

Agenda

Ordinary Meeting

Thursday, 28 March 2019

commencing at 9:00am

Council Chambers, 1 Omrah Avenue, Caloundra

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1 DECLARATION OF OPENING

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

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

That the Minutes of the Ordinary Meeting held on 28 February 2019 and the Special Meeting (Region Making Projects) held on 28 February 2019 be received and confirmed.

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

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

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

5.2 CONFLICT OF INTEREST / PERCEIVED CONFLICT OF INTEREST

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

The other Councillors must then decide

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

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

8 REPORTS DIRECT TO COUNCIL**8.1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE (EXTRACTIVE INDUSTRY) AT BEERBURRUM-WOODFORD ROAD BEERBURRUM**

File No:	MCU16/0275
Author:	Senior Development Planner Customer Engagement & Planning Services Group
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Link to Development.i:

<https://developmenti.sunshinecoast.qld.gov.au/Home/FilterDirect?filters=DANumber=MCU16/0275>

APPLICATION DETAILS	
Applicant:	Barro Group Pty Ltd
Landowner:	Department of National Parks, Sport and Racing
Consultant:	Groundwork Plus
Proposal:	Development Permit for Material Change of Use of Premises for: <ul style="list-style-type: none"> • Extractive Industry and • Environmentally Relevant Activities: <ul style="list-style-type: none"> - ERA16(2): extracting more than 1,000,000 tonnes per year - ERA16(3): screening more than 1,000,000 tonnes per year and • Caretaker's Accommodation.
Properly Made Date:	5 December 2016
Information Request Date:	22 December 2016
Info Response Received Date:	27 June 2017
Decision Due Date:	20 August 2018
Number of Submissions:	182 properly made & 7 not properly made
PROPERTY DETAILS	
Division:	1
Property Address:	Lot 589 Beerburrum-Woodford Rd BEERBURRUM QLD
RP Description:	Part of Lot 589 FTY 1876
Land Area:	Entire Lot 589 – 2,851 Ha Quarry area (approx) – 23 Ha

Existing Use of Land:	A small borrow pit (approx. 0.8Ha) exists where the proposed extractive industry is proposed. The balance of the land (outside the allocated lease area) is State Forestry.
STATUTORY DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme (15 August 2016)
SEQRP Designation:	Regional Landscape and Rural Production Area
Strategic Framework Land Use Category	Rural Enterprise and Landscape Area
Local Plan Area:	Nil
Zone:	Rural
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek Council's determination of a Development application seeking a Development Permit for Material Change of Use (Extractive Industry, Caretakers Accommodation and Environmentally Relevant Activity ERA16) at Beerburrum-Woodford Road, Beerburrum.

The application is before Council due to the regional economic value of the proposal and the level of public interest in the application.

EXECUTIVE SUMMARY

The application seeks to establish a hard rock quarry within the Beerburrum West State Forest. The resource is identified a Key Resource Area under the State Planning Policy, which is also reflected in *Sunshine Coast Planning Scheme 2014*. The applicant (Barro Group) was awarded a 20 year lease after the State Government sought tenders in 2014 for an operator to extract the resource on the site. The resource to be extracted is intended to be crushed and screened on site to provide material for road building and the construction industry generally.

The subject site was historically used as a forestry resource generally for the upgrading of forestry tracks in the area. Nonetheless, the application is a material change in the intensity and scale of the site and therefore, the application has been assessed as a new extractive industry with an entirely different range of potential impacts to the previous use of the site as a borrow pit. The proposal seeks approval to extract greater than 1 million tonnes of material per annum from the identified State Key Resource Area. Extractive Industry is identified as a "consistent use" within the Rural zone of the Sunshine Coast Planning Scheme where identified by the State Government as a Key Resource Area.

Assessment against the *Sunshine Coast Planning Scheme 2014* has found that there is a sufficient need for the proposed quarry and that the development is consistent with the strategic framework and intent of the Planning Scheme and is able to sufficiently comply with the all relevant Planning Scheme codes. In particular, the proposed quarry pit area is located at least 900m from the nearest property boundary and approximately 1.2km from the closest dwelling house.

It is important to note that while Council is the responsible entity for assessing the proposed Material Change of Use application, the State Government is responsible for assessing operational matters pertaining to the use, through both their concurrence agency role for this application and via issuing of the Environmental Authority permit with respect to the two proposed Environmentally Relevant Activities. The State Government has already given its concurrence agency response (approval) for this application and issued its Environmental

Authority conditions. Accordingly, the Council's report does not deal with those two operations in detail, but assesses matters of the impacts arising from the proposal as required by Council's Planning Scheme.

Extractive industry is a necessary industry which supplies materials for infrastructure and construction. Extractive industries must be located where suitable geological resources are available and, thus, locational flexibility is not available, as would be the case for industries in other sectors.

OFFICER RECOMMENDATION

That Council:

- (a) **receive and note the report titled "Development Application for Material Change of Use (Extractive Industry) at Beerburrum-Woodford Road Beerburrum "**
- (b) **delegate authority to the Chief Executive Officer to APPROVE Application No. MCU16/0275 with conditions and grant a Development Permit for Material Change of Use (Extractive Industry, Caretaker's Accommodation and Environmentally Relevant Activity ERA16) at Beerburrum-Woodford Road, Beerburrum, subject to:**
 - (i) **imposition of the conditions of approval identified in the Conditions of Approval (Appendix A)**
 - (ii) **execution of the Infrastructure Agreement (Appendix B) by both parties**
- (c) **delegate authority to the Chief Executive Officer to execute the Infrastructure Agreement (Appendix B) and**
- (d) **delegate authority to the Chief Executive Officer to negotiate and determine all future requested changes to the Infrastructure Agreement.**

FINANCE AND RESOURCING

Should the development application be approved, Council's Transport and Infrastructure Policy Branch has determined that infrastructure charges would be payable in the amount of approximately \$24,609.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*

Outcome: 4.4 - Service quality assessed by performance and value to customers

Operational Activity: 4.4.6 - Position Development Services to effectively meet business and legislative requirements into the future with a focus on statutory assessment and compliance, ensuring timely decision making, positive customer experiences and strong industry engagement.

CONSULTATION

Councillor Consultation

The Divisional Councillor R Baberowski has been briefed on a number of occasions throughout the application process.

Council officers attended a community meeting for the development application in July 2017 with the Divisional Councillor R Baberowski.

Internal Consultation

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

- Development Engineer, Engineering and Environment Assessment Unit
- Environment and Landscape Officer, Engineering and Environment Assessment Unit
- Ecology Specialist, Engineering and Environment Assessment Unit
- Urban Designer, Planning Assessment Unit
- Traffic Engineering, Engineering and Environment Assessment Unit
- Plumbing Specialist, Building and Plumbing Services
- Strategic Planning Branch
- Quarry Services
- Legal Services

Councillors have been briefed throughout the application process.

External Consultation

IDAS Referral Agencies

The application was referred to the Department of Infrastructure, Local Government and Planning for concurrence agency assessment in relation to the following:

- Environmentally Relevant Activities
- State controlled road and
- Development impacting on State transport infrastructure.

The department responded by letter dated 3 July 2018 imposing conditions that must attach to any development approval (refer to **Attachment 3**).

Third Party advice

As the site is proximate to the southern local government border, advice was sought from Moreton Bay Regional Council (MBRC). In their response, MBRC requested that the amenity impacts to the four rural properties near to the site within their local government area be considered during Council's assessment. A summary of their response is provided in the Detailed Assessment Report at **Attachment 1**.

Community Engagement

Public notification

The application was publicly notified for the minimum 15 business days in accordance with the requirements of the *Sustainable Planning Act 2009*. A total of 182 properly made submissions and 7 not properly made submissions were received at the time the application was formally notified. Of the 189 total submissions received, 101 were against the proposal, 85 were in support and 3 were neutral. Approximately 86 of the 'against' submissions were from residents within the Beerburrum area. A further 73 submissions were received 3 months after the formal period ended. All of the 73 submissions were against the proposal and are proforma in nature. Three (3) of these were from Beerburrum addresses with the remainder scattered north and south of Beerburrum.

The key issues raised in the submissions include:

- haulage truck impacts (amenity and safety)
- visual impact
- loss of amenity and character of Beerburrum
- dust, noise, vibration impacts
- lack of demand/need for additional resource
- community was unaware of the Key Resource Area's existence
- cultural heritage concerns
- excessive hours of operation proposed
- economic and employment benefits.

A summary of the issues raised by submitters together with a response in relation to each is provided in the Detailed Assessment Report at **Attachment 1**.

PROPOSAL

The application seeks approval for a Material Change of Use for the following over part of Lot 589 on FTY 1876, located at Beerburrum-Woodford Road, Beerburrum:

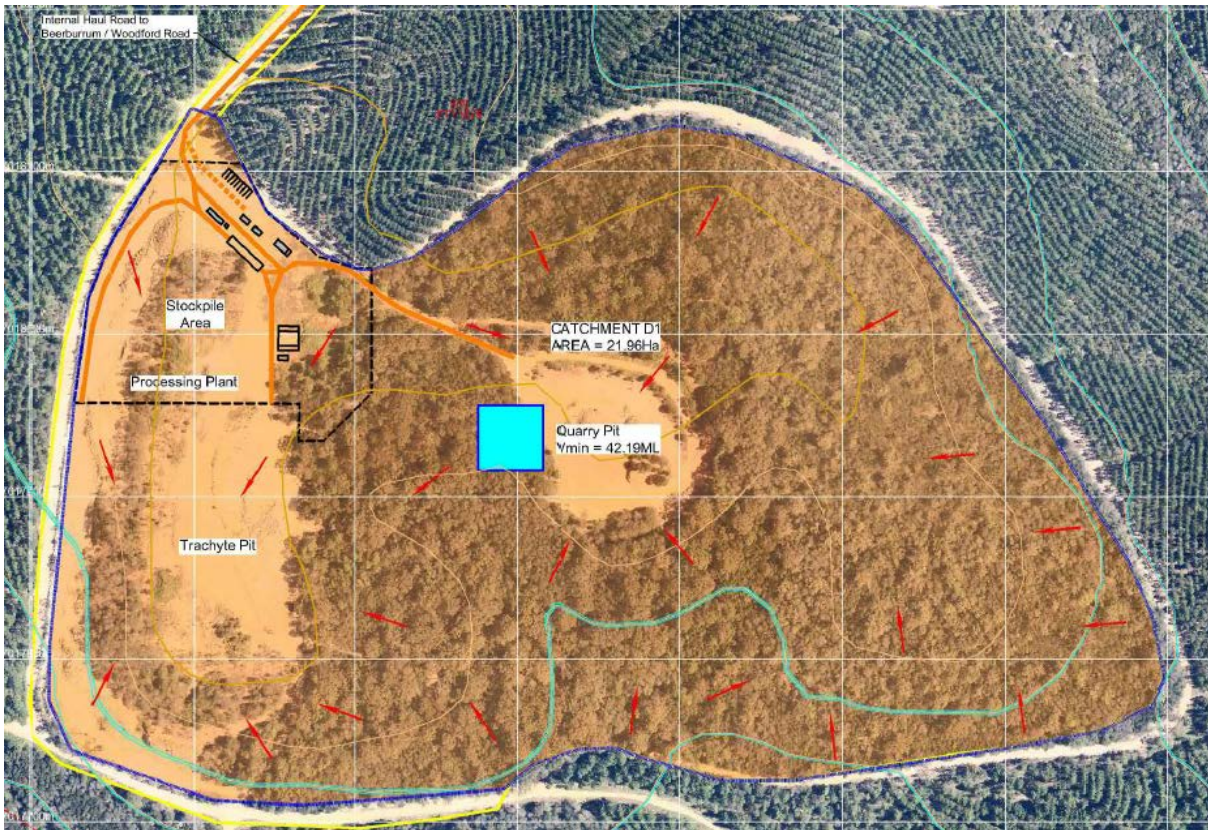
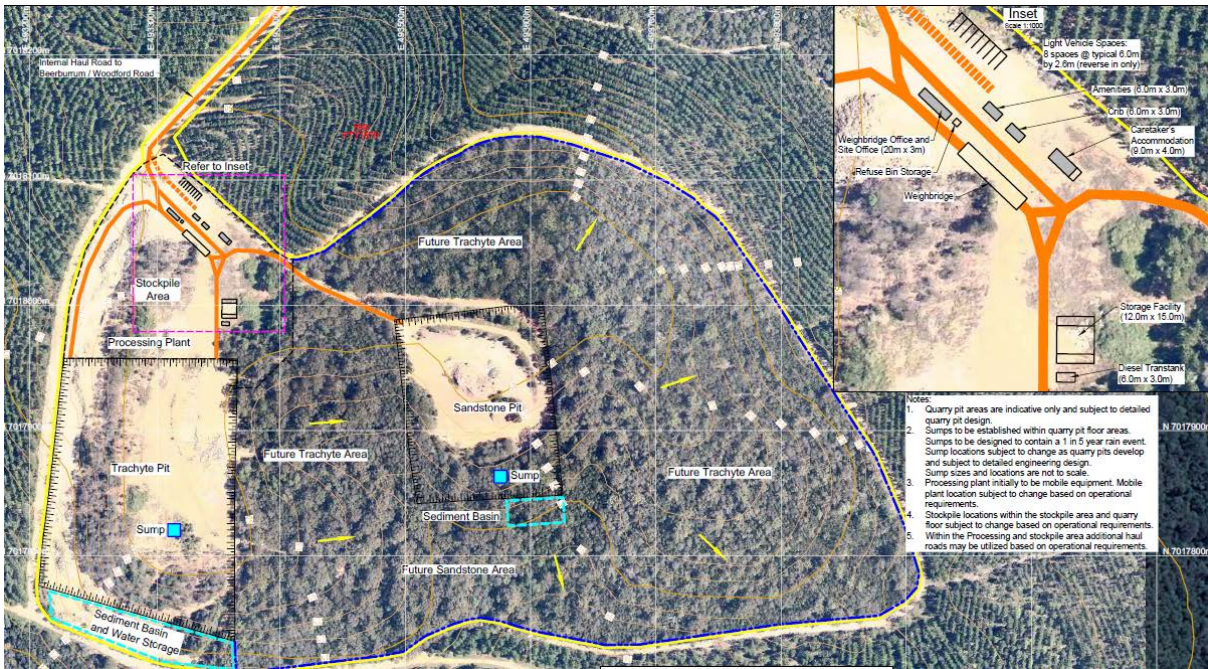
- Extractive Industry
- Environmentally Relevant Activities, comprising:
 - the start of a new ERA16(2): extracting more than 1,000,000 tonnes per year
 - the start of a new ERA16(3): screening more than 1,000,000 tonnes per year
- Caretaker's Accommodation.

The area subject to the proposed Extractive Industry (quarry) is located within a much greater parcel (Lot 589), being some 2,851 hectares in total area, and is State Forest land leased to HQ Plantations. The area proposed to be quarried is approximately 23.38 hectares in area. It has been used historically as a gravel resource for the upgrade of State Forestry tracks. However, the pit has not been active for a number of years. The resource is identified by the State Government as a Key Resource Area and the proponent has received a 20 year sales permit (lease) from the State Government to extract the resource as proposed by this application. The proposed haul route is located entirely along constructed roads, except for a small portion of about 400 metres between the proposed quarry pit and Beerburrum-Woodford Road. The proposed haulage route primarily comprises State-controlled roads, and includes that part of Beerburrum Road traversing through the Beerburrum township.

The proposed use also includes Caretaker's Accommodation and screening and ancillary crushing/screening plant relation to the operation of the quarry. The final landform would represent a series of terminal quarry benches (at least four), approximately 12 metres in width and 15 metres in height. Hence, the ultimate depth of cut is anticipated to be approximately 60 metres, although the applicant's preliminary investigations suggest that the resource may go deeper.

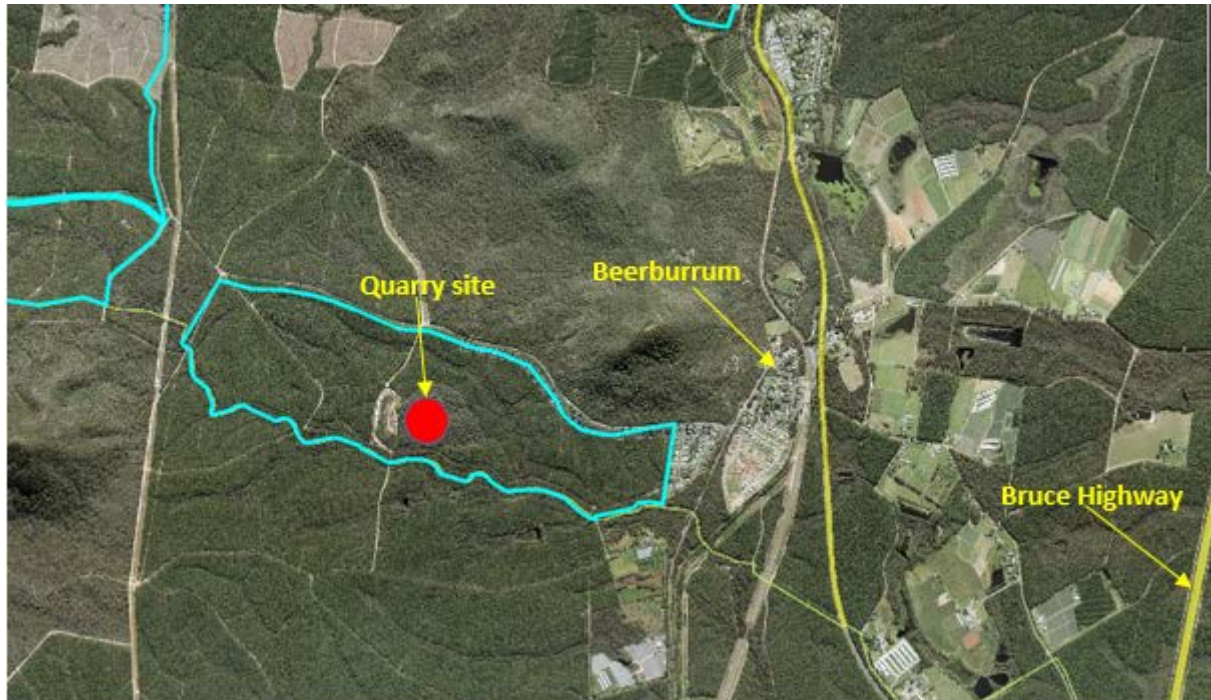
Trachyte and sandstone are the resources expected to be extracted from the site. The applicant states that the type of material identified as being available on the site for extraction include road base, sub-grade, sealing aggregates and concrete aggregates, as well as for the production of manufactured sand. The overburden has been identified for use as general fill.

