

# Agenda

**Ordinary Meeting**  
**Wednesday, 24 April 2024**

**commencing at 9:00am**

Sunshine Coast City Hall Chamber, 54 First Avenue, Maroochydore

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**ORDINARY MEETING**

**NOTICE**

12 April 2024

Dear Councillors, Group Executives and relevant staff,

In accordance with Section 254C(2) of the *Local Government Regulation 2012*, I wish to advise that an Ordinary Meeting has been convened for

24 April 2024

commencing at 9.00am.

A handwritten signature in black ink, appearing to read "Emma Thomas", with a stylized flourish at the end.

Emma Thomas | Chief Executive Officer

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

That the Minutes of the Ordinary Meeting held on 7 March 2024 and the Special Meeting held on 11 April 2024 be received and confirmed.

**5 MAYORAL MINUTE****6 INFORMING OF CONFLICTS OF INTEREST****6.1 PRESCRIBED CONFLICTS OF INTEREST**

Pursuant to section 150EL of the *Local Government Act 2009* (the Act), a Councillor who has a prescribed conflict of interest in an issue to be considered at a meeting of the local government must –

- (a) immediately inform the meeting of the prescribed conflict of interest including the particulars stated in section 150EL(4) of the Act and
- (b) pursuant to section 150EM(2) of the Act must leave the place at which the meeting is being held, including any area set aside for the public, and stay away from the place while the matter is being discussed and voted on.

**6.2 DECLARABLE CONFLICTS OF INTEREST**




Pursuant to section 150EQ of the *Local Government Act 2009*, a Councillor who has a declarable conflict of interest in a matter to be considered at a meeting of the local government, must stop participating in the meeting and immediately inform the meeting of the declarable conflict of interest including the particulars stated in section 150EQ(4) of the Act.

If the Councillor with a declarable conflict of interest does not voluntarily decide not to participate in the decision, pursuant to section 150ES(3)(a) of the Act the eligible Councillors must, by resolution, decide

- (a) whether the Councillor may participate in the decision despite the Councillors conflict of interest or
- (b) that the Councillor must not participate in the decision and must leave the place at which the meeting is being held, including any area set aside for the public and stay away while the eligible Councillors discuss and vote on the matter.

The Councillor with the declarable conflict of interest must comply with any conditions the eligible Councillors impose per section 150ES(4) and (5) of the Act.

**7        PRESENTATIONS / COUNCILLOR REPORTS**

**8 REPORTS DIRECT TO COUNCIL****8.1 APPLICATION FOR PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE OF PREMISES INCLUDING A VARIATION REQUEST TO VARY THE EFFECT OF THE SUNSHINE COAST PLANNING SCHEME 2014, AND RELATED APPLICATIONS FOR DEVELOPMENT PERMITS (RECONFIGURING A LOT AND MATERIAL CHANGE OF USE) - 38-40 CLITHERO AVENUE, BUDERIM****File No:** MCU22/0167 RAL22/0059**Author:** Principal Development Planner  
Customer & Planning Services Group**Appendices:** App A - Conditions of Approval..... 17  **Attachments:** Att 1 - Detailed Assessment Report..... 33  Att 2 - Plan of Development..... 73  Att 3 - Proposal Plan - Reconfiguring a Lot..... 83  Att 4 - Proposal Plans - Dwelling House..... 85  Link to [Development.i - MCU22/0167 RAL22/0059](#)**PURPOSE**

The purpose of this report is to seek Council's determination of a combined application for the following development aspects:

- Preliminary Approval for Material Change of Use of Premises including a Variation Request to vary the effect of the *Sunshine Coast Planning Scheme 2014* [change of zone from Limited Development (Landscape Residential) to Low Density Residential (Precinct LDR1 – Protected Housing area) and Limited Development (Landscape Residential) and change of Biodiversity, Waterways and Wetlands Overlay Map]
- Development Permit to Reconfigure a Lot (1 Lot into 2 Lots) and
- Development Permit for Material Change of Use of Premises to establish a Dwelling House including a Secondary Dwelling.

The application is before Council because it includes a Variation Request as defined in the *Planning Act 2016*.

**EXECUTIVE SUMMARY**

The application seeks a Preliminary Approval for Material Change of Use of Premises including a Variation Request to vary the effect of the *Sunshine Coast Planning Scheme 2014* (the planning scheme). The application also seeks a Development Permit for Reconfiguring a Lot (1 lot into 2 lots) and a Development Permit for a Material Change of Use of Premises to establish a Dwelling House including a Secondary Dwelling.

The subject site is included in the Limited Development (Landscape Residential) zone in the planning scheme. In accordance with the planning scheme for land with that zoning, development is generally intended to be limited to a single dwelling house, and no new lots are intended to be created. The site was included in the Limited development (Landscape

Residential) zone in the current planning scheme due to the presence of constraints including flooding, ecologically important areas, landslide hazard and steep land. These constraints are mapped on the planning scheme overlays.

The subject site presently contains three (3) dwelling houses that were either constructed or located on the site in the 1970's and 1980's. The proposed development involves creating one additional new lot around the existing main house and demolishing one of the other existing dwellings and replacing it with a new and larger dwelling house. In order to achieve this development (i.e., the subdivision and the new house) and to demonstrate achievement of the planning scheme's outcomes, the application proposes that the zoning of part of the land should be changed from Limited Development (Landscape Residential) to Low Density Residential, and furthermore, that the mapped extent of the Biodiversity waterways and wetlands overlay be changed to reflect the results of detailed technical assessment. These proposed changes to the zoning and the overlay mapping are the main subject of the Variation Request component of the application.

A detailed assessment of the application has been undertaken and is included in the officer's Detailed Assessment Report at **Attachment 1** to this report. It is considered that the proposed Variation Request is appropriate in the circumstances, would comply with all applicable assessment benchmarks and would satisfy the requirements of the *Planning Act 2016*. Furthermore, it is considered that the proposed Reconfiguring a Lot and the proposed Material Change of Use would also achieve the outcomes of all applicable assessment benchmarks, subject to the imposition of conditions.

In relation to the Plan of Development to be included in this approval, the zoning is proposed to be amended so the site that is included in the Low density residential zone be limited to the area of proposed Lot 10 which is 1542m<sup>2</sup> in area. This would mean that the extent of subdivision over the site would be limited to creating a single additional lot no less than 1500m<sup>2</sup> in size, as per the current reconfiguring a lot proposal.

The application is therefore recommended for approval with reasonable and relevant conditions.

## **OFFICER RECOMMENDATION**

**That Council:**

- (a) receive and note the report titled "Application for Preliminary Approval for Material Change of Use of Premises including a Variation Request to vary the effect of the Sunshine Coast Planning Scheme 2014, and related Applications for Development Permits (Reconfiguring a Lot and Material Change of Use) - 38-40 Clithero Avenue, Buderim" and**
- (b) APPROVE Application No. MCU22/0167 & RAL22/0059, and grant a Preliminary Approval for Material Change of Use of Premises including a Variation Request to vary the effect of the *Sunshine Coast Planning Scheme 2014* [change of zone from Limited Development (Landscape Residential) to Low Density Residential (Precinct LDR1 – Protected Housing area) and Limited Development (Landscape Residential) and change of Biodiversity, Waterways and Wetlands Overlay Map], and a Development Permit to Reconfigure a Lot (1 Lot into 2 Lots), and a Development Permit for Material Change of Use of Premises to establish a Dwelling House including a Secondary Dwelling, subject to the imposition of reasonable and relevant conditions in Appendix A and**

- (c) **note all future requests for a negotiated decision and requested changes to the approval to be determined by delegated Council officers where the changes would not have a material impact on the outcome of the original decision.**

## **FINANCE AND RESOURCING**

In the event of an approval, Infrastructure Charges in the order of \$17,500 for one additional lot may be payable in accordance with Council's Infrastructure Charges Resolution pending the review of archived building approval files to determine if there are any applicable infrastructure credits.

## **CORPORATE PLAN**

**Corporate Plan Goal:** ***Our service excellence***

**Outcome:** We serve our community by providing this great service

**Operational Activity:** S20 - Development services – planning, engineering, plumbing and landscaping approvals, provision of specialist advice to the community on planning requirements, audit of private development works, investigation of complaints from the public around land use or development, management of appeals.

## **CONSULTATION**

### **Councillor Consultation**

The Divisional Councillor, Councillor E Hungerford has been consulted on the application.

### **Internal Consultation**

The application was referred to and/or discussed with the following internal Council specialists and their assessment forms part of this report.

- Principal Development Engineer - Hydraulics, Development Services Branch, Customer and Planning Services Group
- Principal Development Engineer, Development Services Branch, Customer and Planning Services Group
- Senior Biodiversity Officer, Development Services Branch, Customer and Planning Services Group
- Principal Strategic Planner, Strategic Planning Branch, Customer and Planning Services Group
- Aquatic Ecologist, Environment and Sustainability Policy Branch, Liveability and Natural Assets Group

### **External Consultation**

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

## Community Engagement

The application was publicly notified for 30 business days between 4 September and 17 October 2023 in accordance with the requirements of the *Planning Act 2016*. A total of two (2) submissions were received, both of which were determined to be 'properly made' in accordance with the *Planning Act 2016*. The submitters are residents of Clithero Avenue in the vicinity of the subject site.

A summary of the matters raised in the submissions, together with a statement of how those matters have been addressed as part of the assessment, is included in the officer's Detailed Assessment Report at **Attachment 1** to this report.

## PROPOSAL

The application seeks approval for the following development aspects:

- Preliminary Approval for Material Change of Use of Premises including a Variation Request to vary the effect of the *Sunshine Coast Planning Scheme 2014* [change of zone from Limited Development (Landscape Residential) to Low Density Residential (Precinct LDR1 – Protected Housing area) and Limited Development (Landscape Residential) and change of Biodiversity, Waterways and Wetlands Overlay Map]
- Development Permit to Reconfigure a Lot (1 Lot into 2 Lots) and
- Development Permit for Material Change of Use of Premises to establish a Dwelling House including a Secondary Dwelling.

Each aspect is described in greater detail below.

### Variation Request

The application seeks approval of a Plan of Development (POD) for the subject land which includes variations to the *Sunshine Coast Planning Scheme 2014* (the planning scheme). The proposed variations to the planning scheme are primarily mapping related, and are summarised as follows:

- Vary the zoning of the subject land so that it is partly within the Low density residential zone (including Precinct LDR1 – Protected Housing) and partly within the Limited development (landscape residential) zone. The planning scheme currently includes the subject land wholly in the Limited development (landscape residential) zone.
- Vary the Biodiversity, waterways and wetlands overlay mapping applicable to the subject land. Specifically, change the location and/or extent of the mapped Native Vegetation Area, Riparian Protection Area, Waterways and Wetlands elements affecting the subject land to reflect the results of detailed technical assessment.
- Vary the minimum lot size for the part of the subject land that is proposed to be included Low density residential zone from 700m<sup>2</sup> (as currently required in the *Buderim local plan code*) to 1500m<sup>2</sup>. The purpose of this variation is to ensure that any future application for reconfiguring a lot in Low density residential zoned area which includes lots less than 1500m<sup>2</sup> in area would be subject to impact assessment.

The Plan of Development includes tables of assessment for a material change of use in each proposed zone, for reconfiguring a lot in the Low density residential zone, and for development in the Biodiversity, waterways and wetlands overlay. However, the proposed categories of development and assessment for future development on the subject site are



the same as that for other land in the planning scheme with the same zoning and overlay mapping, and the applicable assessment benchmarks for future development (codes) are also the same. The only change is that the Plan of Development requires impact assessment for particular reconfiguring a lot, as described in the third dot point above.

The Plan of Development has been attached to this report (refer to **Attachment 2**).

#### Reconfiguring a Lot

The application seeks a development permit for reconfiguring the subject land into two (2) lots. Proposed Lot 10 would be 1,542m<sup>2</sup> in area and would be wholly included within the Low density residential zone (and precinct LDR1) if the variation request is approved. Proposed Lot 9 would be 9,874m<sup>2</sup> in area and would be partly included in the Low density residential zone (and precinct LDR1) and partly included in the Limited development (landscape residential) zone if the variation request is approved.

The subject land includes three (3) existing dwelling houses. Two of these are larger dwellings, and one is a small cottage. Proposed Lot 10 would include the largest of the existing dwelling houses (currently the main house on the site) as well as a garage and the existing driveway. Proposed Lot 9 would include the other dwelling house and the small cottage. Lot 9 would also include the site's environmental attributes including native vegetation and Martins Creek.

A plan of the proposed reconfiguring a lot has been attached to this report (refer to **Attachment 3**).

#### Material Change of Use (Dwelling House & Secondary Dwelling)

The application seeks a development permit for a material change of use of premises to establish a new dwelling house and a secondary dwelling on proposed Lot 9. The application proposes to demolish the existing dwelling house located in the northern part of the site and replace it with a larger new dwelling house with its own driveway access. The proposed new dwelling house would include 5 bedrooms over three storeys and would not exceed 8.5m above natural ground level in accordance with the Height of buildings and structures overlay. The application also proposes to retain the existing small cottage on the site as a secondary dwelling.

The proposal plans for the new dwelling house have been attached to this report (refer to **Attachment 4**).

#### ASSESSMENT SUMMARY

A detailed assessment of the application has been undertaken and is included in the officer's Detailed Assessment Report at **Attachment 1** to this report.

The subject site is included in the Limited development (Landscape Residential) zone in the planning scheme. In accordance with the planning scheme for land with that zoning, development is generally intended to be limited to a single dwelling house, and no new lots are intended to be created. The site was included in the Limited development (Landscape Residential) zone in the current planning scheme due to the presence of constraints including flooding, ecologically important areas, landslide hazard and steep land. These constraints are mapped on the planning scheme overlays.

However, the subject site is somewhat unique in that it presently contains three (3) dwelling houses, with the largest “main house” on the site built in the 1980’s and the smaller houses estimated to have been built/located onto the site during the 1970’s. The proposed development involves creating one additional new lot around the existing main house and demolishing one of the other existing dwellings and replacing it with a new and larger dwelling house. In order to achieve this development (i.e., the subdivision and the new house) and demonstrate achievement of the planning scheme’s outcomes, the application proposes that the zoning of part of the land should be changed from Limited Development (Landscape Residential) to Low Density Residential, and furthermore, that the mapped extent of the Biodiversity waterways and wetlands overlay be changed to reflect the results of detailed technical assessment. These proposed changes to the zoning and the overlay mapping are the main subject of Variation Request component of the application.

The *Planning Act 2016* allows for an application for a Preliminary Approval to include a Variation Request. A Variation Request seeks to vary the effect of a local planning instrument (the planning scheme) on premises that is the subject of the application. If approved, the Variation Approval may establish different categories of assessment and assessment benchmarks (e.g., codes) for development and would prevail over the planning scheme to the extent of any inconsistency for the “life” of the approval. Typically, a Variation Request is sought for larger master planned development sites and seeks to create in effect a “mini” local planning instrument for a site by defining various development precincts, identifying tables of assessment for future development in each precinct, and establishing new development code(s) that would apply to future development in the master planned area. However, in the case of the subject application, the proposed Variation Request seeks to make changes to the zoning and overlay mapping that apply to the premises, and have these changes prevail over the current planning scheme zoning and overlay mapping. If accepted, these changes would then facilitate the other aspects of development that the application seeks approval for, that is the subdivision and the new house.

As part of the application, the applicant has undertaken ground-truthing investigations which have demonstrated the current planning scheme overlay mapping is incorrect in the north-eastern portion of the site. Accordingly, it is considered that the current extent of the Limited development (Landscape Residential) zoning and the Biodiversity, waterways and wetlands overlay mapping for the site does not reflect the actual site characteristics. It is considered that the proposed variations to the mapping would be consistent with the planning scheme’s purpose of and outcomes for the Limited development (Landscape Residential) zone and the Biodiversity, waterways and wetlands overlay.

