

Agenda

Ordinary Meeting

Thursday, 16 August 2018

commencing at 9:00am

Council Chambers, Corner Currie and Bury Streets, Nambour

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1 DECLARATION OF OPENING

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

2 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 19 July 2018 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 OFFICE OF THE CEO****8.1.1 QUARTERLY PROGRESS REPORT - QUARTER 4, 2017/2018**

File No:	Council meetings	
Author:	Coordinator Organisational Performance Office of the Chief Executive Officer	
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PURPOSE

This report presents the Quarterly Progress Report for the period 1 April to 30 June 2018 – Quarter 4.

This report has been prepared to inform Council and the community on delivery of the services, implementation of operational activities and significant operating projects from Council's Operational Plan 2017-2018.

EXECUTIVE SUMMARY

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

The Report is comprised of:

- Appendix A – CEO's Quarterly Progress Report
- Appendix B – report on the 146 operational activities flowing from Council's Operational Plan 2017-2018.

Highlights for the quarter ended 30 June 2018 are:

A smart economy

- Sunshine Coast Solar Farm is exceeding expectations with 25,000 large generation certificates generated with an estimated market value of \$2.15 million
- Sunshine Coast Airport Expansion – Construction started on the new runway by the John Holland Group in April
- Holiday Park Revenue for the year to date to 30 June 2018 is up by \$711,000 (4.6%) on the previous year

A strong community

- \$2.6 million Pacific Paradise Town Centre streetscape officially opened
- The TravelSmart team has achieved the highest participation rate for Council's Walk Safely to School Day event, with 1920 students registered
- Community and not-for-profit organisations benefited from 367 grants totalling \$1,293,965 of grant funding

A healthy environment

- Street Tree Master Plan adopted in June – increasing the number of street trees on the Sunshine Coast
- Local Government Grants and Subsidies Program, granted Sunshine Coast Council \$920,000 to go towards renewing the Mooloolaba Spit Boardwalk

Service excellence

- 1,703 building approvals issued with a construction value of \$420 million
- Over 71,000 customers assisted through the development and customer contact centres
- A new feature has been added to Council's 'Contact Council' page which now lets customers know how long it will take for their phone call to be answered

An outstanding organisation

- \$22 million (75%) of total purchasing spend for the quarter has been to local businesses
- \$864 million Budget adopted 21 June 2018
- 2018/19 Operational Plan adopted 17 May 2018

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Quarterly Progress Report - Quarter 4, 2017/2018"
- (b) note the Chief Executive Officer's Quarterly Progress Report - Quarter 4, 1 April 2018 to 30 June 2018 (Appendix A) on service delivery and
- (c) note the Operational Plan Activities Report - quarter ended 30 June 2018 (Appendix B) reporting on implementation of the Corporate and Operational Plans.

FINANCE AND RESOURCING

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

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*

Outcome: We serve our community by providing this great service

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

CONSULTATION

Councillor Consultation

Councillor E Hungerford as Portfolio Councillor for Governance and Customer Service has been briefed on this report.

Internal Consultation

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

External Consultation

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

Community Engagement

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

PROPOSAL

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

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

Progress report

The Chief Executive Officer's Quarterly Progress Report – Quarter 4 (Appendix A) consists of a summary of achievements; and supporting information by Corporate Plan Goal covering Planning for our future; Major projects; and Delivery of Council's services.

Operational plan activities

The Operational Plan Activities Report – Quarter ended 30 June 2018 (Appendix B) provides details on the implementation of activities outlined in Council's operational plan. It includes the status of each activity covering percentage complete, completion date and progress commentary.

Status	Number
Completed	124
Underway	22
Not started	0
Total	146

Table 1: Summary of all operational activities and significant operating projects

Legal

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

Policy

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

Risk

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

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

Previous Council Resolution**Ordinary Meeting 17 May 2018 (OM18/59)**

That Council:

- receive and note the report titled "Quarterly Progress Report - Quarter 3, 2017/2018"*
- note the Chief Executive Officer's Quarterly Progress Report - Quarter 3, 1 January 2018 to 31 March 2018 (Appendix A) on service delivery and*
- note the Operational Plan Activities Report - quarter ended 31 March 2018 (Appendix B) reporting on implementation of the Corporate and Operational Plans.*

Related Documentation

- Corporate Plan 2018-2022
- Operational Plan 2017-2018
- Financial information provided to Council in the Financial and Capital management report.

Critical Dates

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

Implementation

The report will be published and available for community access via Council's website. The Chief Executive Officer will provide a verbal report to Council at the Ordinary Meeting.

8.2 ECONOMIC AND COMMUNITY DEVELOPMENT

8.2.1 SUNSHINE COAST ARTS PLAN 2018-2038

File No: Council meetings

Author: Manager Arts, Heritage and Libraries
Economic & Community Development Group

Appendices: App A - Appendix A Sunshine Coast Arts Plan 2018-2038 77

PURPOSE

The purpose of this report is to seek Council's endorsement of the Sunshine Coast Arts Plan 2018-2038 (Appendix A).

EXECUTIVE SUMMARY

Australia's most sustainable region – Healthy, Smart, Creative is Sunshine Coast Council's corporate vision for the region.

The Sunshine Coast Arts Plan 2018-2038 (the Arts Plan) is an aspirational document that will help achieve this vision by providing a blueprint for our investment in the arts.

The Arts Plan is a product of the collaborative approach taken, throughout its development, between Sunshine Coast Council, its strategic advisors – the Sunshine Coast Arts Advisory Board – and those the plan will directly impact, the arts sector including artists, stakeholders, and our community.

The Plan was developed via an extensive engagement program that started in September 2017.

The first stage of the engagement process placed greatest value on the feedback received from the arts sector – the community who are the experts in relation to arts practice, its strengths, and opportunities to develop and build sustainability.

The second stage held from 15 June to 13 July 2018, after the draft Arts Plan was endorsed by Council for this final round of engagement, tested the draft Arts Plan by calling on the whole of the Sunshine Coast to review and provide feedback particularly in relation to any gaps or improvements that could be made.

The feedback received, which was minimal, was used to finalise the Arts Plan which is now presented to Council for its consideration and endorsement.

The Arts Plan provides clear framework of goals and commitments, and clearly articulates Council's role in developing and supporting an environment in which the arts can flourish.

The success of the Arts Plan will rely on a collaborative approach between Council, the arts sector, the community, investors and all levels of government, throughout the 20 year journey, to achieve the vision of a flourishing arts ecology for the Sunshine Coast.

It will:

- provide Council with a road map for its approach, priorities, programs and investment in the arts and
- be reviewed every five years to ensure it continues to respond to the pace of change within the arts sector, and continues to align with Council's corporate vision.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Sunshine Coast Arts Plan 2018-2038” and
- (b) adopt the Sunshine Coast Arts Plan 2018-2038 (Appendix A).

FINANCE AND RESOURCING

The Sunshine Coast Arts Plan 2018-2038 has been developed with a 20 year strategic vision, which will be delivered through the goals, strategies and actions identified in the Implementation Plan (Section 11).

The Plan was written by Council officers in the Community Planning and Development Branch as part of their core program of work.

The Community Engagement program was conducted by the Arts, Heritage and Library Branch as part of its core program of work in partnership with Central Queensland University.

The cost of the Arts Plan Development and the Community Engagement with the Arts Sector is \$29,322.

To ensure the implementation of the Arts Plan vision is responsive and dynamic, progress will be monitored and evaluated every five years. This will ensure that annual operational programs aligned to the strategic goals are designed with precision and agility to respond to the pace of change within the arts sector.

The delivery of actions aligned to the strategies contained within the Arts Plan in the first 12 months (2018/19 financial year) will focus on the use of existing core resources (budget and human resources) within the Arts, Heritage and Libraries Branch to achieve these goals.

Where a specific project is approved by Council, a separate cost centre will be established to capture the cost of that project.

Unfunded strategies have been identified within the Plan. Funding for these strategies will be pursued through annual budget bids, partnerships (private and public sector) and grant opportunities (state, federal, and foundations).

Council’s approach to deliver the Arts Plan will include working in partnership with the arts community to build greater capacity and connection, to broker new opportunities and leverage partnerships.

CORPORATE PLAN

Corporate Plan Goal: *A strong community*
Outcome: 2.3 - A shared future that embraces culture, heritage and diversity
Operational Activity: 2.3.5 - Develop and implement the Sunshine Coast Arts Plan with a 20 year focus.

CONSULTATION

Councillor Consultation

No additional feedback was received from Councillors during the final stage of community consultation (15 June to 13 July 2018) to further inform the final Arts Plan.

Internal Consultation

Council's Branch Managers and senior staff were advised via email on 14 June 2018 that the Draft Arts Plan had been endorsed by Council for broad, and final, community engagement.

They were invited to provide further feedback, noting that the Plan had been developed to draft stage with their input.

Further comments were received from the Head of Economic Development, Paul Martins, which were used to inform the final Arts Plan.

External ConsultationSeptember 2017 to February 2018

The intent of the Sunshine Coast Arts Plan is to have the artist at its core.

To ensure local artists views were heard, the initial engagement program targeted artists and the broader arts sector. The engagement program tested the ideas, opportunities and challenges identified by the Sunshine Coast Arts Advisory Board in its Arts Plan Discussion Paper which was used to engage and stimulate an intensive dialogue with the arts sector about what the arts would look like in this region in 20 years and how the vision could be achieved.

Council partnered with Central Queensland University (CQU) to develop and deliver the engagement program. The engagement strategy was a three-phased approach: to engage, then gather, and refine.

More than 1,000 Sunshine Coast residents who identified as an artist or an arts worker took part in the engagement program from September 2017 to February 2018.

These voices were amplified by 11 professional local artists, representing a range of artistic practices, who engaged their networks in curated conversations about what a 20-year vision for the arts should look like. These conversations were the core of the five-month engagement program with the arts sector – a program which included surveys, focus groups, creative workshops and facilitated discussions.

The outcomes were used to draft the Sunshine Coast Arts Plan.

Throughout the process, the Sunshine Coast Arts Advisory Board participated in the workshop sessions and continued to test the robustness of the strategies needed to achieve the 20-year vision, at its Board meetings.

Specific conversations with Traditional Owners and First Nation groups and individuals within the region's arts sector in relation to indigenous arts and culture were also undertaken. This dialogue will be ongoing.

The CQU Targeted Stakeholder Engagement final report appears in Section C of the Draft Sunshine Coast Arts Plan.

June 2018 to July 2018

The Sunshine Coast region was invited to review and comment on the Sunshine Coast Draft Arts Plan.

A simple four question survey was developed and then an invitation to provide feedback and identify any gaps in the Plan was sent to all who had completed the previous surveys and all identified stakeholder groups who had participated in the first stage of the community engagement program.

Council's extensive arts and cultural networks were also provided with an invitation to comment via the regular #artscoast newsletter, which has more than 1000 subscribers.

Media releases, advertising on local radio and newspapers, Council's website and social media platforms were all used to encourage the broader community to comment.

Feedback was also received from:

- Partnerships Manager, Strategic Policy and Partnerships, Arts Queensland
- State Manager (QLD), Creative Partnerships Australia

Thirty submissions were received during this second engagement phase.

Community Engagement

Community Engagement Methodology	Arts Discussion paper developed by SCAAB (March-August 2017)
	Sunshine Coast Arts and Culture Snapshot report developed (April 2017)
	Arts Discussion paper released for targeted stakeholder consultation (September 2017)
	First online survey released for targeted community engagement with the arts sector to test goals, challenges and opportunities as identified in the Discussion Paper (September - October 2017)
	Artists identified to lead conversations within their communities of practice and spheres of influence (October – December 2017)
	Program of artist led arts sector creative workshops and focus groups implemented (September 2017-February 2018)
	Second online survey released for targeted community engagement with the arts sector to refine the 20 year vision and prioritise draft strategies (November-December 2017)
	Targeted arts sector interviews conducted (January-March 2018)
	SCAAB briefed on engagement outcomes and Draft Arts Plan to test and provide ongoing feedback (October 2017-May 2018)
	Draft Arts Plan released for broad community engagement (June - July 2018)
	Industry stakeholders re-engaged including arts influencers (June 2018)
	Sunshine Coast Arts Plan presented to Council for endorsement (August 2018)

PROPOSAL

Sunshine Coast Council committed to the development of a 20-year regional Arts Plan in the endorsed Sunshine Coast Arts Advisory Board Charter, the Sunshine Coast Council Social Strategy, and the Sunshine Coast Corporate Plan 2018-2022. The Arts Plan is listed both as a region-making plan and within the corporate vision which looks to develop a sustainable region that is *Healthy, Smart, Creative*.

The Sunshine Coast’s first regional Arts Plan is a reflection of this vision. It was developed within this framework and on a foundation that acknowledges the interdependent relationship between artists and those who experience and engage with the arts, as the nexus in the journey to a creative region.

The corporate aspiration is articulated in the 20-year vision of the Sunshine Coast Arts Plan – a vision in which the arts are synonymous with our identity, and which will firmly place the region on the national and international stage as one that encourages experimentation and innovation and fosters leaders of brave new ideas.

However, it is acknowledged that the arts in practice and in the context of regional services and delivery do not operate in isolation. In terms of policy and programs, the arts must be considered in relation to other areas in which Council leads, advocates and partners – including community services, community cultural development, and economic development with a particular focus on creative industries.

The Sunshine Coast Arts Plan was developed within this Council framework and while it primarily uses the terms arts, arts and culture, artists and practitioners, the related fields and definitions were also considered and key stakeholders engaged throughout the process. This broader meaning of the arts is reflected in terminology such as the arts sector or industry.

The Sunshine Coast Arts Plan outlines a commitment to an aspirational 20-year vision: *The soul of our community is our flourishing arts ecology: nurturing connections, promoting experimentation and inspiring collaboration.*

The Plan articulates four goals that, over the next 20 years, will:

- stimulate the Sunshine Coast arts sector
- create opportunities to build a strong community of artists, arts practitioners, and arts organisations
- communicate and showcase the value of the arts to the region's well-being, city planning and economy
- actively explore partnerships and collaborations that provide learning and development opportunities for those within the arts sector
- grow participation in the arts and
- identify opportunities to invest in the arts including places where the arts are made and showcased.

The success of the Draft Plan is reliant on Council's ability to continue to engage with the sector, and to take on a range of key roles, as appropriate, including: facilitator, advocate, partner, provider, asset owner, investor, information and service provider, and creative leader.