The proposed site layout is shown below. The orange area in the second image indicates the full extent of the proposed quarry area (23.38Ha).



Site location

The location of the proposed quarry in relation to its surrounds is shown below:



The subject site is located within the Beerburrum West State Forest about 2.7 km west of the Beerburrum township. It is identified as Key Resource Area (KRA) 147 and is located in close proximity to the southern-most boundary of the Shire. The site has had some historical usage for quarrying purposes, however the scale and intensity now proposed results in a Material Change of Use. Further background detail about the history of the site is provided in the Detailed Assessment Report at **Attachment 1**.

ASSESSMENT

An assessment has been undertaken against the relevant State and local planning regulatory instruments and documented in detail in the Detailed Assessment Report at **Attachment 1**.

Assessment against the *Sunshine Coast Planning Scheme 2014* has found that there is a sufficient need for the proposed quarry and that the development is consistent with the strategic framework and intent of the Planning Scheme and is able to sufficiently comply with the all relevant Planning Scheme codes. In particular, the proposed quarry pit area is located at least 900 metres from the nearest residential property boundary and about 1.2km from the closest dwelling house.

It is important to note that while Council is the responsible entity for assessing the proposed Material Change of Use application, the State Government is responsible for assessing operational matters pertaining to the use, through both their concurrence agency role for this application and via issuing of the Environmental Authority permit with respect to the two proposed Environmentally Relevant Activities. The State Government has already given its concurrence agency response (approval) for this application and issued its Environmental Authority conditions. Accordingly, the Council's report does not deal with those two operations in detail, but assesses matters of the impacts arising from the proposal as required by Council's Planning Scheme.

Matters relating to water quality, dust, blasting vibration and noise impacts are regulated by the Department of Environment and Heritage Protection through the *Environmental Protection Act 1994*. The State Government also have the responsibility of assessing the impacts of vegetation loss and impacts on the State-controlled road network. In its role as a concurrence agency to this application, the State Government is responsible for assessing these aspects of the application and have the power to direct refusal or impose conditions.

The State Government have assessed and granted approval by a combination of the issued Environmental Authority permit and concurrence agency response requiring conditions be applied to any approval decision made by Council.

Matters relating to traffic impact on the local roads, vegetation loss, need and visual amenity are key items that are assessed by Council under the *Sunshine Coast Planning Scheme 2014*.

Visual impacts external to the site are expected to be minimal given the site's topography and method of excavation (ie. receding rim), and also because the site is surrounded by existing pine plantation that would provide a substantial visual buffer in the short to medium term. At such time when the existing pine plantation is eventually harvested, the operations may become more visible and so conditions are recommended to require retention of a 10m wide vegetated buffer around part of the site's perimeter, where the pine forest is unable to provide suitable screening. Any visual impacts would also be reduced by required rehabilitation works on each bench created as part of quarrying operations once they have been completed.

The required haulage of the extracted rock, while remaining on a high-order and primarily State-controlled road network, is proposed to pass through the town of Beerburrum and past the Beerburrum State Primary School. At the rate of extraction proposed by the applicant, more than 200 haulage truck trips are expected to traverse the Beerburrum road network per day. Given the typical lifespan of a quarry, it is not preferred that haulage trucks would traverse roads that pass through residential areas and small towns. In this regard, both the applicant and Council officers undertook investigations into whether there was any opportunity to provide an alternate haulage route that would avoid these sensitive areas. Investigations revealed that there are very few alternate route options available and that none of those options are physically or feasibly able to be achieved. The other potential routes are either not possible to construct to the necessary standard, add excessively to travel distances or otherwise would impact on the same or a greater number of sensitive uses. As such, the proposed haul route is determined to be the most appropriate and only feasible option to enable a quarry to occur on the designated Key Resource Area land in this case. Nonetheless, it is recognised that appropriate consideration needs to be given to protecting the amenity of the surrounding area, such as by limiting the amount of material able to be extracted annually and by required safety and amenity improvements along the haul route, the covering of loads and other measures.

The subject site is identified as containing protected native vegetation as well as being identified as a Key Resource Area. The clearing of State-mapped protected vegetation has been permitted by the State Government in their concurrence agency response, subject to a requirement that the applicant enter into an agreement with the State to 'offset' the loss of vegetation. Council also has a role to play in assessing the proposed loss of vegetation protected under its Planning Scheme. Council officers' assessment of the application has found there to be sufficient need and grounds to justify approval of the proposal, despite the loss of vegetation, with rehabilitation work required throughout the development on a progressive basis.

The site is identified as a Key Resource Area under the State Planning Policy and, also as a Local Resource Area by the Planning Scheme. Hence, the subject land's potential to provide a hard rock resource is identified by these legislative documents. The purpose of these measures is to protect the identified resource from encroachment by 'incompatible' uses that could otherwise jeopardise its unfettered extraction. Nevertheless, the site is also identified as Endangered Vegetation by the same State Policy and as an Ecologically Important area (native vegetation area) by Council's Planning Scheme. This results in a tension between the relevant policy objectives and approval to extract the resource is dependent on the assessment of whether any site constraints and external impacts can be eliminated or adequately mitigated.

Assessment of demand and supply for resources based on 2016 data suggests a moderate demand or need for additional resources to serve the catchment area. However, that demand will increase over the coming years, particularly where spikes in demand are driven by major development areas, notably, Caloundra South (Aura), Palmview (Harmony) and the Maroochydore CBD, as well as the longer term projects such as the future Beerwah East area, Bruce Highway upgrades, and the Beerburrum to Nambour rail duplication. These major development areas are driven by population increase.

More recent advice from State Government quarry resource departments as well as Council quarry operators/managers, indicate that a shortage currently exists in hard rock material readily available to and on the Sunshine Coast. The proposed quarry at Beerburrum is well placed geographically to commence quarrying and satisfy this forecast shortfall/need.

Having assessed and balanced the competing interests and policy objectives, Council officers consider that there is sufficient demand for hard rock resources within the growing region such that it outweighs the policy objective to protect and retain the existing native vegetation *in situ* on the site and instead allow offsetting of the vegetation elsewhere in the region. Officers consider that it would be in the interests of the greater community that the resource be exploited notwithstanding the loss of the site's *in situ* vegetation. In this case, need for the resource is considered to be sufficient to give preferential consideration to extracting the resource on the site, also noting the following:

- the identified resource is locationally specific and not readily available elsewhere
- the vegetation could be offset to compensate for the loss of the ecologically important area; and
- the proposed development is identified as a 'consistent use' in the Planning Scheme due to its designation as a Key Resource Area.

CONCLUSION

While acknowledging objection to the proposed quarry from members of the Beerburrum community, it is considered that the proposal sufficiently complies with the requirements of the state and local planning instruments in order to warrant approval of the application, subject to conditions. Notably, conditions are recommended to limit the number of haulage vehicles traveling through Beerburrum. Whilst this would allow fewer haulage trips than preferred by the applicant, it is considered a necessary measure to ensure a reasonable level of amenity is retained for the residents of Beerburrum. Moreover, there is considered to be sufficient justification to afford greater weight to the exploitation of the resource than to the protection of the site's *in situ* vegetation in this instance and instead allow offsetting of the vegetation elsewhere. The application is recommended for approval accordingly.

Legal

There are no legal implications relevant to this report.

Policy

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

Risk

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

Previous Council Resolution

There is no previous Council resolution relevant to this report.

Related Documentation

A copy of the officers' full and detailed assessment report is included as **Attachment 1** to this report. The detailed assessment report contains all the specific assessment details under the planning scheme considered in Council's assessment of this application.

A copy of the applicant's proposal plans are provided as **Attachment 2** to this report.

A copy of the State Government's concurrence agency response and Environmental Authority permit are included as **Attachment 3** and **Attachment 4** respectively.

Critical Dates

Council's decision for the application was due on 20 August 2018. Given a decision has not been made by this date, the applicant may elect to take a deemed refusal. This results in the decision being taken to the Planning and Environment Court to consider the matter.

Implementation

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

8.2 DEVELOPMENT APPLICATION MATERIAL CHANGE OF USE OF PREMISES TO ESTABLISH A FOOD AND DRINK OUTLET AT PELICAN WATERS BOULEVARD, PELICAN WATERS

File No:	MCU18/0224
Author:	Development Planner Customer Engagement & Planning Services Group
Appendices:	App A - Conditions of Approval 121
Attachments:	Att 1 - Proposal Plans 135 Att 2 - Detailed Assessment Report 149

Link to Development.i:

<https://developmenti.sunshinecoast.qld.gov.au/Home/FilterDirect?filters=DANumber=MCU18/0224>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Café Collective Trust
Owner:	Pumicestone Passage Developments Pty Ltd
Consultant:	Sunshine Coast Survey and Planning
Proposal	Development Permit for Material Change of Use of Premises to establish a Food and Drink Outlet
Properly Made Date:	27 August 2018
Information Request Date:	20 September 2018
Information Response Received Date:	2 November 2018
Decision Due Date	1 February 2018
Number of Submissions	12 Properly Made submissions were received. 8 submissions were in support and 4 submissions were in objection to the proposal.
PROPERTY DETAILS	
Division:	2
Property Address:	Pelican Waters Bvd PELICAN WATERS
RP Description:	Lot 603 SP 221893
Land Area:	1,670m ²
Existing Use of Land:	Vacant land and carpark
STATUTORY DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme 2014 (29 June 2018)
SEQRP Designation:	Urban Footprint
Strategic Plan Designation:	Urban
Planning Area / Locality:	Golden Beach/Pelican Waters Local Plan Area
Planning Precinct / Zone:	Open Space Zone
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek Council's determination of an application for a Development Permit for Material Change of Use of Premises to establish a Food and Drink Outlet at Pelican Waters Boulevard, Pelican Waters.

The application is before Council at the request of the Divisional Councillor, T Dwyer.

EXECUTIVE SUMMARY

The proposal relates to establishing a restaurant on the premises within a new single storey building that has a total floor area building area of 314m², including decks.

The site is located within the Open Space Zone and a Food and Drink Outlet is identified by the planning scheme as a potentially consistent use within the zone and subject to impact assessment.

The proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) - Site Specific and Operational Matters proposes to amend the Tables of Assessment and the *Golden Beach/Pelican Waters local plan code* to allow Food and Drink Outlet and Shop to be code assessable and consistent uses respectively, subject to qualifications about scale and intensity of uses on the subject lot. The proposed amendment underwent public consultation from 30 July to 7 September 2018. The submissions are currently being reviewed and a consultation report will be presented to Council for consideration in due course.

Subject to reasonable and relevant conditions, including a condition that would require the combined gross floor area be reduced to 260m² in order to comply with car parking requirements, the development sufficiently complies with the requirements of the Planning Scheme and does not raise any significant issues.

The application is therefore recommended to approval.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Development Application Material Change of Use of Premises to Establish a Food and Drink Outlet at Pelican Waters Boulevard, Pelican Waters" and**
- (b) approve with conditions application no. MCU18/0224 for a Development Permit for Material Change of Use of Premises to establish a Food and Drink Outlet situated at Pelican Waters Boulevard, Pelican Waters in accordance with Appendix A.**

FINANCE AND RESOURCING

In the event of an approval, infrastructure charges would be applicable to the proposed development.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*

Outcome: 4.4 - Service quality assessed by performance and value to customers

Operational Activity: 4.4.6 - Position Development Services to effectively meet business and legislative requirements into the future with a focus on statutory assessment and compliance, ensuring timely decision making, positive customer experiences and strong industry engagement.

CONSULTATION

Councillor Consultation

The Divisional Councillor T Dwyer has requested that the matter be brought to Council for consideration.

Internal Consultation

The application was forwarded to the following internal Council specialists:

- Team Leader, Engineering and Construction, Engineering and Environment Assessment Unit
- Landscape Officer, Engineering and Environment Assessment Unit
- Environmental Health Officer, Engineering and Environmental Assessment Unit
- Coordinator Planning Scheme and Projects, Strategic Planning Branch

Their assessment forms part of this report.

External Consultation

The application was impact assessable and was publicly notified for 15 days between 8 November 2018 and 30 November 2018 in accordance with the requirements of the *Planning Act 2016*. A total of 22 submissions were received, of which 12 were determined to be 'properly made' in accordance with the *Planning Act 2016*. Of the properly made submissions received, 4 were in objection to the development.

The following table provides a description of the matters raised in submissions received about the application, together with a statement of how those matters were dealt with in reaching a recommendation for the development proposal:

ISSUES	COMMENTS
<p>Car parking The development has a substantial shortfall in parking spaces.</p>	<p>The proposed development provides a total shortfall of 4 parking spaces. Conditions have been recommended which require the gross floor area and outdoor dining area to be reduced to 260m² to achieve the acceptable outcomes of the <i>Transport and parking code</i>.</p>
<p>Open Space Zone Code The proposal conflicts with the Open Space Zone Code as it is not a small scale low intensity use and does not cater for the informal recreation needs of residents and visitors.</p>	<p>Where exceeding a gross leasable floor area of 100m², Food and Drink Outlets are a 'Potentially Consistent' use within the Open Space Zone. It has adequately been demonstrated the proposed use is within a location and of a nature, scale and intensity that is appropriate for the site and compatible with the adjoining park use as detailed in the assessment report.</p> <p>Further, a planning scheme amendment is currently being considered which would make Food and Drink Outlets consistent and code assessable uses over the site, regardless of floor area.</p>

ISSUES	COMMENTS
<p>Relevant matters Relevant matters have not been provided by the applicant to support the application despite the conflicts.</p>	<p>Food and Drink Outlets are a potentially consistent use within the zone and therefore the proposal is not in conflict with the planning scheme.</p>
<p>Noise The development will cause unreasonable noise impact upon nearby sensitive land uses.</p>	<p>A noise assessment report was submitted that adequately demonstrates the use can be managed in a manner that would not cause a noise nuisance. Reasonable and relevant conditions have been recommended to ensure that the proposed use would not unduly impact on the amenity of the surrounding premises by way of noise and require the development to be managed in a manner that will be inaudible at a noise sensitive receptor at any time.</p>
<p>View Shed The development will result in unreasonable impacts on the view shed of nearby dwellings.</p>	<p>The proposal is for a single storey building that is less than the 8.5m height limit of the planning scheme and therefore would not unreasonably impact on views from nearby dwellings.</p>
<p>Water Quality Impinges into the lake area and there is potential that it will pollute the waterway.</p>	<p>The proposed development is wholly contained within a privately owned property. The driveway and car parking areas have already been constructed and subsequently there would be no additional impervious areas associated with these. Conditions have been recommended that require roof water to be discharged to a field inlet within the car park which drains directly to Council's piped stormwater system in Pelican Waters Boulevard and contains suitable water quality treatment devices.</p>
<p>Previous Approval The proposal would provide the opportunity for the original type of use (restaurant/shop) that was intended for the land when the land development took place around 2009.</p>	<p>Noted.</p>
<p>Convenience The proposal would provide the community with convenient access to coffee, meals, takeaway food, milk, bread and newspapers and will enhance the lifestyle for residents.</p>	<p>Noted.</p>
<p>Complement the Park The proposed food and drink outlet will complement the nearby park and provides needed toilets that will be made available to the public</p>	<p>Noted.</p>

PROPOSAL

The application seeks approval for a Development Permit for Material Change of Use of Premises to establish a Food and Drink Outlet. The Food and Drink Outlet is proposed to be located within a new single storey building to be constructed on the premises. The building has a total building area of 314m², consisting of 233m² of internal space and an 81m² deck which is predominantly covered.

The building would be wholly located on Lot 603 and would project over the canal in the northwest corner of the site.

The Food and Drink Outlet is intended to be used for the purpose of a restaurant, however, would also incorporate a small area used for takeaway goods such as coffee, milk, bread, takeaway food and the like.

The use is proposed to operate between the hours of 5am to 10pm, 7 days a week.

The development proposes to provide a total of 17 car spaces, including 14 spaces which have already been constructed on the premises and 3 additional spaces. The development also proposes to provide 14 bicycle spaces.

Vehicular access to the site would remain in its current arrangement from Pelican Waters Boulevard via a separate left in entry and left out egress. An easement for public access would remain over the existing driveways and car parking area so that car park is made available to the public with no limiting conditions or prohibitions.

The building design of the Food and Drink Outlet is illustrated in the figures below:

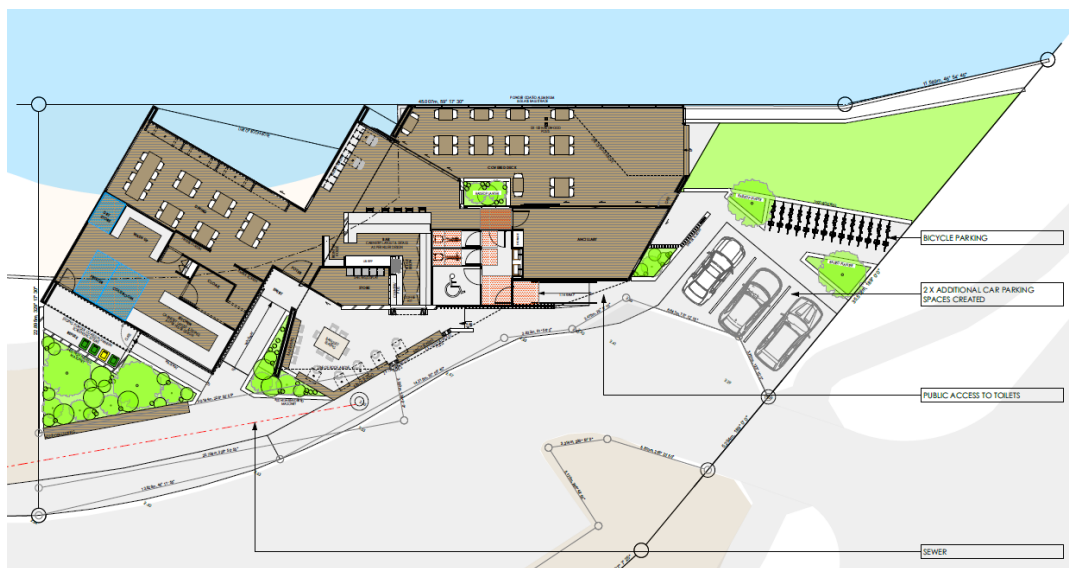


Figure 1 – Site Layout Plan



Figure 2 – Perspective View (From Car park – Looking Northeast)

Assessment against Sunshine Coast Planning Scheme 2014

The application has been assessed against the *Sunshine Coast Planning Scheme 2014* including the Strategic Framework and most applicable codes and it was found that it could be conditioned to comply. The pertinent issues arising out of assessment against the codes are discussed below:

Open Space Zone Code

Food and Drink Outlets are identified as consistent uses within the *Open space zone* where:

“located on Council owned or controlled land, conducted in association with an open space or sport and recreation use on the same site and having a gross leasable floor area not exceeding 100m².”

