

Additional Information

Ordinary Meeting

Thursday, 23 June 2022

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Item 8.1

2022/23 Procurement Policy and Procurement Disposal Framework

Local Government Act & Regulation

Local Government Act 2009 (LGA)

- Local Government Principles
- Sound Contracting Principles

Local Government Regulations 2012 (LGR)

- Procurement Policy
- Strategic Contracting Procedures
 - Contract Manual (How to procure)
 - Contracting Plan (What Council will procure)
 - Market Assessment
 - Supporting Guidelines
 - Significant Contracting Plan/s

Amendments for 2022/2023

- Environment and Sustainability in Procurement Guideline *
- Category Procurement
- General Exception
- Social and Economic Factors *
- High Value Request for Quotes
- Assets Threshold *

* Explained further in coming slides

Environment & Sustainability in Procurement Guideline

Background

Zero Net Emissions Plan

- **Scope 3 emissions** – include all other indirect GHG emissions that occur in Council's value chain
- In 2020/21, indirect GHG emissions accounted for approximately **20%** of Council's emissions

Application

1. Plan the Procurement / Disposal

- Identify the need for the goods or services
- Identify and prioritise the sustainability outcomes
- Conduct a risk assessment and identify opportunities
- Undertake market research and engagement
- Engage with the market

Environment & Sustainability in Procurement Guideline

Application continued ...

2. Approach the Market

- Specify sustainability requirements
- Key performance indicators
- Setting evaluation criteria

3. Evaluation and Award

- Assess tender responses including value for money

4. Managing the Contract

- Monitor compliance and performance
- Disposal of goods

5. Learn and Review

- Improvement opportunities
- Monitor and track progress

Social and Economic Factors

Current application

- 20% of evaluation weighting allocated to Local Preference
- 5% allocated to First Nation Preference AND/OR Social Benefit

Proposed application

- Minimum 20% of evaluation weighting allocated to Social and Economic Factors
- Consider market being approached and identify opportunities for First Nation and Social Benefit engagement
- If opportunities exist for meaningful engagement, the % weighting is increased to pursue the opportunity
- When appropriate the allocation of the weighting could be, for example:
 - 20% Local Preference only
 - 10% Local Preference & 10% First Nations
 - 5% Local & 15%

Asset Thresholds

Current application to Disposal Activities for Valuable Non-Current Assets (VNCA's)

- Plant or equipment - \$5,000;
- Another type of non-current asset - \$10,000.

Proposed application

- Threshold for all VNCA's (except land) is set at \$25,000
- VNCA's will continue to be disposed of by tender, auction or available exception
- Surplus Assets are those assets valued at \$25,000 or less
- Surplus Assets will be disposed most in the most appropriate manner to realise the best value for Council from the disposal. This could include:
 - Sale / Trade in
 - Recycle / Waste
 - Donating to Community Organisation
- Disposal Plan to be developed for Surplus Assets identified following move to SCCH

Work Health & Safety

Background

- WHS capability accessed in procurement evaluation process
- WHS rights / obligations apportioned in contract
- Review/s underway and report/s being considered by WHS Committee and WHS Teams

2022/23 development

- Finalise legal reviews of template contracts for WHS and incorporate amendments to improve
- Finalise review of WHS in procurement activities and incorporate amendments
- Review options for contractor WHS pre-qualification systems
- Monitor WHS performance of contractors to Council individually (through contract administrators and WHS Team) and overall

Business and Community Engagement

Suppliers Briefings – conducted in person in previous years. Declining attendance in last two years. Future Supplier Briefings will be conducted online, incorporating:

- Information about coming procurement activities from Council
- Business Development Workshop (with Economic Development Branch) and
- Doing Business with Council Workshops

Doing Business with Council workshops - The workshops explain how to best reply to Invitations to Tender and Request for Quotes from Council.

Information Sessions – Conducted for individual procurement / disposal activities having regard to value, complexity etc.

Communication and Procurement Platforms – Council will continue to communicate and/or conduct procurement through:

- Q-Tender and Open Windows procurement platforms
- Council Tender Alert Service and
- Sunshine Coast Business Gateway.

Significant Contracting Activities for 2022/2023

- **Caloundra Centre Activation** – Project Delivery
- **First Avenue Streetscape** – Project Delivery
- **Stringybark Rd Footbridge-Pathway** – Project Delivery
- **Road Surfacing, Rehabilitation and Construction Asphalt Program** – Civil Asset Management
- **Street Sweeping Services** – Parks & Gardens
- **Tree Maintenance Services** – Parks & Gardens
- **Landfill Services** – Waste and Resource Management
- **Food and Organic Waste** – Waste and Resource Management
- **Resource Recovery Centre Operations** – Waste & Resource Management

Local Preference in Procurement Guideline

Background

- Local Preference in Procurement Guideline will continue to drive engagement with local contractors / suppliers

2021/22 Statistics

- End of April 2022, Council has a procurement spend of **\$270 million**
- **\$196 million** or **73%** with Local Suppliers

Questions

Thank you.



See Council's website for further details
www.sunshinecoast.qld.gov.au

Sound Contracting Principles

The *sound contracting principles* are—

- a) value for money; and
- b) open and effective competition; and
- c) the development of competitive local business and industry; and
- d) environmental protection; and
- e) ethical behaviour and fair dealing.

Procurement Categories

Categories	Anticipated Total Spend
Engineering and Works	\$160m
Facilities	\$31m
Services	\$51m
Waste Services	\$95m
ICTS	\$11m
Other (incl Fleet and Plant and Planning)	\$16m

Alignment to Corporate Plan & primary strategies

Our Strong Community – our communities are connected and thriving places where people are included, treated with respect and opportunities are available for all

Our Environment and Liveability – our natural assets, healthy environment and liveability credentials are maintained and enhanced

Our Resilient Economy – our resilient, high-value economy of choice drives business performance, investment and enduring employment



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Related Report / Additional Information Request

Meeting:	Ordinary Meeting	Date:	23 June 2022
Requesting Councillor:	Councillor M Suarez		
Item:	8.1 – Procurement Policy and Procurement and Disposal Framework		
Circulation	Tuesday 21 June 2022		
Officer (title):	Manager Transport and Infrastructure Planning	Approving GE (title):	GE Built Infrastructure GE Business Performance

In response to a question raised by Councillor Suarez, please note the following additional information for your consideration.

Question:

In relation to the Stringybark Rd footbridge Cr Suarez has similar issue with proposed Peregrine Breeze/Peregrine Springs bridge link. Cr Suarez would like some further details on the known or expected foot traffic using the Stringybark Road Footbridge and/or the current walkway (i.e. without the footbridge).

Response:

Stringybark Road Footbridge

The Plan for Stringybark Road Footbridge is being put forward with the intention of the project being delivered in the coming financial years. The bridge is split funded over the 22/23 and 23/24 financial year, with work expected to commence in early 2023 and be completed prior to Christmas 2023.

The decision for the bridge is driven by the surrounding growth in medium density residential development (reflected in the August 2021 pedestrian count below) that links to the university, schools and Sippy Downs Town Centre, combined with the poor level of service currently provided.

Notably, the Stringybark Road bridge is located on the Principal Cycle Network Priority A route. This is one of the highest priority routes identified by TMR and Council for cycle network improvement, where grant funding will be prioritised. The increase in demand from people walking and cycling across this bridge has grown beyond the capacity provided by the original bridge pathway.

August 2021 Stringybark Road Pedestrian Traffic Count

24 hr counts totals	Pedestrians (footpath)	Bicycle riders (footpath)	Bicycle riders (on-road)	Total Pedestrians and bicycle riders	Total motor vehicles
Day 1 (10/8/21)	238	157	178	573	9165
Day 2 (12/8/21)	276	136	32	444	9592
Weekday average	257	147	105	509	9379
Day 3 (14/8/21)	161	57	44	262	7685
Daily average	225	117	85	426	8814



Bridge Linking Peregrine Breeze to Peregrine Springs

A bridge linking Peregrine Breeze to Peregrine Springs is not listed as a priority in Council's Local Government Infrastructure Plan (LGIP). Such a link would need to cross the Sunshine Motorway, a State Controlled Road scheduled for future upgrade to six lanes and would require significant demand to justify inclusion in the Plan.