Council's role in the delivery of the Arts Plan is to take responsibility for:

- providing strong leadership and setting strategic direction and planning, to support the development of the arts sector on the Sunshine Coast
- engaging with the arts sector and the community to ensure:
 - as a custodian, its arts assets are diverse, accessible and appropriately located, designed, constructed, managed and maintained
 - its arts programs are delivered to strengthen the arts sector and target identified needs and
 - it seeks innovative approaches to meeting the Plan's goals
- promoting arts activities, programs and projects to ensure the arts gain the exposure required to contribute to the region's cultural vitality
- actively seeking opportunities to partner, collaborate or leverage funding, projects and programs to achieve strong arts outcomes and
- advocating to all levels of government to ensure the region receives its share of investment in the arts.

The Sunshine Coast Arts Advisory Board played a key role in engaging the arts sector throughout the development of the Plan – firstly by developing a discussion paper over a series of best practice workshops, meetings and interviews throughout 2016/17 to spark community conversation, and then by actively participating in robust conversations with the

sector and within the Board's meetings, throughout the engagement period, and subsequent drafting of the Plan.

The strategic engagement process was developed and rolled out in partnership with CQ University School of Education and the Arts. In line with the discussion paper, the key concept for the targeted engagement program was the need to have the arts sector at its very centre, and the process focus on sector led discussions.

The project's engagement strategy was a three-phased approach: to *Engage*, then *Gather* and *Refine*. The process was designed to target artists and those workers that rely on or support the arts sector on the Sunshine Coast.

The Sunshine Coast Arts Plan therefore defines the arts, and by extension artists and workers in or that support the arts industry, to include:

- literature
- music in all forms
- theatre, musical theatre and opera
- dance in all forms
- other performing arts such as circus, comedy and puppetry
- arts festivals
- visual arts and crafts
- screen - film, television and online
- arts education and training
- Aboriginal and Torres Strait Islander arts
- community arts and cultural development and
- emerging and experimental arts.

The engagement process used two main strategies: traditional surveys and curated data collection (as facilitated by a group of selected creatives in the region called Arts Influencers). The curated data collected included tailored workshop documentation, images and other ephemeral material. This data was collated and analysed. It was then tested to refine the responses allowing the opportunities, strengths, vision and strategies to emerge.

All the documents in Section C of the Plan (Appendix A) aided in its development. These include the SCAAB Discussion Paper, the Arts Sector Engagement Report, and the Sunshine Coast Arts and Culture Snapshot – a desktop analysis of the sector used to inform the initial discussion paper.

This report requests Council's endorsement of the region's first Arts Plan.

Once endorsed, the Sunshine Coast Arts Plan 2018-2038 will

- provide Council with a road map for its approach, priorities, programs and investment in the arts and
- be reviewed every five years to ensure it continues to respond to the pace of change within the arts sector, and continues to align with Council's corporate vision.

Legal

There are no legal implications relevant to this report

Policy

- Cultural Development Policy 2012 (it is noted that the Cultural Development Policy will be reviewed for ongoing relevance when the final Sunshine Coast Arts Plan is endorsed by Council.)
- Sunshine Coast Social Strategy 2015
- Sunshine Coast Arts Advisory Board Charter 2016

Risk

There are no risks identified and relevant to this report.

Previous Council Resolution**Ordinary Meeting 14 June 2018 (OM18/91)**

That Council:

- receive and note the report titled “**Sunshine Coast Arts Plan 2018-2038**” and*
- endorse the Draft Sunshine Coast Arts Plan 2018-2038 (Appendix A) for the purpose of public consultation.*

Ordinary Meeting 16 June 2016 (OM16/102)

That Council:

- receive and note the report titled “Sunshine Coast Arts Advisory Board”*
- endorse the list of successful candidates for offers of appointment to the Sunshine Coast Arts Advisory Board as discussed in confidential session*
- delegate authority to the Chief Executive Officer, in consultation with the Mayor and Portfolio Councillor Arts and Heritage, to finalise the appointments in b) including the announcement of members of the Sunshine Coast Arts Advisory Board.*

Ordinary Meeting 28 January 2016 (OM16/6)

That Council:

- receive and note the report titled “Sunshine Coast Arts Advisory Board”*
- approve the establishment of a Sunshine Coast Arts Advisory Board as an advisory committee of Council under section 264 of the Local Government Regulation 2012*
- endorse the Sunshine Coast Arts Advisory Board Charter (Appendix A) for the Sunshine Coast Arts Advisory Board and authorise the Chief Executive Officer to amend the Charter for operational purposes as necessary*
- require the Sunshine Coast Arts Advisory Board to establish an independent Sunshine Coast Art Foundation that is closely aligned to the Caloundra Regional Gallery*
- endorse sitting fees payable to the Chair and members of the Sunshine Coast Arts Advisory Board and refer the required amount to the 2016/17 budget process for this purpose*
- refer an amount of \$50,000 to the 2016/17 budget process for the purposes of recruiting and providing secretarial support to the Sunshine Coast Arts Advisory Board and establishing the Sunshine Coast Art Foundation*
- note that a further report will be provided to Council by July 2016 to seek formal endorsement of the membership of the Sunshine Coast Arts Advisory Board and*

- (h) *amend the Sunshine Coast Arts Advisory Board Charter (Appendix A) at 4.1 membership to include (viii) two industry representatives from the community with professional experience in the arts sector.*

Related Documentation

- Cultural Development Policy 2012
- Sunshine Coast Arts Advisory Board Charter 2016
- Sunshine Coast Social Strategy 2015
- Sunshine Coast Major Events Strategy 2018-2027
- Sunshine Coast Council Corporate Plan 2018-2022
- Sunshine Coast Council Environment and Liveability Strategy 2017
- Sunshine Coast Regional Economic Development Strategy 2013-2033

Critical Dates

There are no critical dates relevant to this report. However, it is noted that the Sunshine Coast Arts Advisory Board was tasked with the development of a 20-year Arts Plan for Council's consideration and this task is one of the responsibilities outlined in the Board's Charter. Given that the Board was endorsed in 2016, the delivery of a Sunshine Coast Arts Plan for Council's consideration is timely.

It should also be noted that the development of the plan heavily engaged the region's arts sector for a considerable period throughout late 2017 and early 2018. Therefore, it is desirable that Council endorse the Plan in order to manage the sector's expectation that a plan will be in place and that Council's role is clearly articulated in the development and support of the arts on the Sunshine Coast.

Implementation

Once endorsed by Council, the Sunshine Coast Arts Plan 2018-2038 will be implemented through the Arts, Heritage and Libraries Branch.

8.2.2 SUNSHINE COAST ARTS FOUNDATION

File No:	Council meetings
Author:	Manager Arts, Heritage and Libraries Economic & Community Development Group
Appendices:	App A - Constitution of Sunshine Coast Arts Foundation Ltd.. 129
Attachments:	Att 1 - Key considerations - McCullough Robertson Lawyers.. 165 Att 2 - Foundation structure - Options 169

PURPOSE

This report provides recommendations regarding the establishment of a Sunshine Coast Arts Foundation including its objectives, proposed structure and resourcing implications.

EXECUTIVE SUMMARY

At the 28 January 2016 Ordinary Meeting, Council resolved that “the Sunshine Coast Arts Advisory Board (SCAAB or the Board) establish an independent Sunshine Coast Art Foundation (the Foundation) that is closely aligned to the Caloundra Regional Gallery”.

This deliverable is a key responsibility of the Board as outlined in its Charter:

2.2 c) establish an independent Sunshine Coast Art Foundation that is closely aligned to the Caloundra Regional Gallery.

In line with its Charter and the 2016 Council resolution, the Sunshine Coast Arts Advisory Board, which includes members with extensive experience in managing and establishing foundations, has with advice and guidance from McCullough Robertson Lawyers (who specialise in legal issues including compliance and governance for government clients and not for profit entities) been developing objectives, considering structures and models for a Sunshine Coast Arts Foundation.

This report outlines the Board’s advice and recommendation to Council that the Foundations main objectives be to:

- develop a regional culture of philanthropy by encouraging donations, gifts, bequests, endowments etc. for the public charitable purposes of promoting and advancing arts and culture (all art forms) across the Sunshine Coast and
- provide financial and in-kind support via a range of mechanisms to organisations, groups and individuals with the aim of achieving arts outcomes that benefit this region.

The report also outlines a model for a Foundation that would support these objectives while ensuring the Foundations independence from Council as directed and also, as required, to avoid the practical legal and regulatory issues that could be triggered if Council controlled a charitable Foundation.

It is to be noted that the Foundations role is not to set strategy or direction for the arts in the region or involve itself in arts related operational matters which are the responsibility of Council. Nor does it take on the role of the Sunshine Coast Arts Advisory Board, which will remain Councils expert advisor as it relates to arts strategy and how it achieves agreed arts and cultural outcomes for the region.

After taking legal advice, including consideration of four options to achieve similar arts outcomes (Attachment 2), and in light of the Foundations objects and proposed activities, the Sunshine Coast Arts Advisory Board has recommended that:

- Council endorse a group structure, including a company and two trusts, for the Sunshine Coast Arts Foundation Limited
- Council be established as the ‘Founding Member’ of the company with the directors also admitted as members. The company will act as a corporate trustee of the two trusts: a public ancillary fund and a charitable trust fund. Both trusts would be established by the company by way of deed of trust
- the company be named the Sunshine Coast *Arts* Foundation Limited, to clearly align the Foundations objective of promoting and advancing *all* art forms as defined in the Sunshine Coast Arts Plan (in draft) and
- the company will be established by Council as a beneficial enterprise in line with section 39 of the *Local Government Act 2009*.

The framework is recommended because it:

- supports the public and donor principles of maintaining a sufficient degree of independence from Council – as per Councils (OM16/6) resolution (d) which states that the Foundation needs to be “independent”
- avoids the practical legal and regulatory issues that could be triggered if Council controlled the Foundation (refer Governance section of this report) and
- allows for a level of consistency around the Sunshine Coast Arts Foundation Constitution (the Constitution) (at Appendix A) and objectives.

There are three main areas of resourcing required to establish the Foundation (the company): board recruitment, legal fees and operational costs (including staffing). This report requests funding to establish the foundation and fund the initial three-year establishment phase during which time the Foundation will focus on revenue creation. It is anticipated that from the fourth year onwards, the Foundation will be self-funding.

It is anticipated that project costs (Foundation events/campaigns/programs) in the three-year establishment phase will be funded via pro-active Foundation membership programs.

It is proposed that the funding be provided via a three-year sponsorship agreement.

Once established, the Foundation will play a strong role in helping to develop a philanthropic response to the development of the arts and the arts sector across the Sunshine Coast.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Sunshine Coast Arts Foundation”**
- (b) consider the formation of Sunshine Coast Arts Foundation Limited is directed to benefitting, and can reasonably be expected to benefit, the whole or part of the Sunshine Coast Regional Council local government area**
- (c) endorse the establishment of Sunshine Coast Arts Foundation Limited and the Sunshine Coast Arts Foundation Limited Constitution (Appendix A)**
- (d) endorse the option of a three-year sponsorship agreement (Option B as outlined in this report) to resource the Sunshine Coast Arts Foundation Limited, and refer funding of \$75,802 to the 2018/2019 Budget Review 1 with the annual budget and associated increases referred to subsequent annual budgets**
- (e) nominate the Portfolio Councillor, Arts, Heritage and Transport, to represent Council as the Founding Member of the Sunshine Coast Arts Foundation Limited**

- (f) delegate authority to the Chief Executive Officer in consultation with the Portfolio Councillor to recruit the first two independent directors, one as the Chair, of the Sunshine Coast Arts Foundation Limited Board and
- (g) note the implementation will not occur until the required funding has been allocated.

FINANCE AND RESOURCING

There are three main areas of resourcing required to establish and seed (for a three-year period) the Sunshine Coast Arts Foundation: board recruitment, legal fees and operational costs (including staffing).

This report requests funding to establish the Foundation and fund the initial three-year establishment phase during which time the Foundation will focus on revenue creation. It is anticipated that from the fourth year onwards, the Foundation will be self-funding.

Initial board recruitment, public liability insurance and legal fees will be funded via the current 2018/19 SCAAB budget with future costs to be the responsibility of the Foundation.

This report provides two options to Council to consider how it may resource the Foundation during the establishment phase. Both options will require Council to enter into a funding agreement with the Foundation to provide staffing and operational funding (i.e. in-kind resources such as office space and IT equipment / support).

It is proposed that the three-year funding be provided via a sponsorship agreement.

The two proposed options (A and B) and associated costs are outlined in Tables 1 and 2 below:

Year	Items	Cost (as at FY18/19)	Total Cost
1	In-kind support of marketing / administration resource and associated operational costs. <i>(Note: resource to be a secondment role, physically located in Council offices, yet report externally to the Board to maintain independence from Council so as to have ability to meet Charity requirements. The seconded staff member will not be backfilled)</i>	To be absorbed <i>(Level 6 - 0.5 Council officer for a 12 month period. This officer will not be backfilled during this time)</i> \$47,377	\$47,377
2	Executive Officer [.8FTE – L6] Part-time Administration Officer [.5FTE – L3] plus in-kind support (desk, phone, access to printer and Council meeting rooms)	\$80,175 \$38,197	\$118,372
3	Executive Officer [.8FTE – L6] Part-time Administration Officer [.5FTE – L3] plus in-kind support (desk, phone, access to printer and Council meeting rooms)	\$84,799 \$40,056	\$124,855
			\$290,604

Table 1. Resourcing - Option A

Year	Items	Cost (as at FY18/19)	Total Cost
1	Executive Officer [.8FTE – L6] plus in-kind support (desk, phone, access to printer and Council meeting rooms)	\$75,802	\$75,802
2	Executive Officer [.8FTE – L6] Part-time Administration Officer [.5FTE – L3] plus in-kind support (desk, phone, access to printer and Council meeting rooms)	\$80,175 \$38,197	\$118,372
3	Executive Officer [.8FTE – L6] Part-time Administration Officer [.5FTE – L3] plus in-kind support (desk, phone, access to printer and Council meeting rooms)	\$84,799 \$40,056	\$124,855

	\$319,029
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Table 2. Resourcing - Option B

It is anticipated that project costs (Foundation events/campaigns/programs) and any operational costs outside those outlined will be funded via pro-active Foundation membership programs.

It is also anticipated that from Year 4 onwards the Foundation will be self-funded. This will be achieved by:

- Ensuring the Foundation Board is suitably qualified with demonstrated strategic and hands on experience in a suitable mix of skills including business development, investment, legal, accounting and relationship management
- The Board's development of a strategic engagement/business plan focussed on wealth-creation is prepared by the Foundation Board within its first 12 months to identify revenue sources including but not limited to:
 - The proactive attraction of well-connected "founder benefactors" to help build investment capital
 - A tiered supporters program, including a scaled program of benefits, to generate donations interest in giving by all levels ongoing income via membership fees and donations
 - The development of meaningful loyalty program, with well-defined benefits, to attract ongoing support and income via membership fees, bequests, donations
 - A program of fundraising activities to target new benefactors, members and donors
 - The identification of government and charitable funds for which a Foundation would be eligible to apply/access

CORPORATE PLAN

Corporate Plan Goal: *A strong community*

Outcome: 2.3 - A shared future that embraces culture, heritage and diversity

Operational Activity: 2.3.5 - Develop and implement the Sunshine Coast Arts Plan with a 20 year focus.

