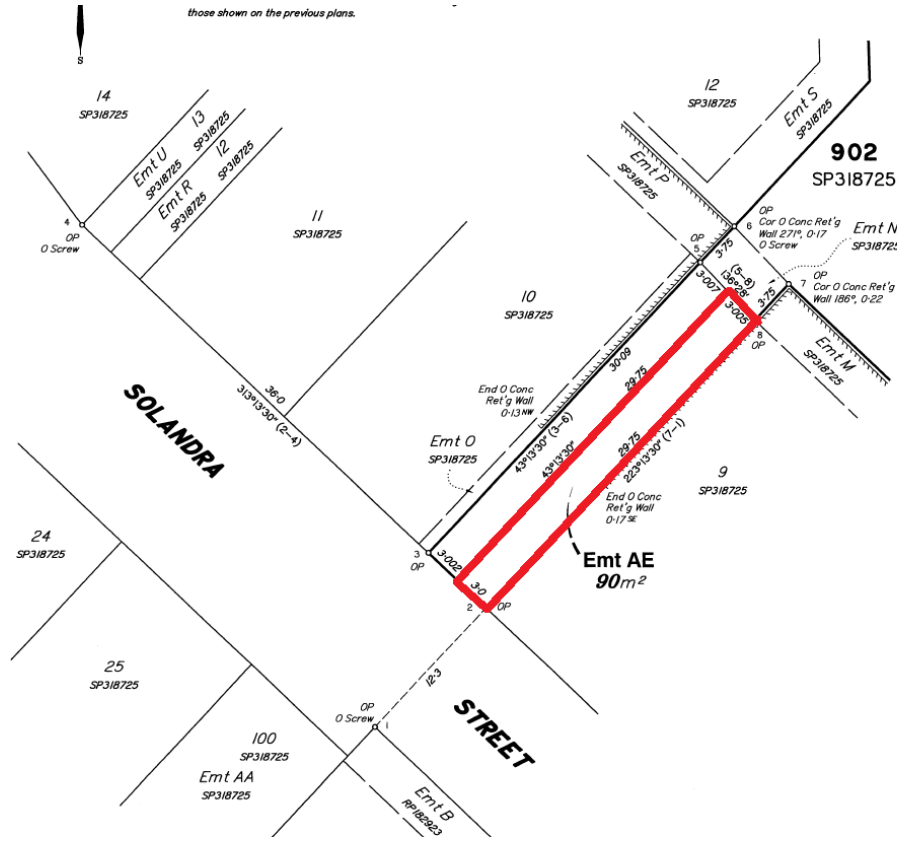


Figure 3. Lot 902 SP318725 Aerial Map



A Development Application was lodged with Council for a proposed 28 lot residential subdivision. A condition of the Development Application required the landowner to transfer Lot 902 SP318725 to Council for the purposes of a drainage reserve.

During the development of the subdivision a 150mm diameter underground Unitywater sewer pipe was constructed within the boundary of Lot 902 SP318725. It was always Unitywater's intention to register an easement over their infrastructure, however, due to an oversight by the parties (i.e. engineer, surveyor and project manager) Unitywater did not secure an easement over their infrastructure prior to the Survey Plan 318725 being sealed by Council on 23 January 2021. As a result, Lot 902 SP318725 was transferred to Council in freehold, containing Unitywater's sewer infrastructure, without an easement being registered over the Lot.

It is now a requirement for Unitywater to register an easement over their existing sewer infrastructure within Lot 902 SP318725.

The *Local Government Regulation 2012* provides that a disposal, other than by tender or auction, may occur if an exception applies. Section 236(1)(b)(i) provides for an exception if the disposal is to a government agency, in this instance, Unitywater. Section 236(2) provides that a Local Government must decide by resolution than an exception may apply.

This report seeks an exception for the purpose of granting an easement for sewerage purposes, in favour of Unitywater, over Council freehold land, being approximately 90m<sup>2</sup>. The easement will be registered in accordance with Unitywater's standard terms document dealing number 714904857 for sewerage easements.

### **Legal**

Legal Services have been consulted in relation to this report and will review all easement documentation to enable the registration of the proposed easement in the Titles Office.

### **Policy**

This report has been prepared in accordance with Council's Procurement Policy relating to the disposal of Council assets.

### **Risk**

The risk associated with this matter is that Council would not have a registered record of infrastructure within Lot 902 on SP318725. Further to this Unitywater would not have legal rights to access the infrastructure under the protection of the *South East Queensland Water (Restructuring) Act 2007*.

### **Previous Council Resolution**

There are no previous Council Resolutions relevant to this report.

### **Related Documentation**

Council's standard terms document dealing number 714904857 for easements in favour of Unitywater on Council freehold land will be registered on Title.

