

Agenda

Ordinary Meeting

Thursday, 24 April 2014

commencing at 9.00 am

Council Chambers, Corner Currie and Bury Streets, Nambour

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1 DECLARATION OF OPENING

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

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

That the Minutes of the Special Meeting held on 25 March 2014, the Ordinary Meeting held on 27 March 2014 and the Special Meeting held on 31 March 2014 be received and confirmed.

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

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

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

5.2 DECLARATION OF CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS

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

6 MAYORAL MINUTE**7 PRESENTATIONS**

8 REPORTS DIRECT TO COUNCIL**8.1 CORPORATE SERVICES****8.1.1 QUARTERLY PROGRESS REPORT - QUARTER 3, 2013-2014**

File No:	4.16.4
Author:	Coordinator Corporate Plan Reporting and Risk Corporate Services Department
Appendices:	App A - Chief Executive Officer's Quarterly Progress Report - Quarter 3, 2013-2014 13
	App B - Operational Plan Activities Report - Quarter ended March 2014 35

PURPOSE

This report presents the Quarterly Progress Report for the period 1 January 2014 to 31 March 2014 – Quarter 3. This report has been prepared to inform council and the community on implementation of projects, activities and programs from council's Operational Plan 2013/2014 and implementation of council's Corporate Plan 2009-2014.

EXECUTIVE SUMMARY

Each quarter, council receives a progress report on the delivery of the corporate and operational plans. The report once adopted, is published and made available to the community.

Included are reports from the Chief Executive Officer and Directors, outlining achievements for the quarter in relation to the themes from council's corporate plan. The report also provides information on projects and activities adopted for 2013/2014 focused on forward planning, service delivery, capital works programs and organizational efficiencies. Financial reporting information is not included in the report. A Financial Performance Report is provided to council each month covering operating revenue and expenses and capital programs.

Directors have outlined in their reports that the 125 projects/ activities in the Operational Plan 2013/2014 are well underway and progress is detailed in Appendix B to this report.

Highlights from the quarter ended 31 March 2014 are:

- Following the commencement of the new Sunshine Coast Council from 1 January 2014 work is well underway to build the preferred working culture post de-amalgamation. A number of changes to accommodation have now been completed, to assist in building teams, achieve financial efficiencies and establish better connections between areas under the new organisational structure.

Building economic sustainability

- Council has received sign off from the Minister in relation to the Sunshine Coast Planning Scheme subject to conditions. Council is currently considering these conditions.
- Supported local business through \$115 million of council expenditure, for the eight months to the end of February 2014.

Building environmental sustainability

- Acquired 27 hectares of environmentally significant land at Cambronn through the Environment Levy program and finalised the first environmental off-set agreement at Doonan Environmental Reserve.

Building a sustainable community and lifestyle

- The Sunshine Coast Performance and Community Venues Plan and the Sunshine Coast Libraries Plan were released for public exhibition.
- Two sell-out performances achieved at council venues with performances by Neil Finn and the “Shake n Stir Theatre Company” with their performance of George Orwell’s 1984.
- The 22nd Mooloolaba Triathlon attracted 6,000 triathletes and 8,000 participants with 85% of competitors from outside the region.

Delivering good governance and quality service

- Revenue sources included approval of \$23.4 million by other levels of government and \$127.7 million levied through rate notices to 130,450 ratepayers.
- Around 85% of projects within council’s reseat program have been delivered and a number of high profile capital works projects were undertaken including work at Yandina Sports Complex, Beausangs Lane and Beerwah Rugby League Club.

OFFICER RECOMMENDATION**That Council:**

- receive and note the report titled “Quarterly Progress Report - Quarter 3, 2013-2014”**
- note the Chief Executive Officer’s Quarterly Progress Report – Quarter 3, 1 January to 31 March 2014 (Appendix A) and**
- note the Operational Plan Activities Report – Quarter ended March 2014 (Appendix B) reporting on the implementation of the Corporate and Operational plans.**

FINANCE AND RESOURCING

The cost of implementing the Operational Plan 2013/2014 was built into the Annual Budget 2013/2014.

CORPORATE PLAN

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.1 - Ethical, accountable and transparent decision-making
Strategy: 8.1.1 - Develop and implement a governance framework that provides transparent and accountable processes and enhances council’s reputation

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.2 - Effective business management
Strategy: 8.2.4 - Consolidate data, information and knowledge to improve council operations

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.6 - An informed and engaged community

Strategy: 8.6.3 - Keep the community informed about council's activities through a wide range of communication tools

CONSULTATION

Internal Consultation

Consultation has occurred widely within council to ascertain the status of projects and activities in the operational plan and this information was provided by each department of council.

External Consultation

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

Community Engagement

Community engagement in relation to projects and activities within the Operational Plan 2013/2014 will be undertaken where appropriate.

PROPOSAL

The Chief Executive Officer's Quarterly Progress Report – Quarter 3 (Appendix A) consists of the Chief Executive Officer's summary report and Directors' detailed reports. The purpose of the report is to inform council and the community on progress towards implementing the projects and activities set out in the Operational Plan 2013/2014 that align with the delivery of the Corporate Plan 2009-2014.

Directors have indicated that 90% of projects are in the planning phase or have commenced and 10% have been completed.

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

Status of Projects

The Operational Plan Activities Report – Quarter 3 ended March 2014 (Appendix B) provides details on the status of the 125 projects/ activities in the Operational Plan 2013/2014.

The report includes the status of each project/activity in the operational plan covering percentage complete, anticipated completion date and progress commentary.

Table 1 provides a summary on the status of all projects/activities in the Operational Plan.

Status	Number
Completed	12 (10%)
Underway	113 (90%)
Not started	0
Total	125

Table 1: Summary of all projects/activities in the Operational Plan

Implementation has been delayed on a small number of projects (8%). Work on these projects will continue into the next quarter and in some cases, the latter half on 2014.

An overview on achievements for the quarter is available in the Directors' reports which form Appendix A to this report.

Legal

There is a legislative requirement for council to provide a performance report on its progress in implementing the Corporate and Operational Plans. This report meets the requirements of the Local Government Act and Regulation.

Policy

There is no policy associated with the presentation of a quarterly progress report however it is a component of the Strategic Corporate Planning and Reporting Framework and a legislative requirement to provide a report on performance against the corporate and operational plans.

Risk

Directors have provided in their reports, an overview of departmental operations including the outlook for the future and any associated risks. In accordance with council's Enterprise Risk Management Framework, the risks and opportunities identified in relation to the quarterly progress report include:

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

Council has a risk register containing strategic and operational risks. Managers update this register on a quarterly basis, providing details of the actions taken during the quarter to mitigate risks within the identified risk areas.

The Office of the Mayor and Chief Executive Officer circulates a strategic risk report to all councillors and members of the Executive Leadership Team (ELT) on a quarterly basis.

Previous Council Resolution

The following reports have been adopted:

- Operational Plan 2013/2014 (SM 13/17)
- Quarterly Progress Report – Quarter 1 2013/2014 (OM13/219)
- Quarterly Progress Report – Quarter 2 2013/2014 (OM 14/1)

Related Documentation

- Corporate Plan 2009-2014 and Operational Plan 2013/2014
- Financial information is provided to council through the Financial and Capital Management report

Critical Dates

Quarterly Progress Reports are usually scheduled to be presented to council within four weeks of the end of the calendar quarter subject to the scheduled meeting cycle.

Implementation

Corporate Governance branch will manage the publication of the report, including making the report available on council's website and intranet.

The Chief Executive Officer and Directors will provide a verbal report to council at the Ordinary Meeting.

8.2 REGIONAL STRATEGY AND PLANNING**8.2.1 DEVELOPMENT APPLICATION FOR RECONFIGURATION OF A LOT 55 ATKINSONS ROAD WOOMBYE QLD 4559**

File No:	REC13/0166
Author/Presenter:	Development Planner Regional Strategy & Planning Department Principal Development Planner Regional Strategy & Planning Department
Appendices:	App A - Conditions of Approval 75
Attachments:	Att 1 - Plans Requiring Amendment 83

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/default.aspx?page=wrapper&key=1432552>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	R Austin, J Austin
Proposal	Development Permit to Reconfigure a Lot (3 Lots into 3 Lots)
Properly Made Date:	17/12/2013
Information Request Date:	Not applicable
Information Response Received Date:	Not applicable
Decision Due Date	24/04/2014
Number of Submissions	6 Properly Made
PROPERTY DETAILS	
Division:	5
Property Address:	55 Atkinsons Rd, Woombye
RP Description:	Lot 17 SP 101368, Lot 6 & 7 SP 199344
Land Area:	Lot 6 – 12.5 hectares Lot 7 – 5.76 hectares Lot 17 – 8.8 hectares
Existing Use of Land:	2 detached houses, cropping activities
STATUTORY DETAILS	
SEQRP Designation:	Regional Landscape and Rural Production Area
Planning Scheme	Maroochy Plan 2000 (16 September 2013)
Strategic Plan Designation:	Agricultural Protection Rural or Valued Habitat
Planning Area / Locality:	21 – Eudlo Creek Valley
Planning Precinct / Zone:	8 – General Rural Lands
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek council's determination of an application for a Development Permit to Reconfigure a Lot (3 Lots into 3 Lots) at 55 Atkinsons Rd, 32 Garrad and 12 Garrad Rd, Woombye. The application is before council at the request of the Divisional Councillor.

EXECUTIVE SUMMARY

The proposed development is for a 3 lot into 3 lot boundary rearrangement, which would result in three medium sized rural allotments being realigned into one large rural allotment and two small rural lifestyle lots.

The proposal raises issues of agricultural viability, additional traffic on Atkinsons Road and the safety of the intersection of Atkinsons Road and Woombye Montville Road, the accuracy of the submitted plans, constraints affecting existing and proposed easements on the site, and the protection of existing nearby agricultural uses.

The proposal is consistent with the intent of the planning scheme to consolidate rural land into larger, more productive land parcels. The proposal also results in all the significant environmental features on the site being contained within one lot, where they can be more consistently managed.

The proposal (as conditioned) would result in one additional lot gaining access off Atkinsons Road and one less lot gaining access off Garrad Road. This would result in a small increase in traffic using Atkinsons Road and the intersection of Atkinsons Road and Woombye Montville Road, but the increase is considered minor and insufficient to require any intersection upgrade works. Further, it would not result in a significant loss of amenity to existing residents of Atkinsons Road.

Issues regarding the accuracy of the plan of subdivision, and problems with current and proposed easements, have been rectified through the lodgement of amended plans, and through recommended conditions of approval.

The protection of existing surrounding agricultural uses has been taken into account with the two proposed rural lifestyle lots incorporating vegetated agricultural buffers around their perimeter to help mitigate any impact (e.g. spray drift, noise, etc.) from current and future agricultural activities located nearby.

The proposal does not result in the creation of any additional lots, but results in a more favourable configuration of the site with regard to agricultural viability and environmental management.

The application is recommended for approval subject to reasonable and relevant conditions.

OFFICER RECOMMENDATION

That Council APPROVE WITH CONDITIONS Application No. REC13/0166 and grant a Development Permit for a Development Permit to Reconfigure a Lot (3 Lots into 3 Lots) situated at 32 Garrad Rd, 12 Garrad Rd and 55 Atkinsons Rd, WOOMBIE, in accordance with Appendix A.

FINANCE AND RESOURCING

The proposed development would not trigger any infrastructure charges as it does not result in the creation of any additional lots.

PROPOSAL

The application seeks approval for a Development Permit for Reconfiguration of a Lot (3 Lots into 3 Lots).

The proposal is to rearrange the boundaries between the three lots that make up the subject site to change three medium sized rural allotments into one large rural allotment and two rural lifestyle lots.

The proposed lots sizes and frontage lengths are outlined in the table below:

Proposed lot number	Area	Road frontage
1	4,553m ²	20.8 metres to Atkinsons Road
2	7,274m ²	Access easement
3	25.923 Ha	351.393 metres in total (195m to Nambour Connection Road and 156m to Garrad Road)

Access to Lot 1 is proposed via the existing access to the dwelling from Atkinsons Road. Access to Lot 2 is proposed via an access easement through Lot 1 in favour of Lot 2. Access to Lot 3 is proposed via two existing access points onto Garrad Road and also from Atkinsons Road via an easement through proposed Lot 1. An existing easement through proposed Lots 1 and 2 remains allowing access to the adjoining property to the south (Lot 16 SP101368).

An agricultural buffer is proposed around the perimeter of Lots 1 and 2, comprising a 20 metre vegetated buffer strip, with a 10 metre cleared buffer zone either side (in which non-habitable structures and private open space areas are permitted).

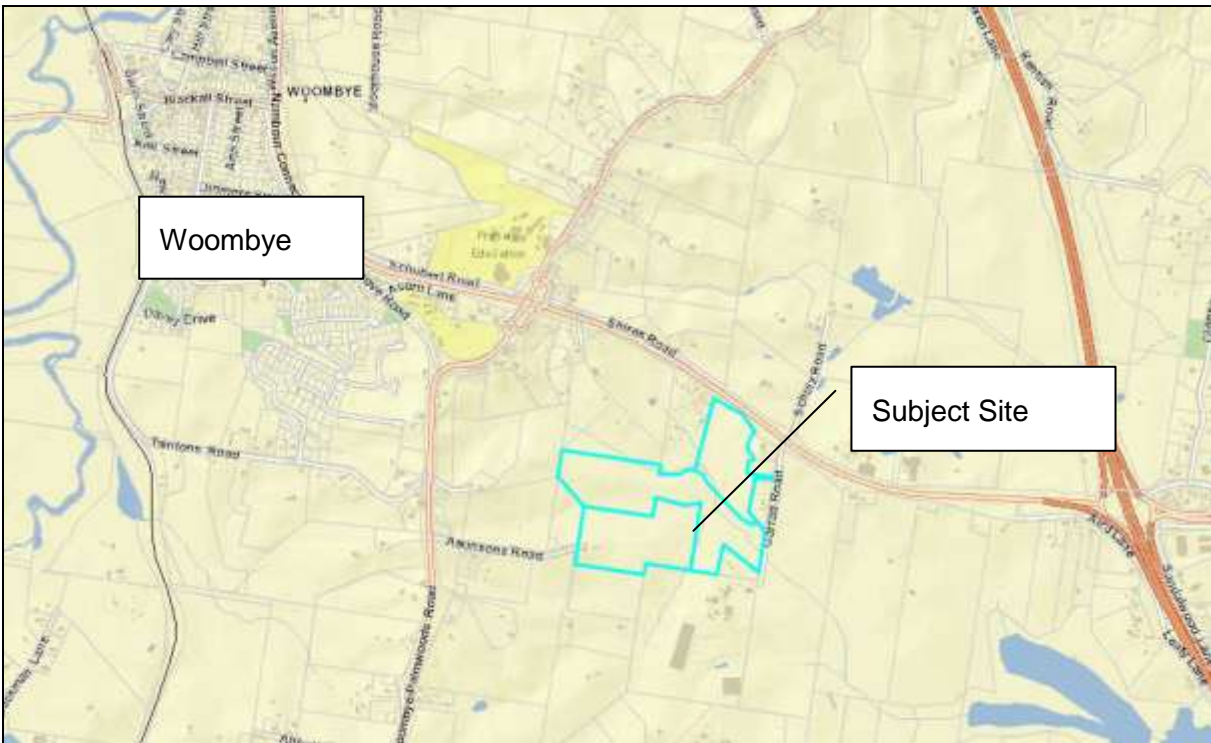
Proposed Lots 1 and 3 contain existing dwellings. Proposed Lot 2 would be vacant, but the location of a future dwelling on this lot would be constrained by the agricultural buffer proposed around the eastern, southern and western sides of this lot.

SITE DETAILS

Background/Site History

Site Description

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



The site is 27 hectares in size and comprises three medium sized rural allotments. The site has two existing dwellings in the eastern part of the site, as well as some farm sheds in the north-eastern part of the site.

The site contains a number of environmental features, including two third-order streams that flow through the site, converge towards the centre of the site and flow towards the east (part of the wider Eudlo Creek catchment). The riparian zones of these waterways are densely vegetated, and largely mapped as “of concern” remnant regional ecosystem vegetation. A parcel of vegetation adjacent to the dwelling on proposed Lot 3 is also mapped as “of least concern” remnant regional ecosystem vegetation.

The site contains undulating topography, with higher ground generally to the west and north, sloping down towards waterway gullies in the centre of the site and to the east.

Surrounding Land Uses

The site is located in an area characterised by small to medium sized rural allotments, containing small scale agricultural production or rural lifestyle lots. The site adjoins a caravan park site along part of its northern and western boundary. To the east, beyond Garrad Road, the site adjoins land known as the Big Pineapple.

ASSESSMENT

Framework for Assessment

Instruments for Statutory Assessment

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

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

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

Statutory Instruments – State and Other

State Planning Policies

The single State Planning Policy, December 2013, recently took effect superseding all previous State Planning Policies and is applicable to this application.

The single State Planning Policy has not been incorporated into the applicable version of the Maroochy Plan 2000. The application has, therefore, been assessed against Part E of the State Planning Policy: *Interim development assessment requirements*.

The proposed development has been found to generally comply with the regulatory provisions.

South East Queensland Regional Plan

The site is located within the Regional Landscape and Rural Production Area of the South East Queensland Regional Plan. The proposed development is consistent with the regional land use intent, regional policies and desired regional outcomes for the Regional Landscape and Rural Production Area.

State Planning Regulatory Provisions

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

- SEQ Regional Plan Regulatory Provisions

Statutory Instruments – Planning Scheme

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

Strategic Provisions

The proposed development does not compromise the achievement of any of the desired environmental outcomes of the planning scheme.

The subject site is designated for Agricultural Protection and Rural or Valued Habitat on the Strategic Plan map. The proposed development is consistent with these designations as it consolidates all agricultural land and all significant environmental features on the site into a single land holding. This would improve the agricultural viability of the site and ensure a more consistent approach to environmental management.

Local Area Provisions

The subject site is located in Planning Area 21 – Eudlo Creek Valley, Precinct 8 – General Rural Lands.

The precinct intent states: *“It is intended to allow for a wide range of rural activities within this precinct”*. The proposal is consistent with this aim by consolidating the productive rural activities into one larger lot, which is more viable for agricultural production, and the creation of two smaller rural lifestyle lots.

Land Use and Works Provisions

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

- Code for Reconfiguring Lots
- Code for Landscaping Design
- Code for Transport Traffic and Parking
- Operational Works Code

- Code for Integrated Water Management
- Code for Erosion and Sediment Control

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

Lot Sizes and Dimensions

The minimum lot size for the General Rural Lands precinct is 100 hectares. All three existing lots are well below the minimum lot size, with the largest being 12.5 hectares. The proposal is for the consolidation of the existing agricultural uses onto one 25.9 hectare lot and the transfer of the remaining two titles into smaller lots in the one part of the site that is not mapped Strategic Cropping Land. The proposal is, therefore, consistent with the planning scheme's intent for consolidation of agricultural holdings.

Given the minimum lot size for the precinct, no lot created can be further subdivided.

Access and Traffic Impacts

One of the existing lots gains access off Atkinsons Road while the other two gain access off Garrad Road. Under the proposed layout, all three lots would have access off Atkinsons Road, while the large lot would also retain access from Garrad Road. Therefore, two additional lots would gain access from Atkinsons Road.

Atkinsons Road has a 20 metre wide road reserve, but only a 3 metre wide, single lane sealed carriageway. The intersection of Atkinsons Road and Woombye Montville Road has sub-standard sight distances. Any increase in the number of vehicles using this intersection could place drivers at risk. The proposed development will result in a minor increase in traffic to this intersection. However, given the minor nature of the proposal, it would not be reasonable or relevant to require the applicant to undertake any intersection upgrade works.

Easement Issues

The proposed development includes an access easement through proposed Lot 1 in favour of proposed Lot 3, giving Lot 3 access to Atkinsons Road in addition to two access points off Garrad Road. This access easement would pass immediately in front of the existing dwelling on proposed Lot 1 and there is a large mango tree located in the middle of the proposed easement within proposed Lot 1. Further, given the narrow carriageway of Atkinsons Road and substandard intersection with Woombye Montville Road, it is preferable that access to proposed Lot 3 be limited to Garrad Road, and the easement through proposed Lot 1 in favour of Proposed Lot 3 be removed from the plans.

Access to Lot 2 is proposed from the end of Atkinsons Road via an easement through proposed Lot 1. Access to the adjoining property to the south (Lot 16 SP101368) would also utilise this easement as well as an easement along the western boundary of proposed Lot 2.

Some issues with the practicality and useability of this easement have been raised, and it appears the occupants of Lot 16 SP101368 have been informally utilising the adjoining access handle to the west (not part of the subject site). The access easement in question traverses in close proximity to the existing dwelling on proposed Lot 1 and is constrained by a power pole that is located within the easement. The image below shows the adjoining access handle to the right and the easement to the left (taken from the end of Atkinsons

Road). The power pole in the easement is also visible, with two wheelie bins placed next to it.



Conditions are recommended requiring construction of a concrete driveway within the easement through proposed Lot 1, as required by section 4.2.5.4 of Planning Scheme Policy No. 5 – *Operational Works*, which states:

“Construction of accesses and driveways will be required on lots with steep slopes to building sites, on lot frontages with visibility constraints and on access strips or access easements serving allotments.”

Construction of the driveway will trigger a further permit for Operational Works. It is envisaged that the current issues with this easement will be resolved through the Operational Works application and through construction of the driveway. If there is insufficient space adjacent to the power pole to construct a compliant driveway within the easement, then the power pole will need to be relocated (condition recommended accordingly).

The easement through proposed Lot 2 in favour of the adjoining property to the south does not need to be constructed, as this is a continuation of the current situation. However, the adjoining property to the south will benefit from the constructed section through proposed Lot 1, which will resolve the current constraints to the use of this section of the easement.

Protection of Existing Adjoining Agricultural Uses

The proposed development includes the establishment of agricultural buffers around the perimeter of the two rural lifestyle lots to help mitigate any impact (e.g. spray drift, noise, etc.) from current and future agricultural activities located nearby. The proposed agricultural buffer meets the requirements of the Code for Reconfiguring Lots and the State Planning Policy with regard to protection of existing agricultural uses.

Conditions are recommended requiring the establishment of the buffers as shown on the submitted plans, including densely planting out the vegetated sections of the buffers in accordance with an Operational Works approval. Conditions are also recommended requiring the registration of an agricultural buffer covenant over the buffer area.

Special Management Area Provisions

The following Special Management Areas are applicable to this application:

- Acid Sulfate Soils
- Bushfire Prone Areas
- Flood Prone Areas
- Steep or Unstable Land
- Nature Conservation Management Area
- Waterways, Wetlands and Fish Habitat Areas

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

Steep or Unstable Land

The only proposed lot that does not contain an existing dwelling is proposed Lot 2. Part of proposed Lot 2 is identified as having slopes of between 15% and 20%, and over 20% on Regulatory Map 1.3, but only a small portion (contained within a proposed agricultural buffer) is identified as low landslip hazard. The remainder is not affected by landslip special management area mapping. For this reason, it is considered proposed Lot 2 is suitable for construction of a future dwelling. However, given the slope of the site, council's engineering specialist has recommended a condition requiring the preparation of a geotechnical report to be submitted to council for endorsement as part of the Operational Works application. The geotechnical report will be required to provide specific recommendations for the construction of a dwelling on proposed Lot 2 and provide a certificate of stability which certifies that the lot is stable and be safely built upon. A condition and property note are also recommended requiring that any future dwelling on proposed Lot 2 is constructed in accordance with the recommendations of the geotechnical report.