National Competition Policy 2022/23

23 June 2022

Introduction

This presentation covers:

- High-level overview of how the National Competition Policy (NCP) regime works
- Business activity classification and NCP reforms
- Smaller business activities where discretion does not apply -NCP could be used
- Activities that are not business activities

Desired outcomes

Council to :

- note the proposed application of NCP reforms for business activities for the 2022/23 financial year

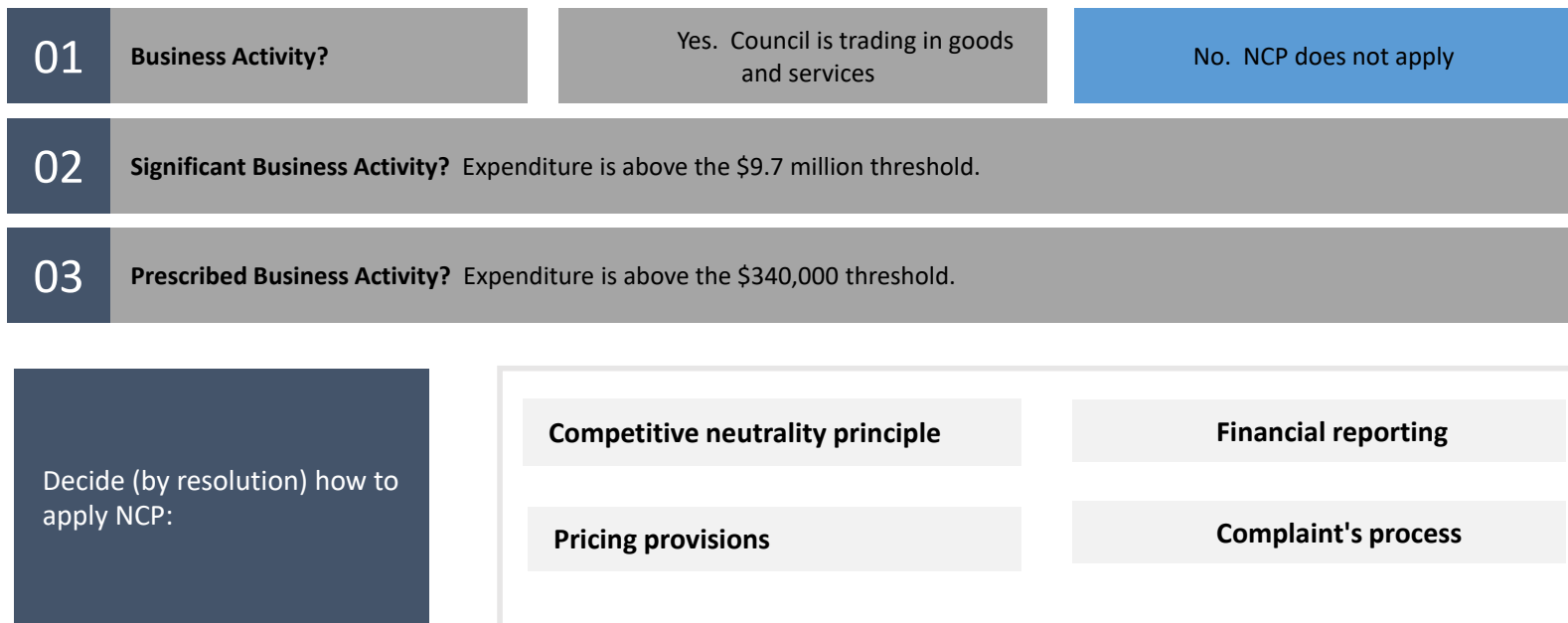
The competitive neutrality principle:

An entity conducting a business activity in competition with the private sector should not enjoy a net advantage over its competitors only because it is a public sector entity

The competitive neutrality principal is achieved by:

- Removing any competitive advantage or competitive disadvantage
- Promoting efficient use of resources to ensure markets are not unnecessarily distorted
- Ensuring that the advantages and disadvantages are considered when setting the required revenue.

NCP legislation at a glance



For each new **significant business activity**:

- Above the expenditure threshold of \$9.7 million

Undertake a **public benefit assessment**:

Apply the **competitive neutrality principle** via:

Council **should not enjoy a net advantage** over its competitors only because it is in the public sector.

Will the **benefit** to the public (in terms of service quality and cost) of applying the competitive neutrality principle **outweigh the costs**?

Full cost pricing

OR

Commercialisation

OR

Corporatisation

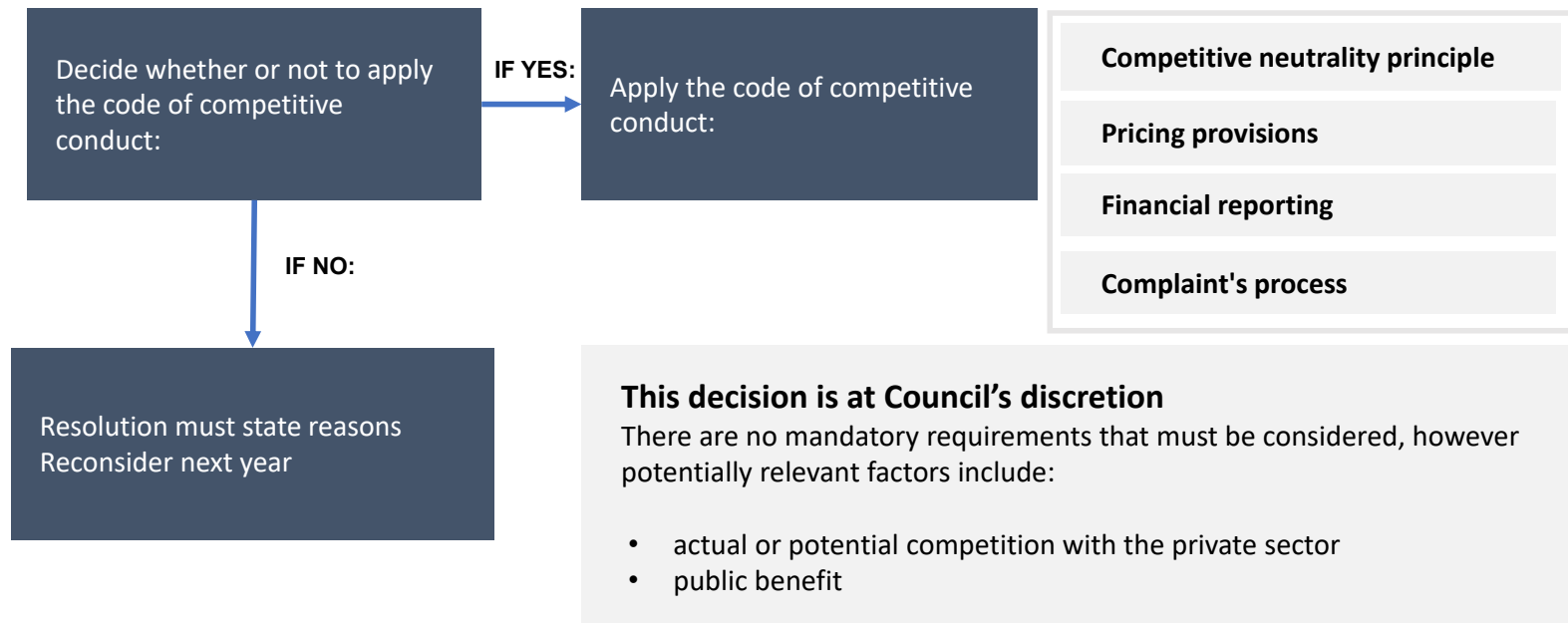
Charge for goods or services at the **full cost of providing those goods or services**

Have the activity conducted by a **commercial business unit**

Create a **corporatised business entity** to conduct the activity

For each **prescribed business activity**:

- Above the expenditure threshold of \$340,000, but below the expenditure threshold of \$9.7 million



Business activity classification and NCP reforms

Classification	Significant Business Activity	Prescribed Business Activity	
NCP Reform	Full Cost Pricing	Corporatised	Code of Competitive Conduct
	<ul style="list-style-type: none"> Waste and Resources Management 	<ul style="list-style-type: none"> SunCentral Maroochydore Pty Ltd Caloundra Events Centre Pty Ltd 	<ul style="list-style-type: none"> Sunshine Coast Holiday Parks Quarries
Refer Attachment 2 - Ordinary Meeting Report :	Table 1	Table 3	Table 2

Business activity classification and NCP reforms





Classification	Prescribed Business Activity		
NCP Reform	Not applying Code of Competitive Conduct		
Refer Attachment 2 – Ordinary Meeting Report:	<ul style="list-style-type: none"> Off-street Parking Retail Electricity and Sunshine Coast Solar Farm Cemeteries Caloundra Regional Gallery Festivals 	<ul style="list-style-type: none"> Aquatic Centres Venue 114 & Community Spaces Caloundra Indoor Stadium Multisports and Showgrounds 	<ul style="list-style-type: none"> Sunshine Coast Stadium and Kawana Sports Precinct Sunshine Coast International Broadband Cable Network
Table 2			
Appendix 1 Justification for not applying the Code			

Non-business activities

Classification	Non-business Activity		
NCP Reform	None NCP does not apply		
Refer Attachment 2 – Ordinary Meeting Report:	<ul style="list-style-type: none"> Fleet Management Roads Parks and Gardens Property Information Property Management 	<ul style="list-style-type: none"> Healthy Places Response Services Community Land Permits and Parking Development Services 	<ul style="list-style-type: none"> Right to Information Arts, Heritage and Libraries Natural Areas Management
Table 4			