### **Critical Dates**

There are no critical dates relevant to this report, however, Unitywater have requested that the matter be finalised as soon as possible.

### **Implementation**

If Council resolves that an exception to Division 4 Section 236 of the *Local Government Regulation 2012* applies, the easement documentation and survey plan will be executed by Council's Delegated Officer and registered in the Titles Office by the applicant, Unitywater.



**8.8 APPOINTMENT OF INDEPENDENT AUDIT COMMITTEE CHAIR**

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

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**PURPOSE**

The purpose of this report is to seek Council's approval for the appointment of the Audit Committee Chair as a result of the endorsed transition strategy to rotate Independent Audit Committee Members.

**EXECUTIVE SUMMARY**

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

Council appointed Mr Mitchell Petrie and Mr Patrick McCallum as Independent Audit Committee Members at the Ordinary Meeting 12 November 2020 to replace Mr Peter Dowling AM (Independent Audit Committee Chair) and Mr Len Scanlan whose contracts expired June 2021

It is recommended that Mr Mitchell Petrie be appointed as the Independent Audit Committee Chair in accordance with Council's endorsed Audit Committee Charter which states a preference to appoint an Independent Chair.

**OFFICER RECOMMENDATION**

**That Council:**

- (a) receive and note the report titled "Appointment of Independent Audit Committee Chair" and
- (b) appoint Mr Mitchell Petrie as the Independent Audit Committee Chair to December 2024.

**FINANCE AND RESOURCING**

Independent Audit Committee Chair annual remuneration will be negotiated to reflect annual current market rates, at \$9,450 GST exclusive per annum. These costs will be contained within the Audit and Assurance budget.

**CORPORATE PLAN**

**Corporate Plan Goal:** *Our outstanding organisation*  
**Outcome:** We serve our community by providing this great service  
**Operational Activity:** S30 - Governance – providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported.

**CONSULTATION****Councillor Consultation**

Audit Committee Councillors - Councillor E Hungerford and Councillor J Natoli

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**Internal Consultation**

Chief Executive Officer

**External Consultation**

Mr Peter Dowling AM (Former Audit Committee Chair)

Mr Len Scanlan (Former Independent Audit Committee Member)

Mr Patrick McCallum (Independent Audit Committee Member)

**Community Engagement**

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

**PROPOSAL**

The Audit Committee is an advisory Committee of Council with an overall objective to assist the Council and the Chief Executive to discharge their duties. It is established in accordance with the *Local Government Regulation 2012* and these requirements are reflected in the Audit Committee Charter that was endorsed at Council's Ordinary Meeting, 25 February 2021.

As at 1 July 2021, the Audit Committee will be comprised of four members:

- Councillor E Hungerford
- Councillor J Natoli
- Mr Mitchell Petrie (Independent Member Chair)
- Mr Patrick McCallum (Independent Member)

Mr Mitchell Petrie

- Former Partner of KPMG Australia in charge of the Queensland Risk Advisory practice providing advice and assurance in the areas of corporate governance, risk management and internal audit
- Currently independent member of the Audit Committee of Brisbane City Council, Independent member and Chair of Redland City Council Audit Committee, Member of the Board of Queensland Institute of Medical Research and Chair of the Finance & Audit Committee and former independent member and Chair of Gold Coast City Council Audit and Risk Committee

**Legal**

*Local Government Act 2009*

*Local Government Regulation 2012*

**Policy**

Audit Committee Charter endorsed by Council 25 February 2021.

**Risk**

The appointment of the Independent Audit Committee Chair mitigates legislative compliance risks.

**Previous Council Resolution**

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

**Ordinary Meeting 28 May 2020 (OM20/52)**

*That Council:*

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

The “Appointment of Independent Audit Committee Members” report was endorsed by Council Resolution at the Ordinary Meeting 12 November 2020 (refer below).

**Ordinary Meeting 12 November 2020 (OM20/125)**

*That Council:*

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

**Related Documentation**

The Audit Committee Charter is reviewed annually and last endorsed by Council Resolution at the Ordinary Meeting 25 February 2021 (refer below).

**Ordinary Meeting 25 February 2021 (OM21/19)**

*That Council:*

- (a) *receive and note the report titled “**Audit Committee Meeting 21 January 2021**” and*
- (b) *endorse the Audit Committee Minutes 21 January 2021 (Appendix A), Audit Committee Charter (Appendix B) and Internal Audit Charter (Appendix C).*

**Critical Dates**

Independent Audit Committee Member contracts relating to Mr Peter Dowling AM (Independent Audit Committee Chair) and Mr Len Scanlan expired 30 June 2021.

**Implementation**

Implementation to be in accordance with Council Resolution.



