

# Agenda

## **Ordinary Meeting**

**Thursday, 20 August 2020**

**commencing at 9:00am**



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**1 DECLARATION OF OPENING**

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

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

That the Minutes of the Ordinary Meeting held on 23 July 2020 be received and confirmed.

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

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

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

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

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

The other Councillors must then decide

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

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



**8 REPORTS DIRECT TO COUNCIL**

**8.1 QUARTERLY PROGRESS REPORT - QUARTER 4, 2019-20**

**File No:** Council meetings

**Author:** Coordinator Organisational Performance  
Office of the CEO

**Appendices:**

<b>App A - Chief Executive Officers Quarterly Highlights Report - Quarter 4, 2019-20 .....</b>	<b>13</b>
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**PURPOSE**

This report presents the Quarterly Progress Report for Quarter 4, 2019-20. The report covers the period 1 April to 30 June 2020 and has been prepared to inform Council and the community on the implementation of operational activities, significant projects and service highlights from Council’s Operational Plan 2019-20.

**EXECUTIVE SUMMARY**

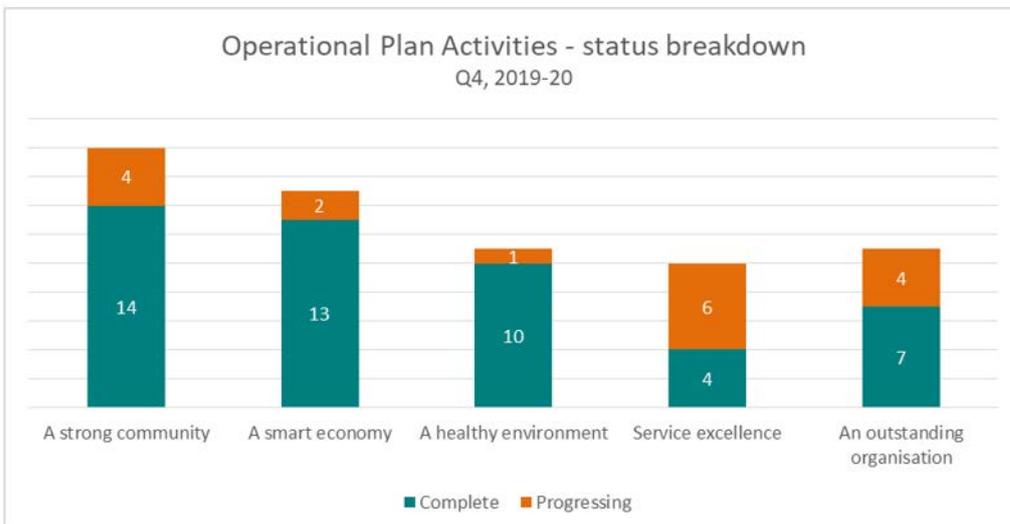
Each quarter, Council receives a progress report on the delivery of the Operational Plan. The report once adopted, is published and made available to the community.

The Report is comprised of:

- Appendix A – CEO’s Quarterly Highlight Report Quarter 4, 2019-20
- Appendix B – Operational Plan Activities Report Quarter 4, 2019-20

The novel coronavirus (COVID-19) was declared by the World Health Organisation in March 2020, resulting in unprecedented changes to service delivery during the final quarter. Through this Council has continued to focus on the well-being and safety of our community and employees. This has included an agile approach to delivering business continuity, while also developing a number of support and stimulus packages. Despite the challenges and proactive responses Council continued to deliver 74% of the Operational Plan 2019-20 activities on schedule.

The following graph provides a breakdown of the progress status for the 65 Operational Plan Activities by Goal, at the end of quarter 4, 2019-20.



Below is a summary of key Highlights by Corporate Plan Goal for Quarter 4, 2019-20:

### **A strong community**

- Over \$1.1 million in grant funding was allocated through 257 community grants.
- The \$840,000 Nambour Heritage Tramway Depot (terminus) building located in Mill Street was completed.
- Venue114 was recognised for its sustainability commitment by receiving a 5 star rating from EarthCheck, the world's leading scientific benchmarking, certification and advisory group for travel and tourism.

### **A healthy environment**

- Mary Cairncross Scenic Reserve was broadcast live around the world through the Reveil 2020 with over 6000 people from various countries tuned in to listen to the different bird species.
- The final phase of the Russell Family Park in Montville is complete, delivering a significant terraced car parking facility, stormwater management infrastructure, extensive landscaping and a major playground upgrade.
- Golden Beach became the first suburb on the Sunshine Coast to trial a functional, cost-effective and sustainable way to water street trees, which will redirect stormwater runoff to the roots of our street trees.

### **A smart economy**

- Council's Economic Resurgence Plan was created to fast track the region's economic recovery over the next 12-18 months.
- The first aircraft landed on the new 2450 metre international-standard runway at the Sunshine Coast Airport on 14 June 2020.
- Council endorsed KPAT Asset Management Pty Ltd as the successful proponent of a 4.5 star hotel on the Brisbane Road and First Avenue Mooloolaba site.

### **Service excellence**

- 57,447 customers were assisted through the development and customer contact centres.
- Council's chat hours were extended to respond to the closure of customer counters between 6 April and 9 June 2020 with a 40% increase in customers using this channel.
- 2656 building approvals issued with a construction value of \$369 million.

### **An outstanding organisation**

Council continues to support our local community in its response to the COVID-19 pandemic by implementing changes to a number of operating procedures to support the region's recovery:

- \$73 million - which represents 72% of Council's total available purchasing spend for the quarter - went to local businesses.
- Council injected up to \$15 million per month earlier into the local economy by expediting payments to local contractors within seven days (usually 30 days).
- Council did not charge interest on outstanding rates and did not pursue outstanding rates during this period.

- Council's procurement policy has been revised to increase its emphasis on locally based suppliers, which will help to keep residents employed and money circulating through the region's economy.
- The 2020-21 budget adopted in June includes a financial relief for General Rate ratepayers through a COVID rebate, and there is no increase to the Environment, Transport and Heritage levies, meaning most ratepayers on the minimum general rate will pay the same as last year.
- Council received five awards this quarter, including:
  - Council's Get Ready Schools program won the Champions of Change award from the Office of the Inspector General Emergency Management.
  - The Inter-Urban Break Outdoor Recreation Plan received a Regional Achievement Award in Landscape Architecture in 2020 AILA QLD Landscape Architecture Awards.
  - The Sunshine Coast Design Book won the award for Research, Policy and Communications in the 2020 AILA QLD Landscape Architecture Awards.
  - The Aerodrome Road Intersection won the award for Civil Landscape in the 2020 AILA QLD Landscape Architecture Awards and
  - The Sunshine Coast Kids in Action Program won the 2020 Queensland Reconciliation Award for Partnership.

## OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Quarterly Progress Report - Quarter 4, 2019-20"
- (b) note the Chief Executive Officer's Quarterly Highlights Report - Quarter 4, 2019-20 (Appendix A) on service delivery highlights and
- (c) note the Operational Plan Activities Report - Quarter 4, 2019-20 (Appendix B) reporting on implementation of the Corporate and Operational Plans.

## FINANCE AND RESOURCING

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

## CORPORATE PLAN

**Corporate Plan Goal:** *An outstanding organisation*  
**Outcome:** We serve our community by providing this great service  
**Operational Activity:** S29 - Governance - providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported.

## CONSULTATION

### Councillor Consultation

Councillor J Natoli and Councillor T Hungerford as Portfolio Councillors for Outstanding Organisation have been briefed on this report.

**Internal Consultation**

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

**External Consultation**

There has been no external consultation in relation to this report, however the report, once endorsed, is made available to the community.

**Community Engagement**

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

**PROPOSAL**

Under the requirements of the *Local Government Act 2009* and associated Regulation, Council is required to consider a regular report from the Chief Executive Officer outlining the achievements in delivering on the outcomes in its corporate and operational plans.

This report provides information on the following for consideration by Council.

**Progress report**

The Chief Executive Officer's Quarterly Highlights Report - Quarter 4, 2019-20 (Appendix A) consists of a summary of achievements; and supporting information by Corporate Plan Goal covering delivery of Council's services.

**Operational plan activities**

Operational Plan Activities Report - Quarter 4, 2019-20 (Appendix B) provides details on the implementation of the 65 activities outlined in Council's Operational Plan. It includes the status of each activity covering percentage complete, on time and on budget indicators as well as progress commentary.

**Legal**

There is a legislative requirement to provide a report on performance against the corporate and operational plans. This report meets the requirements of the *Local Government Act 2009* and *Local Government Regulation 2012*.

**Policy**

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

**Risk**

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

- reputation/public image: the report provides information on Council's operational plan and service delivery with both qualitative and quantitative updates to the community
- legislative: the report meets the legislative requirements of the *Local Government Act 2009* and Regulation and
- business activity: the report keeps Council informed about the progression of the operational plan activities and provides a timely account of Council's progress to the community.

**Previous Council Resolution****Ordinary Meeting 28 May 2020 (OM20/48)**

*That Council:*

- (a) receive and note the report titled “**Quarterly Progress Report - Quarter 3, 2019-20**”
- (b) note the Chief Executive Officer’s Quarterly Highlights Report – Quarter 3, 2019-20 (Appendix A) on service delivery highlights and
- (c) note the Operational Plan Activities Report – Quarter 3, 2019-20 (Appendix B) reporting on implementation of the Corporate and Operational Plans

**Related Documentation**

- Corporate Plan 2020-2024
- Operational Plan 2019-2020
- Financial information provided to Council in the Financial and Capital management report.

**Critical Dates**

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

**Implementation**

The report will be published and available for community access via Council’s website and a copy will be provided to the State Library.

**8.2 JULY 2020 FINANCIAL PERFORMANCE REPORT**

<b>File No:</b>	<b>Financial Reports</b>
<b>Author:</b>	<b>Acting Chief Financial Officer Business Performance Group</b>
<b>Appendices:</b>	<b>App A – Capital Minor Works Program ..... 5/12</b>
<b>Attachments:</b>	<b>Att 1 - July 2020 Financial Performance Report ..... 7/12</b>

**PURPOSE**

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

**EXECUTIVE SUMMARY**

This monthly financial performance report provides Council with a summary of performance against budget as at 31 July 2020 in terms of the operating result and delivery of the capital program.

**Operating Performance****Table 1: Operating Budget as at 31 July 2020**

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

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

**OFFICER RECOMMENDATION**

**That Council**

- (a) receive and note the report titled “July 2020 Financial Performance Report” and
- (b) endorse the Minor Capital Works Program (Appendix A).

**FINANCE AND RESOURCING**

This report sets out the details of Council’s financial performance and investments for the month ending 31 July 2020 and meets Council’s legislative reporting requirements.

**CORPORATE PLAN**

<b>Corporate Plan Goal:</b>	<b><i>An outstanding organisation</i></b>
<b>Outcome:</b>	5.7 - A financially sustainable organisation
<b>Operational Activity:</b>	5.7.1 - Develop and monitor Council's budget, including legislated requirements.

## CONSULTATION

### Portfolio Councillor Consultation

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

### Internal Consultation

This report has been written in conjunction with advice from:

- Acting Group Executive Business Performance
- Acting Chief Financial Officer

### External Consultation

No external consultation is required for this report.

### Community Engagement

No community engagement is required for this report.

### Legal

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

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

### Policy

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

### Risk

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

### Previous Council Resolution

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

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

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

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

**Related Documentation**

2020/21 Adopted Budget

**Critical Dates**

There are no critical dates for this report.

**Implementation**

There are no implementation details to include in this report.





**8.3 KAWANA WATERS STRUCTURE PLAN AMENDMENTS**

**File No:** MPC17/0008.01

**Author:** Senior Development Planner  
Customer Engagement & Planning Services Group

**Appendices:** App A - Conditions of Approval .....75

**Attachments:** Att 1 - Amended Kawana Waters Structure Plan .....87  
Att 2 - Map of Development Control Plan No. 1 area ..... 125  
Att 3 - Location of development proposals map ..... 127

**PURPOSE**

The purpose of this report is to seek:

- Council's recommendation to the Minister for Natural Resources, Mines and Energy that the proposed amendments to the Kawana Waters Structure Plan (Structure Plan) be approved, and
- a delegation to the Chief Executive Officer to determine any future minor or administrative amendments to the Structure Plan.

