

Agenda

Ordinary Meeting

Thursday, 30 January 2020

commencing at 9:00am

Council Chambers, 1 Omrah Avenue, Caloundra

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1 DECLARATION OF OPENING

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

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

That the Minutes of the Ordinary Meeting held on 12 December 2019 be received and confirmed.

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

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

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

5.2 CONFLICT OF INTEREST / PERCEIVED CONFLICT OF INTEREST

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

The other Councillors must then decide

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

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

8 REPORTS DIRECT TO COUNCIL

8.1 IMMEDIATE FINANCIAL SUPPORT FOR BUSHFIRE AFFECTED COMMUNITIES

File No: Council Meetings

**Author: Coordinator Disaster Management
Built Infrastructure Group**

Late report to be provided.

8.2 SUNSHINE COAST COUNCIL CORPORATE PLAN 2020-2024**File No: F2019/76527****Author: Coordinator Partnerships & Engagement
Office of the CEO****Appendices: App A - Sunshine Coast Council Corporate Plan 2020-202413**

PURPOSE

This report proposes, for Council consideration, adoption of the Sunshine Coast Council Corporate Plan 2020-2024 which continues to drive the direction and priorities of the organisation in pursuing Council's vision to be *Australia's most sustainable region – healthy, smart, creative*.

EXECUTIVE SUMMARY

Council is committed to undertaking annual reviews of its Corporate Plan with the purpose of maintaining its currency, ensuring that it continues to detail progress towards Council's vision, and aligns with Council and community priorities.

Following minor edits to ensure accuracy for the current year the updated Sunshine Coast Council Corporate Plan 2020-2024 (Appendix A) is presented for endorsement.

The updated Corporate Plan reinforces Council's existing long-term aspirational vision and strategic direction with its commitment to achieving balance in economic, social and environmental objectives as Australia's most sustainable region – healthy, smart, creative.

Annual reviews of the Corporate Plan guide Council's continued delivery of the vision, meet the expectations of the community, and ensure that Council remains a leading, high performing local authority.

Key elements of the review of the Corporate Plan 2020-2024 include:

1. Ensuring alignment for the objectives in the Corporate Plan for the next five years.
2. Listing the priority objectives for each of the Corporate Plan Goals over the next five years.
3. Ensuring that the decisions of Council in the past 12 months are captured within the updated version.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Sunshine Coast Council Corporate Plan 2020-2024"**
- (b) adopt the updated Sunshine Coast Council Corporate Plan 2020-2024 (Appendix A) and**
- (c) delegate to the Chief Executive Officer, in consultation with the Mayor and Portfolio Councillor Corporate Strategy and Finance, to finalise the design of the Sunshine Coast Council Corporate Plan 2020-2024.**

FINANCE AND RESOURCING

The cost associated with the review of the Corporate Plan 2020-2024 has been met from within the budget of the Office of the Chief Executive Officer.

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.

CONSULTATION

Councillor Consultation

The Strategy and Coordination Branch within the Office of the Chief Executive Officer have met with Corporate Strategy and Finance Portfolio Councillor T Dwyer.

Internal Consultation

Consultation has occurred internally with the Chief Executive Officer and relevant leadership within the organisation.

External Consultation

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

Community Engagement

There has been no community engagement undertaken in relation to the review and development of the Corporate Plan 2020-2024. Community consultation has been undertaken with regard to the endorsed strategic policies and plans underpinning the Corporate Plan.

PROPOSAL

Queensland Local Governments are required to develop and adopt a five year Corporate Plan. (*Local Government Regulation 2012 s.165*). The regulation also requires a local government to discharge its responsibilities consistent with its five year Corporate Plan.

The existing Corporate Plan 2019-2023 commits Council to an annual review in line with professional corporate and strategic planning practice.

The robustness of the Corporate Plan, the clarity of the priorities it establishes and the preparedness to regularly review deliverables (and adjust resources and effort where required) are all important characteristics of an effective planning and performance framework and of high performing organisations.

The Corporate Plan 2020-2024 allows Council to consider capital and operating priorities and associated resources for the forthcoming annual operational plan and budget to be finalised and adopted by 30 June 2020.

Key conclusions and updates from the review include:

- Retaining the vision, values and goals.
- Updating the document to include Council endorsed strategic policies and plans.

The Corporate Plan 2020-2024 presents a balanced commitment to supporting and connecting the community, preserving natural assets, maintaining the Sunshine Coast lifestyle and developing a stronger economy.

It also reinforces the links and opportunities between each of these commitments, with improved alignment for customers and the community to be at the centre of Council's business.

Legal

The Corporate Plan 2020-2024 is being developed in line with the requirements of the *Local Government Regulation 2012*. The regulation requires (sections 165 and 166) that a Corporate Plan must:

- outline the strategic direction of the local government
- state the performance indicators for measuring the local government's progress in achieving its vision for the future of the local government area
- outline the objectives of each commercial business unit and
- outline the nature and extent of the significant business activity each commercial business unit conducts

Policy

Once adopted, the updated Corporate Plan becomes the business planning document which will guide the operations of Council up to 2024. All strategies, services, programs and projects progressed during that time will need to align with one or more of the strategic goals articulated in the Corporate Plan 2020-2024.

Risk

It is considered there are no new risks for Council in adopting the updated Corporate Plan as the vision and strategic intent are consistent with, and build upon, the direction pursued through the Corporate Plan 2019-2023 adopted in February 2019.

Previous Council Resolution

Ordinary Meeting 28 February 2019 (OM19/17)

That Council:

- (a) *receive and note the report titled "Sunshine Coast Council Corporate Plan 2019-2023"*
- (b) *adopt the updated 2019-2023 Sunshine Coast Council Corporate Plan (Appendix A) as amended and*
- (c) *delegate to the Chief Executive Officer, in consultation with the Mayor and Portfolio Councillor Corporate Strategy and Finance to finalise the design for the Sunshine Coast Council Corporate Plan 2019-2023.*

Ordinary Meeting 6 December 2018 (OM18/203)

That Council:

- (a) *receive and note the report titled "Annual Review of the Corporate Plan: Progress Report"*
- (b) *confirm the vision, purpose, values, goals and strategic pathways for inclusion in the Corporate Plan 2019-2023 (Appendix A) and*
- (c) *note that the final draft of the Corporate Plan 2019-2023 will be submitted for consideration in early 2019.*

Ordinary Meeting 9 November 2017 (OM17/209)

That Council:

- (a) receive and note the report titled "Updated 2017-2021 Sunshine Coast Council Corporate Plan Review"*
- (b) adopt the updated 2017-2021 Sunshine Coast Council Corporate Plan (Appendix A) and*
- (c) delegate to the Chief Executive Officer, in consultation with the Mayor and Portfolio Councillor Corporate Strategy and Finance to review and make minor amendments to the updated 2017-2021 Sunshine Coast Council Corporate Plan to allow for final editing prior to publication.*

Related Documentation

The current edition of the Corporate Plan 2019-2023 is located at

<https://www.sunshinecoast.qld.gov.au/Experience-Sunshine-Coast/Healthy-Smart-Creative/Our-Vision>

Related documentation includes all Council endorsed strategies and plans – as identified under each of the five goals in the Corporate Plan.

Critical Dates

Section 165(2) of the *Local Government Regulation 2012* provides that a Local Government must adopt its five year Corporate Plan in sufficient time to allow an annual operational plan and budget to be adopted for the first financial year that is covered by the Corporate Plan.

Section 165(3) of the *Local Government Regulation 2012* provides that a Local Government may, by resolution, amend its 5 year Corporate Plan at any time.

Adoption of the updated Corporate Plan 2020-2024 at the January 2020 meeting allows Council to consider capital and operating priorities and associated resources within the parameters of the updated Corporate Plan; and for the forthcoming annual operational plan and budget to be finalised and adopted by 30 June 2020.

Implementation

Subject to Council's adoption of the Corporate Plan 2020-2024, the following actions are proposed to occur:

- Council's website and intranet updated to replace existing Corporate Plan references and replaced with new Corporate Plan.
- A limited print run to provide hard copies of the Corporate Plan 2020-2024.
- All staff will be notified of the adoption of the updated Corporate Plan and provided with a link to the new document.

8.3 SUNSHINE COAST MASS TRANSIT - UPDATE

File No:	Council Meetings
Author:	Project Manager Liveability & Natural Assets Group
Appendices:	App A - PwC draft Interim Findings Report59

PURPOSE

To advise Council of progress with preparing a business case for Sunshine Coast Mass Transit.

EXECUTIVE SUMMARY

The Sunshine Coast Mass Transit Project aims to provide the backbone of the future integrated public transport system for the Sunshine Coast Region. This will help manage congestion and support a sustainable approach to population growth in line with Council's vision of being *Australia's most sustainable region. Healthy. Smart. Creative.*

The Sunshine Coast Mass Transit Business Case is being prepared in accordance with Building Queensland's *Business Case Development Framework* which includes three levels of business case:

- Strategic Business Case
- Preliminary Business Case
- Detailed Business Case.

The Strategic Business Case was approved by Council at its meeting of 25 July 2019 and has been transmitted to relevant Queensland and Australian Government agencies. Sunshine Coast Council is now leading the second phase - the Preliminary Business Case. Work is well underway and the Preliminary Business Case is expected to be considered by Council in mid-2020.

As recommended by the Strategic Business Case, the focus is now on the urban corridor between Maroochydore and the Sunshine Coast University hospital precinct.

Price Waterhouse Coopers (PwC) is drawing the Preliminary Business Case together and is undertaking the required economic and financial analysis. PwC has submitted an "Interim Findings Report" (**Appendix A**) outlining the results of work undertaken so far.

On 8 May 2019 an announcement was made by the Premier and Minister for Trade, the Honourable Anastacia Palaszczuk and the Minister for Transport and Main Roads, the Honourable Mark Bailey, that "a contribution of up to \$7.5 million by the State Government would be matched by Council to help develop a detailed business case for the first stage of an integrated urban public transport solution for the Sunshine Coast, including pricing options for light rail".

The Detailed Business Case will be led by the Queensland Government, working in a close partnership with the Sunshine Coast Council. It will take about 18 months to prepare.

Deliverables from the Detailed Business Case include:

- Costs and benefits estimated to P 90 confidence level, meaning there is only a 10 per cent chance the cost estimates will be exceeded
- a detailed reference project design that can be used to underpin procurement of providers to implement the project
- a recommended delivery model to build and operate the reference project.

OFFICER RECOMMENDATION**That Council:**

- (a) receive and note the report titled “Sunshine Coast Mass Transit - Update” and
- (b) note the findings of the attached report entitled “Sunshine Coast Mass Transit Preliminary Business Case – Interim Findings Report” (Appendix A).

FINANCE AND RESOURCING

The preparation of the Preliminary Business Case has been funded through the Transport Levy allocation from the budget. A total of \$2.98 million is allocated for this work in 2019/2020.

CORPORATE PLAN

Corporate Plan Goal: *A strong community*

Outcome: 1.4 - People and places are connected

Operational Activity: 1.4.1 - Progress the Sunshine Coast Mass Transit project business case and engineering design in partnership with key stakeholders.

CONSULTATION**Councillor Consultation**

A Sunshine Coast Mass Transit Cross Group Working Team was established in August 2018 to steer the Sunshine Coast Mass Transit Project.

The Working Group is comprised of:

- Mayor M Jamieson
- Deputy Mayor Councillor T Dwyer
- Portfolio Councillor R Baberowski – Transport, the Arts and Heritage
- Portfolio Councillor C Dickson – Planning and Development
- Portfolio Councillor P Cox – Place Development and Design
- Division 4 Councillor J Connolly
- Division 8 Councillor J O’Pray

The Cross Group Working Team has convened five times, with the most recent meeting being held on 22 October 2019.

Internal Consultation

Also present on the Sunshine Coast Mass Transit Cross Group Working Team are:

- Chief Executive Officer
- Chief Strategy Officer
- Group Executive Liveability and Natural Assets
- Group Executive Customer Engagement and Planning Services
- Manager Transport Infrastructure Policy

External Consultation

A Business Case Reference Group has been established to guide, provide input to and monitor the preparation of the business cases to maximise the value of the Council's investment in the business case process.

Participants in this reference group include:

- Infrastructure Australia (Commonwealth Government)
- Commonwealth Department of Infrastructure, Transport, Cities and Regional Development
- Queensland Department of State Development, Manufacturing, Infrastructure and Planning
- Building Queensland (Queensland Government)
- Queensland Treasury
- Queensland Department of Transport and Main Roads.

Community Engagement

The Strategic and Preliminary Business Cases will integrate the results of significant previous community consultation undertaken by Council in relation to transport policy and, in particular, mass transit proposals in 2012, 2014 and 2018, as outlined below.

2012 – The Line in the Sand Report

The Line in the Sand process included a broadly representative community taskforce, supported by expert advisers from Council. It canvassed six technology options for a mass transit system as a game changer for the Sunshine Coast. An online consultation hub, launched in January 2012, attracted more than 2,900 visits and 228 people took part in the poll on the hub. The recommended proposal for light rail on the Sunshine Coast was supported by 82 per cent of those who completed the poll.

2014 – Sunshine Coast Light Rail – route options

In November 2014 more than 700 people had their say on light rail route options proposed for Maroochydore, Mooloolaba, Kawana and Caloundra. The vast majority (87 per cent) supported Council's investigations into light rail and their feedback contributed to the selection of route options for further study.

2018 – Draft Integrated Transport Strategy

Council undertook market research and community consultation between November 2017 and July 2018 to help shape the *Integrated Transport Strategy* which was adopted by Council in late 2018. Key findings from the market research and community consultation relevant to the Sunshine Coast Mass Transit Project Strategic Business Case have been integrated with the business case workings.

Future consultation

Further comprehensive community consultation is expected to be part of the Detailed Business Case phase, which will be led by the Queensland Government in partnership with Council, likely to occur in 2021.

PROPOSAL

Business Case Process and Phasing

Business case frameworks

A major investment in mass transit will require significant funding from the Queensland Government and most likely, the Commonwealth Government. To qualify for major capital

funding, a formal business case process must be followed. In Queensland this is undertaken in accordance with Building Queensland's Business Case Development Framework. The preparation of business cases under the Business Case Development Framework allows for consideration of the project in the Queensland Infrastructure Pipeline. This identifies endorsed Queensland Government infrastructure proposals that are unfunded for delivery with a minimum capital cost of \$50 million. It is an essential step in the project being considered for future capital funding from the Queensland Government.

The Business Case Development Framework includes:

- Strategic Business Case (SBC)
- Preliminary Business Case (PBC)
- Detailed Business Case. (DBC)

Commonwealth Government infrastructure investment priorities are informed by Infrastructure Australia. Proposals requesting significant capital funding from the Commonwealth also need to satisfy the requirements of Infrastructure Australia's *Business Case Assessment Framework*. Infrastructure Australia publishes its *Infrastructure Priority List* which is based on its assessment of relevant proposals and business cases submitted to it. In practice it is possible to orient the Queensland Business Case Development Framework work on a business case to also meet Infrastructure Australia's requirements, which is the approach being adopted for Sunshine Coast Mass Transit.

The Sunshine Coast Council team has maintained close liaison with both Building Queensland and Infrastructure Australia to ensure the business case workings meet the requirements of their respective business case frameworks. This will continue throughout the PBC phase.

The Strategic Business Case is completed

The Strategic Business Case (SBC) was approved by Council on 25 July 2019 and has been transmitted to relevant Queensland and Australian Government agencies. Their feedback will guide future stages of business case work. Following its approval by Council on 25 July 2019, the full Strategic Business Case was made public through the project's website: <https://www.sunshinecoast.qld.gov.au/Council/Planning-and-Projects/Major-Regional-Projects/Sunshine-Coast-Mass-Transit-Project>

The Preliminary Business Case is being led by Council

Preparation of a Preliminary Business Case (PBC) under the Building Queensland Business Case Development Framework represents a significant body of work and requires investigations that span engineering, environmental, urban planning and economic and financial analysis. Comprehensive cost estimating and risk assessments are required to ensure the project costs and benefits are estimated at a "P 50" confidence level. This means there may only be a 50 per cent or lower chance the estimates will be exceeded. A team of expert advisers has been engaged by Council to undertake this comprehensive program of work. As recommended by the Strategic Business Case, the focus is now on the urban corridor between Maroochydore and the Sunshine Coast University Hospital precinct.

A partnership to prepare the Detailed Business Case

The final phase is the Detailed Business Case (DBC), which aims to recommend a reference project based on evidence that the desired benefits will be realised and the project can be delivered for the estimated cost. On 8 May 2019 an announcement was made by the Premier and Minister for Trade, the Honourable Anastacia Palaszczuk and the Minister for Transport and Main Roads, the Honourable Mark Bailey, advising that "a contribution of up to \$7.5 million by the State Government would be matched by Council to help develop a detailed business case for the first stage of an integrated urban public transport solution for the Coast, including pricing options for light rail".