Where other than as specified above, Food and Drink Outlets are identified as potentially consistent uses. Given that the proposed Food and Drink Outlet exceeds a gross leasable floor area of 100m² and because it is not Council Controlled land, it is a ‘potentially consistent’ use within the zone in accordance with column 2 of Table 6.2.14.2.1.

Overall Outcome (2)(p)(ii) of the *Open space zone code* requires that; *“a use listed as a potentially consistent use in column 2 of Table 6.2.14.2.1 to occur in the Open space zone only where further assessment has determined that the use is appropriate in the zone having regard to such matters as its location, nature, scale and intensity.”*

The proposed Food and Drink Outlet would be positioned beside an existing park that contains a playground and equipment. Regarding the development’s suitability for the site in terms of location and nature, it is considered that the Food and Drink Outlet would complement and encourage use of the park by residents and visitors alike. It is also considered that the use would provide casual surveillance to the park which would contribute to the safety of the public space. Overall, it is considered that the use would be compatible with the adjacent park and provide a benefit to the local residents as a gathering place with high amenity value.

In terms of scale and intensity, the building would be a single storey development that would offer a bulk and scale that is compatible with nearby houses throughout the surrounding area. Many of these dwellings are 2 storeys in height and have significantly larger floor areas

than the proposed use. It is also considered that the use can be operated in a way that would not impact on the amenity of the surrounding area or the external road network.

Council's Strategic Planning Branch have also advised that given the proposed amendment has reached an advanced stage in the process (i.e. post public notification) weight can be afforded to the draft planning scheme amendment which would allow food and drink outlets and shops to be consistent uses and subject to code assessment on the subject lot.

Amenity / Noise

Given that the proposed Food and Drink Outlet is not located with a centre zone, a primary consideration for the application is the potential impacts that it may have on the amenity of nearby residents by way of noise. The key outcomes of the planning scheme relating to protecting the amenity of surrounding sensitive land uses are contained within the purpose and overall outcomes of the *Nuisance code* as follows:

- (1) *The purpose of the Nuisance code is to maintain community wellbeing and protect environmental values by preventing or mitigating:-*
 - (a) *nuisance emissions from development adversely impacting on surrounding sensitive land uses and*
 - (b) *the exposure of proposed sensitive land uses to nuisance emissions from surrounding development.*

- (2) *The purpose of the Nuisance code will be achieved through the following overall outcomes:-*
 - (a) *development is located, designed, constructed and operated to maintain appropriate levels of amenity and environmental performance by:-*
 - (i) *not imposing unacceptable noise, light, glare, dust or odour emissions on surrounding sensitive land uses and*
 - (ii) *ensuring that proposed sensitive land uses are not subject to unacceptable nuisance emissions generated from surrounding development.*

The Food and Drink Outlet is proposed to operate between the hours of 5am to 10pm, 7 days per week.

To address noise concerns, the applicant submitted a Noise Assessment Report prepared by Simpson Engineering Group to accompany the application. The report considered potential noise impacts related to air conditioners, mechanical plant, vehicle noise (car parks, parking and deliveries), patron noise and amplified music.

The report provided an assessment of noise impacts on identified sensitive receivers for all proposed hours of operation against the noise criteria in the *Environmental Protection (Noise) Policy 2008* and in accordance with the *Nuisance code* contained within the *Sunshine Coast Planning Scheme 2014*.

The report concluded that the proposed café and restaurant would generally comply with all noise level goals sourced from the EPP(Noise), as well as noise level limits from the Licensing Commission (up to 10pm) subject to the following measures:

- No amplified music on the deck
- The building being constructed with acoustic performance walls and roof Rw40, windows Rw 25 and doors Rw 20 and
- Requiring that the mechanical plant and air-conditioning are designed to comply with 24 dB(A) at all nearby residences.

The report acknowledged, however, that the modelling of patron noise associated with the use of the outdoor deck has the potential to exceed the Environmental Protection Policy (Noise) background creep goal after 8pm. However, the report suggests that this is unlikely to occur in practice as patrons usually depart soon after their meal and the number of patrons expected to be using the outdoor deck after 8pm is much fewer than during the peak period for evening meals (i.e. before 7:30pm).

Council's Environmental Health Specialist has reviewed the Noise Assessment Report and has advised that it adequately demonstrates compliance with the nominated criteria, with the exception of patrons using the open outdoor deck area (against the background creep criteria). In relation to this issue, concern has been raised that deck area could potentially have up to 45 patrons which would likely exceed the limit by up to 5 dB (A) at the nearest sensitive receiver. Given the potential exceedance, conditions have been recommended that would require the deck area to be provided with operable acoustic screens (e.g. blinds/shutters/louvers or the like) installed along the north western aspect of the restaurant (lakeside), and that these must be shut closed between 8pm – 7am. Additionally, a condition has also been recommended to require the building must be acoustically designed and constructed such that noise from live and/or amplified entertainment is not audible at any noise sensitive receptor at any time.

Car Parking

The development proposes to provide a total of 17 car spaces, including 14 spaces which have already been constructed on the premises and 3 additional spaces.

Acceptable Outcome AO3.1 and Table 9.4.8.3.3 of the *Transport and parking code* seek for a minimum car parking rate of 1 space per 15m² of gross floor area and outdoor dining area. The proposed Food and Drink Outlet has been calculated to have a total gross floor area and outdoor dining area of 320m², triggering a car parking demand of 21 spaces. Therefore, the proposal provides a shortfall of 4 car spaces. No traffic report or parking study has been provided to demonstrate that the lesser number of car spaces will be sufficient for the proposed size of the use.

Given that the Food and Drink Outlet shares the car park with the adjoining park and that people will also be occupying the car park for this purpose, there is concern that the proposed 17 spaces would not meet the reasonable requirements of the development as sought by Performance Outcome PO4 and Overall Outcome 2(d). Further, there is no availability car parking elsewhere along Pelican Waters Boulevard.

Subsequently, it is recommended that the floor area of the Food and Drink Outlet be reduced to 260m² of combined gross floor area and outdoor dining area as defined by the *Sunshine Coast Planning Scheme 2014*, to ensure that the use achieves Acceptable Outcome AO3.1.

Legal

There are no legal implications relevant to this report.

Policy

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

The proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) - Site Specific and Operational Matters proposes to amend the Tables of Assessment and the *Golden Beach/Pelican Waters local plan code* to allow Food and Drink Outlet and Shop to be code assessable and consistent uses respectively, subject to qualifications about scale and intensity of uses on the subject lot. The proposed amendment underwent public consultation from 30 July to 7 September 2018. The submissions are currently being reviewed and a consultation report will be presented to Council for consideration in due course.

Risk

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

Previous Council Resolution

There is no previous Council resolution relevant to this report.

Related Documentation

A copy of the officers' full and detailed assessment report is included as Attachment 1 to this report. The detailed assessment report contains all the specific assessment details under the planning scheme considered in Council's assessment of this application.

A copy of the proposed architectural drawings are provided as Attachment 2 to this report.

Critical Dates

Council's decision for the application was due on 1 February 2018. Given a decision has not been made by this date, the applicant may elect to take a deemed refusal. This results in the decision being taken to the Planning and Environment Court to consider the matter.

Implementation

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

8.3 SUNSHINE COAST PLANNING SCHEME 2014 - PROPOSED SPECIAL ENTERTAINMENT PRECINCTS AMENDMENT - CONSIDERATION OF SUBMISSIONS

File No:	Council meetings
Author:	Coordinator Planning Scheme and Projects Customer Engagement & Planning Services Group
Appendices:	App A - Amendment Instrument: Proposed Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) and Planning Scheme Policy (Amendment) - Special Entertainment Precincts..... Pg 5/126
Attachments:	Att 1 - Consultation Report.....173 Att 2 - Explanatory Memorandum: Proposed Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) and Planning Scheme Policy (Amendment) - Special Entertainment Precincts179

PURPOSE

The purpose of this report is to:

- present to Council the outcomes from public consultation on the proposed Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) and Planning Scheme Policy (Amendment) – Special Entertainment Precincts
- seek Council’s endorsement to proceed with the proposed planning scheme amendment, subject to changes, and to forward to the Planning Minister seeking approval to adopt the proposed planning scheme amendment and
- seek Council’s endorsement to proceed to adopt the proposed planning scheme policy amendment.

EXECUTIVE SUMMARY

This report presents to Council the outcomes from public consultation on the proposed Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) and Planning Scheme Policy (Amendment) – Special Entertainment Precincts.

The proposed planning scheme amendment and planning scheme policy amendment were placed on formal public consultation from 15 October to 9 November 2018.

During the public consultation period, Council received a total of 9 submissions in relation to the proposed planning scheme amendment. 8 of the 9 submissions received indicated either support or provisional support for the proposed amendment with 1 submission indicating neither support nor objection to the proposed amendment.

Attachment 1 – Consultation Report, provides a summary of submissions and Council’s proposed response and recommendations for all submissions received in relation to the proposed planning scheme amendment.

Having considered all properly made submissions, a small number of refinements are proposed to the publicly notified version of the *Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) – Special Entertainment Precincts*.

In addition to the above refinements, it is also recommended that the proposed designation of a SEP in the Maroochydore Priority Development Area (PDA) not be progressed within the

proposed planning scheme amendment to allow more time to determine the appropriate application of a SEP in the PDA.

The recommended changes to the proposed planning scheme amendment are not considered to make the proposed amendment significantly different to the version that was placed on public consultation and therefore do not require re-notification.

No changes to the proposed planning scheme policy amendment are recommended following public consultation.

In accordance with the Minister's Guidelines and Rules under the *Planning Act 2016*, it is recommended that Council proceed with the Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) – Special Entertainment Precincts, with changes, and to seek the Planning Minister's approval for Council to adopt the proposed planning scheme amendment and proceed to adopt the Planning Scheme Policy (Amendment) – Special Entertainment Precincts.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Sunshine Coast Planning Scheme 2014 - Proposed Special Entertainment Precincts Amendment - Consideration of Submissions "**
- (b) having considered all submissions received about the proposed Sunshine Coast Planning Scheme 2014 Amendment – Special Entertainment Precincts, decide to proceed with the proposed planning scheme amendment, with changes (Appendix A)**
- (c) delegate authority to the Chief Executive Officer to progress and finalise the proposed planning scheme amendment and planning scheme policy amendment in accordance with section 20 and section 22 the *Planning Act 2016***
- (d) adopt the proposed Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) – Special Entertainment Precincts, subject to receiving advice from the Planning Minister that Council may proceed to adopt the proposed planning scheme amendment and**
- (e) adopt the proposed Planning Scheme Policy (Amendment) – Special Entertainment Precincts (Appendix A), subject to receiving advice from the Planning Minister in relation to the proposed planning scheme amendment as referenced in item (d) above.**

FINANCE AND RESOURCING

Sufficient funds are available within the Strategic Planning Branch 2018/19 budget to finalise the planning scheme amendment process. Preparation of the required associated local law amendment will need to be funded through Council's operational budget.

It is envisaged that each amplified music venue within a Special Entertainment Precinct would need to apply for a yearly permit/licence under new local law provisions. Additional resources required to enforce licence conditions are intended to be funded by annual licence fees on a cost recovery basis.

CORPORATE PLAN

Corporate Plan Goal: *A smart economy*

Outcome: 1.1 - Strong economic leadership, collaboration and identity

Operational Activity: 1.1.3 - Continue to administer the Sunshine Coast Planning Scheme 2014 including progression of Council nominated priority amendments, and responding to changes arising from the ShapingSEQ - South East Queensland Regional Plan 2017, State Planning Policy, local planning investigations and master planning.

CONSULTATION**Councillor Consultation**

The SunCentral Maroochydore Shareholder Representative Group (SRG) was provided an update on the proposed amendment at the SRG Meeting held on 30 January 2019.

In preparation of this report, additional briefings have been held with individual Councillors from Division 2 (Councillor T Dwyer), Division 4 (Councillor J Connolly), Division 8 (Councillor J O'Pray), and Division 10 (Councillor G Rogerson), in relation to specific proposed changes affecting locations in these divisions. A meeting was also held with the planning portfolio Councillor in relation to the outcomes from public consultation on the proposed amendment.

Internal Consultation

Consultation has occurred with the following Council business areas in the preparation of the proposed amendment:

- Urban Growth Projects Branch, Liveability and Natural Assets Group
- Corporate Governance Branch, Office of the Mayor and CEO Group
- Development Services Branch, Customer Engagement and Planning Services Group
- Customer Response Branch, Customer Engagement and Planning Services Group

External Consultation

External consultation has been undertaken as follows:-

- Brisbane City Council – in relation to the implementation and operation of the Fortitude Valley Special Entertainment Precinct
- State Government (Department of State Development, Manufacturing, Infrastructure and Planning, Office of Liquor and Gaming Regulation, Department of Transport and Main Roads and Department of Natural Resources, Mines and Energy)
- Economic Development Queensland (EDQ) and SunCentral Maroochydore Pty Ltd – in relation to the proposed designation of part of the Maroochydore City Centre PDA as a Special Entertainment Precinct. Continued liaison with these parties is necessary to ensure any consequential amendments required to the Maroochydore City Centre PDA Development Scheme are progressed in a timely manner and
- Acoustic Engineering Specialists – consultants have been engaged to provide expert advice in relation to specific noise criteria and provisions.

Community Engagement

The proposed planning scheme amendment and planning scheme policy amendment were subject to public consultation from 15 October to 9 November 2018.

The consultation and communication strategy implemented during the public consultation period, included:

- Notice placed in the Sunshine Coast Daily prior to the commencement of the public consultation period.
- Media statement issued prior to the commencement of the public consultation period, advising of the proposed amendments and public consultation period.
- Notice published on Council's website and a copy placed at Council offices.
- Copy of the proposed amendments published on Council's website and made available for viewing at Council's offices.
- Letters sent to land owners and adjoining land owners advising of the proposed amendment, including a summary information sheet about the proposed amendment and public consultation period.
- Newsflash issued to all regular planning scheme users and community members that have previously expressed an interest in receiving information about planning and development matters.
- Briefings/meetings with community associations, including:
 - OSCAR and its affiliate members
 - Ocean Street Precinct Association Inc.
 - Mooloolaba Chamber of Commerce and
 - Caloundra Chamber of Commerce.
- Various phone, email and counter enquiries.

PROPOSAL

Background

The *Local Government Act 2009* includes provisions for local governments to establish Special Entertainment Precincts (SEPs) through precinct identification and inclusion of associated provisions in planning schemes, as well as local law provisions to regulate noise emissions from amplified music venues. Importantly, these provisions override the provisions in the *Liquor Act 1992* with respect to noise emissions from venues.

Following representations from creative and live music industry groups and SunCentral, discussions were held with Councillors during the course of 2017 about options to identify and manage entertainment uses within Maroochydore City Centre and other defined activity areas.

At the Ordinary Meeting held on 17 May 2018, Council decided to amend the *Sunshine Coast Planning Scheme 2014* in relation to the regulation of entertainment uses (Council Resolution OM18/77).

The proposed amendment included the following elements:-

- designate part of Nambour's activity centre and part of the Maroochydore City Centre Priority Development Area (PDA) as SEPs under the *Local Government Act 2009*
- remove existing hospitality areas in Maroochydore, Nambour, Caloundra and Mooloolaba activity centres to reduce potential overlap and confusion

- amend the tables of assessment, development codes, zone codes and relevant local plan provisions for the Principal centre zone, Major centre zone, and parts of the District centre zone, Local centre zone and Tourist accommodation zone to:
 - provide for “lower impact” entertainment uses (e.g. restaurants and small bars) across centre zones and key tourist areas to encourage vibrancy and support the night time economy in higher order centres
 - concentrate “higher impact” entertainment uses (e.g. night clubs and dedicated live music venues) in the designated SEPs and the Ocean Street Food and Music Sub-Precinct
 - provide for micro-breweries in the Principal centre zone and Major centre zone
 - amend the assessment benchmarks relating to noise criteria for venues, surrounding residential development and key mixed use areas
- amend the Planning scheme policy for the Nuisance code to include advice for achieving the outcomes specified in the Nuisance code, including requirements for noise impact assessments and
- undertake all necessary consequential amendments to other parts of the planning scheme to give effect to the above changes.

In accordance with Council resolution OM18/77, Council (on 6 July 2018) forwarded a copy of the proposed planning scheme amendment to the Planning Minister for consideration of state interests and to seek approval for Council to proceed to public consultation.

On 6 September 2018, Council received advice from the Planning Minister that it may proceed to publicly consult on the proposed planning scheme amendment.

In accordance with the Planning Minister’s advice and Council resolution OM18/77, the proposed planning scheme amendment and planning scheme policy amendment were subject to public consultation from 15 October to 9 November 2018.

Outcomes of Public Consultation and Consideration of Issues

Council received a total of 9 properly made submissions in relation to the proposed planning scheme amendment. Of these, 8 submissions offered support or qualified support for the proposed amendment. One submission noted concerns and sought clarification but did not object to the proposed amendment.

No submissions were received in relation to the proposed planning scheme policy amendment.

The key issues raised in submissions relating to the proposed planning scheme amendment included the following:

- Support for the establishment of the Special Entertainment Precincts at the proposed locations, on the basis that it will help revitalise Nambour and support a night-time economy in the Maroochy CBD and
- While generally in support, a number of submissions noted concerns or sought clarification on aspects of proposed amendment including:
 - Management of anti-social behaviour.
 - The removal of Hospitality Areas and the general impact of SEPs on existing hospitality areas.
 - The removal of “bar” as a self-assessable use in the Tourist accommodation zone and District centre zone.
 - The cost impacts of SEPs noise regulation on rate-payers.
 - The lack of a definition of a “micro-brewery”.

Attachment 1 – Consultation Report provides a summary of submissions and Council's proposed response and recommendations.

Whilst the submissions raise some concerns in relation to the proposed amendment, it is considered that these concerns can be adequately addressed without any changes to the proposed amendment.

Other Matters

As noted earlier, the amendment proposes to make a Micro-brewery Code assessable development where located in the Principal centre zone and the Major centre zone. In response to comments from key stakeholders during the public consultation period, Council officers have considered whether a Micro-brewery should also be made Code assessable in the District centre zone, the Tourist accommodation zone and the Tourism zone.