The State Government Department of Natural Resources, Mines and Energy is the approving authority for amendments to the Kawana Waters Structure Plan.

The report is before Council as there is currently no delegation in place for the Chief Executive Officer to determine applications to amend this Structure Plan.

**EXECUTIVE SUMMARY**

An application has been received from Stockland Kawana Waters Pty Ltd (Stockland) for amendments to the Kawana Waters Structure Plan (Structure Plan). The proposed amendments are intended to facilitate the following developments in the Birtinya Town Centre:

- Night Quarter - An interim shopping centre (night market) and indoor entertainment (concert hall) use of the vacant Stage 2 part of the Stockland Birtinya Shopping Centre site to enable a night market and live music venue, primarily operating on Friday and Saturday nights and accommodate up to 1,200 people in total (inclusive of staff and customers).
- Vitality Village Food Outlet - A food outlet (café) use on the ground floor of the 'Vitality Village' commercial development on Discovery Ct, Birtinya.
- Birtinya Shopping Centre and Moko Village Centre Gymnasiums - An indoor entertainment (gymnasium) use to be located in an existing retail tenancy within the Stockland Birtinya Shopping Centre (The Avenue, Birtinya) and the 'Moko' mixed use development (Birtinya Island Village Centre on Regatta Boulevard).

All of the above development proposals have previously been supported by Council through other applications and recommendations to the State Government. These previous applications were determined by Council (in most cases under a delegation to the Chief Executive Officer) based on legal advice obtained by Council that outlined a different approvals process for facilitating small scale compatible uses, where they did not strictly comply with the Structure Plan. This different approvals process was utilised as an alternative to amending the Structure Plan, which can be a costly and time consuming process, where the development proposal was small scale, considered by Council officer's to

be compatible with the master planning intent for the area, and had broad community support.

The State Government did not agree with Council's alternative approvals process to facilitate these developments. The State Government has required Stockland amend the Structure Plan as a condition of its approval of the above mentioned previous applications. It is understood the State Government's concerns relate to the modelling estimates of traffic within Kawana Waters. In particular, the State Government wants to ensure that the Structure Plan and the traffic modelling report referenced in the State Government's conditions which apply to the approval of the Structure Plan, remain an accurate reflection of the uses being established on the ground.

The key assessment consideration for this report is traffic generation. Council officers have considered the traffic generation impacts of each of the development proposals covered by this Structure Plan amendment as part of the previous applications. In each case, Council officers have determined the traffic generation to be acceptable and that no road or intersection upgrades are required.

Council has already supported all of the proposed uses through alternative approvals processes, as such the proposed amendments to the Structure Plan to reflect these uses are recommended for approval, subject to conditions.

### **OFFICER RECOMMENDATION**

**That Council:**

- (a) receive and note the report titled "Kawana Waters Structure Plan Amendments"**
- (b) recommend to the Minister for Natural Resources, Mines and Energy that the amended Kawana Waters Structure Plan be approved, subject to conditions contained in Appendix A and**
- (c) delegate authority to the Chief Executive Officer to approve any further minor or administrative amendments to the Kawana Waters Structure Plan.**

### **FINANCE AND RESOURCING**

There are no Council related Financial Contributions triggered with this application to amend the Structure Plan.

### **CORPORATE PLAN**

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

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

**Operational Activity:** 4.4.1 - Deliver Planning and Development Services to ensure statutory requirements are met to achieve positive customer experiences and maintain strong industry engagement.

### **CONSULTATION**

#### **Councillor Consultation**

The Divisional Councillor P Cox has been consulted on this report.

The Divisional Councillor P Cox was also consulted at the time Council officers were assessing the previous applications for Night Quarter, Vitality Village Food Outlet, and the Birtinya Shopping Centre and Moko Village Centre gymnasiums.

### Internal Consultation

No internal consultation was undertaken for this application. However, the previous applications for the proposed uses were referred to the following internal specialists:

- Senior Development Engineer, Development Services Branch
- Principal Traffic Engineer, Development Services Branch
- Landscape Officer, Development Services Branch
- Environment Officer, Development Services Branch
- Principal Architect, Strategic Planning Branch

Their assessment formed part of Council's assessment of the previous applications.

### External Consultation

The proposed Structure Plan amendments are sought by Stockland following extensive engagement with the State Government (represented by Department of Natural Resources, Mines and Energy and the Department of Transport and Main Roads).

The application did not require a statutory referral to any referral agencies in accordance with the *Planning Act 2016* and the *Planning Regulation 2017*.

Some of the previous applications for the proposed uses did trigger statutory referrals to the State Government for state transport and contaminated land matters. In each case the State Government agencies approved the applications.

Unitywater was consulted as part of the assessment of some of the previous applications for the proposed uses.

### Community Engagement

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

All master plan applications are publicly available via Council's Development.i system.

## PROPOSAL

### Background

This application is for amendments to the Kawana Waters Structure Plan.

Kawana Waters is the major master planned development area broadly located between Currimundi and the Mooloolah River (incorporating 1,613 hectares). The area is being progressively developed out of a Crown Development Lease by the master developer Stockland Kawana Waters Pty Ltd. The development lease is due to expire in 2030. The development lease is administered by the Department of Natural Resources, Mines and Energy.

The *Sunshine Coast Planning Scheme 2014* identifies an area of land within Kawana as located within Development Control Plan 1 – Kawana Waters. The extent of the Development Control Plan No. 1 area is illustrated on the map in **Attachment 2**. Under the provisions of Development Control Plan No. 1, development of land within this area must follow the Master Planned Community Development Process. Council must approve a series of master plans as part of the development of individual sites or precincts. Development in this area is not subject to the provisions of the *Sunshine Coast Planning Scheme 2014*.

The Kawana Waters project has a long history, secured by detailed multi-party infrastructure agreements, community funding obligations and significant infrastructure obligations. The development of the Kawana Waters community has been progressing since the late 1960's.

New planning / ownership arrangements were introduced in early 1990's with a key element being the Kawana Waters Development Agreement.

The Council, the Minister for Natural Resources, Mines and Energy and Stockland are parties to the Kawana Waters Development Agreement.

Over 90% of the Kawana Waters development area has now been developed and sold to third parties, although not all the related obligations have been completed. The development of Kawana Waters is expected to be completed over the next 10 years.

The Kawana Town Centre's development, along with the surrounding Health Hub and Birtinya area are critical to the implementation of the South East Queensland Regional Plan 2017 (Shaping SEQ) and the Council's economic strategy for the Sunshine Coast.

Council continues to work closely with the Department of Natural Resources, Mines and Energy, and with Stockland to ensure the planning and development of the Kawana Waters is completed in an integrated and sustainable manner.

A dedicated Kawana Waters and Palmview team exists within Council's Development Services Branch. The team administers Council's role in management of these master planned developments. This includes managing development assessment functions for these projects and ensuring all infrastructure agreement obligations are provided on time and to an acceptable standard.

### **Proposed Amendments**

The Structure Plan is the highest level of master plan for Kawana Waters. It sets out the broad land use and yield expectations for each part of the master planned area. The Structure Plan was originally approved in September 1999, and has since been amended on a number of occasions, most recently in 2017 in conjunction with the 11th Deed of Variation to the Kawana Waters Development Agreement.

Previous amendments have dealt with significant changes to the planning intent for parts of the master planned area, for example the form and function of the town centre. However, in this case the proposed amendments are minor and administrative in nature, and are primarily required as a result of conditions imposed by the State Government as part of their approval of previous lower order master plan amendment applications.

The proposed Structure Plan amendments fall into two categories:

1. Amendments that have been specifically conditioned by the State Government as part of their approval of previous lower order master plan amendment applications; and
2. Amendments that have been separately proposed by Stockland to provide greater clarity for future users of the Structure Plan document.

All of the proposed amendments relate to development proposals which Council has assessed and supported as part of previous applications.

A copy of the proposed amended Kawana Waters Structure Plan document is provided as **Attachment 1** to this report with the specific proposed amendments detailed below.

#### Amendments conditioned by the State Government:

- New land use definitions added for "Indoor Entertainment (Concert Hall)" and "Shopping Centre (Night Market)" (Section 2.2.)
- List of permitted uses and yields for Town Centre West Precinct (Section 6.4(a)(iii)(A)(2)) updated to reference "Shopping Centre (Night Market)" and "Indoor Entertainment (Concert Hall)" and
- List of permitted uses and yields for Town Centre South Precinct (Section 6.4(a)(iii)(B)) updated to reference "Food Outlet". This is to facilitate the small Food Outlet proposed on the ground floor of the Vitality Village commercial development which is currently under construction.

Other amendments proposed by Stockland:

- List of permitted uses for the Birtinya Island Village Centre (Section 3.4(b)(ii)(C)) updated to include “Indoor Entertainment (Gymnasium)”
- List of permitted uses and yields for Town Centre West Precinct (Section 6.4(a)(iii)(A)(2)) updated to reference “Indoor Entertainment (Gymnasium)” and
- Amend Schedule 1 (Table of Defined Uses) to appropriately reference the new land use definitions for “Indoor Entertainment (Concert Hall)” and “Shopping Centre (Night Market)”.

With respect to the “Indoor Entertainment (Gymnasium)” references identified above, while these Structure Plan inclusions are not specifically required by State Government Agency conditions, the applicant has discussed these inclusions with both Council officers and the State Government as being necessary in order to facilitate gymnasium operations in the Stockland Birtinya Shopping Centre and the Moko Village Centre mixed use development at the corner of Birtinya Boulevard and Regatta Boulevard.

Description of development proposals that are facilitated by the proposed Structure Plan amendments

The development proposals which the proposed Structure Plan amendments are intended to facilitate are briefly described below. The location of each of these proposals is identified on the map provided as **Attachment 3**. All of these proposals have been supported by Council as part of previous development applications.

- Night Quarter (Stockland Birtinya Shopping Centre)

The proposal is for an interim use of the northern part of the Birtinya Shopping Centre site, which is intended to be developed as Stage 2 of the Shopping Centre in future. The proposed night markets are intended to operate between 4pm and 10pm on Friday and Saturday nights, as well as occasionally on other nights throughout the year. The markets would comprise forty individual vendors that operate from retrofitted shipping containers selling food, beverages (including licensed premises), fashion items and general paraphernalia to the public.

The night markets would comprise central marquees to provide shelter and seating for patrons, while also providing opportunities for live music and entertainment that will help create a “festival” atmosphere.

The proposed night market will cover a 6,320m<sup>2</sup> (approx.) area of the site. It includes two larger roofed enclosures as well as some outdoor stalls and circulation areas. Painted Shipping Containers, stacked one, two and three high are proposed around the perimeter of the site.

The light-weight and temporary nature of the proposed operation allows for the use to occur for an interim period until such time as there is sufficient demand for the approved Stage 2 of the Shopping Centre to be developed.

The market is proposed to feature regular buskers from the local area and would also on occasion host larger, ticketed, live music events.

The night market would have a maximum capacity of 1,200 people.

- Vitality Village Food Outlet (Discovery Ct, Birtinya) – a 92m<sup>2</sup> Food Outlet on the ground floor of the five storey “Vitality Village” commercial and health care premises development.
- Birtinya Shopping Centre Gymnasium (Stockland Birtinya Shopping Centre) – a gymnasium located within one of the existing tenancies of the shopping centre, up to 325m<sup>2</sup> in size.

- Moko Village Centre Gymnasium (67 Regatta Boulevard, Birtinya) - the gymnasium would occupy a use area of up to 250m<sup>2</sup> within the ground floor retail of the existing Moko Village Centre development.

### Assessment of proposed amendments

#### Night Quarter and Vitality Village Food Outlet

The application proposes to include two new land use definitions in the Structure Plan, as follows:

*“indoor entertainment (concert hall)” means the use of premises, primarily during the evening period, for presenting live entertainment or music to the public within an indoor setting and may include the provision of food and liquor for consumption on the premises.*

*“shopping centre (night market)” means the use of premises for the sale of goods to the public on a regular basis, where goods are primarily sold during the evening period from temporary or semi-temporary structures located on the same premises as a shopping centre, such as shipping containers. The use may include ancillary free entertainment provided for the enjoyment of customers.*

Additionally, the application proposes to identify these new defined land uses as permitted uses for the Town Centre West precinct. It also proposes to add Food Outlet as a permitted use for the Town Centre South Precinct.