Additionally, having the north eastern portion of the site included in the Low density residential zone, and the balance of the site remaining in the Limited development (landscape residential zone) is reflective of the pattern of zoning in the immediate surrounding area. This zoning pattern, where relatively unconstrained lots or parts of lots close to a road frontage are zoned Low density residential and the rear of lots that contain ecological and topographical constraints are zoned Limited development (landscape residential) is already present to the immediate north of the site in Clithero Avenue and in areas to the north and west along Quorn Close and Amaroo Drive.

Furthermore, the proposed Variation Request, reconfiguring a lot, and new dwelling house is a unique proposal in that due to the presence of existing development on the site, the extent of the proposed development is essentially limited to one new dwelling house and driveway

in the north eastern part of the site, as a replacement for one of the existing dwellings. The proposed development therefore provides for a very limited range of activities that are of a low intensity and compatible with the nature of the constraints present on the land.

Having regard to the above, it is considered that any approval granted would not set an undesirable precedent for other applications seeking a variation of the Limited development (Landscape Residential) zone and/or mapped overlays on the basis of ground-truthed site investigations.

The Plan of Development submitted with the application requires impact assessment for reconfiguring a lot in the Low density residential zone where lots less than 1500m<sup>2</sup> are proposed to be created. However, because the area proposed to be included in the Low density residential zone is at least 3000m<sup>2</sup>, further subdivision could occur and be subject to code assessment only. It is therefore recommended that the area of the site that is included in the Low density residential zone be limited to the area of proposed Lot 10 which is 1542m<sup>2</sup> in area. This would mean that the extent of subdivision over the site would be limited to creating a single additional lot no less than 1500m<sup>2</sup> in size, as per the current reconfiguring a lot proposal. Any future proposal to subdivide proposed Lot 9 (or the area encompassing proposed Lot 9) would then be subject to impact assessment as this area would remain entirely in the Limited development (Landscape Residential) zone. This would enable submission rights for any further subdivision of the land beyond what is proposed in the current application.

It is considered that the proposed variation request would comply with all applicable assessment benchmarks and would satisfy the requirements of the *Planning Act 2016*, subject to amendments. Furthermore, it is considered that the proposed reconfiguring a lot and the proposed material change of use would also achieve the outcomes of all applicable assessment benchmarks, subject to the imposition of reasonable and relevant conditions. Approval of the application is therefore recommended.

### **Legal**

In relation to this development application, there are currently no legal implications relevant to this report but noting Council's decision on the application can be appealed to the Planning and Environment Court by the applicant and any submitter who made a properly made submission. Council will proceed with any required actions resulting from any legal action.

### **Policy**

The application has been assessed against the *Sunshine Coast Planning Scheme 2014* and regard has been given to all relevant Council policies.

### **Risk**

These matters can be appealed to the Planning and Environment Court by the applicant and any submitter who made a properly made submission. Council will proceed with any required actions resulting from any legal action.

### **Previous Council Resolution**

There is no previous Council resolution which is applicable to this application.

**Related Documentation**

A copy of the officer's full and detailed assessment report is included as **Attachment 1** to this report.

A copy of the Plan of Development and the proposal plans associated with the proposed development are included as **Attachments 2, 3 and 4** to this report.

**Critical Dates**

A decision is due on the application by 24 April 2024. As the application is subject to impact assessment, if a decision is not made by this date, the applicant may lodge an appeal in the Planning and Environment Court against a 'deemed refusal' in accordance with the provisions of the *Planning Act 2016*.

**Implementation**

Should the recommendation be approved by Council, it is noted that Council officers will communicate the outcome of Council's resolutions to the applicant and submitters who made a properly made submission as appropriate.

#### APPLICATION DETAILS

Application No: RAL22/0059 MCU22/0167  
 Street Address: 38-40 Clithero Ave BUDERIM QLD 4556  
 Real Property Lot 4 RP 901053  
 Description:  
 Planning Scheme: Sunshine Coast Planning Scheme 2014 (16 May 2022)

#### APPROVAL DETAILS

Nature of Approval: Approval with conditions

Type of Approval:

- Preliminary Approval for Material Change of Use of Premises including a Variation Request to vary the effect of the Sunshine Coast Planning Scheme 2014 [change of zone from Limited Development (Landscape Residential) to Low Density Residential (Precinct LDR1 - Protected Housing area) and Limited Development (Landscape Residential) and change of Biodiversity, Waterways and Wetlands Overlay Map]
- Development Permit to Reconfigure a Lot (1 Lot into 2 Lots)
- Development Permit for Material Change of Use of Premises to establish a Dwelling House including a Secondary Dwelling

#### CURRENCY PERIOD OF APPROVAL

Unless lawfully extended, the currency period for all aspects of this development approval is 6 years starting the day that this development approval first took effect (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*).

#### INFRASTRUCTURE

Unless otherwise specified, all assessment manager conditions of this development approval relating to the provision of infrastructure are non-trunk infrastructure conditions for Chapter 4 of the *Planning Act 2016*.

#### ASSESSMENT MANAGER CONDITIONS

#### PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE OF PREMISES INCLUDING A VARIATION REQUEST

##### PLANNING

##### When conditions must be complied with

- Unless otherwise stated, all conditions of this development approval must be complied with prior to the use commencing, and then compliance maintained at all times while the use continues.

### Approved Plans

2. Development associated with this preliminary approval must be undertaken generally in accordance with the Approved Plans listed within this development approval. The Approved Plans must be amended to incorporate the amendments listed within this preliminary approval and approved by council prior to the issue of any further development permit on the site.  
\*(Refer to Advisory Note)

### Nature and Extent of Approved Use

3. A preliminary approval (including a variation request) is granted in relation to a Material Change of Use of Premises for a change of zone from Limited Development (Landscape Residential) to partly Low Density Residential (Precinct LDR1 - Protected Housing area) and partly Limited Development (Landscape Residential), and, a change of the Biodiversity, Waterways and Wetlands Overlay Map, in accordance with the approved Plan of Development.
4. Pursuant to s43(3)(c) and s43(7) of the *Planning Act 2016*, this approval overrides the planning scheme (whether current, new or amended) for the life of the approval to the extent directed by the conditions of this approval and the plans and documents referenced by it, and in particular that:
  - (a) the Plan of Development listed in this development approval replaces the planning scheme in declaring the zoning of the land, the precinct of the land, and declaring the location of the Biodiversity, waterways and wetlands overlay on the land.
  - (b) the categories of development and the categories of assessment contained within the Plan of Development listed in this development approval replaces the planning scheme in declaring the categories of development and categories of assessment for development to the extent stated within the Plan of Development.
5. Lodgement requirements and assessment criteria of future development within the land subject to this preliminary approval will be as follows:
  - (a) for any future material change of use, the categories of development and the categories of assessment contained within the Plan of Development listed in this development approval, to the extent stated within the Plan of Development.
  - (b) for any future reconfiguring a lot, the categories of development and the categories of assessment contained within the Plan of Development listed in this development approval, to the extent stated within the Plan of Development.
  - (c) for any future Operational Work, as per the requirements of the *Sunshine Coast Planning Scheme 2014* (16 May 2022).
  - (d) for any future Building Work, as per the requirements of the *Sunshine Coast Planning Scheme 2014* (16 May 2022).
6. The provisions of the current and any amended or future planning scheme have no effect for the life of this approval, except as expressly directed by the conditions of this approval and the plans and documents referenced by it.
7. Where the conditions of this approval and the plans and documents referenced by it are "silent" about a particular matter, then the provisions of the *Sunshine Coast Planning Scheme 2014* (16 May 2022) will have effect.

### Sunset Date for Completion of Development under Preliminary Approval

8. This preliminary approval lapses and ceases to have effect pursuant to sections 71(5)(b) and 88(2)(a) of the *Planning Act 2016* when the first of the following occurs:

- (a) the commencement of an amendment to a planning scheme or a new planning scheme which integrates and reflects the provisions of this approval; or
- (b) 24 April 2030.

#### **ECOLOGY**

- 9. Existing vegetation must be retained and protected in accordance with the tree assessment report referenced in this approval.
- 10. No further vegetation clearing works are permitted, other than the approved trees nominated in the approved tree assessment report.
- 11. Vegetation on the site must only be removed or disturbed in accordance with a fauna management plan prepared by a qualified person\* and endorsed by council prior to commencement of any works on site.  
\*(Refer to Advisory Note)

#### **DEVELOPMENT PERMIT TO RECONFIGURE A LOT (1 LOT INTO 2 LOTS)**

#### **PLANNING**

##### **When Conditions must be complied with**

- 12. Unless otherwise stated, all works required by the conditions of this development approval must be completed prior to approval of the plan of subdivision.

##### **Approved Plans**

- 13. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans listed within this development approval. The Approved Plans must be amended to incorporate the amendments listed within this development approval and approved by council prior to the issue of any further development permit on the site.  
\*(Refer to Advisory Note)
- 14. All lot numbering on the plan of subdivision to be submitted to council must remain as shown on the Approved Plans.

##### **Boundary Encroachments**

- 15. Certification must be submitted to council from a cadastral surveyor which certifies that:
  - (a) the boundary clearances for any existing buildings that are to remain on the site comply with the relevant provisions of the planning scheme and the *Building Act 1975* (unless varied by this development approval), where boundary clearances for buildings other than class 1 or 10 buildings are to be determined by a building certifier
  - (b) all existing and proposed utility services and connections (e.g. electricity, telecommunications, water, sewerage) are wholly located within the lot they serve, or alternatively included within an easement where location within the lot is not possible
  - (c) all retaining walls and structures are fully contained within the lot they retain
  - (d) any fill, including fill batters, are wholly contained within the subject site and not on adjacent properties.

## ENGINEERING

### Earthworks and Retaining Walls

16. All fill and associated batters must be undertaken in accordance with an operational works approval, and contained entirely within the subject site unless written permission from the respective landowner(s) is provided to Council.
17. All retaining walls must be designed and constructed in accordance with the planning scheme and must be certified by a Registered Professional Engineer of Queensland (RPEQ) where exceeding 1m in height.
18. Safety barriers must be implemented where steep slope or fall hazards exist naturally or are created by the design. The barrier type must be assessed and designed by a RPEQ as being appropriate for each location and the anticipated risks during construction, establishment, maintenance and end use, in accordance with the following criteria and standards:
  - (a) Where located adjacent to vehicle manoeuvring areas, vehicle barriers must be designed in accordance with *AS 2890.1 – Off-street Parking*
  - (b) Where located in areas with limited access, pedestrian barrier selection must be based on a suitable risk assessment method e.g. *AS 2156.2 Walking Tracks*.
  - (c) where located on residential boundary retaining walls greater than 1.0m high, a 'full infill' barrier (1.0m min height) or equivalent performance boundary fence (e.g. 1.8m high timber)
  - (d) All barriers must be certified to the appropriate load conditions from *AS 1170 - Structural Design Actions* by either the manufacturer or engineering calculations.

### Utility Services

19. Reticulated electricity must be provided to each lot in accordance with the requirements of the service provider. The applicant must either provide a Certificate for Electrical Supply or apply for a further operational works approval, where Contestable Works are required.
20. An underground telecommunications service must be provided to each lot in accordance with the requirements of the service provider.

### Easements

21. An easement for Access and Services purposes must be registered against the title of Lot 10 in favour of Lot 9 over the proposed easement identified on the Approved Plans.
22. Unless otherwise agreed in writing by the relevant service provider, any public or third party infrastructure located on the subject site must be placed within an easement registered against the title of the property.
23. All easements must be designed in accordance with the planning scheme and granted at no cost to the Grantee. Where the Grantee is Council or a service authority, the easement documentation must be in accordance with the Grantee's standard easement terms. Draft easement documentation must be submitted to Council for endorsement.
24. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.



### Stormwater Drainage

25. The site must be provided with a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an operational works approval and the Queensland Urban Drainage Manual, and must include in particular:
  - (a) the works described in the Stormwater Management Plan listed in this development approval and in particular the following:
    - (i) a block wall constructed generally as shown in Appendix D of the Stormwater Management Plan.
  - (b) collection and discharge of stormwater to Martins Creek
  - (c) extension of the site stormwater system to accommodate stormwater from external to the site, including registration of drainage easements.
26. A minimum 4m wide easement for drainage purposes must be registered against the title of the property in favour of Council generally over the proposed easement identified in Figure 8 in the Stormwater Management Plan listed in this development approval. The proposed easement must be increased in width to be a minimum of 4m wide at all locations.

### LANDSCAPE & ECOLOGY

#### Retention of Existing Trees

27. Existing vegetation must be retained and protected in accordance with the approved tree assessment report.
28. No further vegetation clearing works are permitted, other than the approved trees nominated in the approved tree assessment report.

#### Fauna Management

29. Vegetation must only be removed or disturbed in accordance with a fauna management plan/statement prepared by a qualified person\* and endorsed by council prior to commencement of any site works.  
 \*(Refer to Advisory Note)

#### Landscape Works

30. The development site must be landscaped\*. Works must include:
  - (a) Any frontage fencing/walls to be located a minimum of 1.5 metres inside the property boundary and screened/buffered with vegetation.
  - (b) A vegetation screen/buffer which maximises the area between the driveway access and the northern boundary, including vegetation with vertical scale to assist with screening/buffering of the proposed new dwelling and any fencing/walls.  
 \*(Refer to Advisory Note)

#### Plant Pest Management

31. A qualified person\* must manage plant pest (weeds) listed in the following standards and legislation prior to the survey plan release:
  - (a) Invasive plants listed in the *Biosecurity Act 2014*
  - (b) Sunshine Coast Local Government Area, Biosecurity Plan 2017  
 \*(Refer to Advisory Note)

### **Supervision/Certification**

32. Prior to the endorsement of the plan of subdivision, the following (prepared by respective qualified persons\* and certifying compliance with approvals) must be submitted to council:
- (a) Fauna management certification, confirming all works have been carried out by a certified/qualified person/s pre and during works.
  - (b) Arborist certification for the protection and retention of vegetation in accordance with the approved arborist report.
  - (c) Pest plant certification for the treatment & management of weeds.

\*(Refer to Advisory Note)

### **DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE OF PREMISES TO ESTABLISH A DWELLING HOUSE INCLUDING A SECONDARY DWELLING**

#### **PLANNING**

##### **When conditions must be complied with**

33. Unless otherwise stated, all conditions of this development approval must be complied with prior to the use commencing, and then compliance maintained at all times.

##### **Nature and Extent of Approved Development**

34. The development must comply with all applicable Acceptable Outcomes of the *Dwelling house* code contained within the *Sunshine Coast Planning Scheme 2014* (16 May 2022), except where varied by the conditions of this development approval.

##### **Approved Plans**

35. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans listed within this development approval.

##### **Building Height**

36. The maximum height of the development must not exceed 8.5m above natural ground level.
37. Certification must be submitted to council from a cadastral surveyor which certifies that the building does not exceed the maximum height requirement of this development approval.

##### **Parking**

38. At least two (2) on site car parking spaces must be provided for the dwelling house with at least one (1) space capable of being covered.
39. Access driveways, internal circulation and manoeuvring areas, and on site car parking areas are designed and constructed in accordance with *AS 2890 - Parking facilities – Off-street parking*.