CONSULTATION

Portfolio Councillor

- Councillor R Baberowski - Portfolio Councillor Transport, the Arts and Heritage

Councillor Consultation

- Mayor M Jamieson
- Deputy Mayor T Dwyer
- Councillor J Connolly
- Councillor T Hungerford
- Councillor J McKay
- Councillor J O'Pray
- Councillor S Robinson
- Councillor G Rogerson

Internal Consultation

- Group Executive Economic & Community Development
- Executive Manager, Office of the CEO

- Chief of Staff, Office of the Mayor
- Chief Legal Officer
- Manager Business Development
- Manager Arts, Heritage and Libraries

External Consultation

- Richard Hundt, Senior Associate, McCullough Robertson
- Simona Sharry (former State Manager, Creative Partnerships Australia)
- Sunshine Coast Arts Advisory Board

Community Engagement

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

PROPOSAL

Australians love sport. Each year, 43% of us attend at least one sporting event, such as a football match.

However, twice as many Australians – 86% – visit a cultural event or facility annually. These Australian Bureau of Statistics figures indicate members of the community spend more time in museums, galleries, cinemas and other places of culture than they do cheering in grandstands.

In 2015-16, corporate philanthropy gave \$17.5 billion, while 14.9 million Australians gave \$12.5 billion, to charities and not-for-profit organisations including arts and cultural organisations (refer <https://www.creativepartnershipsaustralia.org.au/>).

Aligning this to Councils vision to be healthy, smart and creative, the Draft Sunshine Coast Arts Plan and the success of the region's first signature multi-arts festival Horizon seek to harness this momentum.

In 2016, coinciding with its decision to establish an Arts Advisory Board, Council recognised the need to develop a culture of philanthropy in the Arts on the Coast and agreed to establish a Sunshine Coast Arts Foundation that was independent of Council yet had some alignment to its Caloundra Regional Gallery.

In line with the 2016 Council decision and the Sunshine Coast Arts Advisory Board Charter, the Board – which includes members with extensive experience in managing and establishing foundations – has with advice and guidance from McCullough Robertson Lawyers (who specialise in legal issues including compliance and governance for government clients and not for profit entities) developed objectives, considering structures and models for a Sunshine Coast Arts Foundation.

This report outlines the Board's advice and recommendation to Council that the Foundations main objectives (see more detail in Table 3) are to:

- develop a regional culture of philanthropy by encouraging donations, gifts, bequests, endowments etc. for the public charitable purposes of promoting and advancing arts and culture (all art forms) across the Sunshine Coast and
- provide financial and in-kind support via a range of mechanisms to organisations, groups and individuals with the aim of achieving arts outcomes that benefit this region.

These objectives will enable the Foundation to proactively seek and then distribute financial and in-kind support to organisations and individuals, via a range of mechanisms, to achieve arts outcomes that benefit this Region.

OBJECTIVES	EXAMPLE ACTIONS
Core	Below provides <i>example only</i> actions that the Foundation Board may implement to achieve objectives
<ul style="list-style-type: none"> ▪ For the public charitable purposes of promoting and advancing arts and culture, provide financial and other in-kind support to the Caloundra Regional Gallery and art and culture generally across the Sunshine Coast ▪ To steward and service donor relationships including marketing and communication, programming of fundraising and PR events ▪ To accept donations, gifts, bequests, endowments, trusts and other forms of financial contribution ▪ To promote and advocate for a culture of giving and philanthropy in the region 	<ul style="list-style-type: none"> ▪ Via funding of (sponsorships/partnerships) guest artists, events, capital works, collection acquisition requests etc. ▪ Generally via mentorships, grants, scholarships etc. ▪ VIP Arts Events within Horizon, SCAP, major arts events etc with access to artists, ▪ Online donation channels, memberships and fundraising campaigns
Capital	
<ul style="list-style-type: none"> ▪ To provide financial support to the Caloundra Regional Gallery to acquire, maintain and preserve artworks or objects of cultural interest ▪ To fund special projects involving plant and equipment, land or buildings / facilities in furtherance of the Foundations purposes 	<ul style="list-style-type: none"> ▪ Funding campaign to fund new wing for an identified arts/cultural facility in the region ▪ Accept donated collections in private ownership for public access
Programming	
<ul style="list-style-type: none"> ▪ To run and / or fund exhibitions, educational programs, research projects, events, prizes and special programs 	<ul style="list-style-type: none"> ▪ Artist-in-residency at schools ▪ National / international touring exhibitions (sponsor/partner)
Marketing and PR	
<ul style="list-style-type: none"> ▪ To garner and maintain community support and interaction and to disseminate information including the production of publications / collateral 	<ul style="list-style-type: none"> ▪ Events and publications ▪ eNewsletter ▪ Facebook
Fundraising	
<ul style="list-style-type: none"> ▪ To attract and encourage donations, gifts, bequests, endowments, trusts and other forms of financial assistance 	<ul style="list-style-type: none"> ▪ Online donation channels, memberships, fundraising campaigns and ongoing fundraising programs
Capacity Building	
<ul style="list-style-type: none"> ▪ To support professional development ▪ To consider the provision of grants, scholarships, fellowships ▪ To support visiting national / international experts, artists, teachers ▪ To support individual artist bursaries and arts projects / residencies ▪ To provide art education, mentorship and support 	<ul style="list-style-type: none"> ▪ Programs to teach/mentor business skills - audience development, product commercialisation, marketing, grant writing ▪ Via specific prioritised projects that align with core objectives ▪ Youth art camps, school excursions subsidies ▪ Acquisition of works by local artists of significance for public access (exhibition, performance, display etc) ▪ Programs (camps/conferences/workshops) to develop arts practice

Table 3. Foundation Objectives

This report outlines a model for a Foundation that would support these objectives, while ensuring the Foundations independence from Council as directed, and also as required to avoid the practical legal and regulatory issues that could be triggered if Council controlled a charitable foundation.

It is to be noted that the Foundations role is not to set strategy or direction for the arts in the region or involve itself in arts related operational matters which are the responsibility of Council. Nor does it take on the role of the Sunshine Coast Arts Advisory Board, which will remain Councils expert advisor in relation to arts strategy aimed at developing agreed arts and cultural outcomes for the region.

After taking legal advice, including consideration of four options to achieve similar arts outcomes (Attachment 2), and in light of the Foundations objects and proposed activities, the Sunshine Coast Arts Advisory Board has recommended that the Foundation be developed with Council as the Founding Member with special reserve powers.

Legal Structure

After taking advice, and in light of the Foundations objects and proposed activities, the Sunshine Coast Arts Advisory Board has recommended the following:

- Council endorse a group structure, including a company and two trusts, for the Sunshine Coast Arts Foundation. Council will establish the company, which will then establish and act as a corporate trustee of the two trusts – a public ancillary fund and a charitable trust fund. Both trusts would be established by way of deed of trust.

The primary operating entity is proposed to be a not-for-profit company limited by guarantee incorporated under the *Corporations Act 2001 (Commonwealth)*. The public ancillary fund will allow the Foundation to raise funds to be distributed to a DGR item 1 fund or entity. Tax deductible funds donated to the Foundation can only be distributed via a public ancillary fund.

The charitable trust fund will allow the Foundation to provide grant funding or other distributions to individuals (or even arts organisations incorporated as private companies)

- Council be established as the ‘Founding Member’ of the company with the directors (up to seven) also admitted as members
- The company be named the Sunshine Coast *Arts* Foundation Limited, to clearly align the Foundations objective of promoting and advancing *all* art forms as defined in the Sunshine Coast Arts Plan (in draft).

It is to be noted that the Foundations alignment to the Caloundra Regional Gallery will not inhibit it from supporting *all* art forms as per the Sunshine Coast Arts Advisory Board recommendation.

It does establish a profile or anchor for the Foundation, noting that the Gallery has strong relationships with the region’s network of arts venues, providers and practitioners – encouraging philanthropy and membership from supporters of all art forms.

Local Government Act 2009

The Company will be established as a *beneficial enterprise* under the *Local Government Act 2009* (Chapter 3 *The business of local governments*, Part 2 *Beneficial enterprises and business activities*, Section 39(3)), which states:

*“A **beneficial enterprise** is an enterprise that a local government considers is directed to benefitting, and can reasonably be expected to benefit, the whole or part of its local government area.”*

The development of an arts foundation for the region will enable investment, over time, in the following:

- The development of a culture of philanthropy on the Sunshine Coast
- Capacity development and education initiatives for the arts sector
- Capital projects that further the Foundations objectives
- Art work acquisition program and
- Grants and funding to individuals and organisations.

Once established, the Foundation will play a strong role in helping to develop a philanthropic response to the development of the arts and the arts sector across the Sunshine Coast.

Sunshine Coast Arts Foundation Limited framework

Diagram 1 provides the recommended framework for the Foundation because it:

- supports the public and donor optics of maintaining a sufficient degree of independence from Council – as per Councils OM 16/6 resolution (d) which states that the Foundation needs to be “independent”
- avoids the practical legal and regulatory issues that could be triggered if Council controlled the Foundation and
- allows for a level of consistency around the Constitution and objectives.

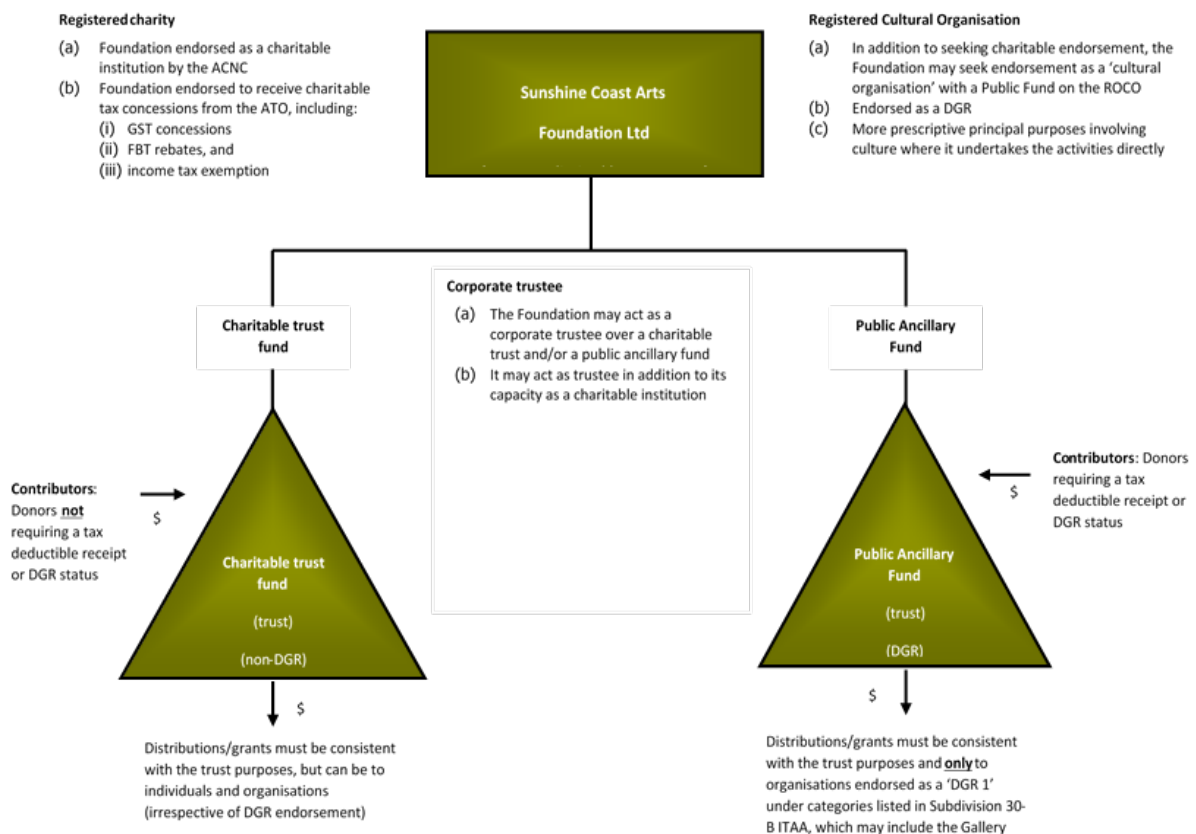


Diagram 1. Recommended Structure

Company endorsed as a 'cultural organisation' (DGR)

The primary operating entity is proposed to be a not-for-profit company limited by guarantee incorporated under the *Corporations Act 2001 (Commonwealth)*. The Constitution establishes that the liability of all members will be limited to the amount of the guarantee, which would be established as \$10.

It is also proposed that Council be established as the 'Founding Member' of the company with the directors also admitted as members. The company will act as a corporate trustee of two trusts: a public ancillary fund and a charitable trust fund.

Since the Foundation is seeking to undertake activities itself (in addition to funding others via grants etc.), these would be delivered through the company structure. If the Foundation wishes to be endorsed as a DGR, then it will need to apply to be registered as a 'cultural organisation' on the Commonwealth's Register of Cultural Organisations.

Unlike charitable trust funds, 'cultural organisations' are not intended to be conduits for funding other organisations or individuals. Instead, cultural organisations are designed to undertake actual activities (for example providing art education, mentorship and support, garnering and maintaining community support, running educational programs, research projects, events and special programs).

Specifically, funds received by the company in its capacity as a 'cultural organisation' may not be distributed to the Caloundra Regional Gallery: hence the establishment of the public ancillary fund.

Public ancillary fund (DGR)

In contrast, to the extent that the Foundation wishes to raise funds to be distributed to the Caloundra Regional Gallery (or another DGR item 1 fund or entity), the Foundation will need to include a public ancillary fund within its structure.

The public ancillary fund would be established by way of deed of trust and the company would operate as a corporate trustee. The directors of the company (in its capacity as corporate trustee) would exercise governance and control over the distributions.

Tax deductible funds donated to the Foundation can only be distributed via the public ancillary fund. It is anticipated that a portion of these donated funds will be invested and the interest used for operational costs and project disbursement.