Nature Conservation Management / Waterways

The site contains two mapped third-order streams. The Code for Waterways, Wetlands and Fish Habitat Areas seeks the provision of a 25 metre wide vegetated buffer to these waterways. The proposed development would not result in any additional lots fronting the waterways, or result in any additional boundaries traversing or abutting them. In fact, the proposal would result in the removal of existing boundaries that traverse these waterways. The waterways are largely already contained within vegetated buffers, and it would not be a reasonable or relevant imposition on the development to require additional waterway buffering or rehabilitation works in this instance.

Similarly, the proposed development would not result in any additional boundaries traversing or abutting mapped regional ecosystem vegetation on the site, which largely follows the waterways discussed above. The proposal would result in the removal of existing boundaries that traverse mapped regional ecosystem vegetation, thereby removing current clearing rights for fence line maintenance.

CONSULTATION

IDAS Referral Agencies

Not applicable.

Other Referrals

The application was forwarded to the following internal council specialists:

- Development Engineer, Engineering and Environment Assessment Unit
- Environment Officer, Engineering and Environment Assessment Unit

Their assessment forms part of this report.

Public Notification

The application was publicly notified for 15 days in accordance with the requirements of the *Sustainable Planning Act 2009* and 6 properly made submissions were received.

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

Issues	Comments
Proposal will create pressure for further subdivision along Atkinsons Rad	All of the properties on Atkinsons Road are designated Rural under the South East Queensland Regional Plan and the planning scheme. Subdivision that results in the creation of additional lots below 100 hectares is prohibited under the South East Queensland Regional Plan Regulatory Provisions, and is also not supported by the planning scheme.
Status quo should be maintained with 1 lot accessing from Atkinsons Road and 2 from Garrad Road.	Locating one of the proposed lifestyle lots on the Garrad Road frontage was investigated. However, as the entire site (other than the area of proposed Lots 1 and 2) is mapped as Strategic Cropping Land by the state government, locating any new lot boundaries through mapped Strategic Cropping Land would have triggered a concurrence agency referral to the state, who have advised they would be unlikely to support such a proposal.
Increase in traffic on Atkinsons Road <ul style="list-style-type: none"> • Single lane road in poor condition • Sight distance issues, particularly at intersection of Woombye Montville • Amenity impacts on existing residents of Atkinsons Road 	With the imposition of conditions (see discussion above), there will be one additional lot gaining access off Atkinsons Road. The increase in traffic generated by one additional lot will be minimal.
Encroachment of netting anchor poles from proposed Lot 3 onto adjoining property to the west.	Conditions are recommended requiring that certification from a licensed surveyor be submitted to Council prior to plan sealing confirming that there are no boundary encroachments. Any existing encroachments must be removed prior to plan sealing.

Issues	Comments
<p>There is no need for easement through proposed Lot 1 in favour of proposed Lot 3. It will add additional traffic to Atkinsons Road and cause additional amenity impacts to the residents of that road. It would also require removal of a 100 year old mango tree</p>	<p>Agree. Given the concerns with regard to safety and amenity associated with additional traffic using Atkinsons Road, it is considered reasonable that proposed Lot 3 be restricted to being accessed from Garrad Road only, to which it has two proposed access points. Further, the proposed easement through Lot 1 in favour of proposed Lot 3 would pass directly through the front yard of the existing dwelling on proposed Lot 1, adversely affecting the amenity of this lot, and may result in pressure for the large mango tree in front of this dwelling to be removed to facility vehicle access through the easement. Conditions are recommended requiring removal of this easement from plans.</p>
<p>Protection of existing rural uses with additional lifestyle blocks in proximity to operating agricultural uses.</p>	<p>The proposed layout includes agricultural buffers around the perimeters of both smaller lots, to buffer dwellings on these lots from the adjoining agricultural uses. Property Record Notations are also recommended for both these lots advising of the surrounding agricultural activities.</p>
<p>Accuracy of site boundaries and existing easements as shown on the proposed subdivision plan</p>	<p>The original plans lodged with this application included some inaccuracies with regard to the alignment of the western boundary of the site and the width of the adjoining access handle that forms part of Lot 16 RP 101368. These inaccuracies were rectified on the amended plans submitted to Council on 31 January 2014.</p>
<p>Easement A on SP101368 (the easement through proposed Lot 2 in favour of the adjoining property to the south) is constrained and impractical to use due to the steep fall away just south of the existing dwelling, the location of an electricity pole and lack of visibility at the entrance of the easement.</p>	<p>Conditions are recommended requiring construction of a sealed driveway from Atkinsons Road to the boundary of proposed Lot 2 through the easement over proposed Lot 1 in favour of proposed Lot 2 and the adjoining property to the south. The electricity pole will need to be relocated as part of the construction of the driveway if there is insufficient space within the easement to accommodate both. Conditions are also recommended requiring maintenance of the easement through proposed Lot 2 in favour of the adjoining property to the south, but this section of the easement does not need to be constructed as it is only maintaining the current situation.</p>
<p>Conflicted land use rights of having on easement in favour of two properties (easement through proposed Lot 1 in favour of proposed Lot 2 and the adjoining property to the south). Who will ensure the easement in favour of the adjoining lot to the south be maintained</p>	<p>It is not uncommon for one easement to be in favour of two different properties, as would be the case with the easement through proposed Lot 1 in favour of proposed Lot 2 and the adjoining property to the south. Conditions are recommended requiring registration of the easement through proposed Lot 2 in favour of the adjoining property to the south.</p>

Issues	Comments
Impossible to establish a dwelling on Proposed Lot 2 without being located within the Steep or Unstable Land Overlay	The slope across the building area of proposed Lot 2 is approximately 23%. Conditions are recommended requiring the preparation of a Geotechnical Report with specific recommendations for the construction of a dwelling on this Lot. The planning scheme detached house code also contains specific provisions for building on steep slopes.
Statement that the proposed development improves environmental outcomes for the site is incorrect	The proposed development results in all of the significant environmental features of the site being located within one land parcel. This will make them easier to manage. The proposal also removes boundaries that currently traverse waterways and tracts of mature vegetation, thereby removing clearing rights for fence-lines maintenance purposes.

DRAFT SUNSHINE COAST PLANNING SCHEME

The subject site is proposed to be zoned Rural under the draft Sunshine Coast Planning Scheme.

The application would trigger code assessment under the draft planning scheme, and would be affected by the following Overlays:

- Acid Sulfate Soils
- Biodiversity, Waterways and Wetlands
- Bushfire Hazard
- Landslide Hazard and Steep Land
- Biting Midges and Mosquitoes.

The development is generally consistent with the draft planning scheme.

CONCLUSION

The proposed development generally complies with the requirements of the planning scheme and does not raise any significant issues that cannot be addressed by reasonable and relevant conditions. The application is, therefore, recommended for approval.

APPENDIX A - CONDITIONS OF APPROVAL

1. APPLICATION DETAILS

Application No:	REC13/0166
Street Address:	32 Garrad Rd, 12 Garrad Rd and 55 Atkinsons Rd WOOMBYE QLD 4559
Real Property Description:	Lot 17 SP 101368 and Lots 6 and 7 SP 199344
Planning Scheme:	Maroochy Plan 2000 (16 September 2013)

2. DECISION DETAILS

The following type of approval has been issued:

Development Permit to Reconfigure a Lot (3 Lots into 3 Lots)

3. RELEVANT PERIOD OF APPROVAL

The relevant period for this development approval is 4 years starting the day that this development approval takes effect.

4. ASSESSMENT MANAGER CONDITIONS

PLANNING

When conditions must be Complied With

1. Unless otherwise stated, all works required by the conditions of this Decision Notice must be completed prior to submission of the subdivision plan to Council for compliance assessment

Approved Plans

2. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans listed within this Decision Notice. The Approved Plans must be amended to incorporate the amendments listed within this Decision Notice and resubmitted to Council prior to the issue of any Development Permit for Operational Works*

**(Refer to Advisory Note)*

3. All lot numbering on the subdivision plan to be submitted to Council for compliance assessment must remain as shown on the Approved Plans.

Boundary Encroachments

4. Certification must be submitted to Council from a Licensed Surveyor which certifies that:

- (a) the boundary clearances for any existing buildings remaining on the site comply with the relevant provisions of the planning scheme and the *Building Act 1975*, unless varied by this Decision Notice
- (b) all constructed access and roadworks (including associated fill batters and retaining walls) are fully contained within a dedicated reserve or registered easement
- (c) all existing and proposed utility services and connections (eg. electricity, telecommunications, water, sewerage) are wholly located within the lot they serve, or alternatively included within an easement where location within the lot is not possible
- (d) all existing effluent disposal areas are wholly located within the lot they serve and comply with the boundary setback requirements of *the Plumbing and Drainage Act 2002* and associated codes and requirements
- (e) all dams (including ponded water, dam walls and associated spillway structures) are wholly located within the boundaries of a single lot
- (f) all retaining walls and structures are fully contained within the lot they retain
- (g) any fill, including fill batters, are wholly contained within the subject site and not on adjacent properties
- (h) any other improvements or structures (e.g. agricultural equipment, netting structures and the like) are contained entirely within the boundaries of the lot they are associated with.

Maintenance of Access Easement to Lot 16 SP 101368

- 5. Minimum 10m wide access easements must be registered against the titles of proposed Lot 1 and 2 in favour of Lot 16 SP101368. The easements must be located adjacent to the western boundary of the site for the full length of proposed Lot 2 and through proposed Lot 1 north from the southern boundary for a minimum length of 10 metres

CIVIL ENGINEERING

Site Access and Driveways

- 6. A sealed access driveway must be provided from Atkinsons Road to proposed Lot 2. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - (a) a sealed driveway crossover generally in accordance with Council standard drawing IPWEAQ R-050
 - (b) a sealed driveway a minimum three (3.0) metres wide on a five (5.0) metre formation for the full length of each access easement proposed through Lot 1 to cater for Lot 2 including underground service conduits (as required) for all utility services
 - (c) relocation of existing infrastructure within the easement as necessary to accommodate the driveway
 - (d) cut and fill batters required to provide the sealed driveway must to be fully contained within the access easement
 - (e) the driveway must be constructed with either reinforced concrete or with compacted gravel pavement with a two coat bitumen or AC seal. The final pavement design will be endorsed as part of the Operational Works approval.

7. Vehicle access to Lot 3 is limited to established access points along Garrad Road only. A clause must be included in the contract of sale for Lot 3 which prohibits vehicle access being taken from Nambour Connection Road.

Stormwater Drainage

8. Stormwater runoff from the development must be disposed of on-site without causing scour or damage to the subject site or any adjoining property.

Electricity and Telecommunication Services

9. Reticulated electricity and telecommunication services must be provided to each lot in accordance with an approval for Operational Works and the standards and requirements of the relevant service provider.
10. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary conduits, pits and pipes to accommodate the future connection of optic fibre technology telecommunications.
11. Certification must be submitted to Council from all relevant service providers which certifies that the development has met the requirements of this Decision Notice and all applicable legislation at the time of construction.

Easements

12. Easements for drainage purposes must be registered in favour of:
 - (a) Lot 1 against the title of Lot 3, to provide a lawful point of stormwater discharge from Lot 1, and
 - (b) Lot 2 against the title of the adjacent property of Lot 16 on SP101368 to provide a lawful point of stormwater discharge from Lot 2.The easement within Lot 16 on SP101368 will be required to be granted in conjunction with the plan sealing process associated with this approval.
13. All easements must be designed in accordance with the planning scheme and granted at no cost to the Grantee. Where the Grantee is Council or a service authority, the easement documentation must be in accordance with the Grantee's standard easement terms. Draft easement documentation must be submitted to Council for endorsement.
14. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.

Geotechnical Stability

15. All subdivisional works must be carried out in accordance with a Geotechnical Report (or part thereof) prepared by a qualified person* and endorsed through an Operational Works approval. The Geotechnical Report must include a site-specific geotechnical investigation for proposed Lot 2 which identifies the building foundation requirements and stability considerations necessary for each future dwelling (and their associated ancillary structures) to maintain the stability of the dwelling in the long term. The report must include a certificate of stability which certifies, verbatim, that: *"the lot is stable, can*

be safely built upon, and has a factor of safety in excess of 1.5, both prior to the development and in the long term"

**(Refer to advisory Note)*

ENVIRONMENTAL HEALTH

Agricultural Buffers

16. A continuous agricultural buffer must be provided as identified on the Approved Plans. The vegetated sections of the buffer as shown on the approved plans must be densely planted in accordance with an Operational Works approval. The buffer must be established and maintained in accordance with an Operational Works approval and the requirements in Appendix 2 of Guideline 2: *Separating Agricultural and Residential Land Uses* for State Planning Policy 1/92.
17. An agricultural buffer covenant must be registered against the titles of the properties over the area identified as agricultural buffer on the Approved Plans pursuant to Section 97A of the *Land Title Act 1994*. The covenant document and a survey plan must be submitted to Council for endorsement prior to lodgement with the relevant titles authority for registration of title. The covenant document must:
 - (a) incorporate the requirements of this Decision Notice
 - (b) include Sunshine Coast Regional Council as Covenantee
 - (c) reference Queensland Land Title Registry Standard Terms Document No. 715219874.
18. The obligations of the registered covenants must be complied with by the applicant and all successors in title.

5. REFERRAL AGENCIES

Not Applicable.

6. APPROVED PLANS

The following plans require amendment prior to becoming Approved Plans for the development:

Plans Requiring Amendment

Plan No.	Rev.	Plan Name	Date
52453 Sheet 1 of 2	A	<i>Proposed Boundary Realignment between Lot 17 on SP101368 & Lots 6 & 7 on SP199344</i> , prepared by Murray and Associates	26/11/13
Amendments		1. Amend to remove the proposed 10 metre wide easement within Lot 1 to benefit Lot 3 and extend the agricultural buffer within Lot 1 to the western boundary of the site.	
52453 Sheet 2 of 2	A	<i>Proposed Boundary Realignment between Lot 17 on SP101368 & Lots 6 & 7 on SP199344</i> , prepared by Murray and Associates	26/11/13

Amendments	1. Amend to remove the proposed 10 metre wide easement within Lot 1 to benefit Lot 3 and extend the agricultural buffer within Lot 1 to the western boundary of the site.
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7. REFERENCED DOCUMENTS

Not Applicable.

8. ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

PLANNING

Other Laws and Requirements

1. This approval relates to development requiring approval under the *Sustainable Planning Act 2009* only. It is the applicant's responsibility to obtain any other necessary approvals, licences or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licences or permits may be found in the "Laws & Permits" page of the Sunshine Coast Council website (www.sunshinecoast.qld.gov.au). For information about State and Federal requirements please consult with these agencies directly

Resubmission of Amended Plans Required

2. The conditions of this Decision Notice require resubmission of plans to Council with amendments. Please address the amended plans to Council's Planning Assessment Branch with the Reference No. REC13/0166, separate to any Operational Works application. To avoid delays and assessment issues with the Operational Works application, it is recommended the plans be resubmitted prior to lodgement of any Operational Works application. However, should the plans not be submitted, the applicant is advised that a Preliminary Approval may be issued in lieu of a Development Permit.

Aboriginal Cultural Heritage Act 2003

3. There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*.

The *ACH Act* establishes a cultural heritage duty of care which provides that: "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land and Resources Tribunal, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Co-ordination Unit on 07 3239 3647 to discuss any obligations under the *ACH Act*.

CIVIL ENGINEERING

Building and Construction Industry (Portable Long Service Leave) Levy

4. The QLeave levy must be paid prior to the issue of a development permit where it is required. Council will not be able to issue a Decision Notice without receipt of details that the Levy has been paid. QLeave contact: 1800 803 481 (free call) or (07) 3212 6855.

(Note: The non-payment of the Portable Long Service Leave Levy (if applicable) may cause a Preliminary Approval to be issued for an Operational Works Permit if the matter is not resolved by the completion of the Decision Period. It is recommended to make payment at the time of the application, if payment is applicable to the scope of the works)

Co-ordination of Operational Works Assessment

5. Additional application fees apply to Operational Work applications where the different aspects of the works are lodged separately. Significant savings in application fees will result if all works are lodged in a single application.

Qualified Person

6. For the purpose of preparing a Geotechnical Report, and for certifying geotechnical stability for the development, a qualified person is considered to be a person who:
 - (a) is a Registered Professional Engineer of Queensland (RPEQ); and
 - (b) has a degree in civil engineering or engineering geology; and
 - (c) has a minimum of 5 years experience in the field of geotechnical engineering or engineering geology.

Preparation of a Preliminary Construction Management Plan

7. A preliminary Construction Management Plan must be submitted with the Operational Works application and must address the following:
 - (a) appropriate traffic signage in accordance with the Manual of Uniform Traffic Control Devices (MUTCD)
 - (b) provision for safe pedestrian access across the frontage of the site both during daily construction and after daily construction has ceased.
 - (c) it is acknowledged that the preliminary Construction Management Plan will be a draft document requiring finalisation upon appointment of the Principal Contractor employed to construct the works and a final document will be required to be submitted at the Pre-Start Meeting for the project.

9. PROPERTY NOTES

The following property notes will be placed against the subject property in council's property record system:

REC13/0166 - Geotechnical Stability

1. *The following notation applies to approved Lots 1 and 2:*

To ensure the geotechnical stability of this lot is maintained, all buildings and structures must be sited and/or constructed in accordance with the geotechnical conditions of Council Approval REC13/0166 and associated Operational Work approvals.

REC13/0166 - Agricultural Buffer

2. *The following notation applies to approved Lots 1 & 2:*

An agricultural buffer has been established on this lot to help mitigate any impact (eg. spray drift, noise etc) from current and future agricultural activities located nearby. The owner is responsible for the maintenance of the agricultural buffer in accordance with Appendix 2 of Guideline 2: *Separating Agricultural and Residential Land Uses* for State Planning Policy 1/92 and the terms of the agricultural buffer covenant registered over the lot.

REC13/0166 – Property Access Driveway

The following notation applies to approved Lot 3

3. To ensure the safety and efficiency of the road network, vehicle access to this lot must be from Gerrard Road only (refer to Council Approval REC13/0166). No direct access is permitted from Nambour Connection Road.

10. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME

Not Applicable.

11. FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Work (Driveway and Landscaping)

12. SELF ASSESSABLE CODES

The following codes for self-assessable development related to the development approval issued under this Decision Notice must be complied with.

For Detached House:

- Code for Detached Houses and Display Homes

13. SUBMISSIONS

There were 6 properly made submissions about the application. In accordance with *Sustainable Planning Act 2009*, the name and address of the principal submitter for each properly made submission is provided and attached.

14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

Not Applicable.

15. RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Sustainable Planning Act 2009* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a “negotiated decision notice” will be issued. Only one “negotiated decision notice” may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a “negotiated decision notice”.

16. OTHER DETAILS

If you wish to obtain more information about council’s decision, electronic copies are available on line at www.sunshinecoast.qld.gov.au or at council offices.

8.2.2 DEVELOPMENT APPLICATION FOR RECONFIGURATION OF A LOT 187 OCEAN VISTA DRIVE MAROOCHY RIVER QLD 4561

File No:	REC13/0171
Author/Presenter:	Development Planner Regional Strategy & Planning Department Principal Development Planner Regional Strategy & Planning Department
Appendices:	App A - Conditions of Approval 105
Attachments:	Att 1 - Plan Requiring Amendment 117

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/default.aspx?page=wrapper&key=1434358>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Mrs MH Hale
Proposal	Development Permit to Reconfigure a Lot (1 Lot into 2 Lots)
Properly Made Date:	20/01/2014
Information Request Date:	Not applicable
Information Response Received Date:	Not applicable
Decision Due Date	29/04/2014
Number of Submissions	43 Properly Made 2 Not Properly Made All submissions objected to the proposal
PROPERTY DETAILS	
Division:	9
Property Address:	187 Ocean Vista Drive, Maroochy River
RP Description:	Lot 99 RP 912954
Land Area:	11,070m ²
Existing Use of Land:	Detached House
STATUTORY DETAILS	
SEQRP Designation:	Rural Living Area
Planning Scheme	Maroochy Plan 2000 (16 September 2013)
Strategic Plan Designation:	Rural or Valued Habitat
Planning Area / Locality:	24 - Yandina Creek Valley Planning Area
Planning Precinct / Zone:	7 – Sustainable Rural Residential
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek council's determination of an application for Development Permit to Reconfigure a Lot (1 Lot into 2 Lots) at 187 Ocean Vista Drive, Maroochy River. The application is before council due to the number of submissions objecting to the proposed development that have been received.

EXECUTIVE SUMMARY

The proposal seeks to subdivide an existing rural residential property within the Ninderry Rise Estate into two rural residential lots, comprising a 5,000m² lot to contain the existing dwelling and an adjacent 6,066m² vacant lot.

The three most significant issues presented by the application are its potential impact on local character as a result of its proposed lot sizes and dimensions, geotechnical stability as a result of 50% site slopes, and potential environmental impacts as a result of vegetation clearing. In relation to all of these matters, the application has been found to comply with the development outcomes required by the planning scheme codes and, therefore, warrants approval.

The proposed development would not alter the existing character of the Ninderry Rise Estate and is unlikely to set a precedent for further subdivision owing to the lack of lots that display the same characteristics in favour of development.

The steepness of the site, while significant and likely to create high construction costs, is unlikely to pose unacceptable risks of landslip due to the characteristics of the ground conditions with stable and shallow rock depths. Geotechnical recommendations are able to govern the construction of a stable dwelling.

Vegetation clearing for a new dwelling is not considered to be significant in terms of species type and the context of the broader Ninderry range, and can be offset by benefits including revegetation, weed removal, and long term protection of the majority of the site under a statutory covenant with council.

45 submissions objecting to the development were received, principally on the grounds of perceived impacts to residential amenity and lifestyle and compliance with the planning scheme. The issues raised by submitters have been documented and addressed in this report.

Overall, the proposed development has been assessed on its merits, and found to be compliant with, or can be conditioned to comply with the Performance Criteria of all applicable codes and the desired character of the precinct in which it is located. The application is, therefore, recommended for approval subject to reasonable and relevant conditions.

OFFICER RECOMMENDATION

That Council APPROVE WITH CONDITIONS Application No. REC13/0171 and grant a Development Permit to Reconfigure a Lot (1 Lot into 2 Lots) situated at 187 Ocean Vista Drive, Maroochy River, in accordance with Appendix A.

FINANCE AND RESOURCING

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

Council's Infrastructure Policy Branch has provided the following estimate of the infrastructure charges required by this development:

ADOPTED INFRASTRUCTURE CHARGE AMOUNT = @ Dec 2013 index			\$16,200
Allocation of adopted infrastructure charge to trunk infrastructure networks	Calculated Charge	Offset/Rebate or other	Amount Payable
Transport	\$6,874	\$0.00	\$6,874
Public Parks & Land for Community Facilities	\$8,593	\$0.00	\$8,593
Stormwater (applicable to Residential development)	\$1,719	\$0.00	\$1,719
Stormwater (applicable to Non-Residential development)	\$0	\$0.00	\$0
TOTAL =	\$17,186	\$0.00	\$17,186

PROPOSAL

The application seeks approval for a Development Permit to Reconfigure a Lot (1 Lot into 2 Lots).

The proposal seeks to subdivide the existing lot into two to create a new vacant lot with a frontage to Ocean Vista Drive. The development would produce a 5,000m² allotment on the eastern side of the Ocean Vista Drive frontage to accommodate the existing dwelling, and a new 6,066m² vacant allotment on the western side. The development proposes a building envelope on the upper slope of the new vacant lot, near to the road frontage, to allow for the construction of a new dwelling on Ocean Vista Drive similar to the established pattern of housing along the street.