The District centre zone and Tourist accommodation zone is allocated in numerous locations throughout the region and often in close proximity to residential areas. In most of these locations there would likely be significant community concerns about the establishment of a micro-brewery in close proximity to residential neighbourhoods. Impact assessment is therefore considered to be the appropriate level of assessment for a Micro-brewery use in these zones as it requires a development assessment process involving community consultation.

The exception to the above is the District centre zone and the Tourist accommodation zone in the Mooloolaba/Alexandra Headland Local Plan Area. These areas are suitably located to accommodate a Micro-brewery use without creating significant potential conflict with surrounding uses. Supporting Micro-breweries in these locations would also be in keeping with part of the purpose of the proposed amendment which is to encourage the vibrancy of key tourist areas.

In regards to the Tourism zone, it is noted that this zone is designated in limited locations across the region. The purpose of the Tourism zone is to protect and provide for the continued operation of major man made tourist attractions and facilities. This includes Australia Zoo, Aussie World, the Big Cart Track, the Big Pineapple, the Sunshine Castle and Underwater World/Mooloolaba Wharf. Making a Micro-brewery Code assessable at these locations would create the opportunity for operators to expand and diversify the tourism offer of these businesses.

A small number of refinements to the proposed amendment are therefore recommended to broaden the locations where a Micro-brewery may be established through Code assessment.

In addition to the above refinements, it is recommended that the designation of a SEP in the Maroochydore Priority Development Area (PDA) not be progressed within the proposed planning scheme amendment to allow more time to determine the appropriate application of a SEP in the PDA.

Given the generally positive submitter responses to the proposed planning scheme amendment and planning scheme policy, in particular, support for the Nambour SEP to aid in the revitalisation of Nambour, it is recommended that the balance of the proposed planning scheme amendment and planning scheme policy amendment not be delayed by further consideration of aspects relating to the Maroochydore PDA SEP.

Consequently, changes are proposed to the public consultation version of the *Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) – Special Entertainment Precincts* to remove all references to the designation of the SEP in the Maroochydore/Kuluin local plan code.

Summary of recommended changes to the proposed amendment

The following changes are recommended to the public consultation version of the proposed Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) – Special Entertainment Precincts:

- amend the tables of assessment, zone codes and relevant local plan provisions to provide for micro-breweries (where located in the Mooloolaba/Alexandra Headland Local Plan Area) in the District centre zone and Tourism accommodation zone and in the Tourism zone more generally
- not proceed with the proposed designation of a SEP in the Maroochydore City Centre PDA at this time, to allow more time to determine the appropriate application of a SEP in the PDA
- consequential amendments to other parts of the planning scheme to give effect to the above changes and
- undertake drafting refinements and editorial changes that were identified during the post-consultation review of the proposed planning scheme amendment to improve the efficiency and operation of the proposed amendment.

For ease of reference, the above text changes are highlighted in yellow in **Appendix A (Amendment Instrument: Proposed Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) and Planning Scheme Policy (Amendment) – Special Entertainment Precincts)**.

Conclusion

Having considered all submissions received, it is recommended that Council proceed with the proposed planning scheme amendment, with changes, and proceed to adopt the proposed planning scheme policy amendment. A copy of the proposed amendment documents, incorporating the above mentioned changes are included in the following attachments:

- **Appendix A - Amendment Instrument: Proposed Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) and Planning Scheme Policy (Amendment) – Special Entertainment Precincts** and
- **Attachment 2 - Explanatory Memorandum: Proposed Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) and Planning Scheme Policy (Amendment) – Special Entertainment Precincts.**

The proposed changes are not considered to make the proposed planning scheme amendment significantly different to the version that was placed on public consultation, such that Council can now proceed to seek the Planning Minister's approval for Council to adopt the proposed planning scheme amendment in accordance with the Minister's Guidelines and Rules.

Legal

No legal advice has been sought in relation to this report.

The proposed planning scheme amendment will designate "special entertainment precincts" in accordance with section 264 of the *Local Government Act 2009*. Section 264(3)(b) of the *Local Government Act 2009* also requires Council to make a local law to regulate noise from premises in the precinct. This will transfer legal responsibility for the regulation of amplified music noise from venues from liquor licencing to Council. The State Liquor Licencing Division remains responsible for other aspects of liquor licencing for the venues, and venues remain subject to their other licence conditions and provisions of the *Liquor Act 1992*. It is proposed that the relevant local law amendment will be presented to Council for consideration at a future date.

The proposed planning scheme amendment and planning scheme policy amendment have been prepared and are being progressed in accordance with the statutory requirements for making and amending planning schemes and planning scheme policies under the *Planning Act 2016* and the *Minister's Guidelines and Rules*.

Policy

The proposed planning scheme amendment and planning scheme policy amendment are consistent with Council's adopted policy framework, including the *Corporate Plan 2018-2022* and the *Sunshine Coast Regional Economic Development Strategy 2013*.

Risk

There are risks in relation to not designating, or delaying designation, of the special entertainment precinct in Nambour as proposed, particularly arising from the potential approval or establishment of additional residential development in the proposed precinct and buffer areas, which may compromise its establishment as a core entertainment area.

Previous Council Resolution

Ordinary Meeting 17 May 2018 (OM18/77)

That Council:

- (a) *decide to amend the Sunshine Coast Planning Scheme 2014 under section 20 (Amending planning schemes under Minister's rules) of the Planning Act 2016 and in accordance with section 264(3)(a) (Special entertainment precincts) of the Local Government Act 2009*
- (b) *decide to amend Schedule 6 (Planning scheme policies) of the Sunshine Coast Planning Scheme 2014 under section 22 (Making or amending planning scheme policies) of the Planning Act 2016*
- (c) *delegate authority to the Chief Executive Officer to:*
 - (i) *carry out the statutory process to prepare and progress the proposed planning scheme amendment and planning scheme policy amendment*
 - (ii) *make any required consequential changes to planning scheme amendment packages currently with the State government for State Interest Review*
 - (iii) *prepare a technical guideline to assist the community and development industry to understand the implications of the criteria contained in the proposed amendments*
 - (iv) *prepare and progress draft criteria for the proposed Maroochydore City Centre PDA special entertainment precinct*
 - (v) *commence the local law making process under section 29 of the Local Government Act 2009 in accordance with Council's 'Process for Making Local Laws'.*

Related Documentation

Planning Act 2016

Minister's Guidelines and Rules

Local Government Act 2009

Liquor Act 1992

Sunshine Coast Planning Scheme 2014

Maroochydore City Centre PDA Development Scheme

Critical Dates

There are no critical dates relevant to this report. However, given that public consultation on the proposed planning scheme amendment has concluded, it would be desirable to progress and implement the proposed amendment as soon as practicable.

Implementation

If Council decides to proceed with the Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) and Planning Scheme Policy (Amendment) – Special Entertainment Precincts, with changes, the following actions will be required:

- (a) provide a copy of the Consultation Report to each person who made a properly made submission about the proposed planning scheme amendment
- (b) upload a copy of the Consultation Report to Council's website
- (c) write to the Planning Minister seeking approval to adopt the proposed *Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) – Special Entertainment Precincts*, with changes and
- (d) once approval is received from the Planning Minister, place an adoption notice in the Queensland Government Gazette and the Sunshine Coast Daily and prepare the amended planning scheme for commencement.

8.4 REGIONAL FACILITIES PLAN FOR DIFFICULT TO LOCATE SPORTS

File No:	280319
Author:	Team Leader Sports Planning and Development Economic & Community Development Group
Appendices:	App A - Regional Facilities Plan for Difficult to Locate Sports - Otium (February 2019)245

PURPOSE

The purpose of this report is to present to Council the final version of the *Regional Facilities Plan for Difficult to Locate Sports* (the Plan) for consideration.

EXECUTIVE SUMMARY

Sunshine Coast Council, in partnership with Noosa Council, Gympie Regional Council and the Department of Housing and Public Works – Sport and Recreation, engaged external consultants Otium Planning Group to prepare a *Regional Facilities Plan for Difficult to Locate Sports* (**Appendix A**).

The Plan will provide guidance on the location and embellishment of regional facilities for the following sports (ie those that are generally noisy or have other impacts or safety requirements making them hard to locate):

- Aviation (hang-gliders, para-gliders, model aeroplanes, fixed wing/ultra-light)
- Motorcycling sports – competitive and recreational
- Regional competitive powered water sports
- Shooting – all disciplines.

The three Councils and the Queensland Government (Sport and Recreation Services), under the Sport and Recreation Planning Program, made funding available to develop the Plan. The objectives of the *Regional Facilities Plan for Difficult to Locate Sports* include the following:

- Provide a planned and consistent approach to the provision of the four selected difficult to locate sports
- Prepare a ‘desired standard of service’ of regional facilities for each sport
- Minimise duplication and provide guidance on investment in difficult to locate regional facilities.

The Plan lists the priority recommendations for infrastructure development across the study area and, where applicable, links to regional and State needs for each sport as identified by peak bodies.

The Plan will enable the partnering Councils to jointly address needs and align the strategic direction of the selected sports, maximising the limited resources available and informing future decision-making.

As a result of feedback received during a public and a Councillor consultation period of the *Draft Regional Facilities Plan for Difficult to Locate Sports* (the draft Plan), some amendments and additions were made to the Plan to ensure alignment with community expectations.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Regional Facilities Plan for Difficult to Locate Sports”
- (b) endorse the Regional Facilities Plan for Difficult to Locate Sports – Otium (February 2019) (Appendix A) and
- (c) note that future implementation of the Regional Facilities Plan for Difficult to Locate Sports will be determined in accordance with Council’s 10 year Capital Works Program and successful applications for external funding.

FINANCE AND RESOURCING

The costs of implementing the recommendations of the *Regional Facilities Plan for Difficult to Locate Sports* are recognised as being beyond the capacity of Council to fund in its own right. The adoption of the Plan will provide relevant stakeholders, community groups, peak bodies and the three neighbouring Councils with a strategic direction to implement improvements in a clear and focused way, and provide a foundation for grant applications and future facilities planning.

The Department of Housing and Public Works – Sport and Recreation provided funds for the development of the Plan, by way of a \$75,000 Sport and Recreation Planning Funding Program grant. The Noosa Council and the Gympie Regional Council also provided contributions, with Sunshine Coast Council allocating an amount of \$12,000. The total cost of the consultancy was \$100,000.

Should Council adopt the *Regional Facilities Plan for Difficult to Locate Sports*, the implementation of any new initiatives will be considered within Council’s annual budget prioritisation process.

CORPORATE PLAN

Corporate Plan Goal: *A strong community*

Outcome: 2.1 - Safe and healthy communities

Operational Activity: 2.1.16 - Implement prioritised actions from the Sunshine Coast Sport and Active Recreation Plan 2011-2026.

CONSULTATION

Councillor Consultation

- Portfolio Councillor for Tourism, Events & Sport – Councillor J O’Pray
- Councillor Assisting on Tourism, Events and Sport Portfolio – Councillor G Rogerson
- Division 9 Councillor – Councillor S Robinson

Internal Consultation

The Sport and Community Venues Branch held discussions regarding the development of the Plan with relevant internal teams including Open Space & Social Policy and Regional Planning & Advocacy.

In addition to the above, a number of workshops were held to provide opportunities for portfolio and impacted Divisional Councillors and Council officers to review the findings and recommendations contained within the Plan.

External Consultation

External consultation occurred as part of the development of the draft Plan, including ongoing reference groups and targeted consultation with relevant peak bodies and local organisations. Surveys and invitations to meet with the consultants were distributed to the following groups:

Aviation

14 aviation related peak/State organisations, regional associations and local clubs including the following:

- Gympie Aero Club Incorporated
- Gympie Gliding Club Incorporated
- Gympie Model Flyers Club
- Hang Gliding Association of Australia
- Model Aeronautical Association of Australia (MAAA)
- Model Aeronautical Association of Queensland (MAAQ)
- Noosa Model Flyers Club – Noosa North Shore
- Phoenix Model Flyers Club – Maroochydore
- Queensland Parachuting Association Incorporated
- Queensland Ultralight Association
- South Queensland Parachute Council
- Suncoast Model Flyers Club – Coolum
- Sunshine Coast Sports Aviators
- Tin Can Bay Model Flyers Club

57% of those engaged responded and provided information to inform the development of the draft Plan.

Motorcycling

Five motorcycling sports peak/State organisations, regional associations and local clubs including the following:

- Gympie Motorcycle Club Incorporated
- Motorcycling Queensland
- Nambour Indigenous Motocross Club
- Suncoast Junior Motorcycle Club – Coolum
- Sunshine Coast Motorcycle Club – Conondale

60% of those engaged responded and provided information to inform the development of the draft Plan.

Motorised Water Sports

Nine motorised water sports peak/State organisations, regional associations and local clubs including the following:

- Australian Jet Ski Association Incorporated
- Maroochy River Water Ski Association
- Queensland Barefoot Ski Club

- Queensland Jet Ski Club Incorporated
- Queensland Personal Watercraft Club
- Queensland Waterski and Wakeboard Federation (QWWF)
- Seqwater
- Wakeboard Queensland
- Waterski Queensland

55% of those engaged responded and provided information to inform the development of the draft Plan.

Shooting Sports

23 shooting sports (and two shooting complex associations), peak/State organisations, regional associations and local clubs including the following:

- Cooloola Range Complex Association Incorporated
- Davison Range Target Sports Complex
- Gympie Clay Target Club Incorporated
- Gympie Kilkivan Rifle Club
- Gympie Pistol Club Incorporated
- Gympie Service Rifle Club
- Gympie Small Bore Rifle and Silhouette Club Incorporated
- Gympie Sporting Clays Incorporated
- North Arm Pistol Club
- North Arm Rifle Club
- North Arm Shotgun Association
- Pistol Shooting Queensland Limited
- Queensland Clay Target Association
- Queensland Clay Target Association – Sunshine Coast Branch
- Queensland Rifle Association
- Queensland Sporting Clays Incorporated
- Queensland Target Sports Incorporated
- Sporting Shooters Association of Australia (Queensland)
- Sporting Shooters Association Australia Incorporated (SSAA)
- Sporting Shooters Association of Australia – Gympie Branch
- Sporting Shooters Association of Australia – Imbil Branch
- Sporting Shooters Association of Australia – Sunshine Coast Branch
- Sporting Shooters Association of Australia – Tin Can Bay Branch
- Sporting Shooters Association of Australia – Wattle Grove Park Branch
- Sunshine Coast Shooting Club Incorporated

56% of those engaged responded and provided information to inform the development of the draft Plan.

Key themes that emerged from the initial consultation phase include the following:

- Participation levels across the four sports are static or increasing
- In the main, local clubs are satisfied to very satisfied with the standard, provision and location of their current facilities, with lease/tenure uncertainty and minor upgrades regarded as the main focus area to increase satisfaction levels
- There are some local facilities which have the ability or attributes to expand to a regional level, including the Suncoast Junior Motorcycle Club, the Cooloolabin Shooting Range for short range shooting disciplines, and the Davison Shooting Range for longer range shooting disciplines
- For some activities, providing one regional facility for a range of disciplines that meets all competitive needs is extremely difficult eg shooting sports
- All State-level organisations indicated that State-wide facility planning is required and not yet complete.

These abovementioned themes assisted with informing the final version of the Plan.

Community Engagement

A community engagement period for the *Draft Regional Facilities Plan for Difficult to Locate Sports* occurred from Monday 29 October 2018 to Friday 23 November 2018. This engagement phase provided a 26-day opportunity for the community to review and provide feedback on the draft Plan's recommendations. The consultation phase was promoted across all three Councils through various marketing formats including the following:

- Council's news centre
- Facebook page
- Media release
- Messages on Hold
- Online discussion and feedback through the 'Have your say' engagement platform
- Targeted sports and stakeholder consultation.

As a result of the community engagement phase, some amendments/additions were made to the draft Plan's recommendations relevant to the Sunshine Coast Council Local Government Area, including the following:

Aviation

- Additional recommendations:
 - Continue to investigate alternative sites for relocation of model aero clubs. Sites within or adjacent to the Inter-urban Break could provide suitable sites for the development of a regional model aero flying field or co-located local/club facility
 - In order to support the increasing popularity of drone flying, the Councils investigate the options for providing opportunities on public land for drone flying, primarily catering for recreational flying. Outdoor competitive drone events should be accommodated at the designated regional model aeronautical flying field.

Motor Cycling Sports

- Draft Plan recommendation:
 - The preferred option for a regional motocross competition facility is to retain and upgrade the Coolum Pines Motocross facility; this facility has unresolved long-term tenure due to the current state government preferred use of the land for high impact industrial use.

- Amended recommendation:
 - Continue short-medium term operation of the Coolum Pines Motocross facility while Economic Development Queensland (EDQ) continues to support the Suncoast Junior Motorcycle Club by offering tenure until the land is required for development for appropriate industrial purposes. During this period, and while the Coolum Pines Motocross facility remains, it should be considered the regional facility.
- Additional recommendation:
 - Continue to investigate alternative sites for the development of a regional motocross facility that is a minimum 40ha (including relocation of Suncoast Junior Motorcycle Club); sites within or adjacent to the Inter-urban Break could provide suitable opportunities.

Motorised Water Sports

- Additional recommendation:
 - Support improvements at Quanda Lake (Oz Ski Resort) regarding access for clubs to hold competitions.

Shooting Sports

- Additional recommendations:
 - Retain Cooloolabin Range and Davison Range as suitable facilities for a host of regional and potentially state level short-range disciplines
 - Davison Range should be designated as a regional facility for shotgun, rifle and longer-range disciplines
 - Advocate for and support the protection and enhancement of the Cooloolabin Range and the Davison Range facilities.

PROPOSAL

In a collaborative effort, Sunshine Coast Council, Noosa Council and Gympie Regional Council have partnered to address the ongoing challenges of difficult to locate sports facility provision by planning and developing these facilities on a region-wide basis. Funding has been allocated by the three Councils, and the Queensland Government (Sport and Recreation Services) under the Sport and Recreation Planning Program, to develop a *Regional Facilities Plan for Difficult to Locate Sports (Appendix A)* that will focus on four difficult to locate and high priority sports including:

- aviation – including hang-gliders, para-gliders, model aeroplanes, fixed wing/ ultra-light)
- motorcycling sports – competitive and recreational
- regional competitive powered water sports and
- shooting – all disciplines.

The purpose of the Plan is to provide a consistent and planned approach to the provision of regional level facilities for the four selected sports within the catchment of the three Council areas. A key objective of the Plan is to reduce duplication in facility provision, development and management and to provide guidance on regional priorities.