Whilst these additional land use definitions required by the State add some clarity, it could be reasoned that the proposed uses are already appropriately captured by existing and use definitions.

The existing land use definition of “Shopping Centre” is considered to adequately cover the night market and ancillary live music component of the night market use. It was on this basis, that Council (by delegated authority to the Chief Executive Officer) approved the Night Market, as an amendment to the Shopping Centre Site Development Plan on 10 October 2019 (application no. MPC17/0012.03).

Similarly, the existing land use definition of Indoor Entertainment is considered to adequately cover a Concert Hall of the nature described in the applicant’s proposed definition. Concert Hall is given as an example of an Indoor Entertainment use within the existing definition.

On 17 January 2020 Council (by delegated authority to the Chief Executive Officer) decided to recommend to Department of Natural Resources, Mines and Energy that amendments to the Town Centre Detailed Planning Area Plan (Master Plan No. 100), to permit Indoor Entertainment (Concert Hall) in the Town Centre West precinct, be approved (application no. MPC17/0011.04).

With regard to the Vitality Village Food Outlet, on 19 December 2019 Council (by delegated authority to the Chief Executive Officer) decided to recommend to Department of Natural Resources, Mines and Energy that amendments to the Town Centre Detailed Planning Area Plan (Master Plan No. 100), to permit a Food Outlet in the Town Centre South precinct, be approved (application no. MPC17/0011.03)

Department of Natural Resources, Mines and Energy approved both the above applications together on 9 April 2020, but imposed a condition on its’ approval requiring that Stockland undertake the amendments to the Structure Plan that are the subject of this report.

Additionally, on the basis of in-principle support for the Indoor Entertainment (Concert hall) and Food Outlet uses being issued by Department of Natural Resources, Mines and Energy, Council (by delegated authority to officers) approved the impact assessable Material Change of Use applications for the Indoor Entertainment (Concert Hall) on 26 March 2020 (application no. MCU19/0286) and for the Vitality Village Food Outlet on 29 April 2020 (application no. MCU19/0295).

It is understood that the State Government's requirement for amendments to the Structure Plan is based on their belief that the Night Quarter and Vitality Village Food Outlet may have different traffic generation characteristics to the uses currently envisaged in the Structure Plan for these precincts, and that the Structure Plan and associated traffic modelling therefore needs to be updated to reflect the revised uses.

The proposed amendments are the result of a direction from the State Government. The State Government's requirements are acknowledged and the amendments are considered to be generally consistent with the approvals Council has previously granted. Furthermore, the amendments will not have any adverse consequences. Council officers support the proposed Structure Plan amendments in order to facilitate the proposed developments and stimulate economic activity in the Kawana Town Centre.

#### Birtinya Shopping Centre Gymnasium

On 24 December 2018 Council (by delegated authority to the Chief Executive Officer) decided to recommend to Department of Natural Resources, Mines and Energy that amendments to the Town Centre Detailed Planning Area Plan be approved that would identify Indoor Recreation (Gymnasium) as a compatible use for the Birtinya Shopping Centre site (application no. MPC17/0011.02). On 16 January 2019 Department of Natural Resources, Mines and Energy approved the amended Master Plan. On the same date Council's approval of an amendment to the Shopping Centre Site Development Plan (Master Plan No. 101) took effect, which identified Indoor Entertainment (Gymnasium) as a 'consent required' use for the site. Subsequently, on 16 January 2019 Council (by delegated authority to officers) approved an impact assessable Material Change of Use application for a 325m<sup>2</sup> gymnasium within the existing shopping centre.

In this case, the State Government had supported Council's approach to facilitating the proposed gymnasium use without requiring a subsequent Structure Plan amendment. However, in the interests of consistency, given the Structure Plan is now being amended, it is considered expedient to include this use as well.

#### Moko Village Centre Gymnasium

On 22 August 2019 Council (decision by Full Council) decided to recommend to Department of Natural Resources, Mines and Energy that amendments to the Birtinya Neighbourhood Plan and Precinct/Estate Plan be approved that would identify Indoor Entertainment (Gymnasium) as a compatible use for the Village Centre (Moko Village Centre mixed use development site). Department of Natural Resources, Mines and Energy have not yet determined these master plan applications.

#### Traffic Modelling

One of the State Government's conditions applying to the approval of the Structure Plan references a traffic modeling report for the Town Centre. This traffic modelling report includes traffic modelling for the specific uses and yields in the Town Centre. It is understood that the State Government believes that, in the absence of amending the Structure Plan and the referenced traffic modeling report, the proposed uses would represent a breach of this condition.

Council officers have previously considered the proposed uses to be generally consistent with the traffic modelling for the Town Centre the following reasons:

- *Night Quarter (night market component)*

The total capacity of the Night Quarter (including both the market and concert hall components) is 1,200 people.

A traffic report was submitted by Stockland as part of Council's assessment of the original application for the night market use.

The surrounding streets and signalised intersections with the State controlled Kawana Way at The Avenue and Station Road have already been constructed based on the future approved Stage 2 Shopping Centre land use.

The traffic report advises “*the traffic generated by the proposed night market development is expected to be considerably lower than the previous land uses proposed for the site, and therefore is catered for in the traffic generation assessment conducted as part of the existing approvals*” .

Moreover, the peak period for leaving traffic generated by the proposed night market is after 8pm, considerably later than the peak period for both the approved shopping complex use and Kawana Way (approximately 5pm). Consequently, Council’s traffic engineer advised that no external road upgrades were required for the application.

Based on the submitted traffic report, the estimated peak demand for the night market use, together with the existing shopping centre is 518 spaces, which is well within the 545 spaces provided on the site.

- *Night Quarter (Concert Hall component)*

The Council officer assessment of the previous application for the Concert Hall component use determined that it would occasionally generate more parking demand than is provided for on the site (up to 78 spaces of overspill). However, it was also determined that there is sufficient capacity in the surrounding street network to accommodate occasional spill-over peak periods and events. Demand for spill over parking would be in the evening when there is greater on-street parking availability.

The State Government (SARA concurrence agency) conditions of the Material Change of Use approval for the Concert Hall use require that the applicant provide an Event Management Plan for the Department of Transport and Main Roads to ensure that the ticketed events do not adversely impact on the State controlled road network in relation to parking management, pedestrian and traffic movements before, during and after events. The Event Management Plan will need to demonstrate that traffic movements associated with all ticketed events have minimal impact on the operation and safety of Kawana Way and the surrounding road network.

The State Government (SARA concurrence agency) imposed these conditions as they determined that the Concert Hall use will intermittently generate periods of high demand on the network but this can be managed through implementation of an appropriately prepared and approved Event Management Plan. It is further noted that, the Concert Hall use does not generate the need for any additional transport upgrades to the State-controlled road network.

- *Vitality Village Food Outlet*

The proposed Food Outlet is small in nature, being 92m<sup>2</sup> in size, and is likely to primarily serve the staff and visitors of the Vitality Village commercial building. In this regard it is considered to be an ancillary part of the Vitality Village commercial development. Therefore it is considered that the Food Outlet use will generate no additional traffic than the previous use rights for the tenancy, being Commercial Premises (office).

- *Shopping Centre gymnasium*

Under the *Sunshine Coast Planning Scheme 2014*, the definition of Shopping Centre allows for a gymnasium as part of the Centre. However, under the 1996 Planning Scheme definitions which apply in Kawana Waters, the Shopping Centre land use definition does not cover gymnasiums. It is considered that a gymnasium (caped at 325m<sup>2</sup> in size) is a natural fit for a contemporary Shopping Centre and should not need to be separately considered from a traffic generation perspective.

Whilst not located in the Town Centre area, the 250m<sup>2</sup> Moko Village Centre gymnasium in the Birtinya Island Village Centre is a similar situation to the Shopping Centre gymnasium proposal. Under the *Sunshine Coast Planning Scheme 2014* a gymnasium would be Accepted Development in a Village Centre zone, where located in an existing building, and would not require any planning approval from Council. The proposed Structure Plan amendment for Moko Village Centre is considered to bring the planning for this Village Centre into line with current Council policy.

While Council officers believe the proposed uses are generally consistent with the existing traffic modelling, Council officers have no objection to the proposed amendments to the Structure Plan, and the associated traffic modeling report. The amendments to the traffic modelling report are being assessed by the State Government, given the report is referenced by the State Government's conditions. The amendments will ensure the Structure Plan and associated traffic modeling accurately reflects all uses in the Town Centre and will protect the integrity of the traffic modelling data.

#### Approval Conditions

No changes are sought, or recommended, to Council's conditions currently applying to the Structure Plan. It is recommended that the same conditions be included as part of any approval of the proposed Structure Plan amendments.

#### **Legal**

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

#### **Policy**

There are no policy implications arising from this report.

#### **Risk**

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

#### **Previous Council Resolution**

There is no previous Council resolution relevant to this report.

#### **Related Documentation**

A copy of the proposed amended Kawana Waters Structure Plan is provided as **Attachment 1** to this report.

#### **Critical Dates**

Council is required to make a determination within 90 days after the application is taken to be duly made pursuant to section 7.6.3 of DCP-1. This date will be 28 September 2020.

#### **Implementation**

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

## 8.4 COMMUNITY PARTNERSHIP FUNDING PROGRAM RECOMMENDATIONS 2020

<b>File No:</b>	<b>Council meetings</b>
<b>Author:</b>	<b>Community Connections and Partnerships - Lead Economic &amp; Community Development Group</b>
<b>Appendices:</b>	<b>App A - Community Partnership Funding Program Recommendations 2020 .....137</b>
<b>Attachments:</b>	<b>Att 1 - 2020 Community Partnership Funding Program Recommendation Report - Additional Information .....Conf 5/19</b>

### PURPOSE

This report seeks Council consideration and endorsement of the funding recommendations for the Community Partnership Funding Program 2020 (Appendix A).

### EXECUTIVE SUMMARY

The inaugural Community Partnership Funding Program (the Program) was endorsed by Council at its Ordinary Meeting of 10 December 2009 and launched early in 2010.

The program is open to established not-for-profit community organisations that provide facilities or services which support the delivery of Council's priorities and demonstrate broad community benefit. It provides up to three years of funding towards operational expenses for successful applicants.

The Community Partnership Funding Program offers partnerships under the following five categories:

- Community Development
- Community Facilities
- Community Safety
- Cultural Heritage
- Economic Development.

One Community Partnership Funding Program round is offered per financial year. There are existing commitments for 2020/21 totalling \$904,933 for 125 community organisations that were awarded multiple years of funding in the 2018 and 2019 rounds.

It was determined that a maximum of one year of funding be allocated in this round to bring new allocations into line with existing Community Partnership Funding Program agreements which end at 30 June 2021.

The Community Partnership Funding Program 2020 round included an Expression of Interest (EOI) period from 18 May to 10 July 2020 to identify potential partners and invite eligible organisations to submit a full application.

At the close of the application period, Council had received one new Community Partnership Funding Program application and one request for a variation to an existing multiple year partnership agreement to extend the scope of their partnership with Council.

This report recommends a total of \$11,452 in funding for 2020/21 comprising of \$7,452 to establish a new one-year partnership with Millwell Road Community Centre Inc under the Community Facilities category and \$4,000 in additional funding to Sunshine Coast Creative

Alliance to extend the scope of their existing partnership under the Community Development category. Details of funding recommendations are provided in Appendix A.

## OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Community Partnership Funding Program Recommendations 2020” and
- (b) endorse the Community Partnership Funding Program Recommendations 2020 (Appendix A).

## FINANCE AND RESOURCING

There is one Community Partnership Funding round per financial year and funding is allocated (subject to annual budget considerations) for one, two or three year periods. As 2020/21 is the third year of the current three year cycle, it was determined that a maximum of one year of funding would be allocated in this round.