Both proposed lots would be long and narrow, with their boundaries extending down the escarpment towards the rear of the subject site. Due to the steep topography of the site, the only useable area on each lot would be the area adjacent to the road frontage.

The proposed lot sizes and dimensions are as follows:

Proposed lot	Size	Frontage	Slope*
1	5,000m ²	41.6m	50%
2	6,066m ²	28.9m	Existing dwelling

* *Slope is measured across the building area, in accordance with planning scheme administrative definition of the term*

The existing dwelling on proposed Lot 1 is located off-centre and on the flattest part of the site near to the eastern boundary. The building envelope for proposed Lot 2 has a slope of 50% and would be located in the space along the road frontage created by the off-centre positioning of the existing dwelling. The proposed building envelope for Lot 2 is currently shown as a 15 metre x 20 metre rectangle that is set back approximately 7 metres from the front and both side boundaries of the proposed lot.

The applicant has not specified an access point for proposed Lot 2, and advises this will be up to the future owner of the lot. However, given the topographical constraints of the lot, it is recommended that a driveway be constructed as a condition of any approval for the subdivision. The crossover would need to be located in the south-western corner of the site, being the lowest point along the road, with the driveway to follow the contours of the land and provide access to a future garage on the eastern side of the building envelope. Any other location or type of driveway is expected to be too difficult to achieve safe gradients while still allowing for visitor parking and turning around on site.

Wastewater from the future residence on proposed Lot 2 is proposed to be directed to a suitably sized Household Sewage Treatment Plant licensed to produce at least secondary standard effluent. The household treatment plant would be connected to a surface or shallow subsurface drip irrigation system, located downslope of the building envelope.

The proposal would result in some loss of vegetation (expected to be 10 gums and 20 macarangas) for construction of a driveway, dwelling and bushfire protection zone on proposed Lot 2. The required clearing is proposed to be limited as much as possible, with cleared vegetation to be offset by new trees planted elsewhere on the site. Vegetation would be maintained or replaced along the street frontage to minimise the impact of the development on the existing streetscape character.

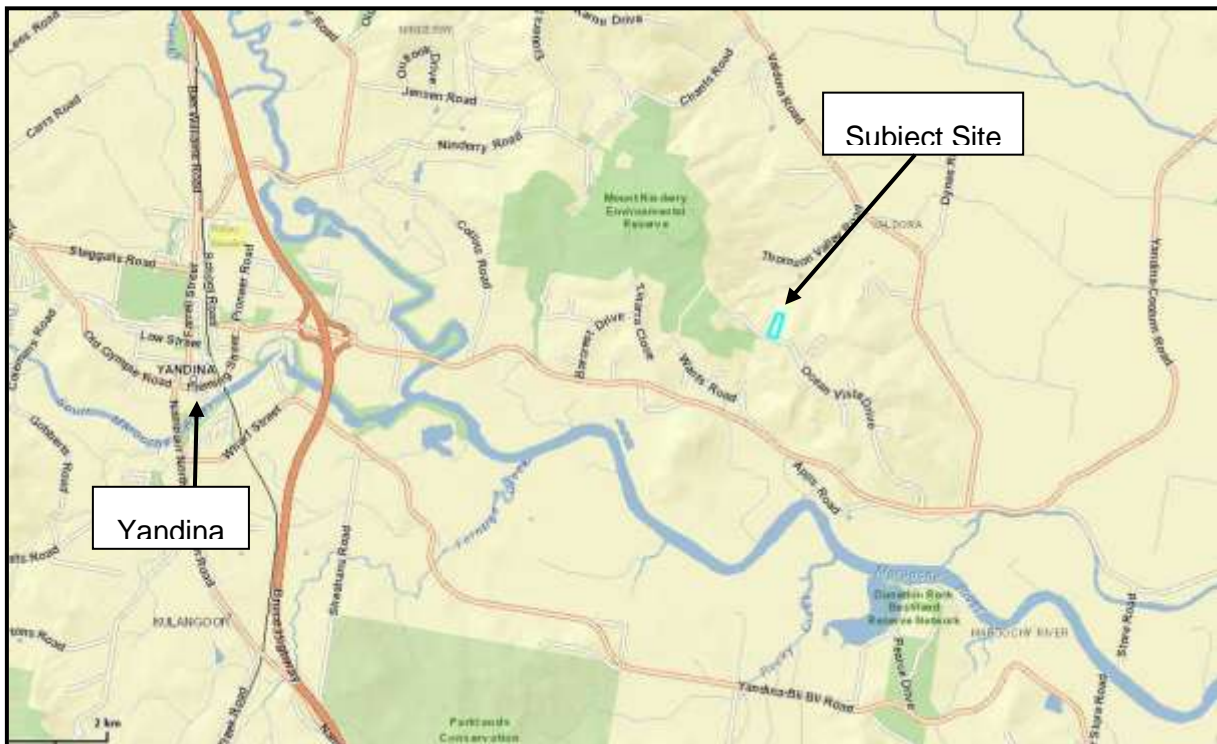
SITE DETAILS

Background/Site History

The Ninderry Rise Estate, of which the subject site forms a part, was subdivided on a staged basis during the 1990s. The subject site was created as part of the final stage of the development, with the current survey plan being sealed in 1997. The existing dwelling on proposed Lot 1 was granted building approval in 2006.

Site Description

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



The site is located towards the north-western end of the Ninderry Rise Estate, not far from the summit of Mt Ninderry. This end of the estate is characterised by long narrow lots that slope away from the road on the ridgeline, with dwellings located on the upper slopes

adjacent to the road frontage. This results in a relatively visible and frequent spacing of dwellings along the street when compared to a more traditional rural residential area.

The subject site is steep with slopes at approximately 50% grades and almost fully covered by a 20 to 50 year old regrowth eucalypt forest identified as an “of concern” Regional Ecosystem under the *Vegetation Management Act 1999*.

The subject site is affected by the following Special Management Areas identified in the Maroochy Plan 2000:

- Steep or Unstable Land
- Bushfire Prone Areas
- Nature Conservation Management Area

Surrounding Land Uses

The surrounding uses are predominantly rural residential and lifestyle dwellings mixed with vegetated conservation lands on the slopes and ridges that lead up to the summit of Mt Ninderry. The lower lying lands surrounding Ninderry are primarily open cane land that forms part of the Maroochy River floodplain.

The Ninderry Rise Estate is centered around a 2.3km long meandering access cul-de-sac road (Ocean Vista Drive) that heads steeply up the ridgeline from its intersection with Yandina-Coolum Road. Despite being a rural residential estate, much of the estate has a very “urban residential” character and form with its wide, kerb and channeled road profile, houses relatively close to and addressing the street, and private gardens dominating the streetscape.

The visual character of Ocean Vista Drive changes dramatically at its north-western end (at about the location of the subject site) where the road profile narrows and the streetscape is dominated by natural forested vegetation and longer range views as a result of the land dropping away steeply on both sides of the road.

ASSESSMENT

Framework for Assessment

Instruments for Statutory Assessment

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

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

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

Statutory Instruments – State and Other

State Planning Policy

The single State Planning Policy, December 2013, recently took effect superseding all previous State Planning Policies, and is applicable to this application.

The single State Planning Policy has not been formally incorporated into the current Maroochy Plan 2000. The application has, therefore, been assessed against Part E of the State Planning Policy: *Interim development assessment requirements*. The following State interests under Part E are triggered for the proposed development:

- Biodiversity (for containing mapped protected vegetation)
- Natural hazards (for having a slope greater than 15% and for being within a bushfire hazard area)
- State transport infrastructure (for having a site area greater than 5,000m²).

The State interest requirements of the State Planning Policy are broad provisions that directly overlap with provisions already contained in council's planning scheme (and which are discussed elsewhere in this report). However, for completeness, the following brief assessment is provided.

With regard to Biodiversity, development is required to avoid significant adverse environmental impacts or, where avoidance is not possible, mitigate and offset those significant adverse environmental impacts. For the reasons explained later in this report, it is not considered the proposal would cause significant environmental impacts, and offsets can be achieved through vegetative rehabilitation and statutory protection elsewhere on the site.

With regard to Natural Hazards, all properties having a slope greater than 15% are triggered by the State Planning Policy regardless of their actual potential for landslip. As explained later in this report, the development can be adequately mitigated from both bushfire and landslip risks by development conditions that reflect the submitted technical recommendations for dwelling construction.

Despite being triggered for assessment, the State transport infrastructure requirements of the State Planning Policy relate primarily to public transport facilities and have no relevance to the subject application.

South East Queensland Regional Plan

The site is located within the Rural Living Area of the South East Queensland Regional Plan. The South East Queensland Regional Plan does not prescribe lot size requirements for rural residential development in Rural Living Areas, but instead states:

“Rural residential areas with the Rural Living Area can continue to be developed for rural residential purposes according to the relevant local government planning scheme requirements.”

Section 8.11 of the Regional Plan espouses general principles to consolidate rural residential development into allocated areas to avoid further land fragmentation and to promote a more efficient and sustainable use of land.

The proposed development is consistent with the regional land use intent, regional policies and desired regional outcomes for the Rural Living Area.

State Planning Regulatory Provisions

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

- Draft Amendment to SEQ Regional Plan Regulatory Provisions

The SEQ Regional Plan Regulatory Provisions do not contain provisions that specifically relate to subdivision in the Rural Living Area designation under the Regional Plan.

Statutory Instruments – Planning Scheme

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

Strategic Provisions

The subject site is located within an area identified on the Strategic Plan map as a “Permissible Area for Rural Residential”. Section 3.5.8 of the Strategic Plan states that:

“the Permissible Area For Rural Residential identifies locations within which rural residential may be supported and is based on areas which are committed to rural residential development or are appropriate for this use, having regard to location, topography, land resources and existing land uses.”

The subject site is also located within the “Rural or Valued Habitat” strategic land use designation of the Strategic Plan, which provides that:

“While it is intended that rural and non-urban uses and the retention of valued habitat should be the dominant activities occurring in the Rural or Valued Habitat areas, the allocation provides for a range of other uses suited to establishing in rural areas. ... These uses may include but are not limited to rural industries, tourist and accommodation facilities appropriate to a rural area and animal husbandry and rural residential in the Permissible Area for Rural Residential.” (Emphasis added).

The proposed development is for rural residential purposes and, therefore, is consistent with these strategic land use statements of intent. Other strategic statements about the preservation of significant vegetation and other natural features is addressed in more detail in the planning scheme codes and discussed later in this report.

Local Area Provisions

The subject site is located in Planning Area 24 – Yandina Creek Valley, Precinct 7 – Sustainable Rural Residential.

The proposal is consistent with the precinct intent. The preferred and acceptable uses section of the precinct intent states:

“Preferred uses within the Precinct are those referred to in the Table of Development Assessment (refer Vol 1) for the Rural Residential Precinct Class. Detached housing and ancillary uses, including domestic-scale rural activities, on lots generally without reticulated water and sewerage, are expected to predominate.” (MP2K, Vol. 3, p319).

The precinct intent outlines the expectation that it remains predominately used for rural residential purposes in ways that are sustainable in terms of the area’s environmental values and physical capacities.

This requires consideration of the issues of:

- environmentally sustainable waste and effluent management
- protection of sensitive habitats
- minimisation of landform alteration, potential for groundwater contamination, bushfire hazard, vegetation clearing, and erosion
- management of declared and other environmental weeds.

These considerations have been assessed and the proposal found acceptable (subject to conditions) for the reasons stated later in the Overlay Provisions section of this report.

The precinct intent also requires that particular emphasis be given to protection of the vegetation on the range and associated ridgelines. Notably, Precinct 7 is a large precinct that contains the whole of the Ninderry range area and stretches north to North Arm-Yandina Creek Road. The applicant proposes to address vegetative ridgeline issues by offering protection of the majority of vegetation on the site through a statutory covenant held with council. Such covenant would ensure protection of the remaining vegetation on site to ensure that its portion of Ninderry's south-eastern escarpment remains vegetated for the long term. The proposed clearing of some trees on the upper slopes of the site for placement of an additional dwelling between other the existing dwellings on the ridgeline has been assessed as having minimal impact for longer range views from the north. It would be clearing of the more intact vegetated lower slopes of escarpment that would have the greater impact for longer range views, but no such clearing is proposed.

With regard to amenity and character, the landscape and built form provisions of the precinct intent require that:

- semi-rural and rural residential amenity is maintained
- the area's scenic and natural forested character is respected for its landscape and cultural heritage values
- development remains subordinate to the natural landscape and unobtrusive when viewed from major roads and prominent public vantage points
- landscape treatment to major access roads screens development and retains the bushland character currently experienced along these scenic routes
- colours and building materials minimise visual contrast and reflectivity.

The proposed development of a single additional dwelling would comply with these provisions. The amenity and character aspects of the proposal are discussed in detail below. The future dwelling on proposed Lot 2 would be located below the road, and partially screened behind vegetation at the frontage of the lot. The building colours used for the future dwelling on Proposed Lot 2 can be restricted by conditions of approval to ensure it is non-reflective and blends into the natural landscaping. Cleared vegetation can be offset with rehabilitation of existing cleared areas on the site, and the rehabilitated areas together with the remaining vegetation on the site can be protected under a statutory vegetation covenant. This will ensure the development remains subordinate to the natural landscape, screened from access roads and that the building colours and material minimise visual contrast and reflectivity.

Overall, the proposal is consistent with the planning area and precinct intent.

Land Use and Works Provisions

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

- Code for Reconfiguring Lots
- Operational Works Code
- Code for Transport Traffic and Parking
- Code for Integrated Water Management
- Code for Landscaping Design

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

Lot Sizes and Dimensions

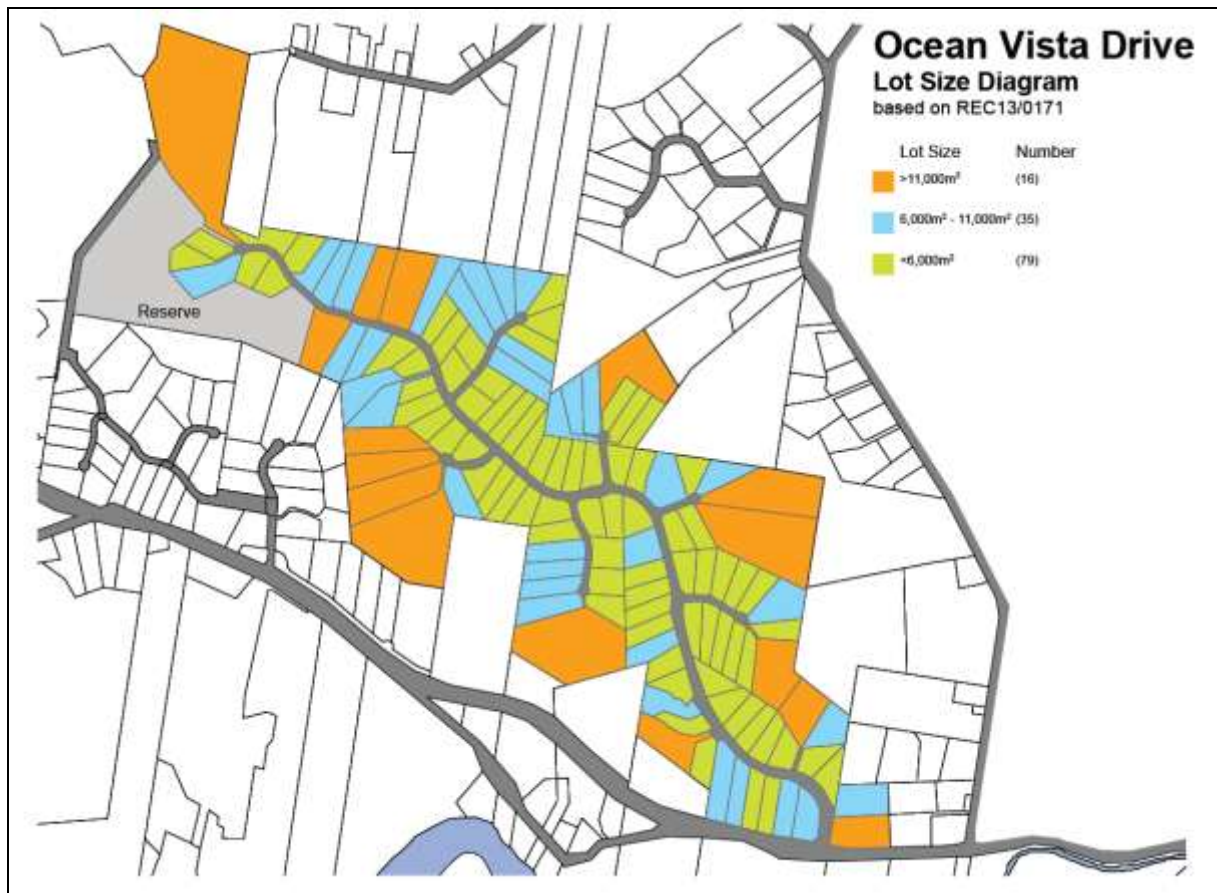
With regard to lot sizes and dimensions, application does not comply with the “deemed to comply” Acceptable Measures of the Code for Reconfiguring Lots that require a minimum lot size of 6000m², an average lot size of 8000m² and a minimum road frontage of 50 metres. As there is a conflict with these Acceptable Measures, the following detailed assessment is provided against the Performance Criteria of the Code, which represents the real outcomes that must be achieved by the development to satisfy the Code:

P1 Lot size and dimensions:

(a) are consistent with the desired character of the precinct in which the lot is situated;

Proposed Lot 1 is 5,000m² with a frontage of 40 metres, while proposed Lot 2 is 6,000m² with a frontage of 30 metres.

The map below provides an illustration of the break-down of lot sizes within the Ninderry Rise Estate. The majority of the lots within the estate (79 lots or 53%) are smaller than the minimum lot size of 6,000m². A total of 29 lots, or 35% of all lots, with frontage to Ocean Vista Drive are smaller than the 5,000m² being proposed by the applicant. Even at the northern end of the estate, which exhibits a more informal vegetated character than the southern end, half of the existing lots are less than 6,000m². Given the prevalence of smaller sized rural residential allotments within the estate, as well as some larger lots that boost the average lot size to 8,995m² (above the desired 8,000m²), it is not considered that the proposed 1 into 2 lot subdivision would alter this balance or result in a detrimental impact on the character of the estate. It would instead constitute a continuation of the existing pattern of development along Ocean Vista Drive.

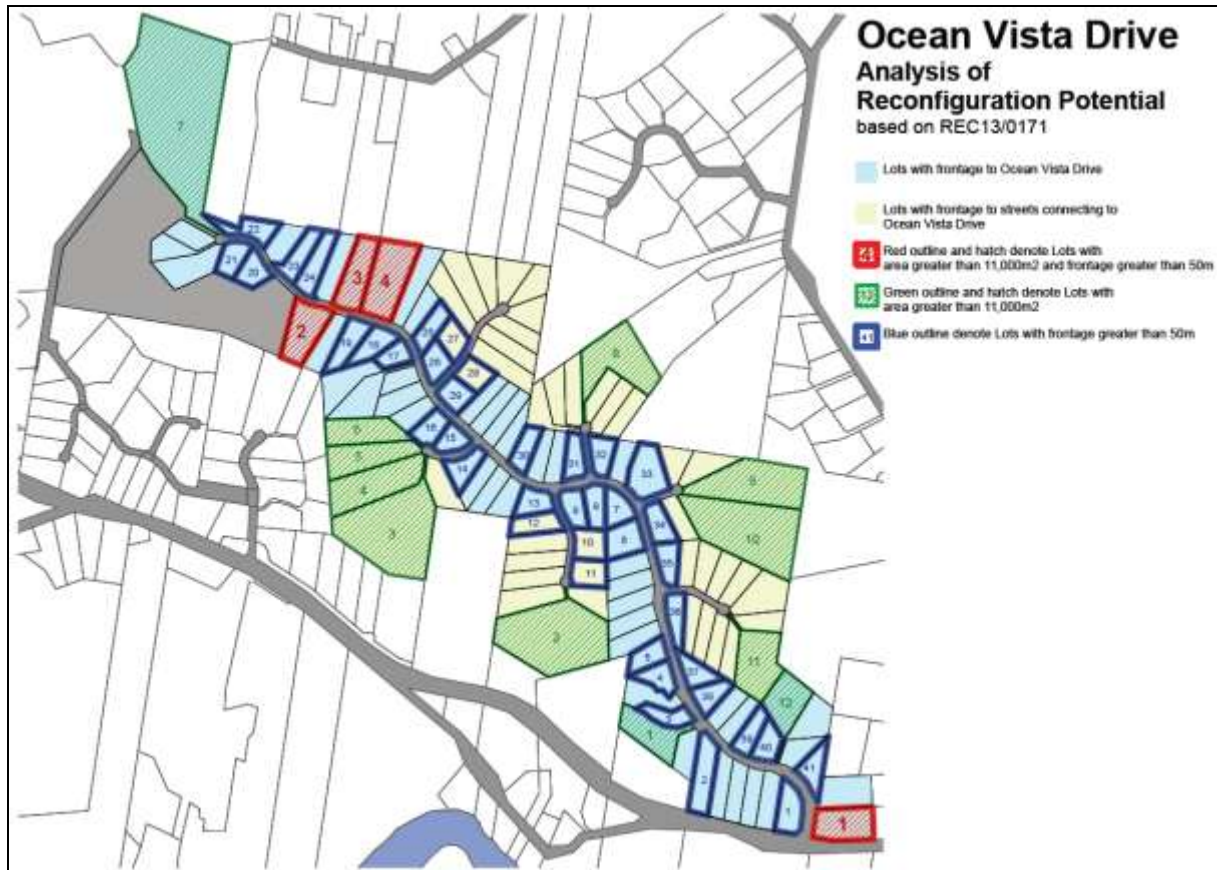


Despite being able to produce a 6,000m² and a 5,000m² lot, the site is incapable of producing a subdivision that would comply with the average lot size requirement of 8,000m² because the size of the parent lot is already less than 1.6 hectares. The origin of the 8,000m² average lot size requirement appears to stem from the 1985 Maroochy Planning Scheme where it was required that a rural residential estate be designed with a mix of lot sizes to produce an average of 8,000m² across the whole estate.

Thus the 8,000m² minimum lot size was applicable to estate development, which would have involved the creation of significantly more lots than the current proposal. This requirement was to ensure larger estate developments did not result in an overly “residential” appearance but, rather, retain the characteristics of a rural area brought about by a mix of larger lots. The current proposal does not involve the creation of enough lots to generate concerns about the area becoming more “residential” in appearance than it already is, nor are there enough lots for a calculation of average lot size to have any real meaning. Importantly, the proposal would not result in the average lot size of the Ninderry Rise Estate being reduced to below 8,000m².

The code requirement for a 50 metre wide road frontage for rural residential subdivisions seeks to preserve a “less urbanised” character by ensuring dwellings are separated from each other and less frequently spaced along the street. However, in Ninderry Rise, 39 (or almost 50%) of existing lots abutting Ocean Vista Drive already have a frontage width less than 50 metres. Further, the site’s 70 metre wide frontage and uniquely off-centre positioning of the existing dwelling mean that a new dwelling could be placed between existing dwellings without causing an inconsistent spacing along Ocean Vista Drive. In particular, the proposed spacing of dwellings would almost exactly match the existing spacing of dwellings directly across the street. In this case, the failure to comply with a 50 metre road frontage for each proposed lot would not cause a change in character to the streetscape.