**8.9 SUNSHINE COAST AIRPORT EXPANSION PROJECT UPDATE**

<b>File No:</b>	<b>SCAEP Environmental Obligations</b>
<b>Author:</b>	<b>Project Director (Sunshine Coast Airport Expansion) Built Infrastructure Group</b>
<b>Attachments:</b>	<b>Att 1 - Coordinator General's Environmental Obligations - Compliance Status Summary ..... 133</b>

**PURPOSE**

The purpose of this report is to provide an update to Council on the status of the Sunshine Coast Airport Expansion Project and provide a summary of the compliance status of the works in relation to the various approval conditions that were detailed in the Coordinator-General's Evaluation Report on the Environmental Impact Statement and the subsequent Environmental Authority, BRID00035.

This is contained within Attachment 1 - Coordinator General's Environmental Obligations - Compliance Status Summary.

**EXECUTIVE SUMMARY**

This report provides an update on the Sunshine Coast Airport Expansion Project (the project) and reports on the compliance status of the works in relation to approximately 342 conditions and sub-parts of conditions that were contained in the Coordinator-General's Evaluation Report on the Environmental Impact Statement and the subsequent Environmental Authority, BRID 00035.

The Design and Construct Contractor was awarded Practical Completion on the 29<sup>th</sup> January 2021 and this completed all works under the awarded contract.

The Design and Construct Contract was then formally novated to Sunshine Coast Airport Pty Ltd.

The Coordinator-General's Environmental Assessment Report on the Environmental Impact Statement contained 162 conditions (stated and imposed), recommendations and proponent commitments. Sub-parts to those conditions further increased the individual matters that were required to be addressed to a total of 265. The Environmental Authority BRID 00035 and the federal Department of Environment added another 77 items, totaling 342 matters to be addressed.

"Stated Conditions" are those which relate to legislative matters over which the Coordinator-General does not hold jurisdiction, and "Imposed Conditions" are those which are for the undertaking of the project as if the conditions were conditions of a development approval under the Planning Act.

The Coordinator-General may also make recommendations, although these are not supported by legislative arrangements. The Coordinator-General expects the proponent to use its best endeavors to work towards satisfying these recommendations.

The vast majority of the conditions were completed (98%) during the execution of works.

The remaining conditions require monitoring and reporting to administering authorities for some years to come after the completion of the project.

To aid review of that volume of documentation, the conditions and approvals have been attached in tabular form as Attachment 1 - Coordinator General's Environmental Obligations - Compliance Status Summary.

In the interests of transparency and full disclosure, a copy of the Compliance Status Summary has also been forwarded to the office of the Coordinator-General for information.

This is not a requirement of the “coordinated project” process and Council are not obliged to prepare a report on the compliance with the Coordinator General’s conditions, and has done so of its own volition.

The report outlines the works remaining from fulfilling the Coordinator General’s Environmental obligations, State Government Approvals and summaries the works to be completed within the Ancillary Work Packages and Project Works Program.

The bulk of the ancillary works programs associated with environmental offsets on the site, including the management of per- and polyfluoroalkyl substances (PFAS) contaminated soils, have now been completed. The remaining on-site work was completed by the end of June 2021 and project related monitoring will cease by November 2021.

At that time, Sunshine Coast Airport will be required to assume responsibility for monitoring and management of the on-site environmental offsets.

Works associated with the off-site environmental offsets at the Lower Mooloolah River Environmental Reserve were tendered in June 2021 and will be managed by Council personnel. These works are scheduled to commence in August 2021.

All project related correspondence is currently being transferred from Project Management Office into Council’s corporate records management system.

Sunshine Coast Council remains committed to ensuring that all obligations are fulfilled by the Sunshine Coast Airport through a formalized reporting structure.

## **OFFICER RECOMMENDATION**

**That Council receive and note the report titled “Sunshine Coast Airport Expansion Project Update”.**

## **FINANCE AND RESOURCING**

The amended cumulative total Project budget adopted by Council in 2020/21 is \$330.27 million (excluding interest) to 30 June 2021. Throughout the reporting period, regular reviews of the Project cash flow have been undertaken. The Project cash flow includes all contract and ancillary works packages and all other project related costs. The estimated final cost is currently forecast to be below budget at \$327.25 million (excluding interest).

The project has been funded by borrowings which will be retired in full when Council receives its final project related payment from Palisade Investment Partners at 30 June 2022.

External consultants have been engaged to assist with the mandatory monitoring activities in accordance with the Coordinator-Generals Evaluation Report and subsequent environmental approvals and permits as well as amendments to those approvals and permits, until the completion of the project related monitoring. This activity will then be transferred to Sunshine Coast Airport Pty Ltd.