Documenting statement of reasons

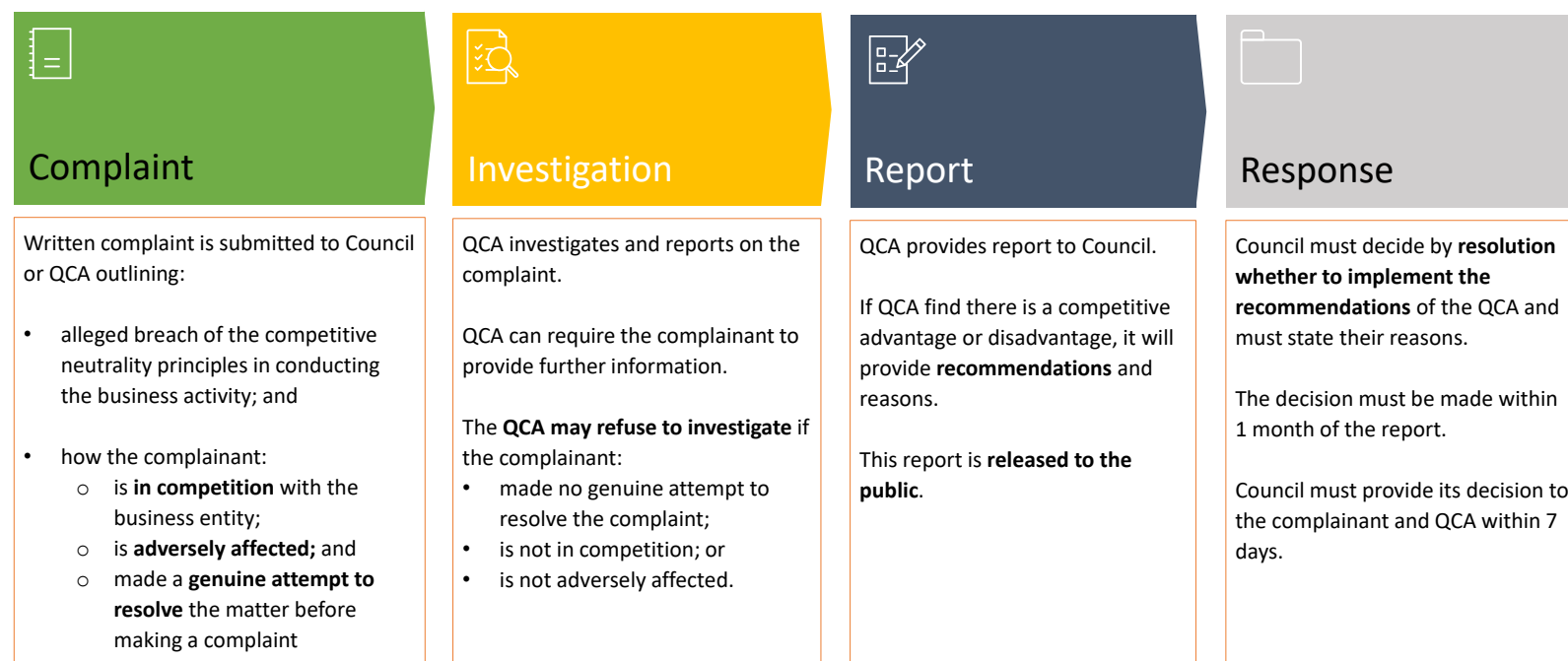
Example from Appendix 1: Sunshine Coast Stadium and Kawana Sports Precinct

 Corporate Plan and Policy Linkage	 Public Benefit objectives	 Target market and competition	 Pricing
<p>The <i>Sunshine Coast Sport and Active Recreation Plan 2011-2026</i> is an important contributor to the Safe and Healthy Communities outcome of the <i>Sunshine Coast Council Corporate Plan 2021-2025</i>.</p>	<ul style="list-style-type: none">• equitable access to sport facilities• health and wellbeing• social cohesion• broadening of the regional economy.	<ul style="list-style-type: none">• regional sport and national event markets• elsewhere in Queensland these markets primarily utilise Queensland Government owned facilities.	<ul style="list-style-type: none">• for community groups reflects these objectives and excludes notional costs under NCP• for commercial hire benchmarked against industry prices



Questions

Competitive neutrality complaints process



Related Report / Additional Information Request

Meeting:	Ordinary Meeting	Date:	23 June 2022
Requesting Councillor:	Councillor T Landsberg		
Item:	8.2 – Application of National Competition Policy		
Circulation	Tuesday 21 June 2022		
Officer:	Group Executive Economic & Community Development	Approving GE:	Group Executive Economic & Community Development

In response to a question raised by Councillor Landsberg, please note the following additional information for your consideration.

Question:

Please provide details of consultants used for the Caloundra Music Festival review?

Response:

Council has engaged a consultant to prepare a Live Music Action Plan, with a draft report expected at the end of July 2022. This is being done by Stewart Watters from Morph Consulting.

Externally, the Caloundra Chamber of Commerce is preparing a Sunshine Coast Regional Music Ecosystem White Paper which is expected to be released by the end of June 2022. This is being done by the University of the Sunshine Coast.

Related Report / Additional Information Request

Meeting:	Ordinary Meeting	Date:	23 June 2021
Requesting Councillor:	Deputy Mayor Rick Baberowski		
Item:	8.4 – Delegation to the Chief Executive Officer		
Circulation	Tuesday 21 June 2022		
Officer (title):	Coordinator Governance Process and Policy	Approving GE (title):	Executive Manager

In response to a question raised by Deputy Mayor Rick Baberowski, please note the following additional information for your consideration.

Question: Provide benchmarking across other similar Councils in relation to Delegations to the CEO

Response:

In 2016 a new delegation model was adopted by Council. Prior to the adoption of the new model, the traditional approach detailed all powers capable of delegation into single delegation instruments and presented these delegations to Council for adoption each time an instrument needed updating or a law changed. In 2016 there were approx. 75 single instruments of delegation that covered approx. 101 state and federal legislations.

The current approach is far more streamlined and reduces Council's risk exposure by including a number of additional legislations as a precautionary measure. This approach factors in the complexity and size of SCC and improves operational efficiency by reducing the administrative burden of returning to Council every time minor legislative amendments are made.

Table 1 – Comparison exercise

Council – SE Qld	SCC model – broad powers delegated to CEO	Traditional model – individual delegations adopted by Council
Moreton Bay Regional Council	✓	✗
Brisbane City Council	✓	✗
Gold Coast City Council	✗	✓
Noosa Shire Council	✗	✓
Outside SE Qld	SCC model – broad powers delegated to CEO	Traditional model – individual delegations adopted by Council
City of Sydney	✓	✗
City of Melbourne	✓	✗
Greater Geelong City Council	✓	✗
City of Greater Bendigo	✓	✗

Related Report / Additional Information Request

Meeting:	Ordinary Meeting	Date:	23 June 2021
Requesting Councillor:	Councillor T Landsberg		
Item:	8.4 – Delegation to the Chief Executive Officer		
Circulation	Tuesday 21 June 2022		
Officer:	Coordinator Governance Process and Policy	Approving GE :	Executive Manager

In response to a question raised by Councillor Terry Landsberg, please note the following additional information for your consideration.

Question: In relation to Local Laws provide more information in relation to enforcing on street / off street parking

Response:

The intent of *Local Law No.5 (Parking) 2011* is to complement the provisions of the *Transport Operations (Road Use Management) Act 1995* ("TORUM Act") that enable local governments to regulate parking. The powers for the Council to regulate parking in its area are derived from the TORUM Act, not the local laws. In fact, it is the installation of parking signs that creates parking offences, rather than anything in the local laws.

The key provisions in the TORUM Act empowering the Council to regulate parking are as follows.

Section 101(1) states that a local government may regulate parking in its area:

- on a Council-controlled road or
- on a State-controlled road where the chief executive of the Department of Transport and Main Roads has given written agreement or
- on an "off-street regulated parking area" (which can only be created through a local law – see section 104(1)(b)(ii)).

Section 102 clarifies **section 101** by stating that the local government may regulate parking by "installing official traffic signs indicating how parking is regulated". Such signs may apply:

- to the place where the sign is installed (for example, to a particular parking space, a length of road or an off-street regulated parking area) or
- to a wider area that has been declared as a "traffic area" by local law, provided there is a parking regulation sign at every road entry to this traffic area.

Section 103 provides further details and examples about how official traffic signs may regulate parking. It also empowers a local government to:

- make a local law allowing people to park contrary to official traffic signs if they hold parking permits and
- make a local law to allow vehicles displaying a commercial vehicle identification label to park in a loading zone.

Section 105 sets out how paid parking operates, and section 106 creates the offences for breaching paid parking regulations.

Section 108 empowers local governments to make a local law to prescribe the penalty amounts for parking tickets (penalty infringement notices).

From the above summary of the TORUM Act, it is clear that there are several aspects of parking regulation that require local laws to "round out" the regulatory framework:



- section 102(3)(a) allowing local governments to make local laws for the boundaries of a traffic area
- section 103(4) allowing local governments to make local laws about parking contrary to a sign by displaying a parking permit
- section 103(5) allowing local governments to make local laws about commercial vehicles
- section 104 (1) allowing local governments to specify off-street regulated parking areas by local laws; and
- section 108 allowing a local government by local law to prescribe an amount as an infringement notice penalty.

The basic purpose of Local Law No.5 is to implement these powers under the TORUM Act.