### Secondary Dwelling

40. The secondary dwelling associated with the approved dwelling house on the same property must remain subordinate to the dwelling house, and must not be subdivided from the main dwelling or provided with its own separate land title.
41. At least 1 (one) car parking space, in addition to the requirement for the dwelling house, is provided for the secondary dwelling. This space must not be in tandem with any parking associated with the primary dwelling and must be contained wholly on the site.
42. The property on which the dwelling house and its associated secondary dwelling is sited must be provided with no more than 1 (one) water and electricity supply point and meter, one (1) waste service and one (1) letter box.

### ENGINEERING

#### Property Access and Driveways

43. A sealed access driveway must be provided from Clithero Ave to all parking and manoeuvring areas of the development. The works must be undertaken in accordance with an operational works approval and, unless otherwise agreed with Council, must include in particular:
  - (a) a driveway crossover in accordance with RS-049 and RS-050 and the approved plans.

#### Geotechnical Stability – Dwelling Requirements

44. All future dwellings on the approved lots must be sited and/or constructed in accordance with the recommendations contained in Section 5 of the *Landslide Risk Assessment* listed within this development approval, unless varied by a site-specific investigation for a particular house lot.

#### Earthworks and Retaining Walls

45. All fill and associated batters must be undertaken in accordance with an operational works approval, and contained entirely within the subject site unless written permission from the respective landowner(s) is provided to Council.
46. All retaining walls must be designed and constructed in accordance with the planning scheme and must be certified by a Registered Professional Engineer of Queensland (RPEQ) where exceeding 1m in height.
47. Safety barriers must be implemented where steep slope or fall hazards exist naturally or are created by the design. The barrier type must be assessed and designed by a RPEQ as being appropriate for each location and the anticipated risks during construction, establishment, maintenance and end use, in accordance with the following criteria and standards:
  - (a) Where located adjacent to vehicle manoeuvring areas, vehicle barriers must be designed in accordance with *AS 2890.1 – Off-street Parking*
  - (b) Where located in areas with limited access, pedestrian barrier selection must be based on a suitable risk assessment method e.g. *AS 2156.2 Walking Tracks*.
  - (c) where located on residential boundary retaining walls greater than 1.0m high, a 'full infill' barrier (1.0m min height) or equivalent performance boundary fence (e.g. 1.8m high timber)

- (d) All barriers must be certified to the appropriate load conditions from AS 1170 - *Structural Design Actions* by either the manufacturer or engineering calculations.

#### **Stormwater Drainage**

- 48. The site must be provided with a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an operational works approval and the Queensland Urban Drainage Manual, and must include in particular:
  - (a) the works described in the Stormwater Management Plan listed in this development approval and specifically:
    - (i) the driveway to the proposed dwelling must be designed and constructed to convey peak 1% AEP flows and severe storm flows around the proposed dwelling to Martins Creek generally as shown in Appendix C of the Stormwater Management Plan.
  - (b) the use of gravity stormwater drainage and not surcharge pits.

#### **Flood Immunity**

- 49. The minimum floor level of all buildings constructed on the site must be in accordance with the Approved Plans.

#### **LANDSCAPE & ECOLOGY**

- 50. Landscape works must be supervised, undertaken and certified by qualified persons\*. All works must be completed in accordance with this Decision Notice and prior to commencement of the use.  
\*(Refer to Advisory Note)
- 51. Landscape works must:
  - (a) Ensure all new tree stock meets *AS2303 Tree stock for landscape use*\*
  - (b) Ensure any frontage fencing/walls are located a minimum of 1.5 metres inside the property boundary and set behind vegetation screen/buffer when viewed from Clithero Avenue
  - (c) Include a vegetation screen/buffer which maximises the area between the driveway access and the northern boundary, including vegetation with vertical scale to assist with screening/buffering of the proposed new dwelling and any fencing/walls
 \*(Refer to Advisory Note)
- 52. Vegetation must only be removed or disturbed in accordance with a fauna management plan prepared by a qualified person\* and endorsed by council prior to commencement of any works on site.
- 53. A qualified person\* must be engaged to manage and supervise all tree protection and retention works prior to commencement of any works on site. Specifically, the protection of the existing trees No.1, 2 and 4 nominated in the approved tree assessment report and in accordance with *AS4970 Protection of trees on development sites*.  
\*(Refer to Advisory Note)
- 54. A qualified person\* must manage plant pest (weeds) listed in the following standards and legislation prior to the survey plan release:
  - (a) Invasive plants listed in the *Biosecurity Act 2014*
  - (b) Sunshine Coast Local Government Area, Biosecurity Plan 2017.

55. Prior to commencement of use, the following information, prepared by respective qualified persons\* and certifying compliance with approvals must be submitted to council:
- (a) Arborist certification for the retention and protection of all retained vegetation
  - (b) Fauna management (for vegetation removed)
  - (c) Landscape certification, for the vegetation screening/buffering
  - (d) *AS2303 Tree Stock for Landscape Use* certification (addressing each specimen).
56. All landscape works must be established and maintained in accordance with the approved design for the life of the development, and in a manner that ensures healthy and sustained plant growth. All plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.

**REFERRAL AGENCIES**

Not applicable.

**DEVELOPMENT PLANS**

The following development plans are Approved Plans for the development:

**Approved Plans**

Plan No.	Rev.	Plan Name	Date
1241 – SK-1-02	D	<i>Site Plan, prepared by Hollindale Mainwaring</i>	10/08/2023
1241 – SK-1-05	D	<i>Driveway Plan, prepared by Hollindale Mainwaring</i>	10/08/2023
1241 – SK-1-06	D	<i>Driveway Sections, prepared by Hollindale Mainwaring</i>	10/08/2023
1241 – SK-2-01	D	<i>House Plans Ground, prepared by Hollindale Mainwaring</i>	10/08/2023
1241 – SK-2-02	D	<i>House Plans First Floor, prepared by Hollindale Mainwaring</i>	10/08/2023
1241 – SK-2-03	D	<i>House Plans Upper Level, prepared by Hollindale Mainwaring</i>	10/08/2023
1241 – SK-2-04	D	<i>House Plans Roof Plans, prepared by Hollindale Mainwaring</i>	10/08/2023
1241 – SK-3.1	D	<i>Section 1, prepared by Hollindale Mainwaring</i>	10/08/2023
1241 – SK-3.2	D	<i>Section 2, prepared by Hollindale Mainwaring</i>	10/08/2023
1241 – SK-3.3	D	<i>Section 3, prepared by Hollindale Mainwaring</i>	10/08/2023
1241 – SK-3.4	D	<i>Section 4, prepared by Hollindale Mainwaring</i>	10/08/2023
1241 – SK-4-01	D	<i>Eastern Elevation, prepared by Hollindale Mainwaring</i>	10/08/2023
1241 – SK-4-02	D	<i>Southern Elevations, prepared by Hollindale Mainwaring</i>	10/08/2023
1241 – SK-4-03	D	<i>Western Elevation, prepared by Hollindale Mainwaring</i>	10/08/2023

1241 – SK-4-04	D	<i>Northern Elevation, prepared by Hollindale Mainwaring</i>	10/08/2023
766115176 - 40 Clithero Avenue Buderim Tree Assessment	B	<i>Tree Assessment, prepared by Heritage Tree Care</i>	11/8/2023

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

#### Plans Requiring Amendment

Plan No.	Rev.	Plan Name	Date
-	-	<i>Plan of Development, prepared by Development Directive</i>	-
<b>Amendments</b>		<ul style="list-style-type: none"> <li>Page 1 – include a version number and a date</li> <li>Page 1 – complete the statement in the last sentence of section “1. APPLICATION”</li> <li>Page 4 – add a default clause to the Reconfiguring a lot table for the Low density residential zone for scenarios not stated as Impact assessment consistent with Table 5.6.1 in the <i>Sunshine Coast Planning Scheme 2014</i>.</li> <li>Page 4 – add the heading “MATERIAL CHANGE OF USE” above the material change of use table.</li> <li>Page 5 – add a table of assessment for Reconfiguring a lot in the Limited development (landscape residential) zone consistent with Table 5.6.1 in the <i>Sunshine Coast Planning Scheme 2014</i>.</li> <li>Page 5 – add the heading “BIODIVERSITY, WATERWAYS AND WETLANDS OVERLAY” immediately below the section “LIMITED DEVELOPMENT (LANDSCAPE RESIDENTIAL ZONE)”.</li> <li>Page 5 – delete Editor’s notes in the footnotes</li> <li>Page 7 – change the extent of Low Density Residential zoning and the extent of Precinct LDR1 to coincide with the 1542m<sup>2</sup> area encompassed by proposed Lot 10 on the reconfiguring a lot plan (i.e. Plan No. 23108 Sh1 of 3, titled <i>Proposed Reconfiguration Lots 9 &amp; 10</i>, prepared by Hinterland Surveys, and dated 02/12/2021)</li> <li>Page 7 – change the extent of Limited Development (Landscape Residential) zoning to coincide with the 9874m<sup>2</sup> area encompassed by proposed Lot 9 on the reconfiguring a lot plan (i.e. Plan No. 23108 Sh1 of 3, titled <i>Proposed Reconfiguration Lots 9 &amp; 10</i>, prepared by Hinterland Surveys, and dated 02/12/2021)</li> </ul>	

23108 Sh1 of 3	-	Proposed Reconfiguration Lots 9 & 10, prepared by Hinterland Surveys	02.12.21
<b>Amendments</b>		<ul style="list-style-type: none"> <li>Identify an easement for access and services over Lot 10 in favour of Lot 9 in the area where driveway access is proposed to be shared between the two lots as shown on the approved driveway plan (i.e. Plan No. 1241 – SK-1-05 Rev. D, titled <i>Driveway Plan</i>, prepared by Hollindale Mainwaring and dated 10/08/2023)</li> </ul>	

#### REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

#### Referenced Documents

Document No.	Rev.	Document Name	Date
PTP/08283-0001	0	Section 5 of the Landslide Risk Assessment, prepared by ProTest	22/12/2021
620.31094.00000	2.0	Stormwater Management Plan, prepared by SLR	10/11/2023

#### ADVISORY NOTES

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

#### Accepted Development

- Council's assessment of the application for a Material Change of Use of Premises to establish a Dwelling House including a Secondary Dwelling was limited to the Acceptable Outcomes of the *Biodiversity, waterways and wetlands overlay code* and the *Landslide hazard and steep land overlay code* that were not complied with. The applicant must ensure that the development complies with all other relevant Acceptable Outcomes of the *Dwelling house code* and applicable overlay codes, except where varied by the conditions of this development approval.

#### Equitable Access and Facilities

- The plans for the proposed building work have NOT been assessed for compliance with the requirements of the *National Construction Code - Building Code of Australia (Volume 1)* as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the National Construction Code as they relate to people with disabilities, one or more of the following may impact on the proposed building work:
  - the *Disability Discrimination Act 1992 (Commonwealth)*
  - the *Anti-Discrimination Act 1991 (Queensland)*
  - the *Disability (Access to Premises – Buildings) Standards*.

#### Aboriginal Cultural Heritage Act 2003

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

The *ACH Act* establishes a cultural heritage duty of care which provides that: “A person who carries out an activity must take all reasonable and practicable measures to ensure

*the activity does not harm Aboriginal cultural heritage.* It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land Court, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Unit on 1300 378 401 to discuss any obligations under the *ACH Act*.

#### **Easements and Future Works over External Land**

4. Should the approved development necessarily require easements or works to be undertaken over land external to the site, including crane overhang into neighbouring airspace, council recommends that easement, access agreements and works requirements are negotiated with the relevant land owner/s prior to advancing to detailed design stages of the development to avoid unexpected costs or delays. To discuss easement or works requirements over council owned or controlled land, please liaise directly with council's Property Management Unit and note that compensation may be payable.

#### **Other Laws and Requirements**

5. This approval relates to development requiring approval under the *Planning Act 2016* only. It is the applicant's responsibility to obtain any other necessary approvals, licences or permits required under State and Commonwealth legislation or council local law, prior to carrying out the development. Information with respect to other council approvals, licences or permits may be found on the Sunshine Coast Council website ([www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au)). For information about State and Commonwealth requirements please consult with these agencies directly.

#### **Restriction on Building Approval until all other Permits are Effective**

6. Pursuant to the statutory provisions of the Building Act, a private building certifier must not grant any building development approval related to this development until all necessary development permits for the development (including, for example, operational works approvals) have taken effect under the *Planning Act 2016*. This legislative requirement is critical to ensure that a private certifier's approval about a component of the development is consistent with the assessment managers' decisions on other aspects of the overall development.

#### **Infrastructure Charges**

7. Infrastructure charges, determined in accordance with council's Infrastructure Charges Resolution, apply to this development approval. The Infrastructure Charges Notice, for council's proportion of the infrastructure charge, has been issued. Unitywater may issue an infrastructure charges notice for their proportion of the infrastructure charge.

#### **Development Compliance Inspection**

8. Prior to the commencement of the use, please contact council's Appeals Management and Compliance unit to arrange a development compliance inspection.



### Resubmission of Amended Plans Required

9. The conditions of this development approval require resubmission of plans to council with amendments. Please address the amended plans to council's Planning Assessment Unit with the reference no. MCU22/0167 and RAL22/0059 separate to any operational works application. To avoid delays and assessment issues with the operational works application, it is recommended the plans be resubmitted prior to lodgement of any operational works application. However, should the plans not be submitted, the applicant is advised that a preliminary approval may be issued in lieu of a development permit.

### Use of Premises for Short Term Accommodation

10. Use of the premises for the purpose of short-term holiday letting and visitor accommodation may require a development permit to be obtained from council in accordance with the applicable planning scheme and Queensland planning legislation in effect at the time of conducting the activity. Under the current *Sunshine Coast Planning Scheme 2014*, visitor holiday letting is defined as *Short-term accommodation* and requires a development permit for material change of use prior to the use commencing. Information with respect to the development applications may be found on the Sunshine Coast Council website ([www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au)).

### Lodgement of Bonds

11. All bonds, including bank guarantees, must be accompanied by a completed bond lodgement form (available at <https://www.sunshinecoast.qld.gov.au/Development/Development-Applications/Development-and-Building-Bonds>). The completed form ensures Council has the necessary details to register bonds against the correct development or building works, and returns the bond to the correct entity upon completion. Council will not be able to receipt the bond without the completed form.

### Qualified Persons

12. For the purpose of preparing a geotechnical report, and for certifying geotechnical stability for the development, a qualified person is considered to be a person who:
  - (a) is a Registered Professional Engineer of Queensland (RPEQ).
  - (b) has a degree in civil engineering or engineering geology.
  - (c) has a minimum of five (5) years experience in the field of geotechnical engineering or engineering geology.
13. For the purpose of undertaking, supervising tree works and preparing arboriculture certification, is considered to be a person with a minimum five years current experience in tree protection, hazard identification/mitigation and *AS2303 Tree Stock for Landscape Use* assessment and either:
  - (a) International Society of Arboriculture (ISA) certification; or
  - (b) A Diploma of Arboriculture.
14. For the purpose of supervising landscape works and preparing a landscape certification, is considered to be a landscape architect, landscape designer or horticulturist with a minimum of five years current experience in the field of landscape design.
15. For the purpose of preparing and certifying fauna management works is considered to be a Fauna Spotter Catcher with current certification under the Queensland Parks and Wildlife Service.

16. For the purpose of preparing and certifying pest plant treatment and management is considered to be and ecologist, bush regenerator, or horticulturist with a minimum of five years in the field of revegetation/rehabilitation/bush regeneration.