## **CORPORATE PLAN**

**Corporate Plan Goal:** ***Our resilient economy***

**Outcome:** 3.4 - Strong local to global connections

**Operational Activity:** 3.4.1 - Drive export activity from the Sunshine Coast and support local businesses to expand into national and international markets, by providing access to specialist services, contacts and training and partnering with State and Federal government trade agencies for in-market assistance.

## CONSULTATION

### Councillor Consultation

With the exception of ongoing informal discussions between the Group Executive Built Infrastructure and the Portfolio and Divisional Councillors, no formal consultation has occurred since the completion of the Design and Construct Contract.

The report has undergone extensive internal consultation.

### Internal Consultation

- Chief Executive Officer
- Group Executive Built Infrastructure
- Group Executive Economic and Community Development
- Group Executive Liveability and Natural Assets
- Group Executive Business Performance
- Chief of Staff
- Chief Strategy Officer
- General Counsel
- Manager Communication
- Chief Financial Officer
- Manager Business and Innovation
- Coordinator Financial Accounting
- Manager Environment & Sustainability Policy
- Coordinator Strategic Property

### External Consultation

- Sunshine Coast Airport (SCA)
- John Holland Pty Ltd
- Beca Consulting Pty Ltd
- Aurecon Australasia Pty Ltd
- King & Wood Mallesons
- Clayton Utz
- Office of the Coordinator-General
- Department of Environment and Science
- Queensland Parks and Wildlife Service (QPWS)
- Department of Agriculture and Fisheries
- BMT WBM Pty Ltd
- Core Consulting Pty Ltd
- Future-Plus Environmental
- Civil Aviation Safety Authority (CASA)

- Airservices Australia (AA)
- Sunshine Coast Environment Council (SCEC)

With the contract works now complete, the roles of the internal governance control groups tasked with coordination and management of the project has ceased as Council's remaining obligations are transferred to internal branches or closed out.

The Sunshine Coast Airport Project Control Group ceased to operate following the award of the final Practical Completion. A Sunshine Coast Airport Framework Agreement management group has been formed to oversee the finalisation of various aspects of the project in accordance with the relevant documentation and to continue arrangements as detailed in the Sunshine Coast Airport Framework Agreement.

### **Community Engagement**

Bi-monthly meetings with Sunshine Coast Environment Council continue to be held, providing updates on environmental matters associated with the project.

The most recent of these was held with the project team in June 2021.

### **PROPOSAL**

Construction work on the major portion of the new runway (2,450 m) was completed and certified on 10 June 2020 and handed over to the Sunshine Coast Airport on 12 June 2020. The first flight took place on 14 June 2020.

The Design and Construct Contractor provided official notification of Completion of Construction Works for Separable Portions 3 and 4 which comprised the remainder of the works, on 25 November 2020.

Practical Completion of Separable Portions 3 and 4 was awarded on 14 December 2020 and 29 January 2021, respectively.

### **State Government Approvals**

This report constitutes a status update on compliance with the various conditions imposed by the Coordinator-General in his Evaluation Report of the Environmental Impact Statement.

A detailed listing of all of the conditions and their status in relation to compliance has been included in Attachment 1 - Coordinator General's Environmental Obligations - Compliance Status Summary.

The Coordinator-General's Environmental Assessment Report on the Environmental Impact Statement contained 162 conditions (stated and imposed), recommendations and proponent commitments. Sub-parts to those conditions further increased the individual matters that were required to be addressed to a total of 265.

While the subsequent Environmental Authority (EA) BRID 0035 duplicated some of those conditions, it also added some additional conditions in two stages – in the initial EA approved on 29 September 2017 and again in the amended EA that was approved on 26 June 2018.

“Stated Conditions”, are those which relate to legislative matters over which the Coordinator-General does not hold jurisdiction, and/or “Imposed Conditions” are those which are for the undertaking of the project as if the conditions were conditions of a development approval under the Planning Act.

The Coordinator-General may also make recommendations, although these are not supported by legislative arrangements. The Coordinator-General expects the proponent to use its best endeavors to work towards satisfying these recommendations.

Consequently, to put these conditions into legislative effect, a raft of approvals, permits and licenses were required.



Additionally, the federal Department of Environment added 21 further conditions with several (15) sub-parts related to the Matters of National Significance.

This resulted in 342 significant matters to be addressed across the relevant documentation that was generated as a result of the Coordinator-General's Evaluation Report.

To aid review of this volume of documentation, the conditions and approvals have been attached in tabular form in Attachment 1 - Coordinator General's Environmental Obligations - Compliance Status Summary.