May 2022 Operating Result

- Council's operating result at the end of May 2022 of \$42.2 million is favourable to budget by \$3.9 million
- The favourable variance consists of:
 - Revenue above budget of \$5.5 million
 - Expenses above budget of \$1.6 million

May 2022 Operating Result

Revenue

- Holiday park fees currently ahead of the expected budget for May 2022
- Council has received an early grant payment of \$1.3 million from Queensland Reconstruction Authority

Expenditure

- Operational expenditure remains within 1% budget for May

May 2022 Capital Expenditure Result

Capital Works Program has Progressed 74%

- \$215.6 million of Council's \$290.6 million Capital Works Program was financially expended.
- The Core Capital Program has progressed 73% of budget, an actual spend of \$122 million

Cash Flows and Balance Sheet

Council Cash

- Council's cash at 31 May is \$210 million

Cash Flows and Balance Sheet

Council Debt

- Council's debt at 31 May is \$642.5 million
- Council's proposed borrowings for 2021/22 are \$96.5 million
 - Waste Management \$37.8 million
 - Holiday Parks \$600,000
 - Maroochydore Multideck \$13 million
 - Sunshine Coast City Hall \$45 million
- Palisade Investment Group payment of \$305 million due on 30 June 2022 will reduce Council's debt associated with the airport expansion project to nil
- Council's forecast debt as at 30 June 2022 is \$488 million

OFFICER RECOMMENDATION

That Council receive and note the report titled “May 2022 Financial Performance Report”

Thank you.



See council's website for further details
www.sunshinecoast.qld.gov.au



Item 8.6

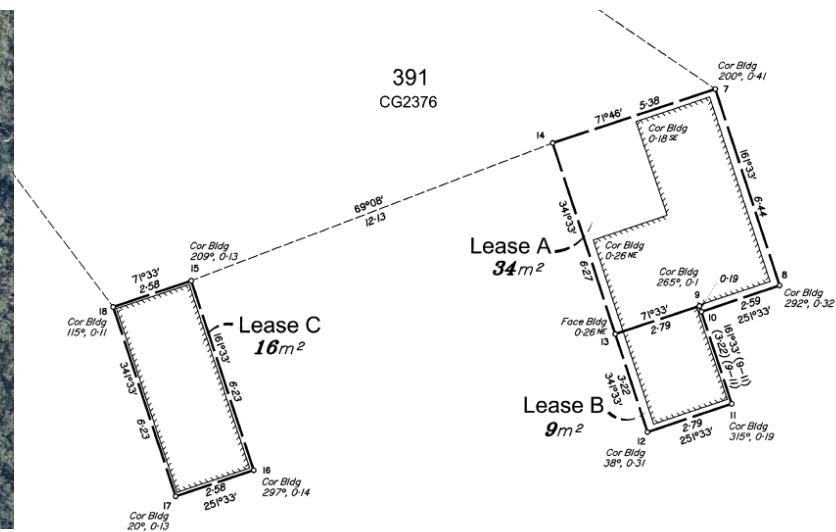
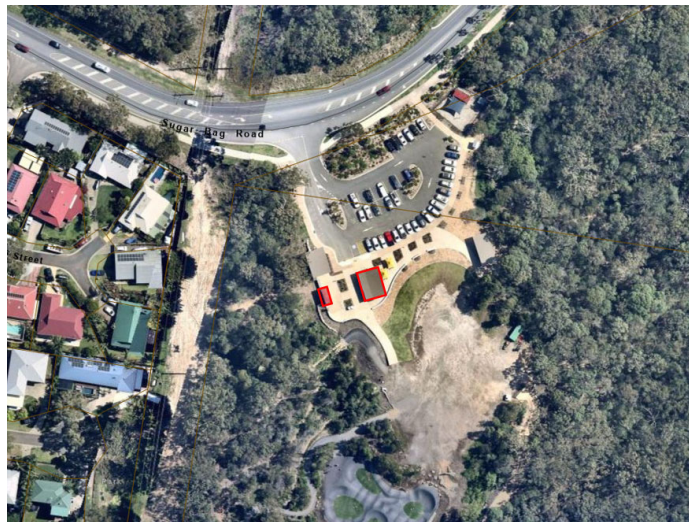
Disposal (Lease) Part of State Land under Trust at 186 Sugar Bag Road, Caloundra West

Ordinary Meeting 23 June 2021

1

Overview

- Council constructed a facility to accommodate a commercial tenancy suitable for the operation of a cafe and/or bike hire/repair tenancy
- two (2) public tender opportunities seeking tenants to lease and operate the cafe and/or bike hire/repair tenancy have been previously released and were unsuccessful
- Council approval is being sought to:
 - market and select a suitable tenant by continuing to offer the lease through Council's appointed real estate and marketing agent on the open market provided that any offer for lease meets the market value requirements; and
 - obtain an exception to enter into a lease with a suitable tenant as the lease has previously twice been offered to the market by public tender with a tenant not having been secured via the public tender process.



Officer Recommendation

That Council:

- (a) receive and note the report titled “Disposal (Lease) Part of State Land under Trust at 186 Sugar Bag Road, Caloundra West” and**
- (b) resolve to Lease, Lease A, Lease B & Lease C on SP324775 via Council’s appointed real estate and marketing agent on the open market seeking a private treaty agreement subject to:**
 - (i) compliance with Section 236 of the *Local Government Regulation 2012*; and**
 - (ii) the consideration for the disposal being equal to or greater than the market value of the interest in land.**
- (c) resolve, pursuant to Section 236(2) of the *Local Government Regulation 2012*, that an exception to dispose of an interest (lease) in land over Leases A, B & C on SP324775 located on State Land under Trust at 186 Sugar Bag Road, Caloundra West as:**
 - (i) the lease has previously twice been offered to the market by public tender; and**
 - (ii) a lease has not been secured via this process.**

Thank you.



See council's website for further details
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Ordinary Meeting

23 June 2022

Item 8.7 Changes to the Proposed Site Specific and Editorial Matters Amendment – Buddina Urban Village

Background and Purpose

- Written notice received under Section 6(2) of the Standing Orders Sunshine Coast Council 2020
- Council resolved on 28 April 2022 (OM22/24) to:
 - make an amendment to the *Sunshine Coast Planning Scheme 2014* and delegate authority to the CEO to prepare and progress the proposed amendment, subject to:
 - amending the zoning and maximum building height of land in the north eastern section of Sub-precinct KAW LPSP-4a of the Buddina Urban Village
- Report presents the changes made to the proposed amendment in response to Council's resolution relating to Buddina Urban Village



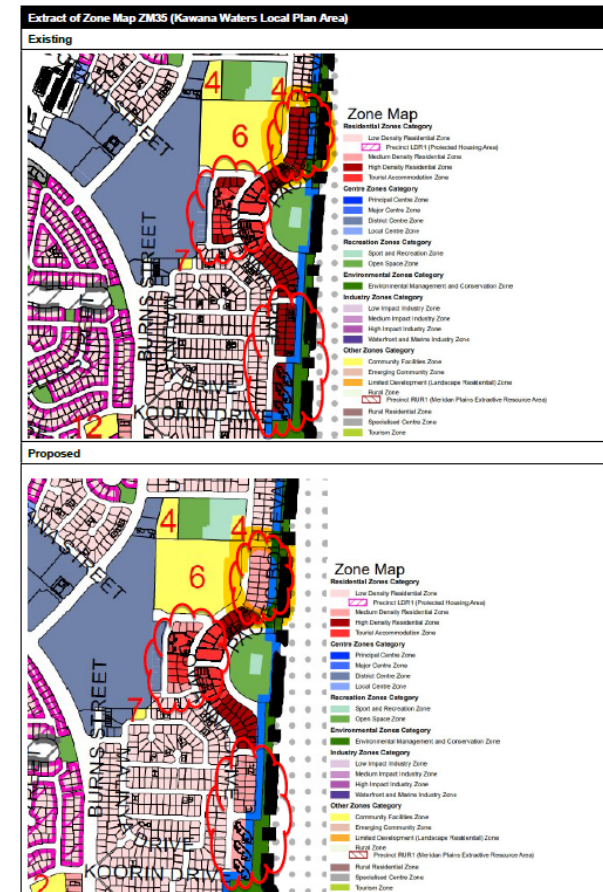
Summary of changes

- Explanatory Memorandum
 - Updates to land affected by the proposed amendment
 - Updates to summary of proposed amendment
 - Updates to details of the proposed amendment

- Amendment Instrument
 - Table 1 (Amendment table) changed to include reference to Kawana Waters Local Plan Area Height of Buildings and Structures Overlay Map
 - Appendix B (Amendment schedule (mapping)) - Kawana Waters Local Plan Area maps changed to show zoning and maximum building height amendments