Charitable trust (non-DGR)

If the Foundation is seeking to provide grant funding or other distributions to individuals (or even arts organisations incorporated as private companies), it will need to include a charitable trust fund structure. The funding through the charitable trust could support artists, bursaries and arts projects. Unlike the public ancillary fund and 'cultural organisation' (i.e. company), donations to the charitable trust would not be able to issue income tax deductible receipts for donations.

The charitable trust fund would be established by way of deed of trust.

Councils role

Councils role in the governance of the framework consists of the following:

- Council will draft the Foundations constitution
- Council will hold 'reserve powers' for certain key decisions. For example, Council must approve any special resolution to amend the company constitution or wind up the Foundation
- Council would have the right to appoint up to two directors (one as Chair) at incorporation. The recruitment of subsequent directors will be at the Foundation Board's discretion
- Council can attend general meetings through its appointed member representative
- Council has rights as a member under the *Corporations Act 2001 (Commonwealth)*
- Council would maintain a stakeholder interest as the 'founding member'.

The section on Governance below provides further detail.

Governance

Since the not-for-profit company will be established to operate in its own right, as well as in a trustee capacity, Council should consider the extent to which it will be involved in the underpinning governance of the organisation.

There may be some practical legal and regulatory implications if Council is found to 'control' the Foundation, including in the context of the Foundations charitable endorsement, financial reporting, and whether or not the Foundation will be subject to the scope of the Auditor General's powers.

It is proposed that Council would maintain a stakeholder interest as the 'founding member' and hold limited 'reserve powers' for certain key decisions. For example, Council must approve any special resolution to amend the company constitution or wind up the Foundation.

Council would not be entirely independent of the company from a governance perspective. It would instead hold a passive membership interest and would have the right to appoint (for example) directors, attend general meetings (through its corporate member representative, which could be anyone Council appoints) and have rights as a member under the *Corporations Act 2001 (Commonwealth)*.

Subject to the reserve powers in the Constitution and broader contractual arrangements, Council would be unlikely to be characterised as controlling the Foundation on this basis – providing a manageable level of independence.

It is proposed that Council would endorse and nominate up to two directors (one as Chair), at incorporation, who would also be members of the company. This would ensure that the organisation remains sufficiently independent from Council – and prevents the Foundation from being considered a controlled entity or public sector entity for accounting and audit purposes.

It should also be noted that any new board should be a skills-based board and reflect the necessary 'responsible person' criteria that may be required.

Additionally, Councillors will have no formal role with the Foundation (unless delegated as a corporate member representative) however it is anticipated that they will support the Foundation through attendance at fundraising events, and directing to the Foundation those seeking arts-related funding or wishing to donate to the arts.

The Sunshine Coast Arts Foundation Constitution outlines the objects and governance.

Board Recruitment

It is recommended that the recruitment process for the Foundation Board is managed by the CEO, or delegate, in consultation with the Portfolio Councillor Transport, the Art and Heritage.

There are three main areas of resourcing required to establish the Foundation: board recruitment, legal fees and operational costs (including staffing). This report requests funding to establish the foundation and fund the initial three-year establishment phase after which time (Year 4 onwards) it is anticipated that the Foundation will be self-funding.

It is anticipated that project costs (Foundation events/campaigns/programs) in the three-year establishment phase will be funded via pro-active Foundation membership programs.

Legal

Councils Legal Services Branch has both provided legal advice and reviewed the legal advice and documentation provided by McCullough Robertson Lawyers to inform this report and its recommendations.

Policy

There are no policy implications in relation to this report.

Risk

There is a risk that, at the end of the three-year establishment phase, the Foundation may not be in an economically viable position to maintain operations.

However this will be mitigated by:

- Ensuring the Foundation Board is suitably qualified with demonstrated strategic and hands on experience in a suitable mix of skills including business development, investment, legal, accounting and relationship management
- The development of a strategic engagement/business plan focussed on wealth-creation is prepared by the Foundation Board within its first 12 months to identify revenue sources
- The achievement of milestones imbedded in the three-year Council Sponsorship agreement is monitored by Council.

There may be a perceived risk that the Foundation Board could oppose Council in their strategic vision for the arts on the Sunshine Coast. The mechanisms that can mitigate this risk are as follows:

- Council will establish the Foundations Constitution
- Council will hold 'reserve powers' for certain key decisions. For example, Council must approve any special resolution to amend the company constitution or wind up the Foundation
- Council would have the right to appoint up to two directors at incorporation
- Council can attend general meetings (through its appointed corporate member representative)
- Council has rights as a member under the *Corporations Act 2001 (Commonwealth)*
- Council would maintain a stakeholder interest as the 'founding member'.

Previous Council Resolution**Ordinary Meeting 28 January 2016 (OM16/6)**

That Council:

- (a) receive and note the report titled "Sunshine Coast Arts Advisory Board"*
- (b) approve the establishment of a Sunshine Coast Arts Advisory Board as an advisory committee of Council under section 264 of the Local Government Regulation 2012*
- (c) endorse the Sunshine Coast Arts Advisory Board Charter (Appendix A) for the Sunshine Coast Arts Advisory Board and authorise the Chief Executive Officer to amend the Charter for operational purposes as necessary*
- (d) require the Sunshine Coast Arts Advisory Board to establish an independent Sunshine Coast Art Foundation that is closely aligned to the Caloundra Regional Gallery*
- (e) endorse sitting fees payable to the Chair and members of the Sunshine Coast Arts Advisory Board and refer the required amount to the 2016/17 budget process for this purpose*
- (f) refer an amount of \$50,000 to the 2016/17 budget process for the purposes of recruiting and providing secretarial support to the Sunshine Coast Arts Advisory Board and establishing the Sunshine Coast Art Foundation*
- (g) note that a further report will be provided to Council by July 2016 to seek formal endorsement of the membership of the Sunshine Coast Arts Advisory Board and*
- (h) amend the Sunshine Coast Arts Advisory Board Charter (Appendix A) at 4.1 membership to include (viii) two industry representatives from the community with professional experience in the arts sector.*

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

There are no critical dates relevant to this report.

Implementation

The legal processes required to establish the Sunshine Coast Arts Foundation Ltd will be implemented on Councils endorsement of the recommendations and the allocation of budget.

At the appropriate time in this process, recruitment and appointment of the first two members of the Sunshine Coast Arts Foundation Board (one as Chair) will be undertaken.

A three year sponsorship agreement and the execution and delivery of a funding agreement for operational support of the Sunshine Coast Arts Foundation in the three-year establishment phase (2018/19-2020/21), will be delivered.

Councillors should note that the implementation process for the Sunshine Coast Arts Foundation Limited as outlined in this report will not occur until the required funding has been allocated.

8.2.3 COMMUNITY PARTNERSHIP FUNDING PROGRAM RECOMMENDATIONS 2018

File No:	Council meetings	
Author:	Team Leader Community Connections Economic & Community Development Group	
Appendices:	App A - Community Partnership Funding Program Recommendations 2018	179
Attachments:	Att 1 - Internal Consultation	187
	Att 2 - Community Partnership Funding Program Recommendations 2018 -	Confidential 5/40

PURPOSE

This report seeks Council consideration and endorsement of the funding recommendations for the Community Partnership Funding Program 2018 (Appendix A).

EXECUTIVE SUMMARY

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

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

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

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

One Community Partnership Funding Program round is offered per financial year. All previous Community Partnerships Funding Program agreements ceased at 30 June 2018.

The Community Partnership Funding Program 2018 round included a four week Expression of Interest (EOI) period commencing 16 April to identify potential partners and invite eligible organisations to submit a full application. Applications closed on 4 June 2018. Throughout the EOI and application period, grants officers and category partners provided advice and assistance to community organisations seeking funding.

At the close of the application period, Council had received a total of 113 Community Partnership Funding Program applications requesting \$1,007,432 in funding.

Funding totalling \$872,481 for 113 community organisations is recommended for Council's consideration and endorsement (Appendix A).

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Community Partnership Funding Program Recommendations 2018” and
- (b) endorse the Community Partnership Funding Program Recommendations 2018 (Appendix A).

FINANCE AND RESOURCING

There is one Community Partnership Funding round per financial year and funding is allocated (subject to annual budget considerations) for one, two or three year periods.

As all previous Community Partnership Funding Program agreements ceased at 30 June 2018, there are no existing commitments through this program that will impact on the 2018 round.

The program is supported by two budgets. The Community Partnership Funding Program budget for 2018/19 provides a total of \$780,000 in funding for community organisations. The 2018/19 Heritage Levy Program budget provides an additional \$92,500 for the Program’s Cultural Heritage community partnerships category.

This report recommends that all 113 applicants be funded for a total of \$872,481 in the 2018/19 financial year. Details of funding recommendations are provided in Appendix A.

The 2018/2019 Community Partnership Funding Program budget is sufficient to provide for the new partnerships recommended in this report.

Table 1. Budget implications

FUNDING RECOMMENDATIONS	2018/2019	2019/2020	2020/2021
Community Partnership Funding Program budget			
1st year	\$779,981		
2nd year		\$745,481	
3rd year			\$738,981
Heritage Levy budget			
1st year	\$92,500		
2nd year		\$92,500	
3rd year			\$92,500
TOTAL EXPENDITURE	\$872,481	\$837,981	\$831,481

Council’s contribution of \$872,481 is 6.6% of the estimated \$13,150,000* annual total operational costs self-reported by organisations recommended for funding in this report.

*EXCLUDING LIFEFLIGHT FOUNDATION LTD. LOCAL OPERATING COSTS FOR THIS STATE WIDE ORGANISATION WERE NOT PROVIDED.

CORPORATE PLAN

Corporate Plan Goal:	<i>A strong community</i>
Outcome:	2.2 - Resilient and engaged communities
Operational Activity:	2.2.4 – Continue to ensure the manner in which Council distributes grant monies to community and not-for-profit organisations supports Council's social vision for the region

CONSULTATION

Portfolio Councillor Consultation

- Councillor J McKay - Portfolio Councillor for Community and Environment
- Councillor J O'Pray - Portfolio Councillor for Tourism, Events and Sport

Internal Consultation

Council officers with expertise relevant to the specific expressions of interest and applications were consulted in partnership development and assessment as detailed in Attachment 1.

External Consultation

Throughout the EOI and application period, grants officers and category partners provided advice and assistance to community groups interested in applying for funding through the 2018 Community Partnership Funding Program.

Community Engagement

The Community Partnership Funding Program 2018 round included a four week Expression of Interest (EOI) period commencing 16 April to identify potential partners and invite eligible organisations to submit a full application. Applications closed on 4 June 2018. Throughout the EOI and application period, grants officers and category partners provided advice and assistance to community organisations seeking funding.

PROPOSAL

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

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

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

The framework and criteria for the program were developed to ensure an equitable, accountable and transparent process for the creation of funding partnerships between Council and community organisations. This enables distribution and acquittal of financial assistance to community groups, in accordance with government guidelines and standards.

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

The Community Partnership Funding Program includes the following five categories:

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

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

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

Where part funding is allocated, the panel gives consideration to the scope and scale of the facility or outputs of the group.

There is one Community Partnership Funding Program round per year. All previous Community Partnerships Funding Program agreements ceased at 30 June 2018.

The Community Partnership Funding Program 2018 round included an initial Expression of Interest (EOI) process to identify potential partners and invite eligible organisations to submit a full application. The EOI process was designed to save organisations with limited alignment to the program priorities, from the time consuming process of completing a full application. It also provides an opportunity for applicants to receive advice and support in the development of their partnership proposals.

Promotion

A range of tools were used to ensure information about this funding program reached potential new partner organisations as well as previous partner organisations whose agreements were due to end at 30 June 2018. These included:

- Council's website, Spotlight & Media Release
- Grants eNewsletter sent to all registered community organisations
- Direct email or phone contact to organisations that were existing partners in the program
- Direct email or phone contact with organisations identified by category representatives as potential new partners.

Support

Throughout the EOI and application period, grants officers and category representatives responded to an extensive number of telephone enquiries and emails and actioned requests, providing assistance with:

- eligibility requirements
- alignment to program and category criteria and corporate priorities
- proposal development and negotiation of deliverables and measures
- completion and submission of online application forms.

In addition, grants officers working with potential applicants sought to manage expectations regarding potential funding amounts available through the program in line with the endorsed program budget.

The high level of support during the EOI period enabled prospective applicants to make an informed decision about whether to invest time and effort in preparing an application for submission and when doing so, ensuring the correct category was selected.

Applications

Council received 121 EOI's with 113 community organisations proceeding to submit full Community Partnership Funding Program applications requesting a total of \$1,007,432 in funding.

Of the 121 EOI's submitted, there were eight (8) organisations that did not proceed to a full application following consultation with grants officers and internal category representatives. These groups were referred to the community grants program for funding for specific one-off projects and/or have been encouraged to work with Council officers on any future partnership application.

Assessment process

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

- Stage 1: Pre-assessment by Council grants officers to determine applicant and proposal eligibility.
- Stage 2: Assessment of applications, for each category, by panels made up of Council officer category experts and grants staff.
- Stage 3: Strategic assessment panel comprised of Branch Managers or their delegates.

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

The Stage 2 assessment process resulted in a list of applications aligned to the assessment criteria and included a recommended funding amount and score for each application.

Stage 2 Category Panel outcomes were reviewed by the Stage 3 Strategic Panel against Council's strategic priorities and determined final program recommendations.

In assessing the applications and the amount of funding for each of the organisations recommended for partnership, the panel referenced the guidelines (which include program and category specific criteria) and also considered:

- the extent of the organisation's reach into the community
- its alignment with Council's adopted strategies
- comparable services / facilities to ensure consistency for any funding recommendations
- other revenue sources available to the organisation
- amount requested in relation to the organisation's overall operational costs.

When considering applications from sports organisations in relation to their facility, the panels are also guided by the matrix developed by Council's Sport and Recreation Officers, which gives consideration to the type of sport played and number of playing areas.

Panel comments, wording for notification letters to applicants and conditions of funding were recorded at the assessment panel meetings to ensure transparency.

Assessment outcome

It is recommended that all 113 applications received be funded to a total amount of \$872,481 for the 2018/19 financial year. Of the 113 organisations recommended for funding 103 groups have received partnership funding in 2017/18 while 10 groups are new to the program or returning after a break of three or more years.

Details of the recommended outcomes are included in Appendix A. Additional information relating to the assessment of applications is provided in confidence under Section 275 (h) of the Local Government Act 2009 in confidential Attachment 2. The recommendations are summarised in Table 2.