The announcement confirmed the Queensland Government would partner with Sunshine Coast Council to prepare the public transport plan's business case, and that the Queensland's Government involvement in the project will be led by the Department of Transport and Main Roads, with the support of other state agencies such as Building Queensland.

Provision has been made in the State budget papers for the Detailed Business Case to be funded over the next two financial years. The Detailed Business Case will be led by the Queensland Government, working in a close partnership with the Sunshine Coast Council. It will take about 18 months to prepare. Deliverables from the Detailed Business Case will include:

- Costs and benefits estimated to P 90 confidence level, meaning there is only a 10 per cent chance or less that the cost estimates will be exceeded
- a detailed reference project design that can be used to underpin procurement of providers to implement the project
- a recommended delivery model to build and operate the reference project.

The interim findings of the Preliminary Business Case

Expert advisers continue to work on the economic and financial aspects of the Preliminary Business Case, and it is aimed to bring the completed report to Council in mid-2020. However, interim findings are available and these are conveyed in the attached report by Price Waterhouse Coopers (PwC). See **Appendix A**.

The key interim findings include:

Need for action

- The Sunshine Coast will continue to be challenged by growing levels of road congestion, an accelerating trend toward urban expansion, high dependency on private motor vehicle transport and the need to broaden the local industry base to support continued high levels of employment self-containment.
- There is a clear need for a coordinated economic, land use and transport solution that supports the region's economic, social, environmental and transport goals.
- There is a need to ensure that the region's economy continues to develop to attract investment to the region with an accessible and productive workforce.
- Suitable urban consolidation needs to be attractive and incentivised to allow residents to live closer to where they work, supported by an integrated and sustainable public transport network.

Supporting urban transformation

- The land use analysis undertaken for the Project to date has found that the right type of mass transit can act as a catalyst for the consolidation of new housing and business within its catchment. This will enable a high proportion of dwelling growth to occur in the established urban footprint and support access to key destinations and employment nodes without people having to drive long distances in private motor vehicles.
- A fixed track mass transit such as light rail would provide certainty for residential, retail and commercial property investment. This is one vital factor leading to considerable intensification of property development and uplift in property values around fixed track mass transit stations. If carefully planned and based on technology that has a real influence on land use development, a major investment in the Stage 1 SCMT project would potentially unlock greater dwelling, population and employment growth than would occur without investment in mass transit.

- The process of achieving a major shift to urban consolidation will be difficult, and will require the support of additional measures, such as an “Urban Renewal Facilitation Toolkit” to complement the major investment in mass transit.

Options assessment

Investment in mass transit is expensive and needs to be staged. Therefore, part of the business case process focuses on a preferred staging plan, adopting a clear first stage for comprehensive investigation. The Strategic Business Case recommended:

“The scope of the business case is proposed to be focused on the Maroochydore to Kawana corridor....., with safeguarding for network extensions and/or connections to potential future mass transit solutions in the southern coastal corridor between Kawana to Caloundra, as well as the inland corridors between Beerwah and the Sunshine Coast Airport.”

Accordingly the Preliminary Business Case adopts the corridor from Maroochydore to the Sunshine Coast University Hospital as the Stage 1 project area.

A long list of policy and investment options for the Stage 1 project area was evaluated as part of the options process. A shortlist of six options was then assessed alongside a “do minimum” transport investment case using Multiple Criteria Analysis (MCA) with a range of quantified measures calculated through expert analysis and transport modelling. Based on these results of the MCA:

- A light rail system was the highest performing option when assessed against a range of criteria and transport infrastructure.
- Three options were recommended for progression to economic analysis and more detailed assessment through a detailed Cost Benefit Analysis:
 - 1 Light Rail Transit (LRT)
 - 2 Bus Rapid Transit (BRT)
 - 3 Quality Bus Corridor (QBC).

However, it should be noted that only the LRT option and potentially the BRT option are considered to have significant potential benefits in achieving the important land use benefits of urban renewal. The QBC option is based only on bus lanes, and although performing well in terms of transport benefits and total cost, cannot achieve the full range of urban renewal benefits sought for the SCMT project in the Sunshine Coast Urban Corridor.

Environmental and social impacts

The Environmental Assessment for the Stage 1 project area to date has confirmed that:

- No previously recorded Indigenous heritage sites were noted in the Project area and the closest recorded site is an artefact scatter, located 155m from the Project area
- No previously registered non-indigenous heritage sites will be impacted by the Project
- No high-risk areas for protected plants were identified on the Flora Survey Trigger Map within the Project area
- No essential habitat is mapped in the Project area. However, essential habitat is mapped directly adjacent to the Project area on Maroochydore Beach.

Work continues on this assessment to be finalised in the PBC.

Cost estimates

The cost estimates for each project option (and associated benefits and revenues) will be modelled in the economic and financial appraisal work streams. The initial cost estimates for the LRT and BRT options are undergoing a process of value engineering and peer review to provide assurance to the cost components of subsequent economic, financial and

commercial analyses. Costs will be completed for the PBC report and much more detail on costs as compared to benefits will be available upon completion of the PBC.

Transport outcomes in 2041

Modelling of detailed transport and land use outcomes to date has concentrated on the light rail option, and the other options Bus Rapid Transit and Quality Bus corridor have yet to be modelled. Transport modelling has been conducted to compare the transport outcomes of the *No-intervention base case* and the *With-LRT project case* that assumes the intervention of the LRT. This focussed on Stage 1 of the light rail route between Maroochydore and Sunshine Coast University Hospital precinct.

The headline statistics from modelling the Stage 1 *With-LRT project* (light rail) intervention include:

- 23,000 fewer car trips start in the Sunshine Coast LGA each day when compared to the *No-intervention base case*. Of these, 19,800 are local trips that have moved completely to alternative modes due to more realistic alternatives and land use that support alternatives to car-based trips
- 390,500 fewer vehicle kilometres are travelled on the Sunshine Coast in 2041. This represents a reduction in vehicle kilometres travelled of approximately 2.4 per cent when compared to the *No-intervention base case*.
- Within the Sunshine Coast LGA there are 49,400 PT trips each day in 2041, more than double the number of PT trips in the *No-intervention base case*.
- The total number of PT trips that start and finish within the Sunshine Coast Urban Corridor increases from 5,100 to 20,400 trips per day with the intervention of the Light Rail, representing a 300 per cent increase.
- 8.8 per cent of journeys to work in the Stage 1 Sunshine Coast Urban Corridor are made by PT. This represents a step change in travel behaviour when compared to the base scenario which observes a mere 1.5 per cent of journeys to work made by PT.
- Light Rail attracts 31,100 trips per day in 2041. 85 per cent of all boardings on LRT services are associated with walk-up trips.
- There is significant demand for the park 'n' ride around Mooloolah River crossing with approximately 1,100 car-fed PT trips per day.

These results show there are significant benefits attached to the light rail intervention.

Next steps in the business case for Sunshine Coast Mass Transit

The future major phases of the Sunshine Coast Mass Transit Project are:

- Complete the Preliminary Business Case under Building Queensland's Business Case Development Framework. This work is being led by Council and the work program is well established, with completion expected mid-2020
- Complete the Detailed Business Case in partnership with the State as already agreed, with completion nominally expected by December 2021
- Commission peer view and assurance audits
- Obtain approval of the Detailed Business Case by the Building Queensland Board and include the project in the *Queensland Infrastructure Pipeline Report*
- Obtain agreement with Infrastructure Australia that the project is supported based on the Detailed Business Case, and obtain listing on the national *Infrastructure Priority List*
- Obtain capital budget funding from both the Queensland and Commonwealth Governments
- Undertake procurement to deliver the project

- Obtain safety accreditation and commence operations of the project
- Progress corridor planning and design to support urban renewal in the project catchment as part of the mass transit business case process.

Legal

There are no legal implications arising from this report as this is the preliminary stage of the business case process.

The Interim Findings Report prepared by PwC was provided to Council on a confidential basis for use in considering the SCMT Project. In accordance with the report disclaimer, Council has received permission to make the interim findings public.

Policy

This report is consistent with Council's policy directions as articulated in the Corporate Plan, Sunshine Coast Regional Economic Development Strategy 2013-2033, the Sunshine Coast Planning Scheme 2014, Sunshine Coast Environment and Liveability Strategy 2017, and the Sunshine Coast Integrated Transport Strategy 2018.

Risk

There are two primary categories of risk to be managed for a major investment project:

- process risks
- project risks.

Process risks are risks that affect the process of advancing the project through the current and future phases. Process risks do not necessarily have a direct impact on the cost to deliver the infrastructure project. However, process risks may have significant time, reputation and management cost impacts.

A **process risk register** is being reviewed and updated as the business case proceeds. It includes risk ratings and mitigation strategies. The key process risks that will continue to be managed include:

- timing and funding conflicts with other related projects
- lack of alignment between the three levels of government
- the project narrative for a new mass transit system for the region is not compelling enough to secure funding
- the benefits of the project may be judged by government as significantly less than the costs
- listing of the Sunshine Coast Mass Transit Project on Building Queensland and/or Infrastructure Australia's pipeline reports and infrastructure priority lists is not obtained after completion of the Detailed Business Case.

All these risks can be mitigated by close involvement of the relevant State and Commonwealth agencies in the development of the business case, and this already forms part of the current project governance and working arrangements.

Project risks are risks that could affect the outcomes of the project and have a range of potential impacts including time, cost, quality, health and safety, reputation and environment. The understanding of the project risks will change as the project proceeds and the assessment of project risks will need to be regularly reviewed and updated to reflect the current status of the project. Key project risks identified thus far are shown in Table 1.

Risk	Consequences	Mitigation
Construction risks, including undetected hazards, undetected public utilities, poor soil conditions, rock, and additional works that were not anticipated in the planning phases.	Unexpected service relocation costs and engineering scope increases, resulting in the project exceeding time and budget constraints. Reputation damage.	Desktop and field investigations to identify potential service conflicts, and inclusion of mitigation works in the "P 50" risk adjusted cost estimates, and third party agreements between the principal and the service providers to establish required service upgrades, funding and delivery responsibilities ahead of engagement of the constructing contractor.
Operating risks including failure to meet ridership projections, and failure of the mass transit technology to perform as specified.	Ongoing additional costs to government, and reputation damage, especially if the mass transit technology is prone to breaking down.	Plan for maximum convenience for passenger access. Adopt only proven mass transit technology that has been found to perform reliably.
Safety risks including the mass transit technology not meeting requirements of Australian standards and safety regulation regimes.	System cannot operate safely and either causes accidents or is not permitted to operate. Injury, loss of life and reputation damage	Adopt only proven mass transit technology that has been found to perform reliably and safely and is able to obtain safety accreditation in Australia.
Integration risks whereby suitable urban renewal does not occur in the project catchment, and urban expansion outside the catchment continues.	Less people would reside in the project catchment and the mass transit would be less effective and may not serve the region's population well enough.	Undertake comprehensive urban corridor planning and community consultation to support urban renewal.

Table 1. Key project risks identified in Preliminary Business Case phase

Previous Council Resolution

Ordinary Meeting 25 July 2019 (OM19/102)

That Council

- (a) *receive and note the report titled "Sunshine Coast Mass Transit - Update"*
- (b) *endorse the Strategic Business Case for Sunshine Coast Mass Transit at Appendix A, for the purpose of facilitating further consideration by relevant State and Federal Government agencies*
- (c) *refer the Strategic Business Case for Sunshine Coast Mass Transit and in the form of a completed "Infrastructure Australia Stage 1 Template" to Infrastructure Australia for its consideration and inclusion in the Infrastructure Priority List, and advise Infrastructure Australia of the intention to complete a Preliminary Business Case*
- (d) *refer the Strategic Business Case for the Sunshine Coast Mass Transit to Building Queensland for its consideration and inclusion in the Infrastructure Pipeline, and advise Building Queensland of an intention to complete a Preliminary Business Case*
- (e) *refer the Strategic Business Case for the Sunshine Coast Mass Transit to other relevant government agencies including Transport and Main Roads and Queensland Treasury, and advise the agencies an intention to complete a Preliminary Business Case*
- (f) *update the project website to provide access to the Strategic Business Case and a summary of the Strategic Business Case.*

Ordinary Meeting 23 April 2015 (OM15/59)

That Council:

- (a) *authorise the Chief Executive Officer to proceed in accordance with the direction given in confidential session*
- (b) *confirm the recommended light rail route corridor with which to proceed to more detailed feasibility and business case studies*
- (c) *confirm support for progressing the establishment of a high frequency branded forerunner bus in conjunction with the State Government*
- (d) *authorise the Chief Executive Officer to write to the Minister for Transport outlining the findings of the Sunshine Coast Light Rail Route Options Consultation Report and the recommended route and seeking their support for progressing with more detailed feasibility and business case studies and*
- (e) *authorise the Chief Executive Officer following completion of (d) above to release the findings on the Sunshine Coast Light Rail Route Options Consultation Report.*

Related Documentation

Refer to Project Website <https://www.sunshinecoast.qld.gov.au/Council/Planning-and-Projects/Major-Regional-Projects/Sunshine-Coast-Mass-Transit-Project>

Critical Dates

No critical dates relevant to this report.

The timing recommended by the SBC for future stages is shown in table 2 below.

Table 2. Timelines for Sunshine Coast Mass transit

Project Phase	Dates
Strategic Business Case (SBC)	Completed
Preliminary Business Case (PBC)	2019 - 2020
Detailed Business Case (DBC)	2020 - 2021
Investment Decision and Procurement	By end 2023 (indicative and subject to State and Commonwealth funding approval)
Delivery	By end 2026 (indicative)

Implementation

Should the recommendations be accepted by Council, the Chief Executive Officer will proceed to engage with relevant Federal and State Government agencies to facilitate progression of subsequent phases of the project.

8.4 LANDSBOROUGH PLACEMAKING MASTER PLAN

File No:	Council meetings
Author:	Coordinator Place Making Liveability & Natural Assets Group
Appendices:	App A - Landsborough Placemaking Master Plan69
Attachments:	Att 1 - Community Engagement Summary Report 103

PURPOSE

The purpose of this report is to inform Council of the development of the Landsborough Placemaking Master Plan, and seek Council adoption of the Landsborough Placemaking Master Plan.

EXECUTIVE SUMMARY

The Landsborough Placemaking Master Plan (Appendix A) presents a 15 year vision for Landsborough's public spaces that captures the community's values and ideas.

The Landsborough Placemaking Master Plan was developed with extensive community and stakeholder input (Attachment 1). Together with the community, a vision for the town's public spaces has been developed, along with ideas to improve the town centre area.

The community have developed the following vision for Landsborough's public spaces:

Landsborough continues to evolve into a vibrant, well-connected and creative community. Drawing on its past, to enrich its future, it will be a place for today's lifestyles with a village atmosphere.

Diverse public spaces are sensitively designed and layer social, cultural and recreational uses, as well as activities—to create memorable experiences that sustain Landsborough as a locally loved destination.

Distinctively relaxed and accessible, Landsborough balances its rural character, with a strong connection to nature and never loses its sense of being in the Glass House landscape.

Improvement of Landsborough's public spaces has the potential to help strengthen Landsborough as a Sunshine Coast destination and provide an opportunity to further contribute to the town's sense of place and its general appeal to locals and visitors.

The Placemaking Master Plan identifies four precincts as the focus for change in the town and five actions to progress improvement. The actions are:

1. Undertake the priority streetscape project (Cribb Street).
2. Liaise with relevant State government agencies to progress placemaking guidance opportunities in relation to the proposed Beerburrum to Nambour rail upgrade project.
3. Encourage the community and local businesses to establish a committee to deliver an activation program.
4. Encourage community and business led improvements on private properties within the town centre area.
5. Guide good public space design and placemaking outcomes using the Master Plan as a key referral document.

In addition to Council's capital works budget commitment, implementation of other parts of the master plan could be delivered by other stakeholders, including other levels of government, local businesses and members of the community.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Landsborough Placemaking Master Plan"
- (b) adopt the Landsborough Placemaking Master Plan (Appendix A)
- (c) delegate authority to the Chief Executive Officer to make necessary minor amendments to finalise the "Landsborough Placemaking Master Plan" in consultation with the Portfolio Councillor Place Development and Design and Divisional Councillor and
- (d) refer the project to the 2020/21 budget for consideration.

FINANCE AND RESOURCING

The Landsborough Placemaking Master Plan provides direction to implement the capital works streetscape improvements in Cribb Street. This project is currently captured in Council's 10 Year Capital Works program (Streetscape Local). Construction is intended to be delivered in one sequence from February to December 2020, across the 2019/20 and 2020/21 financial years.