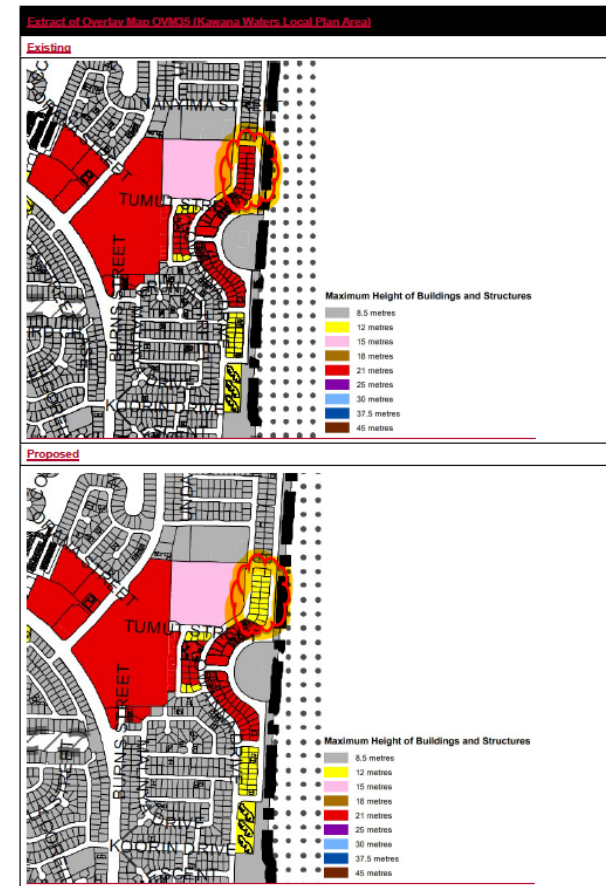
Zoning

- Zoning amended from the High density residential zone to the Medium density residential zone



Maximum building height

- Maximum building height amended from 21 metres to 12 metres



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Next steps

- Current Council resolution requires the proposed amendment to be forwarded to the Planning Minister for consideration of State interests and to seek approval for Council to proceed to public consultation



Thank you.



Our region.
Healthy. Smart. Creative.

See council's website for further details
www.sunshinecoast.qld.gov.au

Related Report / Additional Information Request

Meeting:	Ordinary Meeting	Date:	23 June 2022
Requesting Councillor:	Councillor P Cox Councillor J Natoli Mayor Jamieson		
Item:	8.7 - Changes to the proposed site specific and editorial matters amendment – Buddina Urban Village		
Circulation	Tuesday 21 June 2022		
Officer (title):	Interim Coordinator Planning Scheme Amendments	Approving GE (title):	Group Executive Customer Engagement and Planning Services

In response to questions raised by Councillor Cox, Councillor Natoli and the Mayor, please note the following additional information for your consideration.

Question:

What is the history/background of the Buddina Urban Village?

Explain how the nodes work for the northern precinct under the *Sunshine Coast Planning Scheme 2014*.

Provide details of submissions to the draft Sunshine Coast Planning Scheme.

What is the date of approval for the Buddina Beach development located on the corner of Talinga Street, Pacific Boulevard and Iluka Avenue, Buddina?

Provide a massing diagram outlining existing and proposed maximum building heights as well as approved and proposed development for the northern precinct.

Response:

A. Overview of the Buddina Urban Village

The Buddina Urban Village (subject land) is located between Kawana Shoppingworld and the Kawana Waters Surf Lifesaving Club and is generally bound by the Buddina State School and Talinga Street in the north, Lowanna Drive to the south and Pacific Boulevard to the east.

The Buddina Urban Village requirements have been long established in planning documents since 2004 (i.e. Draft Caloundra City Plan (2003), *Caloundra City Plan 2004*, Draft Sunshine Coast Planning Scheme (2012) and the *Sunshine Coast Planning Scheme 2014*).

In summary, past and present planning scheme requirements for the Buddina Urban Village generally provided for:

- the creation of an 'urban village' comprising mixed use development linking the Kawana Shoppingworld to the Kawana Waters Surf Lifesaving Club by a public pedestrian way and active frontages, which encourage movement and interaction between the district activity centre and the adjacent foreshore area; and
- higher density residential accommodation in the form of permanent and visitor accommodation buildings on large integrated development sites through the coordinated amalgamation of lots.

The Buddina Urban Village is conveniently located near the Kawana district activity centre, Buddina State School, outdoor sport and recreation facilities, open space and a range of community facilities.

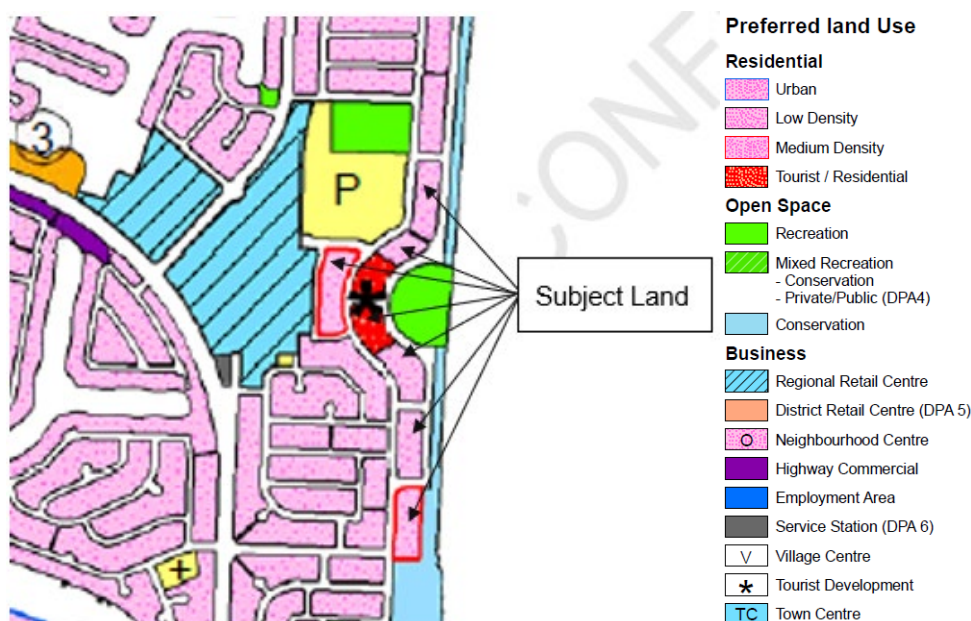
B. Planning History – Representation in Former Planning Schemes

Caloundra City Planning Scheme 1996

The subject land was included within Development Control Plan 1 – Kawana (DCP 1) under the *Caloundra City Planning Scheme 1996*. Under DCP 1, the subject land was included within the following preferred land use categories (refer to **Figure 1: Extract of DCP 1**):

- Low Density Residential - *providing for low density residential development;*
- Medium Density Residential - *providing for medium density multiple dwelling development in the form of townhouses or walk-up apartments up to 3 storeys in height;*
- Tourist/Residential - *providing for high density multiple dwelling development, generally limited to 4 storeys in height, which would normally be utilised extensively for tourist accommodation; and*
- Tourist Development - *indicating areas intended to be developed as focal points for tourist activities providing a range of services including accommodation, entertainment, recreation or similar facilities for use mainly by visitors holidaying in or passing through the area.*

Figure 1: Extract of DCP 1

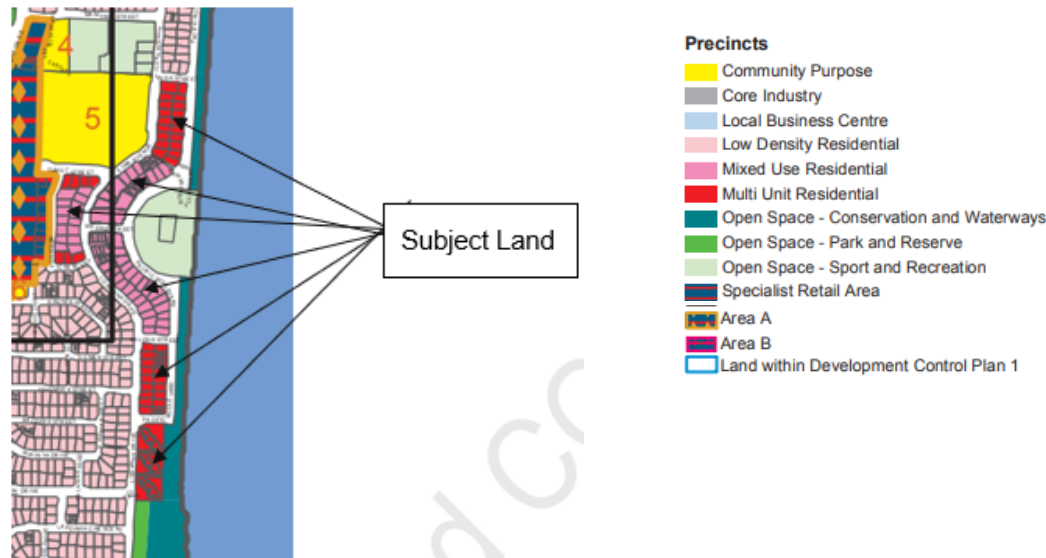


Draft Caloundra City Plan (2003)

Under the Draft Caloundra City Plan (subject to public consultation from 7 July to 6 October 2003) the subject land was included in the Kawana Waters Planning Area within the following land use precincts (refer to **Figure 2: Extract of Kawana Waters Planning Area Precinct Map - Draft Caloundra City Plan (2003)**, overleaf):

- Multi Unit Residential Precinct – *providing for residential uses comprising predominantly multi unit residential uses; and*
- Mixed Use Residential Precinct – *providing for predominantly mixed uses comprising multi unit residential uses and limited business and commercial uses.*