Table 2. 2018 Community Partnership Funding Round Summary

Category	Applications received	Funding requested	Proposals recommended	Funding recommended (GST exc.)	% Applicants recommended
Community Development	10	161,369	10	139,000	100%
Community Facilities	70	501,957	70	425,981	100%
Community Safety	5	116,000	5	107,000	100%
Cultural Heritage	14	98,116	14	92,500	100%
Economic Development	14	129,990	14	108,000	100%
Total	113	\$1,007,432	113	872,481	

The value of the EOI process and the support provided by Council staff to applicants is reflected in the 100% success rate of applications in this program. The EOI process saves organisations, with limited alignment to the program, from time consuming application submissions and are referred to the grants program and/or to Council officers for further support.

Program outcomes

The Community Partnership Funding Program supports the Sunshine Coast Social Strategy which provides the overarching social direction for seeking to advance the Corporate Plan 2017-2021 goal of developing 'a strong community'. The program also supports other corporate strategies and priorities including, and not limited to, the Regional Economic Development Strategy, Reconciliation Action Plan, Multicultural Action Plan, Youth Action Plan and the Sustainability and Liveability Strategy.

Based on self-reported statistics collected through the application process, funding of \$872,481 provided to the 113 community organisations recommended for funding in this report will support approximately:

- 36,068 registered members
- 9,938 volunteers
- 13,438 hours of operation per week
- 560,872 beneficiaries accessing the various services and/or facilities.

Legal

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

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

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

Policy

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

Risk

There is minimal financial risk associated with the Program in supporting identified eligible organisations, due to the ongoing working relationships between organisations and Council officers. This relationship is supported by individually tailored funding agreements and the requirement for progress reports and annual funding acquittal reports.

Previous Council Resolution

Ordinary Meeting 17 August 2017 (OM17/149)

That Council

- (a) *receive and note report titled “**Community Partnership Funding Program Recommendations 2017**” and*
- (b) *endorse the 2017/2018 Community Partnership Funding Program Recommendations (Appendix A).*

Ordinary Meeting 29 January 2015 (OM15/5)

That Council:

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

Ordinary Meeting 20 June 2013 (OM13/109)

That Council:

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

Related Documentation

Relevant policy and strategy documents include:

- *Local Government Regulation 2012*
- *Local Government Act 2009*
- *Statutory Bodies Financial Arrangements Act 1982*
- Corporate Plan 2017-2021
- Sunshine Coast Social Strategy 2015
- Community Grants Policy
- Community Partnership Funding Program Guidelines
- Heritage Levy Policy
- Regional Economic Development Strategy 2013-2033
- Sunshine Coast Sustainability and Liveability Strategy
- Sunshine Coast Reconciliation Action Plan 2017 - 2019
- Sunshine Coast Multicultural Action Plan 2017-2020
- Sunshine Coast Youth Action Plan 2018-2021
- Sunshine Coast Sport and Active Recreation Plan 2011-2026

Critical Dates

The due date for acquittal of 2018/19 Community Partnership Funding Program allocations is 31 August 2019.

Implementation

Upon Council endorsement of this report, all applicants will be notified by mail of the outcomes. A Conditions of Agreement document will be sent to successful applicants and will include reporting and acquittal requirements and any conditions of funding to be met prior to partnership funding being awarded and/or during the partnership term.

Partnership funding will be distributed as soon as the Conditions of Agreement documents are finalised, signed and returned to Council along with an invoice from the recipient.

A list of successful Community Partnership Funding partner organisations will be posted on Council's website and a range of promotional opportunities will be arranged.

8.3 CUSTOMER ENGAGEMENT AND PLANNING SERVICES**8.3.1 MASTER PLAN NO.104 (SITE DEVELOPMENT PLAN - DETAILED PLANNING AREA 2 - PRECINCT 8) 2018**

File No:	MPC18/0004
Author:	Senior Development Planner Customer Engagement & Planning Services Group
Appendices:	App A - Amended Detailed Planning Area Plan - Approval Conditions 201 App B - Site Development Plan - Approval Conditions..... 203
Attachments:	Att 1 - Detailed Assessment Report 219 Att 2 - 3D Renders of Development 245 Att 3 - Architectural Plans 249 Att 4 - Proposed Amended Detailed Planning Area Plan.....5/198 Att 5 - Proposed Site Development Plan 143/198

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/default.aspx?page=wrapper&key=2048935>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Stockland Kawana Waters Pty Ltd
Proposal	<ul style="list-style-type: none"> Approval of amended Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 Approval of Master Plan No. 104 (Site Development Plan – Detailed Planning Area 2 – Precinct 8) – 63 Multiple Dwellings and 500m² of ground floor retail/food outlet
Received Date:	09/04/2018
Request for Further Particulars Date:	30/04/2018
Duly Made Date:	18/06/2018
Decision Due Date	28/07/2018 (40 calendar days, DCP-1)
Number of Submissions	Nil
PROPERTY DETAILS	
Division:	3
Property Address:	Wurley Dr BOKARINA QLD 4575
RP Description:	Lot 21 CP 891254
Land Area:	3,977m ²
Existing Use of Land:	Vacant
STATUTORY DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme 2014
SEQRP Designation:	Urban Footprint

Strategic Framework Land Use Category:	Urban
Planning Area / Locality:	Kawana Waters
Planning Precinct / Zone:	Land Subject to Development Control Plan 1
Assessment Type:	Site Development Plan.

PURPOSE

The purpose of this report is to seek:

- Council's determination of the application for approval of Master Plan No. 104 (Site Development Plan – Detailed Planning Area 2 – Precinct 8) 2018. The Site Development Plan (SDP) is intended to facilitate the development of an 8 storey mixed use development comprising 63 dwelling units and 500m² of retail/food outlet
- Council's recommendation to the Minister for Natural Resources, Mines and Energy the application for associated minor amendments to Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 be approved
- a delegation to the Chief Executive Officer to decide all remaining Site Development Plan master plans within the Bokarina Beach Detailed Planning Area (including any minor or administrative amendments to Master Plan No. 104).

The Department of Natural Resources, Mines and Energy is the approving authority for amendments to the Detailed Planning Area Plan (DPAP). Council is the approving authority for the proposed Site Development Plan (SDP).

EXECUTIVE SUMMARY

An application has been received from Stockland for a Site Development Plan (SDP) for Precinct 8 of the Bokarina Beach Detailed Planning Area (DPA) as well as associated amendments to the Detailed Planning Area Plan (DPAP) for Bokarina Beach. The precinct is a landmark site within Bokarina Beach at the corner of Bokarina Boulevard and Longboard Parade.

The SDP is intended to facilitate the development of an 8 storey mixed use development comprising 63 dwelling units and 500m² of shops and food outlets. The amendments to the DPAP are proposed to ensure the SDP is consistent with the DPAP and to strengthen the design criteria applying to future development sites in the DPA.

The land is identified as Precinct 8 of Detailed Planning Area 2. The SDP comprises the site specific development approval, similar to a Material Change of Use development approval.

Council officers have assessed the proposed SDP and DPAP amendments against all applicable statutory controls. The proposal generally complies with all applicable requirements. The key issues for consideration relate to the proposed built form, the impact of the development on turtles and energy efficiency. These issues can be satisfactorily managed with the imposition of conditions.

It is recommended that the proposed SDP and amended DPAP be approved subject to reasonable and relevant conditions.

Precincts 1-4 already have an approved SDP and this report seeks approval of an SDP for Precinct 8. This report also seeks a delegation to the CEO to approve SDPs for the remaining 11 precincts in Bokarina Beach. This is recommended in order to streamline the process of SDP master plan approvals which would otherwise require reports to Council for each individual precinct for determination.

OFFICER RECOMMENDATION

That Council:

- (a) recommend to the Minister for Natural Resources, Mines and Energy that the amended Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 be approved, subject to conditions contained in Appendix A
- (b) upon approval of the amended Master Plan No. 44 by the Minister for Natural Resources, Mines and Energy, approve Master Plan No.104 (Site Development Plan - Detailed planning Area 2 - Precinct 8) 2018, subject to conditions contained in Appendix B
- (c) with respect to (b) above, delegate authority to the Chief Executive Officer to approve any minor or administrative amendments resulting from the implementation of Master Plan No. 104 (Site Development Plan – Detailed Planning Area 2 – Precinct 8) 2018
- (d) delegate authority to the Chief Executive Officer to decide future Site Development Plan Master Plans for Precincts 5-7 and 9-16 of Detailed Planning Area 2 – Bokarina Beach and
- (e) request the Chief Executive to establish a design review panel of interested Councillors to oversight the design principles and built form on matters arising in recommendation (d).

FINANCE AND RESOURCING

There are no Council related Financial Contributions triggered with this Site Development Plan application.

CORPORATE PLAN

Corporate Plan Goal: *A smart economy*

Outcome: 1.1 - Strong economic leadership, collaboration and identity

Operational Activity: 1.1.5 - Support the implementation of integrated planning and the delivery of infrastructure and services identified for key development areas at Kawana, Palmview, and Caloundra South.

CONSULTATION

Councillor Consultation

Officers have discussed the proposed development with the Divisional Councillor on a number of occasions. Consultation occurred at the pre-lodgment advice phase, prior to Council issuing a request for further particulars and once the application was in the decision phase. A briefing on the application was also provided at the July 2018 Councillor Planning Portfolio update to the Councilors for Divisions 4 and 6.

Internal Consultation

The application was forwarded to the following internal Council specialists:

- Principal Engineer, Urban Growth Projects Branch
- Landscape Officer, Development Services Branch
- Environment Officer, Development Services Branch
- Principal Architect, Strategic Planning Branch
- Conservation Officer, Environmental Operations Branch (turtle specialist).

Their assessment forms part of this report.

External Consultation

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

Unitywater was consulted as part of the assessment of the proposed SDP. They have provided conditions which are recommended for inclusion on Council's Notice of Determination.

Community Engagement

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

In response to a request made by the Master Developer, all master plan applications are now publicly available via Council's PD-Online system.

PROPOSAL

Background

At the Ordinary Meeting on 25 February 2016 Council resolved to recommend to the Minister for Natural Resources and Mines that the DPAP for Bokarina Beach be approved subject to conditions. As part of the same resolution, Council gave a delegation to the CEO to approve the SDP for Precincts 1-4 of Bokarina Beach (the low-density residential precincts). The Minister approved the DPAP on 14 April 2016. The SDP for Precincts 1-4 was approved by Council (by delegated authority to the CEO) on 13 April 2017. At the time the DPAP was considered by Council, no delegation was provided to the CEO for deciding SDPs other than for Precincts 1-4.

This process is different to the process for development applications under the Planning Act 2016 where all decisions are delegated to the CEO except where:

- there is significant public interest
- the proposal has substantial conflicts with Council policy
- the value of the development exceeds \$100 million
- a Councillor has called the application in.

To streamline the process for consideration of SDP master plan applications for the remainder of Bokarina Beach, it is recommended that a similar approach be applied. As such, this report seeks a delegation to the CEO to decide SDP applications for the remaining precincts in Bokarina Beach, being Precincts 5-7 and 9-16. The report also seeks Council's approval of an SDP for Precinct 8.

Application Details

Site Information

The site comprises a 3,977m² land parcel located on the corner of Bokarina Boulevard and Longboard Parade, Bokarina. The precinct comprises a landmark site within Bokarina Beach and is located adjacent to the future beach access and opposite the future surf lifesaving club site and village park.

Proposed Site Development Plan

The proposed SDP (**Attachment 5**) is intended to facilitate the development of an 8 storey mixed use development comprising 63 dwelling units and 500m² of retail/food outlet uses at ground level.

The proposed development has a total building height of 28m. The podium of the building covers the majority of the site and the tower has a site cover of 33%.

The ground level of the building comprises the reception/lobby, resident bike/board storage, shops and food outlets (500m²) and car parking. The residential entry foyer is located on Longboard Parade, with the northern frontage activated by retail and food outlet tenancies. The tenancy on the north eastern corner is designed to accommodate a food and drink outlet.

A through-site pedestrian link is proposed between Bokarina Boulevard and Kombi Street along the western boundary of the site. The northernmost 15m of this link also includes an active frontage.

The residential units are located on levels 2 – 8 and comprise:

- 1 x 1 bedroom unit
- 41 x 2 bedroom units
- 21 x 3 bedroom units.

Vehicular access is proposed from a two way driveway crossover to Kombi Street, located at the end of an 8.5m access handle, which incorporates a 7.5m wide shared driveway / pedestrian path and a 1m wide landscaping strip.

The proposed units are provided with private open space areas in the form of balconies or terraces. Above podium level the balconies range in size from 18m² to 37m². On the podium level the private terraces range in size from 20m² to 208m².

The proposal also includes a podium level communal open space area to service residents of the development, comprising 1,312m² or 33% of the site area. The area includes a swimming pool, sun terrace, covered BBQ area (with a toilet), lawn areas and landscaping beds around the perimeter.

In addition to landscaping on the podium level, ground level landscaping is proposed to the non-active frontage portion to the eastern boundary (deep planting), along the side of the access handle to Kombi Street and in three small planting areas on the Bokarina Boulevard frontage.

A total of 107 on-site parking spaces are proposed, 49 of which are proposed within the basement and 58 at ground level. Of the 107, twenty-five (25) of the spaces are allocated to customers, 15 to visitors, and the remainder to residents. The applicant may provide an additional 22 spaces within an enlarged basement subject to resident demand.

Sixty-three (63) resident bicycle parking spaces are proposed located in storage areas adjacent to each unit's resident car parking space. Nineteen (19) customer/visitor bicycle parking spaces are also proposed.

3D renders of the proposed development are provided in **Attachment 2** and floor plans and elevations in **Attachment 3**.

Proposed Amendments to the Detailed Planning Area Plan

In conjunction with the proposed SDP, the applicant also seeks approval for a number of minor amendments to the DPAP (Master Plan No. 44) relating to the subject site (**Attachment 4**).

The proposed amendments reflect the design of the proposed development, and ensure it is consistent with the higher order master plan.

Amendments are proposed in relation to the extent of active frontage required to the eastern and western frontages of the site, the minimum awning width to the eastern frontage and the definition of "storey".

Amendments are also proposed to strengthen the design criteria applying to future development sites in the DPA. Conditions are recommended to further strengthen these requirements.