#### Unitywater – Water and Sewerage Services

17. The proposed carport and driveway for the Dwelling house is located over a sewer main. The location of these elements and associated works is subject to Unitywater's approval.
18. Where water and sewerage infrastructure is proposed to be constructed within an existing road reserve controlled by Council, a further consent approval for the alignment and extent of works will be required under Section 75 of the *Local Government Act 2009*. This consent must be obtained prior to any water and sewerage related works occurring within the road reserve. The consent request must be submitted in the approved form to Council's Infrastructure Services Department.
19. Where water and sewerage infrastructure is proposed to be constructed within an existing park or reserve controlled or owned by Council, consent approval from Council, as owner of the land, is required for the alignment and extent of works. This consent must be obtained prior to any water and sewerage related works occurring within the park or reserve. The consent request must be submitted in the approved form to Council's Land Management Unit.

#### PROPERTY NOTES

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

#### MCU22/0167– Variation to Planning Scheme Provisions

*This property forms part of, and is in part governed by, a variation approval issued under the Planning Act 2016 (council file reference MCU22/0167). The variation approval contains a supplementary table of assessment that replaces the planning scheme in declaring the level of assessment for development to the extent stated within the table. Applicants and private certifiers must refer to the variation approval prior to undertaking development on the property.*

#### VARIATION APPROVAL

A variation approval under the *Planning Act 2016* has been granted. Variations from the planning scheme that are applicable to any future development application over the premises are identified in this approval.

#### FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Work (Engineering work – Earthworks, Driveway and Stormwater)

#### SUBMISSIONS

There were two (2) properly made submissions about the application. In accordance with the *Planning Act 2016*, the name, residential or business address, and electronic address of the principal submitter for each properly made submission is provided and attached.

**INCONSISTENCY WITH EARLIER APPROVAL**

Not applicable.

**ENVIRONMENTAL AUTHORITY**

Not applicable.

**RIGHTS OF APPEAL**

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

**OTHER DETAILS**

If you wish to obtain more information about council's decision, please refer to the approval package for the application on Council's Development.i webpage at [www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au), using the application number referenced herein.





## COUNCIL ASSESSMENT REPORT

### DEVELOPMENT SERVICES

APPLICATION SUMMARY – MCU22/0167 & RAL22/0059	
<b>Division:</b>	7
<b>Applicant:</b>	Ms A Whitelaw Tte
<b>Consultant:</b>	The Development Directive Pty Ltd
<b>Owner:</b>	Ms A Whitelaw Tte
<b>Proposal:</b>	<ul style="list-style-type: none"> <li>Preliminary Approval for Material Change of Use of Premises including a Variation Request to vary the effect of the <i>Sunshine Coast Planning Scheme 2014</i> [change of zone from Limited Development (Landscape Residential) to Low Density Residential (Precinct LDR1 – Protected Housing area) and Limited Development (Landscape Residential) and change of Biodiversity, Waterways and Wetlands Overlay Map]</li> <li>Development Permit to Reconfigure a Lot (1 Lot into 2 Lots)</li> <li>Development Permit for Material Change of Use of Premises to establish a Dwelling House including a Secondary Dwelling</li> </ul>
<b>Properly Made Date:</b>	19/05/2022
<b>Street Address:</b>	38-40 Clithero Ave BUDERIM QLD 4556
<b>RP Description:</b>	Lot 4 RP 901053
<b>Assessment Type:</b>	Impact
<b>Number of Properly Made Submissions:</b>	Two (2)
<b>State Referral Agencies:</b>	Not applicable.
<b>Referred Internal Specialists:</b>	<ul style="list-style-type: none"> <li>Principal Development Engineer (Hydraulics)</li> <li>Principal Development Engineer</li> <li>Senior Biodiversity Officer</li> </ul>

### PROPOSAL:

The application seeks approval for the following development aspects:

- Preliminary Approval for Material Change of Use of Premises including a Variation Request to vary the effect of the *Sunshine Coast Planning Scheme 2014* [change of zone from Limited Development (Landscape Residential) to Low Density Residential (Precinct LDR1 – Protected Housing area) and Limited Development (Landscape Residential) and change of Biodiversity, Waterways and Wetlands Overlay Map]; and
- Development Permit to Reconfigure a Lot (1 Lot into 2 Lots); and

- Development Permit for Material Change of Use of Premises to establish a Dwelling House including a Secondary Dwelling.

Each aspect is described in greater detail below.

### Variation Request

The application seeks approval of a Plan of Development (POD) for the subject land which includes variations to the *Sunshine Coast Planning Scheme 2014* (the planning scheme). The proposed variations to the planning scheme are primarily mapping related, and are summarised as follows:

- Vary the zoning of the subject land so that it is partly within the Low density residential zone (including Precinct LDR1 – Protected Housing) and partly within the Limited development (landscape residential) zone. The planning scheme currently includes the subject land wholly in the Limited development (landscape residential) zone.
- Vary the Biodiversity, waterways and wetlands overlay mapping applicable to the subject land. Specifically, change the location and/or extent of the mapped Native Vegetation Area, Riparian Protection Area, Waterways and Wetlands elements affecting the subject land to reflect the results of detailed technical assessment.
- Vary the minimum lot size for the part of the subject land that is proposed to be included Low density residential zone from 700m<sup>2</sup> (as required in the *Buderim local plan code*) to 1500m<sup>2</sup>. The purpose of this variation is to ensure that any future application for reconfiguring a lot in Low density residential zoned area which includes lots less than 1500m<sup>2</sup> in area would be subject to impact assessment.

The POD includes tables of assessment for a material change of use in each proposed zone, for reconfiguring a lot in the Low density residential zone, and for development in the Biodiversity, waterways and wetlands overlay. However, the proposed categories of development and assessment for future development on the subject site are the same as that for other land in the planning scheme with the same zoning and overlay mapping, and the applicable assessment benchmarks for future development (codes) are also the same. The only change is that the POD requires impact assessment for particular reconfiguring a lot, as described in the third dot point above.

The proposed planning scheme mapping variations are identified in the figures below.

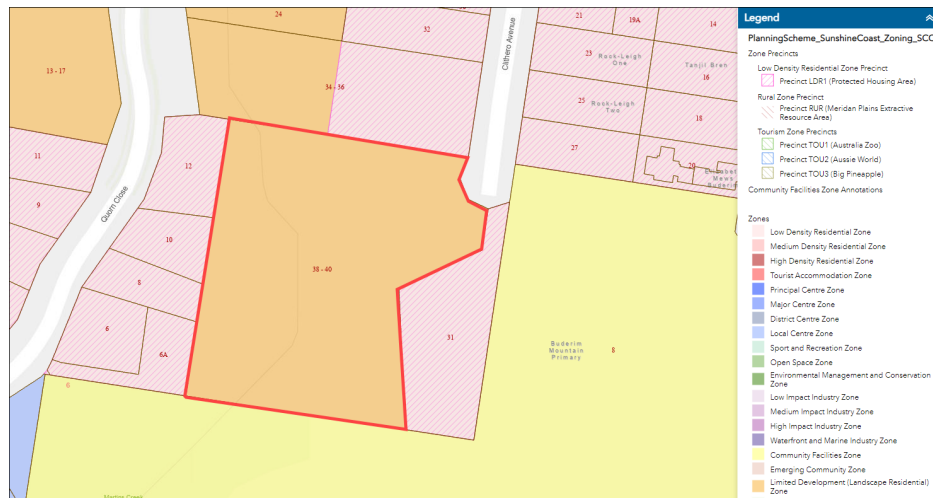


Figure 1 – Existing zoning – Limited development (landscape residential) zone

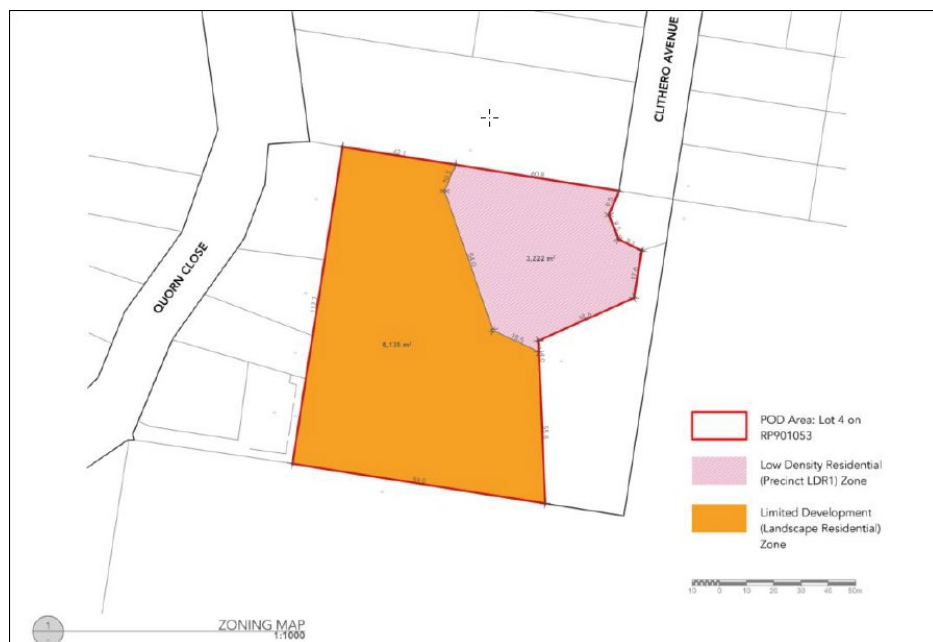


Figure 2 – Proposed zoning – Low density residential zone (Precinct LDR1) & Limited development (landscape residential) zone

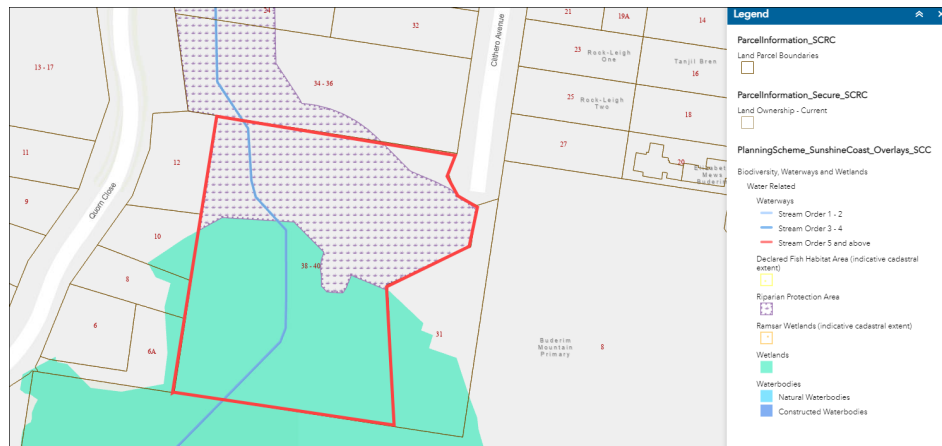


Figure 3 – Existing biodiversity waterways & wetlands overlay mapping – water related elements

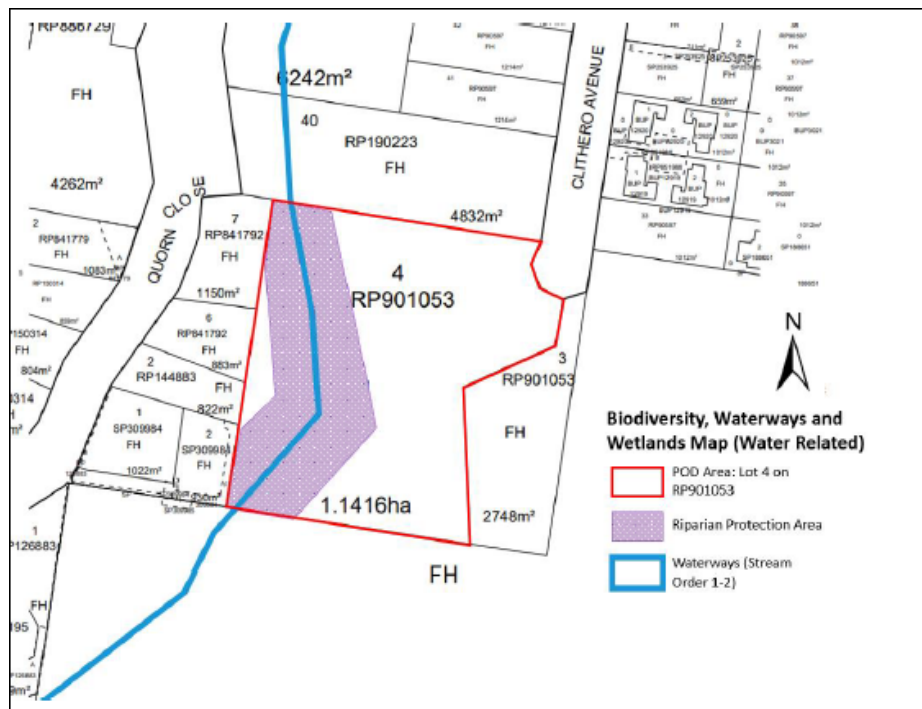


Figure 4 – Proposed biodiversity waterways & wetlands overlay mapping – water related elements



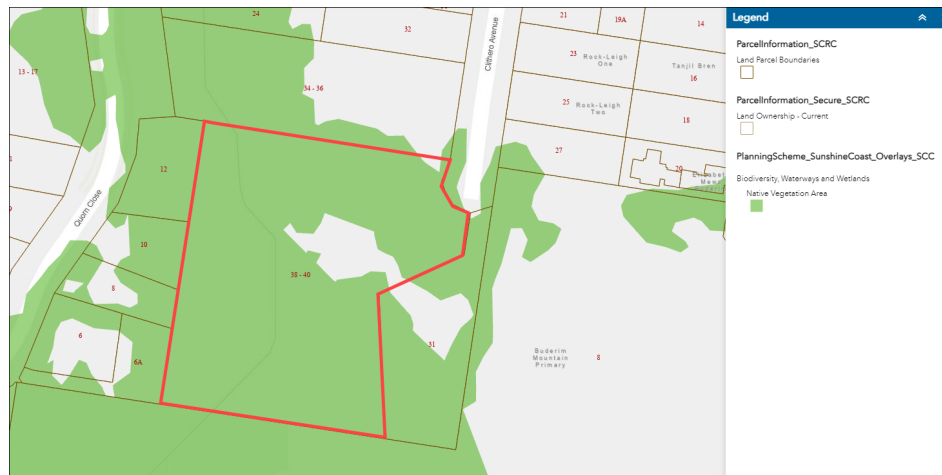


Figure 5 – Existing biodiversity waterways and wetlands mapping – native vegetation area

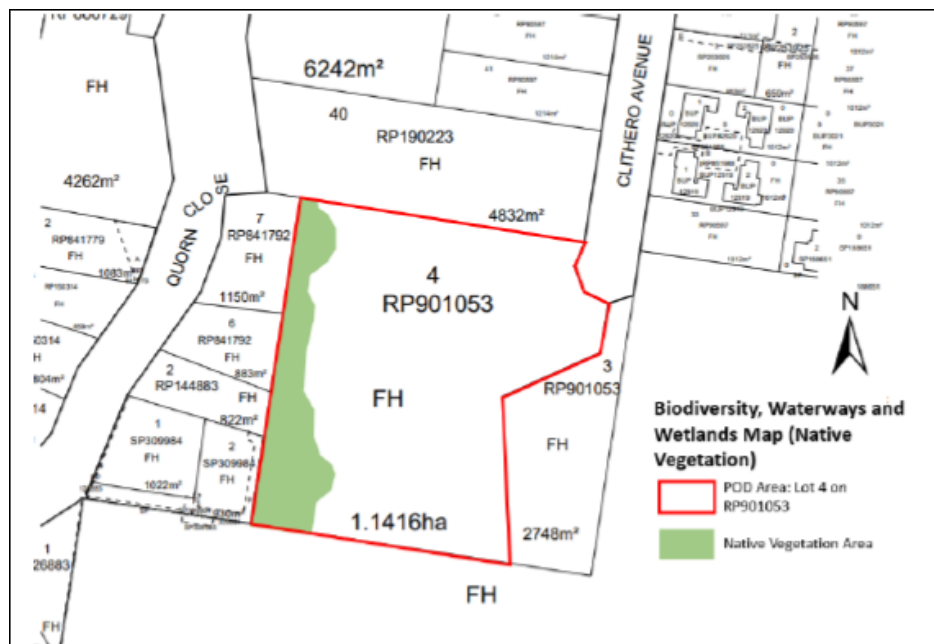


Figure 6 – Proposed biodiversity waterways and wetlands mapping – native vegetation area

## Reconfiguring a Lot

The application seeks a development permit for reconfiguring the subject land into two (2) lots. Proposed Lot 10 would be 1542m<sup>2</sup> in area and would be wholly included within the Low density residential zone (and precinct LDR1) if the variation request is approved. Proposed Lot 9 would be 9874m<sup>2</sup> in area and would be partly included in the Low density residential zone (and precinct LDR1) and partly included in the Limited development (landscape residential) zone if the variation request is approved.