The potential setting of a precedent for further similar subdivisions has been raised as an issue for this development proposal. While precedent is not a material planning consideration because each application must be assessed on its own merits, the following points are noted that would work against the setting of a precedent in Ninderry Rise. An analysis of all lots within the estate has been undertaken to ascertain which other lots possess the same characteristics in terms of lot size and frontage width and, therefore, for which similar arguments could be made in favour of further subdivision. The results of this analysis are shown in the image below.



There are only four lots (highlighted in red) within the estate that are 11,000m² or larger with a frontage of 50 metres or greater. One of these four is the subject site. Another is located on the corner of Yandina-Coolum Road and Ocean Vista Drive at the entrance to the Ninderry Rise Estate, and the other two are located adjacent and opposite the subject site. Even if these three other lots were further subdivided, which is considered unlikely, this would not significantly alter the balance and mix of lot sizes within the estate, nor result in any significant impact on the character of the street.

(b) respond to the environmental qualities of the site, including scenic topographic, natural or cultural features;

Assessment regarding the environmental qualities of the site is discussed in the Overlay Provisions section of this report. Despite the steep slope and remnant vegetation on the site, the proposed development can still respond to the site's environmental qualities. The building envelope for proposed Lot 2 is located below the level of the road, and would be partially screened by vegetation along the site frontage. The driveway for proposed Lot 2 would follow the site contours as much as possible. The majority of remnant vegetation on the site would be protected under a statutory vegetation covenant as part of any approval of the application, which would ensure the lower slopes remain vegetated into the long term and protect the longer range views toward Mt Ninderry.

(c) are consistent with the physical capabilities of the land, having particular regard to its slope and stability;

Assessment regarding slope and stability is discussed in the Overlay Provisions section of this report. The submitted geotechnical report finds that there is a low depth to rock material (up to 1.4 metres depth) and a very low risk of global slope instability subject to implementation of technical recommendations for construction. The proliferation of existing houses along the ridgeline indicates that a new dwelling on the same ridgeline would be consistent with the physical capability of the land.

(d) minimise the need for earthworks

The proposed development minimises the need for earthworks in the following ways:

- The future dwelling on proposed Lot 2 would be constructed on piled footings and of a design that steps down the hillside (this would be necessary for the dwelling to remain within the planning scheme height limit). Conditions can be imposed to limit the dwelling to a piled footing construction type (not slab on ground) to reduce earthworks and comply with the recommendations of the Geotechnical Report
- The driveway for proposed Lot 2 would follow the natural contours of the site as much as possible in order to achieve safe and practical vehicle gradients.

(e) minimise the need for vegetation loss;

Assessment regarding the proposed vegetation loss is discussed in the Overlay Provisions section of this report. The proposal would not result in a net loss of vegetation on the site. Conditions are recommended requiring any cleared vegetation to be offset in existing cleared parts of the site. All vegetated parts of the site would then be protected under a statutory vegetation covenant.

(f) enable the provision of:

- (i) buildings and setbacks;***
- (ii) private open space and buffering;***
- (iii) convenient vehicle access and onsite parking; and***
- (iv) necessary on-site services; that are appropriate to the proposed or expected use of the land;***

Proposed Lot 1 contains an existing lawfully established dwelling. Proposed Lot 2 has sufficient area and dimensions to accommodate a future detached house complying with all setback, private open space, access and parking requirements.

The location and design of a future dwelling on Lot 2 would be regulated by a “plan of development” that contains a building envelope and construction controls. Conditions are recommended requiring the building envelope be moved further from the front of the site, so that the minimum front setback is 12 metres, enabling the maintenance of some mature vegetation in front of the dwelling as well as the driveway. With regard to side setbacks, if there were no plan of development, the Detached House Code would allow a side setback of between 1.5 and 2.5 metres (depending on the height of the building). The submitted plan of development proposes side setbacks of 7 metres.

(g) facilitate climate responsive design which conserves the use of non-renewable energy sources;

The site has a north easterly aspect and is elevated, which will facilitate the construction of a climate response dwelling on proposed Lot 2 taking advantage natural light and breezes. It

is also ideally orientated for the use of solar panels or solar hot water systems should the future owners of the lot wish to install these.

In summary, the proposal responds appropriately to the environmental qualities of the site, would result in an even spacing of dwellings along the road, is consistent with the desired character of the precinct and, as the above maps show, matches the many other similarly sized and smaller allotments within the vicinity.

Overall, the proposal complies with Performance Criteria P1 and, therefore, satisfies the Code in relation to lot sizes and dimensions.

Effluent Disposal

Wastewater from the future residence on proposed Lot 2 is proposed to be directed to a suitably sized Household Sewage Treatment Plant connected to a surface or shallow subsurface drip irrigation system, located downslope of the building envelope. The system would be licensed to produce at least Secondary standard effluent. The future householder will be required to obtain an approval for the system under the *Plumbing and Drainage Act 2002*.

A geotechnical investigation was submitted with the application, which concludes that an effluent disposal area can be managed within the proposed property boundaries of proposed Lot 2.

Council's Senior Plumber has reviewed the Geotechnical Report recommendations for the effluent disposal system on Proposed Lot 2 and has confirmed that the creation of a land application area is feasible with consideration to the following points:

- a minimum of an advanced secondary treatment facility with 5000 litre wet weather storage capacity with standard water reduction plumbing fixtures should be installed
- the recovered spoil should be utilised as minimum 300mm high retention mounds/swales situated across the contour of the land application area as recommended in the submitted report
- heavy droplet surface irrigation emitters should be utilised via a pressure compensating drip line placed on the ground and covered with mulch to a depth of 200mm
- the area should be supplementally planted with nutrient tolerate species to assist with uptake of all generated effluent and stabilisation of the proposed land application area
- an additional densely planted nutrient filtration zone, a minimum of 6m wide, should be positioned at the base of the proposed land application area.

Council's Senior Plumber has confirmed that, if the above issues are taken into account, the effluent system could comply with all plumbing standards and the risk of effluent breakout from the designated application area will be low. Conditions are recommended accordingly.

Stormwater Management

A concern was raised by submitters that, during major rainfall events, runoff from higher up Ocean Vista Drive may sometimes jump the kerb on the site frontage and flow down through the site into the adjoining property.

To address this concern, conditions are recommended that the site be provided with a stormwater drainage system to accommodate stormwater from external to the site, including registration of drainage easements if necessary, and that stormwater runoff from the development be disposed of on-site without causing scour or damage to the subject site or any adjoining property.

Details of how the above measures will be achieved will need to be submitted as part of the Operational Works application for the driveway. Council's engineer is satisfied that a complying drainage outcome can be achieved for the development. There is a very limited external catchment area for stormwater generation given the site is at the top of a ridgeline and the existing road is designed to convey stormwater flows from the 100 year ARI storm.

Access and Parking

Street design for Rural Residential Precincts does not provide for on-street parking due to the minimum building set-back encouraging visitor parking on-site. In this case, conditions are recommended requiring construction of an access driveway at the subdivisional stage. The driveway would need to follow the natural contours of the site starting from the kerb near the western boundary. The requirement for a driveway to be constructed at the subdivisional stage is in accordance with Section 4.2.5.4 of Planning Scheme Policy No. 5 – *Operational Works*, which states: “*Construction of accesses and driveways will be required on lots with steep slopes to building sites, on lot frontages with visibility constraints and on access strips or access easements serving allotments.*”

The driveway must be capable of providing parking for two cars on-site (in addition to parking for the dwelling) and allow entry and exit in a forward direction. The requirement to provide additional parking on site would reduce the pressure for additional visitor parking in the street.

Overlay Provisions

The following Special Management Area Codes are applicable to this application:

- Code for Nature Conservation and Biodiversity
- Code for Development on Steep or Unstable Land
- Code for Development in Bushfire Prone Areas

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

Geotechnical Stability

The site is very steep, with a 50% slope across the building envelope of proposed Lot 2. A geotechnical investigation submitted with the application concludes that slope instability risk is very low due to the existing site conditions, which include:

- shallow depths at which rock was encountered
- the high strength and massive nature of the rock
- the lack of groundwater in the area.

The geotechnical investigation also reports that the site does not exhibit any indicators of slope instability as may typically be indicated by landslide back scarps, tension cracks or areas of naturally hummocky ground.

The geotechnical report provides specific recommendations for the construction of a future dwelling on proposed Lot 2. It is recommended that these be conditioned, and included on the required plan of development.

Vegetation

The application proposes to clear vegetation identified as an “of concern” Regional Ecosystem under the *Vegetation Management Act 1999*, and identified as a Nature Conservation Management Area under the Maroochy Plan 2000. The extent of clearing is expected to involve approximately 10 gums and 20 macarangas on the upper slopes of the site. Despite proposing to clear vegetation mapped as “of concern” Regional Ecosystem, the application does not trigger assessment by the Department of Natural Resources and Mines under the *Vegetation Management Act 1999* because the total area of the site is less than 5 hectares.

An ecological assessment report submitted with the application states that no critical habitat or threatened species are required to be cleared, and the total extent of clearing is limited to 14.3% of the total vegetated area of the site. The submitted report further states the proposed clearing is situated between two pre-existing dwellings and, therefore, represents infill clearing, whereas the east-west bushland connectivity through the lower northern part of the site to be retained.

Council’s ecology specialist has assessed the subject site via field inspections and confirms the vegetation is 20 to 50 year old regrowth eucalypt forest. The dominant trees which comprise this vegetation community include:

- *Corymbia intermedia* (Pink Bloodwood)
- *Eucalyptus tereticornis* (Qld Blue Gum)
- *Eucalyptus siderophloia* (Grey Ironbark)
- *Eucalyptus propoiqua* (Grey Gum)
- *Lophostemon confertus* (Brush Box)
- *Macaranga tanarius* (Macaranga)
- *Glochidion ferdinandi* (Cheese Tree)
- *Allocasuarina torulosa* (Forest Oak)

The environmental impact of this development is confined to the clearing for the building envelope of proposed Lot 2. The loss of these trees can be “offset” with plantings of the same species being replanted at the front of Lot 2, within existing clearings on Lot 2 and where weed species are removed from Lots 1 and 2.

The retention of vegetation on the lower slopes of the site is assessed to be an important aspect of the development from both an ecological and visual amenity perspective. An approval of the proposed subdivision would provide the opportunity for council to secure the long term protection of that vegetation through a statutory covenant, as well as ensure onsite rehabilitation by revegetation and removal of weed species.

Bushfire Hazard

The bushfire threat been addressed by the submitted Bushfire Hazard Assessment Report and assessed by council’s ecology specialist.

The submitted bushfire hazard report finds the site has a “high” bushfire hazard rating in accordance with the scoring system of the now repealed State Planning Policy 1/03 “Mitigating the Adverse Impacts of Flood, Bushfire and Landslide”. The report concludes that the “high” hazard rating is warranted given the presence of flammable vegetation within and bordering the site, but qualifies that the more severe fires would actually be those that come from the south-west (on the opposite side of the ridgeline to the subject site) and may be sufficiently separated from the site to avoid direct flame contact (but not sufficient to avoid ember attack). Fires approaching the site from the north-west would have a low to moderate severity as a result of reduced vegetative fuel in that direction, and fires approaching from

easterly directions are considered to be low risk because those weather conditions are rarely associated with hazardous bushfire conditions on the Sunshine Coast.

The report concludes that the following hazard reduction measures should be incorporated into the proposed plan of development to reduce the risk of bushfire impact to people and property:

- a 30 metre wide Asset Protection Zone (APZ) around the future location of the dwelling to act as a building setback and firebreak
- ongoing maintenance of the APZ by dwelling occupants to ensure it remains free of hazardous vegetation
- limiting plant selection for future landscaping and regrowth to low flammable species
- inclusion of rainwater tanks with appropriate fittings for firefighting purposes.

It is recommended that these requirements be conditioned.

CONSULTATION

IDAS Referral Agencies

Not applicable.

Other Referrals

The application was forwarded to the following internal council specialists:

- Development Engineer, Engineering and Environment Assessment Unit
- Ecology Specialist, Engineering and Environment Assessment Unit
- Urban Designer, Planning Assessment Unit
- Senior Plumber, Plumbing Services Unit.

Their assessment forms part of this report.

Public Notification

The application was publicly notified for 15 days in accordance with the requirements of the *Sustainable Planning Act 2009*. 43 properly made submissions (including a petition with 80 signatures) and 2 not properly made submissions were received. All of the submissions are opposed to the proposed development.

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

Issues	Comments
Rural residential amenity.	The potential impact of the proposed development on the character and amenity of the area has been discussed at length in previous sections of this report. It has been determined that the proposed development would not change the existing character of the area.
Inconsistent with original intent for the estate.	The proposed development has been assessed on its merits based on the current planning scheme requirements.
Precedent.	While not a material planning consideration, the issue of precedent has been considered in this

Issues	Comments
	case. An analysis of all lots within the Ninderry Rise estate has found that there are only 4 lots in total (including the subject site) that are as large as the subject site and have a frontage wide enough to be considered for the same type of subdivision.
Narrow width of road unsuitable for additional lots.	Ocean Vista Drive has a road reserve width of 16m and a carriageway width of 6m in the vicinity of the subject site. This is consistent with the profile of an Access Street as outlined in Planning Scheme Policy No. 6 – <i>Transport Traffic and Parking</i> . In accordance with this policy, Access Streets are designed to provide access for up to 75 lots. The section of Ocean Vista Drive that exhibits these characteristics starts at the intersection with Caree Court. To the south of that intersection the road profile is wider. To the north of Caree Court, Ocean Vista Drive currently provides access to 26 lots. Therefore, in accordance with Planning Scheme Policy No. 6, there is sufficient design capacity to accommodate an additional lot on this section of the street.
Vehicles parking on verge during construction, inconvenience to surrounding properties during construction.	A construction management plan will be required as part of the Operational Works application for the driveway, and this may detail arrangements for parking of workers for construction of the driveway. Parking for trades vehicles during the construction of the dwelling would be no different to any other dwellings renovated or constructed in the street.
Proposed lot sizes do not comply with planning scheme.	The minimum lot sizes outlined in the Code for Reconfiguring Lots are Acceptable Measures and are provided as one way, but not the only way, of satisfying the associated Performance Criteria (ie. they are “deemed to comply” solutions). The proposed development has been assessed in detail against the associated Performance Criteria and has been found to comply, subject to the imposition of certain conditions (see discussion above in relation to lot sizes and dimensions).
Impact on geotechnical stability of existing dwellings and road.	The submitted geotechnical report confirms that the risk of landslip on the subject site is very low. Specific technical recommendations have been provided for the construction of a dwelling on proposed Lot 2 and it is recommended that these be conditioned.
Geotechnical stability of additional residence on proposed Lot 2.	
Effluent disposal <ul style="list-style-type: none"> • Potential groundwater contamination – wastewater irrigation areas classed as “very poorly drained” • Water runoff impacting on 	Council’s Senior Plumber has reviewed the proposed effluent disposal arrangements for proposed Lot 2 and has confirmed that the risk of effluent breakout from the designated application area will be low provided certain conditions are met.

Issues	Comments
adjoining property, including edible fruit trees.	Conditions are recommended requiring that on-site effluent disposal for Proposed Lot 2 be undertaken accordance with Geotechnical report recommendations and with the additional recommendations of council's Senior Plumber.
Vegetation clearing conflicts with planning scheme requirements.	Council's ecology specialist has assessed the proposed clearing and advised that it is acceptable. Conditions are recommended requiring offsetting of cleared vegetation on the site, and covenant of all retained vegetation to ensure its long term protection.
Increased bushfire risk.	As discussed in this report, the potential threat of bushfire can be adequately mitigated by the provision of an Asset Protection Zone and requirements for an adequate water supply.
Impact on property values.	Whether or not a development would impact on property values is not a material planning consideration.
Impact on wildlife.	Conditions are recommended that vegetation to be removed must be checked for nesting wildlife by a suitably qualified spotter and catcher prior to and during all vegetation works, and that all rescued fauna must be relocated in accordance with the provisions of the <i>Nature Conversation Act</i> . A condition is also recommended requiring provision of four permanent artificial wildlife nesting boxes within the vegetation covenant area.
Inconsistencies between technical reports with regard to slope of the site.	The slope across the building area of proposed Lot 2 has been surveyed as 50%.
Additional stormwater being directed onto adjoining property to the north.	A condition is recommended requiring that stormwater runoff from the development be disposed of on-site without causing scour or damage to the subject site or any adjoining property. Council's engineer is satisfied that a complying drainage outcome can be achieved for the development. There is a very limited external catchment area for stormwater generation given the site is at the top of a ridgeline and the existing road is designed to convey stormwater flows from the 100 year ARI storm.
Bushfire Hazard Assessment has not considered the provision of an Asset Protection Zone for the existing dwelling on proposed Lot 1.	There is an existing dwelling on proposed Lot 1 and the proposed development would not result in a further intensification of the use of this part of this site, as such an asset protection zone for this lot is not required.
Submitted conceptual dwelling design would exceed height limit.	It is not recommended that the conceptual dwelling design plan be endorsed as part of this approval. Any future dwelling on proposed Lot 2 would need to comply with the planning scheme height limit.

Issues	Comments
No public benefit for the proposal, there is insufficient demand for additional lots of this nature at this time.	The application does not need to demonstrate overriding need in the public interest as it does not fundamentally conflict with the planning scheme.
Garden of existing dwelling on site encroaches onto the verge.	This issue is not relevant to the current application for subdivision.

DRAFT SUNSHINE COAST PLANNING SCHEME

Under the public notification version of the draft new planning scheme the subject site is zoned Rural Residential.

The application would trigger impact assessment under the draft planning scheme, and would be affected by the following Overlays:

- Scenic Amenity
- Landslide Hazard and Steep Land
- Bushfire Hazard
- Biting Midges and Mosquitoes
- Biodiversity, Waterways and Wetlands Overlay.

The development is affected by the draft planning scheme in the following key ways:

- the minimum lot size for the rural residential zone under the draft planning scheme is 6,000m², with an average lot size requirement of 1 hectare.

Under these provisions it is likely the proposed development could be supported on its merits, subject to a detailed assessment against the new code provisions.

CONCLUSION

The proposed development generally complies with the requirements of the planning scheme and does not raise any significant issues that cannot be addressed by reasonable and relevant conditions. The application is, therefore, recommended for approval.

APPENDIX A - CONDITIONS OF APPROVAL**1. APPLICATION DETAILS**

Application No:	REC13/0171
Street Address:	187 Ocean Vista Dr MAROOCHY RIVER QLD 4561
Real Property Description:	Lot 99 RP 912954
Planning Scheme:	Maroochy Plan 2000 (16 September 2013)

2. DECISION DETAILS

The following type of approval has been issued:

- Development Permit to Reconfigure a Lot (1 Lot into 2 Lots)

3. RELEVANT PERIOD OF APPROVAL

The relevant period for this development approval is 4 years starting the day that this development approval takes effect.

4. ASSESSMENT MANAGER CONDITIONS**PLANNING****When conditions must be Complied With**

1. Unless otherwise stated, all works required by the conditions of this Decision Notice must be completed prior to submission of the subdivision plan to Council for compliance assessment.

Approved Plans

2. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans listed within this Decision Notice. The Approved Plans must be amended to incorporate the amendments listed within this Decision Notice and resubmitted to Council prior to the issue of any Development Permit for Operational Works*
(*Refer Advisory Notes)
3. All lot numbering on the subdivision plan to be submitted to Council for compliance assessment must remain as shown on the Approved Plans.

Plan of Development

4. All future buildings on Lot 2 must be sited and constructed in accordance with the approved building envelope and dwelling controls (ie. the "Plan of Development") shown on the Approved Plans. A copy of the approved Plan of Development must be included in the contract of sale for Lot 2, together with a clause which requires any future buildings to be constructed in accordance with it.

Boundary Encroachments

5. Certification must be submitted to Council from a cadastral surveyor which certifies that:
 - (a) the boundary clearances for any existing buildings remaining on the site comply with the relevant provisions of the planning scheme and the *Building Act 1975*, unless varied by this Decision Notice
 - (b) all constructed access and roadworks (including associated fill batters and retaining walls) are fully contained within a dedicated reserve or registered easement
 - (c) all existing and proposed utility services and connections (eg. electricity and telecommunications) are wholly located within the lot they serve, or alternatively included within an easement where location within the lot is not possible
 - (d) all existing effluent disposal areas are wholly located within the lot they serve and comply with the boundary setback requirements of the *Plumbing and Drainage Act 2002* and associated codes and requirements
 - (e) all retaining walls and structures are fully contained within the lot they retain
 - (f) any fill, including fill batters, are wholly contained within the subject site and not on adjacent properties.

CIVIL ENGINEERING

Site Access and Driveways

6. A sealed access driveway must be provided from Ocean Vista Drive to natural surface at the approved building envelope. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - (a) a driveway crossover and profile in accordance with Council standard drawing R-0050
 - (b) a crossover to be located as close as practical to the western boundary of the site
 - (c) an internal component of the driveway that generally aligns with natural contours
 - (d) a driveway to provide parking for 2 cars on-site and allow entry and exit in a forward direction. These parking spaces must be in addition to the parking required by the planning scheme for a detached dwelling
 - (e) consideration of drainage works that comply with the stormwater management conditions of this Decision Notice
 - (f) compliance with all applicable recommendations contained in section 7 of the Geotechnical Investigation Report listed within this Decision Notice.
7. Vehicle access to the site is limited to the constructed driveway only. A clause must be included in the contract of sale for Lot 2 which requires vehicle access to be from the constructed driveway only, and which prohibits the driveway from being relocated without Council agreement.

Electricity and Telecommunication Services

8. Reticulated electricity and telecommunication services must be provided to each lot in accordance with an approval for Operational Works and the standards and requirements of the relevant service provider.

9. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary conduits, pits and pipes to accommodate the future connection of optic fibre technology telecommunications.
10. Certification must be submitted to Council from all relevant service providers which certifies that the development has met the requirements of this Decision Notice and all applicable legislation at the time of construction.

Geotechnical Stability – Future Dwelling Requirements

11. All future dwellings on the approved lots must be sited and/or constructed in accordance with the recommendations contained in section 7 of the Geotechnical Investigation Report listed within this Decision Notice, unless varied by a site specific investigation for a particular house lot.

Earthworks and Retaining Walls

12. All earthworks must be undertaken in accordance with the provisions of Australian Standard AS3798: *Guidelines on Earthworks for Commercial and Residential Developments*.
13. All retaining walls must be designed and constructed in accordance with the planning scheme and must be certified by an RPEQ where exceeding 1.0m in height. All retaining walls that are publicly accessible and exceed 1.0m in height must be fitted with a commercial grade safety fence.

Stormwater Management

14. The site must be provided with a stormwater drainage system including extension of the site stormwater system to accommodate stormwater from external to the site, including registration of drainage easements.
15. Stormwater runoff from the development must be disposed of on-site without causing scour or damage to the subject site or any adjoining property.