Assessment of Amendments to Detailed Planning Area Plan

In conjunction with the proposed SDP, the applicant proposes the following amendments to the DPAP:

- Insertion of a clause requiring development fronting Bokarina Boulevard to represent an exemplary standard of design suitable for the landmark location.
 - This amendment has been made at the request of Council officers and is designed to ensure development in the Mixed Use and Tourism precincts facing Bokarina Boulevard are of a high quality design commensurate with the landmark location.
- Reduction in the required length of Primary Active Frontage to Longboard Parade from 50m (the full length of the frontage) to 27m (being the northern half of the frontage).
 - This amendment is supported. It will ensure that the key corner of Bokarina Boulevard and Longboard Parade remains appropriately activated whilst also allowing for some deep planting on the site in the southern part of the eastern boundary setback, which would not have otherwise been possible. The proposed surfboard and bike storage concept in this part of the site will still provide activity and visual interest.
- Reduction in the required length of Laneway Active Frontage to the through-site pedestrian link on Precinct 8 from 30m to 15m.
 - The proposed amendment is supported. The proposed SDP includes 15m of active frontage to the laneway, but an additional 15m of the laneway would be utilised for outdoor dining or other community activities (thereby effectively activating 30m)
- Reduction in the minimum width of the awning to Longboard Parade from 4m to 3m
 - This is supported as the awning will still cover the full width of the pathway, whilst allowing adjacent landscaping beds access to rain and sunlight.
- Amendment to the administrative definition of “storey” to enable individual storeys to exceed 3m in height, especially at ground level to accommodate retail tenancies, provided the overall height of the building remains in accordance with the maximum prescribed maximum building height when converted to a height in meters (i.e. 3 meters per storey). The proposed amendment would also enable higher ceilings to be provided for part of the top storey of development on the four key Mixed Use and Tourism precincts facing Bokarina Boulevard, where parts of the roof are raised for the purpose of providing an articulated skyline silhouette (without altering the maximum overall building height permitted).
 - This amendment is supported as it would allow greater flexibility within the design of buildings in the DPA, whilst retaining the same overall building height limit in meters.
- The addition of Temporary House and Land Sales Office as a defined (supported) use in the Mixed Use and Tourism and Residential B Land Use Areas and correction to the minimum lot size for Precinct 6.
 - These amendments are procedural in nature and are supported. They correct previous oversights within the document.

Assessment of Site Development Plan

Pursuant to the Sunshine Coast Planning Scheme 2014 the subject site is located in an area identified as “Land within Development Control Plan 1 – Kawana Waters” being also subject to the Kawana Waters Development Agreement.

The Sunshine Coast Planning Scheme 2014 identifies that Section 316 (Development control plans under repealed Act) of the *Planning Act 2016* provides that the repealed Act, the transitional planning scheme and any transitional planning scheme policies continue to apply to the extent necessary to administer Development Control Plan 1 – Kawana Waters (DCP-1).

The Sunshine Coast Planning Scheme 2014 therefore requires that all land included within the DCP-1 designation default to the provisions of DCP-1, as contained within the Caloundra City Planning Scheme 1996.

The DCP-1 outlines the master planning process and the Development Documents and higher order master plans against which master plan applications are to be assessed.

The proposed SDP has been assessed against the Development Documents and the applicable higher order master plans, in particular the DPAP for Bokarina Beach, Master Plan No. 44.

The proposed development complies with all of the key quantifiable requirements including yield, height, setback, site cover, open space and car parking requirements.

The SDP complies or can be conditioned to comply with all applicable requirements. The key issues arising from the assessment are discussed below.

Built Form

The built form of the development can be broken down into two main elements, the podium and the tower.

The design of the podium element is supported. A high quality cantilevered awning is proposed to the active frontages of the site. The design of the awning will add visual interest at a pedestrian scale and will be complemented by landscaping.

Council officers, including Council's principal architect have worked closely with the applicant and their architect from the initial pre-lodgment meeting on 3 November 2017 through to today. As a result of these discussions, many improvements have been made to the articulation of the tower. Improvements that have been achieved include:

- The addition of colour and colour variation to the tower façade
- The inclusion of a timber look soffit to the top level balcony roof to emphasise the roof form of the building
- An increase in the extent of the vertical batten screens to each balcony and the addition of a wave appearance by introducing half height battens between the full height ones. The feature is further accentuated by colour differentiation.

Despite these improvements, Council's principal architect advises the design does not adequately break up the building bulk and mass. Modelling has identified that, when viewed from ground level at a distance greater than 100m, the current proposed roof articulation will be lost. The current design relies on a flat roof with setbacks for articulation. This is effective from the ground plain up close but from a greater distance the building does not adequately achieve an articulated vertical or horizontal form. Essentially the skyline silhouette of the current proposal is flat.

Additionally, the façade treatments are repetitions of the same details and colour scheme, with chosen colours similar in tone. This does not add to the visual interest of the building and does not adequately articulate the building for this significant corner location.

A condition is recommended requiring the plans be amended to provide higher roof forms and variation of form to the north eastern and north-western corners of the development (up to, but not exceeding 28m in height). This will ensure the roof is visibly articulated when viewed from a distance of more than 100m and assist in breaking-up the rectangular silhouette of the building.

It should be noted that the recommended condition would raise the height of the roof at the north-eastern and north-western corners of the building from 25.7m currently proposed up to 28m. The highest part of the roof, being the top of the screening of the plant and equipment in the centre of the roof, is already proposed at 28m. Therefore the condition would not result in an increase to the overall maximum height of the building. However, it would ensure the roof is more visibly articulated when viewed from a distance.

A condition is also recommended requiring greater form differentiation to the corners of the tower in order further articulate the corners of the building to create visual interest.

Turtles

The impact of the development of Bokarina Beach on the nesting of Loggerhead Turtles on the beach was extensively considered as part of the assessment and approval of the higher order DPAP, which was approved in April 2016.

Prior to approval of the DPAP Stockland undertook a referral under the *Environmental Protection and Biodiversity Conservation Act (1999)* (EPBC) for impacts on Matters of National Environmental Significance. Marine turtles including the loggerhead turtle are Matters of National Environmental Significance listed under the EPBC Act. While the development of Bokarina Beach does not impact on the sand dunes or beach, the impact of potential light spill on turtle nesting was assessed. On 14 July 2015 the Commonwealth advised Stockland the development was deemed not to be a controlled action.

Foreshore cross-section surveys undertaken during the assessment of the DPAP application determined that only a small portion of the top floor of the eight storey buildings on Precinct 8 and 9 would be visible from the beach in front of the development site. The large dunal system provides a considerable physical buffer between the foreshore and development sites, thereby reducing the level of impact of lighting on turtle nesting areas.

The DPAP contains specific development criteria and conditions in relation to minimising the potential impact upon turtle nesting that development must be comply with.

Council's Urban Lighting Master Plan also provides recommendations regarding lighting impacts upon turtle nesting sites that are applicable to private developments.

All of the applicable lighting requirements relating to turtles within the DPAP and Council's Urban Lighting Master Plan are operational in nature. As such, compliance cannot be determined based on the submitted architectural plans and the requirements must instead be conditioned.

Conditions are recommended regarding the positioning and operation of lighting, during construction and for the life of the development, that are designed to minimise any impacts on turtle breeding as much as possible.

Energy Efficiency

The proposed development does not adequately provide for the incorporation of sub-tropical design elements, energy efficiency measures or a suitable design response to local climatic conditions, as required by the DPAP. As such, Council's principal architect has recommended that the SDP contain a condition requiring plan amendments, to ensure the following measures are implemented:

- The provision of operable louvers on Type B & Type E bedrooms to reduce reliance on artificial cooling
- The provision of external screens and shading devices on Type C bedrooms to protect against wind and rain

Council's principal architect has also recommended conditions requiring that the development incorporate current best practice energy efficiency measures, to be achieved through submission of, and adherence to, an Energy Efficiency Plan.

Legal

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

Policy

There are no policy implications arising from this report.

Risk

Council is required to assess and make a decision in regards to the SDP in accordance with the contractual requirements of the Kawana Waters Development Agreement.

Related Documentation

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

Critical Dates

Council is required to make a determination within 40 days after the application is taken to be duly made pursuant to section 7.6.3 of DCP-1.

Implementation

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

Council's approval of the SDP will only take effect upon approval of the DPAP by DNRME.

As the applicant is not seeking the inclusion of operational works as "permitted" development works in the SDP, a subsequent Development Permit for Operational Works will be required for the works associated with the proposed development.

8.3.2 SYSTEMATIC INSPECTION PROGRAM - REGULATED DOGS 2018-19

File No:	Council meetings
Author:	Coordinator Response Services Customer Engagement & Planning Services Group
Attachments:	Att 1 - Mandatory Conditions for Regulated Dogs269

PURPOSE

The purpose of this report is to seek approval by Council resolution to conduct a systematic inspection program to monitor compliance with the mandatory conditions for regulated dogs within the boundaries of the Sunshine Coast region, in accordance with the *Animal Management (Cats and Dogs) Act 2008*.

EXECUTIVE SUMMARY

The *Animal Management (Cats and Dogs) Act 2008* (the Act) requires local governments to manage regulated dogs within their boundaries. Council undertakes investigations into animal attacks and declares dogs to be regulated dogs in accordance with the Act.

Once a dog is deemed a regulated dog, the animal owner must adhere to mandatory conditions as outlined in the Act (refer to Attachment 1). To guarantee the ongoing compliance of the mandatory conditions to keep a regulated dog, a check of the property should be conducted annually to address any breaches.

Annual inspections can only occur if Council approves by resolution, a systematic inspection program.

This program would provide authorised officers the power to enter private property in order to check for continued compliance by the dog owner with the mandatory conditions for keeping a regulated dog.

It is proposed that the annual systematic inspection program be undertaken by Council's Rapid Response Officers commencing on 22 October 2018 and concluding on 24 January 2019.

The cost to undertake this program is estimated to be approximately \$25,800 which will be funded via the registration fees collected from the regulated dog owners.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Systematic Inspection Program - Regulated Dogs 2018-19" and**
- (b) approve the following systematic inspection program for the Sunshine Coast Council area in accordance with the *Animal Management (Cats and Dogs) Act 2008, section 113 (Approval of an inspection program authorising entry):***
 - (i) compliance audit of the premises within the region where Council's Regulated Dog Register indicates a regulated dog is being kept to occur from 22 October 2018 to 24 January 2019.**

FINANCE AND RESOURCING

As at 11 July 2018, Council had up to 96 regulated dogs listed in its Regulated Dog Register.

Fees and Charges:

The registration fees for regulated dogs as of 1 October 2018 are as follows:

Fee description	Fee	No. dogs
Regulated Dangerous Dog	\$473	57
Regulated Menacing Dog (undesexed)	\$473	26
Regulated Menacing Dog (desexed)	\$361	13

The cost-recovery fees are calculated to cover the full costs associated with registering a regulated dog including:

Description of activity	Calculated cost
Administrative processing related to registering a regulated dog	\$133
Registration Tag	\$2
Regulated dog collar	\$40
Regulated dog sign	\$30
Systematic inspection program – regulated dogs	\$268*

* **Note:** Please see the below table for a breakdown of the costs associated with this activity.

Based on current numbers it is estimated Council will collect \$42,496 in registration fees from regulated dogs.

Estimated cost of the inspection program:

The cost of conducting this program is anticipated to be approximately \$25,800. This will be funded by the revenue generated through the collection of registration fees from the regulated dog owners. The balance of the cost-recovery fees (\$16,696) collected for registration cover the cost of managing the yearly registration process for regulated dogs, as outlined in the above table.

Description of activity	Estimated time	Estimated cost
Administration including - booking appointments, updating systems, generating letters or notices, issuing infringements (1 Officer)	45 min	\$44.48
Conducting initial inspection including travel time to locations (based on current registered locations of regulated dogs) (2 Officers)	180 min	\$194.91
Follow-up inspection, including travel (required where areas of non-compliance are identified)* (2 Officers)	180 min	\$194.91
Average cost per dog*	252 min	\$268.62

***Note:** a follow-up inspection or further investigation is required approximately 15% of the time, based on previous programs.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*

Outcome: 4.3 - Service quality assessed by performance and value to customers

Operational Activity: 4.3.1 - Administer and review council's local laws and relevant State legislation in a manner that supports council's economic, community and environmental goals for the region and is consistent with statutory obligations.

CONSULTATION

Portfolio Councillor Consultation

Councillor J McKay – Portfolio Councillor for Community and Environment

Internal Consultation

Consultation has been undertaken with the following key internal stakeholders:

- Group Executive Customer Engagement and Planning Services
- Manager Customer Response
- Management Accountant, Finance and Business.

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 this report.

PROPOSAL

The *Animal Management (Cats and Dogs) Act 2008* was introduced in 2009 making local governments responsible for the effective management of regulated dogs in the local government area.

Council accepted this responsibility by appointing authorised officers to investigate, monitor and enforce compliance with the *Animal Management (Cats and Dogs) Act 2008* (the Act). These officers investigate complaints that may lead to a dog being declared to be dangerous, restricted or menacing (i.e. a regulated dog).

There are three categories of regulated dogs as defined under the Act:

- declared dangerous dog
- declared menacing dog and
- restricted dog.

Once a dog is declared a regulated dog, the animal owner must adhere to mandatory conditions as outlined in the Act (refer to Attachment 1). To ensure compliance with these conditions, authorised officers' conduct an initial inspection at the property where the animal is normally kept and work with the animal owner to ensure all the conditions are met.

The systematic inspection program allows Council to proactively monitor adherence with these conditions on an ongoing basis. Without this program Council has no way of confirming if a regulated dog is being kept in accordance with the mandatory conditions, unless a complaint is received.

To conduct a systematic inspection program for regulated dogs Council must pass a resolution as outlined in the Act, *section 113 (Approval of inspection program authorising entry)*. The systematic inspection program provides authorised officers the power to enter

private property in order to check for continued compliance by the dog owner with the mandatory conditions for keeping a regulated dog.

Without a systematic inspection program Council has no way of confirming if a regulated dog is being kept in accordance with the conditions imposed under the Act unless a complaint is received.

It is proposed that the systematic inspection program will be undertaken by four authorised officers, commencing on 22 October 2018 and concluding on 24 January 2019. Officers will undertake inspections at all properties where:

- a regulated dog was last known to have been kept according to Council records and
- it is identified that a regulated dog is now being kept.

Council records show that there is 96 regulated dogs in the Sunshine Coast area which require an annual inspection. The cost to undertake this program is estimated to be approximately \$25,800 which is funded via the registration fees collected from the regulated dog owners. The balance of the cost-recovery fees (\$16,696) collected for registration cover the cost of managing the yearly registration process for regulated dogs, as outlined in the above table.

Legal

Council has an obligation to the community to ensure that dogs identified and declared as dangerous, menacing or restricted are being monitored for compliance with the *Animal Management (Cats and Dogs) Act 2008*. In particular the mandatory conditions set out for the keeping of regulated dogs (refer to Attachment 1 – Mandatory conditions for keeping regulated dogs).

The *Animal Management (Cats and Dogs) Act 2008, section 113 (Approval of an inspection program authorising entry)* provides the power for a local government to pass a resolution to approve a program under which an authorised person may enter a place to monitor compliance with the *Animal Management (Cats and Dogs) Act 2008*.