In preparing the Plan, a 'desired standard of service' for regional facilities has been articulated for each sport, as well as identifying/ determining where possible the preferred site locations for regional facilities for each sport.

Participation levels, trends and facility demand arising from participation growth have not been a significant driver in the formulation of the Plan. In comparison with other activities

available to the community, the reported participation in the activities within the scope is relatively limited. The impacts of urban growth, increasing population, rural land pressures and the need to coordinate investment and planning are the key drivers for the development of the Plan. Urban growth applies displacement pressure on existing facilities and compounds this by reducing available land for relocated or new facilities.

The four sports identified as part of the Plan have current access to local opportunities or facilities catering for varying levels of recreation and competition – the exception being motorised water sports, as options are limited mostly to recreation uses on a lake and some river sections. No club-managed facilities capable of providing competitive opportunities for motorised water sports exist within the three local government areas.

The Plan focuses on public land and community-based clubs and sport. It does not deal with private facilities or the aspirations of commercial operators for business development, however some of the recommendations may refer to or require consideration of public/private partnerships.

State level organisations, regional associations and local clubs were invited to provide input in the consultation phase of the Plan, and assisted with informing the final recommendations for each of the identified sports as outlined below.

Recommendations relevant to Sunshine Coast Council for a regional aviation facility include the following:

- Model aeros – the recommended option is to designate the Tin Can Bay Model Flying Club airfield as the regional facility, with appropriate site master planning and consideration of potential expansion opportunities to ensure the success of this facility if a suitable local site for relocation is available
- Continue short-medium term operation of the Suncoast Model Flying airfield at Coolum while Economic Development Queensland (EDQ) continues to support the Suncoast Model Flyers by offering tenure until the land is required for development for appropriate industrial purposes, or the expansion of the Sunshine Coast Airport precludes continued model aero flying at the Coolum Industrial Estate
- Continue to investigate alternative sites for relocation of model aero clubs. Sites within or adjacent to the Inter-urban Break could provide suitable opportunities for the development of a regional model aero flying field or co-located local/club facility
- In order to support the increasing popularity of drone flying, the Councils investigate options for providing opportunities on public land for drone flying primarily catering for recreational flying. Outdoor competitive drone events should be accommodated at the designated regional model aeronautical flying field.

Recommendations relevant to Sunshine Coast Council for a regional motorcycling facility include the following:

- Continue short-medium term operation of the Coolum Pines Motocross facility while Economic Development Queensland (EDQ) continues to support the Suncoast Junior Motorcycle Club by offering tenure until the land is required for development for appropriate industrial purposes. During this period, and while the Coolum Pines Motocross facility remains, it should be considered the regional facility
- Continue to investigate alternative sites for the development of a regional motocross facility that is a minimum 40ha (including relocation of Suncoast Junior Motorcycle Club); sites within or adjacent to the Inter-urban Break may provide suitable opportunities
- Motorcycling trails on private land adjacent to the Conondale Memorial Recreation Reserve and the facilities under the control of the club are recommended as the potential regional facility for trails, trials and endurance disciplines and the Sunshine

Coast Motorcycle Club is supported to deliver the approved development and improvements to their facility

- Motorcycle road racing needs would not, on their own, warrant a new road (motorcycle) facility to service the study area. The recommended long-term approach is to include race track capability at the proposed motor sports precinct planned for the Inter-urban Break. In the short to medium term supplement the available capacity of Lakeside with potential shared use of the Cooloola Coast Kart Club go-kart tracks for junior motorcycle road racing.

Recommendations relevant to Sunshine Coast Council for a regional competitive motorised water sports facility include the following:

- Collectively the Councils recognise the significance of Lake Kurwongbah (Moreton Bay region) as the South East Queensland (SEQ) regional competitive water skiing and wakeboarding facility. The importance of this lake/facility be communicated to the Queensland Government and Seqwater to ensure that the lake continues to support competitive water skiing and wakeboarding. Advocacy to Seqwater for improved/expanded use of Seqwater managed local lakes, dams and water storages for motorised competitive water sport activities is also recommended
- Over the medium term, undertake a program to assess extractive sites within five years of exhaustion for sites with the ability to provide a final water filled void suitable for water sport use. The focus should be on those within public lands and outside residential growth areas. This investigation should target sites (such as Meridan), where there is opportunity to prepare a post plan that guides the shape, depth and potential use of a final void and where water quality can be managed
- As with all Council tenure agreements, continue to review lease conditions at Quanda Lake (Oz Ski Resort) regarding access for clubs to hold competitions
- Support improvements at Quanda Lake (Oz Ski Resort) to attract higher level ski tournaments and increased participation
- Continue to support Maroochy River Water Ski Association's current use at Eudlo Creek as well as access to alternative suitable sites for competitive activities
- Offshore racing for jet skis and other craft are not facility dependent activities and no specific regional facility recommendations apply. Usage is event driven only and no permanent facility provisions are recommended.

Recommendations to Sunshine Coast Council for a regional shooting facility include the following:

- Shooting disciplines identified the need for facilities appropriate to conduct regional events. The preferred approach is the development of regional shooting facilities to be complementary to the regional and State facilities already provided at Belmont Shooting Complex. This means that disciplines not catered for at Belmont should be considered for the new or expanded regional facilities planned for development within the study area
- Retain Cooloolabin Range and Davison Range as suitable facilities for a host of regional and potentially State level short-range disciplines
- Davison Range should be designated as a regional facility for shotgun, rifle and longer range shooting disciplines
- Advocate for and support the protection and enhancement of the Cooloolabin Range and Davison Range facilities
- Continue to investigate options for clay target shooting within the Sunshine Coast Local Government Area if no opportunities eventuate at Gympie.

The Plan recommends that Council actively participate in the preservation of existing difficult to locate land holdings and continue to investigate opportunities for the establishment of some identified sports, that is, competitive motorised water sports. Council also has an advocacy role to work with relevant State Government departments to resolve/extend tenure matters identified within the Plan.

The Plan will not be achieved without the collaboration of the three Councils and may not be achieved (in all instances) on publicly owned land. Therefore, Councils may need to work with private sector organisations to deliver facilities that meet the sport's specifications and relevant planning scheme requirements.

Legal

Legal implications relevant to this report relate to tenure agreements, both current and future, as well as potential land negotiations including Planning Scheme considerations.

Policy

The *Sunshine Coast Environment and Liveability Strategy* and the *Sunshine Coast Sport and Active Recreation Plan 2011-2026* form Council's policy position on sport and active recreation for the region. Both documents have been reviewed and used to guide the final recommendations in the Plan.

Recommendations relevant to the Plan include the following:

- Sunshine Coast Environment and Liveability Strategy
 - Open space is flexible and adaptable to allow for diverse recreational, sporting and cultural experiences
 - Effective and efficient design and location ensures an affordable, resilient and high quality open space network
 - Sport and active recreation spaces are provided to encourage participation and involvement.
- Sunshine Coast Sport and Active Recreation Plan 2011-2026 (June 2016 edition)
 - Undertake a Sunshine Coast region wide investigation to identify appropriate tournament water skiing sites and present to Council for consideration
 - Advocate for the protection of the existing use of the Cooloolabin Shooting Venue (Lot 15 RP224776) through the Sunshine Coast Planning Scheme 2014
 - Commence discussions with relevant State Government agencies to secure long term tenure or suitable relocation options for the motocross venue and model aero club at Quanda Road, Cooloolabin
 - Negotiate with the Davison Range Shooting Complex land owners (including Lot 3 RP221279, Lot 2 RP135437 and Lot 1 RP193778) about future protection
 - Protect the existing use of Davison Range Shooting Complex through the Sunshine Coast Planning Scheme 2014
 - Investigate, promote and positively influence the final configuration of extractive sites within the Meridan Extractive Resource Area so that once they are discontinued:
 - they are left as freshwater lakes, transferred to Council and made suitable for use as powered water sport activity areas (eg competitive tournament water skiing, jet skiing and other water sport opportunities) and

- any water sport site deemed suitable, and is enabled as an active water sports venue, be protected by planning scheme instruments from any future conflicting encroachment or uses
- Protect the existing use of the Conondale Memorial Recreation Reserve (Green Park) as a Motorcycle Precinct through the Sunshine Coast Planning Scheme 2014.

Risk

- Failure to adequately plan for the difficult to locate network's current and future uses will likely result in ongoing community disharmony and displacement of current activities.
- Failure to maintain an adequate level of service for sport and active recreation facilities may result in increased future costs and lead to community dissatisfaction.
- Regional planning exercises reduce the risk of *ad hoc* development, which may be to the detriment of future service provision and uses.

Previous Council Resolution

Ordinary Meeting 11 October 2018 (OM18/168)

That Council:

- (a) *receive and note the report titled “**Draft Regional Facilities Plan for Difficult to Locate Sports**”*
- (b) *endorse the Draft Regional Facilities Plan for Difficult to Locate Sports (August 2018) (Appendix A) for the purpose of community and stakeholder consultation and*
- (c) *request the Chief Executive Officer to collate and consider the feedback received during the public consultation period, with a final Regional Facilities Plan for Difficult to Locate Sports developed for further consideration by Council.*

Ordinary Meeting 14 September 2017 (OM17/168)

That Council:

- (a) *receive and note the report titled “**Environment and Liveability Strategy**”*
- (b) *adopt the Environment and Liveability Strategy (Appendix A – Part A: Strategic Directions, Appendix B – Part B: Five-Year Implementation Plan, and Appendix C – Part C: Network Plan) and*
- (c) *note that the Environment and Liveability Strategy supersedes the: Biodiversity Strategy 2010-2020; Waterways and Coastal Management Strategy 2011-2021; Climate Change and Peak Oil Strategy 2010-2020; Open Space Strategy 2011; Social Infrastructure Strategy 2011; and Affordable Living Strategy 2010-2020, and that these strategies are now removed from Council's Policy Register.*

Ordinary Meeting 16 June 2016 (OM16/101)

That Council:

- (a) *receive and note the report titled “Update of the Sunshine Coast Sport and Active Recreation Plan 2011-2026”;*
- (b) *endorse the 2016 edition of the Sunshine Coast Sport and Active Recreation Plan 2011-2026 (Appendix A) with the following amendment:*
Page 35, 3.10.1 Future sustainability/ development of sports: the following recommendation is added as a medium term (2016-2021) action:

6. Water Skiing

- *Undertake a Sunshine Coast region wide investigation to identify appropriate tournament (three event – slalom, tricks and jump) water skiing sites and present to Council for consideration and*
- *Further to give an understanding of similar competition style facilities in surrounding regions.*

Ordinary Meeting 23 May 2013 (OM13/101)

That Council:

- note the discussions held in confidential session*
- investigate the development of a Motor Sports precinct on the Sunshine Coast and the following steps be undertaken:*
 - confirm the scope of motor sports proposal - vehicle and bike circuit tracks (sealed and unsealed) including ancillary and support facilities and possible water sport space*
 - development of a conceptual layout plan to identify size requirements, noise buffers and topographic requirements for confirmed scope*
 - identification of similar facilities (private and public) within a 2 to 3 hour catchment of the Sunshine Coast in regard to viability and opportunities*
 - identification of potential land sites on the Sunshine Coast (excluding Divisions 11 and 12) ensuring environmental issues, physical and infrastructure needs, compatible land uses (economic and social) and character and amenity issues are considered and*
 - a preliminary feasibility report for a motor sport precinct to be prepared for Council's consideration including potential sites, community engagement process, potential funding source/investments, potential business model and the economic and social benefits to the Sunshine Coast and*
- continue to liaise with the State Government in regard to providing input into the current feasibility study for the Off Road Motor Cycle Facility and continue to seek State Government support to identify alternative sites for the model flyers, motocross/motor sports and shooting disciplines.*

Related Documentation

- Conondale Memorial Recreation Park Master Plan 2016-2031
- Department of Transport and Main Roads: Queensland Recreational Boating Facilities Demand Forecasting Study 2017 – State-Wide Overview
- Department of National Parks, Sport and Racing: Queensland Sport, Exercise and Recreation Survey Adults (QSERSA) 2015
- Gympie Regional Council District Shooting Facility Feasibility and Option Analysis 2015
- Gympie Regional Council Open Space and Recreation Plan 2016
- Noosa Council Sport and Active Recreation Plan 2018
- Regional Economic Development Strategy 2013-2033
- Seqwater: Recreation Management Framework 2013
- Shaping SEQ South East Queensland Regional Plan 2017
- Sunshine Coast Council Corporate Plan 2018-2022
- Sunshine Coast Council Difficult to Locate Sports Study 2009 - 2028
- Sunshine Coast Environment and Liveability Strategy
- Sunshine Coast Planning Scheme 2014

- Sunshine Coast Social Strategy 2015
- Sunshine Coast Sport & Active Recreation Plan 2011-2026 (June 2016 edition)
- The Noosa River Plan 2018
- Wide Bay Burnett Regional Plan 2011
- Wide Bay Burnett Sport and Recreation Strategy 2010

Critical Dates

There are no critical dates relevant to this report however it is imperative that advocacy of longer term tenure solutions be provided to the Suncoast Junior Motorcycle Club and Suncoast Model Flying Club based at Quanda Park – Coolum due to current tenure expiring with the State Government in 2020.

Implementation

If endorsed by Council, the *Regional Facilities Plan for Difficult to Locate Sports (February 2019)* will guide Council's future network planning and inform facility development across the region.

The Plan will provide opportunities for partnerships and additional external funding alongside Council's Capital Works funding and Council's Community Grants Program. This will be conducted in consultation with the affiliate groups, the community and Council.

The adoption of the Plan will also provide Council, user groups and stakeholders with a sound base to apply and advocate for funding from potential financial contributors, including the State and Federal Governments.

8.5 INVESTIGATING INTERNATIONAL PROTECTION MECHANISMS FOR THE SUNSHINE COAST LOCAL GOVERNMENT AREA

File No:	Council Report
Author:	Manager Environment and Sustainability Policy Liveability & Natural Assets Group
Appendices:	App A - 'Celebrate People and Nature – Biosphere nomination for the Sunshine Coast' brochure283

PURPOSE

The purpose of this report is to seek Council's support to commence community and key stakeholder engagement on the proposal to prepare a UNESCO Man and the Biosphere (MAB) nomination for the Sunshine Coast local government area.

EXECUTIVE SUMMARY

Sunshine Coast Council has the vision of Australia's most sustainable region – healthy, smart, creative. Through clever planning, and the delivery of a suite of major projects and initiatives, the Sunshine Coast is realising this vision and is fast becoming a leading region in Australia.

Further liveability outcomes will continue to be sought through Council's community, environment and liveability, and economic policy framework in the future, which collectively seeks to balance our community, our economy, our built environment and natural assets.

There is now an opportunity to seek greater levels of national and international recognition for work that has already been delivered, and for future initiatives, to raise the profile of the region's economy, tourism, research, sustainability and liveability while offering recognition of the region's natural assets.

A review of available national and international protection mechanisms found that the UNESCO Man and the Biosphere (MAB) Program was the most appropriate mechanism to gain international recognition as it aligns with Council's vision, supports and integrates with Council's policy framework and planning tools, and is a credible, well known program that offers benefits and opportunities for the region.

A biosphere is an international site of excellence, recognised by UNESCO as an area of natural beauty where people live and work. Biospheres are places, just like our region, where active conservation sits alongside of responsible development and people living sustainably. A biosphere credential would provide a mechanism for ensuring our region adapts to change, while maintaining our special natural areas and unique lifestyle.

To progress the development of a UNESCO MAB nomination for the Sunshine Coast local government area, community engagement is required, and this report seeks Council's support to undertake engagement for a period of three months intended to be between 29 March and 28 June 2019 inclusive. Engagement will focus on community support for celebrating people and nature on the Sunshine Coast, and will be supported by consultation materials including a Draft Sunshine Coast Biosphere map that depicts what a Sunshine Coast Biosphere might look like on the ground. (Appendix A)

Community engagement is the first step in a process that can take over 2 years to complete. The community feedback received will directly inform the next phases of Council's considerations and the proposed development of a UNESCO MAB nomination, which also includes Queensland and Australian Government consideration before being formally submitted to UNESCO.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Investigating International Protection Mechanisms for the Sunshine Coast Local Government Area"
- (b) endorse the 'Celebrate People and Nature – Biosphere nomination for the Sunshine Coast' brochure for the purposes of public consultation (Appendix A) and
- (c) delegate authority to the Chief Executive Officer to place the 'Celebrate People and Nature – Biosphere nomination for the Sunshine Coast' brochure on public display 29 March / 28 June 2019.

FINANCE AND RESOURCING

To develop and endorse a biosphere nomination, community and key stakeholder consultation, GIS mapping, background papers, analysis of data and human resources will be required to meet UNESCO MAB nomination criteria.

The estimated cost of preparing a nomination to the point of submission to UNESCO MAB will be approximately \$500,000. Funding has been allocated in the 2018/19 and 2019/20 budgets to support the development of a biosphere nomination.

CORPORATE PLAN

Corporate Plan Goal: *A healthy environment*

Outcome: 3.1 - A resilient region shaped by clever planning and design

Operational Activity: 3.1.4 - Implement prioritised actions from the Environment and Liveability Strategy 2017, including the creation of major green spaces for conservation, flood mitigation and recreation; and establishing Mary Cairncross as a major conservation and recreation destination.

CONSULTATION

Councillor Consultation

Internal consultation with the Mayor, Deputy Mayor, and all Councillors has been undertaken to consider opportunities to seek international recognition of the Sunshine Coast's values and credentials, with feedback received directly informing the identification of the UNESCO MAB Program as the best and most appropriate mechanism for the Sunshine Coast.

Further consultation has occurred with the following portfolio Councillors to ensure a comprehensive and balanced approach is taken:

Councillor T Dwyer – Corporate Strategy and Finance Portfolio

Councillor J McKay – Community and Environment Portfolio

Councillor C Dickson – Planning and Development Portfolio

Councillor S Robinson – Economic Development and Innovation Portfolio

Internal Consultation

The following have been consulted at either project milestones or on an ongoing basis as required:

- Board of Management
- Strategic Planning Branch
- Economic Development Branch
- Community Planning and Development Branch
- Communications Branch
- Urban Growth Projects Branch
- Transport Infrastructure Policy Branch
- Environment and Sustainability Policy Branch

External Consultation

The following external parties have been consulted:

- Commonwealth Department of Environment and Energy, Biodiversity Policy and Water Science Branch (manage the Man and the Biosphere program in Australia) and
- United Nations Educational, Scientific and Cultural Organisation (UNESCO) Secretariat (manage the Man and the Biosphere program globally).