ECOLOGY

Ecological Preservation

16. Vegetation protection covenants must be registered against the titles of Lots 1 and 2 pursuant to Section 97A of the *Land Title Act 1994* over the land area defined by the following:
 - (a) the blue hatched rectangles (including the missing scallop on the north western boundary) on Drawing No.HAL2013-10 EAR-F2 of the Ecological Assessment Report listed within this Decision Notice
 - (b) a 12 metre wide buffer fronting the entire frontage of Lot 2, and
 - (c) a 7 metre wide buffer between the building envelope and the western boundary of proposed Lot 2.The covenant document and a survey plan must be submitted to Council for endorsement prior to lodgement with the relevant titles authority for registration of title. The covenant document must:
 - (a) incorporate the requirements of this Decision Notice

- (b) include Sunshine Coast Council as Covenantee
 - (c) reference Queensland Land Title Registry Standard Terms Document No. 715219876.
17. If a provision included in the covenant document is requisitioned or refused registration by the relevant titles authority, a substitute provision must be included in the document which as nearly as practicable addresses the objective sought by the requisitioned or refused provision. The wording of the substitute provision must be agreed by Council.
18. The following activities must not be carried out within the vegetation protection covenants located within Lots 1 and 2, without the prior written approval of Council:
- (a) clearing, cutting down, poisoning, lopping or pruning of native vegetation which is indigenous to, or planted within, the covenant area
 - (b) soil/spoil dumping and/or compacting
 - (c) soil excavation, other than for planting indigenous native plants.
- The following exceptions apply:
- (a) declared plants under the *Land Protection (Pest and Stock Route Management) Act 2002* and sub-ordinate Regulation 2003, and any Council Listed Environmental Weeds, Exotic Grasses and other plants identified in writing by Council
 - (b) indigenous native trees which pose a well-founded threat to persons or property as approved in writing by Council
 - (c) controlled bushfire burns to maintain ecological processes subject to submission of a Bushfire Management Plan and agreed in writing by Council.
19. The following works must be undertaken within the vegetation protection covenants within Lots 1 and 2:
- (a) Installation of permanent survey markers at 15 metre intervals, along the interface of each building envelope and the respective vegetation protection covenant (one to each boundary and one centrally located).
20. The land area to be protected by vegetation protection covenants on Lots 1 and 2 must be rehabilitated and cleared of all weed species as listed in the following standards and legislation:
- (a) declared plants under the *Land Protection (Pest and Stock Route Management) Act 2002* and sub-ordinate Regulation 2003
 - (b) Maroochy Pest Management Plan 2006-2010 pest species of significance in Group 1, 2 & 6
- The works must be undertaken in accordance with an Operational Works approval.
21. The development site must be landscaped. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) Revegetation of existing cleared areas within the vegetation protection covenants on Lots 1 and 2 to “off-set” the clearing within the Lot 2 building envelope
 - (b) Revegetation works to a minimum (average width) of 12 metres to the entire frontage of Lot 2 being exclusive of the entrance driveway
 - (c) Revegetation works within a 7 metre wide buffer between the building envelope and the western boundary of proposed Lot 2
 - (d) The use of low flammability species in accordance with the Bushfire Hazard Assessment & Management Plan report listed within this Decision Notice.
- The revegetation works are to match as close as possible the endemic Regional Ecosystem RE12.12.12 and must include at least 5 x *Corymbia intermedia* (Pink

Blood-wood), 3 x *Eucalyptus tereticornis* (Qld Blue Gum) 2 x *Eucalyptus siderophloia* (Grey Ironbark) and 10 x *Macaranga tanarius* (Macaranga).

22. Vegetation approved for removal must be checked for nesting wildlife by a suitably experienced, qualified and registered wildlife spotter/catcher prior to and during all vegetation clearing works.
23. The wildlife spotter/catcher must remain on site for the duration of all vegetation clearing works and must report to Council upon the commencement and completion of all vegetation clearing works. All fauna rescued prior to and during vegetation clearing works are to be relocated in accordance with the provisions of the *Nature Conservation Act 1992*. Vegetation approved for removal must be undertaken in accordance with an Operational Works approval.
24. Four permanent artificial wildlife nesting boxes of mixed sizes are to be placed within the vegetation protection covenants on Lots 1 and 2. These boxes must be placed at least two weeks prior to the commencement of vegetation clearing works. The works must be undertaken in accordance with an Operational Works approval.
25. All native bee hives of the genera *Tetragonula* (syn *Trigona*) and/or *Austroplebelia* are to be recovered during vegetation clearing works for relocation into the Vegetation Protection Covenants (if still intact) or offered (if damaged) for "boxing up" by native bee keepers/clubs.

Bushfire Management – Future Dwelling Requirements

26. Any future dwelling on approved Lot 2 must be established in accordance with the recommendations contained under Section 6 of the Bushfire Hazard Assessment & Management Plan report listed within this Decision Notice. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - (a) an asset protection zone
 - (b) adequate water supply for firefighting purposes
 - (c) the use of low flammability species for all landscape works.
27. The asset protection zone for approved Lot 2 must be kept free of the following at all times:
 - (a) Tall grass understorey (grass is to be no higher than 50mm)
 - (b) A continuous canopy of understory of shrubs and small trees
 - (c) large trees that have continuous or overlapping canopies with other large trees;
 - (d) trees that overhang dwellings or structures
 - (e) dead branches and loose bark
 - (f) woodpiles, combustible material storage areas, large quantities of garden mulch or any other form of stacked flammable materials.
28. Prior to the construction of any dwelling on Lot 2, certification must be submitted to Council from a qualified person* which certifies that the bushfire management conditions of this Decision Notice have been complied with.
*(Refer to Advisory Note)

PLUMBING

29. The effluent disposal system installed on Lot 2 must be an advanced secondary treatment facility and must be designed and installed in accordance with the following:
- it must have a minimum 5000 litre wet weather storage capacity standard water reduction plumbing fixtures installed
 - the recovered spoil from the land application area must be utilised as minimum 300mm high retention mounds/swales situated across the contour of the land application area, as recommended in the Geotechnical Investigation report listed in this Decision Notice
 - heavy droplet surface irrigation emitters must be utilised via a pressure compensating drip line placed on the ground and covered with mulch to a depth of 200mm
 - The land application area must be supplementally planted with nutrient tolerant species to assist with uptake of all generated effluent and stabilisation of the land application area
 - a minimum of 6m wide densely planted nutrient filtration zone must be positioned at the base of the land application area.

5. REFERRAL AGENCIES

Not Applicable.

6. APPROVED PLANS

The following plans require amendment prior to becoming Approved Plans for the development:

Plans Requiring Amendment

Plan No.	Rev.	Plan Name	Date
6172PropB		<i>Proposed Subdivision Over Lot 99 on RP912954 187 Ocean Vista Drive, Maroochy River, prepared by Skyline Surveyors</i>	11/03/14
Amendments		<ol style="list-style-type: none"> Include the words "Plan of Development" in the title of the plan. Amend the building envelope on proposed Lot 2 to show: <ol style="list-style-type: none"> a 12m front setback a minimum 7m side setback to the western property boundary a minimum 2m side setback to the common property boundary with proposed Lot 1. Remove the words "15x20" from the building envelope annotation and instead show setback dimensions to describe the location and size of the envelope. Show an indicative driveway alignment as per the conditions of this Decision Notice. Amend to accurately plot the asset protection zone around the building envelope on proposed Lot 2 in accordance with the recommendations of the Bushfire 	

	<p>Hazard Assessment referenced in this Decision Notice, except that the asset protection zone should not extend to the western side property boundary.</p> <p>6. Provide annotations that prescribe the following dwelling requirements for all future buildings on proposed Lot 2:</p> <p>(a) All buildings must be constructed on piled footings, and not slab on ground.</p> <p>(b) All buildings must be finished in non-reflective colours and materials.</p> <p>(c) All buildings must be finished in subdued shades or green or brown so as to visually integrate with the surrounding vegetation when viewed from a distance.</p> <p>(d) All buildings and structures must be constructed in accordance with the recommendations of both the Geotechnical Investigation report and the Bushfire Hazard Assessment & Management Plan report referenced in Council approval REC13/0171.</p>
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7. REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

Referenced Documents

Document No.	Rev.	Document Name	Date
13004-001	0	<i>GEOTECHNICAL INVESTIGATION Proposed Subdivision, 187 Ocean Vista Drive, Maroochy River, prepared by Tectonic</i>	8/11/2013
HAL2013-10BMP		<i>Bushfire Hazard Assessment & Management Plan, prepared by North Coast Environmental Services</i>	16/12/2013
HAL2013-10EAR		<i>Ecological Assessment Report, prepared by North Coast Environmental Services</i>	16/12/2013

8. ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

PLANNING

Other Laws and Requirements

1. This approval relates to development requiring approval under the *Sustainable Planning Act 2009* only. It is the applicant's responsibility to obtain any other necessary approvals, licences or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licences or permits may be found in the "Laws & Permits" page of the Sunshine Coast Council website

(www.sunshinecoast.qld.gov.au). For information about State and Federal requirements please consult with these agencies directly.

Resubmission of Amended Plans Required

2. The conditions of this Decision Notice require resubmission of a plan to Council with amendments. Please address the amended plan to Council's Planning Assessment Branch with the Reference No. REC13/0171 separate to any Operational Works application. To avoid delays and assessment issues with the Operational Works application, it is recommended the plan be resubmitted prior to lodgement of any Operational Works application. However, should the plan not be submitted, the applicant is advised that a Preliminary Approval may be issued in lieu of a Development Permit.

Infrastructure Charges

3. This Development Permit may trigger an "Adopted Infrastructure Charge Notice" (if applicable) to be issued in accordance with Council's "*Adopted Infrastructure Charges Resolution*" under the State Planning Regulatory Provision (Adopted Charges) and the *Sustainable Planning Act 2009*.

Waste Water Treatment and Disposal System

4. The establishment of a waste water treatment and disposal system for the site requires a Compliance Permit to be obtained from Council under the *Plumbing and Drainage Act 2002*. The system must be designed in accordance with the conditions of this Decision Notice and the *Queensland Plumbing and Wastewater Code* (Department of State Development and Infrastructure & Planning, 2007) and Australian Standard AS/NZS1547: 2000 "*On-site Domestic Wastewater Management*". Where a development exceeds the accommodation or use of 21 or more equivalent persons a copy of an Operator's Licence from The Department of Environment & Heritage Protection will also be required.

Aboriginal Cultural Heritage Act 2003

5. There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*.

The *ACH Act* establishes a cultural heritage duty of care which provides that: "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land and Resources Tribunal, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Co-ordination Unit on 07 3239 3647 to discuss any obligations under the *ACH Act*.

CIVIL ENGINEERING

Co-ordination of Operational Works Assessment

6. Additional application fees apply to Operational Work applications where the different aspects of the works are lodged separately. Significant savings in application fees will result if all works are lodged in a single application.

Qualified Person

7. For the purpose of preparing a Geotechnical Report, and for certifying geotechnical stability for the development, a qualified person is considered to be a person who:
 - (a) is a Registered Professional Engineer of Queensland (RPEQ); and
 - (b) has a degree in civil engineering or engineering geology; and
 - (c) has a minimum of 5 years experience in the field of geotechnical engineering or engineering geology.

LANDSCAPE AND ECOLOGY

Qualified Person

8. For the purpose of preparing a Landscape Plan, a qualified person is considered to be a landscape architect, landscape designer and/or horticulturist with a minimum of 3 years current experience in the field of landscape design.
9. For the purpose of preparing a Rehabilitation Plan, a qualified person is considered to be a landscape architect or ecologist with a minimum of 3 years current experience in the field of landscape design.
10. For the purpose of certifying compliance with the bushfire requirements of this Decision Notice, a qualified person is considered to be an ecologist with a minimum of 3 years current experience in the field of bushfire assessment and management.

9. PROPERTY NOTES

The following property notes will be placed against the subject property in council's property record system:

REC13/0171 - POD PACKAGE - Plan of Development

1. The following notation applies to approved Lot 2

To ensure the amenity of this lot and its neighbours is maintained, all building work must be sited and constructed in accordance with the approved Plan of Development applying to the lot (refer to Council Approval REC13/0171). The private certifier must satisfy itself that the proposed building work complies with both the planning scheme and the approved Plan of Development.

REC13/0171 - Property Access Driveway

2. The following notation applies to approved Lot 2:

To ensure that maximum sight distances can be achieved, vehicle access to this lot must be from the constructed driveway only unless otherwise approved by Council (refer to Council Approval REC13/0171)

REC13/0171 – Geotechnical Stability

3. The following notation applies to approved Lot 2:

To ensure the geotechnical stability of this lot is maintained, all buildings and structures must be sited and constructed in accordance with the geotechnical conditions of Council Approval REC13/0171 and associated Operational Work approvals.

REC13/0171 – Bushfire Management

4. The following notation applies to approved Lot 2:

To ensure the safety of people and property on this lot is maintained, all buildings and structures must be sited and constructed in accordance with the bushfire management conditions of Council Approval REC13/0171 and associated Operational Work approvals.

10. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME

Not Applicable.

11. FURTHER DEVELOPMENT PERMITS REQUIRED

Prior to submission of the subdivision plan to Council for compliance assessment:

- Development Permit for Operational Work (Driveway, Drainage and Rehabilitation)

Prior to construction of a future dwelling on Lot 2

- Development Permit for Operational Work (Vegetation clearing for the building envelope and asset protection zone)

12. SELF ASSESSABLE CODES

The following codes for self-assessable development related to the development approval issued under this Decision Notice must be complied with.

For Detached Houses

- Code for Detached Houses and Display Homes

13. SUBMISSIONS

There were 43 properly made submissions about the application. In accordance with *Sustainable Planning Act 2009*, the name and address of the principal submitter for each properly made submission is provided and attached.

14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

Not Applicable.

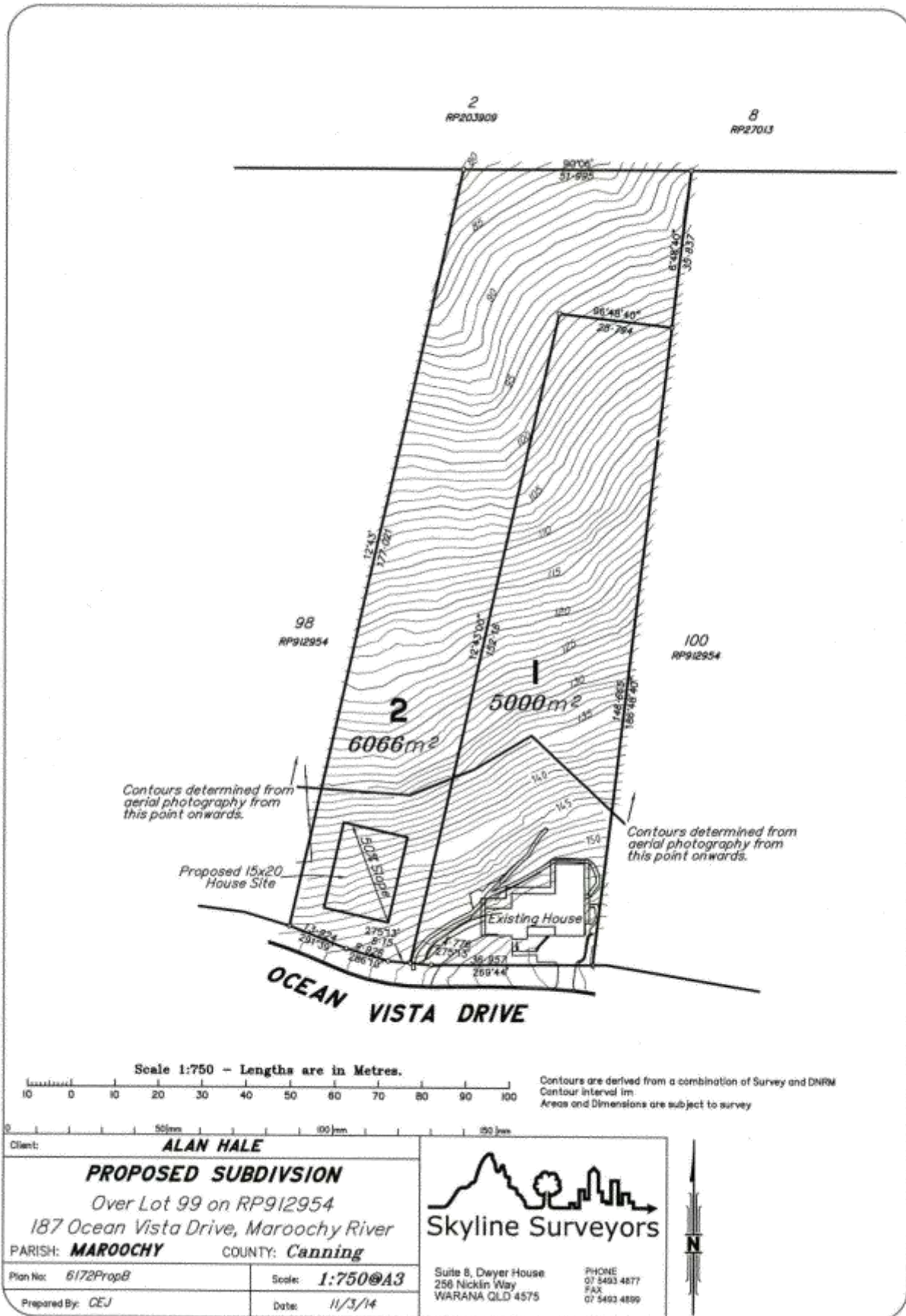
15. RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Sustainable Planning Act 2009* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a “negotiated decision notice” will be issued. Only one “negotiated decision notice” may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a “negotiated decision notice”.

16. OTHER DETAILS

If you wish to obtain more information about council’s decision, electronic copies are available on line at www.sunshinecoast.qld.gov.au or at council offices.



8.2.3 DRAFT COASTAL MANAGEMENT POLICY (PUBLIC LANDS) AND DRAFT SUNSHINE COAST COUNCIL SHORELINE EROSION MANAGEMENT PLAN 2014

File No:	ECM
Author:	Coordinator Biodiversity and Waterways Regional Strategy & Planning Department
Appendices:	App A - Draft Coastal Management Policy (Public Lands) (<i>Under Separate Cover</i>) Att Pg 5 App B - Draft Sunshine Coast Council Shoreline Erosion Management Plan (<i>Under Separate Cover</i>) Att Pg 17
Attachments:	Att 1 - Shoreline Erosion Management Plan Summary Table (<i>Under Separate Cover</i>) Att Pg 189 Att 2 - Shoreline Erosion Management Plan Overview Map (<i>Under Separate Cover</i>) Att Pg 193

PURPOSE

The purpose of this report is to present the draft Coastal Management Policy (Public Lands) and draft Sunshine Coast Council Shoreline Erosion Management Plan for Council consideration and endorsement.

EXECUTIVE SUMMARY

The Sunshine Coast's beaches and foreshore environments are fundamental to the coastal lifestyle that we all enjoy, providing open space to recreate, coastal habitats for native plants and animals, and supporting many businesses and industries that contribute to the Sunshine Coast economy. Therefore, the effective management of these assets is a priority for the Sunshine Coast Council

To address both immediate and emerging coastal management issues, the Sunshine Coast Council has been working in partnership with the state government and community to implement the Sunshine Coast Waterways and Coastal Management Strategy 2011-2021. Strategy implementation has included the development of a coastal policy position and a planning framework.

Two key components of this planning framework are the Coastal Management Policy (Public Lands) (**Appendix A**), which provides Council's strategic policy position, and the draft Sunshine Coast Council Shoreline Erosion Management Plan (SEMP) (**Appendix B**), which addresses priority erosion issues and provides management direction. The draft Policy and draft SEMP support and guide the implementation of Council's current and planned integrated coastal management program that contributes towards healthy Sunshine Coast foreshores.

The purpose of the draft Coastal Management Policy (Public Lands) is to guide and inform Council's coastal management activities on Council managed land including capital works, operational works, emergency works, development assessment and community engagement, with the objective of achieving the long term protection, sustainable use and enjoyment of coastal public lands and assets.

The SEMP provides a 10 year action plan that describes key coastal processes along the Sunshine Coast and identifies Council controlled assets which are exposed to shoreline erosion threats, based on current climate conditions and current sea level. The SEMP addresses priority erosion issues at specific locations and recommends preferred management options which are underpinned by sound science and coastal engineering principles and in line with community values. It is anticipated that these recommendations would be implemented through council's coastal operations and capital works programs subject to budget constraints.

We are fortunate that most of the coastline on the Sunshine Coast is considered "dynamically stable" (negligible net erosion over the past 40 years). Accordingly the SEMP recommends coastal protection measures for just 5% of the shoreline. The 11 priority erosion issues and associated management options identified in the SEMP, including their allocated and indicative funding, are summarised in **Attachments 1 and 2**.

The technical studies and modelling used to inform the development of the SEMP have also been used to inform the planning and implementation of existing coastal management projects, such as the sand renourishment works on Maroochydore Beach.

Through the drafting of the Policy and the SEMP the issue of protecting private property from coastal erosion has emerged. Even though the Policy and the SEMP are intentionally focused on Council controlled land, the Policy also states Council's position with regard to the protection of private property from coastal erosion which is the responsibility of the property owner.

Increasing community awareness of the Sunshine Coast's dynamic coastal processes and communicating Council's coastal management position and roles and responsibilities is an important part of the implementation of the Policy and SEMP.

This report recommends that Council endorses the Coastal Management Policy (Public Lands) 2014 and Sunshine Coast Shoreline Erosion Management Plan 2014 (SEMP) to inform future planning and delivery of Council's coastal management efforts.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Draft Coastal Management Policy (Public Lands) and Draft Sunshine Coast Council Shoreline Erosion Management Plan 2014"**
- (b) adopt the "Coastal Management Policy (Public Lands)" (Appendix A) and**
- (c) adopt the "Sunshine Coast Council Shoreline Erosion Management Plan" (Appendix B).**

FINANCE AND RESOURCING

The actions identified in the draft Shoreline Erosion Management Plan are to be implemented through annual operational and capital works programs. An endorsed SEMP may also assist Council in obtaining financial support from other levels of government for major works.

Council's current indicative funding for implementation (collated from the indicative 2013/2014 10-year Capital Works Program).

Estimated annual operational:	\$ 2,000,000
2014/2015 Capital Works Program:	\$ 745,000
2014/2015 Environment Levy Program:	\$ 120,000
Capital expenditure 2015/2016 - 2022/2023:	\$10,735,000
Environment Levy 2015/2016 – 2016/2017:	\$ 240,000

Indicative cost estimates for each of the proposed actions are summarised in **Attachment 1**.

Some of the capital expenditure identified for outer years is dependent on future erosion events and erosion limits being triggered. For example, the need for a sea wall along the Maroochydore Beach / Alexandra Headland Beach will be triggered by coastal erosion events which come within 15 metres of public infrastructure. Ongoing beach renourishment has the potential to indefinitely delay the need for a sea wall and capital expenditure allocated for this construction works may not be required.

Some of the recommendations in the SEMP are subject to further investigation as well as budgetary and statutory approval processes. For example, a number of the actions incorporate beach re-nourishment that is dependent on the identification of a viable source of off-shore sand. If the proposed sand sourcing study locates a viable source of sand, a program to cost and prioritise beach re-nourishment projects will need to be developed and considered in the annual budget process.

CORPORATE PLAN

Corporate Plan Theme: *Robust Economy*

Emerging Priority: 1.3 - Infrastructure for economic growth

Strategy: 1.3.1 - Facilitate the delivery of key infrastructure projects for our preferred economic growth

Corporate Plan Theme: *Ecological Sustainability*

Emerging Priority: 2.4 - Healthy waterways and foreshores

Strategy: 2.4.2 - Maintain and improve the quality of beaches, waterways, lakes, rivers, canals and wetlands

Corporate Plan Theme: *Social Cohesion*

Emerging Priority: 5.3 - A sense of identity and belonging

Strategy: 5.3.1 - Support community programs and infrastructure that encourage interaction, contribute to placemaking and a sense of community

CONSULTATION

Internal Consultation

Internal consultation in preparing the draft Policy and SEMP included:

- Councillors – a workshop was held with Councillors and the Executive Leadership Team in February 2014
- Infrastructure Services: Environmental Operations Branch and Parks and Gardens Branch
- Corporate Services: Finance Branch and Commercial and Procurement Branch

- Office of the Mayor and CEO: Legal Services Branch
- Regional Strategy and Planning: Strategic Planning Branch; Development Services Branch; Transport and Infrastructure Policy Branch
- Community Services: Community Relations, Community Facilities and Planning and
- Coastal Management Working Group representing internal stakeholders.