There are existing commitments totalling \$904,933 for 125 community organisations that were awarded multiple years of funding in the 2018 and 2019 rounds. This is comprised of \$812,433 supported through the 2020/21 Community Partnership Funding Program budget and \$92,500 supported through the 2020/21 Heritage Levy Program budget.

This report recommends a total of **\$11,452** in funding for 2020/21.

The 2020/21 Community Partnership Funding Program budget of \$824,000 is sufficient to support the recommendations in this report. Table 1 provides details.

<b>Community Partnership Funding Program Budget</b>	<b>2020/2021</b>
Recommendations 2020 round – variations	\$4,000
Recommendations 2020 round – new applications	\$7,452
<b>TOTAL RECOMMENDATIONS 2020 ROUND</b>	<b>\$11,452</b>
<i>Existing commitments CFPF Budget 2018 &amp; 2019 rounds</i>	\$812,433
<b>TOTAL EXPENDITURE</b>	<b>\$823,885</b>

Table 1. Budget implications

## CORPORATE PLAN

**Corporate Plan Goal:** *A strong community*  
**Outcome:** 1.2 - Resilient and engaged communities  
**Operational Activity:** 1.2.2 - Continue to ensure the manner in which Council distributes grant monies to community and not-for-profit organisations supports Council’s vision for the region.

## CONSULTATION

### Councillor Consultation

- Community Portfolio – Councillor R Baberowski and Councillor D Law

### Internal Consultation

Council officers with expertise relevant to the specific expressions of interest and applications were consulted in partnership development.

### 1. Strategic Panel Representation

Assessment panel membership:

- Community Connections and Partnerships Lead, Community Planning and Development, Economic and Community Development (Chair)
- Manager Arts Heritage and Libraries, Economic and Community Development
- Manager Community Planning & Development, Economic and Community Development
- Senior Projects Officer, Community Connections and Partnerships, Community Planning and Development, Economic and Community Development.

### 2. Category Panel Representation

Assessment panel membership:

- Community Connections and Partnerships Lead, Community Planning and Development, Economic and Community Development (Chair)
- Team Leader Creative Development, Creative Arts and Events, Economic and Community Development
- Community Development Officer, Community Development and Engagement, Economic and Community Development
- Senior Projects Officer, Community Connections and Partnerships, Community Planning and Development, Economic and Community Development

### 3. Additional Internal Consultation

The following provided additional information and/or advice to inform assessment processes:

- Land Management Unit, Property Management, Business Performance

### External Consultation

Throughout the EOI and application period, grants officers and category partners provided advice and assistance to community groups interested in applying for funding through the 2020 Community Partnership Funding Program.

### Community Engagement

The Community Partnership Funding Program 2020 round included an eight week EOI period from 18 May to 10 July 2020 to identify potential partners and invite eligible organisations to submit a full application.

### PROPOSAL

The Community Partnership Funding Program is designed to provide funding certainty to community groups by granting up to three years of funding for operational expenses, which is the most difficult funding type to secure externally. The program was endorsed by Council in 2009 and launched in early 2010.

The Community Partnership Funding Program is available to established not-for-profit community organisations that provide facilities or services which support the delivery of Council's priorities and demonstrate broad community benefit.

The program ensures that these organisations can continue to operate and invest their time in service delivery and building long-term, ongoing sustainability.

The framework and criteria for the program were developed to ensure an equitable, accountable and transparent process for the creation of funding partnerships between

Council and community organisations. This enables distribution and acquittal of financial assistance to community groups, in accordance with government guidelines and standards.

It is important to note that operational expenses of sporting organisations with primary responsibility for maintaining sports fields are supported separately through the Sports Field Maintenance Funding Program. Environmental groups performing on ground works are also funded separately through Council's Environment Levy Partnership Program.

The Community Partnership Funding Program includes the following five categories:

- Community Development
- Community Facilities
- Community Safety
- Cultural Heritage
- Economic Development.

In assessing the applications and determining the level of funding recommended, the panels reference the Program Guidelines which include program specific and category specific criteria, and also consider:

- extent of reach into the community
- alignment with Council's adopted strategies, plans and policy positions
- like services / facilities comparisons to ensure consistency
- availability of other revenue sources and
- funding amount requested in relation to the overall operational costs.

The Community Partnership Funding Program 2020 round included an initial Expression of Interest (EOI) process to identify potential partners and invite eligible organisations to submit a full application. The EOI process was designed to save organisations with limited alignment to the program priorities from the time-consuming process of completing a full application. It also provides an opportunity for applicants to receive advice and support in the development of their partnership proposals.

The program was promoted through direct contact with organisations identified by category representatives as potential new partners as well as on Council's website. Grants officers and category representatives provided assistance with proposal development and negotiation of deliverables and measures and sought to manage expectations regarding potential funding amounts available through the program in line with the endorsed program budget.

At the close of the application period, Council had received one new Community Partnership Funding Program application requesting \$7,452 in funding.

Council also received one application for a variation to an existing multiple year partnership agreement from community organisations seeking a total of \$4,000 in additional funding to extend the scope of their partnership with Council. The variation request is as follows:

- Sunshine Coast Creative Alliance – \$4,000 towards additional operational expenses due to taking on responsibility for the Sub Tropic Studio at Caloundra Bus Interchange

#### Assessment process

Assessment of applications was based on general program and category specific assessment criteria and comprised of three stages:

Stage 1: Pre-assessment by Council grants officers to determine applicant and proposal eligibility

Stage 2: Proposal assessment by a panel made up of Council officer category experts and grants officers

Stage 3: Strategic assessment by the relevant Branch Managers

Guidance was given to panel members at the start of the assessment process to ensure sound governance. Panel members were also reminded to declare any actual or perceived conflicts of interest relating to applicants or applications. No Declarations of Interest were recorded in this round.

#### Assessment outcome

This report recommends a total of \$11,452 in funding for 2020/21 comprising of \$7,452 to establish a new one-year partnership with Millwell Road Community Centre Inc under the Community Facilities category, and \$4,000 in additional funding to Sunshine Coast Creative Alliance to extend the scope of their existing partnership under the Community Development category. Details of the recommended outcomes are included in Appendix A. Additional information relating to the assessment of applications is provided in confidence under *Section 275 (h) of the Local Government Act 2009* in confidential Attachment 1.

#### Program outcomes

The Community Partnership Funding Program recommendations in this report support the Sunshine Coast Community Strategy 2019-2041 which provides the community direction for advancing the Corporate Plan 2020-2024 goal of developing 'A strong community'.

Based on self-reported statistics collected through the application process, funding of \$7,452 provided to Millwell Road Community Centre Inc recommended for one-year will support approximately:

- 85 hours of operation per week and
- 1,700 beneficiaries accessing the various services and/or facilities.

Council's contribution of \$7,452 to the new partnership is 11.4% of the estimated \$65,000 annual total operational costs self-reported by the applicant.

#### **Legal**

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

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

A Conditions of Agreement document will be sent to successful applicant(s) and will include reporting and acquittal requirements and any conditions of funding to be met prior to partnership funding being awarded and/or during the partnership term.

#### **Policy**

At its Ordinary Meeting of 20 June 2013, Council adopted the *Community Grants Policy* which subsequently provides a framework to guide the administration of the Community Partnership Funding Program and Council's other grants programs.

#### **Risk**

There is minimal financial risk associated with the Program in supporting identified eligible organisations due to the ongoing working relationships between organisations and Council

officers. This relationship is supported by individually tailored funding agreements and the requirement for progress reports and annual funding acquittal reports.

### **Previous Council Resolutions**

#### **Ordinary Meeting 22 August 2019 (OM19/121)**

*That Council:*

- (a) *receive and note the report titled “**Community Partnership Funding Program Recommendations 2019**” and*
- (b) *endorse the Community Partnership Funding Program Recommendations 2019 (Appendix A).*

#### **Ordinary Meeting 29 January 2015 (OM15/5)**

*That Council:*

- (a) *receive and note the report titled “**Community Grants and Partnership Funding Review 2014**”*
- (b) *endorse Option 1 for Council support to community organisations for 2015/16 and beyond*
- (c) *endorse multi-year funding under the Community Partnership Funding Program to provide funding for periods of up to 3 years*
- (d) *note “Community Grants Program and Community Partnership Funding Program Review Report” (Appendix A).*

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

*That Council:*

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

#### **Ordinary Meeting 10 December 2009 (OM09/365)**

*That Council:*

- (a) *receive and note the report titled “Transition Funding Recommendations and Community Partnerships Funding Policy and Program Guidelines”;*
- (b) *endorse the transition funding amounts proposed (Appendix A), including the requirement that recipient organisations be advised funding processes and amounts will be subject to review for 2010/2011 year and beyond;*
- (c) *endorse the Community Partnerships Funding Policy (Appendix B); and*
- (d) *endorse the Community Partnerships Funding Program guidelines for 2010/2011 and beyond (Appendix C).*

**Related Documentation**

- Community Grants Policy 2013
- Community Partnership Funding Program Guidelines January 2015
- Corporate Plan 2020-2024
- Heritage Levy Policy 2019
- *Local Government Act 2009*
- *Local Government Regulation 2012*
- Regional Economic Development Strategy 2013-2033
- *Statutory Bodies Financial Arrangements Act 1982*
- Sunshine Coast Sustainability and Liveability Strategy 2017
- Sunshine Coast Arts Plan 2018-2038
- Sunshine Coast Community Strategy 2019-2041
- Sunshine Coast Sport and Active Recreation Plan 2011-2026

**Critical Dates**

The due date for acquittal of 2020/21 Community Partnership Funding Program allocations is 31 August 2021.

The end of all existing partnerships in this three year cycle is 30 June 2021.

**Implementation**

If Council endorses the recommendations in this report, the applicants will be notified of the recommended funding amount, funding conditions including reporting and acquittal requirements, and any conditions to be met prior to funding being processed and/or during the partnership term.

Funding will be distributed once online agreements are submitted to Council and any specific conditions are met. Recipients will be required to display Council supplied signage acknowledging Council's support for their operations.

The name of the successful Community Partnership Funding partner organisation will be posted on Council's website.

## 8.5 SUNSHINE COAST INTERNATIONAL BROADBAND NETWORK PROJECT UPDATE - AUGUST 2020

**File No:** Council meetings

**Author:** Group Executive  
Economic & Community Development Group

**Attachments:** Att 1 - Legal Advice .....*Conf 9/19*

### PURPOSE

The purpose of this report is to update Council on the progress of the Sunshine Coast International Broadband Network (SCIBN) project (the project).

In preparing this report, the Chief Executive Officer recommends that **Attachment 1** be considered confidential under section 275 (1) (f) of the *Local Government Regulation 2012* as it contains information that relate to legal proceedings that may involve the local government. The Attachment provides legal advice to Council for the purpose of resolving a contractual dispute and its disclosure would potentially undermine Council's ability to conclude this matter.

### EXECUTIVE SUMMARY

The SCIBN project is focused on providing a distinct value proposition for the Sunshine Coast and associated economic benefits for the region through access to high-speed international data and telecommunications connectivity. The 2017 GQI Project Feasibility Study identified the project will help retain jobs that might otherwise have been lost to the region, and stimulate new investment and jobs growth. In total, the project can contribute up to 864 jobs and \$453 million in economic value-add for the region.

The project provides:

- the fastest data connection from the East Coast of Australia to Asia
- the only landing point in Australia for an international cable outside a capital city
- the first cable to land at a point outside Sydney on the east coast of Australia and
- a significant point of difference for the Sunshine Coast and provision of a major boost to other Council projects such as SunCentral Maroochydore and
- the only such initiative to be led by a local government.

Council has entered into agreements with RTI Connectivity Pte Ltd (RTI) and Alcatel Submarine Networks (ASN) for a stubbed Branch Unit (BU) to be included in the Japan-Guam-Australia-South cable system (JGA-South).

The key progress that has been achieved since the report to Council at its 19 March 2020 Ordinary Meeting includes the following:

- Installation of the cable is complete and Provisional Acceptance occurred on 31 March 2020
- The Sunshine Coast Cyber Security Innovation Node agreement was finalised between Council and AustCyber
- OneQode became the first carrier to install equipment within the cable landing station
- Council and Amazon Web Services (AWS) are collaborating to provide the Sunshine Coast community free access to specialist digital skills training and

- The JGA-North system was successfully completed

The Proposal section of this report provides further information on the project specifics.