Figure 2: Extract of Kawana Waters Planning Area Precinct Map – Draft Caloundra City Plan (2003)

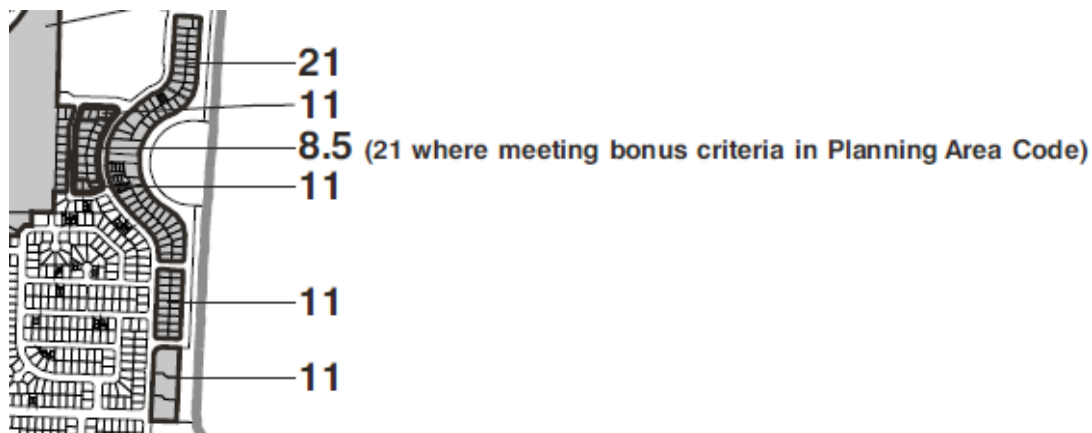


The Draft Caloundra City Plan sought to maximise the potential of this area by providing for a new 'Urban Village' linking Kawana Shoppingworld to the Kawana Waters Surf Lifesaving Club. The provisions in the Draft Caloundra City Plan, relating to the proposed Buddina Urban Village, sought to achieve:

- creation of a new urban village linking Kawana Shoppingworld to Kawana Surf Club by a pedestrian way and providing active frontages which encourage movement and interaction between private development and the adjacent foreshore areas;
- redevelopment in the form of mixed use development (e.g. shops at ground level and apartments above) and higher density residential living; and
- a focal point for residents and visitors to Kawana.

The provisions in the Draft Caloundra City Plan also provided for additional height throughout the area, with building height limits ranging from 11 metres to 21 metres for land in the Multi unit residential precinct and including bonus height limits up to 21 metres for land in the Mixed use residential precinct (the central portion of the subject land) (refer to **Figure 3: Extract of Kawana Waters Planning Area Map KWP3 – Draft Caloundra City Plan (2003)**).

Figure 3: Extract of Kawana Waters Planning Area Map KWP3 – Draft Caloundra City Plan (2003)





Submissions to the Draft Caloundra City Plan

During the public display period for the Draft Caloundra City Plan, Council received a total of 42 submissions relating to the Buddina Urban Village. 9 submissions supported the proposed provisions for the subject land on the basis that the new 'urban village' and walkway would provide a local village focus and greater housing choice. 7 submissions supported the proposal but sought amendments to the provisions to reduce the maximum height limits, reduce the minimum lot size for the bonus provisions, change access arrangements and/or amend setback requirements.

26 submissions objected to the proposed provisions, including impact on the existing character of the area, impact on the Buddina State School, impact on existing residential uses, impacts from high rise development (such as overshadowing) and availability of alternative, more suitable locations for this type of development.

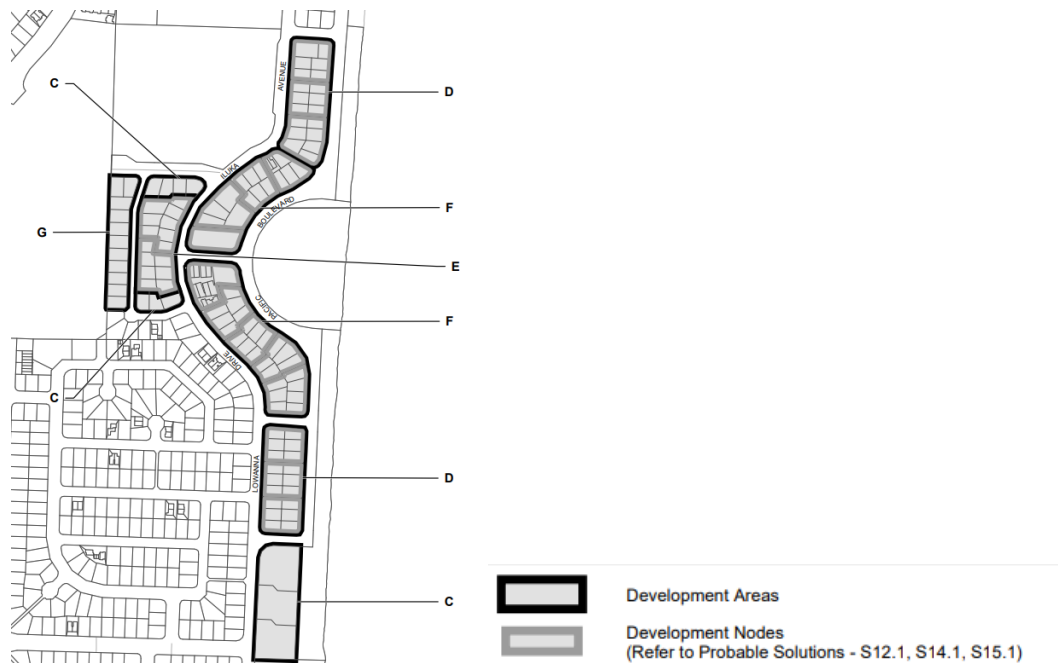
Having regard to the issues raised in submissions, it was considered that a reduction in the maximum height limits in the area would remove any encouragement for redevelopment and a pedestrian connection between Kawana Shoppingworld and the foreshore.

Caloundra City Plan 2004

The *Caloundra City Plan 2004* commenced on 29 September 2004.

In relation to the Buddina Urban Village, no changes were made to the precinct or height maps for this area from the Draft Caloundra City Plan (2003). A new map KWP4 was included to identify Development areas and Development Nodes (refer to **Figure 4: Extract of Kawana Waters Planning Area Code Map KWP4 (Buddina Development Nodes)**). Changes were also made in the detailed provisions of the Kawana Waters Planning Area Code. These changes related to car parking, minimum site area and frontages, amalgamation of lots, pedestrian links and inclusion of references to development nodes.

Figure 4: Extract of Kawana Waters Planning Area Code Map KWP4 (Buddina Development Nodes)





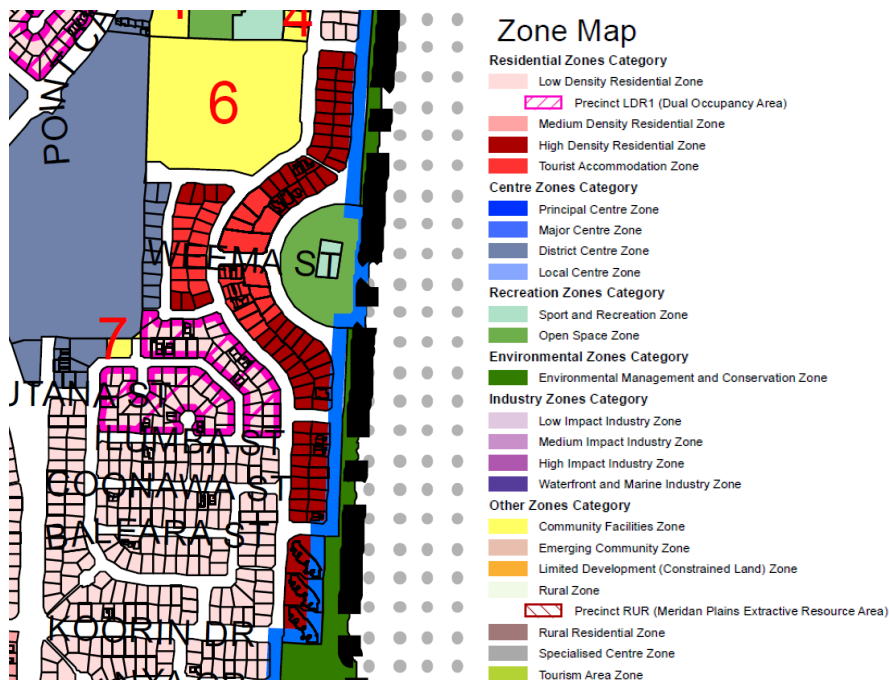
Draft Sunshine Coast Planning Scheme (2012)

The Draft Sunshine Coast Planning Scheme was subject to public consultation from 19 October to 14 December 2012.

The Buddina Urban Village provisions in the *Caloundra City Plan 2004*, were generally translated across to the Draft Sunshine Coast Planning Scheme.

In the Draft Sunshine Coast Planning Scheme, the subject land was included in the Kawana Waters local plan area and in the High density residential zone (formerly Multi Unit Residential Precinct in the *Caloundra City Plan 2004*) and the Tourist accommodation zone (formerly Mixed Use Residential Precinct in the *Caloundra City Plan 2004*) (refer to **Figure 5: Extract of Draft Sunshine Coast Planning Scheme (2012) – Kawana Waters Local Plan Area Zone Map ZM55**).