An approved inspection program must state the following:

- (a) the purpose of the program
- (b) when the program starts
- (c) a description of the places which will be entered as part of the program and
- (d) the period over which the program will be carried out (of not more than 6 months).

Council must provide notice of the systematic inspection program at least 14 days, but not more than 28 days before an approved inspection program starts. This notice must be published in a newspaper circulating the local government area and on the local government's website.

Due to the potential risk for regulated dogs not being kept in accordance with the mandatory conditions of the declaration, the *Animal Management (Cats and Dogs) Act 2008* provides considerable powers to authorised officers to require compliance. Where an animal owner has failed to comply with the mandatory conditions for keeping a regulated dog, Council may in accordance with the *Animal Management (Cats and Dogs) Act 2008* and *Compliance and Enforcement Policy 2009*:

- issue an on-the-spot fine under the Act (\$913)
- issue a compliance notice outlining the mandatory conditions which require attention
- where an officer deems the dog may be a risk to the community they may seize a regulated dog (*Animal Management (Cats and Dogs) Act 2008, section 125*)

- where an officer reasonably believes the dog is dangerous and the person cannot control it, they may seize the regulated dog and issue a destruction notice (*Animal Management (Cats and Dogs) Act 2008, section 127*)
- undertake further legal action such as prosecution through the Magistrate's Court. The maximum penalty for failure to comply with conditions for keeping a regulated dog is 75 penalty units (\$9,791).

Policy

Council's *Compliance and Enforcement Policy 2009* identifies how Council is to meet its statutory obligations, and exercise its compliance and enforcement actions. Officers will use the *Compliance and Enforcement Policy 2009* in conjunction with the *Animal Management (Cats and Dogs) Act 2008* in assessing the most appropriate enforcement action to address areas which require further action.

Risk

An approved systematic inspection program allows Council to proactively monitor and ensure animal owners are adhering to the conditions for keeping a regulated dog. These conditions are in place to reduce the risk posed by these animals. Alternatively Council must wait until a community member reports an incident where the owner of a regulated dog has failed to meet conditions, exposing the community to unnecessary risk.

Previous Council Resolution

Ordinary Meeting 18 August 2017 (OM16/139)

That Council:

- (a) *receive and note the report titled "**Systematic Inspection Program - Regulated Dogs 2017-18**" and*
- (b) *approve the following systematic inspection program for the Sunshine Coast Council area in accordance with the Animal Management (Cats and Dogs) Act 2008, section 113 (Approval of an inspection program authorising entry):*
 - (i) *compliance audit of the premises within the region where Council's Regulated Dog Register indicates a regulated dog is being kept to occur from 23 October 2017 to 25 January 2018.*

Related Documentation

- *Animal Management (Cats and Dogs) Act 2008*
- *Animal Management (Cats and Dogs) Regulation 2009*
- *Compliance and Enforcement Policy 2009*

Critical Dates

Council must provide notice of the systematic inspection program at least 14 days, but not more than 28 days before an approved inspection program starts. This notice must be published in a newspaper circulating the local government area and on the local government's website.

The systematic inspection program is proposed to commence 22 October 2018. Therefore 6 October 2018 is the last date that an advertisement can be placed in the local newspaper advising of Council's intent to undertake the systematic inspection program.

The program must not exceed dates outlined in the recommendation.

Implementation**15 September 2018 – 6 October 2018**

Upon Council endorsement, it is intended that an advertisement will be placed in the Sunshine Coast Daily between 15 September 2018 and 6 October 2018, in accordance with the Act.

22 October 2018 – 24 January 2019

Council's authorised officers will commence the approved systematic inspection program on 22 October 2018 and concluding no later than 24 January 2019. Properties will be identified from the Regulated Dog Register and will be inspected for compliance with the mandatory conditions for keeping a regulated dog. Inspections will be undertaken unannounced on weekdays in daylight hours in accordance with the Act.

Where a breach of the mandatory conditions is identified, officers will determine the appropriate action in accordance with the *Animal Management (Cats and Dogs) Act 2008* and *Compliance and Enforcement Policy 2009*. These actions may include:

- issue an on-the-spot fine (\$913)
- issue a compliance notice outlining the mandatory conditions which require attention
- where an officer deems the dog may be a risk to the community they may seize a regulated dog (*Animal Management (Cats and Dogs) Act 2008, section 125*)
- where an officer reasonably believes the dog is dangerous and the person cannot control it, they may seize the regulated dog and issue a destruction notice (*Animal Management (Cats and Dogs) Act 2008, section 127*)
- further legal action such as prosecution through the Magistrate's Court. The maximum penalty for failure to comply with conditions for keeping a regulated dog is 75 penalty units (\$9,791).

8.4 BUILT INFRASTRUCTURE

8.4.1 TRUNK INFRASTRUCTURE FUNDING PROPOSAL

File No: F2018/47363

Author: Manager Transport and Infrastructure Policy
Built Infrastructure Group

PURPOSE

This report seeks Council's approval on implementing an interim funding proposal to accelerate the delivery of trunk infrastructure projects.

EXECUTIVE SUMMARY

The Mooloolaba Transport Corridor Planning Report considered by Council at the 19 July 2018 Ordinary Meeting required a follow up report providing a funding solution to the transport infrastructure projects' sequencing and bring forward timeframe proposed in that report. This report addresses that requirement, also recognising a regional context in doing so.

The rate of growth on the Sunshine Coast together with the lag in delivering infrastructure are evident. While the State projects such as Caloundra Access and the Mooloolah River Interchange are examples of major transport projects required yesterday, Council's major road network upgrades are also lagging. The major growth areas of Maroochydore, Caloundra, Mooloolaba and Sippy Downs all have projects listed for delivery but the level of funding is a constraint in doing so. This is not unique to this Council.

It is proposed to accelerate investment in trunk transport infrastructure through advanced access to Local Government Infrastructure Plan Externally Restricted Cash reserves. These reserves have received a considerable boost over the last three or so years, enabling an enhanced, managed draw-down, without impacting the future budgets through calls on General Revenue.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Trunk Infrastructure Funding Proposal" 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:**
 - (i) for approved projects, draw down funding from the Externally Restricted Cash (Infrastructure Charges) Reserve (Reserve)**
 - (ii) 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**
 - (iii) 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**
 - (iv) maintain this approach until the 'debt' has been fully acquitted.**

FINANCE AND RESOURCING

The Mooloolaba Transport Corridor Planning Report was considered at Council's July 2018 Ordinary Meeting where project sequencing was considered, together with a reduced timeframe for the delivery of those projects. Should Council endorse the sequence and timeframes, then a report would follow to provide a finance and resourcing solution. The proposed solution is not limited to any Local Government Infrastructure Plan locality or network.

This report provides a solution for Council's consideration. The report itself does not generate a requirement for financial consideration.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*

Outcome: 4.3 - Service quality assessed by performance and value to customers

Operational Activity: 4.3.5 - Manage the infrastructure network planning and charges to optimise funding for future growth assets.

Corporate Plan Goal: *Service excellence*

Outcome: 4.4 – Assets meet endorsed standards for sustainable service delivery

Operational Activity: 4.4.7 - Develop the 10 year capital program aligning with long term financial plans, including determining timing, sequencing and identification of funding opportunities

CONSULTATION

Councillor Consultation

The Transport Portfolio and Planning Portfolio Councillors – Councillor R Baberowski and Councillor C Dickson were briefed on the funding proposal.

Internal Consultation

Consultation was with the following branches:

- Finance
- Project Delivery
- Transport and Infrastructure Planning

External Consultation

There has been no external consultation.

Community Engagement

There has been no community engagement.

Proposal

It is proposed to accelerate investment in trunk transport infrastructure through advanced access to Local Government Infrastructure Plan Externally Restricted Cash reserves. These reserves have received a considerable boost over the last three or so years, enabling an enhanced, managed draw-down, without impacting the future budgets through calls on General Revenue. The additional draw-down is suggested to be around \$6 million per year for five years. Details supporting the proposal are provided below.

Introduction

The rate of growth on the Sunshine Coast together with the lag in delivering infrastructure are evident. While the State projects such as Caloundra Access and the Mooloolah River Interchange are examples of major transport projects required yesterday, Council's major road network upgrades are also lagging. The major growth areas of Maroochydore, Caloundra, Mooloolaba and Sippy Downs all have projects listed for delivery but the level of funding is a constraint.

Current Funding of Trunk Infrastructure

With the combination of Infrastructure Charges Revenue and General Revenue, Council delivers trunk capital projects for the following networks:

- Transport (Roads and Active)
- Stormwater (Quality and Capacity)
- Parks and Land for Community Facilities.

For the coming 2018/19 financial year, (and the following nine years), it is planned to invest around \$40 million per year, with the funding split drawing 70% from Infrastructure Charges and 30% from General Revenue. This represents a change from the 65:35 split for the 2017/18 financial year, and the 50:50 split for the previous years.

This 70:30 split was endorsed by Council in February this year and the level of investment nominated has received approval as part of the budget adopted for the 10-year capital works program.

Revenue Profile over the Past Five Years

Infrastructure charges revenue varies as developer confidence and investment appetite varies, notably with lags evident at the beginning of a downturn and the commencement of an upswing.

In the life of Sunshine Coast Council, Infrastructure Charges revenue has been as low as \$7.3 million in one year.

It is notable, however, that revenue over the last three years has been high, delivering \$84 million while expenditure over that period totalled \$62.1 million. With the split at 50:50, the drawn-down on reserves was \$31.0 million, accounting for the significant build-up of the reserve.

Local Government Infrastructure Plan expenditure over the past five years (all networks)

Expenditure over the past five years has averaged around \$18 million per year, for a number of reasons, but important to note, has not matched growth. The past split of funding set at 50:50 contributed to the lower allocations because an increase would impact General Revenue, hence the lower expenditure. The first steps towards increasing investment was to introduce, with Council's approval, an increase draw on reserves to have 65% for 2017/18, then 70% of funding to come from reserves without increasing the call on General Revenue.

The table below provides detail on allocations and expenditures over the last five years.

Financial Year	Expenditure (millions)	Allocation (millions)
2012/13	\$16.4	\$23.4
2013/14	\$12.5	\$22.4
2014/15	\$15.7	\$19.1
2015/16	\$26.6	\$28.1
2016/17	\$20.0	\$24.9
Totals:	\$91.2	\$117.9

Table 1: Allocations and expenditures (last 5 years)

10 Year Capital Works – Major Areas Requiring Funding - Transport

The spread of projects with approval to be delivered over the next 10 years is as follows:

Area	Location	Amount (millions)
Caloundra	Third Ave (Arthur St) Extension	\$4.6
	Gosling St Extension	\$3.6
	Oval Ave/Gosling St	\$8.2
	Nicklin Way/Queen St	\$1.2
	Queen St/Ulm St	\$1.0
	Queen St/Bower St Intersection	\$1.0
	Creekside Blvd	\$1.1
	Burke St	\$1.8
	Baldwin St	\$0.6
	Parklands Blvd	\$8.0
Beerwah	Roys Rd	\$3.1
Buderim	Goshawk Blvd	\$3.7
	Power Rd	\$14.3
	Rainforest Sanctuary Dr/Meads Rd	\$3.5
Glass House Mountains	Johnston Rd	\$1.2
Maroochydore	CD Road	\$8.6
	Maud St	\$4.0
	Plaza Pde	\$5.5
	Maroochy Blvd	\$0.6
Mooloolaba	Brisbane Rd/Walan St	\$37.0
Nambour	Arundell Ave	\$1.3
Sippy Downs	Sippy Downs Drive	\$12.4
	Stringybark Rd	\$0.5
Land Acquisition		\$57.5
	Total:	\$184.3
	Average:	\$18.43

Table 2: Projects with approval for delivery over next 10 years

The proposed average annual expenditure is in keeping with the \$18 million Transport component of the \$40 million total annual Local Government Infrastructure Plan allocation. Increasing expenditure in the early years is the target as all the major centres require investment commencing sooner, but are restricted by the \$40 million ceiling.

The catalyst projects that prompt this proposal are the Brisbane Rd/Walan St upgrades required to firstly provide for the impacts of a range of development projects such as the Mooloolaba Motel, the Aria development and Mooloolaba Wharf redevelopment. However, works on Caloundra access improvements and the Maroochydore transport network upgrades will also benefit from enhanced access to funds. Finally, and importantly, it is most appropriate that the monies collected from development should be invested in projects for which the money was collected, without undue delay.

Should this proposal receive formal support, a revised regional program will be prepared for consideration.

Proposal details

It is proposed that the level of investment be raised through accessing the Externally Restricted Cash reserve funded from Infrastructure Charges. Where the current allocation is \$40 million per year with a 70:30 split, it is proposed that expenditure exceeding \$40 million be allowed, with the excess initially funded 100% from the reserve, with an equivalent General Revenue 'debt' of 30% duly recognised, to be paid back over time through the proceeds of sales of residual Local Government Infrastructure Plan land.

Currently, where Local Government Infrastructure Plan land is purchased, residual land sales return the relevant proportions to the reserve and General Revenue accounts.

A full account of the special draw-down amounts and pay-back amounts will be diligently recorded until full pay-back is reached. That amount is estimated to be around \$9 million for a draw-down of \$31 million.

Until the 30% is paid back in full, all proceeds from the sales of Local Government Infrastructure Plan residual land would be directed to the reserve. This will enable the proposed enhanced funding to occur without directly impacting General Revenue and importantly, retain the 70:30 split. This approach will support a viable future level of reserve able to support an ongoing \$40 million annual investment with the 70:30 split.

It is important to consider the impact on the Reserve account and how ongoing investment at \$40 million per year can be sustained. (This was part of the Local Government Infrastructure Plan submission to the State addressing affordability and sustainability.)

Accurately forecasting future revenue is impossible, nevertheless it is considered reasonable to safely assume an average annual revenue stream of around \$20 - 25 million. Expenditure at \$40 million/year at the 70:30 split would be viable for at least 10 to 15 years. (This is premised on the sale of residual lands having reinstated the ERC reserve to support the scenario.)

Legal

There are no legal issues relating to this report.

Policy

The Local Government Infrastructure Plan, adopted by Council at the June 2018 Ordinary Meeting, included a Schedule of Works financial model as extrinsic material meeting State Government requirements. This proposal does not conflict in any way with the financial model supporting the affordability and sustainability of Council's Local Government Infrastructure Plan program.

Risk

Provided the proposal is managed as detailed, it is considered that there is no exposure to risk.

Previous Council Resolution**Ordinary Meeting 19 July 2018 (OM18/112)**

That Council:

- (a) receive and note the report titled "**Mooloolaba Transport Corridor Planning**" and
- (b) endorse the proposed project delivery sequence for Brisbane Road/Walan Street Projects as described in Mooloolaba Transport Corridor Staging (Appendix A).