## OFFICER RECOMMENDATION

**That Council:**

- (a) receive and note the report titled "Sunshine Coast International Broadband Network Project Update - August 2020" and**
- (b) delegate authority to the Chief Executive Officer to resolve the contractual dispute in the manner outlined in confidential session in relation to the Sunshine Coast International Broadband Network project.**

## FINANCE AND RESOURCING

Total project expenditure at the end of June 2020 is \$35.17 million against a project budget of \$35 million.

Council has executed an Assistance Agreement with the Queensland Government for a grant of \$15 million towards the project under the Jobs and Regional Growth Fund and the first payment claim of \$2.5 million has been received from the Queensland Government. The claims for the remaining amounts are targeted to be finalised by 30 September 2020.

## CORPORATE PLAN

**Corporate Plan Goal:** *An outstanding organisation*  
**Outcome:** We serve our community by providing this great service  
**Operational Activity:** S31 - Digital Information Services: providing agile and transformative information and technology enabling Council to be a leader in delivering innovative and sustainable services to its community.

## CONSULTATION

### Portfolio Councillor Consultation

The Sunshine Coast International Broadband Network Project Control Group (PCG) has met on the following dates: 17 January 2018, 19 February 2018, 24 April 2018, 18 June 2018, 20 July 2018, 13 August 2018, 18 September 2018, 24 October 2018, 28 November 2018, 30 January 2019, 25 February 2019, 25 March 2019, 23 April 2019, 28 May 2019, 25 June 2019, 30 July 2019, 27 August 2019, 26 September 2019, 11 November 2019, 10 December 2019 (e-meeting), 5 February 2020, and 24 March 2020 and 9 June 2020.

The PCG membership is as follows:

- Mayor
- Deputy Mayor
- Portfolio Councillor Economic Development and Innovation
- Chief Executive Officer
- Group Executive Economic and Community Development.

### Internal Consultation

The following have been consulted in relation to this report:

- Senior Technical Officer
- Head of Economic Development.

## External Consultation

Norton Rose Fulbright have been engaged to provide advice in relation to the project.

There were a range of other external parties consulted during the project but not directly related to this report.

## Community Engagement

No formal community engagement, beyond the external consultation referred to above, has been undertaken.

## PROPOSAL

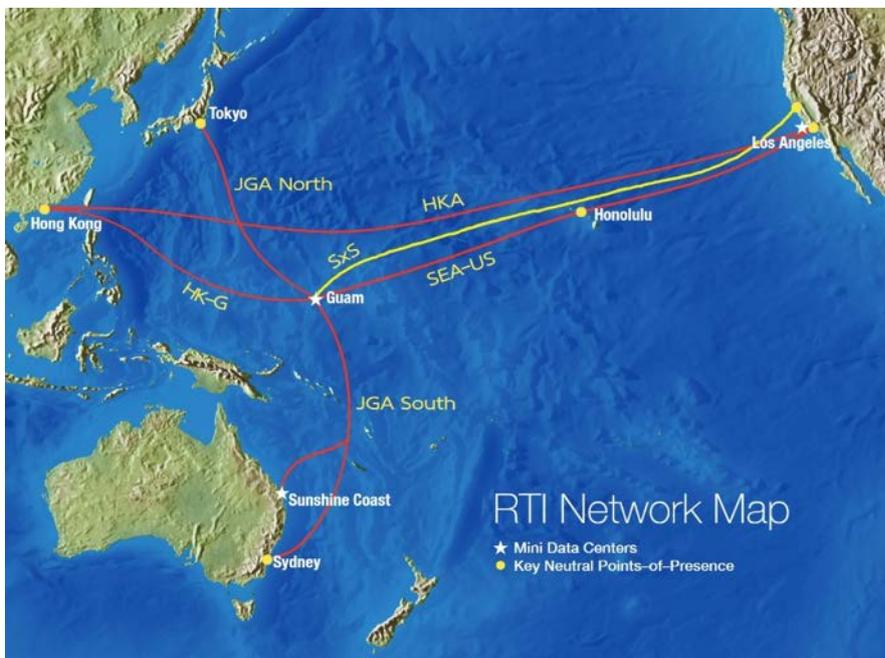
On 3 July 2018, Council executed a Project Implementation Agreement (PIA) with RTI for the inclusion of a stubbed Branch Unit (BU) into the Japan-Guam-Australia-South cable system (JGA-South).

Subsequently, on 6 September 2018, Council entered into a Framework Agreement with RTI and a Tripartite Agreement with RTI and ASN for the delivery of the Sunshine Coast branch segment into the JGA-South system.

RTI are leading cable owners and develop global telecommunications infrastructure and large-scale data connectivity in selected markets. RTI offer their neutral products and services to international telecommunications carriers, multinational enterprises, global content providers, and educational institutions.

RTI leads a consortium which has completed a submarine cable project connecting Japan to Sydney via Guam (JGA). Council has taken the opportunity to have a submarine cable branch connection to JGA-South, landing on the Sunshine Coast (see Diagram 1). The installation of the branch has been completed within the anticipated timeframe of the first half of 2020.

The branch connection for the cable length from the Sunshine Coast to the main cable is approximately 550 kilometres.



*Diagram 1. RTI Network Map showing Sunshine Coast Branching Unit from JGA-South Cable*

**Commercial arrangements**

A summary of the documents that make up the commercial arrangements is as follows:

*Project Implementation Agreement (Council and RTI)*: commitment to the design and capacity of a Branching Unit. Executed 3 July 2018.

*Construction Tripartite Agreement (Council, RTI and ASN)*: ASN for design, manufacture and construction of the Branch in accordance with current industry standards with respect to materials, construction processes and expected asset life; RTI-C to provide project management services. Executed 6 September 2018.

*Framework Agreement (Council and RTI)*: terms on which the SC Branch would be designed, manufactured and constructed and general principles for the operation and utilisation of the Branch. Executed 6 September 2018.

A range of annexures to the Framework Agreement are currently being completed.

**Project Delivery****SCIBN Project – State Assistance Agreement**

The State Assistance Agreement (the Agreement) under the Queensland Government's Jobs and Regional Growth Fund was executed on 14 August 2018.

The Agreement provides for three payments (\$2.5 million, \$7.5 million, and \$5 million) to Council as follows:

- First payment after Council has expended at least \$5 million
- Second payment after Council has expended at least \$20 million
- Final payment upon commissioning of the project.

As indicated above, the first payment claim of \$2.5 million has been received from the Queensland Government. The remaining claims are anticipated to be finalised by 30 September 2020.

**Cable Protection Zone**

Council had previously applied to the Australian Communications and Media Authority (ACMA) for the declaration of a cable protection zone (CPZ). The purpose of the application was to reduce one of the risks associated with installing a submarine cable and therefore make it more attractive to a prospective proponent.

The application was withdrawn to avoid any potential risks with the timing of the installation permit that was required for the SCIBN project to occur.

In the original State Assistance Agreement, a CPZ declaration was identified as a necessary permit. This requirement was subsequently removed because of the need to avoid any timing risks and replaced with a requirement to advise the State if Council intended to seek a CPZ declaration.

It is considered that seeking the CPZ declaration will deliver the benefits of increasing the likelihood of attracting future cables and protecting the existing cable and therefore the State has been advised that Council will seek to have a CPZ declared.

**SCIBN Terrestrial Network**

The terrestrial network of the SCIBN project was delivered by (and is owned by) Council and includes the preparation of designs, necessary approvals and construction of four separate components:

- Beach Manhole
- Horizontal Directional Drilling
- Cable Duct Route

- Cable Landing Station.

#### Beach Manhole and Horizontal Directional Drilling

The beach manhole is located in Pierce Park carpark. This is the location for the landing of the optic fibre and the energised submarine cable.

The beach manhole is completely underground and only identifiable by the access pit lid.

#### Terrestrial Duct Network Route

Covering a distance of approximately 1.5 kilometres, the terrestrial duct network route has been designed to have minimal impact on business and residents along the route.

Local company Auscom has completed the \$1 million contract for these works.

#### Cable Landing Station

This facility is located at 44-46 Maud Street, Maroochydore and has been designed to incorporate up to four international submarine cables which will allow the Sunshine Coast region and Queensland to facilitate additional submarine connections into the future.

Located in the Cable Landing Station, there is the capacity for a total of 24 racks which provides for domestic carrier connection of the international submarine cable connectivity, and connection to Maroochydore City Centre and the wider region. Council's carrier licence provides the necessary authority to enter into the carrier to carrier agreements.

#### **AustCyber**

The Sunshine Coast Cyber Security Innovation Node agreement was finalised between Council and AustCyber and launched on 2 June 2020. It is one of only two regional nodes in Australia and will leverage off the submarine cable. Discussions have begun with the National Network of Nodes to focus on plans moving forward, including the design and delivery of the Cyber Security Innovation Portal.

Delivering increased cyber security capability, talent and education programs across the region, as well as fast-tracking cyber security exports internationally, the Sunshine Coast Cyber Security Innovation Node will play a strong role in AustCyber's national network of nodes.

Queensland is the only state in Australia to host three Cyber Security Innovation Nodes, which has been made possible through a strong partnership between the Queensland Government, AustCyber and Council.

With the global spend on cyber security products and services expected to exceed US\$250 billion by 2026, the Sunshine Coast is supporting Australia's role in shaping the international cyber marketplace, and is capitalising on this emerging industry.

COVID-19 has resulted in many small businesses increasing their online presence, which in turn broadens opportunities for cyber-crime like credit card fraud, identity theft, hacking online accounts and ransomware.

Local company IDCARE, has seen an increase in the demand for their community support services increase by 28 per cent during this period.

The University of the Sunshine Coast is the only tertiary institution in Australia providing both Cyber Investigation and Forensics courses, making the region a prime recruiting ground for untapped cybersecurity talent.

The new Node will foster increased focus on this active sector, encouraging home grown and also attracting new qualified resources to the Sunshine Coast.

#### **OneQode**

OneQode became Australia's first carrier to deploy equipment and commence operations out of the Sunshine Coast Cable Landing Station and is now ready to launch its digital services

from the Sunshine Coast direct to its Brisbane CBD Points of Presence (Equinix BR1 and NextDC B2).

### **Amazon Web Services**

Council and Amazon Web Services (AWS) are collaborating to provide the Sunshine Coast community free access to specialist digital skills training. This training will be available on-demand to our community to enable continual education and build new skills in cloud computing, machine learning, and data analytics.

AWS are using the Sunshine Coast region as a pilot due to our strong innovation ecosystem and investment in the cable.

### **Japan-Guam-Australia North Cable System**

The 6<sup>th</sup> July 2020 saw the successful completion of the Japan-Guam-Australia North Cable System (JGA-North). JGA-North is approximately 2,700 kilometres in length and lands in Minami-Boso, Japan and Piti, Guam. The cable has an initial design capacity of 24 terabits per second (24 Tbps) minimum, increasing to 30 Tbps in the coming year.

JGA-North interconnects with JGA-South in Guam, thereby extending the cable's reach to both Sydney's Central Business District and Australia's Sunshine Coast. The last cable between Japan and Australia was constructed more than 20 years ago. The JGA cables (North and South) are already making tremendous improvements by establishing the fastest path between Tokyo and Sydney, delivering essential network diversity between Japan, Australia and the United States, and extending onward connectivity options over RTI's Guam-connected hub-and-spoke network.

### **Legal**

Council has engaged specialist legal services to finalise the negotiation of the final transaction documents and resolve the contractual dispute that is the subject of the confidential legal advice at **Attachment 1**.

### **Policy**

This project will contribute to achieving the goals included in Council's Regional Economic Development Strategy 2013-2033.

The establishment of a submarine cable landing on the Sunshine Coast has also been recognised by the Queensland Government in *Shaping SEQ: The South East Queensland Regional Plan*, which has been jointly agreed by the State and by south east Queensland Councils.

The structure of the previously approved Significant Contracting Plans for these Significant Contracts complies with the requirements of Council's Procurement Policy.