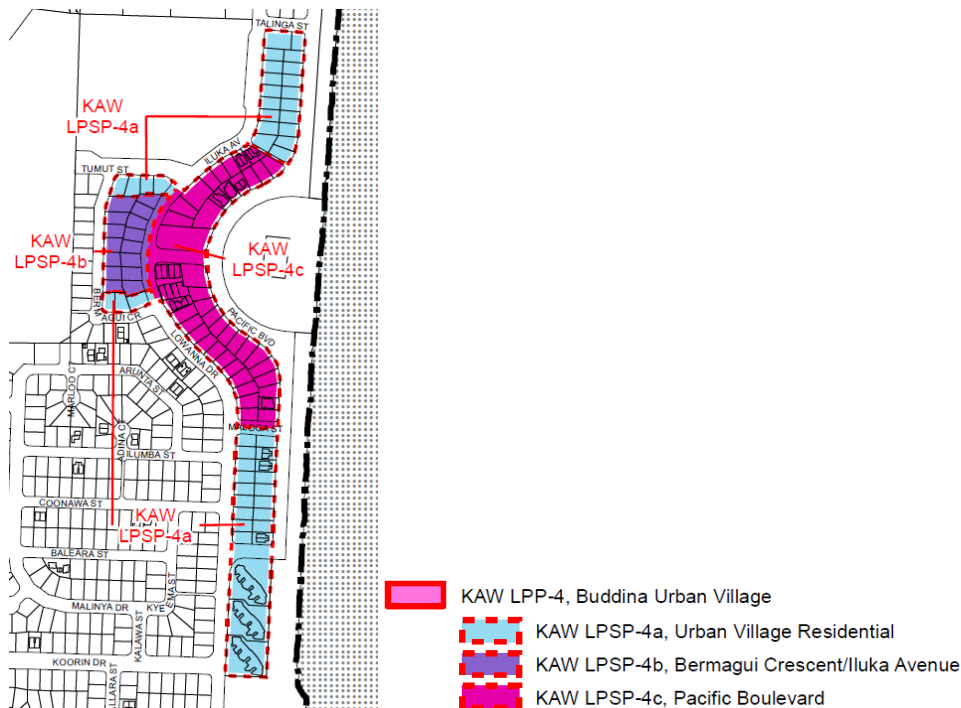
Figure 5: Extract of Draft Sunshine Coast Planning Scheme (2012) – Kawana Waters Local Plan Area Zone Map ZM55



The Draft Sunshine Coast Planning Scheme also included the Kawana Waters Local Plan Area Precincts Map (refer to **Figure 6: Extract of Draft Sunshine Coast Planning Scheme (2012) – Kawana Waters Local Plan Area Precincts Map LPM55**, overleaf), which identified the subject land in Precinct KAW LPP-4, Buddina Urban Village and identified three sub-precincts:

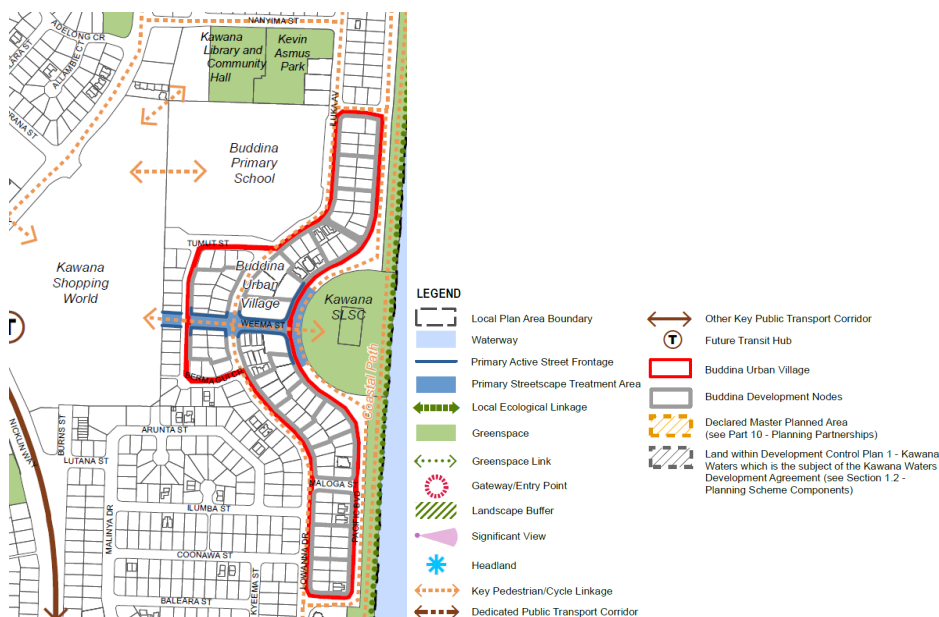
- KAW LPSP-4a, Urban Village Residential;
- KAW LPSP-4b, Bermagui Crescent/Iuka Avenue; and
- KAW LPSP-4c, Pacific Boulevard.

Figure 6: Extract of Draft Sunshine Coast Planning Scheme (2012) – Kawana Waters Local Plan Area Precincts Map LPM55



The Kawana Waters Local Plan Code also included the Kawana Waters Local Plan Elements Figure (Figure 7.2.17A) (refer to **Figure 7: Extract of Draft Sunshine Coast Planning Scheme Kawana Waters Local Plan Elements Figure**), which identified the Buddina Urban Village and the Buddina Development Nodes.

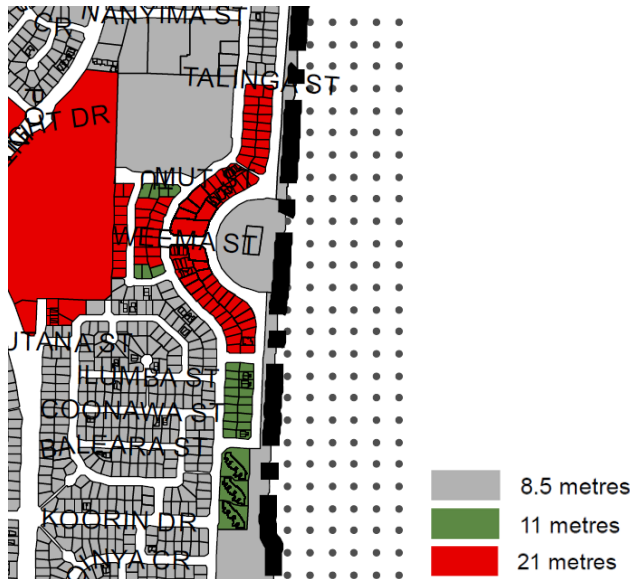
Figure 7: Extract of Draft Sunshine Coast Planning Scheme Kawana Waters Local Plan Elements Figure





The building height requirements were also generally translated across to the Draft Sunshine Coast Planning Scheme, except that the bonus height requirement of 21 metres (under the *Caloundra City Plan 2004*) (for the central part of the subject land) becoming the new standard building height limit (refer to **Figure 8: Extract of Draft Sunshine Coast Planning Scheme Height of Buildings and Structures Overlay Map**).

Figure 8: Extract of Draft Sunshine Coast Planning Scheme Height of Buildings and Structures Overlay Map



Submissions to the Draft Sunshine Coast Planning Scheme

During the public consultation period for the Draft Sunshine Coast Planning Scheme, Council received 2 submissions relating to the Buddina Urban Village. One submission supported the Buddina Urban Village and one submission sought a transition in building height from the High density residential zone south of Talinga Street and the Low density residential zone north of Talinga Street. The submission suggested a preference for the Medium density residential zone to be used as a buffer. No changes were recommended or made to the Draft Sunshine Coast Planning Scheme in response to this submission.

C. Sunshine Coast Planning Scheme 2014

No changes were made to the zoning, local plan precincts or the maximum buildings heights for land within the Buddina Urban Village from the draft version of the Sunshine Coast Planning Scheme to the final version, which commenced on 21 May 2014.

Minor changes were made to the Kawana Waters Local Plan Elements Figure to remove some streets within the Buddina Urban Village, which were identified as key pedestrian/cycle linkages.

Refer to **Figure 9: Extract of Sunshine Coast Planning Scheme 2014 Kawana Waters Local Plan Elements Figure 7.2.14A**, overleaf.

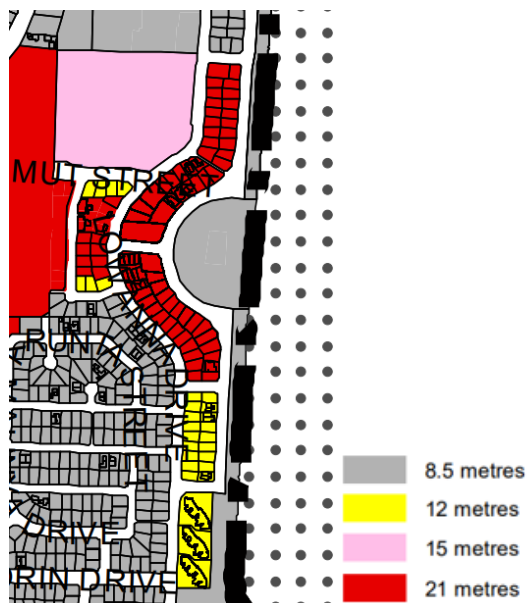
**Figure 9: Extract of Sunshine Coast Planning Scheme 2014 Kawana Waters Local Plan Elements
Figure 7.2.14A**



The *Sunshine Coast Planning Scheme 2014* was amended on 11 November 2019 (refer to the *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 20 – Site Specific and Operational Matters*), which rationalised the number of building height increments on the Height of buildings and structures overlay and amended the maximum building height for a number of specific school sites.