Landsborough Place Making Master Plan	Total Prior Year Actuals	2019/20 Current Budget	2020/21 Proposed Budget	Total Budget
10 year Capital Works Program – Streetscape Local	\$412,237	\$1,540,875	\$1,150,000	\$3,103,112
10 year Capital Works Program – * Divisional Councillor Emergent Capital Works Funds	\$0	\$200,000	\$300,000*	\$500,000*
TOTAL	\$412, 237	\$1,740,875	\$1,450,000 *	\$3,603,112

*It should be noted that expenditure of Divisional Councillor Emergent Capital Works Funds is subject to change as a result of an election, policy changes and/or normal annual budgetary review and approval processes by Council.

All future capital works funded components associated with this project are also subject to the normal annual budgetary approval process by Council.

Currently, the Cribb Street streetscape project is out to tender for construction. It is intended to award a contract in early 2020 that will meet the available budget. The scope of the project may be reduced to meet the budget, if necessary.

In addition to Council's capital works budget commitment, implementation of other parts of the plan may be delivered by a variety of stakeholders, including other levels of government, local businesses and members of the community.

Cribb Street Park Project

The proposed Cribb Street Park project (between Cribb Street and the train station), is on State Government owned land and requires their approval. Council hold an existing license for the park (whole of lot 122 CP827064 & part of lot 121 CP827064), due to expire in February 2023. Council officers are currently negotiating with State Government to begin a new 10 year license with a change of area.

Public Amenities Renewal, QCWA Park

A renewal of the central public amenities is currently scheduled for 2022/23 with \$170,000 from the Capital Works sub-program: Corporate Buildings, Public Amenities.

State Government Partnerships

The Placemaking Master Plan provides the foundation to seek joint funding partnerships between Council and the State and Federal Governments. Previously adopted master plans have assisted Council in receiving considerable contributions from other government initiatives such as:

- South East Queensland Cycle Network Program (50/50 Contribution)
- Black Spot Program (Department of Transport and Main Roads)
- Local Government Grants and Subsidies Program
- Building our Regions (Queensland State Government)

Developer Contributed Assets

The Landsborough Placemaking Master Plan will be a key referral document upon which contributed streetscape assets may be designed and constructed as part of any relevant approvals.

CORPORATE PLAN

Corporate Plan Goal: *A strong community*

Outcome:

Operational Activity:

We serve our community by providing this great service
S1 - Community and cultural development and partnerships -
Council is providing planning, partnering and supporting the community through a range of community development, civic and cultural programs and grants.

CONSULTATION**Councillor Consultation**

The following Councillors have provided direction to the Landsborough Placemaking Master Plan and Cribb Street streetscape project as part of the Landsborough Project Control Group:

- Councillor P Cox - Place Development and Design Portfolio
- Councillor R Baberowski - Division 1 Councillor for Landsborough
- Councillor C Dickson - Planning and Development Portfolio
- Councillor J McKay - Community & Environment Portfolio

Internal Consultation

Office of the Mayor and CEO:

- Chief Strategy Officer
- Chief of Staff
- Communication

Liveability and Natural Assets Group:

- Design and Placemaking Services
- Environment and Sustainability Policy
- Environmental Operations

- Project Delivery
- Urban Growth Projects

Built Infrastructure Group:

- Parks & Gardens
- Civil Asset Management
- Transport Infrastructure Management
- Transport and Infrastructure Planning

Customer Engagement and Planning Services Group:

- Strategic Planning
- Development Services
- Customer Response

Business Performance Group:

- Property Management
- Business Development

Economic and Community Development Group:

- Economic Development
- Community Planning and Development
- Arts, Heritage and Libraries

Council's Urban Design Advisory Panel have also provided input to this project on two occasions.

External Consultation

The following external stakeholders have provided input into the Draft Landsborough Placemaking Master Plan:

- State Members for Glasshouse and Caloundra
- Department of Transport and Main Roads
- Queensland Rail
- Translink/Buslink
- Energex
- Unitywater

Community Engagement

The Placemaking Master Plan has been developed in collaboration with the Landsborough community and key stakeholders. The community engagement strategy involved a broad range of people to determine their aspirations, values and ideas to inspire the future character and sense of place for Landsborough.

Three engagement phases were held between January 2018 and September 2019. Over 1000 people were engaged via a variety of means (this number may include some repeat individual participation).

From 18 March to 17 May 2019, Council sought feedback on the Draft Placemaking Master Plan and Cribb Street Streetscape project.

160 validated surveys were completed with the following responses:

- An overwhelming majority (97%) supported the draft vision Statement
- An overwhelming majority (95%) supported the draft Placemaking Master Plan

- There was a strong consensus that any improvements should retain the authentic country town feel, heritage and green leafy character.
- Respondents indicated that they would support the vision if vehicular access, circulation and parking within the town was improved. They also identified that a more vibrant and diverse shopping experience in the town would support its success.

Feedback received helped finalise this Placemaking Master Plan for Landsborough. For a more comprehensive engagement overview, please refer to Attachment 1 - Summary of Community Engagement.

PROPOSAL

The Landsborough Placemaking Master Plan presents a 15 year vision for Landsborough's public spaces that captures the community's values and ideas. (Refer to Appendix A)

Placemaking is a collaborative and coordinated approach to the design and management of public spaces. It aims to involve the community in creating public spaces that contribute to people's health, happiness, and wellbeing. It is a process that involves collaborating with a community to create their vision and 'sense of place' for a town.

Sunshine Coast Council has developed the Landsborough Placemaking Master Plan with extensive community and stakeholder input. Together with the community, a vision for the town's public spaces has been developed, along with ideas to improve the town centre area.

The community vision for Landsborough's public spaces is:

Landsborough continues to evolve into a vibrant, well-connected and creative community. Drawing on its past, to enrich its future, it will be a place for today's lifestyles with a village atmosphere.

Diverse public spaces are sensitively designed and layer social, cultural and recreational uses, as well as activities—to create memorable experiences that sustain Landsborough as a locally loved destination.

Distinctively relaxed and accessible, Landsborough balances its rural character, with a strong connection to nature and never loses its sense of being in the Glass House landscape.

The plan outlines ideas for the whole town centre, and within this area, four key precincts have been defined.

Precinct 1: The Gateway

- creates a memorable first impression to this area and offers clear entry points to welcome visitors to a town they will want to visit again

Precinct 2: Cribb Street Precinct

- the heart of the town with a village atmosphere

Precinct 3: The Borough

- the local business hub and space for activities and events

Precinct 4: The Heritage Precinct

- A garden environment with community spaces that support events, learning and connections with culture, heritage and community.

The Landsborough Placemaking Master Plan seeks to:

- further develop the feel of a country town, respecting its heritage character
- create clear and attractive points of entry to the Landsborough town centre
- provide community gathering areas and more outdoor dining opportunities

- improve paths for cyclists and pedestrians to move around easily and safely
- support the town in ways that will improve its liveability and vibrancy.

The improvement of Landsborough's public spaces has the potential to strengthen Landsborough as a Sunshine Coast destination and provide an opportunity to further contribute to the town's sense of place and its general appeal to locals and visitors.

The Landsborough Placemaking Master Plan provides guidance in the following areas:

- improvement of Landsborough's public spaces including streets and parks
- identification of future placemaking opportunities, partnerships and potential funding sources from all levels of government, the private sector and the community
- the delivery and maintenance of Landsborough future public spaces and infrastructure by Council, through its 10-year capital works program and/or operational activities
- community and local business led initiatives to improve public spaces such as temporary art, events, marketing activities or shop front improvements (referred to as community activation).

The following is a list of five actions arising from the Landsborough Placemaking Master Plan, some will require further investigation and engagement with stakeholders:

1. Undertake streetscape improvements in Cribb Street as a focus for placemaking in Landsborough to be delivered as a priority project for the Placemaking Master Plan.
2. Liaise with relevant State government agencies to progress identified placemaking guidance opportunities—including those relevant to the proposed Department of Transport and Main Roads Beerburrum to Nambour rail upgrade project.
3. Encourage Landsborough residents and local businesses to establish a committee to deliver a community activation program that is supported by Council's relevant branches and funded by the Cribb Street streetscape program.
4. Encourage community and business-led improvements of shop facades, forecourts, private green space areas within the Cribb Street Precinct and The Borough.
5. Use the Landsborough Placemaking Master Plan as a referral document to provide guidance for good public space design and placemaking outcomes for Landsborough.

In addition to Council's capital works budget commitment, implementation of other parts of the plan may be delivered by a variety of stakeholders, including private developers, other levels of government and the local community.

Legal

There are no legal implications relevant to this report.

Policy

The vision for Landsborough has been developed using a place-based approach, in line with Council's Place Making Policy 2012. Feedback has been sought from Council's Urban Design Advisory Panel to ensure the ideas are consistent with Council's Charter for Urban Places. The development of the Master Plan has involved extensive engagement with all of the relevant Council departments to determine if the ideas are compatible with current Council policy.

There are no anticipated concerns regarding the Placemaking Master Plan proposals against current State Government legislation/policy.

Risk

The development of a vision and Master Plan for Landsborough, including Cribb Street project will minimise the risk of lost opportunities, community dissatisfaction, and ad-hoc contributed assets, which may impact upon the character of the Landsborough town centre, and occur to the detriment of future service-provision and uses.

This Landsborough Placemaking Master Plan provides the community direction with regards to future projects such as the proposed Department of Transport and Main Roads (DTMR) Beerburrum to Nambour (B2N) rail upgrade project, and the Beerwah East Major Development Area.

Works on State Government owned land, will require the approval of the relevant State Government department.

Previous Council Resolution

There are no previous Council resolutions that relate to this report.

Related Documentation

There is no related documentation in relation to this report.

Critical Dates

There are no critical dates in relation to this report.

Implementation

The endorsement of this Master Plan will enable the Chief Executive Officer to:

- Implement the Cribb Street streetscape project as part of Council's current 10-year capital works program.
- Liaise with relevant State government agencies to progress identified placemaking guidance opportunities—including those relevant to the proposed Department of Transport and Main Roads Beerburrum to Nambour rail upgrade project.
- Support Landsborough residents and local businesses to establish a committee to deliver a community activation program supported by Council's relevant branches and initiated by the streetscape program.
- Encourage community and business-led improvements of shop facades, forecourts, private green space areas within the Cribb Street Precinct and The Borough, initiated by the streetscape program.
- Use the Landsborough Placemaking Master Plan as a referral document to provide guidance for good public space design and placemaking outcomes for Landsborough.

8.5 TRANSPORT CORRIDOR PLANNING

File No: F2019/79818

Author: Coordinator Transport Network
Built Infrastructure Group

Attachments: Att 1 - Land Requirements – Caloundra.....*Confidential 5/38*
Att 2 - Land Requirements - Buderim*Confidential 7/38*

PURPOSE

This report seeks Council's endorsement on progressing the planning and delivery of transport upgrades in Caloundra and Buderim.

EXECUTIVE SUMMARY

This report seeks to progress planning and delivery of two transport upgrades to service growth and address falling transport service levels currently experienced in parts of Caloundra and Buderim.

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

The transport upgrades in Caloundra and Buderim are being progressed as part of the Local Government Infrastructure Plan. To facilitate the progression of planning and delivery, Council officers need Council's endorsement to secure land. Land requirements are shown in Confidential Attachment 1 - Land Requirements - Caloundra and Confidential Attachment 2 - Land Requirements - Buderim.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Transport Corridor Planning" and
- (b) resolve to negotiate, execute and finalise the acquisition of the properties required to deliver the transport upgrade as discussed in this report.

FINANCE AND RESOURCING

The projects discussed in this report are included in Council's Local Government Infrastructure Plan. Further, the projects are listed in Council's current 10 Year Capital Works Program. The actions in this report can be achieved by funding through the current LGIP funding mechanism with no additional impact on Council's adopted 10 year Capital budget (refer previous Council resolution OM18/132).

CORPORATE PLAN

Corporate Plan Goal: *A healthy environment*

Outcome: We serve our community by providing this great service

Operational Activity: S15 - Sustainable growth and network planning - providing land use planning, social policy, infrastructure planning and charges, flood mapping, transportation planning and environmental initiatives.

CONSULTATION

Councillor Consultation

The Transport Portfolio Councillor (Councillor R Baberowski) has been briefed on the transport upgrade projects and is in support of the projects.

Councillor for Divisions 2 (Councillor T Dwyer), 6 (Councillor C Dickson) and 7 (Councillor T Hungerford) were briefed and provided their support on the transport upgrade projects.

Internal Consultation

A number of workshops/meetings were held with representatives from various Council branches and teams during the development of the transport upgrade project.

They included:

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

External Consultation

No external consultation was undertaken as part of the preparation of this report.

Community Engagement

No community engagement was undertaken as part of the preparation of this report.

PROPOSAL

Transport planning is progressing for the delivery of transport upgrades to service growth and address poor transport service levels currently experienced in parts of Caloundra and Buderim.

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

The transport upgrades in Caloundra and Buderim are being progressed as part of the Local Government Infrastructure Plan. To facilitate the progression of planning and delivery, Council needs to secure land.

Land requirements for Caloundra and Buderim are shown in Confidential Attachment 1 - Land Requirements - Caloundra and Confidential Attachment 2 - Land Requirements - Buderim.

Legal

There are currently no known legal issues related to this report. Council's Strategic Property team will work with Council's Legal team as land purchases progress.

Policy

This report has been prepared with consideration to:

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

Risk

The transport projects driving this report will alleviate increasing traffic congestion. Failure to proceed with these projects may result in continued loss of amenity, public dissatisfaction and significant traffic operational issues along the existing corridors.

Previous Council Resolution

19 September 2019 Ordinary Meeting (OM19/141)

That Council:

- (a) *receive and note the report titled "Transport Corridor Planning Projects" and*
- (b) *resolve to negotiate, execute and finalise the acquisition of the properties required to deliver transport upgrades in Caloundra, Nambour and Currimundi/Aroona.*

31 January 2019 Ordinary Meeting (OM19/9)

That Council:

- (a) *receive and note the report titled "Caloundra Transport Corridor Planning"*
- (b) *resolve to negotiate, finalise and execute the acquisition of the properties required for the delivery of the Caloundra Transport Corridor outcomes*
- (c) *advise the State Government, via the Department of Transport and Main Roads, of the following preference for the Caloundra Road/Pelican Waters Boulevard/Nicklin Way intersection:*
 - (i) *it be planned to be upgraded in stages with the ultimate layout being a grade separated interchange*
 - (ii) *slip lanes at each of the four entries to the intersection be explored in future planning and design*
- (d) *The Third Avenue extension to the Nicklin Way to be upgraded in stages with the ultimate layout being a grade separated interchange and*
- (e) *that in regards to (c) (i), (c) (ii) and (d) above that all future planning regarding these three items, recognises design considerations that do not encumber the outcomes sought by (c) (i), (c) (ii) and (d) above.*

8 November 2018 Ordinary Meeting (OM18/185)

That Council:

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

16 August 2018 Ordinary Meeting (OM18/132)

That Council:

- (a) *receive and note the report titled "Transport Corridor Planning Projects" and*
- (b) *endorses the funding proposal to be employed for Local Government Infrastructure Plan projects when the annual threshold allocation of \$40 million is exceeded, applying the following steps:*
- (c) *for approved projects, draw down funding from the Externally Restricted Cash (Infrastructure Charges) Reserve (Reserve)*
- (d) *record the expenditure as 100% funded from the Reserve and that a notional 30% expenditure has been funded from General Revenue, with an equivalent 'debt' to the Reserve noted accordingly*
- (e) *record all sales of residual land, initially procured through Local Government Infrastructure Plan land acquisitions, with 100% of sale proceeds to be returned to the Reserve, noting the proportion payable from the General Revenue component to be acquitted against the 'debt' recorded in (ii) above and*
- (f) *maintain this approach until the 'debt' has been fully acquitted.*

17 August 2017 Ordinary Meeting (OM17/159)

That Council:

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

23 March 2017 Ordinary Meeting (OM17/48)

That Council:

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

2 October 2003 General Meeting (03/293)

That:

- (a) *Report No. 20030902.CY.01 from Policy Officer (Infrastructure Engineer) C Young, dated 2 September 2003, be received and noted;*
- (b) *it be noted that the network assessment on which the report referred to in (a) above has been developed based on the stated accepted criteria of deficiency methodologies specified in the Main Roads-Road Planning and Design Manual. This methodology is considered deficient for Caloundra City in that it relies only on unacceptable forecast traffic volumes and fails to take into account triple bottom line criteria (economic, environment and social implications);*