External Consultation

The State Government was consulted in the early stages of preparing the draft SEMP. Once the Policy and SEMP are finalised, it is proposed that they will be provided to the State Government to reflect Council's approach and position on the associated coastal management matters, which may assist in the making of applications for some of the proposed works.

Community Engagement

No direct community consultation has been undertaken in the preparation of the draft Policy or draft SEMP. However, these documents apply the principles outlined in Council's adopted Waterways and Coastal Management Strategy, which were informed by comprehensive community consultation.

Following the endorsement of the Policy and SEMP it is proposed to continue communications that:

- provides balanced information to assist them in understanding the problems, alternatives, opportunities and preferred solutions for coastal management
- outlines roles and responsibilities of Council and other stakeholders with respect to the management and protection of coastal assets in erosion prone areas and
- facilitate sharing of coastal information and project experience between community groups, businesses and Council.

Project specific community communications such as that which has occurred for the Mooloolaba Beach and Maroochydore Beach sand re-nourishment projects, are intended to be applied with the implementation of other preferred management options as required.

PROPOSAL

This report recommends that Council endorse the draft Coastal Management Policy (Public Lands) and draft Shoreline Erosion Management Plan.

The Coastal Management Policy (Public Lands) 2014 and Shoreline Erosion Management Plan 2014 form part of Council's Coastal Management Policy and Planning Framework, which guides the effective and efficient use of resources to deliver healthy foreshores for the Sunshine Coast.

The preparation of these documents has been informed by sound science and technical expertise and the endorsement and subsequent implementation is intended to strengthen coastal management planning and management outcomes for the Sunshine Coast.

Background

To effectively manage our valuable coastal assets, the State Government and Council are challenged with making decisions in response to coastal hazards. This involves responding to current erosion issues that could threaten significant infrastructure in major storm events, while also planning for longer term climate change impacts on the coast, specifically sea level rise and storm surge leading to inundation of low lying coastal land and increased erosion.

Managing our coastal foreshores requires a process that balances the protection of the existing values with long term outcomes in a complex and dynamic coastal environment.

To support this decision making process and address both immediate and emerging waterway and coastal management issues, the Sunshine Coast Council has been working in partnership with the government and community to implement the Sunshine Coast Waterways and Coastal Management Strategy. Strategy implementation has included the development of a coastal policy position and planning framework (Figure 1) that identifies planning required to assist with the delivery of effective coastal management in order to continue to provide healthy coastal foreshores for the Sunshine Coast community.

Two key components of this framework are the Coastal Management Policy (Public Lands) 2014 and Sunshine Coast Council Shoreline Erosion Management Plan 2014 (SEMP).

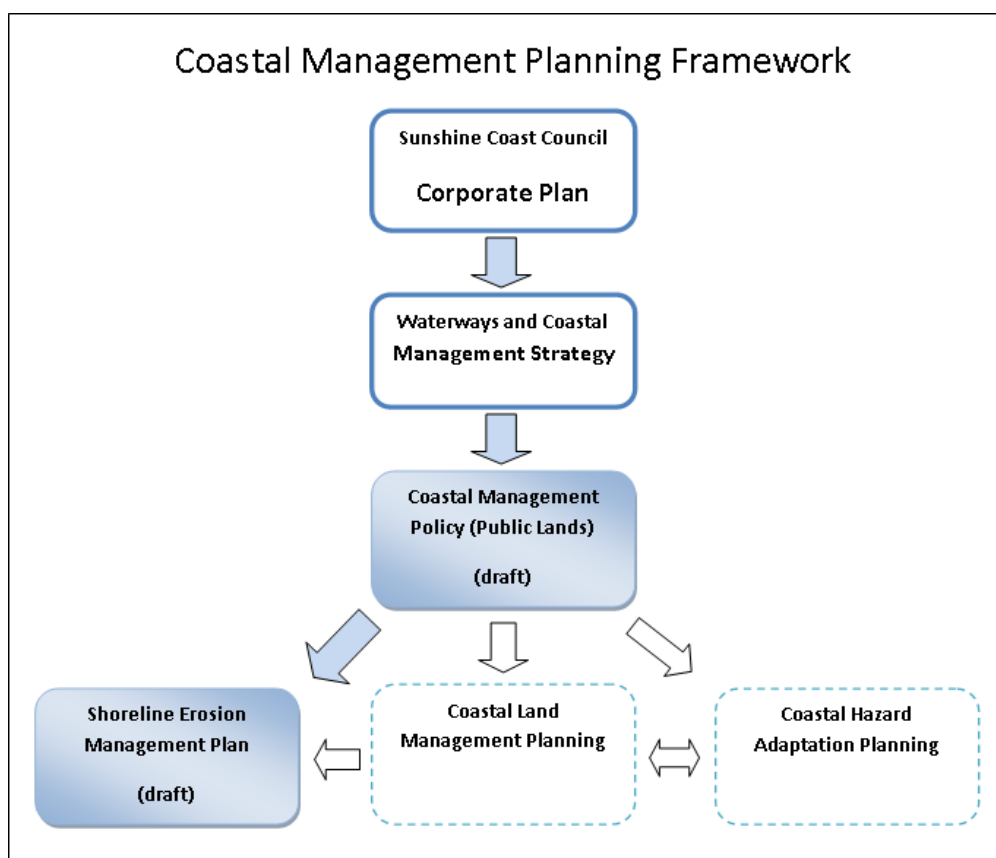


Figure 1: Coastal management planning framework

Draft Coastal Management Policy (Public Lands)

The purpose of the draft Coastal Management Policy (Public Lands) 2014 is to state Council's coastal management position and to guide and inform Council's coastal management activities including capital works, operational works, emergency works, development assessment and community engagement. The objective of the policy is to achieve the long term protection, sustainable use and enjoyment of coastal public lands and assets.

The draft Policy recognises the importance of coastal public lands to the Sunshine Coast community and visitors and outlines policy commitments to:

- Avoid interference with natural coastal processes, where possible
- Minimise interference with natural coastal processes where interference is unavoidable

- Preserve and enhance the natural values of coastal public lands
- Sustain the economic value of beaches and parks
- Implement shoreline erosion management measures
- Be responsive to new information on coastal hazards and modifying coastal management measures as required
- Maintain and enhance recreational and community infrastructure while protecting coastal natural resource values
- Recognise the importance of cultural heritage and social values of the coastline
- Engage with the community on coastal management activities and
- Ensure investment in community infrastructure is cost effective.

While the policy guides Council's coastal management works on Council controlled land, the policy also sets Council's position on the emerging issue of coastal protection of private property.

Draft Shoreline Erosion Management Plan

The SEMP provides a 10 year action plan that describes key coastal processes along the Sunshine Coast, identifies current shoreline erosion threats to Council controlled assets, and outlines preferred management options which are in line with community values and underpinned by sound science and coastal engineering principles. Preferred management options are to be implemented through Council's coastal operations and capital works programs. The principle of not interfering with natural coastal process, except where public assets and infrastructure are threatened by coastal erosion has been applied in the development of the SEMP. The SEMP address erosion risks based on current climatic conditions and sea level.

The development of the SEMP was undertaken in three parts including:

1. Preparation of detailed technical background study

Managing a dynamic coastline requires a thorough understanding of the natural processes which shape our coastal environment. Accordingly experts were engaged to undertake an investigation of coastal processes on the Sunshine Coast. This investigation involved extensive research and computer modelling and provided accurate information on the accumulation, erosion and transport of sand along the coast and an understanding of the implications of natural coastal processes for the effective management of Sunshine Coast beaches. The coastal legislative framework and available shoreline erosion management options were also reviewed.

2. Identification of coastal erosion issues

Informed by the coastal experts' technical background study, the SEMP divides the Sunshine Coast shoreline into 4 Shoreline Management Zones which are made up of 28 Beach Management Units.

Dominant coastal processes and the social, environmental and economic values associated with each Beach Management Unit were identified before reviewing the area to determine the priority erosion issues with respect to Council controlled assets. This included council infrastructure threatened by current erosion as well as that which may occur during a defined major storm event. Of the 28 Beach Management Units on the Sunshine Coast, 11 have been identified as having a priority erosion issue.

3. Values assessment and preferred management actions

In addressing the identified coastal erosion issues a range of different management options including, maintaining existing arrangements, “soft” engineering, “hard” engineering and hybrid solutions were considered. Preferred management options were determined by considering community values (social, economic and environment), specialist advice, indicative investment and the viability of alternatives.

The outcome of this process is the identification of 11 priority erosion issues and associated preferred management actions as summarised in Table 1 below.

Beach unit number	Beach unit name	Issue	Preferred Management Actions	Status
Zone 1: Coolum Beach to Mudjimba Beach				
1	Coolum Beach	Long term suitability of existing seawall uncertain	Assess sea wall	In Progress
Zone 2: Mudjimba to Point Cartwright				
7	Maroochy River Entrance	Maintenance requirements of existing geotextile groynes and seawalls	Maintain existing geotextile groynes. Consider upgrade to rock	In Progress
9	Maroochydore Beach	Alexandra Parade, Holiday Park under threat of erosion from defined storm event	Beach renourishment and construct sea wall (trigger)	In Progress
10	Alexandra Headland Beach	Existing seawall structural integrity uncertain with respect to defined storm Alexandra Parade, park and car park under threat of erosion from defined storm event	Assess sea wall and upgrade if necessary. Prepare shoreline defence plan.	In Progress
12	Mooloolaba Beach North	Deterioration of geofabric formed concrete armoured seawall (far north) Public infrastructure under erosion threat, including Mooloolaba Esplanade, Beach Terrace car park and facilities	Beach renourishment. Repair sea wall. Assess main sea wall and prepare sea wall design.	Programmed for 2016/17
13	Mooloolaba Beach South	Deterioration of beach amenity Public car park at Urunga Parade under erosion threat Rotary Park Ct and part of Parkyn Parade in erosion area with moderate buffer	Extend renourishment pipeline 300m.	Programmed for 2014/15
Zone 3: Point Cartwright to Caloundra Headland				
18	Dicky Beach	Degraded existing seawall at Lower Neill St Public assets (skate park, part of Holiday Park) in the defined erosion area	Repair sea wall	In Progress
19	Moffat Beach	Public open space subject to current shoreline erosion	Prepare sea wall design	Consideration in outer years
Zone 4: Caloundra Headland to SCC southern boundary				
21	Kings Beach	Deteriorating groyne structure	Assess groyne and upgrade if necessary	Programmed for 2015/16
26	Nelson St to Lamerough Canal	Narrow beaches Receding shoreline adjacent to Boat Club, boat ramp and car park Increased pressure from potential Bribie Island breakthrough	Maintain, replace/ upgrade groynes. Beach renourishment. Revetment wall north and south of boat ramp.	In Progress
27	Lamerough Canal to Bells Creek	Narrow northern beaches Deteriorating rock revetment Mainland effects of potential Bribie Island breakthrough	Upgrade/ renew and extend existing revetment wall. Enhance/ establish groynes. Renourish beach.	In Progress

Table 1: Summary of priority coastal erosion issues and proposed management response

Further details on these actions as well as actions that are common to all beach management units are summarised in **Attachment 1**.

Legal

The Legal Services Branch has been consulted on specific project related issues.

Policy

The draft Coastal Management Policy (Public Lands) 2014 and draft Shoreline Erosion Management Plan 2014 (SEMP) are actions delivered through the Sunshine Coast Waterways and Coastal Management Strategy 2011 – 2021, which is a component of the ecological sustainability theme of the policy framework supporting Council's Corporate Plan. Emerging economic and social priorities of the Corporate Plan also provide context when establishing the significance of impacts associated with coastal erosion and protection works.

The State Policy for Coastal Management, which is prepared under the *Coastal Protection and Management Act 1995*, identifies that a SEMP should be prepared if there is a potential threat to structures, beaches or infrastructure on State or Local Government coastal land.

Risk

Adopting the draft Policy and draft SEMP will enhance Council's ability to proactively manage the risk of coastal erosion and improve the delivery of effective coastal management outcomes for the Sunshine Coast.

A limitation of the draft Policy and draft SEMP is that they consider only the current climate and current sea level. To address predicted sea level rise, the coastal management framework provides for the development of a Coastal Adaptation Strategy to facilitate long term adaptation planning under a range of sea level rise scenarios.

The State Government has deferred significant responsibility to Council for coastal management through the removal of statutory requirements for the development of a Coastal Hazard Adaptation Strategy. As a result, there is some concern regarding the potential Council liability in relation to undertaking long term adaptation planning for non-council controlled assets. The development of a Coastal Hazard Adaptation Strategy could assist to better understand and address the risk.

Previous Council Resolution

The draft SEMP and draft Policy support and guide the implementation of Council's current and planned integrated coastal management program, for example the works at Maroochydore Beach and Alexandra Headland Beach, which have been addressed in previous Council resolutions (OM14/35) - Ordinary Meeting 27 March 2014 and (OM12/151) - Ordinary Meeting 18 October 2012.

Council Resolution (OM14/35)

That Council:

- (a) *receive and note the report titled "Beach Protection - Alexandra Headland to Maroochydore - Contingency Plan Update"*
- (b) *note that the previously endorsed construction and communications plan will be restricted to the protection of critical Council assets, given no State Government funds are being committed to protect State assets at this stage*
- (c) *note that the staging of emergency works to protect the Maroochydore Beach Holiday Park is supported by a cost benefit analysis*

- (d) *note that the findings of a major sand sourcing study programmed for 2014/2015 will be summarised in a future report to Council and*
- (e) *provide response correspondence to the Minister for Transport and Main Roads indicating that while Council notes the States position, it will continue to seek commitment for a future funding commitment and until that funding is provided will not take action to protect State assets.*

Council Resolution (OM12/151)

That Council:

- (a) *receive and note the report titled “Maroochy Beach Nourishment Project Update”;*
- (b) *endorse the continuation of the project to construct a sand renourishment pipe line;*
- (c) *note that the balance of the 2012/2013 capital project be placed into reserves and that in the 2013/2014 Financial Year a budget allocation of \$900,000 be provided to undertake a renourishment program of 125,000m³ at a forecast cost of \$1,400,000 as noted as the medium level of service, option two in this report; and*
- (d) *bring forward the second dredging program, as noted as option two, medium level of service in this report, from the 2017/2018 to the 2015/2016 Financial Year, and to do so allocate and place in reserves \$500,000 in 2015/2016 financial years to fund a beach renourishment program of 75,000m³ at a forecast cost of \$1,000,000.*

The SEMP and draft Policy are key deliverables of the *Sunshine Coast Waterways and Coastal Management Strategy 2011 -2021* that was endorsed through Council Resolution OM 11/23 – Ordinary Meeting 2 February 2011.

Council Resolution (OM11/23)

That Council:

- (a) *receive and note the report entitled “Sunshine Coast Waterways and Coastal Management Strategy 2011 – 2021”;*
- (b) *adopt the Sunshine Coast Waterways and Coastal Management Strategy 2011 – 2021 (Appendix A) as amended, as the key document to guide Council in future waterway and coastal planning and management decisions;*
- (c) *adopt the Sunshine Coast Waterways and Coastal Management Strategy Implementation Plan 2011-2021 (Appendix B);*
- (d) *refer the Sunshine Coast Waterways and Coastal Management Strategy Implementation Plan 2011-2021 to the 2011/2012 operational plan and budget process; and*
- (e) *acknowledge and thank the wider community for their contributions in the development of the Sunshine Coast Waterways and Coastal Management Strategy 2011-2021.*

Related Documentation

- Sunshine Coast Council Corporate Plan 2009 – 2014
- Waterways and Coastal Management Strategy 2011-21
- Queensland State Planning Policy 2013
- Queensland Coastal Management Plan 2013
- State Policy Coastal Management 2011
- Legislative Framework and Generic Management Options Report 2013 and
- Coastal Processes Study for the Sunshine Coast 2013.

Critical Dates

The endorsement of these documents is important to ensure Council has a clear policy direction on coastal management to inform the ongoing delivery of Council's coastal operational and capital works.

Implementation

Following the endorsement of the draft Policy and draft SEMP, the following actions are proposed:

- Continue the implementation of the Policy and SEMP through ongoing operational and capital works projects.
- Monitor beach erosion and accretion rates to assist in coastal management decisions.
- Continue a communication campaign raising awareness and informing the community about coastal processes, Council's policy position and recommendations in the SEMP through:
 - media releases
 - launch of coastal management videos
 - information sheets that outline coastal processes and priority erosion issues
 - mailouts to coastal community groups and
 - hosting of a possible coastal forum.
- Subject to funding undertake a sand sourcing study to identify a viable source of off-shore sand for beach renourishment.
- Continue the development of policy associated with the coastal policy and planning framework including a Coastal Management Plan and a Coastal Hazard Adaption discussion paper for council consideration.
- Communicate the adoption of the Policy and SEMP to the State Government regarding.
- Continue delivery of integrated coastal management program through coastal management working group.

8.3 CORPORATE SERVICES**8.3.1 FEBRUARY 2014 FINANCIAL PERFORMANCE REPORT****File No:** Financial Management**Authors:** Coordinator Financial Services
Corporate Services Department
Treasury and Rates Coordinator
Corporate Services Department**Attachments:** Att 1 - February 2014 Financial Performance Report 137

PURPOSE

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

EXECUTIVE SUMMARY

The monthly financial performance report provides council with a summary of performance against budget at the end of each month in terms of the operating result and delivery of the capital program.

The operational result at 28 February 2014 shows a positive variance of \$8.5 million compared to the forecast position.

This operating result variation is made up of higher than expected revenue of \$10.2 million (3%) and higher than expected operating expenses of \$1.7 million (0.6%). Further detail is provided in the proposal section of this report.

The positive variance in the operating result of \$8.5 million at the end of February 2014 should be considered in the context of the key financial risks to council's full year operating result identified in the Risk section of this report.

As at 28 February 2014, \$93.8 million (48.9%) of council's \$191.7 million 2013/2014 Capital Works Program was financially expended.

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

OFFICER RECOMMENDATION

That Council receive and note the report titled "February 2014 Financial Performance Report".

FINANCE AND RESOURCING

There are no financing and resourcing implications as this is an information only report.

CORPORATE PLAN

Corporate Plan Theme:	<i>Great governance</i>
Emerging Priority:	8.1 - Ethical, accountable and transparent decision-making
Strategy:	8.1.2 - Ensure legislative compliance and awareness
Corporate Plan Theme:	<i>Great governance</i>
Emerging Priority:	8.3 - Strong financial management
Strategy:	8.3.1 - Develop long term financial plans and indicators to achieve optimum use of resources and alignment to strategic priorities
Corporate Plan Theme:	<i>Great governance</i>
Emerging Priority:	8.3 - Strong financial management
Strategy:	8.3.2 - Ensure council's financial performance is well managed and leads to a strong financial position

CONSULTATION

Internal Consultation

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

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

PROPOSAL

The operational result at 28 February 2014 shows a positive variance of \$8.5 million compared to the forecast position.

This operating result variation is made up of higher than expected revenue of \$10.2 million and higher than expected operating expenses of \$1.7 million.

The positive variance in the operating result of \$8.5 million at the end of February 2014 should be considered in the context of the key financial risks to council's full year operating result identified in the Risk section of this report.

Operating Revenue

Net Rates and Utilities

As at February 2014, net rates and utilities are showing a positive variance of \$725,000. This variance is being generated by an increase in waste rates revenue of \$618,000, which will be addressed as part of Budget Review 3 (BR3).

Currently there is still \$950,000 in prepaid rates for Noosa properties included in the actual year to date revenue. It has now been confirmed that this revenue will be removed from our operating statement in the month of March 2014. This will result in an unfavourable variance of \$1 million in General Rates, as per Risk 1 identified at the end of this report.

Fees and Charges

Of the \$4.1 million favourable variance in fees and charges, \$2.5 million relates to development applications revenue. The volume of applications shows a 30% increase on 2012/2013 applications (excluding full year Noosa applications and building and plumbing applications).

Sunshine Coast Holiday Parks revenue is also up \$578,000 compared to budget. However this favourable variance is offset by an increase in operating expenditure of \$346,000. There is a favourable variance in Change in Ownership and Search Fees of \$380,000, compared to budget. Budget adjustments to reflect these increases in revenue are being addressed through BR3.

Revenue for the Sunshine Coast Airport for the month of February is also favourable, up \$395,000, due to increased passenger fees.

Interest Received from Investments

There is a favourable variance of \$492,000 at the end of February in interest received from investments, with budget adjustments addressed as part of BR3.

Grants and Subsidies

Of the \$1.6 million favourable variance, \$1.1 million relates to a timing difference with the Federal Assistance Grant. This will be rectified for the March 2014 report. The remainder of the favourable variance is made up of a number of small grants received from the State and Federal Governments, with budget adjustments to reflect increases included in BR3.

Other Revenue

Of the \$3.4 million favourable variance in other revenue, \$2.3 million relates to the reimbursement of de-amalgamation costs up to the 23 December 2013 from the working capital facility. This reimbursement is for \$1.3 million in employee costs and \$1 million in materials and services, which covers costs incurred by the Sunshine Coast Council on de-amalgamation activities.

A further \$800,000 relates to a refund from the Office of State Revenue for over charged payroll tax. \$322,000 relates to higher than anticipated sales of recovered materials which are diverted from landfill.

Budget reflecting the favourable variances within other revenue will be adjusted as part of BR3.

Operating Expense

The de-amalgamation process required an interim financial year end as at 31 December 2013, resulting in increased expenses in the month of December, with corresponding decreases in the following months.

Employee Costs

As at February 2014 month end, employee costs were over budget by \$1.4 million.

Redundancy costs resulting from the organisation review are \$508,889 above budget. Due to staggered timing of redundancies, the employee cost savings in 2013/14 are \$251,000 less than budgeted.

A total of \$1.3 million in Sunshine Coast Council employee costs was spent on de-amalgamation activities up to 23 December 2013 with around 4% of this related to additional staff employed solely for de-amalgamation work. As reflected in other revenue, the

reimbursement of this expenditure has been received, and BR3 will align the revenue and expenditure lines.

Materials and Services

As at February 2014 month end, materials and services costs were above budget by \$475,000.

This variance is made up of higher than budgeted legal costs of \$1.5 million.

As at 23 December 2013, \$1 million had been spent on materials and services setting up the new Noosa Shire Council. As reflected in other revenue, the reimbursement of this expenditure has been received, and BR3 will align the revenue and expenditure lines.