Community Engagement

Investigating mechanisms to provide long-term protection of core environmental areas and green spaces and promote approaches to minimise the impacts of human use and activities across the region is a key action of the Environment and Liveability Strategy 2017. A comprehensive engagement process was delivered as part of the development of the strategy.

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

In order for UNESCO to accept a nomination, community engagement, including Traditional Owner consultation is required. A comprehensive engagement process for a period of three months is proposed to be delivered 29 March to 28 June 2019 to seek key stakeholder and community input for the nomination of the Sunshine Coast as a Biosphere. Results will be analysed with feedback directly informing further Council consideration of the proposal and the next phases of developing a nomination including biosphere map.

PROPOSAL

Sunshine Coast Council has the vision of Australia's most sustainable region – healthy, smart, creative. Through clever planning, and the delivery of a suite of major projects and initiatives, the Sunshine Coast is realising this vision and is fast becoming a leading region in Australia.

Further liveability outcomes will continue to be sought through Council's community, environment and liveability, and economic policy framework in the future, which collectively seeks to balance our community, our economy, our built environment and natural assets.

There is now an opportunity to seek greater levels of national and international recognition for work that has already been delivered, and for future initiatives, to raise the profile of the region's economy, tourism, research, sustainability and liveability while offering recognition of the region's natural assets.

To progress this opportunity, an investigation and comparative review of the available national and international mechanisms that could assist with enhancing international recognition of achievements and generate opportunities to collaborate was conducted.

Protection Mechanisms Review

Mechanisms investigated included those that local governments and their communities (nationally and internationally) utilise to support the establishment, implementation and reinforcement of policy and aspirations related to environment and liveability. Six mechanisms were considered:

1. National Cities Performance Framework
2. International Council for Local Environmental Initiatives (ICLEI) membership
3. Global Covenant of Mayors for Climate and Energy
4. 100 Resilient Cities program
5. UNESCO Man and the Biosphere program; and
6. National Park Cities.

The mechanisms were assessed against five criteria to determine their suitability. These criteria included:

1. Provision of a credible, independent recognition of the Sunshine Coast and Council's stewardship of the region
2. Provision of an enduring management framework that integrates and embeds Council's social, economic and environmental aspirations for the region
3. Alignment with Council's strategic planning 'tools' (strategies, plans and corporate governance tools) and ability to assist Council in responding to challenges confronting the region
4. Access to leading practice examples of responses to future challenges and capacity to share knowledge and experience and
5. Resourcing implications required to manage and maintain implementation of the mechanism.

The findings of the review revealed that the UNESCO MAB program is the only mechanism which will provide designation of the region as an area of environmental and cultural significance and reinforce, through the management arrangements, Council's existing policy approach and urban and environmental management practices.

Biospheres

Biospheres are non-statutory and internationally recognised within the framework of the UNESCO MAB program. Biospheres seek to achieve sustainable development and management of an area while acknowledging the interactions between people and nature.

UNESCO identifies the three functions of a biosphere as:

- **Conservation** - contribute to the conservation of landscapes, ecosystems, species and genetic variation
- **Development** - foster economic and human development which is socio-culturally and ecologically sustainable; and
- **Logistic support** - support demonstration projects, environmental education and training, research and monitoring related to local, regional, national and global issues of conservation and sustainable development.

The management framework for the UNESCO MAB program specifies that biospheres require three zones. These zones include:

- **Core** - areas that are managed for the conservation of nature or culture
- **Buffer** - zones that support the core areas; and
- **Transition** - zones where sustainable development practices are investigated, promoted and implemented.

An assessment of biospheres, both nationally and internationally has revealed that successful biosphere's also have:

- Clear zones with well-defined purposes and activities in each zone
- Strong community, industry and key stakeholder support (including levels of government), engagement and partnerships
- A sustainable and consistent source of funding and resources (e.g. funding from a level of government) to implement management and projects; and
- A focus on social, cultural, economic and environmental (sustainability) management projects and activities.

It is considered that the Sunshine Coast has both the values and credentials in order to prepare a nomination that would, meet the requirements of the UNESCO Man and the Biosphere (MAB) Program.

Project timeline

The Queensland Government, Australian Government and UNESCO MAB program have annual deadlines for assessing, endorsing and accepting biosphere nominations. These deadlines, along with Local, State and Australian government elections, have been considered in developing a Sunshine Coast Biosphere nomination in 2019.

The nomination will be considered by Council for endorsement and forwarded to the State Government for their consideration by the end of 2019. The Australian Government will then review and endorse the nomination before they submit it to UNESCO by September 2020. UNESCO MAB will make an announcement about the result of the nomination in June 2021.

Biospheres are reviewed every ten years by UNESCO to ensure they are continuing to achieve the UNESCO MAB program social, cultural, economic and environmental objectives and outcomes. UNESCO MAB status can be removed if outcomes and objectives are not achieved. The ten year review also allows a biosphere to adjust zones or governance arrangements according to land-use or community changes over time.

The role of Sunshine Coast Council

Sunshine Coast Council will be the nomination sponsors on behalf of the community. The Australian Government are the nominators as they are required, by UNESCO MAB, to submit the nomination on behalf of the Sunshine Coast Council and community.

Sunshine Coast Biosphere zones

It is a requirement of the UNESCO MAB program that zones are applied within the biosphere and that the zones are clearly defined and applied in a simple way. These zones are not statutory and do not override the Sunshine Coast Planning Scheme 2014 or any other relevant statutory documents and legislation.

It is proposed that the Sunshine Coast Biosphere has three zones based on UNESCO MAB requirements, existing land-use activities and statutory documents and legislation, such as the Sunshine Coast Planning Scheme 2014. Alternative names (e.g. Protect and Enhance Area instead of UNESCO MAB's Core Zone) have been used to assist with ease of understanding and to avoid confusion with Sunshine Coast Planning Scheme zones.

Legal

There are no legal implications relevant to this report.

Policy

Council's long-term strategies collectively seek to balance our community, our economy, and our built environment and natural assets.

Council's Environment and Liveability Strategy was adopted in September 2017 to deliver a pathway to a healthy environment and liveable Sunshine Coast. A key action of the strategy is: Transformational Action 21. *How we live in the environment - Increasing our understanding of how people interact with the natural environment.*

Task 21.1: Investigate mechanisms to provide long-term protection of core environmental areas and green spaces and promote approaches to minimise the impacts of human use and activities across the region.

This Transformational Action and supporting Task set the policy direction for Council to investigate national and international protection mechanisms.

Risk

The most significant risks to the project is a delay in developing and submitting the nomination to UNESCO MAB due to government timeframes and the considerable lead time for government agencies, stakeholders and Council to consider and advance decision making within the context of their roles, functions and other core business.

Communication, consultation and engagement of the community and key stakeholders, with strategic key messages, will be paramount to mitigating possible risks.

Previous Council Resolution

There is no previous Council resolution relevant to this report.

Related Documentation

The following documents provide direction for Council to achieve its vision:

- Sunshine Coast Corporate Plan 2018-2022
- Social Strategy 2015
- Environment and Liveability Strategy 2017
- Regional Economic Development Strategy 2013

Critical Dates

Community and key stakeholder engagement to be concluded by Friday 28 June 2019.

Pending the outcomes of community and key stakeholder consultation, and further Council consideration, the following critical dates apply:

- Consideration of completed nomination by Council October 2019
- By end of 2019, the Queensland Government will need to have received the nomination to assess, endorse and forward to the Australian Government
- The Australian Government require nominations by 1 July each year (to review, endorse and forward to UNESCO MAB program) and
- The UNESCO MAB program accepts nominations on 30 September each year.

Implementation

If Council authorises the Chief Executive Officer to undertake public consultation for the proposed development of a Sunshine Coast Biosphere nomination, it is proposed that a consultation period will run until 28 June 2019.

8.6 SUNSHINE COAST CITY HALL - PROJECT UPDATE

File No:	Council meetings
Author:	Manager Property Management Business Performance Group
Attachments:	Att 1 - List of sub-consultants - <i>Confidential</i> Att 2 - Project Management Plan for City - <i>Confidential</i>

PURPOSE

To provide an update to Council on the Sunshine Coast City Hall project.

EXECUTIVE SUMMARY

Council has resolved to establish a presence within the Maroochydore City Centre including the development of its own premises, currently known as Sunshine Coast City Hall (SCCH). A high level project plan was adopted by Council on 11 October 2018 (OM18/173) and a Project Management Team appointed to deliver this project. Occupation of the completed building is scheduled for 1 July 2022, subject to achievement of all project milestones.

Since the last project update, the following activities have been completed or are underway:

- Tender evaluation process is complete for the sub-consulting design team. Due for appointments in March 2019.
- Architects have met with the Chief Executive Officer and Project team to review initial concepts. Complete concept design on track for presentation to Council in April 2019.
- Draft Co-location Strategy is under review by Board of Management and has been peer reviewed by Bendelta.

The Program of works endorsed in the SCCH High Level Project Management Plan is currently on schedule in the context of the programmed occupation date and the Project remains on budget.

OFFICER RECOMMENDATION

That Council receive and note the report titled “Sunshine Coast City Hall - Project Update”.

FINANCE AND RESOURCING

At this point in time, the necessary resources have been allocated to progress this project for the balance of the current financial year. Sufficient funding exists within the 2018-2019 budget to cover the initial elements of the project. This includes establishment of the project delivery team and the project office and commencement of the design process, including engagement of external design consultants. Funding for this project in 2019/2020 and beyond will be progressed for consideration as part of the standard Council budget process.

CORPORATE PLAN

Corporate Plan Goal:	<i>A smart economy</i>
Outcome:	1.2 - New capital investment in the region
Operational Activity:	1.2.4 - Partner with a developer to design the Sunshine Coast City Hall and engage in construction.

CONSULTATION

Councillor Consultation

Councillors have been consulted on this project during eleven Council workshops and meetings since February 2017.

Extensive consultation with Councillors and staff will be undertaken during the design development phase, which will encompass the development of the preliminary design concepts, the procurement and selection of the managing contractor for the design and construction contract and the development and approval of a detailed budget.

Internal Consultation

This report has been written in conjunction with advice from:

- Chief Executive Officer
- Group Executive Business Performance
- Manager Business Development
- Project Director – Workplace
- Project Director – Building, Project Urban

External Consultation

A Communication Plan has been developed for the initial stages of the project, particularly pertaining to the Workplace Transformation Project, including provision of information and updates to external parties at key milestones as considered appropriate.

PROPOSAL

Council has resolved to establish a presence within the Maroochydore City Centre, including the development of its own premises, to be known as Sunshine Coast City Hall (SCCH). Since the last project update provided to Council, the following activities have been completed or are underway.

Procurement of Specialist Services

Design Consultancy

The tender process has concluded for the sub-consultants who will support the Architect in the development of the concept design. Refer Attachment 1.

These disciplines include the following, however, it is noted for clarity that further consultants will be required once the relevant scope / brief has been established.

1st Round – recommendation provided:

- Structural Engineer
- Civil Engineer
- Hydraulic and Wet Fire Engineer
- Town Planning
- Landscape Architecture
- Quantity Surveyor
- Building Certifier

2nd Round – RFQ issued late February 2019, evaluation in March 2019:

- Mechanical and Electrical Engineer
- Sustainability

Program

High level milestones and Council decision points

In accordance with the timeframes articulated in the Council endorsed SCCH High Level Project Management Plan, the high level project milestones and Council decision points are identified as follows:

- Appointment of Principal Architect – completed
- March 2019 – Appointment of design consultancy team
- May 2019 – Recommendation of concept design
- June 2019 – Submission of Development Application to Economic Development Queensland (EDQ)
- September 2019 – Indicative Development decision by EDQ
- December 2019 – Award of Design and Construction contract

Of the above milestones, the expected June 2019 EDQ submission presents as the initial and current key milestone date. The Project Management Team (PMT) has developed a clear strategy and associated program to achieve this target, inclusive of Council engagement, SCC internal stakeholder review and endorsement.

Following a further detailed review of the timeframe to deliver the SCCH project before 1 July 2022, the Project Director has identified that the opportunity could be pursued for SCC to consider a procurement approach that introduces a value engineering exercise. Logistically, this would mean continuing with the proposed contract award timeframe of December 2019 and prior to the commencement of construction working collaboratively with the awarded building contractor to review and validate opportunities for cost efficiencies whilst considering buildability issues, ultimately providing SCC with the most beneficial value for money solutions.

It is accepted that such a process would delay, slightly, the commencement of construction, however would not impact on the established timeframe to deliver the project before 1 July 2022.

Design

Following a thorough review of the base building brief, Cottee Parker has commenced the early phases of the concept design. These phases include interrogating the constraints and opportunities of the building site and aligning these with the key development parameters contained within the base building brief (as endorsed by Council) which establish Council's vision for the project. The early phases of the design process involves the Architect bringing together the multitude of elements to the base building brief into workable design forms on the site.

Accordingly, as an important facet of the early concept design process, the initial outputs of this phase seek to either reinforce the key development parameters or where applicable challenge and propose alternative parameters for consideration by Council.

The Architect will present detailed analysis of the following initial key development parameters to the Maroochydore City Centre Shareholder Representative Group (SRG) Councillor Representatives as per the established governance structure along with options for consideration

- Floor plate sizes and configuration
- Carparking configuration
- Podium parameters and
- General massing

Throughout this review, consideration has been given to the established parameters of the planning scheme and the statutory processes of EDQ and preliminary discussion has been held with EDQ. The Architect and sub-consultant team will next begin to conceptualise the required planning elements, along with further detail with the breadth of discipline-based expertise now available, and present this within design form options to be considered by SunCentral and the SunCentral design review panel before finalisation.

Design and Construction (D&C) Contract

Preparation of the tender for the D&C contract is underway. This includes preparation of a bespoke D&C contract, which will incorporate the novation of the existing Architectural and Design Consultancy Contracts and the work resulting from same to the appointed D&C contractor.

The award of the D&C contract is scheduled for December 2019.

Council Engagement Program

As noted, a clear program and strategy for input, review and endorsement has been prepared by the PMT. At the core of this strategy is Council engagement, and for the Concept Design phase, is centered around two key presentations by the Architect to Council, being:

1. Concept Options Review Workshop

A workshop to be held in early May, presenting concept options for consideration by Councillors. The presentation will detail the background on the evolution of each option, providing Council with a comprehensive explanation of the design, and how it responds to the brief, the site and the key development parameters endorsed by Council. The Architect will take feedback on preferred design option(s) and commentary and proceed to finalise the preferred design option for endorsement by Council.

2. Concept Design Endorsement

The final concept design will be presented to Council for consideration at the May Ordinary Meeting.

Following consideration by Council at the Ordinary Meeting of May 2019, engagement will be broadened to staff across the organisation.

Co-Location and Workplace Strategy

A key part of Council's Workplaces Project is the Co-location Strategy. Co-location is about organising each of Council's workplace locations, at a Branch level, to best meet the needs of internal and external customers, across the organisation.

The Co-location Strategy considers the customer supply chain and its influence on the location of the many service functions delivered by Council employees. This strategy is designed to determine where the best location is for each Branch and function across all of Council's workplaces.

The interdependencies between the functional areas of Council and their customers has been reviewed and then considered against the available space within the three corporate administration centres in the region (Caloundra, Maroochydore and Nambour). The Co-location Strategy is also considering the relationships between each of Council's administration centres and the relevant Master Plan projects as core inputs.

Additionally, the review of the detailed information to deliver on the Depot Strategy, being led by Built Infrastructure Group, is reaching maturity such that the Co-location Strategy can begin to be informed of the appropriateness of proposed locations of staff to be accommodated in Councils Depots. This will allow for a complete picture of all Council's workplaces to be meaningfully included in the Co-location Strategy.

Bendelta has undertaken an external peer review of the draft Co-location Strategy and confirmed appropriateness of the current status.

Engagement has been leader-led by Council's Board of Management commenced in early March in preparation for a Council Workshop in April.

Communication and Engagement Plan

A Communication Plan has been developed for the initial stages of the project, particularly pertaining to the first stage of the Workplace Transformation Project – *Co-location Strategy*. The focus of early communications is on the engagement with the Board of Management in relation to the draft Co-location Strategy. The Communication Plan also includes the provision of information and updates to internal and external parties with planning for community engagement underway.

Project Governance / Team Structure

Following the establishment of the Sunshine Coast City Hall (SCCH) project governance structure, the SCCH Project Control Group (PCG) continues to meet monthly.

The SCCH PCG will continue to provide progress updates to the Maroochydore City Centre Shareholder Representative Group (SRG). The SRG oversees Council's interests in the activities of SunCentral Maroochydore Pty Ltd and the development of the Maroochydore City Centre.

Legal

McCullough Robertson Lawyers have been engaged to provide specialist legal services regarding the major contract/s, primarily the Consultancy Deeds and D&C Contract.

The project will involve a series of procurement activities ranging from consultants and project management personnel through to engagement of design and construction entities.

All procurement for the project will be led by an appointed Procurement Specialist from within Council, with the support of appropriate legal advice.

Policy

The SCCH project is being managed in conformity with Council's Procurement Policy and arrangements for capital projects of this nature.

Risk

A Risk Assessment and Management Plan forms part of the Project Plan. See Attachment 2. A risk workshop with key project delivery stakeholders will be held in March.

Previous Council Resolution

Ordinary Meeting 21 February 2019 (OM19/25)

That Council receive and note the report titled "Sunshine Coast City Hall Building - Project Update".

Ordinary Meeting 31 January 2019 (OM19/13)

That Council receive and note the report titled "Sunshine Coast City Hall Building - Project Update".

Ordinary Meeting 6 December 2018 (OM18/199)

That Council:

- (a) receive and note the report titled "**Sunshine Coast City Hall Building - High Level Project Plan**" and
- (b) endorse the proposed arrangements for the engagement of the Principal Architect, the project high level milestones, the development of the Base Building Brief and the project governance structure to facilitate progression of the Sunshine Coast City Hall project.

Ordinary Meeting 11 October 2018 (OM18/173)

That Council:

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

Special Meeting 10 September 2018 (SM18/14)

That Council:

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

Ordinary Meeting 14 September 2017 (OM17/181)

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

Special Meeting 17 August 2017 (SM17/42)

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

Special Meeting 23 February 2017 (SM17/4)

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

Related Documentation

- Lucid Economics report
- Maroochydore City Centre PDA Development Scheme and associated Precinct 3 Plan
- Nambour Activation Plan Project Control Group Charter
- Caloundra Centre Activation Project Control Group Charter
- SunCentral Maroochydore Pty Ltd Shareholder Representative Group Charter

Critical Dates

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

Implementation

Following Council's consideration of this project progress report, Council officers will continue to advance the SCCH Project in line with the High Level Project Plan.