Related Documentation

The Mooloolaba Transport Corridor Planning Report Ref. 8.2.3, provides the basis for this report in that it called for a funding solution to be provided.

Critical Dates

It is important that this report's proposal be recognised in Council's Budget Review 1 to immediately set in place the revised project delivery program for the upgrade of the Brisbane Road/Walan Street corridor, Mooloolaba.

Implementation

Following Council's endorsement of the funding proposal, a revised works program for Local Government Infrastructure Plan projects will be prepared for submission to Budget Review 1, scheduled for September 2018.

8.5 BUSINESS PERFORMANCE**8.5.1 SIGNIFICANT CONTRACTING PLAN - CONSTRUCTION OF
AUTOMATED WASTE COLLECTION SYSTEM COLLECTION STATION**

File No:	ITT181
Author:	Manager Business Development Business Performance Group
Appendices:	App A - Significant Contracting Plan for Construction of AWCS Collection Station Building 283

PURPOSE

The purpose of this report is to present and have Council adopt the Significant Contracting Plan for the Construction of an Automated Waste Collection System (AWCS) Collection Station.

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 Significant Contracting Plan (Appendix A) for the Construction of an AWCS Collection Station complies with the requirements of the *Local Government Regulation 2012*.

Council entered into contract ITT1471AB with Envac to build the AWCS, which included provision for Envac to also build the collection centre, once detailed design had been issued. Envac provided pricing for construction of the collection centre following issue of detailed design, which has been deemed by Council as not being competitive. Council has not accepted Envac's offer, opting instead to take this portion of work to public tender in the interest of securing a more advantageous outcome for Council.

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

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Significant Contracting Plan - Construction of Automated Waste Collection System Collection Station" and**
- (b) adopt the Significant Contracting Plan (Appendix A) for the Construction of an Automated Waste Collection System Collection Station.**

FINANCE AND RESOURCING

Funding for this project exists in the current 2018/19 Capital Works Budget. The anticipated cost of this contract is \$5.5 million.

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

The Portfolio Councillor for Corporate Strategy and Finance, Councillor T Dwyer, has been consulted in preparation of the Significant Contracting Plan.

Internal Consultation

Internal consultation has been conducted with relevant personnel from:

- Waste and Resource Management
- Business Development
- Project Delivery.

External Consultation

As this project is within the Maroochydore City Centre, consultation has been undertaken with relevant stakeholders of SunCentral.

Community Engagement

No Community Engagement has been conducted in the preparation of this Significant Contracting Plan. An information Session will be held during the tender process.

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 2018/19 Contracting Plan.

Council entered into contract ITT1471AB with Envac to build the Automated Waste Collection System, which included provision for Envac to also build the collection station once detailed design had been issued. Envac provided pricing for construction of the collection centre following issue of detailed design, which has been deemed by Council as not being competitive. Council has not accepted Envac's offer, opting instead to take this portion of work to public tender in the interest of securing a more advantageous outcome for Council.

The contract for construction of the Automated Waste Collection System Collection Station Building has been deemed a Significant Contract due to the anticipated value being over the \$5 million dollar threshold.

The Significant Contracting Plan (Appendix A) complies with the requirements of the *Local Government Regulation 2012*.

Legal

External legal advice has been sought to develop appropriate contractual terms and conditions.

Policy

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

Risk

Entering into a contract for the construction of an Automated Waste Collection System Collection Station Building prior to adopting this Significant Contracting Plan would risk breaching the *Local Government Regulation 2012*.

Council could have elected to accept the offer from Envac to construct the Automated Waste Collection System Collection Station Building, however this was deemed as being too great a financial risk. Not accepting this offer and conducting a public tender to secure a more advantageous outcome for Council, is a mitigation to that risk.

Previous Council Resolution

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

Current forecast for operation of Automated Waste Collection System network is October 2019. A 12 month build is anticipated, therefore construction must commence by September 2018.

Implementation

Chief Executive Officer to conduct a tender in a manner consistent with the approach outlined in the Strategic Contracting Plan for Construction of an Automated Waste Collection System Collection Station Building.

8.5.2 JUNE 2018 INTERIM FINANCIAL PERFORMANCE REPORT

File No: Financial Reports
Author: Coordinator Financial Services
Business Performance Group

To be provided

8.6 LIVEABILITY AND NATURAL ASSETS**8.6.1 ENVIRONMENT LEVY PARTNERSHIPS FUNDING PROGRAM
RECOMMENDATIONS 2018/2019**

File No:	Environmental Management
Author:	Senior Conservation Partnerships Officer Liveability & Natural Assets Group
Appendices:	App A - 2018 Environment Levy Partnerships Recommendation Report 293

PURPOSE

The purpose of this report is for Council to consider and endorse funding recommendations for the 2018/19 Environment Levy Partnerships Funding Program.

EXECUTIVE SUMMARY

The Environment Levy Partnerships Funding program allows Council to better engage and work with the community to build effective partnerships to assist in the delivery of Council's environmental strategies, including the Environment and Liveability Strategy 2017.

The program funds operational expenses for incorporated community organisations for up to three years. The three year funding cycle is intended to create an environment of funding certainty and the opportunity for community organisations to engage in longer term planning and capacity building. Four applications were received during this funding round. One group (Koala Rescue Queensland Inc) has been recommended for one year of funding with an invitation to reapply in the 2019 round. The remaining three organisations (Friends of Maroochy Regional Bushland Botanic Gardens, Lake Baroon Catchment Care Group and Wildlife Rescue Sunshine Coast) have been recommended for funding for two years to synchronise these groups with the existing 18 partnerships entering their second year.

With a view to ensuring value for money from ratepayer investment, Council officers work with successful partner organisations to develop strong relationships to build capacity towards good governance and sustainable practices. Interaction with successful community organisations will include monitoring partnership agreements, capturing return on investment and performance metrics, as well as ensuring reporting requirements are met.

The assessment panel is recommending funding for all four applications to a total amount of \$75,000. Appendix A outlines the recommended approvals and notes for Council's information the second year of funding for the eighteen organisations who were previously awarded three year Environment Levy Partnerships funding in 2017.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Environment Levy Partnerships Funding Program Recommendations 2018/2019" and**
- (b) endorse the Environment Levy Partnerships recommendations (Appendix A).**

FINANCE AND RESOURCING

The Environment Levy Partnerships (ELP) program is funded from Council's Environment Levy.

The 2018/19 budget has allocated \$610,000 to ELP. This allocation will fund the proposed four new partnerships (\$75,000) for one year, and the second year of the eighteen partnerships endorsed in 2017 (\$534,734).

The Environment Levy and associated policy is reviewed annually by Council. The development of the program includes annual revisions based on priorities and emerging needs and available funding. The annual program is presented to Council for consideration and adoption during annual budget preparations.

Recipients recommended for multiple-year Environment Levy Partnerships funding receive their annual payments contingent on the satisfactory completion of a yearly progress report and also the adoption of Council's annual Environment Levy budget.

CORPORATE PLAN

Corporate Plan Goal:	<i>A strong community</i>
Outcome:	2.2 - Resilient and engaged communities
Operational Activity:	2.2.4 - Continue to ensure the manner in which Council distributes grant monies to community and not-for-profit organisations supports Council's vision for the region.

CONSULTATION

Councillor Consultation

Environment Portfolio Councillor J McKay has been briefed on the recommended outcomes of this report.

Internal Consultation

Stage one assessment (pre-assessment of applicant and proposal) was undertaken by Community Connections branch staff.

Stage two assessment, discussions with applicant community organisations, was undertaken by Community Conservation Partnerships staff within Environmental Operations.

Stage three assessment panel comprised the following Council staff:

- Senior Conservation Partnerships Officer, Community Catchment Partnerships - Liveability & Natural Assets Group
- Coordinator Biodiversity & Waterways - Liveability & Natural Assets Group
- Community Grants Development Officer, Community Connections - Economic & Community Development Group
- Administration Support Officer (Grants), Community Connections - Economic & Community Development Group

Community Engagement

Council staff from Community Catchment Partnerships (Environmental Operations) and Community Connections (Economic and Community Development) liaised with community organisations across the region, providing assistance with proposal development, preparation of the application content and the application process. A further level of liaison was undertaken by staff from Community Catchment Partnerships following receipt of Expressions of Interest submissions for the Environment Levy Partnerships.

PROPOSAL

Sunshine Coast Council has a strong history of partnering with the community through a range of operational and Environment Levy funded programs to achieve the environmental goals set out in its Corporate Plan and major strategies. The environmental benefits of community-based organisations extend beyond the quantifiable on-ground benefits. The Environment Levy Partnerships program also serves as a valuable mechanism for social capital development, strengthening community organisations and building community capacity to achieve functional and aspirational objectives.

The Environment Levy Partnerships program incorporates an initial Expression of Interest (EOI) stage with the application process. This allows Council staff and the applicant organisations to develop mutually agreed outcomes that suit the needs and capacities of the applicant organisations, and the operational and strategic objectives of Council. Discussions with potential partners during the EOI period provide Council with the opportunity to ensure that all partners are working together to ensure a cost effective landscape approach to the region's environmental management. The establishment of collaborative outcomes and deliverables combined with an understanding of each other's roles ensure that operational activities complement each other without duplication.

Expressions of Interest for the 2018/19 round of the Environment Levy Partnerships program opened on 16 April 2018 and remained open until 18 May 2018. Discussions with Council staff and the applicant organisations were undertaken up to the closing of applications on 18 June 2018.

The framework of the program ensures an equitable, accountable and transparent process for the creation of funding partnerships between Council and community environmental organisations. It enables distribution and good governance of financial assistance to community groups in accordance with government guidelines and standards.

Council officers manage all elements of the funding program, including:

- advertising and promoting the program to the community
- applicant support
- assessment of applications
- distribution of funding, and
- reporting on outcomes achieved.

Working relationships between staff within Liveability & Natural Assets Group and Economic & Community Development Group are well established to implement all program elements.

To enable Council to capture the community benefits of the Environment Levy Partnerships program, all recipient organisations are required to include in their acquittal paperwork the data relating to the number of volunteers, volunteer hours and other quantifiable aspects of their respective organisation's activities.

Legal

Successful applicants will be required to fulfill their Conditions of Agreement that outlines the relationship between parties and obligates them to be incorporated bodies with adequate risk management plans, appropriate level of insurance, training reporting and financial controls.

Policy

The recommendations are in accordance with the Local Government Finance Standards, the adopted Community Grants Policy, Environment Levy Strategic Policy 2016 and the Environment Levy Partnerships and Grants Program Guidelines 2014.

Risk

Each subsequent year of funding is dependent upon Council accepting the acquittal of the previous year's funds. This addresses Council's probity requirements.

Previous Council Resolution**Ordinary Meeting 17 August 2017 (OM17/150)**

That Council:

- (a) *Receive and note the report titled "**Environment Levy Partnerships Funding Program Recommendations 2017/2018**"*
- (b) *endorse the one year Environment Levy Partnership Funding recommendations (Appendix A) and*
- (c) *note the ongoing previously endorsed commitment to the organisations (Appendix A).*

Ordinary Meeting 18 August 2016 (OM16/144)

That Council:

- (a) *receive and note the report titled "Environment Levy Partnerships Funding Program Recommendation 2016/2017"*
- (b) *endorse the three year Environment Levy Partnership recommendations (Appendix A)*
- (c) *note the ongoing previously endorsed commitment to organisations (Appendix A).*

Ordinary Meeting 20 August 2015 (OM15/138)**Ordinary Meeting 11 December 2014 (OM14/170)****Ordinary Meeting 21 August 2014 (OM14/121)****Ordinary Meeting 22 May 2014 (OM14/68)****Related Documentation**

- Sunshine Coast Corporate Plan 2018-2022
- Sunshine Coast Environment & Liveability Strategy 2017
- Sunshine Coast Council Local Government Area Biosecurity Plan 2017
- Community Grants Policy
- Environment Levy Strategic Policy 2016
- Environment Levy Partnerships and Grants Program Guidelines 2014

Critical Dates

It is important to distribute funds as soon as possible within the 2018/19 financial year to enable groups to continue/commence implementation of program and services.

Implementation

Upon Council endorsement of this report, successful applicants will be contacted and offered partnership funding for a one (1) year period. The three groups recommended for two-year funding will be eligible to receive the second year's funding after the satisfactory acquittal of the first year. Partner community organisations will have a clear and on-going line of communication with Council's Environmental Operations branch and Community Connections branch staff.

Conditions of Agreement will be confirmed, and these will include reporting and acquittal requirements, payment schedule (if applicable) and any conditions to be met prior to funding being awarded.

A list of successful partner organisations in the Environment Levy Partnerships will be posted on Council's website.

As well as the provision of funding, Council officers will work with successful partner organisations to develop strong relationships to build capacity towards good governance and sustainable practices. Interaction with successful community organisations will include monitoring partnership agreements and ensuring reporting requirements are met.

Funding will be distributed throughout August to September 2018, following receipt of invoices and signed Conditions of Agreement from successful applicants.

Outcomes of these partnerships will be promoted to the broader Sunshine Coast community. It is a condition of the funding agreement that each organisation acknowledge Council's support either by way of signage (provided by Council for grants over \$5,000) and in any media stories, collateral and on their website.

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 OFFICE OF THE CEO****11.1.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - QUARTERLY
PROGRESS REPORT - QUARTER 4, 2017/2018**

File No: Council meetings
Author: Coordinator Organisational Performance
Office of the Chief Executive Officer

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

11.2 ECONOMIC AND COMMUNITY DEVELOPMENT**11.2.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - SUNSHINE COAST
INTERNATIONAL BROADBAND NETWORK PROJECT**

File No: Council meetings
Author: Head of Economic Development
Economic & Community Development Group

This report is 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 CUSTOMER ENGAGEMENT AND PLANNING

11.3.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PLANNING APPEAL - CALOUNDRA

File No: MCU13/0122 (APL17/0045) - LEG-1144

**Authors: Principal Planner Appeals Management
Customer Engagement & Planning Services Group
Solicitor
Office of the CEO**

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

11.4 BUILT INFRASTRUCTURE

Nil

11.5 BUSINESS PERFORMANCE**11.5.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - SUNSHINE COAST AIRPORT - AGREEMENT PERFORMANCE UPDATE**

File No: Council meetings
Author: Manager Business Development
Business Performance Group

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

11.6 LIVEABILITY AND NATURAL ASSETS

Nil

12 NEXT MEETING

The next Ordinary Meeting will be held on 13 September 2018 in the Council Chambers, 1 Omrah Avenue, Caloundra.

13 MEETING CLOSURE