-
- (c) *representations be made to Department of Main Roads through the Local Government Association of Queensland to change the criteria of deficiency methodologies specified in the Main Roads - Road Planning and Design Manual to include triple bottom line criteria (economic, environment and social implications) in addition to forecast traffic volumes;*
- (d) *pending the review of the criteria of deficiency methodologies referred to in (c) above, the Caloundra City - Future Road Network Assessment Report be adopted with the following amendments:*
- (i) *CBA Northern access route – change to 2000 - 2006;*
 - (ii) *Maltman Street South – change to 2006 -2011;*
 - (iii) *Nicklin Way Intersection Improvements - upgrade west of Point Cartwright Drive - change to 2000 - 2006;*
 - (iv) *Kawana Way arterial duplication -upgrade from Sunshine Motorway/ Mooloolaba interchange to Kawana Island Boulevard (4 lanes) - change to 2006 - 2011;*
 - (v) *Glasshouse Mountains Road - upgrade from Landsborough to Beerwah - change to 2000-2006;*
 - (vi) *Glasshouse Mountains Road - upgrade from Beerwah to Glass House Mountains - change to 2000-2006;*
 - (vii) *Glasshouse Mountains Road - upgrade from Beerburum to Glass House Mountains - change to 2000-2006;*
- (e) *the Future Road Network Project Plan - future road network requirements for years 2006, 2011, 2016 and 2021 as amended be referred to City Assets Division for future program implementation, investigation and analysis as part of the Annual Financial Plan process;*
- (f) *the Future Road Network Project Plan, future road network requirements for year 2006 as amended, be referred for inclusion in Council’s Advocacy Program;*
- (g) *Caloundra City - Future Road Network Assessment Report as amended be forwarded to SunRoc Moving Forward Committee for consideration in the development of the Sunshine Coast Integrated Local Transport Plan;*
- (h) *Caloundra City - Future Road Network Assessment Report as amended be utilised as background information in the future development of road infrastructure charges plan as part of the City Plan development;*
- (i) *proposed Roads of Regional Significance be referred to the Sunshine Coast and Cooloola Councils Regional Road Group for information;*
- (j) *the Caloundra City - Future Road Network Assessment Report be circulated to all relevant Council Units for information.*
- (k) *the following road network linkages are to be included into proposed 2003-2006 Road Network Project Plan:*
- (i) *Turner Street to Roberts Road, Beerwah - new route;*
 - (ii) *Pine Camp Road to Peachester Road - new route.”*

Related Documentation

Previous Council Ordinary Meeting Reports that are of relevance are:

- Transport Corridor Planning Projects, 2019
- Caloundra Transport Corridor Planning, 2019
- Caloundra Transport Corridor Planning – Memorandum of Understanding, 2018
- Trunk Infrastructure Funding Proposal Report, 2018

- Caloundra Transport Corridors Planning Report, 2017
- Caloundra Centre Master Plan, Sunshine Coast Council, 2017
- Sunshine Coast Local Government Infrastructure Plan 2018.

Critical Dates

Land requirements for the transport upgrades have been identified. To reduce and manage the impact on land owners, there is a need to advise them of the land requirements for the adjacent transport project and to begin opportunistic land purchases. This will allow the land owners to accommodate the project's land requirements as soon as possible in the proposed development of their sites. Council's decision is required by 31 January 2020.

Implementation

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

1. Place property conditions and notations on those properties that are required in part or whole for the construction of the requisite projects.
2. Negotiate, execute and finalise the acquisition by agreement of the properties shown in Confidential Attachment 1 - Land Requirements - Caloundra and Confidential Attachment 2 - Land Requirements - Buderim. Further reports will be presented to Council where compulsory acquisition is required.
3. Develop or update transport project pages on Council's website noting the progression of planning.
4. Update the Local Government Infrastructure Plan to reflect the progression of planning.

8.6 SUNSHINE COAST FALCONS - PARTNERSHIP AGREEMENT 2020-2021

File No:	Council meetings
Author:	Manager Sport & Community Venues Economic & Community Development Group
Attachments:	Att 1 - Sunshine Coast Falcons Partnership Proposal - season 2020 and 2021.....Confidential 9/38 Att 2 - Sunshine Coast Falcons - 2019 Game Day Profit and Loss Summary Confidential 17/38 Att 3 - Summary of changes within Sunshine Coast Falcons Partnership Proposal and Officer Recommendations.....Confidential 19/38 Att 4 - Falcons Sponsorship Agreement 2018-2019Confidential 21/38

PURPOSE

The purpose of this report is to present a proposed partnership agreement with the Sunshine Coast Falcons (the Falcons) for the 2020 and 2021 seasons of the Queensland Rugby League (QRL) Competition (Intrust Super Cup) to Council for consideration.

EXECUTIVE SUMMARY

Council has been presented with a proposed partnership agreement with the Sunshine Coast Falcons (the Falcons) for the 2020 and 2021 seasons. The Falcons are the representative team for the Sunshine Coast in the Queensland Rugby League (QRL) Competition (Intrust Super Cup).

After a number of seasons of below standard performance, the Falcons have recorded successful campaigns for the past four seasons and, in 2017, made the QRL Grand Final and were defeated by the Papua New Guinea Hunters. In 2019, the Falcons finished the regular season as minor premiers, recording only one loss prior to the semifinals and ultimately finished the finals in third position. The Falcons Colts team (under 20's) won the premiership in their competition and continue to provide a pathway for elite Sunshine Coast talent.

In 2017, Council entered into a sponsorship agreement with the Falcons by which no cash contribution was to be provided, however in-kind support was provided through:

- Relaxation of charges for training field and gym hire, use of demountable building and board room
- In house support from Stadium staff with services such as graphic design, social media and coordination of game day activities
- Continuation of profit share agreement for game days with the opportunity for the Falcons to generate extra revenue.

In return for the above, the Falcons provided a range of Major Partnership benefits including logo placement on the team's jersey (Council logo for home jersey and Visit Sunshine Coast logo for away jersey); apparel and other Falcons' collateral; media exposure; game day corporate offering; corporate event benefits and signage.

The Falcons have now requested a partnership agreement for a further two years, including a number of amendments. Due to the detailed financial information provided by the Falcons in their request, they have requested that this information be treated as confidential.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Sunshine Coast Falcons - Partnership Agreement 2020-2021” and
- (b) authorise the Chief Executive Officer to negotiate and execute a partnership agreement with the Sunshine Coast Falcons for a two year period for the 2020 and 2021 seasons.

FINANCE AND RESOURCING

For the 2019 season, Council’s support included items such as venue hire, lighting usage, event support staff and share of game day profits.

The proposed material changes to the partnership agreement are:

- that Sunshine Coast Stadium reduce the fee for LED advertising and scoreboard operation per game.
- that tickets be provided to the Falcons for the NRL fixtures held at Sunshine Coast Stadium, which will be absorbed into NRL game budgets and deemed as reasonable compensation for the Falcons.

If Council were to endorse the addition of a cash contribution or other requests that will impact on Sunshine Coast Stadium revenue and expenditure (such as a change to the game day profit share arrangements), an additional allocation would be required to Sunshine Coast Stadium’s operational budget for the 2020/21 and 2021/22 financial years.

CORPORATE PLAN

Corporate Plan Goal:	<i>A strong community</i>
Outcome:	1.1 - Safe and healthy communities
Operational Activity:	1.1.3 - Develop and attract events and sporting opportunities at Council managed venues - Caloundra Indoor Stadium, Maroochydore Multi Sports Complex, Nambour Showgrounds, Sunshine Coast Stadium, and Venue 114.

CONSULTATION**Councillor Consultation**

In regards to this partnership application, there has been consultation with Councillors in December 2019.

Internal Consultation

Group Executive, Economic and Community Development

Manager Sport and Community Venues

Venue Manager Sunshine Coast Stadium

External Consultation

Consultation has taken place with:

- Falcons Chairman
- Falcons Chief Executive Officer

Community Engagement

There has been no community engagement undertaken in respect to this matter.

PROPOSAL

Council has been presented with a proposed partnership agreement with the Sunshine Coast Falcons (the Falcons) for the 2020 and 2021 seasons. The Falcons are the representative team for the Sunshine Coast in the Queensland Rugby League (QRL) Competition (Intrust Super Cup).

Despite recent improved performance both on and off the field, the Falcons continue to face financial challenges in comparison to the majority of their competitors in the Intrust Super Cup whom have access to Leagues Clubs and gaming revenue. In 2019 the Falcons operated at a small financial loss, primarily because player payments were higher than expected due to a high number of bonus payments made to players. There were also significantly less Melbourne Storm players used in the Falcons squad in the 2019 season – who are paid by Melbourne Storm, resulting in higher player payment costs to the Falcons.

As outlined in the proposal from the Falcons, with the support of Council, their balance sheet has improved considerably, with a clear debt reduction strategy appearing to be successful over the past two years. This suggests that the Falcons are moving toward a sustainable business model and that the support provided over recent years is at a reasonable level for both parties.

In regard to the benefits of the partnership for Council and Sunshine Coast Stadium, a net profit was generated from all game days during the 2019 season. Net revenue from game days was shared between the Falcons and Sunshine Coast Stadium. It should however be noted that these figures do not include ongoing expenses incurred by Sunshine Coast Stadium such as weekly ground maintenance.

In 2017, Sunshine Coast Council entered into a sponsorship agreement with the Falcons by which in-kind support was provided through:

- Relaxation of charges for training field and gym hire, use of demountable building and board room
- In house support from Sunshine Coast Stadium staff, with services such as graphic design, social media and coordination of game day activities
- Continuation of profit share agreement for game days with the opportunity for the Falcons to generate extra revenue.

It should also be noted that Council provided a contribution of \$290,000 to match a State Government / QRL grant to facilitate the delivery of the new \$550,000 Falcons training facility at Sunshine Coast Stadium. This asset remains the property of Council, however the Falcons as the primary tenant derive significant benefit from this investment.

In return for the above, the Falcons provided a range of Major Partnership benefits including logo placement on the team's jersey (Council logo for home jersey and Visit Sunshine Coast logo for away jersey); apparel and other Falcons' collateral; media exposure; game day corporate offering; corporate event benefits and signage. There has been increased interest in the Falcons locally and across the state which has resulted in greater media coverage and promotion of the region. For example, during the 2019 season, five Falcons home games were broadcast as the match of the round on Channel 9, with the Falcons competing in a further two away games which were also broadcast. This resulted in significant exposure for the Sunshine Coast.

The Falcons have now requested a new partnership agreement (with minor amendments) for a further two seasons.

In return for this level of support, the Falcons will provide Council with the following benefits, including:

- Sunshine Coast Council logo on all Intrust Super Cup and U20's home and away playing jerseys (position on jersey TBA)
- Sunshine Coast Council logo on all replica children and adults jerseys for sale (position on jersey TBA)
- Exclusive use of a private 12 seat corporate box at one nominated match including complimentary food and beverages for each guest
- Corporate hospitality opportunities throughout the season.
- Continuation of profit share arrangement
- Promotion of Sunshine Coast Council as a Major Partner of the Sunshine Coast Falcons throughout database and social media channels
- Game day acknowledgement such as ground announcer mentions, LED sideline screen advertising and static fence signs.
- Logo placement on all Falcons staff email signatures, website, letterheads, media advertising boards and banners.

Legal

Before being executed, sponsorship agreement documentation will be reviewed by Council's Legal Services team.

Policy

The Proposal from the Sunshine Coast Falcons complies with Council's Sponsorship (Governance Framework) Strategic Policy.

Game day tickets provided to Council by Sunshine Coast Falcons as outlined in the Proposal will be administered in accordance with Council's Organisational Policy: *Ticket and Invitation Allocation Program*.

Risk

Within the *Sunshine Coast Council Sponsorship (Governance Framework) Strategic Policy*, the following risks are identified as requiring consideration in respect to providing sponsorship:

- Conflicts of interest (actual or potential)
- Direct or indirect personal benefits received by Councillors or Council officers
- Perceptions of being influenced by the sponsor/sponsorship recipient
- Perceptions of endorsing the sponsor/sponsorship recipient's products/services.

In respect to the Falcons proposal, it is not deemed that any of the above risks will be triggered.

Previous Council Resolution

Ordinary Meeting 22 February 2018 (OM18/29)

That Council authorise the Chief Executive Officer to negotiate a sponsorship contract with the Sunshine Coast Falcons with a view of entering into a two year agreement for the 2018 and 2019 seasons.

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

To allow for the Falcons to prepare for the 2020 season, an indication of Council's intention to enter into a new partnership agreement is requested. Finalisation and execution of the agreement is required prior to the season commencement in March 2020.

Implementation

If Council approves the recommendations contained in this report:

- Negotiations regarding the details of the partnership agreement will be undertaken and finalised with the Sunshine Coast Falcons
- The partnership agreement will be executed by the CEO, and
- Council officers from the Sport & Community Venues Branch will work with the Sunshine Coast Falcons to implement the partnership agreement for the 2020 and 2021 seasons.

8.7 VEHICLE ACCESS TO COUNCIL - OPEN SPACE PERMIT APPLICATION, BUDERIM

File No: F2019/1724
Author: Natural Areas Manager
Liveability & Natural Assets Group

PURPOSE

To provide the background and history of this access permit application for Council's consideration and determination.

EXECUTIVE SUMMARY

A land owner on Sorensen Avenue in Buderim contacted Council in November 2018 to seek in-principal support for a Vehicle Access to Open Space Permit for the purpose of gaining access to the rear of the property to undertake property maintenance. Steep terrain restricts accessing this area by the formal access to the property from Sorensen Avenue. The rear of the property can be accessed via a recreation trail that is located partly within unmade road reserve (Hillston Street, Buderim). The majority of the trail sits within Buderim Forest Bushland Conservation Reserve. An earlier permit granted to a previous owner for the same purpose generated community concern. Given this, and to gauge the response from the community for the most recent request, Councillor E Hungerford coordinated an onsite meeting on Saturday 2 February 2019 with the prospective applicant and interested residents of Hillston Street. The residents in attendance, other than the applicant, were not supportive of any access permit being granted. Subsequent to this meeting, a formal permit application has been submitted for due process consideration.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Vehicle Access to Council - Open Space Permit Application, Buderim" and**
- (b) approve the vehicle access permit application no. PA19_0047 with the following conditions:**
 - i) Access is limited to 9am – 1pm on Saturdays**
 - ii) approve the vehicle access permit with the following conditions (as per the permit):**
 - iii) Permitted access is limited to 9am – 1pm on Saturdays**
 - iv) The permit is valid for 12 months from the date of issue**
 - v) Access is only permitted to the vehicles indicated in the application (2 x vehicle registrations provided for car/ute category)**
 - vi) Activities permitted are maintenance only**
 - vii) A bond of \$265 is paid to Council upon approval of the permit**
 - viii) Public Liability Insurance of \$20 million is held by the resident and proof provided to Council**
 - ix) The resident agrees to pay all costs associated with repair or reinstatement of any damage caused to Council land and infrastructure as a result of the proposed activities.**

FINANCE AND RESOURCING

No financial impact to Council. Customer has paid the permit application fee and, if approved, will be required to pay the applicable bond amount.

CORPORATE PLAN

Corporate Plan Goal:	<i>Service excellence</i>
Outcome:	We serve our community by providing this great service
Operational Activity:	S21 - Local amenity and local laws - maintaining and regulating local amenity through local laws, regulated parking, community land permits and management of animals, overgrown land and abandoned vehicles.

CONSULTATION

Councillor Consultation

Division 7 Divisional Councillor E Hungerford was consulted in relation to this report. The Councillor requested the report to be brought forward.

Internal Consultation

- Office of the Mayor and CEO
- Group Executive – Liveability and Natural Assets
- Environmental Operations – Natural Areas Management

External Consultation

Department of Natural Resources, Mines and Energy regarding the road closure.

Community Engagement

Community meeting held on 2 February 2019.

PROPOSAL

Approve permit application PA19_0047 as the applicant has fully complied with the existing permit application process and is within Council policy.

Legal

A Vehicle Access to Open Space Permit can be approved under the *Local Government Act 2009* – Local Law 1 Administration.

Policy

Approval of the permit is aligned with Local Laws No. 1 and 4 and Subordinate Local Laws No. 1 and 4 as per the current permit application process.

Risk

Local residents may disagree with a decision to approve a Vehicle Access to Open Space Permit application in this location.

Potential impacts to the trail surface and trail users can be mitigated through appropriate permit conditions.

Previous Council Resolution

No previous resolutions in relation to this report.

Related Documentation

No related documentation regarding this report.

Critical Dates

Permit application was received on 11 October 2019 and access was requested from 22 October 2019. The application permit states “please allow 10 working days from receipt of application” and remains un-actioned to date.