8.7 COMMUNITY LEASE TO BARUNG LANDCARE ASSOCIATION INC.

File No:	Council Meetings	
Author:	Senior Property Officer Business Performance Group	
Appendices:	App A - Lease Conditions.....	301
Attachments:	Att 1 - Lease Area.....	305
	Att 2 - Master Plan Barung Nursery	309

PURPOSE

The purpose of this report is to seek an exception from Council, in accordance with the *Local Government Regulation 2012*, to enter into a community lease with Barung Landcare Association Inc. other than by tender or auction under the agreed terms of the Agreement to Lease with a total lease term of thirty (30) years.

EXECUTIVE SUMMARY

At the Ordinary Meeting of 21 July 2016, Council resolved to establish an Agreement to Lease with Barung Landcare Association Inc. (Association) and required the Association to submit a business case prior to Council formally considering the finalisation of any lease. Subsequently, the business case was delivered to Council and on 9 August 2018 was confirmed as being sound and demonstrated the Associations ability to establish a viable community native plant nursery and state of the art environmental education and resource center within the Maleny Community Precinct (Precinct). Stage 1, the community native plant nursery is contingent on the Association sourcing \$190,000 for earthworks, power, water and drainage infrastructure. Councillor J McKay has committed \$80,000 of divisional funding towards earthworks in Stage 1, the remainder will need to be sourced by the Association via community grants and fundraising.

The Agreement to Lease was established on 3 May 2017 and documented the terms and conditions under which Council would offer the Association a community tenure arrangement with a total lease term of thirty (30) years and the development requirements for the future lease area in the Precinct.

The Association is currently operating from a temporary location in the Precinct, and as the business case has been accepted by Council, the Association are ready to establish formal tenure over part of the Precinct being Lease Area BA in Lot 14 on SP287418 refer to Attachment 1 – Lease Area to facilitate a community native plant nursery and environmental education and resource center refer to Attachment 2 - Master Plan Barung Nursery.

The *Local Government Regulation 2012*, section 224(6) provides that the grant of a lease over land or buildings is a disposal of a valuable non-current asset and section 227 provides that this disposal must be by written tender or auction.

Pursuant to section 236(1)(b)(ii) of *Local Government Regulation 2012*, an exception to the granting of a lease to a community organisation by tender or auction, may occur if Council resolves that the exception applies.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Community Lease to Barung Landcare Association Inc.”
- (b) resolve, pursuant to s.236(2) *Local Government Regulation 2012*, that an exception to dispose of land at, or an interest (lease) in land at Maleny Community Precinct Lot 14 SP SP287418 other than by tender or auction applies, as the disposal is pursuant to s.236(1)(b)(ii), to a community organisation
- (c) note that the Barung Landcare Association Inc. is a community organisation as it carries on activities for a public purpose
- (d) the lease term is to be a total of thirty (30) years and
- (e) the conditions in Appendix A - Lease Conditions are to be incorporated in the lease to Barung Landcare Association Inc.

FINANCE AND RESOURCING

The annual rental charge for this community lease would be 1 Unit, currently \$260 as per Council's *Fees and Charges Register* for 2018/19.

Stage 1, the community native plant nursery is funded in part by the Association and is contingent on the Association sourcing a further \$190,000 for earthworks, power, water and drainage infrastructure. Councillor J McKay has committed \$80,000 of divisional funding towards earthworks in Stage 1, the remainder will need to be sourced by the Association via community grants and fundraising. Stage 2, the environmental education and resource center relies on securing funding through future grant applications and community fundraising programs.

A community lease term with a total of thirty (30) years was agreed to in the Agreement to Lease established on 3 May 2017 and acknowledges the viability of the community native plant nursery and the environmental education and resource center.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*

Outcome: We serve our community by providing this great service

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

CONSULTATION

Councillor Consultation

Councillor J McKay has provided support for the thirty (30) year community lease to the Association in the capacity as Portfolio Committee Member Community and Environment and as Councillor for Division 5 further, Councillor McKay has committed \$80,000 of divisional funding towards earthworks in Stage 1.

Internal Consultation

Property Management Branch has engaged with relevant internal departments being:

- Community Services, Community Planning and Development Branch
- Community Services, Community Sport and Community Venues Branch
- Economic Development and Major Projects, Economic Development Branch
- Planning and Environment, Strategic Planning Branch

External Consultation**Community Engagement**

The Association has engaged with leaseholders in the Precinct and confirmed there is unanimous support for the establishment of the community native plant nursery and the environmental education and resource center.

PROPOSAL

The Association is affiliated with Landcare Australia and was established in 1989 to protect and repair the local environment, the nursery operation has been successfully operating for more than 20 years across various locations. The Association incorporates a successful contracting services team for environmental revegetation and regeneration projects on private and public properties, the organisation and sponsorship of the Maleny Wood Expo and the development of specialist educational programs and projects shared with the local community.

At the Ordinary Meeting of 21 July 2016, Council resolved to enter into an Agreement to Lease and that the Association was required to submit a business case prior to Council formally considering the finalisation of any lease. Subsequently, the business case was delivered to Council and on 9 August 2018 was confirmed as being sound and demonstrated the Associations ability to establish a viable community native plant nursery and environmental education and resource center within the Precinct.

The Agreement to Lease was established on 3 May 2017 and documented the conditions under which Council would offer a lease to the Association, these are noted in Appendix A – Lease Conditions.

The Association anticipates the native plant nursery and environmental education and resource center will bring economic benefit to Maleny and the wider Hinterland region by attracting more tourists to Maleny. Council's Tourism and Major Events team were consulted on the proposal and advised the community native plant nursery and environmental education and resource center appears to offer strong potential from a tourism point of view – building on the region's reputation in the ecology and sustainability space. The tourism opportunities proposed by the Association including guided environmental walks and the education facilities would be a valuable addition to Sunshine Coast's tourism offering. It is noted that the demand for nature and environment based tourism activities is growing rapidly, so additional quality content in this space will greatly assist in the broader tourism promotion of the region.

The community native plant nursery and environmental education and resource center is intended to be achieved in a staged approach, the pace of which is to be determined by available funds. Funding for implementation of Stage 1, the community native plant nursery is contingent on the Association sourcing \$190,000 for earthworks, power, water and drainage infrastructure. Councillor J McKay has committed \$80,000 of divisional funding towards earthworks in Stage 1, the remainder will need to be sourced by the Association via community grants and fundraising. Stage 2, being the environmental education and resource center relies on securing funding through future grant applications and community fundraising programs.

The Associations current location at the Precinct is temporary and office space in the Hinterland Business Centre is limited. The establishment of a community lease with a total lease term of thirty (30) years will enable the Association to consolidate their operations in one location, provide opportunities to develop synergies between the other users of the Precinct and enhance the tourism value of the Precinct through their environmental education programs. A total community lease term of thirty (30) years will also provide a strong position for the Association to seek the significant grant funding required to enable investment in high quality facilities that complement the Precinct environment and deliver a state of the art environmental education and resource center to the community.

The *Local Government Regulation 2012*, section 224(6) provides that the grant of a lease over land or buildings is a disposal of a valuable non-current asset and section 227 provides that this disposal must be by written tender or auction.

The proposal is to seek a Council resolution to grant a community lease with a total term of thirty (30) years to the Association pursuant to Section 236(1)(b) of the *Local Government Regulation 2012* as an exception to the granting of a lease to a community organisation by tender or auction may occur if Council resolves that the exception applies. The lease is to be established in line with conditions as documented in Appendix A – Lease Conditions.

Legal

Legal Services has been consulted on this process to ensure Council complies with section 236 of *Local Government Regulation 2012*.

Policy

This request is in accordance with Council's *Procurement Policy* and the *Community Groups Occupying Council Owned or Managed Land and/or Infrastructure Policy* with the exception of the lease term as this report recommends a total lease term of thirty (30) years as per the Agreement to Lease.

Risk

Any identified risks to community groups leasing Council property are managed within the terms of the lease.

Previous Council Resolution

Ordinary Meeting 21 July 2016 (OM16/115)

That Council:

- (a) *receive and note the report titled "Maleny Community Precinct Leases"*
- (b) *amend the Unitywater Lease boundary on the Maleny Community Precinct to accommodate a community lease for Barung Landcare Inc.*
- (c) *establish an "Agreement to Lease" with Barung Landcare, with land tenure arrangements being conditional upon submitting a viable business case to Council and meeting agreed milestones that demonstrate their financial and administrative capacity to develop their proposed leased area*
- (d) *note that finalisation of the Barung Lease will not occur until Council has formally considered the business case of Barung Landcare Inc.*
- (e) *amend the MDSRC Lease to excise the area around the Southern Fig Tree for future parking, this is intended to be a public parking area and funded by Council for consideration in the 2016/2017 Capital Budget BR2 program*
- (f) *receive and note "Maleny Golf Club Inc. Draft Business Case" (Attachment 6)*
- (g) *establish a new "Maleny Golf Club Lease" and "Deed of Agreement - Transitional Zone" for the period in line with the existing lease to a new termination date of 2046*

-
- (h) *establish the lease boundary (40) metre minimum width on the second hole from the tee to the green, for reasons of safety. This will require the "Hit Through Area" to be expanded to incorporate thirty five (35) metres of mown fairway from the western boundary with Maleny District Sport and Recreation, and 5 metres of rough and sedges to the Southern Wetland. The area of rough and sedges will be designated within the "Transition Area" and be deemed playable. An access licence will be retained within the Maleny Golf Lease along the western boundary with Maleny District Sport and Recreation Lease in favour of Council for access when Golf is not in progress.*
 - (i) *authorise the Chief Executive Officer to investigate forming a volunteer community nature conservation group i.e. the "Southern Wetlands Volunteer Conservation Group" under the supervision of the Environmental Operations Branch*
 - (j) *with the support of the "Southern Wetlands Volunteer Conservation Group": will commence active wetland environmental Landscape and weed management activities of the Southern Wetlands as per existing management plans and will maintain the wetland and surrounding buffers as per defined operational service levels*
 - (k) *ensure access to the southern wetland will be maintained for the enjoyment of the general public*
 - (l) *investigate funding for the construction of the Golf Course in the 2016/2017 Capital Budget BR2 program in a future report to Council and*
 - (m) *on the matters of (i) and (j) above, that a further report be brought to Council.*

Ordinary Meeting 31 May 2011 (OM11/146)

That Council:

- (a) *receive and note the report titled "Maleny Community Precinct Lease boundaries, Interpretive pathway and Planning Approval Process"*
- (b) *endorse the indicative lease boundaries for Barung Landcare, Maleny Golf and Maleny District Sport and Recreation Club (Appendix A)*
- (c) *delegate authority to the Chief Executive Officer to finalise the "Agreements to Lease" with Barung Landcare, Maleny Golf and Maleny District Sport and Recreation Club with land tenure arrangements being conditional upon each group submitting a viable business case to Council and meeting agreed milestones that demonstrate their financial and administrative capacity to develop their proposed leased area*
- (d) *note that finalisation of any "Lease" will not occur until Council has formally considered the business cases of the groups listed in (c) above*
- (e) *endorse the route and schematic design of the Pattermore House to Gardiners Falls and Maleny Township Interpretive Trail (Appendix B)*
- (f) *with regard to obtaining Planning Approvals for the Maleny Community Precinct Master Plan area:*
 - (i) *agree that a development application for a Preliminary Approval (Material Change of Use under S.242 of the Sustainable Planning Act) is no longer required*
 - (ii) *note that the approved Maleny Community Precinct Final Master Plan will inform the new Planning Scheme as it relates to the Maleny Community Precinct and*
 - (iii) *agree that Lessees (or entities holding Agreements to Lease) and Council proceed with the necessary development applications to reflect the land use intent of the Master Plan in their respective areas in accordance with the agreed staging plan*

- (g) *note that Unitywater is investigating options for upgrade and augmentation of sewage treatment services for the Maleny sewerage services area to serve existing and future populations*
- (h) *provide in-principle support for an option which would involve Council entering into a long term agreement to lease the northern wetlands section of the Maleny Community Precinct to Unitywater (Appendix C). The purpose of this agreement being to:*
 - (i) *allow the beneficial reuse of treated effluent and the development of an irrigation forest and wetland system on the Precinct*
 - (ii) *restore biodiversity and water quality to drained former rainforest and wetlands and riparian zones*
 - (iii) *provide recreational opportunities in accordance with the Maleny Community Precinct Master Plan and*
- (i) *authorise the Chief Executive Officer to enter into appropriate long-term lease arrangements with Unitywater for the northern wetlands section of the Maleny Community Precinct should this option be adopted.*

Ordinary Meeting 10 June 2010 (OM10/161)

Regarding change to Barung Landcare current application for a Material Change of Use to reflect their location as depicted in the master plan and authorise the Chief Executive Officer to enter into formal lease negotiations with Barung Landcare, with land tenure arrangements being conditional upon a viable business case presented to Council

Ordinary Meeting 19 June 2008 (OM08/94)

Regarding the relocation of Barung Landcare to the Maleny Community Precinct.

Ordinary Meeting 29 May 2008 (OM08/47)

Regarding Council's need to review documentation before making any decisions in relation to the site and liaising with Barung Landcare about their relocation.

Related Documentation

- Agreement to Lease – Barung Landcare Association Inc. and
- Maleny Community Precinct Master Plan 2010.

Critical Dates

The establishment of the community lease to the Association is required as soon as practical. The expiry of the agreement to the lease is 3 May 2019.

Implementation

Should Council resolve that an exception applies, new tenure arrangements will be established in line with Appendix A – Lease Conditions as soon as possible.

8.8 FEBRUARY 2019 FINANCIAL PERFORMANCE REPORT**File No:** Financial Reports**Author:** Coordinator Financial Services
Business Performance Group**Attachments:** Att 1 - February 2019 Financial Performance Report319**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 28 February 2019 in terms of the operating result and delivery of the capital program.

The operating result at 28 February 2019 shows a favorable variance of \$2 million compared to the budgeted position. The variation is mainly due to lower than profiled operating expenses which are offset by lower than profiled fees and charges income as shown in the table below. Further detail is provided in the proposal section of this report.

Operating Performance**Table 1: Operating Result as at 28 February 2019**

	Current Budget \$000	YTD Budget \$000	YTD Actuals \$000	YTD Variance \$000	YTD Variance %
Total Operating Revenue	448,923	377,994	376,294	(1,701)	-0.4%
Total Operating Expenses	435,422	276,118	272,374	(3,744)	-1.4%
Operating Result	13,502	101,877	103,920	2,043	2.0%

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

As at 28 February 2019, \$205.3 million (54.4%) of Council's \$377.4 million 2018/19 Capital Works Program was financially expended.

The core Council Capital Program has progressed 55.3% of budget, an actual spend of \$92.3 million.

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

OFFICER RECOMMENDATION

That Council receive and note the report titled "February 2019 Financial Performance Report".

FINANCE AND RESOURCING

This report sets out the details of Council's financial performance and investments for the month of February 2019 and meets Council's legislative reporting requirements.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*

Outcome: 5.6 - Information, systems and process underpin quality decisions and enhance customer experience

Operational Activity: 5.6.5 - Manage Councils budget in alignment with sustainability ratios to ensure a sustainable financial position is maintained.

CONSULTATION

Portfolio Councilor Consultation

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

Internal Consultation

This report has been written in conjunction with advice from:

- Group Executive Business Performance
- Chief Finance Officer
- Coordinator Financial Services

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

PROPOSAL

This monthly financial performance report provides Council with a summary of performance against budget as at 28 February 2019 in terms of the operating result and delivery of the capital program.

The operating result at 28 February 2019 shows a favorable variance of \$2 million compared to the budgeted position.

Operating Revenue

Year to date revenues as at 28 February 2019 of \$376.3 million shows an unfavorable variance of \$1.7 million.

Table 2: Substantial Revenue variances as at 28 February 2019

	YTD Budget \$000	YTD Actuals \$000	YTD Variance \$000	YTD Variance %
Fees and Charges	39,975	38,792	(1,183)	-3.0%
Interest Received from Investments	5,079	4,513	(566)	-11.1%
Other Revenue	8,638	9,696	1,058	12.2%

Fees and Charges

Fees and charges revenue of \$38.8 million is \$1.2 million (3%) lower than the year to date budget. The variance predominantly relates to building and plumbing applications and inspections revenue, which has seen a decrease in volume compared to similar periods in previous financial years.

Interest Received from Investments

Council's cash available for investment has decreased compared to the expected budget. This has resulted in a decline in interest received.

Other Revenue

A favorable variance of \$1 million applies to Other Revenue due to recoverable works for external agencies with associated expenditure.

Operating Expenses

Year to date expenditure as at 28 February 2019 of \$272.4 million shows a variance under budget of \$3.7 million.

Employee Costs

As at 28 February 2019 employee costs were above budget by \$1.2 million or 1.3%. This unfavourable variance relates to utilisation of internal employees to deliver operating and levy funded projects which is offset by underspends in materials and services.

Council budgets a vacancy rate of 3% across the organisation including core maintenance areas. An overspend has been realised against the budget year to date due to the nature of maintenance delivery. Underspends have been sought within materials and services to align Council's operating result.

Materials and Services

Materials and services account for the majority of the expenditure variance as at 28 February 2019, with all groups underspent budget by a total of \$4.8 million.

\$895,000 of the favourable variance relates to the delivery of operating projects and is partially offset by higher employee costs and other expenses associated with resourcing projects. Total Project expenditure was 45.5% of full year budget as at 28 February 2019.

Built Infrastructure are reporting an underspend mainly attributable to Parks and Gardens and Transport Infrastructure Management. A significant portion of this underspend can be attributed to the expected vacancy rate which is offset in higher employee costs.

Business Performance are reporting an underspend largely due to an increase in planned maintenance for Council's community facilities resulting in a decrease of costs. Council's data line charges for telecommunications are also trending below budget year to date.

Sports and Community Venues are also reporting underspends, predominantly relating to Council's sports venues, Sunshine Coast Stadium and The Event Centre.