The subject land includes three (3) existing dwelling houses. Two of these are larger dwellings, and one is a small cottage. Proposed Lot 10 would include the largest of the existing dwelling houses (currently the main house on the site) as well as a garage and the existing driveway. Proposed Lot 9 would include the other dwelling house and the small cottage. Lot 9 would also include the site's environmental attributes including native vegetation and Martins Creek. A plan of the proposed reconfiguring a lot is included in the figure below.

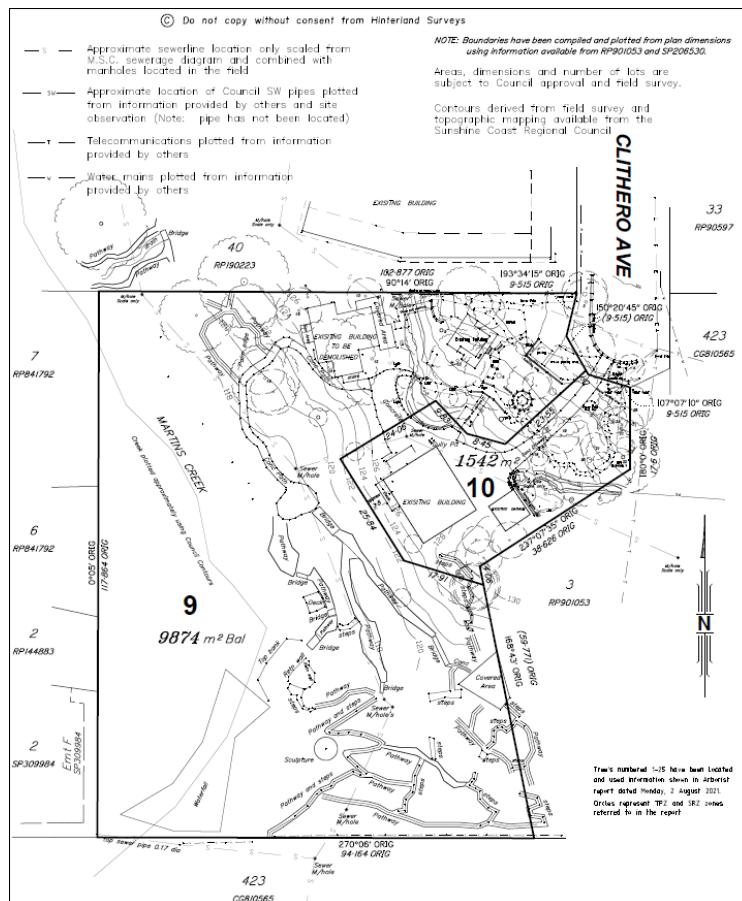


Figure 7 – Reconfiguring a lot proposal plan

### Material Change of Use (Dwelling House & Secondary Dwelling)

The application seeks a development permit for a material change of use of premises to establish a new dwelling house and a secondary dwelling on proposed Lot 9. The application proposes to demolish the existing dwelling house located in the northern part of the site and replace it with a larger new dwelling house with its own driveway access. The proposed new dwelling house would include 5 bedrooms over three storeys and would not exceed 8.5m above natural ground level in accordance with the Height of buildings and structures overlay. The application also proposes to retain the existing small cottage on the site as a secondary dwelling.

A site plan, floor plans and elevations of the proposed new dwelling house are included in the figures below.

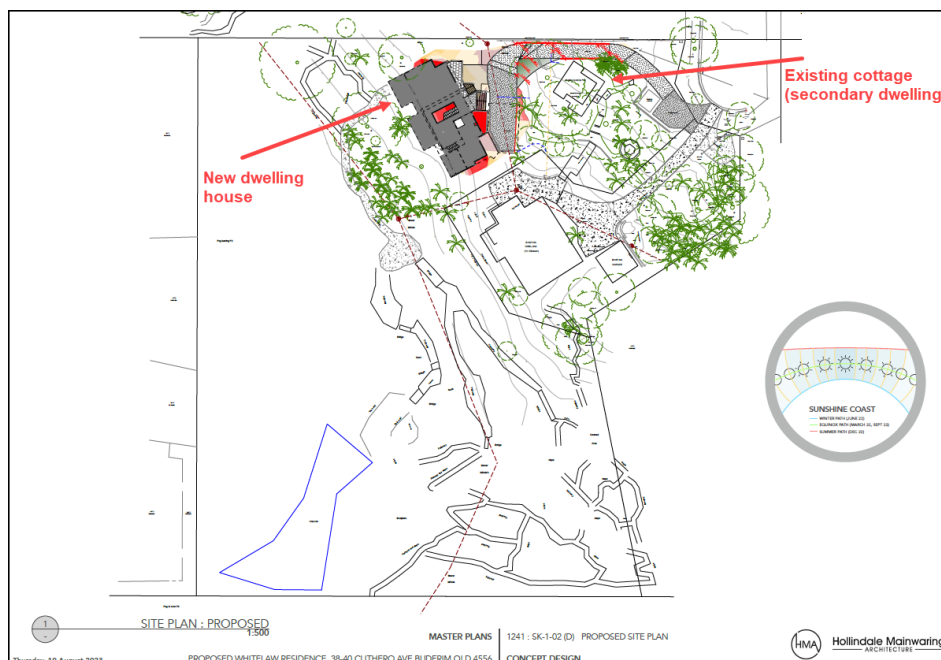
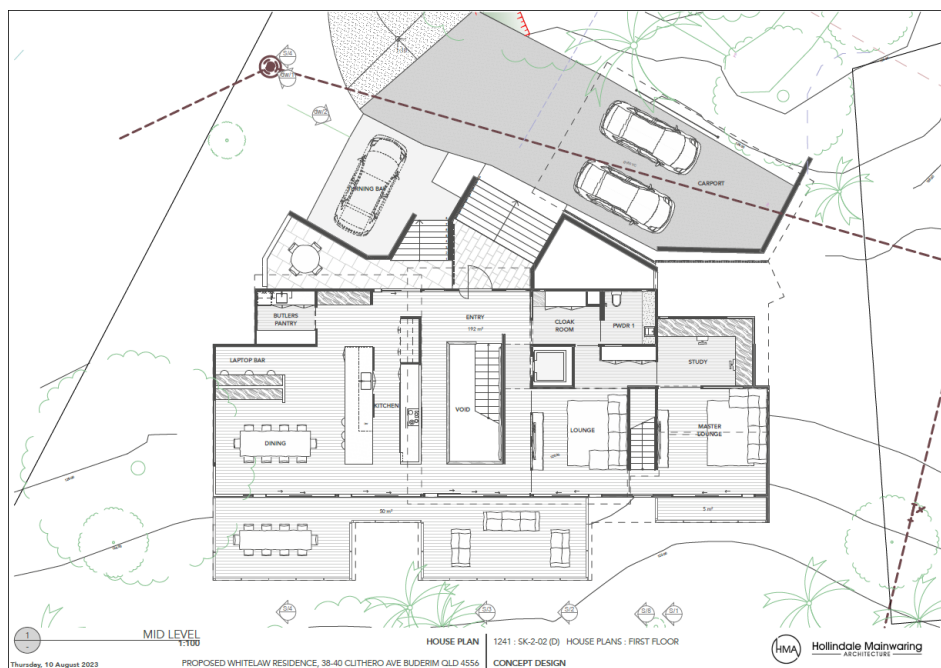
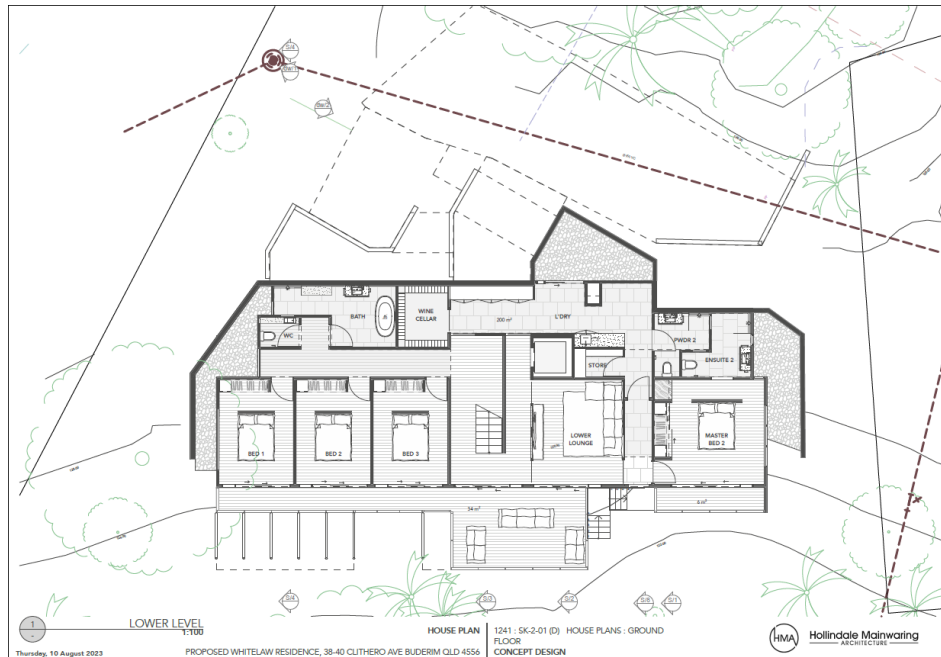


Figure 8 – Proposed dwelling house site plan

Application for Preliminary Approval for Material Change of Use of Premises  
including a Variation Request to vary the effect of the Sunshine Coast  
Planning Scheme 2014, and related Applications for Development Permits  
(Reconfiguring a Lot and Material Change of Use) - 38-40 Clithero Avenue,  
Buderim

Attachment 1 Detailed Assessment Report



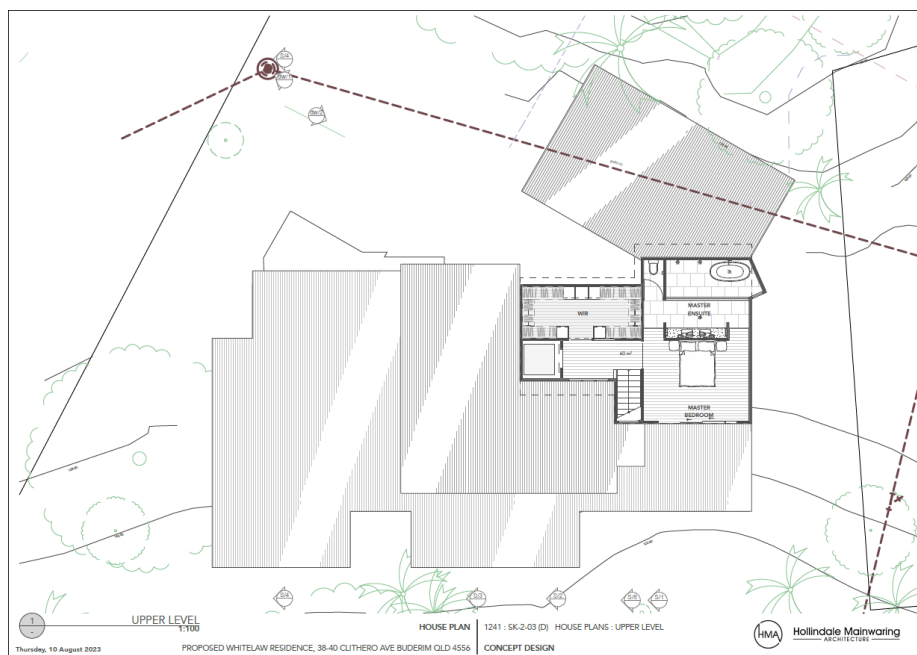


Figure 11 – Proposed dwelling house upper level plan

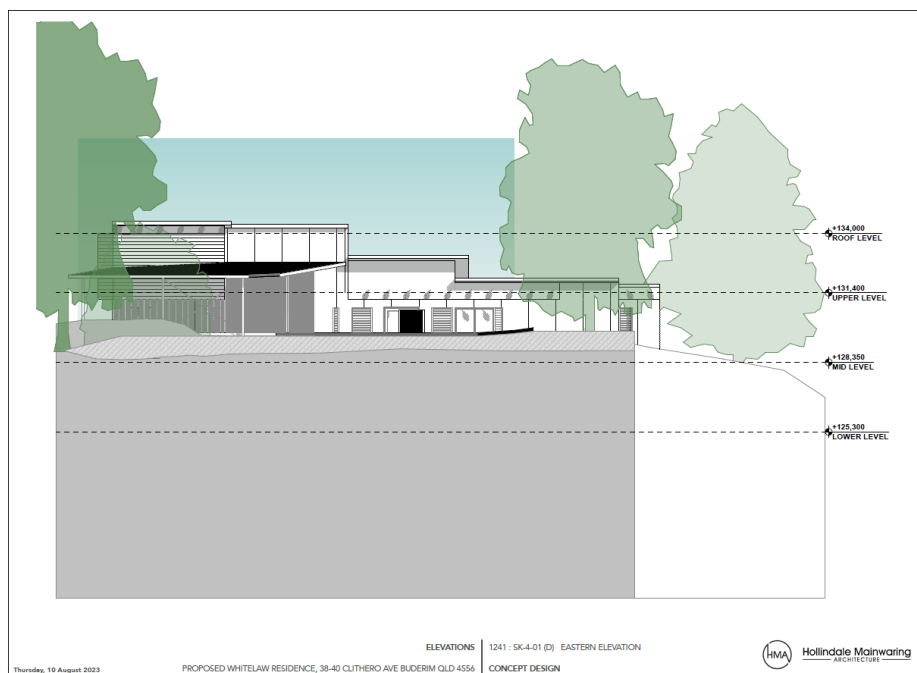


Figure 12 – Proposed dwelling house elevation east



Figure 13 – Proposed dwelling house elevation south



Figure 14 – Proposed dwelling house elevation west



Figure 15 – Proposed dwelling house elevation north

## SITE DETAILS:

### Site Features and Location

<b>SITE AND LOCALITY DESCRIPTION</b>	
<b>Land Area:</b>	1.1416 hectares
<b>Existing Use of Land:</b>	Residential – 3 existing dwelling houses
<b>Road Frontage:</b>	28.545m to Clithero Avenue
<b>Significant Site Features:</b>	The existing buildings are located towards the north eastern and highest part of the site. The central and southern parts of the site include a network of concrete pathways in amongst established landscaped grounds. The pathways extend to the southern boundary of the site providing private access to the Buderim Mountain State School grounds to the south. Martins Creek traverses the western part of the site and there is a small waterfall in the south west. There is mature native vegetation located in the western part of the site. Additionally, there are two (2) significant trees (eucalypts) located in the Clithero Avenue footpath reserve at the site frontage.
<b>Topography:</b>	The site slopes down from Clithero Avenue in the north east towards Martins Creek in the south west. There are some steep slopes through the middle of the site and near the western site boundary around Martins Creek.
<b>Surrounding Land Uses:</b>	<p><b>North</b> – directly adjoining is a multiple dwelling, further north along Clithero Avenue are dwelling houses on standard sized Low density residential lots.</p> <p><b>East</b> – directly east is a dwelling house on a large residential lot (2,748m<sup>2</sup>), further east is the Buderim Mountain State School grounds.</p> <p><b>South</b> – Buderim Mountain State School grounds.</p> <p><b>West</b> – Dwelling houses on standard sized Low density residential lots accessed from Quorn Close.</p>