8.8 CALOUNDRA AERODROME LEASE APPROVAL

File No: F15/00378
Author: Senior Property Officer
 Business Performance Group
Attachments: Att 1 - Aerial Map of Lease AE on SP253855 in Lot 1 on SP312324
131

PURPOSE

The purpose of this report is to seek a resolution from Council, in accordance with Section 236(1)(c)(iii) of the *Local Government Regulation 2012*, to enter into a new tenure arrangement with the existing tenant of the land, BP Australia Pty Ltd, other than via tender or auction process. The site is Caloundra Aerodrome, 14 Pathfinder Drive, Caloundra West legally described as Lease AE on SP253855 in Lot 1 on SP312324,

EXECUTIVE SUMMARY

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

Pursuant to Section 236(1)(c)(iii) of the *Local Government Regulation 2012*, an exception to the disposal of a valuable non-current asset by tender or auction, for the purpose of renewing the lease of land to the existing tenant of the land, may occur if Council resolves that the exception applies.

BP Australia Pty Ltd is the current Lessee of the land located within Division 1 at the Caloundra Aerodrome, 14 Pathfinder Drive, Caloundra West legally described as Lease AE on SP253855 in Lot 1 on SP312324. BP Australia Pty Ltd is seeking a new tenure arrangement, for a term to be negotiated with Council.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Caloundra Aerodrome Lease Approval”**
- (b) resolve pursuant to Section 236(1)(c)(iii) of the *Local Government Regulation 2012* that an exception to dispose of an interest in land (lease) over Lease AE on SP253855 in Lot 1 on SP312324, other than by tender or auction applies, as the disposal is to the existing tenant of the lease of land as per Section 236(1)(c)(iii) and**
- (c) resolve to enter into a lease arrangement, for a term of up to two (2) years, with the existing tenant, BP Australia Pty Ltd.**

FINANCE AND RESOURCING

BP Australia Pty Ltd currently pays annual rent, on a commercial basis, in the amount of \$20,191.60, increased yearly by CPI review.

BP Australia Pty Ltd will be responsible for lease preparation costs.

CORPORATE PLAN

Corporate Plan Goal:	Service excellence
Outcome:	We serve our community by providing this great service
Operational Activity:	S22 - Property management - comprehensive management of Council's land and building assets to ensure that Council's property dealings are optimised, centrally managed, and support Councils objectives.

CONSULTATION

Councillor Consultation

Divisional 1 Councillor R Baberowski was consulted in relation to this report.

Internal Consultation

- Head of Property
- Building and Facilities Asset Manager
- Facilities & Reporting Officer
- Solicitor, Legal Services
- Senior Property Officer, Land Management

External Consultation

- Bernard J Duncan Valuers
- BP Australia Pty Ltd (current Lessee)

Community Engagement

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

PROPOSAL

The proposal is to seek a Council resolution to grant new tenure to the existing tenant over of the land located within Division 1 at the Caloundra Aerodrome, known as 14 Pathfinder Drive, Caloundra West. Legally described as Lease AE on SP253855 in Lot 1 on SP312324.

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

When renewing a lease, the existing tenant of the lease of land is excepted under Section 236(1)(c)(iii), 'if the local government has decided by resolution, that the exception may apply' under Section 236(2).

BP Australia Pty Ltd proposes to continue its operations of the site as a light aircraft refueling and storage facility.

Legal

Council's Legal Services Branch will manage the drafting and finalisation of the lease.

Policy

This request is in accordance with Council's Procurement Policy.

Risk

Any identified risks to leasing Council properties are managed within the terms of the lease.

Previous Council Resolution**Ordinary Meeting 22 May 2014 (OM14/81)**

That Council resolve that it is in the public interest to exempt the requirement of going to public tender or auction and proceed to lease Site E on Part of Lot 341 on Plan CG803364, totaling 825 m2 lease site at Caloundra Aerodrome to the existing lessee under Section 236 of the Local Government Regulation 2012, subject to the annual rent not being less than current market rental as provided by an independent registered Valuer.

Related Documentation

There is no related documentation to this matter.

Critical Dates

As the current lease expired on 31 December 2019, the proposed lease will require a process of preparation and a land valuation has been commissioned in order for the lease to be established.

Implementation

Should Council resolve that exception to dispose of an interest in land under the provisions of *Local Government Regulation 2012* Section 236(1)(c)(iii) applies the lease will be granted to BP Australia Pty Ltd and negotiated for a term of up to two (2) years.

8.9 REQUEST FOR OWNER'S CONSENT TO EXPAND LEASE AREA - DICKY BEACH SURF LIFE SAVING CLUB INC. - COOCHIN STREET, DICKY BEACH

File No: F2018/26818

Author: Senior Property Officer
Business Performance Group

Attachments: Att 1 - Dicky Beach Surf Life Saving Club Inc. Lease Area 139
Att 2 - Dicky Beach Surf Life Saving Club Inc. proposal for building extension 141

PURPOSE

The purpose of this report is to seek an outcome for a request from Dicky Beach Surf Life Saving Club Inc. for Owner’s Consent for the extension of the current building footprint to facilitate storage needs for lifesaving equipment. The building extension is proposed to be located outside of the current lease area location at 1A Coochin Street, Dicky Beach into the adjoining Reserve for Camping and Recreation, legally described as Lot 1 on SP239732 the Reserve.

EXECUTIVE SUMMARY

Dicky Beach Surf Life Saving Club Inc. has a lease over the land located within Division 2 at 1A Coochin Street, Dicky Beach, legally described as Lot 3 on SP280543, which expires on 30 March 2025. Dicky Beach Surf Life Saving Club Inc. is the current tenant on the lease site – refer to **Attachment 1 - Dicky Beach Surf Life Saving Club Inc. Lease Area**.

Dicky Beach Surf Life Saving Club Inc. applied to Council for Owner’s Consent to extend the existing building outside of the Dicky Beach Surf Life Saving Club Inc.’s lease site. The proposed building extension is approximately 18 metres long x 6 metres wide, and approximately 106m² in area, and is proposed to run along the southern boundary into the adjoining Reserve – a site plan showing the proposed extension is shown as **Attachment 2 - Dicky Beach Surf Life Saving Club Inc. proposal for building extension**.

Property Management Branch process requests for the allocation and use of Council owned or controlled land by seeking comments from internal stakeholders on their strategic position for the organisation. This process is known as a *Request for Comments*.

Following an internal *Request for Comments* process, responses from internal stakeholders highlighted the proposal to extend the existing building outside of the Dicky Beach Surf Life Saving Club Inc.’s current lease site was in conflict with a number of Council endorsed Strategies and Plans, but was also facilitating social and community benefits.

Due to the conflict with Council’s endorsed Strategies and Plans, a Council resolution is required.

OFFICER RECOMMENDATION**That Council:**

- (a) receive and note the report titled “Request for Owner's Consent to expand Lease Area - Dicky Beach Surf Life Saving Club Inc. - Coochin Street, Dicky Beach” and
- (b) not support the request for Owner’s Consent to expand the Lease Area at Coochin Street, Dicky Beach due to the proposal conflicting with the following Council’s endorsed Strategy:
 - (i) *Environment and Liveability Strategy 2017:*
 - (1) 4.1 b) Coastal landforms, habitats and vegetation communities are protected and enhanced
 - (2) 5.1 b) Open space is protected for its appropriate function including openness
 - (3) 5.3 a) Open space spaces are protected from urban expansion, over embellishment and utility encroachment
 - (4) 5.3 c) Urban forests and gardens in our parks and streets support and enhance social, economic and environmental values.

FINANCE AND RESOURCING

There are no financial implications relevant to this report.

Should Council support the request and proceed with a community lease over the extended lease site in the Reserve, the Dicky Beach Surf Life Saving Club Inc. will be responsible for all legal costs, survey and registration fees for the new lease and is estimated to be in the vicinity of \$3,000 excluding GST.

CORPORATE PLAN

Corporate Plan Goal:	Service excellence
Outcome:	We serve our community by providing this great service
Operational Activity:	S22 - Property management - comprehensive management of Council’s land and building assets to ensure that Council’s property dealings are optimised, centrally managed, and support Council’s objectives.

CONSULTATION**Councillor Consultation**

Divisional 2 Councillor T Dwyer was consulted and indicated he did not object to the larger lease area. The Councillor has no objections to a volunteer organisation being supported to provide wider community value, provided changes ensure access and public use is not compromised by any expansion.

Internal Consultation

- Strategic Planning
- Policy Manager, Environment and Sustainability
- Manager, Transport Capital Works
- Coordinator, Stormwater Management

- Project Officer, Environmental Operations
- Coordinator, Strategic Property
- Coordinator, Sports Venues & Development
- Solicitor, Legal Services
- Coordinator, Customer Engagement and Planning Services
- Acting Manager, Transport Infrastructure Management
- Project Coordinator, Urban Growth Projects
- Senior Capital Works Program Officer, Asset Management & Capital Plan
- Coordinator, Holiday Parks and Lifeguard Services
- Senior Property Officer, Property Management

External Consultation

Council officers have undertaken consultation with the Dicky Beach Surf Life Saving Club Inc. and the Department of Natural Resources, Mines and Energy.

Community Engagement

Due to the internal administrative nature of this report, no community consultation has been undertaken.

PROPOSAL

Dicky Beach Surf Life Saving Club Inc. has a lease over the land located within Division 2 at 1A Coochin Street, Dicky Beach legally described as Lot 3 on SP280543 which expires on 30 March 2025. Dicky Beach Surf Life Saving Club Inc. is the current tenant on the lease site – refer to **Attachment 1 - Dicky Beach Surf Life Saving Club Inc. Lease Area**.

Dicky Beach Surf Life Saving Club Inc. applied to Council for Owner's Consent to extend the existing building located within the Dicky Beach Surf Life Saving Club Inc.'s lease site to accommodate additional storage for lifesaving equipment, which will allow them to reconfigure their current building layout to cater for separate male and female Nipper amenities, a dedicated communication room and additional office space.

The proposed building extension is approximately 18 metres long x 6 metres wide, approximately 106m² in area, and is proposed to run along the southern boundary into the adjoining Reserve – a site plan showing the proposed extension is shown as **Attachment 2 - Dicky Beach Surf Life Saving Club Inc. proposal for building extension**.

Property Management Branch process requests for the allocation and use of Council owned or controlled land by seeking comments from internal stakeholders on their strategic position for the organisation. This process is known as a *Request For Comments*.

Following an internal *Request for Comments* process, responses from internal stakeholders highlighted the proposal to extend the existing building within the Dicky Beach Surf Life Saving Club Inc. lease site was in conflict with a number of Council endorsed Strategies, Policies and Plans, but was also facilitating social and community benefits.

Comments received from Council officers that identified why the proposal should not be supported are documented below:

The proposal is not consistent with the *Environment and Liveability Strategy 2017*.

The *Environment and Liveability Strategy 2017* enforces the protection of coastal landforms, habitats and vegetation communities:

Coastal Policy Position:

Policy	Policy Position	Comments received from Council officers
4.1 b)	Coastal landforms, habitats and vegetation communities are protected and enhanced	<p>A. All of the proposed sites/options are erosion prone. Noting that the surf club already exists, no further seaward encroachment for permanent assets that are non-essential/site dependent lifesaving assets (tower etc) should be supported. The proposal is largely for administration and 'amenities', and so it is not considered essential that they are located on the environment reserve.</p> <p>B. Any aspect of the proposal that results in encroachment of permanent assets into, or clearing of vegetation on, the following land is not supported:</p> <ol style="list-style-type: none"> 1) environment class land; 2) land subject to the SCC Planning Scheme biodiversity overlay; 3) State declared erosion prone area lands seaward of the existing building footprint.

The Environment and Liveability Strategy 2017 does not support the loss of open space:

Open Space Policy Position:

Policy	Policy Position	Comments received from Council officers
5.1 b)	Open space is protected for its appropriate function including openness	<p>A. Open Space in the coastal/foreshore area is unique and finite resource and cannot be replaced, this proposal will compromise the general public use of the area and reduce public open space experiences.</p> <p>B. The area proposed, 100m², will block the emergency vehicular access to the beach.</p>
5.3 a)	Open space spaces are protected from urban expansion, over embellishment and utility encroachment	<p>A. The land impacted is designated for public recreation purposes (trustee land) and the proposal is inconsistent with the designated land use and therefore not supported.</p> <p>B. Amendment of the purpose of the Reserve for the Coochin Park area is not supported. The current purpose of the reserve does not restrict the current use, however, amending the purpose of part of the reserve will restrict future options for the land. There has been high level strategic discussions regarding temporarily expanding the Dicky Beach Holiday Park and all options should be left open.</p>

5.3 c)	<i>Urban forests and gardens in our parks and streets support and enhance social, economic and environmental values</i>	<i>Significant tree loss across the site. There is the expectation that there would be additional spill over into the open space area and stand of trees adjacent – Casuarina glauca. These are the most valuable trees to be potentially affected.</i>
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Comments received from Council officers that identified why the proposal should be supported are documented below:

- a) *It is acknowledged that the area of open space identified immediately adjacent to the club, is regularly utilised by the club in an informal manner, on that basis, and in consideration of the relevant policy position, the Environmental Operations Branch holds an agnostic view regarding the request but notes that, if approved, the following conditions are requested:*
 - i. *a concrete vehicle / machine access is constructed 3.5m wide from the surf club entrance seaward of the BBQ shelter and linking with the pathway to the first aid room thus minimising tree clearing and the need to relocate the shelter; and*
 - ii. *there are no adverse effects to the overland flow path seaward of the shelter.*
- b) *It is acknowledged that Dicky Beach SLSC has one of the highest membership numbers of all surf clubs on the coast in terms of junior activities participation. For safety reasons and to cater for this high number of junior participation, many of the larger surf life saving clubs have moved to provide separate amenities and provision for their junior membership. The need for expansion is supported, although in a manner that minimises tree clearing and the need to relocate the shelter;*
- c) *Support anything that allows volunteering organisation to meet needs into the future. However, Council must ensure that any changes provide value to the wider community, ensures that access, public use, safety and infrastructure is in no way compromised by any expansion to the lease area.*

As the contradiction points are in relation to Council endorsed Strategies and Plans Council officers are not able to provide approval only Council are able to determine an outcome for this consent.

Legal

There are no legal implications relevant to this report.

Policy

Community Groups Occupying Council Owned or Council Controlled Land and or Infrastructure policy is relevant to this report.

Risk

The risks that are identified with this proposal for an extension of the current building footprint to facilitate storage is the proposal to increase built infrastructure on Reserve land are loss of open space, and will set precedent for requests seeking the use of Council land in areas that raise conflict with Council's endorsed Strategies, Policies and Plans.

If the proposal is not supported, the risk is in the non-delivery of outcomes of the *Sunshine Coast Sport and Active Recreation Plan 2011-2026* and places further constraints around the Dicky Beach Surf Life Saving Club Inc.'s ability to store lifesaving equipment in a secure environment.

Previous Council Resolution

There are no previous Council Resolutions relating to this request.

Related Documentation

Documentation related to this report are Council's endorsed Strategies, Plans, *Environment and Liveability Strategy 2017* and *Dicky Beach Precinct Plan*.

Critical Dates

There are no critical dates relevant to this report, however, it would be to the benefit of the Dicky Beach Surf Life Saving Club Inc. to obtain a resolution to their request.

Implementation

Property Management Branch will communicate the outcome of the Council report to the Dicky Beach Surf Lifesaving Club Inc. on the request for Owner's Consent for the proposal to extend the existing building within the adjoining Reserve.

8.10 SIGNIFICANT CONTRACTING PLANS

File No:	Q19222
Author:	Coordinator Procurement and Contract Performance Business Performance Group
Appendices:	App A - Significant Contracting Plan - Vehicle Leases.....<i>Confidential 33/38</i> App B - Revised Significant Contracting Plan - Telecommunications Services<i>Confidential 35/38</i>

PURPOSE

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

- Q19222 - Vehicle Leases
- ITT1829 - Telecommunications Services (revised).

EXECUTIVE SUMMARY

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

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

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

OFFICER RECOMMENDATION

That Council:

- receive and note the report titled “Significant Contracting Plans”
- adopt the Significant Contracting Plans for:
 - Q19222 - Vehicle Leases (Appendix A)
 - ITT1829 - Telecommunications Services (Appendix B) and
- authorise the Chief Executive Officer to make Appendices publicly available at contract award.

FINANCE AND RESOURCING

Q19222 – Vehicles Leases

Funding for individual leases under the master leases exists in the current 2019/20 Operational Budget of individual Branches. This will be a multi-year agreement and provision has been made in forward budget estimates.