### **Risk**

The project is the first of its kind undertaken by a local government in Australia and there are a range of risks to Council. Technical, legal, regulatory, environmental and commercial expertise has been engaged by Council to assist in mitigating and managing these risks.

With the successful installation and commissioning of the cable, many of these risks have been successfully managed.

The remaining risks are:

- the finalisation of the remaining transaction documents with RTI-C
- the timing of payments under the Queensland Government Assistance Agreement
- the successful delivery of the economic opportunities presented by the project
- achieving the targeted break even financial position from the project for Council and
- the operational risks associated with the cable and landside infrastructure.

It should also be noted that, although there are considerable risks, the project provides significant economic opportunities and benefits for the Sunshine Coast which would not be realised without the investment in the cable network. Further, if Council had not secured this opportunity for the Sunshine Coast, another Queensland local government would most likely have sought to do so.

As the remaining transaction documents are developed, a project risk register is being updated to capture key risks. An updated risk register will be finalised when this process is complete.

### **Previous Council Resolutions**

#### **Ordinary Meeting 19 March 2020 (OM20/38)**

*That Council receive and note the report titled "Sunshine Coast International Broadband Network Project Update - March 2020".*

#### **Special Meeting 14 November 2019 (SM19/21)**

*That Council receive and note the report titled "Sunshine Coast International Broadband Network project".*

#### **Special Meeting 22 August 2019 (SM19/15)**

*That Council note the discussions held in confidential session in relation to the Sunshine Coast International Broadband Network project.*

#### **Special Meeting 23 May 2019 (SM19/1)**

*That Council receive and note the report titled "Sunshine Coast International Broadband Network Project".*

#### **Special Meeting 28 February 2019 (SM19/2)**

*That Council receive and note the report titled "Sunshine Coast International Broadband Network Project".*

#### **Special Meeting 8 November 2018 (SM18/21)**

*That Council authorise the Chief Executive Officer to proceed as discussed in confidential session in relation to the Sunshine Coast International Broadband Network project.*

#### **Special Meeting 10 September 2018 (SM18/18)**

*That Council authorise the Chief Executive Officer to proceed as discussed in confidential session in relation to the Sunshine Coast International Broadband Network project.*

#### **Ordinary Meeting 16 August 2018 (OM18/141)**

*That Council authorise the Chief Executive Officer to proceed as discussed in confidential session in relation to the Sunshine Coast International Broadband Network project.*

#### **Special Meeting 29 June 2018 (SM18/8)**

*That Council authorise the Chief Executive Officer to proceed as discussed in confidential session in relation to the Sunshine Coast International Broadband Network project.*

#### **Special Meeting 17 May 2018 (SM18/7)**

*That Council*

*(a) note the progress of the Sunshine Coast International Broadband Network project*

- (b) *resolve in accordance with Section 39 of the Local Government Act 2009 that the Sunshine Coast International Broadband Network project is an enterprise that is directed to benefitting and can reasonably expected to benefit the Sunshine Coast Local Government area and*
- (c) *resolve to conduct a beneficial enterprise in relation to the Sunshine Coast International Broadband Network project.*

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

*That Council:*

- (a) *receive and note the report titled "Strategic Contracting Procedures" and*
- (b) *apply Chapter 6 Part 2 Strategic Contracting Procedures of the Local Government Regulation 2012 to its contracts, following adoption by Council of:*
  - (i) *a contracting plan and*
  - (ii) *a contracting manual*

*which will not be more than one year after the date of this resolution.*

**Ordinary Meeting 19 April 2018 (OM18/55)**

*That Council:*

- (a) *note the progress of the Sunshine Coast International Broadband Network project and*
- (b) *resolve that, because of the specialised nature of the services, it would be impractical or disadvantageous for the local government to invite quotes or tenders.*

**Ordinary Meeting 22 March 2018 (OM 18/46)**

*That Council note the progress of the Sunshine Coast International Broadband Network project.*

**Special Meeting 22 February 2018 (SM18/3)**

*That Council note the progress of the Sunshine Coast International Broadband Network project.*

**Ordinary Meeting 25 January 2018 (OM18/12)**

*That Council note the progress of the Sunshine Coast International Broadband Submarine Cable project.*

**Special Meeting 23 November 2017 (SM17/46)**

*That Council:*

- (a) *receive and note the report titled "Sunshine Coast International Broadband Submarine Cable"*
- (b) *invite Expressions of Interest to identify a partner(s) to deliver the international broadband submarine cable and*
- (c) *note that the calling for Expressions of Interest as noted in (b) above would be in the public interest for the following reasons:*
  - i. *being able to discuss and negotiate the best outcome given a number of unknowns in the construction and operation of the proposed project*
  - ii. *to allow industry driven analysis of existing and future costs for construction and ongoing operation of the project on which to base economic decisions and*
  - iii. *to enable a bespoke contract between Council and the successful respondent.*

**Related Documentation**

- Feasibility Study: Sunshine Coast International Broadband Submarine Cable (10 November 2017)
- Market Sounding Report: Sunshine Coast International Broadband Submarine Cable (November 2017)
- Sunshine Coast International Broadband Submarine Cable Network Business Case (as at 5 September 2018)
- Sunshine Coast International Broadband Submarine Cable Network Project Plan (as at 5 September 2018)
- Jobs and Regional Growth Fund Assistance Agreement and variations.

**Critical Dates**

The installation of the branch has been completed within the anticipated timeframe of the first half of 2020.

**Implementation**

The following key deliveries remain:

- Finalisation of the remaining transaction documents with RTI-C
- Resolution of the outstanding contractual matter
- Submission of remaining claims under the Queensland Government Assistance Agreement
- Leveraging the economic opportunities presented by the project



**8.6 SUNSHINE COAST AIRPORT EXPANSION PROJECT (SCAEP) UPDATE**

**File No:** SCAEP Reporting  
**Author:** Project Director (Sunshine Coast Airport Expansion)  
Built Infrastructure Group  
**Attachments:** Att 1 - SCAEP Update ..... *Conf 19/19*

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**PURPOSE**

The purpose of this report is to update Sunshine Coast Council (SCC) on the progress of the Sunshine Coast Airport Expansion Project as at 30 June 2020. Any new information on project related matters since that time will be provided as an update at the Council meeting.

**EXECUTIVE SUMMARY**

This report provides an update on the Sunshine Coast Airport Expansion Project (the project) and more specifically, the activities undertaken and significant milestones achieved in the reporting period from 1 January to 30 June 2020 by the Principal and the Design and Construct Contractor (Contractor).

Construction of the new runway progressed significantly during the reporting period with significant milestones achieved by both the Contractor and the Principal. The Project remains on schedule in relation to the overall program prepared by the Principal, with construction work for the new runway completed and certified on 10 June 2020 and the new runway opened and operational on 14 June 2020. The project remains on target, and is scheduled to be completed by December 2020.

Updates on ancillary works programs, the continuation of PFAS management and the flight procedures are also provided within the report.

Discussions with the Department of Environment and Science continued throughout the quarter.

The procurement activities for the reporting period include:

- Supply and Delivery of Culverts (Q19200) to Holcim Australia trading as Humes on 28 January 2020
- Supply and Install Obstacle Light for Aviation Purposes (Q19159) Provision to J & P Richardson Industry Pty Ltd on 25 March 2020
- Tree Maintenance Services (ITT1785C) a contract variation with Tree Fix on 26 March 2020
- In accordance with the 2019/20 Procurement Policy, suppliers have been engaged to provide goods/ services from the Non-Priced Supplier Arrangement and the Specialised Supplier Listing for:
  - Infrastructure Design Services - Civil
  - Trade and General Maintenance Services.

**OFFICER RECOMMENDATION**

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

## FINANCE AND RESOURCING

The Project budget adopted by Council for the financial year 2019/20 is \$126.89 million, with a cumulative total of \$328.17 million to 30 June 2021. Throughout the reporting period, regular reviews of the Project cash flow have been undertaken. The Project cash flow includes contract and ancillary works packages and other project related costs.

The Principal's Representative is responsible for administration of the Design and Construct Contract.

External consultants have been engaged to assist with the mandatory monitoring activities in accordance with the Coordinator-Generals Evaluation Report and subsequent environmental approvals and permits as well as amendments to those approvals and permits.

During 2019/20 Quarters 3 and 4, Council drew down \$105,440,265 from the approved borrowings from Queensland Treasury Corporation (QTC) as follows:

- \$45,800,850 on 5 February 2020 covering principal contractor costs for the period 1 September 2019 to 31 December 2019
- \$17,015,312 on 25 March 2020 covering other project costs for the period 1 July 2018 to 31 December 2019
- \$24,447,383 on 17 April 2020 covering principal contractor costs for the period 1 January 2020 to 29 February 2020; and
- \$18,176,720 on 16 June 2020 covering principal contractor costs for the period 1 March 2020 to 30 April 2020.

This brings Council's total QTC borrowings for this project to \$210,634,458. Further drawdowns from QTC are anticipated during 2020/21.

## CORPORATE PLAN

<b>Corporate Plan Goal:</b>	<b><i>A smart economy</i></b>
<b>Outcome:</b>	3.3 - Investment and growth in high-value industries
<b>Operational Activity:</b>	3.3.1 - Manage the Sunshine Coast Airport Expansion Project, ensuring compliance with state and federal agency regulatory requirements.

## CONSULTATION

### Councillor Consultation

In accordance with the Project's Governance Framework, the former Deputy Mayor, Portfolio Councillors and the Divisional Councilors met on a quarterly basis, prior to the caretaker period commencing, to oversee activities relating to the project, including discussion of key issues impacting the project.

Since the election of the new Council, a full Council briefing has been provided, and a working group has been formed to monitor project activity.

### Internal Consultation

- Acting Chief Executive Officer
- Group Executive Built Infrastructure
- Group Executive Economic and Community Development
- Chief of Staff
- Chief Strategy Officer
- General Counsel

- Solicitor
- Manager Communication
- Chief Financial Officer
- Manager Business and Innovation
- Coordinator Financial Accounting
- Manager Environment & Sustainability Policy
- Coordinator Strategic Property.

**External Consultation**

- Sunshine Coast Airport (SCA)
- John Holland Pty Ltd
- Beca Consulting Pty Ltd
- Aurecon Australasia Pty Ltd
- King & Wood Mallesons
- Office of the Coordinator-General
- Department of Environment and Science
- Department of Natural Resources, Mines and Energy
- Department of State Development, Manufacturing, Infrastructure and Planning
- BMT WBM Pty Ltd
- Core Consulting Pty Ltd
- Future-Plus Environmental
- Civil Aviation Safety Authority (CASA)
- Airservices Australia (AA)
- AECOM
- Sunshine Coast Environment Council (SCEC)
- Various community groups.

Various Project groups have continued to meet in accordance with the Project's Governance Framework, namely:

- SCAEP Project Control Group (Consisting of the Divisional Councillor, Portfolio Councillor - Economy, Outstanding Organisation Portfolio Councillor, Chief Executive Officer, relevant Group Executives, Chief of Staff, SCAEP Project Director and Manager Business Innovation) - Meets on a quarterly basis to oversee the coordination of all activities relating to the project, including discussion of key issues impacting the project.
- SCAEP Project Steering Group (Consisting of the Chief Executive Officer, Group Executive Built Infrastructure, Group Executive Economic and Community Development, SCAEP Project Director and Manager Business and Innovation) - Meets monthly to discuss the activities relating to the delivery of the project and is chaired by the Group Executive Built Infrastructure.
- The Sunshine Coast Airport Project Control Group attended by two representatives each from Council and from the airport operator Sunshine Coast Airport Pty Ltd meets

monthly or more frequently as required. This meeting is chaired by the Group Executive Built Infrastructure.

Interaction with Airservices Australia is conducted in accordance with the Terms of Reference Agreement with Airservices Australia and Sunshine Coast Airport.

A runway readiness program was developed with input from SCC, SCA, Airservices Australia and CASA to provide the ability to monitor the activities necessary to achieve the milestones necessary to open the new runway to operations in a timely manner.

### **Community Engagement**

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

Various Fact Sheets and media releases were prepared during the reporting period.