This summary has reproduced the conditions in sufficient detail to enable the reader to identify the requirements, although some figures and tables have not been included and are available in either the Coordinator-General's report or the Environmental Authority BRID 0035, (both of which are public documents).

The vast majority (98%) of the conditions have been satisfied during the execution of works.

The remaining conditions require monitoring and reporting to administering authorities for some years after the completion of the project.

The frog breeding habitat works on site is 90% complete with off-site works about to be tendered. Activities and discussions associated with the remainder, involving the installation of a tidal flap, salinity levels in temporary intercept bores and two conditions associated with PFAS are nearing completion. Reports to confirm compliance are under preparation

Management of PFAS has continued since the last update to Council, with discussions and site inspections with the Department of Environment and Science being undertaken.

The Department of Environment and Science has formally acknowledged receipt of Council's advice that it had no objection to the proposed listing of several airport lots on the Environmental Management Register. Further advice from the Department of Environment and Science in relation to the listing is yet to be received

Discussions are underway between the Sunshine Coast Airport Expansion Project team, the Contaminated Land Auditor and Department of Environment and Science for the surrender of the environmental authority (BRID 0035) covering the approved works associated with dredging and the hydraulic placement of the sand embankment. This surrender will lead to a transition towards a longer-term contaminated land management regime in accordance with the contaminated land provisions of the *Environmental Protection Act 1994*.

This will give rise to the preparation of a range of documents in the form of an Environmental Site Assessment which will be instrumental in managing the issue into the future. The Contaminated Land Auditor has commenced a formal process associated with an audit of the site to formalize the relevant documentation.

Soil and material movement on and off the site, represented a critical item, but alternatives for reuse on site have been identified and discussed with Department of Environment and Science, who have indicated agreement in principle with the proposed approach. A preliminary report addressing the reuse of materials, including some construction material salvaged from previous works, was received from Council's consulting Suitably Qualified Persons. The report identified the circumstances under which that activity was possible, and work proceeded accordingly. Following a review of the completed Environmental Site Assessment, the Contaminated Land Auditor will provide final commentary on this proposal.

Environmental Site Assessments have been prepared to outline site conditions before the project commenced, during the progression of the works and in the final as constructed state. This will now form the basis of a Compliance Report addressing specifically the Conditions P1 to P7 of the Environmental Authority. That report is currently in draft form and will be reviewed by the Contaminated Land Auditor in June 2021.

### **Ancillary Work Packages**

The bulk of the Ancillary Works Packages has been completed under the management and administration of the Project team.

- (a) A further revision of the Agreed Delivery Arrangement has been approved by Department of Environment and Science. This revision of the Agreed Delivery Arrangement satisfies the requirements of the Environmental Authority.
- (b) Flood Mitigation Levee and National Park Revocation  
The ongoing maintenance of the levee is now being managed by the appropriate areas within Council in line with Council's asset management plan. The revocation process of the portion of Mount Coolum National Park in which the levee was constructed is still progressing by way of negotiations with Queensland Parks and Wildlife Service over the financial compensation to be paid for the land. Queensland Parks and Wildlife Service have indicated their support for the proposed financial compensation and have referred the matter to the Minister for approval.
- (c) Wallum Heath Management Area  
Following the conclusion of the Eastern Ground Parrot breeding season, works have commenced to deliver environmental offset requirements within the Wallum Heath Management Area. These works include the creation of breeding habitat primarily for the Wallum Sedgefrog which will also be suitable for the Wallum Rocketfrog, Wallum Froglet and the Eastern Ground Parrot. Wet weather has delayed the completion of this work as it is a requirement under the Species Management Plan that no work proceed in the acid frog breeding habitat for four weeks after 100mm of rain has fallen over the preceding week. The breeding ponds have been constructed and the remaining work involves the planting of the breeding ponds with suitable water tolerant vegetation species.
- (d) Mount Emu She-Oak  
Further Mount Emu She-oak tube-stock has been successfully planted in the receival area. This will now satisfy the requirement for a 2.6-fold increase in the population.
- (e) Acid Frog and Ground Parrot Monitoring  
The reporting on Acid Frog and Ground Parrot populations will continue in accordance with the requirements of the Agreed Delivery Arrangement.
- (f) Obstacle Limitation Surface  
A draft agreement for Sunshine Coast Airport Pty Ltd to access the area for ongoing vegetation trimming works has been prepared and has been provided to Sunshine Coast Airport Pty Ltd for review and discussion.
- (g) Conservation Corridor  
The Conservation Corridor has been established and is in a maintenance period under the control of the contractor.
- (h) Environmental Obligations in accordance with the Coordinator-General's Evaluation Report, will be handed over to the Sunshine Coast Airport to monitor and maintain. A handover manual and a draft legal agreement have been provided to the aerodrome operator detailing the obligations required to be maintained and Sunshine Coast Airport's ongoing reporting requirements to Council.