ITT1829 – Telecommunications Services

Funding exists in the current 2019/20 Operational Budget of individual Branches. This will be a multi-year agreement and provision has been made in forward budget estimates.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*

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

Operational Activity: 5.6.21 - Ensure Council's contracts are managed effectively and meet performance levels.

CONSULTATION**Councillor Consultation**

Councillor consultation was not required in the preparation of these Significant Contracting Plans.

Internal Consultation

Internal consultation has been conducted with relevant personnel from:

Q19222 – Vehicles Leases

- Fleet Services
- Business and Innovation

ITT1829 – Telecommunications Services

- Digital and Information Services
- Business and Innovation

External Consultation

No external consultation has been conducted in the preparation of these Significant Contracting Plans.

Community Engagement

No community engagement has been conducted in the preparation of these Significant Contracting Plans.

PROPOSAL

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

Significant Contracts are contracts that:

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

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

- the objectives of the significant contract
- how the objectives are to be achieved

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

The objectives must be consistent with the 2019/20 Contracting Plan.

The Significant Contracting Plans (Appendix A and Appendix B) comply with the requirements of the *Local Government Regulation 2012*. Both of the final contracts resulting from these Significant Contracting Plans will likely to be over the value of \$5 million dollars over each of their contract terms and are considered to be significant contracts.

The Significant Contracting Plan (Appendix A) is for the leasing arrangements for Council light vehicle fleet. Council currently obtains its light vehicle fleet through operational leasing which is provided by two fleet management companies. The current Master Lease Agreements formed by a competitive tender process are approaching their expiry date and Council needs to undertake a procurement and contracting activity to secure the ongoing provision of our vehicle fleet. The Significant Contracting Plan proposed that the State Government Arrangements through QFleet be explored for the future provision of Council's light vehicle fleet.

The Significant Contract Plan (Appendix B) is a revision of the Significant Contracting Plan adopted by Council on 20 June 2019 for telecommunication services with the revision incorporating the revised procurement strategies proposed for these services. The telecommunication services sought under the resulting contract/s will include services such as fixed telephony, mobile service, data services, network services and some other ancillary telecommunication services. These services are critical for Council's operations.

Legal

Q19222 – Vehicles Leases

Legal advice has been sought on the Master Lease Agreement prior to entering into the agreement.

ITT1829 – Telecommunications Services

External legal services have been engaged to prepare a draft QITC contract for the future Tender process.

Policy

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

Risk

Entering into either of the above agreements prior to adopting these Significant Contracting Plans would risk breaching the *Local Government Regulation 2012*.

Previous Council Resolution

Ordinary Meeting 20 June 2019 (OM19/93)

That Council:

- receive and note the report titled "2019/2020 Procurement Policy and Procurement and Contracting Framework"*
- adopt the Strategic Contracting Procedures framework for 2019/20 as follows:*

- (i) *Procurement Policy (Appendix A)*
- (ii) *Contract Manual (Appendix B) and*
- (iii) *Contracting Plan (Appendix C) and Significant Contracting Plans (Appendix D, E, F, G, H and I).*

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.*

Related Documentation

Strategic Contracting Procedures.

Critical Dates**Q19222 – Vehicles Leases**

Council’s current Master Lease agreements expire on 28 February 2020. A new Master Lease Agreement needs to be executed by 28 February 2020.

ITT1829 – Telecommunications Services

There are no critical dates applicable to the Significant Contracting Plan for these services.

Implementation

Chief Executive Officer undertake procurement and contracting activities in a manner consistent with the approaches outlined in the Strategic Contracting Plans in Appendices A and B to this report.

8.11 DECEMBER 2019 FINANCIAL PERFORMANCE REPORT**File No:** Financial Reports**Author:** Coordinator Financial Services
Business Performance Group**Attachments:** Att 1 - December 2019 Financial Performance Report155**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 December 2019 in terms of the operating result and delivery of the capital program.

The operating result at 31 December 2019 shows a favourable variance of \$1 million compared to the budgeted position. The variation is mainly attributable to lower than expected revenue and lower than budgeted expense. Further detail is provided in the proposal section of this report.

Operating Performance**Table 1: Operating Result as at 31 December 2019**

	Current Budget \$000	YTD Budget \$000	YTD Actuals \$000	YTD Variance \$000	YTD Variance %
Total Operating Revenue	470,449	235,372	234,103	(1,269)	-0.5%
Total Operating Expenses	450,320	218,917	216,627	(2,290)	-1.0%
Operating Result	20,130	16,455	17,476	1,021	6.2%

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

As at 31 December 2019, \$172.8 million (48.6%) of Council's \$355.6 million 2019/20 Capital Works Program was financially expended.

The core Council Capital Program has progressed 49.3% of budget, an actual spend of \$85.7 million.

Council's closing cash balance at 31 December 2019 of \$158.8 million.

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

OFFICER RECOMMENDATION

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

FINANCE AND RESOURCING

This report sets out the details of Council's financial performance and investments for the month ending 31 December 2019 and meets Council's legislative reporting requirements.

CORPORATE PLAN

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

CONSULTATION

Portfolio Councilor Consultation

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

Internal Consultation

This report has been written in conjunction with advice from:

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

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

PROPOSAL

This monthly financial performance report provides Council with a summary of performance against budget as at 31 December 2019 in terms of the operating result and delivery of the capital program.

The operating result at 31 December 2019 shows a favorable variance of \$1 million compared to the budgeted position.

Operating Revenue

Year to date revenue as at 31 December 2019 of \$234.1 million shows an unfavorable variance of \$1.3 million.

Table 2: Substantial Revenue variances as at 31 December 2019

	YTD Budget \$000	YTD Actuals \$000	YTD Variance \$000	YTD Variance %
Interest Received from Investments	4,419	2,827	(1,592)	-36.6%
Other Revenue	7,914	9,861	1,947	24.6%
Internal Sales/Recoveries	5,325	3,702	(1,622)	-30.5%

Interest Received from Investments

Interest rates available for term deposits continue to decline. This has resulted in a decline in interest received.

Other Revenue

Council has received additional revenue for recoverable works within the Parks and Gardens and Environmental Operations areas. These works were predominantly generated from the Department of Transport and Main Roads and the expenditure has occurred in the previous financial year.

Council has also received a second quarterly payment for the State Government's container deposit scheme which has generated revenue in excess of the expected budget. Unbudgeted sponsorship payments have also been received for various events undertaken by Council.

Operating Expenses

Year to date expenditure as at 31 December 2019 of \$181.4 million shows a variance under budget of \$2.3 million.

Materials and Services

Materials and services account for the majority of the expenditure variance as at 31 December 2019, having underspent budget by \$3.1 million.

\$150,000 of the favourable variance relates to the delivery of operating projects and is partially offset by higher employee costs and other expenses associated with resourcing projects. Total Project expenditure was 36% of full year budget as at 31 December 2019.

Timing of contract payments have cause underspends in Council's core works for Waste and Resource management as well as Civil Asset Management.

Council's expenses remain within 1% of budget as at 31 December 2019 while delivering on the 2019/20 operational plan.

Capital Expenditure

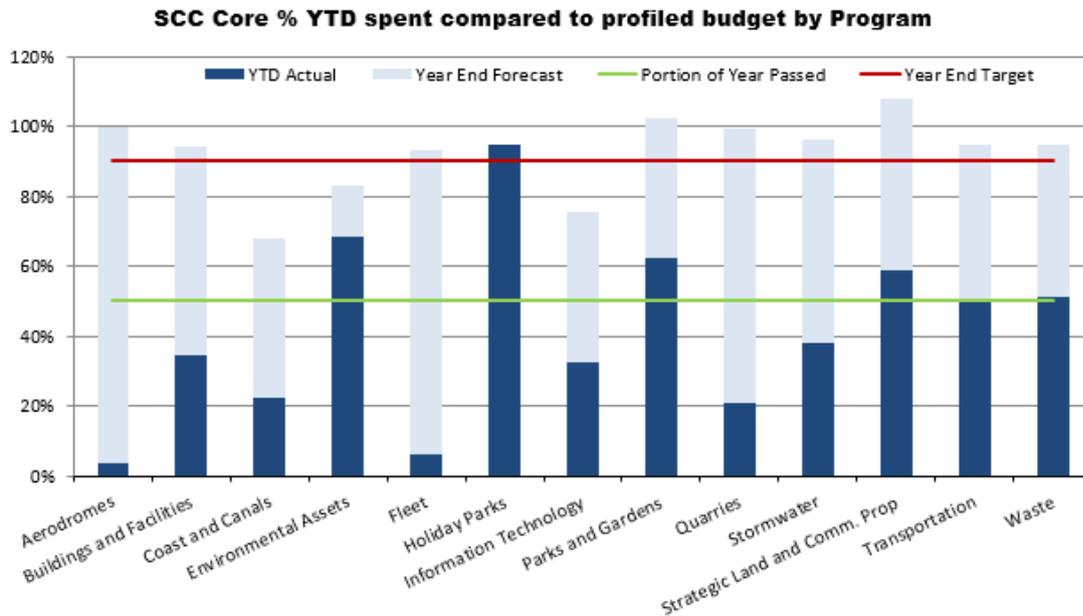
As at 31 December 2019, \$172.8 million (48.6%) of Council's \$355.6 million 2019/20 Capital Works Program was financially expended.

The Core Council Capital Program has progressed 49.3% of budget, an actual spend of \$85.7m. The Actual YTD includes all works that have been goods receipted and accrued as at 31 December 2019.

Table 3: Capital Expenditure by Program at 31 December 2019

	Annual		YTD		Forecast	
	Original Budget \$000s	Current Budget \$000s	YTD Actual \$000s	% of FY Budget Spent	Forecast Year End Actual	Forecast Year End Variance to Budget
Capital Works Program						
Aerodromes	450	275	10	3.7%	275	0
Buildings and Facilities	19,103	17,568	5,850	33.3%	16,070	(1,498)
Coast and Canals	2,080	2,080	465	22.4%	1,409	(671)
Environmental Assets	1,300	1,450	930	64.1%	1,131	(319)
Fleet	2,900	2,772	176	6.4%	2,587	(185)
Holiday Parks	4,302	4,718	4,476	94.9%	4,414	(304)
Information Technology	5,830	8,906	2,898	32.5%	6,728	(2,178)
Parks and Gardens	15,966	20,981	12,855	61.3%	21,041	60
Quarries	1,311	1,234	258	20.9%	1,227	(7)
Stormwater	7,014	5,174	1,964	38.0%	4,991	(183)
Strategic Land and Commercial Properties	14,563	21,958	12,896	58.7%	23,643	1,685
Transportation	69,115	66,736	32,649	48.9%	62,407	(4,329)
Waste	20,622	19,956	10,246	51.3%	18,874	(1,082)
Total SCC Core Capital Program	164,556	173,808	85,671	49.3%	164,797	(9,011)
Corporate Major Projects	14,968	9,918	2,979	30.0%	9,093	(825)
Divisional Allocations	5,336	5,547	1,776	32.0%	3,477	(2,070)
Maroochydore City Centre	16,579	20,657	10,364	50.2%	20,154	(504)
Submarine Cable IBN	14,390	15,774	10,379	65.8%	15,029	(745)
Sunshine Coast Airport Runway	104,836	129,884	61,685	47.5%	136,852	6,967
Total Other Capital Program	156,109	181,780	87,184	48.0%	184,604	2,823
TOTAL	320,666	355,588	172,855	48.6%	349,401	(6,188)

The following graph shows the Core Capital Programs progress to date and forecast.



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

- Buildings and Facilities – The design and construction contract for Sunshine Coast City Hall was finalised in December 2019. Design is scheduled to begin shortly and proceed through to the following financial year. The supply and installation of tiered seating at the Caloundra Indoor Stadium has been procured and is due for installation in the New Year.
- Coast and Canals – Procurement of the Maroochy groynes replacement project is to begin shortly with construction to begin late in the financial year.
- Fleet – Council’s fleet replacement program requires a significant portion of the financial year for procurement of heavy plant. This procurement works is underway and the majority of replacements are scheduled to occur in May 2020.
- Information Technology - Delays in the implementation of Council’s corporate asset management and customer response systems have caused an underspend for the financial year. Both projects continue to move through the implementation phase throughout this financial year.
- Transportation – Construction continues for Council’s significant road upgrade project at Parklands Boulevard, Little Mountain. Detailed design continues for Brisbane Road Mooloolaba with construction schedule to progress later this financial year. Council’s \$20 million road reseal program has progressed 46% completion in December. Alongside the reseal program, the bus stop replacement and installation program has progressed to 44% completion of the \$2.4 million program.

Investment Performance

- All investment parameters remain within the guidelines established by the Investment Policy.
- For the month ending 31 December 2019 Council had \$158.8 million cash (excluding Trust Fund) with an average interest rate of 2.06%, being 1.2% above benchmark. This is compared to the same period last year with \$166.2 million cash (excluding Trust Fund) with an average interest rate of 2.77%, being 0.66% above benchmark.
- The benchmark used to measure performance of cash funds is Bloomberg AusBond Bank Bill Index (BAUBIL) and the Bank Bill Swap Rate (BBSW) for term deposits.

Legal

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

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

Policy

Sunshine Coast Council's 2019/20 Investment Policy and
Sunshine Coast Council's 2019/20 Debt Policy.

Risk

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

Previous Council Resolution**Ordinary Meeting 12 December 2019, Budget Review 2 2019/20 (OM19/194)**

That Council:

- (a) *receive and note the report titled "**Budget Review 2 2019/20**"*
- (b) *adopt Appendix A as tabled, pursuant to section 169 and 170 of the Local Government Regulation 2012, Council's amended budget for 2019/20 financial year incorporating:*
 - (i) *the statement of income and expenditure*
 - (ii) *the statement of financial position*
 - (iii) *the statements of changes in equity*
 - (iv) *the statement of cash flow*
 - (v) *the relevant measures of financial sustainability*
 - (vi) *the long term financial forecast*
 - (vii) *the Debt Policy and*
- (c) *note the following documentation applies as adopted 20 June 2019*
 - (i) *the Revenue Policy*
 - (ii) *the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
 - (iii) *the Revenue Statement and the rates and charges to be levied for the 2019/20 financial year and other matters as adopted 20 June 2019.*

Ordinary Meeting 19 September 2019, Budget Review 1 2019/20 (OM19/148)

That Council:

- (a) *receive and note the report titled "**Budget Review 1 2019/20**"*
- (b) *adopt Appendix A as tabled, pursuant to section 107A of the Local Government Act 2009 and sections 169 and 170 of the Local Government Regulation 2012, Council's amended budget for 2019/20 financial year incorporating:*
 - (i) *the statement of income and expenditure*
 - (ii) *the statement of financial position*
 - (iii) *the statements of changes in equity*
 - (iv) *the statement of cash flow*
 - (v) *the relevant measures of financial sustainability*

- (vi) *the long term financial forecast*
- (vii) *the Debt Policy and*
- (c) *note the following documentation applies as adopted 20 June 2019*
 - (i) *the Revenue Policy*
 - (ii) *the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
 - (iii) *the Revenue Statement and*
 - (iv) *the rates and charges to be levied for the 2019/20 financial year and other matters as adopted 20 June 2019.*

Special Meeting Budget 20 June 2019 (SM19/13)

That Council:

adopt Appendix A as tabled, pursuant to section 107A of the Local Government Act 2009 and sections 169 and 170 of the Local Government Regulation 2012, Council's budget for 2019/20 financial year incorporating:

- i. the statement of income and expenditure*
- ii. the statement of financial position*
- iii. the statements of changes in equity*
- iv. the statement of cash flow*
- v. the relevant measures of financial sustainability*
- vi. the long term financial forecast*
- vii. the Debt Policy*
- viii. the Revenue Policy (adopted by Council resolution on 23 May 2019)*
- ix. the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
- x. the Revenue Statement*
- xi. Council's 2019/20 Capital Works Program, endorse the indicative four-year program for the period 2021 to 2024, and note the five-year program for the period 2025 to 2029*
- xii. the rates and charges to be levied for the 2019/20 financial year and other matters as detailed below in clauses 3 to 11 and*
- xiii. endorse the full time equivalent establishment as per the Sunshine Coast Council Establishment 2019/2020 report.*

Related Documentation

2019/20 Adopted Budget

Critical Dates

There are no critical dates for this report.

Implementation

There are no implementation details to include in this report.