This above budget expenditure has been offset by underspends in the Infrastructure Services Department of \$1.8 million. The underspend is across a majority of branches and includes:

- \$460,000 on levy and project timing differences
- \$1.0 million in the Civil Works and Fleet Branch
- \$550,000 in the Waste and Resource Management Branch

Capital Expenditure

As at 28 February 2014, \$93.8 million (48.9%) of council's \$191.7 million 2013/2014 Capital Works Program was financially expended. Detail by Capital Program is outlined below:

Program	Original Budget \$000	Current Budget \$000	YTD Actual \$000	% of Annual Budget Spent
Buildings and Facilities	6,548	7,324	5,109	70%
Coast and Canals	1,949	2,388	826	35%
Divisional Allocations	3,100	4,540	2,773	61%
Environmental Assets	1,238	1,276	149	12%
Fleet	1,000	1,000	745	75%
Parks and Gardens	10,317	12,228	4,371	36%
Stormwater	4,161	4,241	3,522	83%
Transportation	52,952	65,632	33,281	51%
Information Communication Technology	3,927	4,871	2,217	46%
Strategic Land & Comm Properties	9,422	56,709	23,127	41%
Aerodrome	-	399	11	3%
Sunshine Coast Airport	3,400	8,237	6,198	75%
SC Holiday Parks	1,455	3,093	362	12%
Quarries	150	637	824	129%
Waste	9,651	19,103	10,286	54%
TOTAL COUNCIL	109,270	191,678	93,801	48.9%

Information on low expenditure compared to annual budget is provided below.

Environmental Assets

- Contractors now appointed for three projects that constitute \$1.02 million, or 80% of the program.
- All projects are underway and expected to be completed by 30 June 2014.

Aerodrome

Delay in expenditure at Caloundra Aerodrome has resulted from our pursuit of State Government approvals for clearing of future developable areas along with investigations and resolution related to the development of an additional airside allotment to the north of the Caloundra Aerodrome. It is expected that budgeted amounts will be expended prior to 30 June 2014.

Sunshine Coast Holiday Parks

- \$557,000 of works planned for Noosa Holiday Parks that were not completed as at 31 December 2013 have been removed from the Sunshine Coast Council capital program as budget adjustments in BR3. These projects formed part of the de-amalgamation transfer process.
- Permanent saving of \$700,000 relating to an allocation for nine new cabins that have now been delayed indefinitely due to market conditions.
- \$400,000 allocated at Mudjimba for purchase of State land has been delayed by inaction from the relevant State department.
- \$200,000 for Mooloolaba refurbishment has been re-scheduled to 2014/2015.

Parks

Since Christmas we have let a series of projects that are now well under construction and will substantially increase year to date delivery results during the coming months – key projects currently in progress:

Alex Headlands Foreshore; Russell Family park; Lions Park Maroochydore;
Elizabeth Daniels Park; Buderim Village Park

Moving forward there is a continued focus on fast tracking hand over of designs for construction with ongoing weekly design review and capital works status meetings between Recreation Projects and Landscape Design teams and if we continue with good favourable weather we are on track for 80% to 90% delivery of parks capital works.

Quarries

Emergency stormwater management works were required by the Department of Environment & Heritage Protection to be completed by the 23 December 2013. The department refused to consider any phasing of works. Due to the emergent nature of these works, the quarry program is currently over budget. Additional funding requests are being made as part of BR3 and will be funded from the Quarry restricted cash balance.

Strategic Land and Commercial Properties

\$11.4 million of the allocation for land purchases and other projects for the Maroochydore Principal Activity Centre will be removed from the 2013/14 capital program through BR3. These projects will be included in the 2014/15 capital program to be considered by Councillors.

Investment Performance

- All investment parameters remain within the guidelines established by the Investment Policy.
- For the month ending 28 February 2014, council has maintained a reasonably strong return in the current market conditions with \$268 million cash (excluding Trust Fund) with an average interest rate of 3.63%, being 1.00% above benchmark. This is compared to 28 February 2013 with \$289 million cash (excluding Trust Fund) where the average interest rate was 4.46%, being 1.49% above benchmark.
- The benchmark used to measure performance of cash funds is the UBS Bank Bill Index and the Bank Bill Swap Rate (BBSW) for term deposits.
- The Reserve Bank of Australia (RBA) cash rate remains unchanged at 2.5%.

Balance Sheet

As at the end of February 2014, a total value of \$1,089 million in assets and \$54 million in liabilities have been transferred to Noosa Shire Council. This includes approximately \$940 million in tangible assets (buildings, land, property plant and equipment etc.).

The interim cash amount of \$32 million was transferred to Noosa Shire Council as at 31 December 2013.

No further transfer of cash has been made to Noosa Shire Council, as the cash reconciliation process is still in progress.

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 Investment Policy.

Risk

The current risks associated with the operating result are as follows:

1. the expected full year growth in rateable properties is less than forecast, with lower revenue than budgeted;
2. in June 2013 the Federal Government pre-paid half of the 2013/2014 Financial Assistance Grant of \$6.3 million. Since half of the grant was pre-paid into 2012/2013 there is a potential shortfall of \$2.1 million in the current budget;
3. there is \$4.7 million net savings for the Organisational Review loaded into the budget;
4. the achievement of de-amalgamation reductions in Materials & Services budget occurs after separation from 1 January 2014;
5. there is \$4.4 million employee vacancy savings loaded into the budget which may be difficult to achieve along with the Organisational Review; and

6. the risk that the State Government will transfer State Penalties Enforcement Register (SPER) debt back to local councils, who will then have to manage their own debt collection.

Previous Council Resolution

On 25 June 2013, council adopted the 2013/2014 budget.

On 19 September 2013, council adopted the Budget Review 1 2013/2014.

On 12 December 2013, council adopted the Budget Review 2 2013/2014.

On 18 February 2014, council resolved in SM14/12, section (b) to amend the 2013/2014 budget by increasing the Strategic Land and Commercial Properties capital budget by an amount of \$5.9 million.

On 27 February 2014, council resolved in OM14/19, section (b) to amend the 2013/2014 budget by increasing the Strategic Land and Commercial Properties capital budget by an amount of \$755,000.

Related Documentation

There is no related documentation for this report.

Critical Dates

There are no critical dates for this report.

Implementation

There are no implementation details to include in this report.

8.3.2 BUDGET REVIEW 3 2013/2014

File No:	Budget
Author:	Coordinator Financial Services Corporate Services Department
Appendices:	App A - Budget Review 3 2013/14 - Financial Statements..... 153
Attachments:	Att 1 - Budget Review 3 2013/14 - Operating Adjustments 163 Att 2 - Budget Review 3 2013/14 - Capital Adjustments 173

PURPOSE

To amend the 2013/2014 budget to reflect council's anticipated revenue and expenditure forecasts to 30 June 2014.

EXECUTIVE SUMMARY

Section 170 of the *Local Government Regulation 2012* allows council to amend its budget by resolution at any time before the end of the financial year. Major budget reviews are undertaken on a periodic basis to reflect management's best estimate of its financial position at the end of a financial year.

The result of this review will:

- increase the 2013/2014 operating result from \$7.4 million to \$15 million
- increase the capital revenues from \$19.2 million to \$19.9 million and
- decrease the capital expenditure from \$191.7 million to \$169.6 million.

The amendments in this budget review will increase the cash position by \$22.8 million, of which \$1.7 million will be transferred to restricted cash and \$21.1 million to the general cash balance. It is anticipated that \$20.9 million of the total transfer to cash will be included in the 2014/2015 Capital Works Program, with no long term benefits to council's cash balance.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Budget Review 3 2013/2014" and**
- (b) adopt the amended 2013/2014 Budget Review 3 Financial Statements to include the identified operating and capital budget adjustments (Appendix A).**

FINANCE AND RESOURCING

Adoption of the recommendation of this report will formally amend the 2013/2014 Budget.

The amendments in this budget review will increase the cash position by \$22.8 million, of which \$1.7 million will be transferred to restricted cash and \$21.1 million to the general cash balance. It is anticipated that \$20.9 million of the total transfer to cash will be included in the 2014/2015 Capital Works Program, with no long term benefits to council's cash balance.

CORPORATE PLAN

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.1 - Ethical, accountable and transparent decision-making

Strategy: 8.1.1 - Develop and implement a governance framework that provides transparent and accountable processes and enhances council's reputation

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.3 - Strong financial management

Strategy: 8.3.1 - Develop long term financial plans and indicators to achieve optimum use of resources and alignment to strategic priorities

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.3 - Strong financial management

Strategy: 8.3.2 - Ensure council's financial performance is well managed and leads to a strong financial position

CONSULTATION

Internal Consultation

All departments of council were consulted in the course of the review. A workshop for Budget Review 3 was held with Councillors on 7 April 2014.

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

PROPOSAL

Section 170 of the *Local Government Regulation 2012* allows council to amend its budget by resolution at any time before the end of the financial year.

Budget reviews are undertaken on a periodic basis to reflect management's best estimate of its financial position at the end of a financial year. Prudent financial management also requires council to amend its budget if there are material changes to expected revenue or expenses for the year.

A budget review has now been undertaken to make recommended amendments to the 2013/2014 Budget to reflect anticipated revenues, expenses and capital expenditure for the 2013/2014 financial year.

The result of this review will:

- increase the 2013/2014 operating result from \$7.4 million to \$15 million
- increase the capital revenues from \$19.2 million to \$19.9 million and
- decrease the capital expenditure from \$191.7 million to \$169.6 million.

The amendments in this budget review will increase the cash position by \$22.8 million, of which \$1.7 million will be transferred to restricted cash and \$21.1 million to the general cash balance. It is anticipated that \$20.9 million of the total transfer to cash will be included in the 2014/2015 Capital Works Program, with no long term benefits to council's cash balance.

Note:

Part A: Additional request with associated funding	Projects where restricted cash or grant funding is available and requires a budget increase in 2013/2014.
Part B: Council Resolution	Projects where a council resolution requires a budget increase in 2013/2014.
Part C: Additional Requests	Projects requiring a budget increase or decrease in 2013/2014.
Part D: Inter-Department Transfers/Change in reporting lines	This is for transfer between departments or change in operating lines with the balance being transferred to/from capital program.
Part E: Transfer to the 2014/15 Capital Program	Projects that have been identified as not going to start in the 2013/2014 financial year and will be transferred to the 2014/2015 Capital Works Program (no additional funding requested).

Table 1: Summary of operating requests (Details contained in Attachment 1)

2013/14 Budget Review #3 Operating Request Summary					
Department	Part A \$'000	Part B \$'000	Part C \$'000	Part D \$'000	Total \$'000
Infrastructure Services	(767)	-	506	527	266
Community Services	-	-	-	(231)	(231)
Regional Strategy and Planning	(235)	-	-	(70)	(305)
Corporate Services	-	-	(1,194)	(160)	(1,354)
Office of the Mayor and CEO	-	-	80	-	80
Corporate Strategy and Delivery	30	-	-	(53)	(23)
Noosa De-amalgamation Adjustments	-	-	-	(6,674)	(6,674)
Total Council	(972)	-	(608)	(6,660)	(8,240)

Operating Revenue

As a result of Budget Review 3, operating revenue will increase by \$5.9 million, with the most significant adjustments being:

- \$2.0 million increase in Development Assessment Fees
- \$2.3 million in refund of additional costs incurred to 23 December 2013
- \$0.9 million in refunds from Payroll Tax
- \$0.6 million increase in Waste cleansing charges
- \$0.5 million increase in Interest received from Investments
- (\$1 million) reduction in General Rates.

Operating Expense

As a result of Budget Review 3, operating expenditure will decrease by \$1.6 million, with the most significant adjustments being:

- \$1.0 million increase in legal fees
- \$2.3 million increase refunds for additional costs incurred to 23 December 2013
- \$0.8 million increase in transfers from capital
- \$0.6 million increase due to grant income received
- \$0.5 million increase for interest expenses
- (\$7.4 million) reduction in depreciation.

Table 2: Summary of capital requests (Details contained in Attachment 1)

2013/14 Budget Review #3 Capital Request Summary						
	Part A	Part B	Part C	Part D	Part E	Total
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Whole of Council Capital Project	76	-	180	(96)	(20,913)	(20,753)
Noosa De-amalgamation Adjustment	(1,267)			(708)		(1,976)
Total Council	(1,191)	-	180	(804)	(20,913)	(22,728)

Capital Expenditure

As a result of Budget Review 3, capital expenditure will decrease by \$22.1 million, with the most significant adjustments being:

- (\$20.9 million) transferred to the 2014/2015 Capital Works Program:
 - Strategic Land \$11.4 million
 - Transportation \$ 6.6 million
 - Waste \$ 2.2 million
 - Holiday Parks \$ 0.7 million
- (\$1.26 million) on the transfer of CAPEX budgets to Noosa Shire Council
- \$1.30 million in additional/ revised projects; of which \$180,000 is unfunded.

Legal

The report complies with council's legislative obligations to amend its budget in accordance with Section 170 of the *Local Government Regulation 2012*.

Policy

There are no policy implications associated with this report.

Risk

The period of time since de-amalgamation is insufficient to provide a consistent view of on-going expenditure.

The previously highlighted risk of lower than anticipated rates growth of \$1.0 million was captured as part of the Budget Review 3 process.

All other risks identified in the monthly financial report were not considered to be certain enough to include as a Budget Review 3 adjustment, however still remain a risk to Sunshine Coast Council.

Previous Council Resolution

On 19 September 2013, council adopted Budget Review 1 2013/2014.

On 12 December 2013, council adopted Budget Review 2 2013/2014.

On 18 February 2014, council resolved in SM14/12, section (b) to amend the 2013/2014 budget by increasing the Strategic Land and Commercial Properties capital budget by an amount of \$5.9 million.

On 27 February 2014, council resolved in OM14/19, section (b) to amend the 2013/2014 budget by increasing the Strategic Land and Commercial Properties capital budget by an amount of \$755,000.

Related Documentation

There is no related documentation for this report.

Critical Dates

Following adoption of this report, the next set of monthly financial reports will be reported against this review as the current budget.

Implementation

Council's budget will be formally adjusted following the council resolution and included in future monthly reports.

8.3.3 CALOUNDRA CENTRAL BUSINESS DISTRICT REGULATED PARKING

File No: Revenue
Author: Senior Management Accountant
Corporate Services Department

PURPOSE

The purpose of this report is to inform Council of the impact of using the operating surplus from Caloundra CBD Regulated Parking for projects, facilities and other services for the Bulcock Street precinct.

EXECUTIVE SUMMARY

Council Resolution (OM11/264) required staff to provide a report to Council two years post the implementation of using the operating surplus from Caloundra CBD Regulated Parking for projects, facilities and other services for the Bulcock Street precinct.

As per part (c) of the above resolution, quarantining of the Caloundra CBD Regulated Parking operating surplus commenced with the 2011/2012 operating surplus.

This operating surplus is calculated as Parking Fees collected within the area less the costs associated with collecting and administering those fees.

Amount in Restricted Cash as at 30 June 2013 was \$340,211.

Council should note in accordance with council's direction the Chief Executive Officer is preparing a Long Term Parking Strategy for consideration by council that will address future allocation of net parking revenue in accordance with council's Financial Sustainability Plan.

OFFICER RECOMMENDATION

That Council receive and note the report titled "Caloundra Central Business District Regulated Parking".

FINANCE AND RESOURCING

This is an information only report, reporting to council the implications of using the operating surplus from the Caloundra CBD Regulated Parking for projects, facilities and other services for the Bulcock Street precinct.

For the period 1 July 2011 to 28 February 2014, operating revenue from Caloundra CBD parking fees totalled \$1,004,998.

Operating expenses associated with collecting and administering these parking fees totalled \$494,287 for the same period.

After capital expenditure of \$28,583, a restricted cash balance of \$482,128 remains as at 28 February 2014.

CORPORATE PLAN

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.1 - Ethical, accountable and transparent decision-making

Strategy: 8.1.1 - Develop and implement a governance framework that provides transparent and accountable processes and enhances council's reputation

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.2 - Effective business management

Strategy: 8.2.4 - Consolidate data, information and knowledge to improve council operations

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.3 - Strong financial management

Strategy: 8.3.2 - Ensure council's financial performance is well managed and leads to a strong financial position

CONSULTATION

Internal Consultation

Internal consultation was conducted with the following:

- Director Community Services
- Director Infrastructure Services
- Manager Community Response
- Manager Finance
- Coordinator Response Services
- Senior Management Accountant – Community Services

External Consultation

No external consultation was required for this report.

Community Engagement

No community engagement is required for this report.

PROPOSAL

Council Resolution (OM11/264) required staff to provide a report to Council two years post the implementation of using the operating surplus from Caloundra CBD Regulated Parking for projects, facilities and other services for the Bulcock Street precinct.

Council should note in accordance with Council's direction the Chief Executive Officer is preparing a Long Term Parking Strategy for consideration by council that will address future allocation of net parking revenue in accordance with council's Financial Sustainability Plan.

As per part (c) of the above resolution, quarantining of the Caloundra CBD Regulated Parking operating surplus commenced with the 2011/2012 operating surplus.

This operating surplus is calculated as:

Parking Fees collected within the area less the costs associated with collecting and administering those fees.

These costs include:

- Employee costs along with associated other resources including vehicle, phone, computer
- Materials & Services such as cash collection, replacement batteries and
- Shared Service costs.

Amount in Restricted Cash as at 30 June 2013 was \$340,211.

The Restricted Cash amount includes the operating surpluses from 2011/2012 and 2012/2013 being \$126,219 and \$232,487 respectively, less the replacement of parking meters at a cost of \$18,495.

The 2013/2014 operating surplus as at 28 February 2014 is \$152,004 and the current transfer to Restricted Cash would be \$141,916 after deducting the capital expenditure. (Note – transfers to Restricted Cash for this item are processed at the end of each financial year).

The details of the revenue and expenditure are contained in the following table.

Caloundra CBD Regulated Parking

Financial Report for the period 1 July 2011 to 28 February 2014.

	Actuals Whole Year 2011/2012 \$	Actuals Whole Year 2012/2013 \$	Actuals to Date 2013/2014 \$
Operating Revenue			
Parking Fees – Caloundra CBD	392,417	395,808	214,773
Sponsorship – Caloundra CBD Christmas decorations			2,000
Total Operating Revenue	392,417	395,808	216,773
Operating Expenditure			
Costs associated with collecting and administering parking fees	266,197	163,321	64,769
Total Operating Expenditure	266,197	163,321	64,769
OPERATING SURPLUS/(DEFICIT)	126,219	232,487	152,004
Capital Expenditure			
Caloundra CBD – replace parking meters		18,495	
Install Electrical Meter Box & Sign Light (for Christmas decorations)			10,088
Total Capital Expenditure	Nil	18,495	10,088
Transfer to/(from) Restricted Cash	126,219	213,992	

The Caloundra CBD operating surplus has been used to fund the following projects:

Schedule of Projects as at 28 February 2014

Financial Year	Project Name	Project Cost \$	Project Description
Completed Projects			
2011/12	Replace Parking Meters	18,495	Replacement of last three outdated machines to bring them to the standard of other parking meters in the Caloundra CBD.
2012/13	Install Electrical Meter Box & Sign Light	10,088	To allow installation of additional Christmas decorations.
2013/14	Parking Meter Fee Amnesty	59,461	As requested by Caloundra Chamber of Commerce & Industry Inc. for the seven weeks commencing Saturday 7 December 2013. "Project Cost" refers to the amount of revenue foregone compared to the same period last financial year.
Future Projects			
2013/14	Caloundra Revitalisation Project	30,000	The Caloundra CBD Revitalisation Study is being undertaken as a partnership with the Caloundra Chamber of Commerce & Industry Inc. and should identify options and models for the economic revitalization of the Caloundra CBD. Nationally awarded economic revitalization consultant, Pracsys, has been engaged to undertake the study – the outcomes of which are expected to be received in late April / early May 2014.

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*.

Policy

There are no related policies for this report.

Risk

There is a risk that community expectation may not be met in the event that a surplus is not achieved in a given year.

Previous Council Resolution**Council Resolution (OM11/264) – Ordinary Meeting 26 October 2011**

That Council:

- (a) *utilise the Operating Surplus from Caloundra CBD Regulated Parking for projects, facilities and other services for the Bulcock Street precinct;*
- (b) *request the Chief Executive Officer to develop a protocol for assessment and prioritisation of eligible projects to be funded by the Operating Surplus from Caloundra CBD Regulated Parking for projects, facilities and other services for the Bulcock Street precinct, in consultation with appropriate staff and Divisional Councillor;*
- (c) *review the allocation of the 2011/2012 Operating Surplus from Caloundra CBD Regulated Parking budget as part of the Budget Review 2 process with a view to funding projects, facilities and other services for the Bulcock Street precinct;*
- (d) *request the Chief Executive Officer to provide a report to Council 2 years post the implementation of (a) above to understand the impact of the allocation of utilising the Operating Surplus from Caloundra CBD Regulated Parking for projects, facilities and other services for the Bulcock Street precinct; and*
- (e) *note that the utilisation of said Surplus funds is not to replace, reduce or allow reallocation of current or future Bulcock Street funding.*

Related Documentation

There is no related documentation for this report.

Critical Dates

There are no critical dates for this report.

Implementation

As per Council Resolution OM11/264 this report is for information only.

8.4 COMMUNITY SERVICES

8.4.1 REDEVELOPMENT OF SIPPY CREEK ANIMAL POUND

File No:	Statutory Meeting	
Author:	Sport and Recreation Officer Community Services Department	
Appendices:	App A - Proposed Design Option	215
	App B - Proposed Location - Site B	217

PURPOSE

The purpose of this report is to seek council endorsement to progress the proposed design option (Appendix A) for redevelopment of the Sippy Creek Animal Pound at Sippy Creek Road, Tanawha, Lot 427 SP237585 (as detailed at Site B in Appendix B).

EXECUTIVE SUMMARY

The Sippy Creek Animal Pound is integral to servicing the Sunshine Coast Council area and contributes to the region's animal management network. The facility is currently split into small and large animal compounds, with the small compound being located at 14 Sippy Creek Road, Tanawah; and the large animal compound being located at Gympie Street, North Landsborough. The Tanawha site was identified and developed in 1983 with 16 kennels, a garage and office space. Both compounds have now reached a stage where they no longer operate to required service levels and experience some safety and access issues.

A number of changes and issues have necessitated a review of the pound including:

- RSPCA expressed concern regarding ageing infrastructure and contemporary animal management practices
- Ad-hoc extensions and upgrades to the facility from 1997 to present
- Security at the site
- The current entrance to the pound site is undergoing resumption processes as part of the Bruce Highway Upgrade Planning Study and
- There is an increased pressure on existing pound facilities due to current growth across the region and future population growth within the areas of Caloundra South, Sippy Downs, Palmview and Maroochydore CBD.

In response to the above listed matters, staff have commenced a review of the pound location and facilities. External consultants GHD were engaged to provide planning advice, detailed designs and quantity surveyor costs for a proposed redeveloped / relocated animal pound to service the newly formed central and southern Sunshine Coast areas. It has been determined that the site at Sippy Creek Road, Tanawha (Lot 427 SP237585) (Site B in Appendix B) is the preferred location due to its site characteristics and ability for a facility to expand should future demand warrant.

The proposed redevelopment of the Sippy Creek Animal Pound will result in the following outcomes:

- Long term vision and guidance for animal management services in the Sunshine Coast Local Government Area
- Improved operational efficiencies
- Staged development that is prioritised and realistic

- Improvements to vehicular and pedestrian access
- Improved infrastructure to maximise use and flexibility as demand increases
- Alignment to animal welfare obligations and guidelines.

The proposed design concept is provided in Appendix A.

OFFICER RECOMMENDATION

That Council:

- receive and note the report titled “Redevelopment of Sippy Creek Animal Pound”**
- endorse the Sippy Creek Animal Pound Proposed Design Option (Appendix A) and note that a detailed design will be developed further in order to outline staging, funding requirements and grant availability, for future report to council and**
- endorse Lot 427 SP237585 as the preferred site for relocation of the Sippy Creek Animal Pound as detailed at Site B in Appendix B.**

FINANCE AND RESOURCING

The cost of the proposed design option outlined in this report is \$46,490. This will be funded from the ‘Animal Management Operational Budget 37362 - Sippy Creek Pound Development’.