### **PROPOSAL**

Construction of the new runway progressed significantly during the reporting period from January to June 2020, with significant milestones achieved by both the Contractor and the Principal. The Project remains on schedule in relation to the overall program prepared by the Principal, with construction work for the new runway completed and certified on 10 June 2020 and the new runway opened for operation on 14 June 2020. The project is scheduled to be completed by December 2020.

Significant rainfall was experienced in the first three months of 2020, with more than 1,100mm between mid-January and end of March 2020, which impacted the ability to place asphalt on the new runway. Whilst the work was eventually completed, the delay impacted the timeframe associated with undertaking technical assessments and completing quality certification.

During the reporting period, significant milestones were achieved by the Contractor leading up to the commissioning and opening of the new runway.

The first significant milestone achieved by the contractor during the period was the completion and commissioning of works associated with Separable Portion 1 (apron parking stands 16, 17 and 18). These were inspected by all relevant parties over several weeks and a Notice of Practical Completion was subsequently issued by the Independent Certifier on 16 March 2020.

On 15 April 2020 the Aviation Rescue Fire Fighting Services (ARFFS) successfully completed a validation run of the interim threshold response route which will remain available until the end state threshold response route is completed in Separable Portion 3.

On 24 April 2020 a CASA certified pilot (engaged by the Contractor) completed the flight check of the new Airfield Ground Lighting (AGL) system. The two stage flight check was facilitated using the new 9" touch screens installed in the Air Traffic Control (ATC) tower during daylight and then using the new Pilot Activated Airport Lighting Control (PAALC) system at night (since the ATC tower is not staffed overnight). The lighting system is supported by a new Airport Lighting Equipment Room (ALER) which includes a dedicated backup generator to ensure that lights remain operational during power outages.

Following successful completion of the AGL ground and flight checks, on 4 June 2020, CASA approved the publication of industry advice that the new runway, associated controlled airspace and flight procedures would be available on 14 June 2020. CASA undertook a level 2 surveillance inspection prior to approval for operations to commence. An independent inspection was undertaken on 28 May 2020 by an SCA engaged CASA certified inspector.

To facilitate the runway opening on 14 June 2020, Separable Portion 2 (SP2) was divided into 2 components, (SP2 – Phase 3A (Apron parking Bay 15) & SP2 - Phase 3L (Runway and Taxiways). The final activities required to achieve Practical Completion of SP2 - Phase

3L to enable the new runway to become operational included the completion of asphalt placement of the final layer, line marking, grooving and friction testing. Associated new perimeter roads, drainage and landscaping were also completed in May 2020. The Design and Construct Contractor achieved Practical Completion for Separable Portion 2 (Phase 3A) on 19 June 2020 and Separable Portion 2 (Phase 3L) on 10 June 2020. The Independent Certifier undertook the quality assessment and technical inspections for each component of Separable Portion 2 and formally issued the Certificate of Practical Completion.

Two events associated with transition to the new runway were held:

- Construction Media Briefing - The Mayor and the Honourable Kate Jones, Minister for State Development, Tourism and Innovation officiated at the hand-over of the completed runway to the Sunshine Coast Airport on 12 June 2020.
- Official opening ceremony – Hosted by Sunshine Coast Airport on 14 June 2020 to welcome the first flight and the commencement of operations.

A Notice to Proceed for Separable Portion 3 was subsequently issued to the Design and Construct Contractor on 26 June 2020.

Separable Portion 3 consists of:

- Phase 4 – Apron parking bays 10-14 (east of the terminal) including underground fuel system and concrete hard stand to support wide body operations.
- Phase 5 - Completion of the final 350 metres of runway including the runway starter extension, connecting taxiways and the final Aviation Rescue Fire Fighting Services (ARFFS) threshold response route.

Phase 4 and Phase 5 are scheduled for physical completion by November 2020 with final certification in December 2020.

The quantities for construction of the new runway included:

- Fine Crushed Rock - 284,000 tonnes
- Type 2 road-base (runway shoulder and perimeter roads) - 89,000 tonnes
- Asphalt - 40,000 tonnes (on 2650m of base layer and wearing course on the new runway).

Due to the diminished flight activity associated with the COVID-19 travel restrictions, SCA agreed to early access to the southern apron parking bay area and fuel main works commenced on site in late May.

At this point in time, the impacts associated with cancellation of non-essential services and travel restrictions including mandatory quarantine periods as a result of COVID-19 have not adversely impacted the project. Clearly, this is an evolving issue, and the Contractor is continually reviewing mitigation strategies on a daily basis.

### **Management of PFAS**

Management of PFAS continued during the reporting period and included discussions and site inspections with the Department of Environment and Science (DES). Investigations into the movement of excess contaminated soils within the site are continuing.

The Water Treatment Plan (WTP) remained on stand-by after the bulk of the water on site had been treated by early January 2020. It was reactivated from 31 March to 16 April to treat 6.9ML of groundwater excavated from drainage lines. A total of 58.1ML has been treated and reused on the project site. The smaller storage tanks associated with surface and ground water management, have now been dismantled and removed from site. The final water treatment campaign is scheduled for September after which the WTP is anticipated to be decommissioned and removed from site.

**Flight Procedures and Airspace**

CASA undertook a flight validation of the new runway flight procedures on 17 March 2020. These were then activated by Airservices Australia on 21 May 2020 in accordance with CASA's Aeronautical Information Regulation and Control (AIRAC) publishing/activation cycle.

Previously, CASA had approved the Airspace Change Proposal (ACP) in late 2019. On 20 March 2020 CASA approved that a Temporary Restricted Airspace (TRA), be established to accommodate wet weather delays that prevented the new runway from being ready for operations on 21 May 2020. That TRA came into effect on 21 May 2020 and was subsequently cancelled following runway opening on 14 June 2020.

**Operational Readiness**

The Executive Steering Group and Joint Implementation Group consisting of representatives from Sunshine Coast Council, Sunshine Coast Airport and Airservices Australia met on a regular basis to progress the planning for the transition to the new runway. An Operational Readiness Airfield Transition (ORAT) Control Group and a Management Group were also established to closely monitor and plan for the transition to the new runway. In addition, a Transition Working Group was established and tasked with detailed planning and oversight of the hour by hour activities necessary to enable opening of Runway 13/31 on 14 June 2020.

**Ancillary Work Packages**

Ancillary Works Packages are progressing under the management and administration of the SCAEP team.

**(a) Environmental Approval Submissions**

An amendment to the existing marine plant disturbance permit was approved by the Department of Agriculture and Fisheries and provided to Council in February 2020. This amendment approved 1.24 hectares of additional area that required vegetation trimming works to occur in order to eliminate penetrations of the Obstacle Limitation Surface (OLS). Works under this amendment have been completed and the necessary post trimming site surveys and reports, as required in the permit conditions are being finalised and submitted.

**(b) Flood Mitigation Levee and National Park Revocation**

The Marcoola flood mitigation levee is complete. To date no defects have been identified with the completed works. The revocation process of the portion of Mount Coolool National Park in which the levee was constructed is still underway. The proposed location of the helicopter aiming points on the northern side of runway 13/31 extends into a section of land that was originally identified as part of the proposed offset for the revocation. This adjustment has been discussed with Queensland Parks and Wildlife Service (QPWS), DES who have indicated acceptance of the proposal.

**(c) Wallum Heath Management Area (WHMA)**

Following the completion of maintenance works across the WHMA Council has received positive feedback from the acid frog specialist and ground parrot specialist as to successful recruitment of acid frog species and a more desirable location for the eastern ground parrot. Very significant rainfall events between January and March 2020 resulted in flooding of the WHMA and some access tracks. Further maintenance works have continued including removal of weeds and slashing of undesirable grass species. A fence segregating the WHMA from the construction site was removed following the completion of Runway 13/31 and the area again forms part of the airside property. Maintenance works has continued across this area prior to the commencement of eastern ground parrot breeding in mid-July.

## (d) Mount Emu She-Oak

Following the significant rain events throughout the first quarter of 2020, the Mount Emu She-Oak receival area became inundated. Ongoing investigations are occurring into potential alterations to the drainage system to ensure the best possible outcome for this area. The latest round of population counts occurred in May 2020 with a total of 207 plants identified within receival area 1 and approximately 350 plants within receival area 2. These counts suggest that the saturation of the site has had some impact on the newly planted tube-stock, but that the overall population has increased. Ongoing maintenance has occurred across the receival area including weed treatment/removal and slashing of undesired grass species.

## (e) Acid Frog and Ground Parrot Monitoring

A further acid frog survey was completed in January 2020. This survey identified more adult frogs than in previous wet seasons. The recent slashing and removal of melaleuca species has created more breeding habitat for the Wallum Sedgefrog and Wallum Rocket frog and the Wallum Froglet.

Results from the eastern ground parrot surveys have shown increased calling activity within the WHMA. Initial survey results suggest the local population has remained stable, however a definitive population number for this nocturnal species is difficult to determine. Bio-acoustics recorders have recorded four individual birds on the same recorder at the same time. This is highly sought after data for this local population. Despite the increased amount of calling activity however, no specific evidence has been obtained which would indicate significant recruitment.

## (f) Obstacle Limitation Surface

The vegetation management works to ensure CASA compliance for Runway 13/31 Obstacle Limitation Surface (OLS), continued during the reporting period and was completed prior to the opening of the new runway. Helicopter operations were undertaken again in late February for a period of 7 weeks. An independent conventional survey was undertaken to confirm completed works. Continuing works include ecological monitoring and reporting, ground based vegetation debris and weed management works for bushland management, and establishment of standards and access arrangements for SCA Pty Ltd for ongoing OLS trimming works in the future.

## (g) Conservation Corridor

Sunshine Coast Airport wildlife hazard consultants completed a hazard survey of Runway 13/31 and its surrounds to provide an assessment of potential wildlife hazards. The consultants recommended that flowering tree species be removed from the proposed planting mix for the southern section of the Conservation Corridor. Fencing along the Sunshine Motorway section is complete. This will reduce wildlife interactions (primarily macropod species) along this section of road and will create a passage between the north and south sections of Mount Coolool National Park. The first section located in the north east of this corridor is now complete and following inspection has entered into the maintenance phase.

## (h) Installation of Western Anemometer

The proposal to utilise radio modems to transmit data to the Air Traffic Control tower in place of buried cables was accepted by Sunshine Coast Airport, Airservices Australia and Bureau of Meteorology (BOM). This allowed construction to proceed, including the installation of a power connection from the ALER to the site. In late April, AA undertook to install the required equipment in the base of the tower and an antenna on top of the structure. AA carried out this work in lieu of SCC's contractor due to COVID-19 access restrictions to their site. The provider then undertook data validation which led to the site being appropriately certified for operation.

All works associated with the new anemometer at the western end of the new runway are now complete. A Service Level Agreement (SLA) will be maintained by Council with

the provider up until 31 December 2020, after which responsibility for ongoing maintenance will pass to Sunshine Coast Airport.

(i) ARFFS Rapid Response Route

The SCAEP team successfully negotiated an alternate design of the ARFFS final access road in an effort to reduce the amount of infrastructure required to enable a suitable compliant route for the ARFFS fire tenders. This resulted in a significant cost saving to the project for this infrastructure.

The design adjustment was completed and the Design and Construct Contractor has provided a construction variation for the first part of the works, namely the culvert crossing of the eastern stormwater channel. Construction of this first stage including culvert construction is underway.

The second stage variation is being resolved at present with a view to commencing construction in the very near future.

An interim route and method of operation that uses other roads and taxiways was validated in mid-April to remain available until the end state route is complete.

(j) Finland Road Traffic Management

The traffic management contractor continues to operate with revised controls due to the load limit placed on the Bli Bli Bridge by Department of Transport and Main Roads.

Truck movements reduced through the period from 150 to 200 per day in February to less than 50 per day in April. They have now reduced further to a level below the trigger level that requires traffic control.

There will be times when traffic control will be required on an ad hoc basis to remove plant and materials from the site.

### **Project Works Program**

The Contractor's current program shows completion of Phase 4 scheduled in mid-November 2020 and Phase 5 in early November 2020. Completion of the overall project remains on target for delivery by the end of 2020.