8.12 DELEGATION TO THE CHIEF EXECUTIVE OFFICER - SECTION 257 LOCAL GOVERNMENT ACT 2009

File No:	Council meetings
Author:	Manager Corporate Governance Office of the CEO
Appendices:	App A - 2016-73(v5) Delegation to the Chief Executive Officer.167
Attachments:	Att 1 - Delegations - Guiding Principles (Delegations from Council to the CEO)189

PURPOSE

In accordance with section 257(5) of the *Local Government Act 2009*, a delegation to the Chief Executive Officer must be reviewed annually by the Local Government. The purpose of this report is to satisfy the requirements for the annual review and to update the existing Council to Chief Executive Officer delegation instrument to include the new *Human Rights Act 2019*.

EXECUTIVE SUMMARY

Council has a range of powers and functions to perform which are conferred under a number of different Acts of Parliament including the *Local Government Act 2009* as well as subordinate legislation and local laws. Council is able to delegate its powers to implement and enforce these responsibilities under section 257 of the *Local Government Act 2009*.

Delegations are the process by which the Council delegates Local Government powers to the Chief Executive Officer to implement and enforce legislation, standards and obligations. Delegations are necessary to maintain operational effectiveness and to ensure processes are more timely and streamlined.

The new *Human Rights Act 2019* (the **Act**) was assented to on 7 March 2019 with the second stage commencing on 1 January 2020. The second stage of the Act requires that as a public entity Council will be required to give proper consideration to human rights when making decisions to ensure a person's human rights are protected.

A further review of the Local Government Association of Queensland (LGAQ) Local Government delegation register was also undertaken and provided the opportunity to compare Council's delegation register in line with the annual review requirements of section 257 (5) of the *Local Government Act 2009*. Other than the inclusion of the new Act, no further changes have been made to **2016-73 (v5) – Delegation to the Chief Executive Officer**.

A delegation of power is not a devolution of power. The delegated power is still able to be exercised by Council. Under section 257(5) of the *Local Government Act 2009* a delegation to the Chief Executive Officer must be reviewed annually by Council.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Delegation to the Chief Executive Officer - Section 257 Local Government Act 2009 "
- (b) adopt Delegation 2016-73 (v5) Delegation to the Chief Executive Officer (Appendix A) and
- (c) note that all other existing specific delegations of authority to the Chief Executive Officer are retained.

FINANCE AND RESOURCING

The activities associated with this report and its recommendation are operational activities covered by the Corporate Governance Branch core budget allocation.

The amended and new delegations of authority will not create any additional resource or financial impacts for Council or the community; however they will provide necessary operational efficiency.

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

Portfolio Councillor Consultation

Councillor E Hungerford has been consulted regarding the annual review and recommendations.

Internal Consultation

Internal consultation occurred with the following officers:

- Manager Corporate Governance
- Coordinator Governance Process and Policy.

External Consultation

No external consultation was conducted for the review of delegations.

Community Engagement

No community engagement was required for the preparation of this report as it relates to an internal administrative activity.

BACKGROUND

The *Human Rights Act 2019* (the **Act**) was assented to on 7 March 2019 with the second stage commencing on 01 January 2020. The second stage of the Act requires that as a public entity Council will be required to give proper consideration to human rights when making decisions to ensure a person's human rights are protected. The Act sets out 23 human rights which are drawn from international covenants. The Act places an obligation on public entities to respect, protect and promote these human rights and therefore impact on how Council makes, interprets and applies local laws and delivers services to the community.

Of the 23 newly recognised human rights, the following table details the particular human rights that are most likely to impact Local Governments and their operations.

Table 1 – Human Rights most likely to impact Local Governments

Recognition and equality before the law	<p>Every person has the right to recognition as a person before the law and the right to enjoy their human rights without discrimination. Every person is equal before the law and is entitled to equal protection of the law without discrimination. Every person is entitled to equal and effective protection against discrimination.</p> <p>Measures taken for the purpose of assisting or advancing persons or groups of persons disadvantaged because of discrimination do not constitute discrimination.</p>
Freedom of movement	Every person lawfully within QLD has the right to move freely within, enter or leave QLD and has the freedom to choose where to live.
Freedom of thought, conscience, religion and belief	Every person has the right to freedom of thought, conscience, and religion and believe including the freedom to think and believe what they want and to have or adopt a religion, free from external influence. This includes the freedom to demonstrate a religion individually or as part of a group, in public or in private.
Freedom of expression	<p>Every person has the right to hold and express an opinion without interference, through speech, art, and writing (or other forms of expression).</p> <p>Every person has the right to freedom of expression which includes the freedom to seek, review and impart information and ideas of all kinds, whether within or outside QLD.</p>
Peaceful assembly and freedom of association	Every person has the right to peaceful assembly and the right to freedom of association with others, including the right to form or join trade unions.
Taking part in life	Every person in Qld has the right and opportunity without discrimination to take part in public life and affairs, directly or through freely chosen representatives. Every eligible person has the right to vote and be elected at periodic State and Local Government elections that guarantee the free expression of the will of the electors. Every eligible person has the right to have access, on general terms of equality, to the public service and office.
Property rights	All persons have the right to own property alone or in association with others. A person must not be arbitrarily deprived of their property.
Privacy and reputation	A person has the right not to have the person's privacy, family, home or correspondence interfered with, and not to have their reputation unlawfully attacked.
Cultural rights - generally	All persons with particular cultural, religious, racial and linguistic backgrounds must not be denied the right, in community with other persons of that background, to enjoy their culture, to declare and practice their religion, and use their language.
Cultural rights – Aboriginal peoples and Torres Strait Islander peoples	<p>Aboriginal peoples and Torres Strait Islander peoples must not be denied the right, with other members of their community to enjoy, maintain, control, protect and develop their identity and cultural heritage, including their traditional knowledge, distinctive spiritual practices, observances, beliefs and teachings; and to use their language, cultural expressions, enjoy, maintain, control, protect and develop their kinship ties; and to maintain and strengthen their distinctive spiritual, material and economic relationship with the land, territories, waters, coastal seas and other resources with which they have a connection, and to conserve and protect the environment and productive capacity of their land, territories, waters, coastal seas and other resources.</p> <p>Aboriginal persons and Torres Strait Islander persons have the right not to be subjected to forced assimilation or destruction of their culture.</p>

With the commencement of the Act in its entirety Council will have a collective responsibility to ensure administrative, policy, human resourcing and corporate services decisions are compatible with the human rights of individuals in our everyday business and interactions with the community.

In responding to the newly recognised human rights under the Act, Corporate Governance have undertaken a number of awareness sessions across the organisation to ensure officers are aware of their obligations. Corporate Governance are continuing to roll out further awareness sessions across the organisation.

PROPOSAL

King & Company Solicitors through the LGAQ provides biannual updates of all delegations of authority, including those matters which cannot be delegated and require a resolution of Council. The latest advice provided by LGAQ allowed the opportunity to perform a full comparison with Council's current schedules for the 2016-73 Delegation to the Chief Executive Officer in line with Council's annual review in accordance with section 257(5) of the *Local Government Act 2009*.

Following a comprehensive review of the LGAQ delegation database, no further changes are required to delegation 2016-73 (v5) other than the inclusion of the Human Rights Act 2019.

The inclusion of the new Act is detailed in Schedule 1 to delegation 2016-73 (v5) which is detailed in Appendix A to this report.

Legal

Section 257 (Delegation by the Local Government) of the *Local Government Act 2009* allows, by resolution, a Local Government to delegate its powers under a Local Government act to the Mayor, Chief Executive Officer, a standing committee or a joint standing committee. While delegations provide expediency for the Local Government, a delegation is revocable and does not prevent Council from acting on a matter (in which case the delegate must not act) and does not prevent the Council or Chief Executive Officer from exercising the power.

Section 257 (5) of the *Local Government Act 2009* requires the local government to review all delegations to the Chief Executive Officer annually.

Section 259 (Delegation by the Chief Executive Officer) of the Act allows the Chief Executive Officer of a local government to delegate the Chief Executive Officer's powers (including powers delegated to the Chief Executive Officer by the Local Government) to another employee of the Local Government.

Policy

The Chief Executive Officer's delegation (2016-73 (v5)) is also supported by the Delegations Guiding Principles Policy (see Attachment 1).

Risk

The delegation amendment has been prepared to mitigate the risk of any gaps in delegated powers and to ensure the Chief Executive Officer has all the powers capable of delegation under Local Government Acts relevant to Sunshine Coast Council. It will ensure the Chief Executive Officer is provided with overall coverage of legislative power (as per schedule 1 of Appendix A) to ensure continued business efficacy over Council activities and business operations.

Previous Council Resolution**Ordinary Meeting 25 July 2019 (OM19/111)**

That Council:

- (a) *receive and note the report titled “Delegation to the Chief Executive Officer – Section 257 Local Government Act 2009”*
- (b) *adopt Delegation 2016-73 (v4) Delegation to the Chief Executive Officer (Appendix A) and*
- (c) *note that all other existing specific delegations of authority to the Chief Executive Officer are retained.*

Related Documentation

There is no related documentation in relation to this report.

Critical Dates

It is important that Council gives consideration to this report as soon as possible to ensure compliance with section 257 of the *Local Government Act 2009*.

Implementation

- update Council’s delegation register
- link s259 delegations of authority from the Chief Executive Officer to officers.

8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS

File No: Council meeting

Author: Manager Corporate Governance
Office of the CEO

Appendices:

- App A - Consolidated Local Law No. 1 (Administration) 20115/346
- App B - Consolidated Local Law No. 2 (Animal Management) 2011..... 55/346
- App C - Consolidated Local Law No. 5 (Parking) 2011 91/346
- App D - Consolidated Local Law No. 7 (Sunshine Coast Airport) 2017 99/346
- App E - Consolidated Subordinate Local Law No. 1 (Administration) 2016 111/346
- App F - Consolidated Subordinate Local Law No. 2 (Animal Management) 2011 199/346
- App G - Consolidated Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011..... 271/346
- App H - Consolidated Subordinate Local Law No. 5 (Parking) 2011 283/346

PURPOSE

The purpose of this report is to seek a Council resolution to adopt consolidated versions of Council's local laws as a result of recent amendments adopted at the Ordinary Meeting on Thursday 12 December 2019.

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

EXECUTIVE SUMMARY

At the Ordinary Meeting on 12 December 2019, Council resolved to adopt Amendment Local Law No. 2 (Miscellaneous) 2019 and Subordinate Local Law No. 3 (Miscellaneous) 2019 which amends the following local laws and subordinate local laws:

- *Local Law No. 1 (Administration) 2011*
- *Local Law No. 2 (Animal Management) 2011*
- *Local Law No. 5 (Parking) 2011*
- *Local Law No. 7 (Sunshine Coast Airport) 2017*
- *Subordinate Local Law No. 1 (Administration) 2016*
- *Subordinate Local Law No. 2 (Animal Management) 2011*
- *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011 and*
- *Subordinate Local Law No. 5 (Parking) 2011.*

This report presents consolidated versions of the abovementioned Council local laws which incorporate amendments adopted by Council at its Ordinary Meeting on Thursday 12 December 2019 and advertised in the Government Gazette on 20 December 2019.

A consolidated version of a local law is simply a document that accurately combines a Local Government's local law, as it was originally made, with all the amendments made to the local law since the local law was originally made.

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

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Consolidation of Local Laws and Subordinate Local Laws" and
- (b) resolve to adopt consolidated versions of:
 - (i) Local Law No. 1 (Administration) 2011 (Appendix A)
 - (ii) Local Law No. 2 (Animal Management) 2011 (Appendix B)
 - (iii) Local Law No. 5 (Parking) 2011 (Appendix C)
 - (iv) Local Law No. 7 (Sunshine Coast Airport) 2017 (Appendix D)
 - (v) Subordinate Local Law No. 1 (Administration) 2016 (Appendix E)
 - (vi) Subordinate Local Law No. 2 (Animal Management) 2011 (Appendix F)
 - (vii) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011 (Appendix G)
 - (viii) Subordinate Local Law No. 5 (Parking) 2011 (Appendix H).

FINANCE AND RESOURCING

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

CORPORATE PLAN

Corporate Plan Goal:	<i>Service excellence</i>
Outcome:	We serve our community by providing this great service
Operational Activity:	S21 - Local amenity and local laws - maintaining and regulating local amenity through local laws, regulated parking, community land permits and management of animals, overgrown land and abandoned vehicles.

CONSULTATION

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

Councillor Consultation

Councillors were consulted throughout the local law making process regarding proposed amendments prior to being adopted at the Ordinary Meeting on Thursday 12 December 2019.

Internal Consultation

Internal consultation in relation to the local law amendments has occurred with all appropriate stakeholders. No internal consultation was required as part of the local law consolidation process as it is simply an administrative process.

External Consultation

No external consultation was required as part of the local law consolidation process as it is simply an administrative process.

Community Engagement

Community consultation was undertaken for the amendments prior to adoption by Council. No external consultation was required as part of the local law consolidation process as it is simply an administrative process.

PROPOSALConsolidation of local laws

The concept of a consolidated version of a local law is similar to the process of producing reprints of Acts. Each time an amending Act is made, the Office of Parliamentary Counsel prepares a consolidated version which accurately combines the original Act with each of the subsequent amendments. This process makes it easier for anyone referencing the legislation as they don't need to read the original Act and the amendments separately.

Consolidating local laws provides stakeholders and the community with a comprehensive and readable suite of local laws. Without consolidation, readers are required to read the original local law and amendment local laws together to ascertain the current lawful position of a particular issues. A consolidated version of a local law is simply a document that accurately combines a Local Government's local law, as it was originally made, with all the amendments made to the local law since the local law was originally made

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

Recent amendments requiring consolidation

At the Ordinary Meeting on 12 December 2019, Council resolved to adopt Amendment Local Law No. 2 (Miscellaneous) 2019 and Subordinate Local Law No. 3 (Miscellaneous) 2019 which amends the following local laws and subordinate local laws:

- Local Law No. 1 (Administration) 2011
- Local Law No. 2 (Animal Management) 2011
- Local Law No. 5 (Parking) 2011
- Local Law No. 7 (Sunshine Coast Airport) 2017
- Subordinate Local Law No. 1 (Administration) 2016
- Subordinate Local Law No. 2 (Animal Management) 2011
- Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011 and
- Subordinate Local Law No. 5 (Parking) 2011.

The amendments to Council's local laws which were advertised in the Government Gazette on 20 December 2019 included the following changes:

- A new prescribed activity for making amplified music noise in a special entertainment precinct (allowing regulation ability for newly created Nambour Entertainment Precinct within the Planning Scheme)
- The ability to allow building site delivery noise permits outside of normal business hours in clearly defined circumstances
- The ability to allow building site noise permits outside of normal business hours in clearly defined circumstances
- Removal of the dog off leash beach at beach access 245-247 and replace with a new timed dog off leash area between beach access 245-249 from 5pm – 8am
- Various animal management changes primarily around strengthening enforcement provisions
- Inclusion of ability to utilise low voltage (Pingg) fencing adding additional capacity for the containment of cats within property boundaries
- Clearer understanding around the ability for authorised persons (parking inspectors) to mark tyres using crayon, chalk or similar substance for enforcing parking regulation
- The ability to regulate the temporary placement of shipping containers for storage
- The ability to provide parking permits to health and community services workers
- Flexibility with eligibility requirements for commercial vehicle parking permits
- A number of minor administrative changes and updates of legislative references.

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

Legal

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

- the *Local Government Act 2009* and the *Local Government Regulation 2012*
- Sunshine Coast Council's suite of Local Laws and Subordinate Local Laws

Section 32 (1) of the *Local Government Act 2009* provides that the Local Government may prepare and adopt a consolidated version of its local laws and subordinate local laws as they were originally made, with all the amendments made to the local laws and subordinate local laws since the local laws and subordinate local laws were originally made.

In accordance with section 32 (4) of the *Local Government Act 2009*, the Local Government must provide a copy of the adopted consolidated versions to the Minister within 7 days.