### **Project Works Program**

The only work currently outstanding on the site is the completion of the planting of the frog breeding ponds and the removal (reuse) of material stockpiled on the old runway which has been decommissioned.

The reuse of the material is dependent on the completion of the Environmental Site Assessment reports and approval by the Contaminated Land Auditor.

**Legal**

Based on legal advice, a formal claim against the Project Construction Insurance for that portion of the costs associated with inundation of the site and the resultant delays and management of the PFAS contamination has been prepared and submitted to the insurers.

**Policy**

- Sunshine Coast Airport Master Plan 2007
- Regional Economic Development Strategy 2013-2033.

**Risk**

The only remaining project risk is associated with the management of remnant material currently stockpiled. Whilst it is expected that the material will be reused on-site based on advice from the Suitably Qualified Persons, this will require approval by the Contaminated Land Auditor. If this is not forthcoming, then the material will have to be removed from the site.

All other risks have been closed.

**Previous Council Resolution****Ordinary Meeting 25 February 2021 (OM21/13)**

*That Council receive and note the report titled "Sunshine Coast Airport Expansion Project – Project Update to 31 December 2020".*

**Related Documentation**

- Sunshine Coast Airport Expansion Project Environmental Impact Statement (EIS).
- Sunshine Coast Airport Expansion Project Additional Information to the Environmental Impact Statement (AEIS).

Project Management Plan. A detailed Project Management Plan was prepared for the Project. The Project Plan was reviewed and amended, as required, as the Project progressed through different stages.

**Critical Dates**

Prior to the issuance of Practical Completion for Separable Portion 3, the concrete apron works were transferred into a new Separable Portion (Separable Portion 4), to allow sufficient time for Sunshine Coast Airport to obtain peer review advice on minor defects that had been identified. Separable Portion 4 was subsequently re-inspected, and final Practical Completion for the Work was awarded on 29 January 2021.

**Implementation**

The Chief Executive Officer to continue to address the remaining recommendations.

## 8.10 MOTIONS FOR THE 125TH LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND ANNUAL CONFERENCE

<b>File No:</b>	<b>Council Meetings</b>
<b>Author:</b>	<b>Executive Manager Office of the CEO</b>
<b>Attachments:</b>	<b>Att 1 - Proposed Motion – Housing Affordability and Availability .....203</b>
	<b>Att 2 - Proposed Motion – Amendment of section 236 of the Local Government Regulation .....205</b>
	<b>Att 3 - Local Government Association of Queensland – Policy Executive Motions for the 125th Annual Conference .....207</b>

### PURPOSE

This report proposes two motions for consideration at the Local Government Association of Queensland's (LGAQ's) 125<sup>th</sup> Annual Conference.

### EXECUTIVE SUMMARY

The 125<sup>th</sup> LGAQ Annual Conference is to be held in Mackay from 25 to 27 October 2021.

Each year, the Conference debates motions put forward by both the LGAQ Policy Executive and member Councils. Motions that are supported and resolved at the Annual Conference guide and inform the LGAQ's Annual Advocacy Plan and the LGAQ Policy Statement.

Under the LGAQ Conference rules, all motions from a local government must be endorsed by the submitting Council at a Council meeting and received by the LGAQ by 16 August 2021.

The Annual Conference agenda will prioritise motions that raise new issues of state-wide relevance. Motions must be well formed and presented in a way that is most likely to garner the support of the broader membership of the LGAQ – namely the 77 local governments in Queensland.

Two motions are proposed for consideration by Council to submit to the LGAQ for consideration and debate at the 2021 LGAQ Annual Conference. These motions – should they be endorsed by Council and subsequently resolved at the LGAQ Annual Conference - would provide greater impetus for:

- more timely solutions to facilitate housing affordability and availability and
- more customized approaches for the disposal of land and other non-current assets where there is a clear business case that demonstrates a beneficial outcome for the community.

Details associated with each motion are outlined in **Attachments 1 and 2**.

With the release of the Queensland Government's 2021-2022 Budget on 15 June 2021, it became apparent there is no commitment in the State's forward estimates (beyond the current financial year) to maintain the advance payments to Councils to avoid an impost on households of the Waste Levy. This is a matter of considerable concern to a number of Councils (including Sunshine Coast Council) and is inconsistent with commitments made at the time of introduction of the Waste Levy in 2019.

It is noted the LGAQ has already embarked on an extensive advocacy and engagement process with the Queensland Government to seek to have the advance payments of the Waste Levy to Councils maintained. On this basis, it is not considered necessary to submit a

specific motion advocating for the retention of the Waste Levy advance payments to Councils, given the extent and substance of the LGAQ's current advocacy efforts in this regard.