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



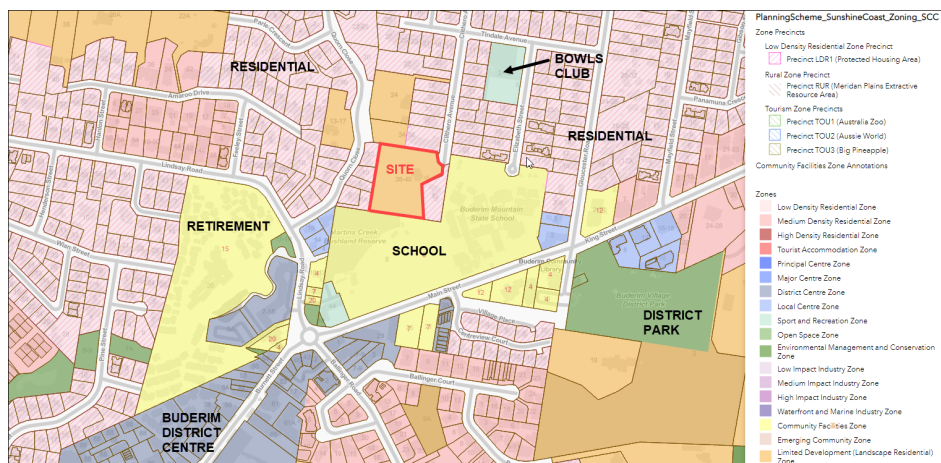


Figure 16 – Site and surrounds + zoning



Figure 17 – Subject site aerial (Nearmap 2023)

### Development History of Site

APPLICATION NO.	DECISION AND DATE
3103	Building approval – 21/02/1983 (dwelling)
PC08/2215	Building approval – 29/08/2008 (dwelling additions)
OPW21/0138	Development Permit for Operational Work (clearing of vegetation) – removal of camphor laurel and slash pine species

The abovementioned building approvals relate to the main dwelling house on the site. It is understood that the main house was built by Charles Blackman (Australian artist). It is also understood that the smaller house may have also been built by Blackman and the cottage relocated onto the site by Blackman in the 1970's for use as an artist's studio.

The subject site was originally identified as a local heritage place in the planning scheme due to its links to Charles Blackman but was subsequently removed as part of Amendment No. 22 (Major Amendment and Planning Scheme Policy Amendment, Historic Cultural Heritage – 24 August 2020) because the site was no longer deemed to be of heritage significance on account of the peripheral links of the site and the Sunshine Coast region to the prominence of the artist.

### ASSESSMENT:

#### Framework for Assessment

##### Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following categorising instruments may contain assessment benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any temporary local planning instrument
- any variation approval.

Of these, the planning instruments relevant to this application are discussed in this report.

#### Assessment Benchmarks Related to the *Planning Regulation 2017*

The *Planning Regulation 2017* (the Regulation) prescribes assessment benchmarks that the application must be carried out against, which are additional or alternative to the assessment benchmarks contained in council's Planning Scheme. These assessment benchmarks may be contained within:

- the SEQ Regional Plan and Part E of the State Planning Policy, to the extent they are not appropriately integrated into the Planning Scheme; and
- Schedule 10 of the Regulation.

PLANNING REGULATION 2017 DETAILS	
Applicable Assessment Benchmarks:	State Planning Policy <ul style="list-style-type: none"> <li>• Part E</li> </ul>

### State Planning Policy (SPP), Part E

The assessment benchmarks of the SPP Part E that are relevant to the development proposal do not vary the current provisions of the Planning Scheme.

### **Assessment Benchmarks Related to the Planning Scheme**

The following sections relate to the provisions of the Planning Scheme.

<b>PLANNING SCHEME DETAILS</b>	
<b>Planning Scheme:</b>	<i>Sunshine Coast Planning Scheme 2014 (16 May 2022)</i>
<b>Strategic Framework Land Use Category:</b>	Urban area
<b>Local Plan Area:</b>	Buderim
<b>Zone:</b>	Limited development (landscape residential)
<b>Consistent/Inconsistent Use:</b>	N/A
<b>Applicable Assessment Benchmarks:</b>	<ul style="list-style-type: none"> <li>• Strategic framework</li> <li>• <i>Biodiversity, waterways and wetlands overlay code</i></li> <li>• <i>Bushfire hazard overlay code</i></li> <li>• <i>Flood hazard overlay code</i></li> <li>• <i>Height of buildings and structures overlay code</i></li> <li>• <i>Landslide hazard and steep land overlay code</i></li> <li>• <i>Buderim local plan code</i></li> <li>• <i>Limited development (landscape residential zone code)</i></li> <li>• <i>Low density residential zone code</i></li> <li>• <i>Reconfiguring a lot code</i></li> <li>• <i>Dwelling house code</i></li> <li>• Prescribed other development codes</li> </ul>

### Strategic Framework

The Strategic Framework is an Assessment Benchmark for Impact Assessable applications and considers the following matters:

- Settlement Pattern
- Economic Development
- Transport
- Infrastructure and Services
- Natural Environment
- Community Identity, Character and Social Inclusion
- Natural Resources
- Natural Hazards

The application has been assessed against each of the matters above and found to be generally consistent with each matter. In particular, the proposed development achieves the strategic and specific outcomes for the Natural Environment and Natural Hazards

themes because it would protect ecologically important areas and would avoid inappropriate development of the natural hazards affecting the site.

### **Planning Scheme Codes**

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

#### **Biodiversity, waterways and wetlands overlay code**

The variation request proposes to vary the Biodiversity, waterways and wetlands overlay mapping applicable to the subject land. Specifically, changes are proposed to the location and/or extent of the mapped Native Vegetation Area, Riparian Protection Area, Waterways and Wetlands elements affecting the subject land in order to reflect the results of detailed ecological assessments.

The majority of the site currently represents an “ecologically important area” in the planning scheme as it is mapped by the Biodiversity, waterways and wetlands overlay as containing Native Vegetation Area, a Waterway (Stream Order 3-4) and associated Riparian Protection Area, and a Wetland. The applicant has undertaken extensive ground truthing investigations, and the submitted ecological assessment report contends that while these features generally exist on the site, they do not accurately correlate with the areas mapped under the planning scheme. The application contends that in general terms, the north eastern part of the site is not an “ecologically important area”. The overlay mapping variations are discussed below.

#### **Native Vegetation Area Mapping Changes**

The area currently mapped as a Native Vegetation Area under the Biodiversity, waterways and wetlands overlay generally coincides with the State (Queensland Government) regulated vegetation management mapping that existed prior to 2022, as shown on the comparison figure below.

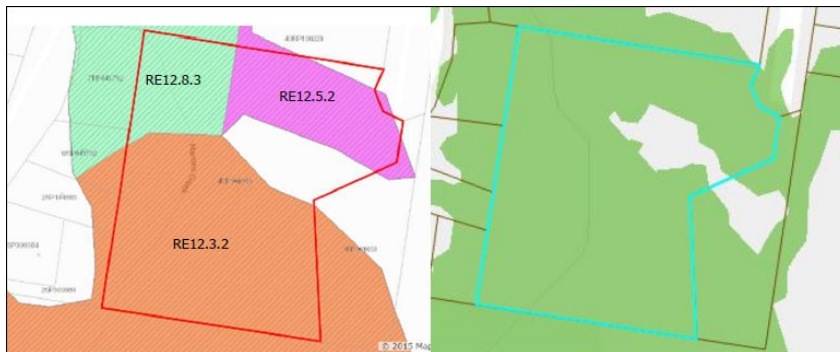


Figure 18 – Former state vegetation mapping (left) vs current Council vegetation mapping (right)

In 2022 the vegetation on the State mapping was updated to reflect a Property Map of Assessable Vegetation (PMAV) obtained for the site.

The PMAV application to the Queensland Government was lodged with an ecological assessment report that was prepared in order to ground-truth the State mapping, which mapped the majority of the site as containing Category A or B vegetation. The ecological assessment report found that whilst the site consisted of some native vegetation species, the predominant vegetation across the site consisted of non-native species, particularly Camphor Laurel. The ecological assessment report identified that the distribution and extent of native vegetation across the site was minimal and was not sufficient to warrant classification as Category B vegetation groups. The PMAV application was approved by the Queensland Department of Resources on 7 September 2021 and the State mapping has since been updated to reflect the PMAV, as shown on the figure below.

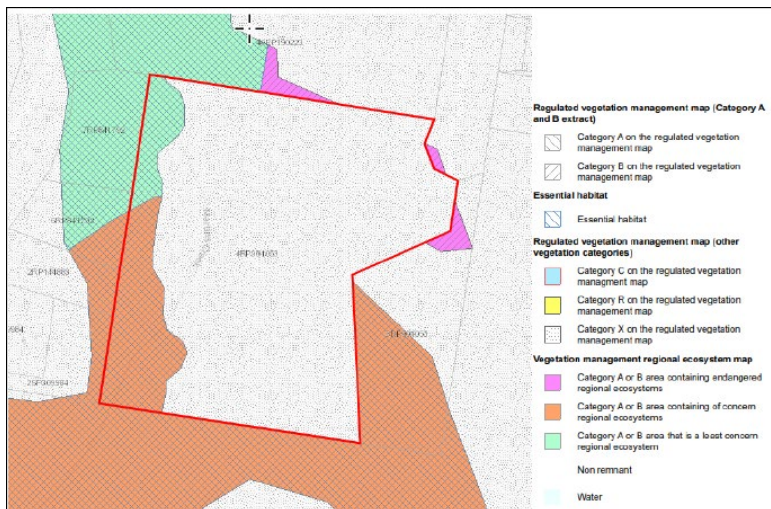


Figure 19 – Updated and current state vegetation mapping

The ecological assessment report submitted with the current application to Council recommends that the Native Vegetation Area mapping in the planning scheme be updated in accordance with the figure below in order to reflect the current State vegetation mapping, which now accurately represents the ecologically important native vegetation within the site.



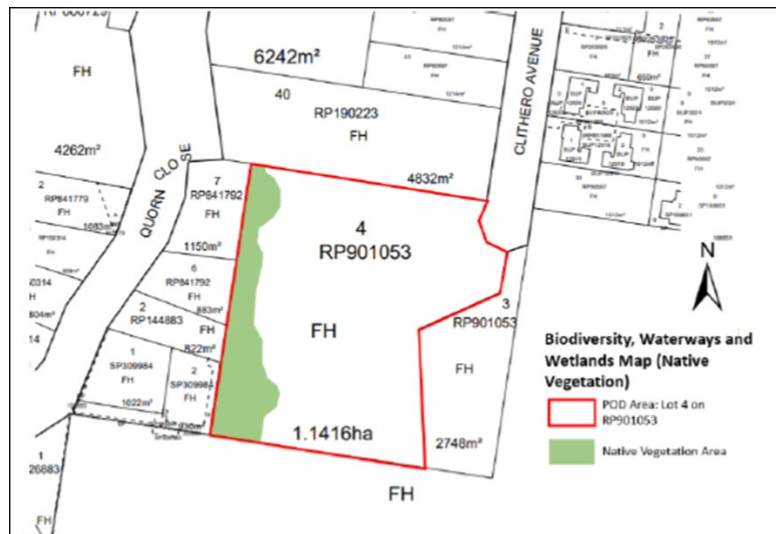


Figure 20 – Proposed biodiversity waterways and wetlands mapping – native vegetation area

The submitted ecological report includes an assessment of field surveys undertaken in order to identify vegetation communities, significant flora species, hollow bearing trees and fauna habitat values on the site. The report has determined that the only areas of the site that warrant classification as an “ecologically important area” in the planning scheme are:

- (a) Areas of remnant native vegetation as confirmed through the PMAV process and now reflected in the updated State vegetation mapping;
- (b) Mapped Koala Habitat Areas, as confirmed by the Department of Environment and Science (this area coincides with the Category A or B area containing of concern regional ecosystems shown in orange on the State mapping figure above); and
- (c) Martins Creek and an associated 10m wide riparian protection area extending either side of the high bank.

The ecological assessment report has been reviewed and it is agreed that the Native Vegetation Area mapping in the planning scheme ought to be updated in accordance with the variation request to reflect the ground-truthed investigations that have occurred and the current State vegetation mapping.

#### Waterways, Wetlands and Riparian Protection Area Mapping Changes

The application has identified that the currently mapped Waterway and Riparian Protection Area under the Biodiversity, waterways and wetlands overlay does not coincide with Martins Creek. The application contends that the actual alignment of Martins Creek is further to the west of its mapped location as observed in the field and by reference to ground surface contours. The application also contends that Martins Creek is a Stream Order 1-2 rather than a Stream Order 3-4 as currently mapped.

Additionally, the application has also identified that the currently mapped Riparian Protection Area under the overlay includes land in the north east of the site which is significantly set back and elevated above Martins Creek, and does not contain any riparian

values. Instead, the land includes existing dwellings, driveway and car parking and ornamental gardens.

Finally, a Wetland is currently mapped in the southern portion of the site. The application contends that the majority of this area is not wetland, and is steeply sloping land vegetated by a pine plantation, infestations of Camphor Laurel, and landscaped gardens.

The variation request therefore proposes to remap the location of, and the stream order for, Martins Creek, as well as adjusting its associated Riparian Protection Area to encompass 10m of the high bank of the ground-truthed course of Martins Creek. Additionally, the mapped Wetland is proposed to be removed from the site to reflect ground-truthed site values. The figure below identifies the proposed waterways and wetlands overlay mapping for the site.

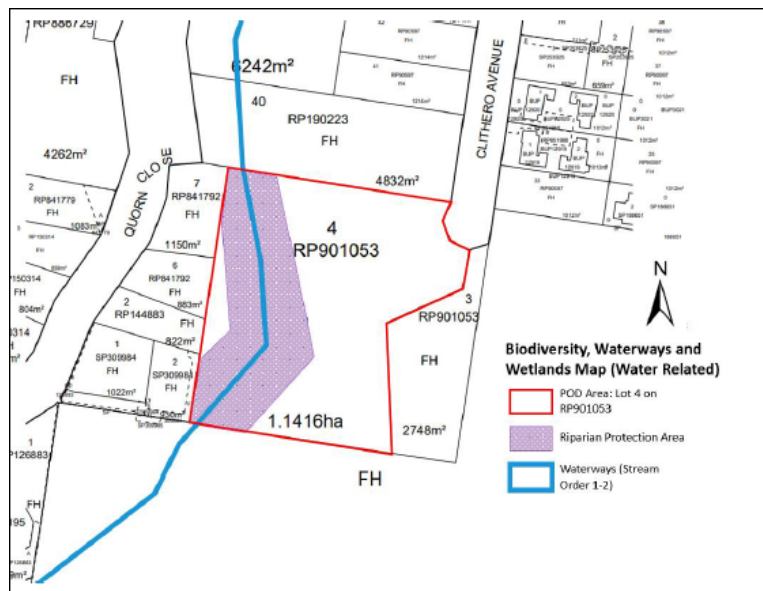


Figure 21 – Proposed biodiversity waterways & wetlands overlay mapping – water related elements

With respect to the location of Martins Creek and the related Riparian Protection Area, it is considered that the application has demonstrated the proposed mapping would accurately reflect the ground-truthed site attributes. With respect to stream ordering, Council agrees with the consultant's assessment that, based on the Strahler method for numerical stream ordering, the portion of Martins Creek extending through the site is a Stream Order 1 Waterway not a Stream Order 3-4 Waterway as currently shown on the Biodiversity, waterways and wetlands overlay map of the planning scheme. Council's Aquatic Ecologist within the Liveability and Natural Assets group has advised that they agree with the proposed Stream Order 1-2 classification, and has confirmed that Council has undertaken further catchment investigation and a reclassification of stream orders for accuracy. Future updated Council mapping will likely incorporate the revised stream order to reflect it as a Stream Order 1-2.