The Contractor has commenced scaling down resources on the site reflecting the fact that the scope and complexity of remaining works has decreased.

The Contractor has implemented a number of initiatives to ensure sufficient resources are available to support the efficient delivery of critical path activities as part of their risk mitigation response to the COVID-19 pandemic.

### **State Government Approvals**

All Environmental Approvals associated with the Contractor's works have been obtained and all monitoring and reporting requirements have been met.

### **Legal**

External legal opinion has been sought in relation to Council's contractual exposure to the effects of the COVID-19 pandemic – in particular, the Government mandated travel and isolation restrictions.

External legal opinion has also been sought in relation to the following issues:

- The potential to lodge insurance claims for the impacts of PFAS contamination
- Environmental management obligations associated with 8 Lots on the SCA site and
- Delivery of the agreed infrastructure under the Sunshine Coast Airport Expansion Project Runway Construction Deed.

The construction of the project is subject to the procurement requirements of the *Local Government Act 2009* and the *Local Government Regulation 2012*.

**Policy**

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

**Risk**

The risk and opportunities register, which includes the mitigation strategies for each identified risk, has been continuously reviewed and updated. The higher order risks are summarised below:

- Impacts associated with PFAS management (environmental, financial & program), particularly in relation to the movement of soil on site.
- Impacts associated with COVID-19 related delays or possible contractor project site closure.

All other risks have been identified as medium to low.

**Previous Council Resolution****Special Meeting 20 February 2020 (SM20/2)**

*That Council receive and note the report titled "Sunshine Coast Airport Expansion Project (SCAEP) Update".*

**Related Documentation**

- Sunshine Coast Airport Expansion Project Environmental Impact Statement (EIS).
- Sunshine Coast Airport Expansion Project Additional Information to the Environmental Impact Statement (AEIS).
- Project Plan. A detailed Project Plan has been prepared for the Project. The Project Plan is reviewed and amended, as required, as the Project progresses through different stages.

**Critical Dates**

Full Practical Completion for the Design and Construct Contractor remains scheduled for early December 2020.

Completion of the project remains scheduled for Mid-December 2020.

**Implementation**

Delivery of the Sunshine Coast Airport Expansion Project continues in accordance with various approvals obtained to date.



**8.7 EXERCISE OF SUNSHINE COAST COUNCIL'S VOTING ENTITLEMENT  
IN THE ELECTION OF THE NEXT PRESIDENT OF THE LOCAL  
GOVERNMENT ASSOCIATION OF QUEENSLAND**

**File No:** Council meetings  
**Author:** Chief of Staff  
Office of the Chief Executive Officer

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**PURPOSE**

This report seeks Council's direction on the exercise of its voting entitlement at the Annual General Meeting of the Local Government Association of Queensland (LGAQ). Specifically, the report seeks Council's agreement to support the nomination of Mayor Mark Jamieson for re-election as the President of the LGAQ Board.

**EXECUTIVE SUMMARY**

The Annual General Meeting (AGM) of the LGAQ will take place on 21 October 2020 at the Gold Coast Convention and Exhibition Centre. At the AGM, the members of the LGAQ (which includes all local governments in Queensland) will elect the President of the Association for the next four years, if there is more than one candidate who nominates for election to the role. If there is only one nomination for the role, the nominee is taken to have been elected as President unopposed.

The person elected as President of the LGAQ takes office at the conclusion of the AGM at which he or she is elected and, subject to the LGAQ Constitution and Rules, remains President until the conclusion of the AGM held following the next local government quadrennial election.

In accordance with clause 4.10 (1) of the Constitution of the LGAQ, Sunshine Coast Council has a voting entitlement of 10 votes at the AGM.

Mayor Mark Jamieson was elected as President of the LGAQ on 20 October 2016 for a term of four years and has indicated his intent to seek re-election for a further four-year term. At this stage, it is unknown if there are or will be any other nominations for the role of President. It is understood that nominations for the position will potentially close on 2 October 2020.

Mayor Jamieson was re-elected as a member of the LGAQ Policy Executive on 6 May 2020 and continues as a Director and President of the LGAQ Board until the conclusion of the AGM on 21 October 2020.

Mayor Jamieson's involvement with the LGAQ affords Council an important advocacy channel in the context of a wide range of policy, funding, legislative and program initiatives on which the LGAQ is engaged with State and Federal Governments. Further details of some of the successes of the LGAQ from which Council has benefited are outlined in the body of this Report. Given the achievements of the LGAQ over the last four years on behalf of Queensland Councils and the relationships that Mayor Jamieson has been able to nurture with State and Federal government representatives, it is considered beneficial for Council to support his re-election as President of the LGAQ for the 2020-2024 term.

**OFFICER RECOMMENDATION**

That Council:

- (a) receive and note the report titled “Exercise of Sunshine Coast Council's voting entitlement in the election of the next President of the Local Government Association of Queensland” and
- (b) resolve that its full voting entitlement shall be exercised at the Annual General Meeting of the Local Government Association of Queensland (LGAQ) on 21 October 2020 in support of the election of Mayor Mark Jamieson as President of the LGAQ Board.

**FINANCE AND RESOURCING**

There are no ongoing financial implications for Council in accepting the recommendations in this report.

**CORPORATE PLAN**

**Corporate Plan Goal:** *An outstanding organisation*  
**Outcome:** We serve our community by providing this great service  
**Operational Activity:** S26 - Elected Council: providing community leadership, democratic representation, advocacy and decision-making.

**Portfolio Councillor Consultation**

Mayor Jamieson has indicated he will nominate for re-election as President of the Board of the LGAQ.

**Internal Consultation**

The Deputy Mayor, Councillor R Baberowski and the Acting Chief Executive Officer have been consulted on the recommendations in this report.

**External Consultation**

Not applicable in this instance.

**Community Engagement**

No community engagement has been undertaken in relation to this matter.

**PROPOSAL**

The Local Government Association of Queensland Limited (LGAQ) is a company incorporated under the *Corporations Act 2001* principally to represent local government in Queensland in its dealings with other governments, unions, business and the community. Council has been a member of the LGAQ since amalgamation on 15 March 2008. Prior to this date, both the former Caloundra City Council and the former Maroochy Shire Council were members of the LGAQ.

The LGAQ Board consists of four directors (including the President) and oversees the operations of the company. The LGAQ Policy Executive (which comprises 15 members plus the President) appoints three of its members to the LGAQ Board. The President of the LGAQ Board is elected by all of the members of the LGAQ (ie. all Queensland Councils) at the AGM following the quadrennial local government elections.

The next AGM of the LGAQ will take place on 21 October 2020 at the Gold Coast Convention and Exhibition Centre.

The person elected as President of the LGAQ takes office at the conclusion of the AGM at which he or she is elected and, subject to the LGAQ Constitution and Rules, remains President until the conclusion of the AGM held following the next local government quadrennial election.

Mayor Jamieson was elected as President of the LGAQ on 20 October 2016 for a term of four years and has indicated his intent to nominate for re-election for a further four-year term. At this stage, it is unknown if there are or will be any other nominations for the role of President. It is understood that nominations for the position will potentially close on 2 October 2020. If there are no other nominations received, the sole nominee is deemed (under the terms of the LGAQ Constitution) to have been elected unopposed.

Mayor Jamieson was re-elected as a member of the LGAQ Policy Executive on 6 May 2020 and continues as a Director and President of the LGAQ Board until the conclusion of the AGM on 21 October 2020.

Mayor Jamieson's involvement with the LGAQ affords Council an important advocacy channel in the context of a wide range of policy, funding, legislative and program initiatives on which the LGAQ is engaged with State and Federal Governments. Since 2016, some of the achievements secured by the LGAQ which Council has benefitted from have included:

- Securing more than \$1 billion in additional state and federal government funding for Queensland local governments, through a range of new and expanded programs
- Prevention of attempts by the Federal Government to change disaster relief and recovery arrangements that would have had a detrimental impact in the order of billions of dollars for Councils
- Introduction of the first-ever beneficial agreement with Trade and Investment Queensland to boost the capabilities of Councils to pursue and secure new investment and export opportunities for their regions
- Delivery of QCoast 2100 to assist coastal Councils plan for and prioritise adaptation strategies to address the implications of a changing climate on coastal environments and communities
- Digitisation of all LGAQ services and the introduction of nation-leading innovations like LG Sherlock to better assist and inform Councils in the efficient management of their operating costs and resources, whilst improving the capacity to service the needs of their communities and
- Returning more than \$15.5 million in special dividends to member Councils over four years, effectively resulting in a zero net cost of membership of the LGAQ for the majority of Councils.

Since February this year, Councils across Queensland have been seriously impacted by the COVID-19 pandemic – both in terms of working to keep their communities safe as well as assisting residents, community organisations and local businesses to recover and move forward through the economic crisis that the pandemic has created. Under Mayor Jamieson's leadership, the LGAQ moved quickly to develop the Battleplan and secure more than \$420 million in additional funding from both the Federal and State governments, which will assist local governments to respond to the needs of their communities. This includes the first-ever allocation of Works for Queensland program funding for south east Queensland Councils, which includes the Sunshine Coast Council.

Given the achievements of the LGAQ over the last four years on behalf of Queensland Councils and the relationships that Mayor Jamieson has been able to nurture with State and Federal government representatives, it is considered beneficial for Council to support his re-election as President of the LGAQ for the 2020-2024 term.

In accordance with clause 4.10 (1) of the Constitution of the LGAQ, Sunshine Coast Council has a voting entitlement of 10 votes at the AGM.

**Legal**

There are no legal implications arising for Council as a result of the recommendations in this report. All matters outlined in relation to the voting entitlements and election of the President of the LGAQ are consistent with the Constitution of LGAQ Limited. Mayor Jamieson's role with the LGAQ has been noted on his published Register of Interests since 2016 in accordance with the requirements of the *Local Government Act 2009*.

**Policy**

The recommendations in this report do not compromise any policy statements or policy principles of Council.

**Risk**

There are no major risks identifiable for Council arising from this report.

**Previous Council Resolution****Ordinary Meeting 30 April 2020 (OM20/46)**

*That Council:*

- (a) *receive and note the report titled "Nomination of Division 2 (North) representative on the Policy Executive of the Local Government Association of Queensland" and*
- (b) *approve the nomination of Mayor Mark Jamieson as the District Two (North) representative on the Policy Executive of the Local Government Association of Queensland.*

**Ordinary Meeting 18 August 2016 (OM16/131)**

*That Council:*

- (a) *receive and note the report titled "Exercise of Sunshine Coast Council's voting entitlement in the election of the next President of the Local Government Association of Queensland" and*
- (b) *resolve that its full voting entitlement shall be exercised at the Annual General Meeting of the Local Government Association of Queensland (LGAQ) on 20 October 2016 in support of the election of Mayor Mark Jamieson as President of the LGAQ Board.*

**Related Documentation**

- Constitution of Local Government Association of Queensland Limited.

**Critical Dates**

It is important that Council has determined how its voting entitlement should be exercised prior to the AGM of the LGAQ on 21 October 2020.

**Implementation**

Subject to Council's acceptance of the recommendations in this report, the Deputy Mayor or Council's nominee will exercise Council's voting entitlement at the AGM for the LGAQ on 21 October 2020.

**9 NOTIFIED MOTIONS**

**10      TABLING OF PETITIONS**

Petitions only eligible for submission if:

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

**11 CONFIDENTIAL SESSION****11.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - SUNSHINE COAST INVESTMENT INCENTIVE SCHEME****File No:** Statutory Meeting**Author:** Investment Lead  
Economic & Community Development Group

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In preparing this report, the Chief Executive Officer recommends it be considered confidential in accordance with section 275 (1) (e) & (h) of the *Local Government Regulation 2012* as it contains information relating to contracts proposed to be made by Council; and other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

This report contains extensive commercial information relating to the applicant which has been provided to Council in confidence in line with the requirements of the Sunshine Coast Investment Incentive Scheme. Consistent with the principles and conditions associated with that scheme, Council is required to maintain the applicant's information within a strict confidentiality environment.

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**12 NEXT MEETING**

The next Ordinary Meeting will be held on 17 September 2020.

**13 MEETING CLOSURE**