Policy

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

Risk

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

Previous Council Resolution**Ordinary Meeting 12 December 2019 (OM19/196)**

That Council:

- (a) *receive and note the report titled “**Making Amendment Local Law No. 2 (Miscellaneous) 2019 and Amendment Subordinate Local Law No. 3 (Miscellaneous) 2019**”*
- (b) *resolves that Amendment Local Law No. 2 (Miscellaneous) 2019 and Amendment Subordinate Local Law No. 3 (Miscellaneous) 2019, have been reviewed in accordance with section 38 of the Local Government Act 2009 and resolves to implement the recommendations of the Public Interest Review Report (Attachment 2) that the anti-competitive provisions contained in the laws are in the public interest and should be retained*
- (c) *in accordance with Council’s ‘Process for Making Local Laws’ adopted on 1 June 2010, pursuant to section 29 of the Local Government Act 2009, hereby resolve to make Amendment Local Law No.2 (Miscellaneous) 2019 (Appendix A) with the following amendment based on consideration of public submissions and the State interests check feedback:*
 - i. *add a new Part 4 to clarify that where building work noise permit is issued this replaces the prescribed noise standard for building work in the Environmental Protection Act 1994.*
- (d) *in accordance with Council’s ‘Process for Making Local Laws’ adopted on 1 June 2010, pursuant to section 29 of the Local Government Act 2009, hereby resolve to make Amendment Subordinate Local Law No.3 (Miscellaneous) 2019 (Appendix B) with the following amendments based on consideration of public submissions and the State interests check feedback:*
 - i. *in section 5 (Replacement of section 8 (State-controlled roads to which stated local laws apply), remove the redundant words “in operation at the commencement of this provision, remove the footnote and amend the definition of prescribed advertising device to update outdated references to the Roadside Advertising Manual*
 - ii. *in section 7 (Insertion of new schedule 5A and 5B), amend section 4 of both new schedules to include examples of the “extraordinary circumstances” and “environmental or public safety reasons” justifying why building work noise or building site delivery noise needs to occur outside normal prescribed hours*
 - iii. *in section 16 (Amendment of schedule 6 (Dog off-leash areas), amend subsection (1) to include a time limitation (5pm to 8am) for the part of the existing dog off-leash area between beach accesses 245 and 249 at Bokarina and amend subsection (2) to substitute map 2.6.24 to reflect this change*
 - iv. *in section 21 (Amendment of schedule 2 (Restricted activities for local government controlled areas, facilities, infrastructure or roads), subsection (2), amend column 3 of the new table row to clarify that an activity in column 2 can only be permitted by the local government where it is not prohibited under State legislation*
- (e) *authorise the Chief Executive Officer to amend the 2019/20 Register of Cost-Recover Fees and Commercial Charges to include the cost-recovery fee for “Application for Health and Community Services Parking Permit”:*
 - i. *Fee Description: Health and community services parking permit – Application for permit to park contrary to an indication on an official traffic sign regulating parking by time or payment of fee*
 - ii. *Section in Local Government Act 2009: section 97(2)(a)*

- iii. *Legislative Authority: Local Law No. 1 (Administration) 2011, section 8 & section 42.*
- iv. *Fee including GST: \$51*
- (f) *authorise the Chief Executive Officer to amend the 2019/20 Register of Cost-Recover Fees and Commercial Charges to include the cost-recovery fee for the “Temporary Placement of a Shipping Container – Application”:*
 - i. *Fee Description: Temporary placement of a shipping container - Application for a permit to carry out prescribed activity.*
 - ii. *Section in Local Government Act 2009: section 97(2)(a),*
 - iii. *Legislative Authority: LL1 (Administration) 2011, section 8 & section 42.*
 - iv. *Fee including GST: \$264*
- (g) *authorise the Chief Executive Officer to amend the 2019/20 Register of Cost-Recover Fees and Commercial Charges to include the cost-recovery fee for “Building work noise or building site delivery noise outside normal hours”.*
 - i. *Fee Description: Building work noise/building site delivery noise outside normal hours - Application for a permit to carry out prescribed activity.*
 - ii. *Section in Local Government Act 2009: section 97(2)(a),*
 - iii. *Legislative Authority: Local Law No.1 (Administration) 2011, section 8 & section 42.*
 - iv. *Fee including GST: \$346, and*
- (h) *authorise the Chief Executive Officer to amend the 2019/20 Register of Cost-Recover Fees and Commercial Charges to include the cost-recovery fee for the “Operation of an amplified music venue within a special entertainment precinct”*
 - i. *Fee Description: Operation of an amplified music venue within a special entertainment precinct - Application for a permit to carry out prescribed activity.*
 - ii. *Section in Local Government Act 2009: section 97(2)(a),*
 - iii. *Legislative Authority: Local Law No. 1 (Administration) 2011, section 8 & section 42 and*
 - iv. *Fee including GST: \$346.*

Related Documentation

- *Local Government Act 2009 and Local Government Regulation 2012*
- *Sunshine Coast Regional Council Local Laws and Subordinate Local Laws*
- *State Government Guidelines for Drafting Local Laws 2016*
- *Sunshine Coast Regional Council Corporate Plan 2019-2023*
- *Compliance and Enforcement Policy.*

Critical Dates

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

Implementation

Following adoption by Council, the Chief Executive Officer will provide a copy of the consolidated local laws and subordinate local laws to the Minister of the Department of Local Government, Racing and Multicultural Affairs in accordance with section 32 (4) of the *Local Government Act 2009* for inclusion on the Department local laws database.

Additional copies of the consolidated subordinate local laws will be provided on Council’s website.

8.14 MAKING OF AMENDMENT LOCAL LAW NO. 1 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2020

File No: Council meetings

Author: Manager Corporate Governance
Office of the CEO

Appendices: App A - Amendment Local Law No. 1 (Community Health and Environmental Management) 2020203

PURPOSE

The purpose of this report is to seek a Council resolution to make Amendment Local Law No. 1 (Community Health and Environmental Management) 2020.

EXECUTIVE SUMMARY

At the Ordinary Meeting on 12 December 2019, Council resolved to propose to make Amendment Local Law No. 3 (Community Health and Environmental Management) 2019 which amends *Local Law No. 3 (Community Health and Environmental Management) 2011* to include a commencement date of 10 February 2020 for the waste provisions.

Amendments included in *Local Law No. 3 (Community Health and Environmental Management) 2011* adopted at Council’s Ordinary meeting on 17 May 2018 duplicated the then expiring waste provisions of Chapter 5A of the *Environmental Protection Regulation 2008* (since repealed and now replaced with Chapter 6 of the *Environmental Protection Regulation 2019*) (the Regulation) and Part 2A of the *Waste Reduction and Recycling Regulation 2011* (WRRR).

It was determined at this time that the new waste provisions under the local law would not commence until the State expired the waste provisions under the respective regulations. At the time of drafting the provisions into the local law the waste provisions in the regulation and WRRR were scheduled to expire on 1 July 2018 and subsequently then extended again to September 2018.

In late 2018 the Queensland State Government notified Queensland Local Governments that the provisions would not be expired and as a result Council’s local law was unable to come into effect as originally planned.

Given some of the uncertainty with regards to the expiring provisions and to ensure Council retains the appropriate mechanisms to continue to manage waste across the Local Government area, it is recommended that amendments are made to the 2018 amendment local law so that the new local law waste provisions can commence on 10 February 2020.

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

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Making of Amendment Local Law No. 1 (Community Health and Environmental Management) 2020”
- (b) resolve that Amendment Local Law No. 1 (Community Health and Environmental Management) 2020 has been reviewed in accordance with section 38 of the *Local Government Act 2009* and that, taking into consideration the circumstances of the Sunshine Coast Regional Council area, the law does not contain any possible anti-competitive provisions and
- (c) in accordance with Council’s ‘Process for Making Local Laws’ adopted on 1 June 2010, pursuant to section 29 of the *Local Government Act 2009*, hereby resolve to make:
 - (i) Amendment Local Law No. 1 (Community Health and Environmental Management) 2020 (Appendix A).

FINANCE AND RESOURCING

The cost of drafting Amendment Local Law No.1 (Community Health and Environmental Management) 2020 was funded through existing budget allocations within the Corporate Governance Branch.

The amendments to the local law that were made at Council’s Ordinary Meeting 17 May 2018 merely replicated the provisions currently contained in the Regulations and reflect Council’s current operational activities. Therefore, when the current waste provisions in the local laws commence on 10 February 2020 they will not impact on Council’s financial operations or require any additional resources not already fully budgeted for in Council’s budget.

However, failure to amend the commencement provisions in the local laws prior to 10 February could expose Council to further uncertainty surrounding the future of the waste provisions in the State Regulations and therefore impact Council’s ability to effectively manage waste operations across the region.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*
Outcome: We serve our community by providing this great service
Operational Activity: S25 - Waste and resource management - collection and disposal of solid and liquid wastes, operation of waste transfer facilities and landfills, recycling and materials recovery, community education programs.

CONSULTATION**Councillor Consultation**

Consultation with Portfolio Councillor E Hungerford has occurred.

Internal Consultation

Instructions to amend the commencement date of the current waste provisions in *Local Law No. 3 (Community Health and Environmental Management) 2011* were received and approved by the following:

- Group Executive Customer Engagement and Planning Services
- Manager Waste and Resources Management

Further consultation has occurred with:

- Coordinator Governance Process and Policy

External Consultation

Section 29 of the *Local Government Act 2009* provides that the Local Government may decide its own process for making a local law. The proposal to commence the amendment local law making process will include engagement with:

- relevant government agencies about the overall State interest in the proposed amendment local law and
- the community.

A public interest review for the amendments made at the Ordinary Meeting on 17 May 2018, was undertaken between 10 November 2017 and 22 December 2017. As the proposed amendment local law does not change any of the provisions previously made and tested through the public interest review process, a Public Interest Review Consultation Paper was not undertaken as the proposed amendment does not contain any anti-competitive provisions.

A State interest check was undertaken from 18 December to 31 December 2019. The following State Departments were invited to provide comments on the proposed amendment:

- Department of Local Government, Gaming and Multicultural Affairs
- Department of Environment and Science
- Department of Justice and Attorney General
- Treasury.

The Department of Local Government, Gaming and Multicultural Affairs responded to the State interest check advising they had not identified any matters of adverse impact on State interests.

Community Engagement

Community consultation about the proposed amendment local law was undertaken from 13 December to 26 December 2019 (14 days). While it is normal practice for Council to undertake a minimum of 28 days community consultation, given that the effect of the amendment is only to amend the commencement date and 28 days of community consultation on the local law has already occurred, it was determined in this instance that only fourteen (14) days is necessary.

No submissions were received during the consultation period.

PROPOSALBackground

At the 17 May 2018 Ordinary Meeting, the waste provisions under the *Environmental Protection Regulation 2008* (since repealed and replaced with the *Environmental Protection Regulation 2019*) and s.7 of the *Waste Reduction and Recycling Regulation 2011 (WRRR)*

were set to expire on 1 July 2018. It was for this reason that Council determined it appropriate to duplicate these expiring provisions into *Local Law No. 3 (Community Health and Environmental Management) 2011*. This was decided to ensure Council can continue to collect waste, regulate the placement of waste, continue to build awareness on waste minimisation strategies, invest in developing new resource recovery facilities, establish innovative waste management contracts, increase landfill capacity and investigate a range of alternative waste management initiatives, it was proposed that the expiring provisions be transferred to Council's local laws.

However, to ensure we avoided any dual regulation (between the local laws and State regulation), the local law amendments were drafted so that the waste provisions would only come into effect when the regulations expired. Since this time, the expiry dates have moved from 1 July 2018 to September 2018 and now these expiry provisions have been removed entirely. Further to this, the *Environmental Protection Regulation 2008* was repealed in 2019 and replaced with the *Environmental Protection Regulation 2019*. The waste provisions contained in the new 2019 Regulation remain and are largely unchanged from the previous regulation. At this time, the waste provisions in the *Environmental Protection Regulation 2019* (Regulation) and s.7 of the *Waste Reduction and Recycling Regulation 2011* (WRRR) remain in place and unchanged. As a result, the amendment local law made at Council's Ordinary Meeting on 17 May 2018 has not commenced (taken effect) to date.

Amendment of the commencement provisions

Given the ongoing uncertainty surrounding the States position on the future of their waste provisions, Council at its Ordinary Meeting on 12 December 2019 resolved to commence the local law making process to amend *Local Law No. 3 (Community Health and Environmental Management) 2011* to amend the commencement date of the waste provisions so that they can come into effect on 10 February 2020.

The new commencement date of 10 February 2020 will ensure that Council has the appropriate mechanisms to manage all aspects of the waste management lifecycle across the region. Further to this a number of necessary administrative amendments were included to ensure the current waste provisions align with the chapter and section references used in the new *Environmental Protection Regulation 2019*. The amendments do not in any way change the intention or provisions of the originally adopted local law, they are simply minor changes to reflect current changed legislative references.

The process for making the amendment local law is in accordance with the following steps outlined in Table 1 below:

Table 1 – Local Law Making Process

Phase	Activity	Timing	Status
Phase 1	Resolution to propose to make amendment local law.	Ordinary Meeting – 12 December 2019	Completed
Phase 2	Consult with relevant State Government Agencies.	18 December 2019 – 31 December 2019 (14 days)	Completed
	Undertake Community Consultation	13 December 2019 – 26 December 2019 (14 days)	
Phase 3	Consider submissions and community feedback. Prepare report for Council consideration.	30 January 2020	Completed

Phase 4	Resolution to make amendment local law.	Ordinary Meeting – 30 January 2020	Underway
Phase 5	Publication in the Government Gazette (Local law amendments become effective officially on 10 February 2020).	7 February 2020	Underway
Phase 6	Notification and copy of amendment local law to the Minister	21 February 2020	To be completed
Phase 6	Consolidation of local laws	Ordinary Meeting – April/May 2020	To be completed

Legal

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

- Section 29-32 of the *Local Government Act 2009* and section 15 of the *Local Government Regulation 2012*
- Sunshine Coast Council's suite of Local Laws and Subordinate Local Laws
- Amendment Local Law No.1 (Community Health and Environmental Management) 2020
- Chapter 6 of the new *Environmental Protection Regulation 2019* and
- Section 7 of the *Waste Reduction and Recycling Regulation 2011*.

Policy

There are no new policy implications that haven't already been considered in the proposed Amendment Local Law No. 1 (Community Health and Environmental Management) 2020.

Risk

There is a risk that if the amendment local law provisions regarding the commencement date are not adopted by 30 January 2020 there will be:

- continued uncertainty with regards to future changes to the States waste laws and
- further uncertainty as to whether Council will be able to continue with current waste operations and contract arrangements.

Previous Council Resolution

Ordinary Meeting 12 December 2019 (OM19/198)

That Council:

- (a) receive and note the report titled "**Proposed Amendment to Local Law No.3 (Community Health and Environmental Management) 2019**"
- (b) resolve to propose to make Amendment Local Law No. 3 (Community Health and Environmental Management) 2019 (Appendix A)
- (c) hereby resolve in relation to the draft local law to conduct a shorter period of fourteen (14) days of community consultation in lieu of Council's normal practice of (28) days for the following reasons:
 - (i) the effect of the amendment local law is only to amend the commencement date of the amended local law

- (ii) *the amended local law was already the subject of community consultation for 28 days in 2018 and Council considered the community's feedback on the law before making it on 17 May 2018*
- (iii) *hereby resolve to undertake community consultation on the draft local law for fourteen (14) days*
- (d) *hereby resolve to undertake a State interest check in relation to the draft local law pursuant to section 29A of the Local Government Act 2009 and*
- (e) *note that the draft local law has been reviewed to identify anti-competitive provisions pursuant to section 38 of the Local Government Act 2009 and has been found to contain no anti-competitive provisions.*

Related Documentation

- *Local Government Act 2009 and Local Government Regulation 2012*
- *Sunshine Coast Regional Council Local Laws and Subordinate Local Laws 2011*
- *State Government Guidelines for Drafting Local Laws 2016*
- *Corporate Plan 2019-2023*

Critical Dates

It is beneficial for Council to make the amendment local law to ensure the commencement of the Council's waste provisions can come into effect in the event that the Queensland State Government decide to again expire the waste provisions relating to Local Government in Chapter 6 of the *Environmental Protection Regulation 2019* and s.7 of the *Waste Reduction and Recycling Regulation 2011*.

Implementation

- Prepare the Gazette notice for the Government Gazette
- Preparation of the website notice
- In accordance with section 29B(7) of the *Local Government Act 2009* provide the Minister with a copy of the amendment local law and
- Preparation of the consolidated local law.

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 - STRATEGIC LAND PROJECT****File No:** F2019/61725**Author:** Manager Transport and Infrastructure Planning
Built Infrastructure Group

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

11.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - BRISBANE ROAD CAR PARK - UPDATE ON EXPRESSION OF INTEREST PROCESS**File No:** Council meetings**Author:** Head of Business and Innovation
Business Performance Group

In preparing this report, the Chief Executive Officer recommends it be considered confidential in accordance with section 275 (e) of the *Local Government Regulation 2012* as it contains information relating to contracts proposed to be made by Council.

11.3 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - APPEAL MATTER - BALD KNOB**File No:** MCU18/0189, APL19/0042**Author:** Coordinator Development Audit & Response
Customer Engagement & Planning Services Group

In preparing this report, the Chief Executive Officer recommends it be considered confidential in accordance with section 275 (f) of the *Local Government Regulation 2012* as it contains information relating to starting or defending legal proceedings involving the local government.

12 NEXT MEETING

The next Ordinary Meeting will be held on 20 February 2020 in the Council Chambers, Corner Currie and Bury Streets, Nambour.

13 MEETING CLOSURE