The area identified as Wetland on the Biodiversity, waterways and wetlands overlay map generally corresponds with the area previously mapped by the State government as

supporting Category B vegetation containing the “of concern” regional ecosystem (RE) 12.3.2. This RE is recognised by the Queensland Herbarium as having Riverine wetland values. The State government approved PMAV amended the extent of RE 12.3.2 within the site, with only a narrow band occurring along the western boundary. It therefore follows that the extent of wetland mapped across the site be reduced to this area as well. However, the submitted ecological assessment does not identify an abundance of wetland indicator species in the site and describes vegetation in this portion of the site as primarily supporting pine plantation, infestations of Camphor laurel, and landscaped gardens. Coupled with the steep slopes and deeply incised nature of Martins Creek in this location, it is unlikely that vegetation in this portion of the site supports the characteristics of a wetland community.

Having regard to the above, the proposed variations to the Biodiversity, waterways and wetlands overlay mapping applicable to the subject land are supported.

#### Overlay Code Assessment

It is considered that the proposed development would achieve the purpose, overall and performance outcomes of the *Biodiversity, waterways and wetlands overlay code*. As discussed above, it is agreed that the overlay mapping should be varied based on the ground-truthing investigations that have been undertaken. This means that the ecologically important parts of the site (i.e. the confirmed on-ground locations for the Native Vegetation Area, Waterway and Riparian Protection Area) are generally confined to the western part of the site.

The proposed development would not involve any earthworks or vegetation clearing within those parts of the site that have values that warrant classification as an ecologically important area (i.e. the western parts of the site). The proposed development effectively involves the replacement of an existing dwelling with a new and larger dwelling. The development disturbance footprint encompasses an area of approximately 850m<sup>2</sup> (less than 10% of the total area of the site) and involves areas that have been subjected to previous disturbance associated with an existing dwelling. Furthermore, the proposed development would not substantially increase the dimensions or intensity of existing residential uses that occur within the site in a manner that is likely to have any significant adverse ecological impacts.

Both native and exotic vegetation would be removed to accommodate the new driveway and dwelling. An arborist report has been submitted to identify vegetation for retention and removal. Thirteen (13) trees are proposed to be removed, and it should be noted that some of these trees could be cleared without Council approval at any time due to them meeting the requirements for exempt vegetation clearing under the planning scheme.

The figure below identifies the trees that are proposed to be removed (in red) and retained (in green). Trees that are proposed to be removed are confined to the northern part of the site in the vicinity of the existing dwellings and northern property boundary fence. Importantly, Trees 1 and 2 which are significant eucalypts approximately 30m in height and located in the road reserve, are not proposed to be removed as a consequence of the new driveway, which is located well clear of these trees.



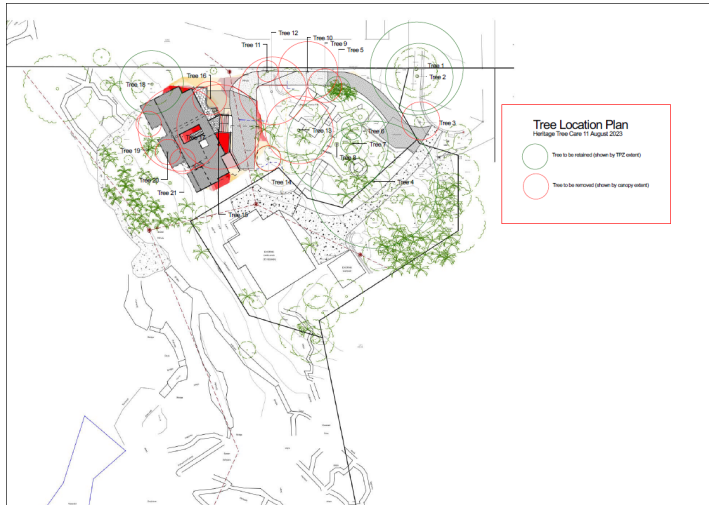


Figure 22 – Extract from submitted arborist report – tree removal and retention plan

Notwithstanding the proposed removal of 13 trees from the site to accommodate the new dwelling house and driveway, it is noted that the ground-truthed significant vegetation within the ecologically important area around Martins Creek (i.e. tall, wet eucalypt forest in the south west that grades into a riparian rainforest community in the north west) would continue to be protected under the planning scheme, and as a condition of any approval. Additionally, landscape planting between the proposed new driveway and the northern boundary would be required as a recommended condition of any approval. On balance it is considered that the development provides for the protection of ecologically important vegetation and character vegetation in accordance with the requirements of the *Biodiversity, waterways and wetlands overlay code* and the *Buderim local plan code*.

#### **Bushfire hazard overlay code**

The subject site is affected by the mapped Bushfire hazard overlay (Medium Bushfire Hazard Area and Buffer) in the planning scheme. However, the State Planning Policy (SPP) Assessment Benchmark Mapping – Natural Hazards Risk and Resilience, Bushfire Prone Area (BPA) is currently set as the default mapping system to determine whether an application must demonstrate compliance with the *Bushfire hazard overlay code* within the planning scheme and/or the SPP assessment benchmarks relevant to an application. Council is currently using the SPP bushfire hazard mapping as the default because:

- it is updated more regularly and is prepared consistently with the SPP methodologies and any future iterations thereof; and
- the SPP applies to the extent of any inconsistency with a local planning instrument (*Planning Act 2016*, section 8(4)(a)).

The site is partially located within a bushfire prone area on the SPP mapping. The bushfire assessment report submitted with the application identified that there are inconsistencies between site conditions/vegetation and the State mapping. As previously mentioned, the applicant submitted a Property Map of Assessable Vegetation (PMAV) supporting the findings on site which was subsequently was approved by the Queensland Government.

This has resulted in no areas of vegetation within 100m of the site which are classified as bushfire prone. The application therefore meets the outcomes of the *Bushfire hazard overlay code* and the relevant State Planning Policy benchmarks relating to development in a bushfire hazard area.

#### **Flood hazard overlay code**

The site is subject to flooding from Martins Creek with a waterfall located in the southwestern portion of the site. The existing dwelling houses and the proposed new dwelling house on the site are well clear from flooding associated with Martins Creek, as shown on the figure below. The proposed development therefore meets the outcomes of the *Flood hazard overlay code*.

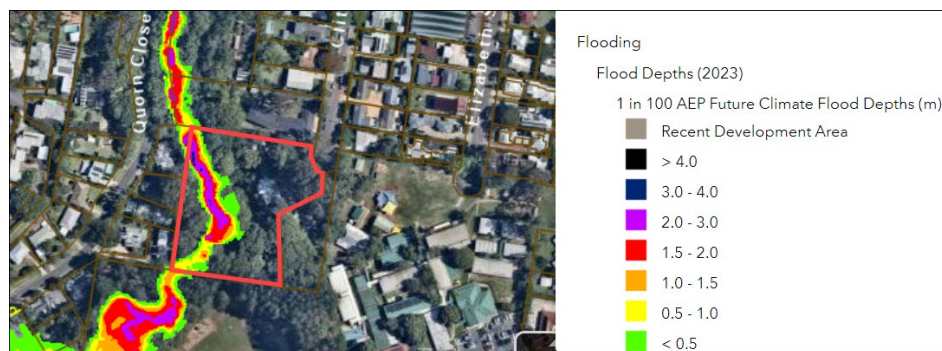


Figure 23 – Extract from Council flood mapping

#### **Landslide hazard and steep land overlay code**

The site is mapped as being subject to very high and high landslide hazard, and, as having a slope which ranges from 15% to greater than 25%, on the Landslide hazard and steep land overlay mapping, as shown on the figure below. Notwithstanding, the application states that the north-east portion of the site where development is proposed to occur has an average slope of 20%, based on detailed site survey.

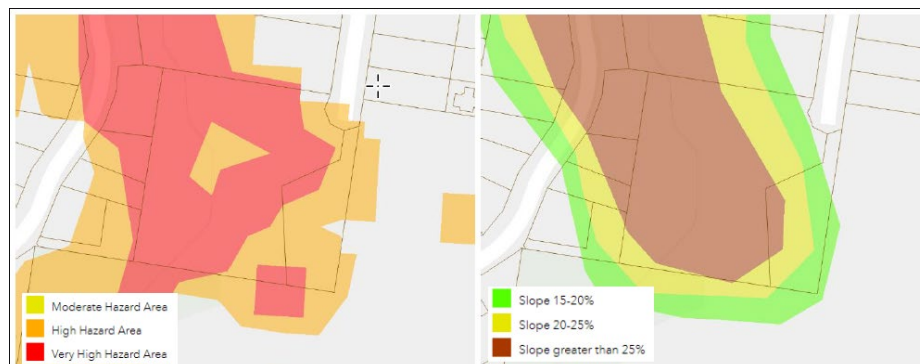


Figure 24 – Landslide hazard (left) and steep land (right) overlay mapping

With respect to the landslide hazard, a landslide hazard risk assessment has been prepared for the site and submitted with the application. This assessment has determined

that the development pad for the proposed new dwelling house has a 'moderate' risk rating and that the proposed development would not cause any adverse impact on any adjoining buildings, properties, and infrastructure. The site is located on the edge of a basalt outcrop, creating a steep section locally which triggered assessment against the overlay code. The site investigation provided three boreholes and dynamic cone penetration testing for soil strength. The results determined that the site is basalt with an overlaying layer of sandy clay of between 0.8m and 1.3m deep. Although there is a possibility of small movements in the surface layers, the development is typically removing this material within the footprint of the works and predominantly excavating to design levels. All of the footings and pavements for the site would be founded in the weathered rock layer, so there is a very low risk of any instability.

The application has demonstrated that the proposed development would be compatible with the nature of the landslide hazard, the risk to people, property and the natural environment from landslide hazard would be minimised, and, the development would not result in a material increase in the extent or severity of landslide hazard. The proposed development therefore achieves the landslide hazard outcomes of the overlay code.

With respect to steep land, although the proposed dwelling house is located on a slope which is between 20 to 25%, it is located in a part of the site upon which an existing dwelling is already established, and away from the ecologically important parts of the site. The proposed dwelling house has been designed to include a partly suspended floor construction to minimise the amount of filling and excavation required. The filling and excavation required on the site for the proposed dwelling house and associated driveway and parking area would generally not exceed more than 2 metres relative to the ground level or 1.0 metre relative to the ground level where within 1.5 metres of a property boundary. The proposed retaining walls on the site are cut retaining walls and with the maximum wall height of 3.4 metres located internally to the plan area of the dwelling house and designed so that it is visually integrated with the site topography.

Outside of the new dwelling house footprint, retaining walls are required for the new driveway in order to provide compliant driveway grades. However, the height of these walls have been minimised in the design. The proposed western driveway retaining wall has maximum wall height of 1.4m, with the majority of the retained wall height being much less than the maximum. The proposed eastern driveway retaining wall has a maximum retaining wall height of 1.0m, with the majority of the retained wall height being much less than 1.0m. Natural batters have been used where possible, noticeably around the bend near the car-turning bay area and near the entrance of the driveway.

The application has demonstrated that development would maintain the scenic, environmental quality and integrity of the landscape, and that safe and efficient access would be provided. The proposed new dwelling house is located in a part of the site where an existing dwelling is established, and where cut and fill has already occurred in the past. The new dwelling house would be responsive to the natural topography of the site, would not visually dominate the slope or interrupt a skyline, and would be visually integrated with natural site characteristics. The proposed development therefore achieves the steep land outcomes of the overlay code.

### Limited development (landscape residential) zone code

The variation request proposes to vary the zoning of the subject land so that it is partly within the Low density residential zone (including Precinct LDR1 – Protected Housing) and partly within the Limited development (landscape residential) zone. The planning scheme currently includes the subject land wholly in the Limited development (landscape residential) zone. The total area proposed to be included within the Low density residential zone (Precinct LDR1) is 3222m<sup>2</sup> and the area proposed to be retained in the Limited development (landscape residential) zone is 8135m<sup>2</sup>.

The extent of the proposed variation is identified in the figure below.



Figure 25 – Existing zoning (left) and proposed zoning (right)

The purpose of the Limited development zone, as expressed in the zone code, is included below.

*“The purpose of the Limited development (landscape residential) zone code is to ensure land which is located in an urban or rural residential setting but which has been determined to be unsuitable for urban purposes due to the presence of one or more of the following constraints:-*

- (a) flooding;
- (b) ecologically important areas;
- (c) steep land or landslide hazard;
- (d) access limitations; and
- (e) an amenity deficiency caused by proximity to a major transport corridor or facility;

*is appropriately developed having regard to the constraints of the site. Such constraints pose severe restrictions on the ability of the land to be developed for urban or rural residential purposes.”*

The application contends that the north eastern part of the site does not have the characteristics of the Limited development (landscape residential) zone and is therefore suitable to be included within the Low density residential zone and Precinct LDR1.

The overlay constraints affecting the site have been discussed in detail in the previous sections of this report. Although the proposed development involves reconfiguring a lot (1 lot into 2 lots) and a proposed new dwelling house, as the site already includes three (3) existing dwellings, the extent of the proposed development on the site is essentially limited to the new dwelling house and driveway in the north eastern part of the site, which would replace one of the existing dwellings. In summary:

- The existing dwelling houses and the proposed new dwelling house on the site are well clear from flooding associated with Martins Creek and the development therefore achieves the outcomes of the *Flood hazard overlay code*.
- The application has demonstrated that the ecologically important parts of the site (i.e. the confirmed on-ground locations for the Native Vegetation Area, Waterway and Riparian Protection Area) are generally confined to the western part of the site. The development avoids impacts to ecologically important areas and therefore achieves the outcomes of the *Biodiversity, waterways and wetlands overlay code*.
- The application has demonstrated that there are no areas of vegetation within 100m of the site which are classified as bushfire prone and the development therefore achieves the outcomes of the *Bushfire hazard overlay code* and the State Planning Policy.
- The landslide hazard risk assessment determined that the development pad for the proposed new dwelling house has a moderate risk rating, and that the proposed development would not cause any adverse impact on any adjoining buildings, properties, and infrastructure. All of the footings and pavements for the site would be founded in the weathered rock layer, so there is a very low risk of any instability. The proposed development therefore meets the landslide hazard outcomes of the *Landslide hazard and steep land overlay code*.
- The proposed dwelling house is located on steep land with a slope between 20 to 25%. However, it is located in a part of the site upon which an existing dwelling is already established, and away from the ecologically important parts of the site. Furthermore, the new dwelling house would be responsive to the natural topography of the site, and would be visually integrated with natural site characteristics, with cut and fill earthworks minimised and retaining walls confined to the plan area of the proposed dwelling house and driveway. The proposed development therefore meets the steep land outcomes of the *Landslide hazard and steep land overlay code*.