### OFFICER RECOMMENDATION

**That Council:**

- (a) receive and note the report titled "Motions for the 125th Local Government Association of Queensland Annual Conference" and
- (b) endorse the following motions for forwarding to the Local Government Association of Queensland for inclusion in the 125<sup>th</sup> Annual Conference agenda –
  - i. That the Local Government Association of Queensland advocate to the Queensland Government to develop and agree a joint State/Local government package of measures that will enable a more timely response to housing affordability and availability in high growth areas of the State.
  - ii. That the Local Government Association of Queensland advocate to the Queensland Government to amend section 236 of the *Local Government Regulation 2012* to afford greater flexibility to Councils to approve an exemption from the compulsory tender or auction requirements in relation to the disposal of non-current assets, in circumstances where there is a clear business case that demonstrates the disposal of the asset would provide clear beneficial outcomes for the community.

### FINANCE AND RESOURCING

There are no financial or resourcing impacts for Council arising from submitting motions for consideration at the LGAQ Annual Conference.

### CORPORATE PLAN

**Corporate Plan Goal:** *Our outstanding organisation*  
**Outcome:** We serve our community by providing this great service  
**Operational Activity:** S27 - Elected Council – providing community leadership, democratic representation, advocacy and decision-making.

### CONSULTATION

#### Councillor Consultation

All Councillors were invited to consider potential subject areas for potential Conference motions.

#### Internal Consultation

Consultation has been undertaken with the Chief Executive Officer and members of the Executive Leadership Team in framing the proposed Conference Motions which are the subject of this report.

#### External Consultation

Consultation with external parties has not been undertaken in relation to this report. That said, the matters which are the subject of the proposed motions have been the subject of community consultation and engagement at various points in time.

## Community Engagement

Consultation with external parties has not been undertaken in relation to this report.

## PROPOSAL

The 125<sup>th</sup> LGAQ Annual Conference is to be held in Mackay from 25 to 27 October 2021.

Each year, the Conference debates motions put forward by both the LGAQ Policy Executive and member Councils. Motions that are supported and resolved at the Annual Conference guide and inform the LGAQ's Annual Advocacy Plan and the LGAQ Policy Statement.

The LGAQ Policy Executive has already resolved to submit 10 motions to the Annual Conference. The LGAQ Policy Executive motions are outlined in **Attachment 3**.

Under the LGAQ Conference rules, all motions from a local government must be endorsed by the submitting Council at a Council meeting and received by 16 August 2021.

The Annual Conference agenda will prioritise motions that raise new issues of state-wide relevance. Motions must be well formed and presented in a way that is most likely to garner the support of the broader membership of the LGAQ – namely the 77 local governments in Queensland.

In particular, it is important to ensure that any motion that calls for action by another tier of government is appropriately targeted and within the Constitutional reach of the tier of government to which it is directed.

Motions that are specific to solely furthering the interests or objectives of a single local government are generally not accepted.

Following a call for motions by the LGAQ, the Executive Leadership Team has framed two proposed motions which if endorsed, would further the policy objectives of Council but are also likely to be relevant to other local governments. The following motions are proposed for consideration by Council to submit to the LGAQ for consideration and debate at the 2021 LGAQ Annual Conference:

1. That the Local Government Association of Queensland advocate to the Queensland Government to develop and agree a joint State/Local government package of measures that will enable a more timely response to housing affordability and availability in high growth areas of the State.
2. That the Local Government Association of Queensland advocate to the Queensland Government to amend section 236 of the *Local Government Regulation 2012* to afford greater flexibility to Councils to approve an exemption from the compulsory tender or auction requirements in relation to the disposal of non-current assets, in circumstances where there is a clear business case that demonstrates the disposal of the asset would provide clear beneficial outcomes for the community.

Details associated with each motion are outlined in **Attachments 1 – 2**.

## Legal

There are no legal implications associated with submitting proposed motions to the LGAQ for consideration and debate at the Annual Conference.

## Policy

None of the proposed motions in this report conflict with the adopted policy positions or objectives of Council. Should the proposed motions be approved by Council and resolved at the LGAQ Annual Conference, they will influence and shape future advocacy efforts of the LGAQ, which may result in policy and program decisions by the other tiers of government that will be advantageous to the interests of Council.

**Risk**

No discernible risks have been identified from potentially submitting the proposed motions to the LGAQ for consideration and debate at its Annual Conference.