In relation to the Buddina Urban Village, land included in the 11 metre height increment was included in the 12 metre height increment on the Height of buildings and structures overlay map and the maximum building height for the Buddina State School (located to the north of the Buddina Urban Village) increased from 8.5 metres to 15 metres (refer to **Figure 10: Extract of Sunshine Coast Planning Scheme 2014 Height of Buildings and Structure Overlay Map OVM35H**).

Figure 10: Extract of Sunshine Coast Planning Scheme 2014 Height of Buildings and Structures Overlay Map OVM35H



Sunshine Coast Council : Effective 12 October 2020 : Version 1

Form 5



D. Development Nodes

The Kawana Waters Local Plan Code includes specific provisions for development within Precinct KAW LPP-4 (Buddina Urban Village).

Overall outcome (2)(I) of the Kawana Waters Local Plan Code states that:

“Development in Precinct KAW LPP-4 (Buddina Urban Village) provides for the creation of the Buddina Urban Village linking Kawana Shoppingworld to Kawana Waters Surf Lifesaving Club by a public pedestrian way and providing active frontages which encourage movement and interaction between the district activity centre and the adjacent foreshore areas. Development at this location provides for higher density residential accommodation in the form of permanent and visitor accommodation buildings and multiple dwellings. In response to the fragmented nature of existing land holdings, higher density residential development is sited within large, integrated development nodes.”

The Kawana Waters Local Plan Code also contains performance outcomes and acceptable outcomes relevant to the Buddina Urban Village precinct and sub-precincts.

Acceptable Outcome AO21.1 of the Kawana Waters Local Plan Code requires development within Sub-precinct KAW LPSP-4a to amalgamate lots to create a minimum development site of 3,000m² in accordance with the development nodes identified on Figure 7.2.14A (Kawana Waters Local Plan Elements). Refer to **Figure 9: Extract of Sunshine Coast Planning Scheme 2014 Kawana Waters Local Plan Elements Figure 7.2.14A**.

It should be noted that Acceptable outcomes are one way only of achieving the corresponding Performance outcome. An applicant may provide an alternative proposal that meets the corresponding Performance outcome.

The corresponding Performance outcome PO21 of the Kawana Waters Local Plan Code requires development in Precinct KAW LPP-4 (Buddina Urban Village) to:

- (a) occur on large, integrated development sites through the coordinated amalgamation of existing lots;
- (b) ensures that amalgamated lots do not isolate excluded lots;
- (c) maximises site area and minimises site cover to maintain residential amenity;
- (d) is designed to exhibit a high standard of architectural design;
- (e) provides functional and integrated car parking arrangements that do not dominate the street; and
- (f) promotes pedestrian priority along Pacific Boulevard by minimising vehicular access from this road.

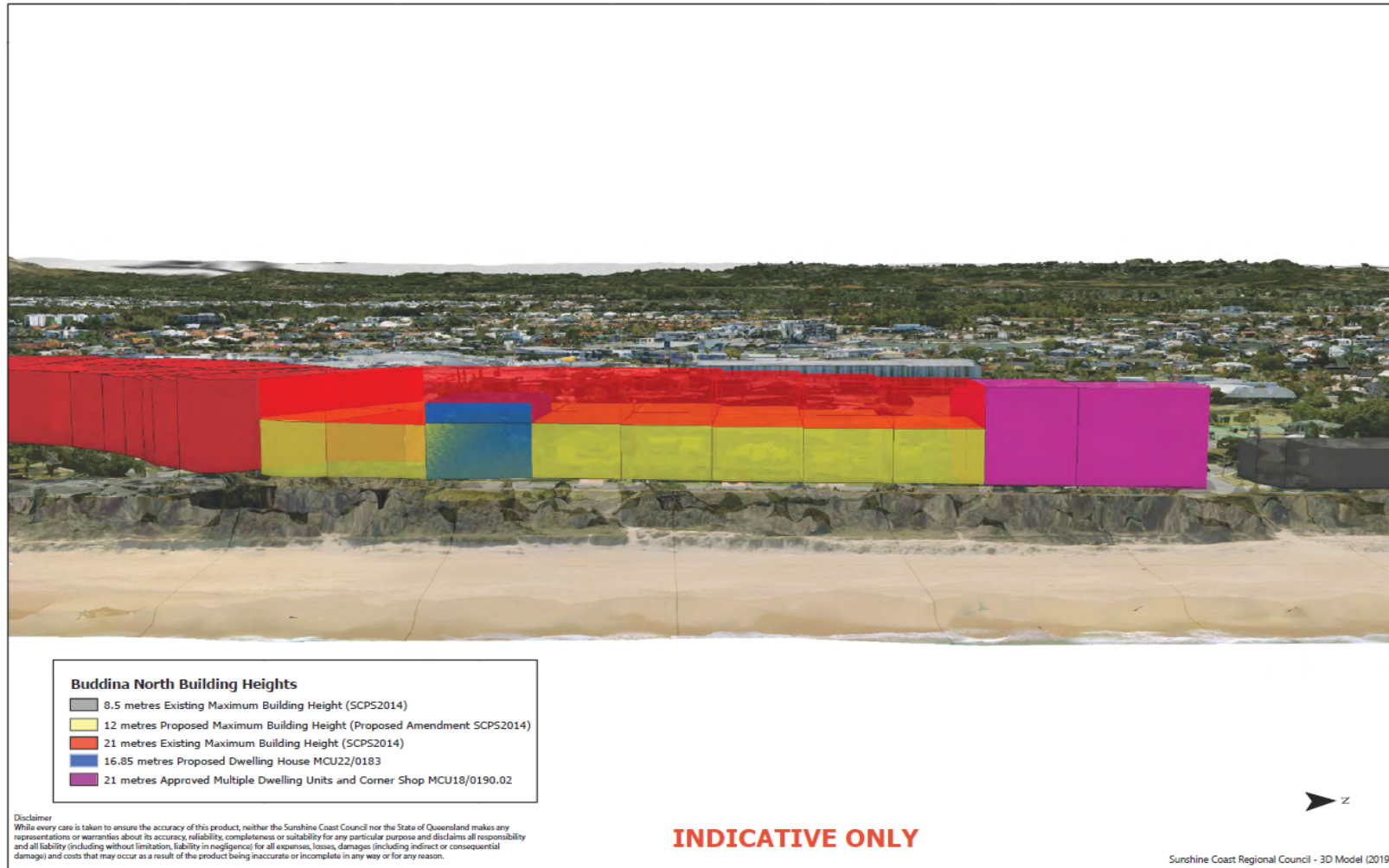
E. Buddina Beach Development

The Buddina Beach Development (comprising 73 multiple dwellings and a shop (corner store)), located at 2 and 6 Talinga Street, 84 and 85 Pacific Boulevard and 61 and 63 Iluka Avenue, Buddina, was originally approved by Council on 30 April 2019. The Council's decision was subsequently subject to a judicial review process which challenged the validity of that decision. The Court ultimately determined that the decision making process of Council was reasonable and valid and the development is currently under construction.

F. Massing Diagram

Attachment A (Building Heights for the North-Eastern Section of Buddina Urban Village) provides a massing diagram for the north-eastern section of the Buddina Urban Village, which outlines existing and proposed maximum building heights under the *Sunshine Coast Planning Scheme 2014*, as well as approved and proposed development.

Attachment A : Building Heights for North-Eastern Section of Buddina Urban Village



Related Report / Additional Information Request

Meeting:	Ordinary Meeting	Date:	23 June 2022
Requesting Councillor:	Councillor J Natoli		
Item:	8.7 Changes to the proposed site specific and editorial matters amendment – Buddina Urban Village		
Circulation	Tuesday, 21 June 2022		
Officer (title):	Coordinator CEO Governance & Operations	Approving GE (title):	Chief of Staff and Executive Manager

In response to a question raised by Councillor Joe Natoli, please note the following additional information for your consideration.

Question:

Can Council vote to change the previous resolution made at the April 2022 Ordinary Meeting in relation to Item 8.7 - Changes to the proposed site specific and editorial matters amendment – Buddina Urban Village and if so, what meeting procedure can be used?

Response:

As published, the officer recommendation for this report is to 'receive and note'. An alternate motion or an amendment to a live motion can be moved in the usual course of business during the meeting.

The *Local Government Regulation 2012* sets out the requirements should a Councillor wish to repeal or amend an existing resolution – that is, a notice of intention must be circulated at least 5 days before the meeting at which the proposal is to be considered. To date, no notice has been received.