Capital Expenditure

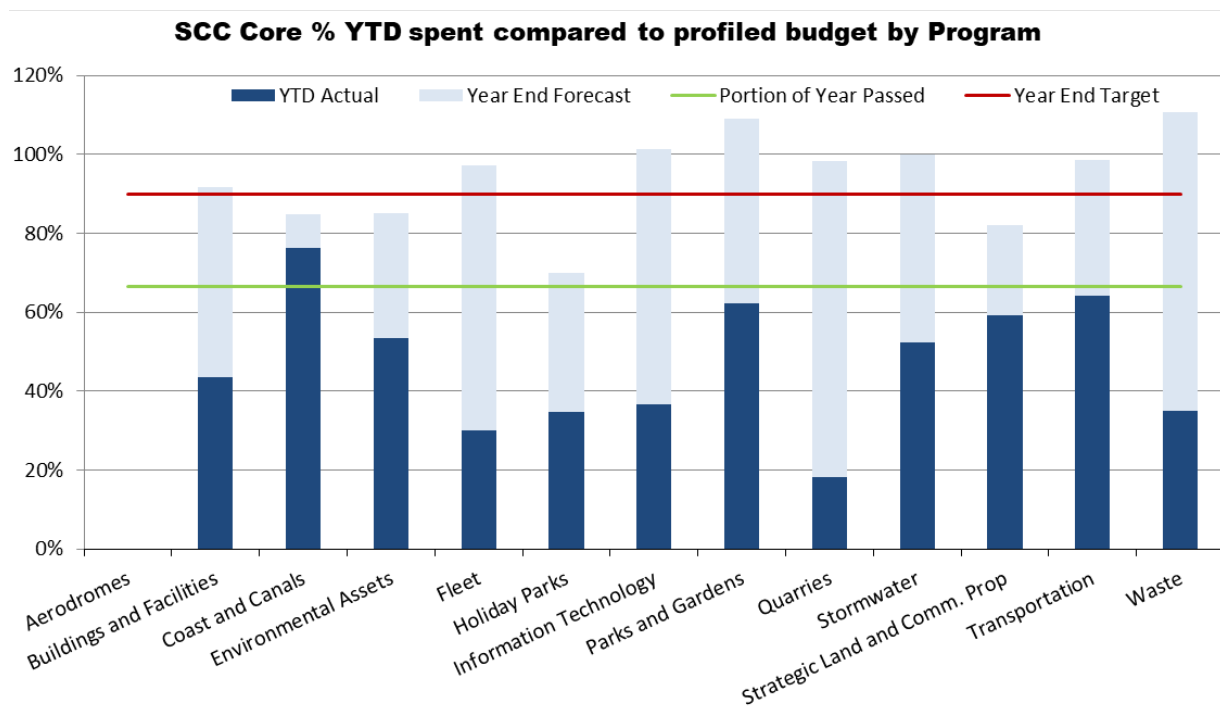
As at 28 February 2019, \$205.3 million (\$54.4%) of Council's \$377.4 million 2018/19 Capital Works Program was financially expended.

The Core Council Capital Program has progressed 55.3% of budget, an actual spend of \$92.3 million. The Actual YTD includes all works that have been goods receipted and accrued as at 28 February 2019.

Table 3: Capital Expenditure by Program at 28 February 2019

	Current Budget \$000s	YTD Actual \$000s	% of FY Budget Spent	Forecast Year End Actual
Capital Works Program				
Aerodromes	0	15	0.0%	22
Buildings and Facilities	18,470	8,017	43.4%	16,953
Coast and Canals	2,284	1,746	76.4%	1,936
Environmental Assets	1,196	638	53.4%	1,019
Fleet	3,000	905	30.2%	2,919
Holiday Parks	1,875	649	34.6%	1,314
Information Technology	8,738	3,203	36.7%	8,851
Parks and Gardens	17,261	10,738	62.2%	18,843
Quarries	486	88	18.1%	477
Stormwater	10,535	5,504	52.2%	10,536
Strategic Land and Commercial Properties	24,293	14,396	59.3%	19,942
Transportation	64,748	41,533	64.1%	63,916
Waste	13,848	4,852	35.0%	15,341
Total SCC Core Capital Program	166,735	92,286	55.3%	162,069
Corporate Major Projects	5,228	3,201	61.2%	3,197
Divisional Allocations	7,325	2,365	32.3%	3,215
Maroochydore City Centre	30,413	18,141	59.6%	34,327
Submarine Cable IBN	20,610	6,185	30.0%	18,997
Sunshine Coast Airport Runway	147,138	83,143	56.5%	140,588
Total Other Capital Program	210,714	113,036	53.6%	200,325
TOTAL	377,449	205,322	54.4%	362,394

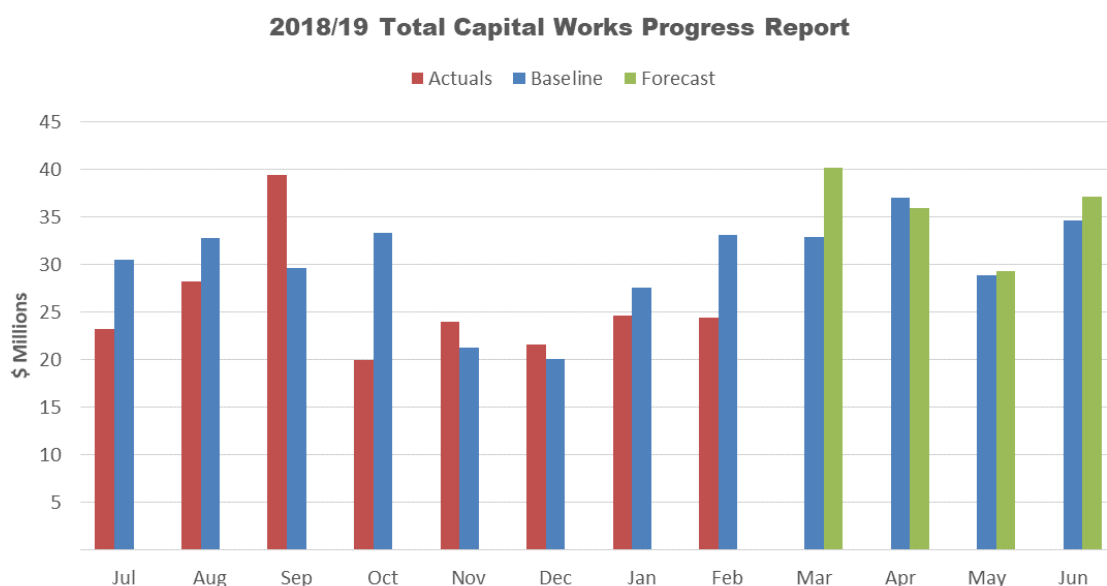
The following graph shows the Core Capital Programs progress to date and year end forecast. Currently the Core Capital Program is forecasting 97% delivery at year end.



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

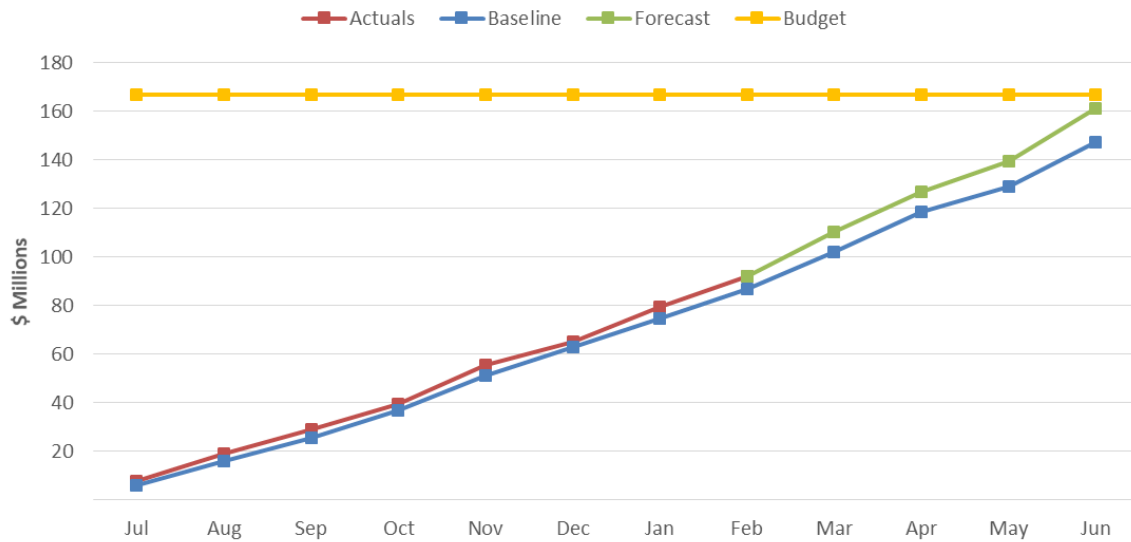
- Buildings and Facilities – The Events Centre redevelopment has progressed significantly in recent months with construction scheduled to complete in May 2019. \$2 million of renewal and upgrade works to Council’s aquatic centres will be scheduled for the winter months. The program is forecasting 92% completion at year end.
- Fleet - Significant orders in place and plant builds underway for delivery in March, a number of quotes underway to see all fleet delivered by May/June 2019.
- Holiday Parks – The major expenditure for the year relates to the replacement of the amenities at the Cotton Tree Caravan Park. A contractor has been appointed and construction has started in February. Other significant expenditure relates to land acquisitions for future sites and is reliant on current purchase negotiations.
- Information Technology – Expenditure to date on corporate systems implementations for customer relations management are reflective of the project continuing through the procurement phase. Council’s asset management and human resource implementation is expected to incur expenditure in the second half of the financial year as the projects progress towards the implementation phase. The program is forecasting 100% completion at year end.
- Waste – The contract for the AWCS collection centre was awarded in October with site preparations commencing in November and construction to begin early 2019. Construction of the Caloundra Landfill Cell 12 will commence in November 2018.
- Stormwater Program – Significant projects at Mooloolaba, Buderim, Meridan Plains and Maroochydore are scheduled to be constructed outside of the wet period.

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

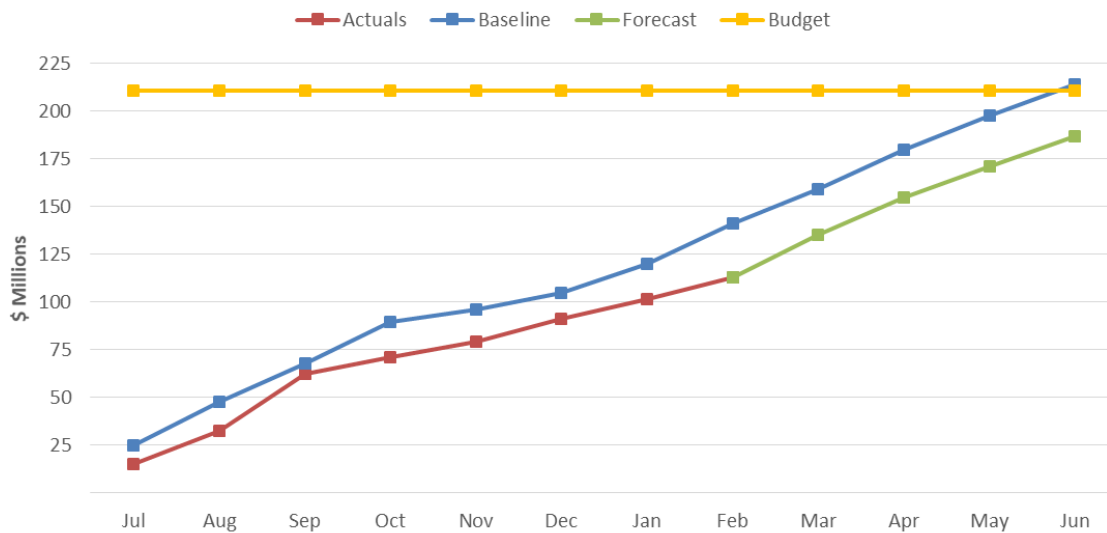


The following two graphs display the cumulative baseline, actual to date and latest forecast compared to the Current Budget provided for in the Core and Other Programs. The baseline reflects project managers estimated forecast following Budget Review 2. Whereas the forecast incorporates the latest information available to project managers in relation to project completion. This forecast will continue to be updated each month and reported against the baseline.

2018/19 Core Capital Works Progress Report



2018/19 Other Capital Works Progress Report



Investment Performance

- All investment parameters remain within the guidelines established by the Investment Policy.
- For the month ending 28 February 2019 Council had \$285 million cash (excluding Trust Fund) with an average interest rate of 2.75%, being 0.45% above benchmark. This is compared to the same period last year with \$382.5 million cash (excluding Trust Fund) with an average interest rate of 2.58%, being 0.87% above benchmark.

- The benchmark used to measure performance of cash funds is Bloomberg AusBond Bank Bill Index (BAUBIL) and the Bank Bill Swap Rate (BBSW) for term deposits.

Legal

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

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

Policy

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

Risk

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

Previous Council Resolution

Ordinary Meeting 28 February 2019 (OM19/24)

That Council:

- receive and note the report titled "**February 2019 Financial Performance Report**" and*
- adopt Appendix A as tabled, pursuant to section 170A of the Local Government Act 2009 and sections 169 and 170 of the Local Government Regulation 2012, Council's amended budget for 2018/19 financial year incorporating:*
 - 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 and the Debt Policy.*

Ordinary Meeting 13 September 2018 (OM18/155)

That Council:

- receive and note the report titled "**Budget Review 1 2018/19**" and*
- adopt Appendix A as tabled, pursuant to section 170A of the Local Government Act 2009 and sections 169 and 170 of the Local Government Regulation 2012, Council's amended budget for 2018/19 financial year incorporating:*
 - 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*

- (c) *note the following documentation applies as adopted 21 June 2018*
- i. the Revenue Policy*
 - ii. the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
 - iii. the Revenue Statement*
 - iv. the rates and charges to be levied for the 2018/19 financial year and other matters as adopted 21 June 2018.*

Special Meeting Budget 21 June 2018 (SM18/8)

That Council:

- (a) *adopt Appendix A as tabled, pursuant to section 170A of the Local Government Act 2009 and sections 169 and 170 of the Local Government Regulation 2012, Council's budget for 2018/19 financial year incorporating:*
- i. the statement of income and expenditure*
 - ii. the statement of financial position*
 - iii. the statements of changes in equity*
 - iv. the statement of cash flow*
 - v. the relevant measures of financial sustainability*
 - vi. the long term financial forecast*
 - vii. the Debt Policy*
 - viii. the Revenue Policy*
 - ix. the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
 - x. the Revenue Statement*
 - xi. Council's 2018/19 Capital Works Program, endorse the indicative four-year program for the period 2020 to 2023, and note the five-year program for the period 2024 to 2028 and*
 - xii. the rates and charges to be levied for the 2018/19 financial year and other matters as detailed below in clauses 3 to 11.*

Related Documentation

2018/19 Adopted Budget

Critical Dates

There are no critical dates for this report.

Implementation

There are no implementation details to include in this report.

8.9 ORDINARY MEETING - APRIL 2019

File No: Council Meetings
Author: Coordinator CEO Governance
Office of the CEO

PURPOSE

This report present an opportunity to align the date of the April 2019 Ordinary Meeting with other meetings currently scheduled.

EXECUTIVE SUMMARY

Council is required by the *Local Government Act 2009* to meet at least once in each month. Further, it is a requirement to publish a notice at least once a year, detailing when the Ordinary Meetings of Council will be held.

This report purposes that the April Ordinary meeting be held on Tuesday 30 April 2019 to align with other Councillor commitments in April 2019.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Ordinary Meeting - April 2019”
- (b) note the April 2019 Ordinary Meeting of Council will be held on 30 April 2019 in the Nambour Chambers and
- (c) Request the Chief Executive Officer to publish the required notice to reflect the change in date for the April 2019 Ordinary Meeting in accordance with section 277(4) of the *Local Government Regulation 2012*.

FINANCE AND RESOURCING

There are no financial or other resources required as a result of this report.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*

Outcome: We serve our community by providing this great service

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

CONSULTATION**Councillor Consultation**

All Councillors have been briefed in relation to the need to change this meeting date.

Internal Consultation

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

External Consultation

There is no requirement for external consultation in relation to this report.

Community Engagement

No community consultation was required in relation to this report.

PROPOSAL

Council is required by the *Local Government Act 2009* to meet at least once in each month. Further, it is a requirement to publish a notice at least once a year, detailing when the Ordinary Meetings of Council will be held.

A notice was published in the Sunshine Coast Daily on Saturday 19 January 2019 advertising the April Ordinary Meeting to be held on Wednesday 24 April 2019.

This report purposes that the April Ordinary meeting be now held on Tuesday 30 April 2019 to align with other Councillor commitments in April 2019.

Legal

Section 277 of the *Local Government Regulation 2012* states:

277 Public notice of meetings

- (1) *A local government must, at least once in each year, publish a notice of the days and times when—*
 - (a) *its ordinary meetings will be held; and*
 - (b) *the ordinary meetings of its standing committees will be held.*
- (2) *The notice mentioned in subsection (1) must be published—*
 - (a) *in a newspaper circulating generally in the local government's area; and*
 - (b) *on the local government's website.*
- (3) *The local government must display in a conspicuous place in its public office a notice of the days and times when—*
 - (a) *its meetings will be held; and*
 - (b) *meetings of its committees will be held.*
- (4) *The local government must immediately notify any change to the days and times mentioned in subsection (1) or (3) in the same way as the days and times were previously notified.*

Written notice of each meeting, or adjourned meeting of a Local Government must be given to each Councillor at least 2 days before the day of the meeting unless it is impracticable to do so (section 258 (1) of the *Local Government Regulation 2012*).

Policy

Council's *Standing Orders 2018* state that the Local Government may, by resolution, fix dates and times for its Ordinary Meetings. Should there be no resolution fixing the time for an Ordinary Meeting, the Chief Executive Officer must fix the date and time for the meeting. If practicable, the CEO should consult with the Mayor before doing so.

Risk

There is no risk relevant to this report.

Previous Council Resolution

There is no previous council resolution relevant to this report.

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

Under Section 277 of the *Local Government Regulation 2012*, the Local Government must immediately notify any change to the days as published.

Implementation

Should Council accept the officer's recommendation, Council's website will be updated, a notice will be published as required by the legislation and Council's Communication Branch will assist with communicating this change.

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 - SUNSHINE COAST PLANNING SCHEME 2014 - PROPOSED SITE SPECIFIC (ADDITIONAL SOUTH EAST QUEENSLAND REGIONAL PLAN 2017 SITES AND OTHER ZONING MATTERS) AMENDMENT****File No:** Council meetings**Author:** Coordinator Planning Scheme and Projects
Customer Engagement & Planning Services Group

This report is confidential in accordance with section 275 (g) (h) of the *Local Government Regulation 2012* as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; AND other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

12 NEXT MEETING

The next Ordinary Meeting will be held on 24 April 2019 in the Council Chambers, Corner Currie and Bury Streets, Nambour.

13 MEETING CLOSURE