The construction cost of the redevelopment of Sippy Creek Animal Pound according to a preliminary quantity surveyor estimate is approximately \$3.8 million. Of this:

- \$150,000 is in the draft 2014/2015 Capital Works program for design
- \$1.35 million is in the draft 10 Year Capital Works Program for 2015/2016 and 2016/2017.

Forward estimates may have to be amended to accommodate a staged construction over the life of the project, with future reports being provided to Council to detail the approach staging and funding requirements are yet to be fully identified. Staging over multiple years is quite possible for this type of facility.

CORPORATE PLAN

Corporate Plan Theme: *Health & Wellbeing*

Emerging Priority: 4.1 - Safe and healthy communities

Strategy: 4.1.1 - Manage community health risks and improve community health standards

CONSULTATION

Internal Consultation

- Divisional Councillor
- Portfolio Councillor Service Delivery
- Portfolio Councillor Community Policy and Programs
- Community Response Branch
- Waste and Resource Management Branch

- Property Management Branch
- Legal Services Branch
- Project Delivery Branch
- Environment and Sustainability Policy Branch
- Human Resources Branch
- Commercial and Procurement Branch
- Community Facilities and Planning Branch
- Transport and Infrastructure Policy Branch
- Strategic Planning Branch.

External Consultation

- 4 Paws Animal Rescue
- Sunshine Coast Animal Rescue
- RSPCA Wacol
- RSPCA Dakabin
- Pest Rest Cremations
- Green Cross Veterinarians
- Gold Coast City Council
- Noosa Shire Council
- Logan City Council
- Redland City Council
- Ipswich City Council
- Department of Natural Resources and Mines
- Department of Aboriginal and Torres Strait Islander and Multicultural Affairs

Community Engagement

There has been no broad community engagement in regards to this report.

PROPOSAL

The Sippy Creek Animal Pound is integral to servicing the Sunshine Coast Council area and contributes to the region's animal management network.

The facility is currently split into small and large animal compounds, with the small compound being located at 14 Sippy Creek Road, Tanawah; and the large animal compound being located at Gympie Street, North Landsborough. The Tanawha site was identified and developed in 1983 with 16 kennels, a garage and office space. Both compounds have now reached a stage where they no longer operate to required service levels and experience some safety and access issues that require attention.

A number of changes and issues have necessitated a review of the pound including:

- RSPCA expressed concern regarding ageing infrastructure and contemporary animal management practices

- Ad-hoc extensions and upgrades to the facility from 1997 to present
- Security at the site
- The current entrance to the pound site is undergoing resumption processes as part of the Bruce Highway Upgrade Planning Study and
- There is an increased pressure on existing pound facilities due to current growth across the region and future population growth within the areas of Caloundra South, Sippy Downs, Palmview and Maroochy CBD.

In response to the above listed matters, staff have commenced a review of the pound location and facilities. External consultants GHD have been engaged to provide planning advice, detailed designs and quantity surveyor costs for a proposed redeveloped / relocated animal pound to service the newly formed central and southern Sunshine Coast areas. In addition, a benchmarking exercise was undertaken in regards to population, animal registrations and pound facilities compared to other councils; with results indicating that Sunshine Coast Council facilities are lagging behind other South East Queensland council animal pound facilities.

Five site options were considered for further investigation, including:

- Option 1: Expand the existing animal pound
- Option 2: Relocate to an alternative parcel on Sippy Creek Road, Tanawha (Lot 427 SP237585)
- Option 3: Relocate to Steve Irwin Way, Glenview
- Option 4: Relocate to Unnamed Road, Bells Creek.
- Option 5: Roys Road Depot, Beerwah.

After significant consultation with industry stakeholders and detailed analysis by the external consultants, it was determined that the benefits of the preferred site (Sippy Creek Road, Tanawha, Lot 427 SP237585) included:

- Site approximately 600m from nearest residents
- Has minimal impact on environmental areas
- Additional space will allow for centralisation of small and large animal pound
- Allows for increased operating efficiencies
- Provides adequate space for future growth requirements and projected impound forecasting trends (approximately 12,000m²)
- Improves car parking and vehicular movements
- Improves the functionality of land
- Area is above Q100 with climate change considerations included
- The subject land is proposed to be zoned Community Facilities in the new planning scheme, annotated Utility installation (Major utility – refuse). The animal shelter, where for local government purposes would be defined as “Utility installation (Local utility)”. Under the Community Facilities zone, Utility installation (Local utility) is exempt development
- Addresses safety/risk management considerations.

Options 1, 3, 4 and 5 did not meet the above criteria.

The proposed Sippy Creek Animal Pound will be developed in stages that align to council’s capital works program. The existing site will remain in use allowing transitional development of the new facility to occur over time. It is proposed that the new facility will include the following infrastructure:

- Administration building including meeting space, customer shop front, office with 4-5 desk spaces, kitchenette, amenities, storage and temporary holding pens and release yard.
- Kennels built over three stages of 32 pens each, with the second and third stage being developed when demand warrants.
- Cattery built over two stages of 32 pens, with the second stage being developed when demand warrants.
- Transfer area with euthanasia / assessment room, cold room, laundry, amenities and animal wash area.
- Large animal enclosure with four holding pens, hay storage, loading ramp, central shelter and water trough.
- Poultry area with three large pens and storage.

The propose design is provided in Appendix A.

The proposed redevelopment of the Sippy Creek Animal Pound will result in the following outcomes:

- Long term vision and guidance for animal management services in the Sunshine Coast Local Government Area
- Improved operational efficiencies
- Staged development that is prioritized and realistic
- Improvements to vehicular and pedestrian access
- Improved infrastructure to maximize use and flexibility as demand increases
- Alignment to animal welfare obligations and guidelines.

Legal

- *Sunshine Coast Local Law No.2 (Animal Management) 2011*
- *Sunshine Coast Subordinate Local Law No.2 (Animal Management) 2011*
- *Animal Management (Cats and Dogs) Act 2008*
- *Queensland Animal Care and Protection Act 2001*
- *Queensland Animal Care and Protection Regulation 2012*
- *Work Health and Safety Act 2011*

Policy

- Sunshine Coast Biodiversity Strategy 2010 – 2020
- Sunshine Coast Waterways and Coastal Management Strategy 2011 – 2021
- Sunshine Coast Access and Inclusion Plan 2011 – 2016
- Sunshine Coast Place Making Charter: People, Place and Partnerships
- Sunshine Coast Council Reconciliation Action Plan 2011 – 2016
- Sunshine Coast Council Capital Works Program 2013/2014 - 2022/2023
- Sunshine Coast Corporate Plan 2009 – 2014
- Draft Sunshine Coast Planning Scheme 2012
- Maroochy Plan 2000
- Sunshine Coast Asset Management Policy 2010
- Sunshine Coast Enterprise Risk Management Policy 2010

Risk

If Council were not to re-develop the Sippy Creek Animal Pound, the current pound facility poses risks for Council associated with compliance with animal management legislation and the ability to manage increased pressure on the existing facilities due to population growth within the areas of Caloundra South, Sippy Creek, Palmview and Maroochydore CBD.

Previous Council Resolution

There has been no previous Council resolution in regards to this matter. However, Council considered this matter at a Strategic Discussion Forum in March, 2014.

Related Documentation

- RSPCA's Guidelines for the Design and Management of Animal Shelters
- Victoria Department of Environment and Primary Industries - Code of Practice for the Management of Dogs and Cats in Shelters and Pounds June 2011
- Australians and their Pets – The Facts 2007
- National People and Pets Survey 2006
- Australian Bureau of Statistics Data 2011.

Critical Dates

The 2012/2013 Operational Plan adopted by council committed Community Services staff to conduct a location and infrastructure review of the Sippy Creek Pound. This activity was carried over to 2013/2014.

Whilst there are no critical dates for work to commence, upgrades to the facility are becoming critical due to the following factors:

- RSPCA expressed concern regarding ageing infrastructure and contemporary animal management practices
- Ad-hoc extensions and upgrades to the facility from 1997 to present
- Security at the site
- The current entrance to the pound site is undergoing resumption processes as part of the Bruce Highway Upgrade Planning Study and
- There is an increased pressure on existing pound facilities due to current and future population growth within the areas of Caloundra South, Sippy Creek, Palmview and Maroochydore CBD.

Any further detailed design, staged procurement or construction will only occur following any approval process and budgeting by Council.

Implementation

If endorsed, the following implementation plan would be executed.

TIMEFRAME	ACTION
May 2014	Progress the Sippy Creek Animal Pound Proposed Design Option to Developed Design stage, to include; <ul style="list-style-type: none"> • Developed design report describing all design issues (i.e. civil, architectural, structural, mechanical and hydraulics) • Developed design documentation • Construction and life cycle cost estimate • Draft integrated Water Cycle Management report

July 2014 onward	Dependant on budget processes, detailed design to include: <ul style="list-style-type: none">• Detailed Design documentation• Tender specification and staging proposals suitable 'for tender' and 'for construction'• Construction and life cycle costs by Quantity Surveyor• 20 year facility maintenance plan• Final integrated Water Cycle Management report
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8.4.2 STATUS REPORT DRAFT SUNSHINE COAST PERFORMANCE AND COMMUNITY VENUES PLAN

File No:	Statutory Meetings
Author:	Coordinator Community Planning and Strategy Community Services Department
Attachments:	Att 1 - Draft Sunshine Coast Performance and Community Venues Plan227
	Att 2 - Preliminary feedback from consultation to date293

PURPOSE

The purpose of this report is to provide a response to the Notice of Motion (OM14/37) tabled and resolved at the Ordinary Meeting on 27 March, 2014.

EXECUTIVE SUMMARY

On 12 December, 2013 Council endorsed the Draft Sunshine Coast Performance and Community Venues Plan (Attachment 1) for public exhibition and comment. The draft Plan was released for public exhibition and comment from 20 January 2014 until 14 February 2014.

On the 27 March, 2014, Council via a Notice of Motion resolved:

That Council request the Chief Executive Officer to bring the Venues Plan to the Ordinary Meeting of April 2014 to present Council with the status and findings of the document, as a result of the consultation process to date, with an intent of such action being to inform the 2014/15 Budget preparation process.

In response to the above resolution (OM14/37) this report provides:

- Preliminary consultation summary (Attachment 2)
- Information to assist in the 2014/2015 budget deliberation process.

OFFICER RECOMMENDATION

That Council receive and note the report titled “Status Report Draft Sunshine Coast Performance and Community Venues Plan”.

FINANCE AND RESOURCING

The draft Plan as presented to Council in December, 2013 and placed on public exhibition contained recommendations requiring additional financial resources. These recommendations were estimated to cost \$320,000 in the short term (up to 2017) and are itemised in Table 1 below.

TABLE 1

Recommendation	Capital/Operational	Venue	Est Cost
1. Feasibility Study	Capital	Lake Kawana Community Centre	\$70,000
2. Feasibility Study	Capital	The Events Centre Caloundra	\$70,000
3. Improved Signage	Capital	All	\$50,000
4. Strategic Planning for local community venues	Operational	All	\$50,000
5. Marketing Strategy	Operational	All	\$20,000
6. Feasibility Study	Operational	Centralised Management Models	\$30,000
7. Feasibility Study	Operational	Centralised Marketing and Sales	\$30,000
Total			\$320,000

Further, and in response to feedback from consultation to date and preliminary review this table has been updated for Council's consideration as follows:

TABLE 2

Recommendation	Capital/Operational	Venue	Est Cost
1. Feasibility Study	Capital	Nambour Civic Centre	\$70,000
This venue name will change to Nambour Civic Centre as the table above which was included in the December report to Council contained a typographical error in identifying the venue as Lake Kawana Community Centre. Please note that this error was not in the document placed on public exhibition .			
2. Feasibility Study	Capital	The Events Centre Caloundra	\$70,000
In response to feedback from stakeholders, it has been requested Council consider that the Feasibility Study change to a Facility Development and Maintenance Plan for both the Events Centre and Lake Kawana Community Centre. The dollar requested will remain the same.			
3. Improved Signage	Capital	All	\$50,000
No change			
4. Strategic Planning for local community venues	Operational	All	\$50,000
No change			
5. Marketing Strategy	Operational	All	\$20,000
No change			
6. Feasibility Study	Operational	Centralised Management Models	\$30,000
No change			
7. Feasibility Study	Operational	Centralised Marketing and Sales	\$30,000
No change			
8. NEW ITEM Precinct Master Plans	Capital	Coolum Civic Centre, Beerwah and District Community Hall and Kawana Community Hall	\$120,000
In response to feedback from stakeholder, this new inclusion has been added for Council's consideration. Analysis of the benefits of this recommendation is yet to be undertaken			
Total			\$440,000

It is noted that undertaking work such as the Facility Development and Maintenance Plan for both the Events Centre and Lake Kawana Community Centre will result in additional capital budget bids to Council. The indicative amounts for these budget bids are currently unknown. This work, which will provide a comprehensive understanding of capital and maintenance requirements and costs for these two facilities that go beyond current standards and safety considerations, will be undertaken with the Events Centre Board and staff and Council staff in Infrastructure Services and Community Services.

To assist with discussions in relation to the 2014/2015 budget preparation process, the following Proposed Capital Works Allocations are also provided for Council's consideration.

TABLE 3

Venue	Capital 14/15	Capital 15/16	Capital 16/17
The Events Centre Caloundra	<ul style="list-style-type: none"> • Beausang Room HVAC • Ceiling works • Upgrade kitchen area • Upgrade change rooms • Tiled floor areas • Theatre seats • Wall dividers to Amenities <u>TOTAL \$450k</u>	No budget allocated	<ul style="list-style-type: none"> • Sound proofing: \$150k • Renew Heating, Ventilation & Air-Conditioning: \$400k <u>TOTAL \$550k</u>
Lake Kawana Community Centre	<ul style="list-style-type: none"> • Construction of shower facilities: \$20k • Removal of roller door and installation of wall: \$20k <u>TOTAL \$40k</u>	No budget allocated	No budget allocated
Nambour Civic Centre	<ul style="list-style-type: none"> • Supply and install digital cinema equipment: \$55k <u>TOTAL \$55k</u>	Replacement of stage curtains: \$65k <u>TOTAL \$65k</u>	Replace screen: \$35k <u>TOTAL \$35k</u>
Coolum Civic Centre	<ul style="list-style-type: none"> • Refurbishment works: \$200k • Replace steel girders: \$100k <u>TOTAL \$300k</u>	No budget allocated	No budget allocated
Kawana Community Hall	No budget allocated	No budget allocated	No budget allocated
Beerwah and District Community Hall	No budget allocated	No budget allocated	No budget allocated
TOTALS	\$845,000	\$65,000	\$585,000

Further information that was not included in the Draft Sunshine Coast Performance and Community Venues Plan but is necessary within the context of budget deliberations is the annual asset management and operating costs of each of the facilities. This information is contained below in Table 4.

TABLE 4

Venue	Asset Replacement Value	Remaining Years of Depreciation	2012/13 Operating Subsidy	2012/13 Depreciation Cost	2012/13 Maintenance Cost	Indicative Annual Maintenance Cost	Indicative 10 year Capital Cost
The Events Centre Caloundra	\$20,037,158	40 years	- \$1,066,682**	\$396,992	\$185,338	\$500,928	\$1,288,000
Lake Kawana Community Centre	\$14,611,552	46 years	-\$841,377	\$283,098	\$85,719	\$365,288	\$73,500
Nambour Civic Centre*	\$1,047,829	-	-\$830,600	\$78,492	\$30,108	\$26,195	\$1,296,000
Coolum Civic Centre	\$1,970,977	26 years	-\$123,987	\$39,783	\$13,314	\$49,274	\$32,500
Kawana Community Hall	\$1,348,681	32 years	-\$47,948	\$33,037	\$15,502	\$33,717	\$60,000
Beerwah & District Community Hall	\$1,857,965	37 years	-\$120,293	\$39,783	\$10,135	\$52,023	\$65,000

Notes:

- Asset Replacement Value (ARV) - Sourced from Asset Accounting and includes all listed Council owned assets at the venue (e.g. building, plant & equipment, fit out). Correct as at 30 June 2013.
- Remaining Years of Depreciation - Sourced from Asset Accounting. Correct as at 30 June 2013.
- 2012/13 Depreciation Cost - Sourced from Asset Accounting. Correct as at 30 June 2013.
- 2012/13 Maintenance Cost - Sourced from Facilities Management Team, Property Management Branch.
- Indicative Annual Maintenance Cost - Represented by an annual funding benchmark of 2.5% of ARV, actual budgets will vary. This figure does not include full operational costs for the building (e.g. water, sewerage, power), nor does it include operational costs for the service provided from the building (e.g. venue staffing, any operational/maintenance budgets held by service managers).
- Indicative 10 year Capital Cost - Sourced from Property Management Branch 2012 condition assessment data.

*Nambour Civic Centre is a leased venue. The figures for Nambour Civic Centre represent the listed Council-owned assets at the venue (e.g. plant & equipment, fit out).

** Operating subsidy for The Events Centre Caloundra comprises council's company contribution to The Events Centre, and does not include council's internal charges.

As discussed in the budget workshop on the 7 April, 2014 it was proposed that an amount of \$450,000 be considered for inclusion in the draft maintenance budget for The Events Centre. This budget proposal is approximate to the indicative annual maintenance costs for this facility as per Table 4. It is expected that the proposed Facility Development and Maintenance Plan for Lake Kawana Community Centre will address the gap between the industry standard indicative annual maintenance costs and the current operational budget for this facility. A further report regarding this matter will be presented to Council.

CORPORATE PLAN**Corporate Plan Theme:** *Innovation & Creativity***Emerging Priority:** 3.3 - A creative and artistic region**Strategy:** 3.3.1 - Assess the region's cultural facilities and activities, research future needs and develop an arts and cultural strategy**Corporate Plan Theme:** *Innovation & Creativity***Emerging Priority:** 3.3 - A creative and artistic region**Strategy:** 3.3.2 - Provide and facilitate local and regional arts and cultural facilities and programs within the community**Corporate Plan Theme:** *Managing growth***Emerging Priority:** 7.4 - Timely and appropriate infrastructure and service provision**Strategy:** 7.4.3 - Ensure the provision of parks, open space and community infrastructure consistent with identified local and regional needs**CONSULTATION**

The Draft Sunshine Coast Performance and Community Venues Plan was released for public exhibition and comment from 20 January, 2014 until 14 February, 2014. A total of 42 submissions were received during the public exhibition and comment period. These 42 submissions were comprised of 31 submissions from residents, and 11 submissions made on behalf of a group/organisation.

Preliminary consultation provided to date is shown in Attachment 2.

PROPOSAL

The Draft Sunshine Performance and Community Venues Plan (the Plan) was prepared to inform the future use, operation and possible development of six (6) of Council's performance and community venues over the next 15 years. Venues within scope of this draft Plan are:

- The Nambour Civic Centre
- Lake Kawana Community Centre
- The Events Centre Caloundra
- Coolum Civic Centre
- Kawana Community Hall
- Beerwah and District Community Hall

On 12 December, 2013 Council resolved to endorse the Draft Sunshine Coast Performance and Community Venues Plan (Attachment 1) for public exhibition and comment. In accordance with this, the Draft Sunshine Coast Performance and Community Venues Plan was released for public exhibition and comment from 20 January, 2014 until 14 February, 2014.

A total of 42 submissions were received during the public exhibition and comment period. These 42 submissions were comprised of 31 submissions from residents, and 11 submissions made on behalf of a group/organisation. Attachment 2 provides a summary of the preliminary consultation results to date.

Further consultation is yet to occur and analysis from this feedback is still required for a final report to be prepared for Council.

Legal

There are no legal implications associated with this report.

Policy

The final Sunshine Coast Performance and Community Venues Plan will form Council's policy direction for how to carry out its role in the provision of performance and community venues in the future.

Risk

In relation to the Draft Plan, Community Services are currently undertaking further consultation with industry stakeholders, non-venue users and stakeholders around current precinct planning projects. This consultation is not yet complete and further feedback may be relevant to some of the recommendations presented to Council regarding the future use, operation and possible development of six (6) of Council's performance and community venues over the next 15 years.

Previous Council Resolution

OM13/252 (12 December 2013):

That Council:

- (a) receive and note the report titled "Status Report Draft Sunshine Coast Performance and Community Venues Plan"*
- (b) endorse the Status Report Draft Sunshine Coast Performance and Community Venues Plan (Appendix A) for public exhibition and comment*
- (c) note the document titled Volume 2: Supporting Resources (Appendix B)*
- (d) request the Chief Executive Officer collate and consider all feedback received as part of the public exhibition and comment and present the final Status Report Draft Sunshine Coast Performance and Community Venues Plan to council for adoption.*

SM11/21 (28 April 2011):

That Council request the Chief Executive Officer to provide to council a timetable for the strategic directions for council's community venues including both first tier of The Events Centre Caloundra; Lake Kawana Community Centre; The J and Nambour Civic Centre and second tier community centres.

Related Documents

- Corporate Plan 2009–2014
- Social Infrastructure Strategy 2011
- Cultural Development Policy 2012
- Youth Strategy 2010–2015
- Access and Inclusion Plan 2011-2016
- Positive Ageing Strategy 2011-2016
- Reconciliation Action Plan 2011

- Wellbeing Charter, 2010
- Place Making Charter: People, Place and Partnerships
- Capital Works Program Listing 2012/2013-2021/2022
- Caloundra City Plan 2004
- Maroochy Plan 2000
- Draft Sunshine Coast Planning Scheme 2012
- Sunshine Coast Entertainment, Convention and Exhibition Centre Feasibility Report 2011
- Sunshine Coast Entertainment, Convention and Exhibition Centre Implementation Strategy October 2011

Critical Dates

The finalised Draft Sunshine Coast Performance and Community Venues Plan will be provided to Council in July 2014.

Implementation

Further consultation will occur in April/May 2014, with a final Sunshine Coast Performance and Community Venues Plan being provided in July 2014 for Council consideration.

8.5 INFRASTRUCTURE SERVICES

Nil

8.6 CORPORATE STRATEGY AND DELIVERY

Nil

8.7 OFFICE OF THE MAYOR AND THE CEO

Nil

9 NOTIFIED MOTIONS**10 TABLING OF PETITIONS**

Petitions only eligible for submission if:

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

11 CONFIDENTIAL SESSION**11.1 REGIONAL STRATEGY AND PLANNING****11.1.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MALENY CAR PARKING**

File No: Traffic and Transport
Author: Manager Transport and Infrastructure Policy
Regional Strategy & Planning Department

This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

11.2 CORPORATE SERVICES**11.2.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - QUARTERLY PROGRESS REPORT - QUARTER 3, 2013/2014**

File No: Statutory Meeting
Author: Coordinator Corporate Plan Reporting and Risk
Corporate Services Department

This report is confidential in accordance with section 275 (f) of the *Local Government Regulation 2012* as it contains information relating to starting or defending legal proceedings involving the local government.

11.3 COMMUNITY SERVICES

Nil

11.4 INFRASTRUCTURE SERVICES

Nil

11.5 CORPORATE STRATEGY AND DELIVERY**11.5.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - CORPORATE IMAGE PROJECT****File No:** Statutory Meeting**Author:** Director Corporate Strategy and Delivery
Corporate Strategy and Delivery Department

This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

11.6 OFFICE OF THE MAYOR AND THE CEO

Nil

12 NEXT MEETING

The next Ordinary Meeting will be held on 22 May 2014 in the Council Chambers, 1 Omrah Avenue, Caloundra.

13 MEETING CLOSURE