**Previous Council Resolutions**

Council resolved on **25 July 2019 (OM19/105)** as follows:

*That Council:*

- (a) *receive and note the report titled “**Motion for the 123rd Local Government Association of Queensland Annual Conference**” and*
- (b) *endorse the following motion titled “Partnership with Power Utilities in delivering Underground Power” for forwarding to the Local Government Association of Queensland for inclusion in the 123<sup>rd</sup> Annual Conference agenda –*  
*That the Local Government Association of Queensland lobbies the peak power utilities’ industry body to jointly fund undergrounding power where the change to existing overhead power supplies is required as part of a local government’s urban upgrade capital works program, and is called up in the local government’s planning scheme.*

Council resolved on **16 August 2018 (OM18/126)** as follows:

*That Council:*

- (a) *receive and note the report titled “**Motion for the 122nd Local Government Association of Queensland Conference 2018**” and*
- (b) *endorse the following motion titled “Enhancing Queensland’s future drought resilience” for forwarding to the Local Government Association of Queensland for inclusion in the 122<sup>nd</sup> Annual Conference agenda –*  
*That the Local Government Association of Queensland lobby State and Federal governments to develop options (in partnership with local governments, bulk water providers and water retailers) that improve drought resilience in Queensland – particularly with regard to the agricultural sector – through the more efficient storage, movement and use of all types of water, including recycled water and storm/rain water.*

Council resolved on **17 August 2017 (OM17/157)** as follows:

*That Council authorise the Chief Executive Officer to submit to the Local Government Association of Queensland the following motion for inclusion in its 2017 Annual Conference agenda –*

*‘That the Local Government Association of Queensland lobby the Queensland Government to undertake an immediate review of the legislative and regulatory framework for local government procurement so that it is more agile and adaptive to a constantly evolving digital environment, more responsive to innovative proposals and products and can be better utilised by Councils to support start-ups and entrepreneurialism in their regions’.*

Council resolved on **18 August 2016 (OM16/138)** as follows:

*That Council:*

- (a) *receive and note the report titled “**Motion for 120th Annual Local Government Association Queensland Conference 2016**”*

- (b) forward the motion titled 'To develop new guidelines to replace Guidelines On Arrangements for Infrastructure External to State Government Sites and Non-State Schools – December 1997' (Appendix A) to the Local Government Association Queensland for inclusion in the 120<sup>th</sup> Annual Conference Agenda
- (c) forward the motion titled 'To investigate providing legislative power to local government to apply catchment based developer contributions for delivery of non-trunk infrastructure' (Appendix B) to the Local Government Association Queensland for inclusion in the 120<sup>th</sup> Annual Conference Agenda and
- (d) forward the motion titled 'To request that the State Government review Planning Scheme amendment processes with a view to removing or significantly reducing the timeframes associated with First State Interest Check Reviews' (Appendix C) to the Local Government Association Queensland for inclusion in the 120<sup>th</sup> Annual Conference Agenda.

Council resolved on **20 August 2015 (OM15/132)** as follows:

*That Council:*

- (a) receive and note the report titled "**119th Annual Local Government Association Queensland Conference 2015 - Motion - Valuation Methodology for Strata Units**" and
- (b) forward the motion titled 'To introduce a different valuation methodology to Strata Units by using market value' as detailed in Appendix A, to the Local Government Association Queensland for inclusion in the 119<sup>th</sup> Annual Conference Agenda.

#### **Related Documentation**

- LGAQ 125<sup>th</sup> Annual Conference Program.
- Constitution of the Local Government Association of Queensland.

#### **Critical Dates**

This report must be considered by Council at the July 2021 Ordinary Meeting in order to enable any endorsed motions from Council to be submitted to the LGAQ by 16 August 2021.

#### **Implementation**

Subject to Council endorsing the recommendations on this report, the approved proposed motions will be forwarded to the LGAQ for consideration for inclusion in Annual Conference Motions Agenda.



**9 NOTIFIED MOTIONS****10 TABLING OF PETITIONS**

Petitions only eligible for submission if:

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

**11 CONFIDENTIAL SESSION****11.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PROPOSED DISPOSAL OF COUNCIL ASSETS IN MAROOCHYDORE**

**File No:** Statutory Meeting  
**Author:** Group Executive  
Economic & Community Development Group

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

Council has entered into a Non-Disclosure Agreement with the party involved in this transaction and that Agreement restricts both parties from disclosing information to other persons in regard to the commercial negotiations.

The public release of information relating to this transaction prior to the transaction being endorsed by Council and finalised with the proponent will most likely result in the proponent withdrawing from the negotiations and expose Council to a potential action for breach of its confidentiality obligations in the Non-Disclosure Agreement.

Council will need to resolve its decision on this report in that part of the Council meeting which is viewable by the public.

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**12 NEXT MEETING**

The next Ordinary Meeting will be held on 19 August 2021.

**13 MEETING CLOSURE**