Additionally, it is noted that the north eastern part of the site does not have any access limitations, nor does it have any amenity deficiencies associated with major transport corridors.

Having regard to the detailed assessment of site constraints provided by the applicant, it is agreed that the north eastern portion of the site ought to be included in the Low density residential zone, and the balance of the site remain in the Limited development (landscape residential zone). This zoning pattern, where relatively unconstrained lots or parts of lots close to a road frontage are zoned Low density residential and the rear of lots that contain



ecological and topographical constraints are zoned Limited development (landscape residential) is already present to the immediate north of the site in Clithero Avenue and in areas to the north and west along Quorn Close and Amaroo Drive, as seen in the figure below.



Figure 26 – Zoning pattern around subject site

It is considered that the proposed variation request, the proposed reconfiguring a lot and the proposed new dwelling house achieves the purpose of the *Limited development (landscape residential)* zone code because the development would not involve the parts of the site that are affected by ecological and topographical constraints, as confirmed through detailed site investigations. It is also considered that the proposed development achieves the overall outcomes of the zone code for the following reasons:

- The extent of the proposed development on the site is essentially limited to the new dwelling house and driveway in the north eastern part of the site, which would replace one of the existing dwellings. The proposed development therefore provides for a very limited range of activities that are of a low intensity and compatible with the nature of the constraints present on the land.
- The application has demonstrated that there is a suitable building site for the new dwelling house which maintains the safety of people, buildings and works, having regard to the physical constraints of the land.
- Although the application proposes the creation of an additional lot, this is limited to the area of the site that is relatively unconstrained and that is proposed to be included in the Low density residential zone via the proposed variation request.

- The application has demonstrated that the development would be designed and sited to sensitively respond to the physical characteristics and constraints of land.
- The application has demonstrated that the development avoids adverse impacts on ecologically important areas, including creeks, gullies, waterways, wetlands, habitats and vegetation through location, design, operation and management.
- The development would provide for infrastructure and services that are commensurate with the limited extent of development proposed on the site.
- The development would not adversely impact on existing or planned future infrastructure.

**Low density residential zone code**

As discussed in the previous section of this report, the proposal to include the north eastern part of the site in the Low density residential zone via a variation request is supported as the application has demonstrated that this part of the site is relatively unconstrained and the extent of the proposed development is confined to this area. The variation request also proposes that this area be included in Precinct LDR1 (Protected Housing Area) consistent with surrounding land in the Low density residential zone. If the variation request is approved this means that any future material change of use to establish a Dual occupancy, Residential care facility or Retirement facility on the site would be subject to impact assessment.

It is considered that the proposed variation request, the proposed reconfiguring a lot and the proposed new dwelling house achieves the purpose of the *Low density residential zone code* because the development would provide for low density and low rise residential activities on a larger than conventional sized urban residential lot.

It is also considered that the proposed development achieves the overall outcomes of the zone code for the following reasons:

- The proposed development provides for an attractive, open and low density form of urban residential living.
- The proposed development provides for low density housing types, in the form of a new dwelling house replacing an existing dwelling house on the site.
- The proposed development is consistent with the Low density residential zone and the intent of precinct LDR1 – Protected Housing Area.
- The proposed development provides for an efficient pattern of land use and infrastructure as development is limited to the relatively unconstrained part of the site and can be readily provided with urban services.
- The proposed development is designed and located in a manner which makes a positive contribution to the streetscape and is sympathetic to the existing and intended scale and character of surrounding development.
- The proposed development incorporates a high level of residential amenity.

- The proposed development is located, designed and operated to be responsive to the Sunshine Coast's sub-tropical climate.
- The proposed development avoids adverse impacts on ecologically important areas, including creeks, gullies, waterways, wetlands, habitats and vegetation through location, design, operation and management;
- The proposed development is designed and sited to sensitively respond to the physical characteristics and constraints of land, including flooding, steep land, landslide hazard and bushfire hazard.
- The proposed development is located in a low density residential area that is already provided with the full range of urban services to support the needs of the community, including parks, roads and transport corridors, pedestrian and cycle paths. Additionally, the development would be provided with reticulated water and sewerage, stormwater drainage and electricity and telecommunication infrastructure.
- The proposed development would not adversely impact on the continued operation, viability and maintenance of existing infrastructure or compromise the future provision of planned infrastructure.

**Buderim local plan code**

The proposed development achieves the relevant overall outcomes and performance outcomes of the *Buderim local plan code*. In particular, the proposed development is low rise and of a scale and intensity that is generally less than other parts of the central Sunshine Coast (overall outcome (c)), and the proposed lot sizes (1542m<sup>2</sup> and 9874m<sup>2</sup>) are large compared with other parts of the coastal urban area and allow for houses to be set within generous landscaped grounds so as to retain the prevailing low density character and amenity of the local plan area (overall outcome (k)). Furthermore, the proposed development provides for the retention and enhancement of existing character trees and areas of significant vegetation contributing to the setting, character and sense of place of Buderim (performance outcome PO5). Figure 7.2.5A (Buderim Local Plan Elements) identifies that the western and southern parts of the site includes "character vegetation" as shown below. The proposed development does not involve the removal of any of this vegetation.



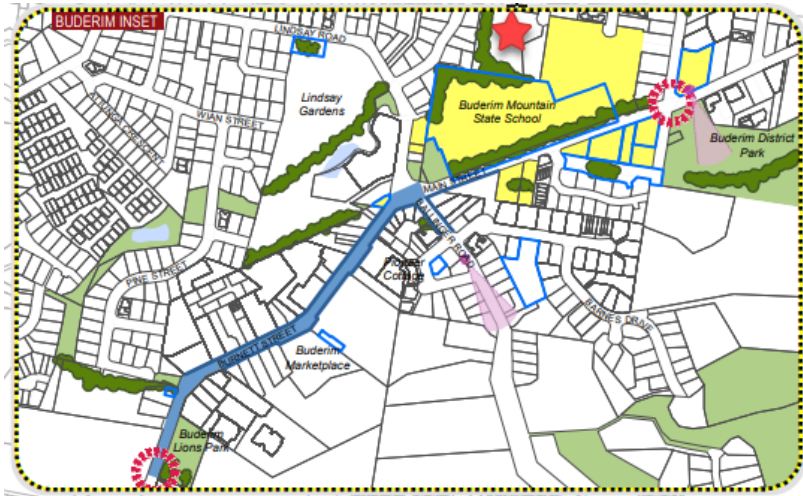


Figure 27 – Extract from Buderim local plan Figure 7.2.5A (Buderim Local Plan Elements) – site shown with a red star

### Reconfiguring a lot code

The application seeks a development permit for reconfiguring the subject site into two (2) lots. Proposed Lot 10 would be 1542m<sup>2</sup> in area and would be wholly included within the Low density residential zone (and precinct LDR1) if the proposed zoning variation request is approved. Proposed Lot 9 would be 9874m<sup>2</sup> in area and would be partly included in the Low density residential zone (and precinct LDR1) and partly included in the Limited development (landscape residential) zone if the proposed variation request is approved. A figure showing the proposed variation request and the proposed reconfiguring a lot side by side is included below.

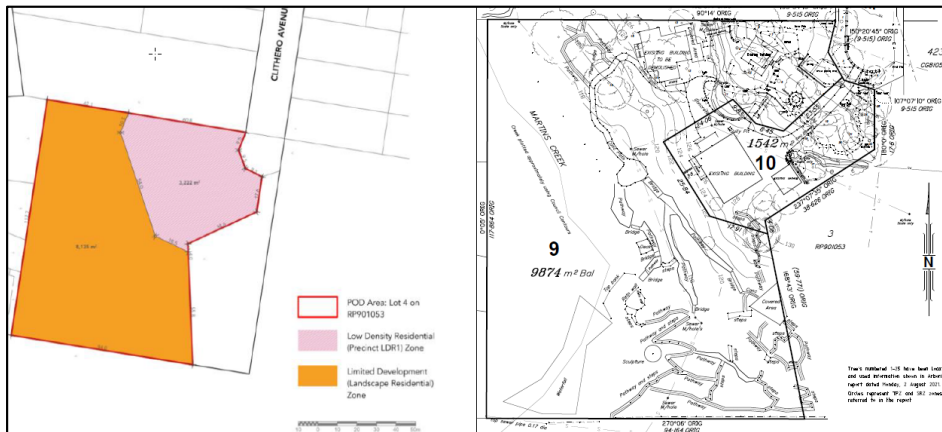


Figure 28 – Proposed zoning variation request (left) and proposed reconfiguring a lot (right)

As discussed earlier in this report, it is agreed that, due to the outcome of detailed site investigations, the north eastern portion of the site ought to be included in the Low density residential zone, and the balance of the site remain in the Limited development (landscape

residential zone). The size and dimensions of proposed Lot 10, which would be wholly included in the Low density residential zone, would meet the outcomes of the *Reconfiguring a lot code* for subdivision in this zone. Proposed Lot 9, which is in effect a balance lot, would meet the outcomes of the code for subdivision in the Limited development zone. The code seeks to ensure that no additional lots are created in the Limited development zone. Provided the variation request is approved, no additional lots are proposed to be created in the Limited development zone.

It is important to note that although it is proposed to reconfigure the subject site into two (2) lots, the only additional development proposed for the site on the ground is a new dwelling house and driveway on proposed Lot 9, which would replace an existing dwelling house in a similar location. Further subdivision of the proposed lots is not intended. In order to discourage further subdivision, the variation request proposes to vary the minimum lot size for the part of the subject land that is proposed to be included Low density residential zone from 700m<sup>2</sup> (the minimum lot size required in the *Buderim local plan code*) to 1500m<sup>2</sup>. This would ensure that any future application to subdivide Lot 10 (which is 1542m<sup>2</sup> in area) would be subject to impact assessment.

However, if all three parts of the combined application are approved, the applicant would not be obliged to proceed with the approved reconfiguring of a lot component. As the area that is proposed to be included in the Low density residential zone is 3222m<sup>2</sup>, if the variation request were to be approved, it is still possible that a future (different) application could be made to instead reconfigure the subject site into three lots in total, i.e. 2 x 1500m<sup>2</sup> lots in the Low density residential zone and 1 x balance lot in the Limited development (landscape residential) zone. Alternatively, if the applicant decided to proceed with the proposed reconfiguring a lot, a future application could still be made to subdivide the balance Lot 9 into two lots, i.e. 1 x 1500m<sup>2</sup> lot in the Low density residential zone and 1 x new balance lot in the Limited development (landscape residential) zone), resulting in a total of 3 lots being created over time.

Although it would be extremely difficult to demonstrate that 3 x lots from the original parcel would achieve all of the relevant planning scheme requirements (e.g. it would be very difficult to find a suitable site for another dwelling house if balance Lot 9 were further subdivided), both of the above scenarios would be subject to code assessment. This would be an unintended consequence of the proposed variation request. Changes to the proposed variation request are therefore recommended in order to avoid these scenarios being subject to code assessment, and this is discussed in a later section of the report.

#### **Stormwater management code**

##### **Stormwater Conveyance – Martins Creek and Overland Flow Paths**

When reconfiguring lots of this size the *Planning scheme policy for development works* seeks for the main stormwater flowpath (Martins Creek) to be transferred to Council management as a drainage reserve. However, in this situation suitable access is not available to any land reserve dedication of Martins Creek. The school to the south is the only publicly owned land but this does not give permission for Council to access the land through the school or for the public to access the land through the school.

The alternative method of securing this land for its conveyance purpose is a stormwater easement over private land. From a flood management perspective this is considered suitable as the topography of the land and notably the waterfall reflects a situation where

it is not reasonably possible for the landowner to block the flow of water. If any obstruction were placed it could be removed through enforcing the terms of the drainage easement.

Stormwater conveyance and in particular the management of overland flow is a critical issue on this site. Council's stormwater risk mapping shows that in addition to Martins Creek there are a number of flowpaths which enter the site from the east and flow into Martins Creek. Stormwater from Clithero Avenue flows through the site together with stormwater from east including stormwater from Buderim Mountain Primary School.

The main overland flowpath on the site flows under the existing dwelling on the site with this dwelling proposed to be retained (on proposed Lot 10) as part of the development.

In support of the development application a Stormwater Management Plan has been submitted. This document has been reviewed by Council officers and refined through the assessment process, and now accurately models the overland flow paths through the site. This site-specific study includes greater detail than what is available in Council's model and is considered to be the most accurate study of the site. It is noted that the pre-development extent of the overland flowpaths through the site are very similar between Council's model and the applicant's model. The key differences in extent is due to different filtering of the model results.

In the post-development model a wall is modelled around the eastern boundary of the dwelling (with returns). The post-development model shows that this wall is effective in diverting flows up to and including the 1% Annual Exceedance Probability (AEP) flows at 2100 around the dwelling. The impacts from constructing this wall are contained within the site.

The diversion wall would not be accepted for a new dwelling but given it is proposed for an existing dwelling it is the best solution which is available. It also largely achieves the objective of not having any buildings located within the drainage easement. A plan of the proposed overland flow easement is included below.



Figure 29 – Proposed drainage easement

Conditions are recommended for the easement extent shown on the above figure to be secured and the wall to divert stormwater around the existing dwelling constructed.

With respect to the material change of use for the new dwelling house (on proposed Lot 9) there are floor level requirements due to the overland flowpath through the site and also the need for the driveway to be designed to divert stormwater around the proposed dwelling.

#### Stormwater Quality

The proposed development does not trigger compliance with the best practice load-based reduction targets. Alternative measures are required to be complied with and given the creek and flowpaths through the site the best stormwater quality outcome is achieved by securing them in a drainage easement to protect their integrity. The easement areas are already vegetated and providing a stormwater filtering function.

#### Dwelling house code

As previously discussed, the application proposes to demolish the existing dwelling house located in the northern part of the site and replace it with a larger new dwelling house with its own driveway access (on proposed Lot 9). The proposed new dwelling house would include 5 bedrooms over three storeys and would not exceed 8.5m above natural ground level in accordance with the Height of buildings and structures overlay. The application also proposes to retain the existing small cottage on the site as a secondary dwelling. This would also be located on proposed Lot 9.

The proposed new dwelling house and the proposed secondary dwelling meet all of the relevant acceptable outcomes of the *Dwelling house code*.

### Assessment Benchmarks Related to a Variation Approval

Not applicable.

### Assessment Benchmarks Related to a Temporary Local Planning Instrument

Not applicable.

### Other Assessment Matters

In addition to the assessment benchmarks referred to above, the *Planning Regulation 2017* requires that impact assessment must be carried out having regard to:

- the regional plan for a region; and
- the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme.

#### South East Queensland Regional Plan (SEQR)

The development is located within the Urban Footprint of the SEQR. Having regard to the SEQR, the development is consistent with the outcomes expressed and sought to be achieved by the SEQR.

#### State Planning Policy (SPP)

Since the time the *Sunshine Coast Planning Scheme* commenced on 21 May 2014, a new SPP came into effect on 3 July 2017 and must be considered for development assessment to the extent the SPP is inconsistent with the planning scheme.

The proposal is consistent with the policy intent of the SPP and does not conflict with any of the identified state interests. As discussed in this report, the bushfire mapping of the SPP currently overrides Council's planning scheme mapping and the proposed development has been assessed against, and found to comply with, the SPP mapping.

### Assessment Summary

The application seeks approval of a Plan of Development (POD) for the subject land which includes variations to the *Sunshine Coast Planning Scheme 2014* (the planning scheme), summarised as follows:

- Vary the zoning of the subject land so that it is partly within the Low density residential zone (including Precinct LDR1 – Protected Housing) and partly within the Limited development (landscape residential) zone.
- Vary the Biodiversity, waterways and wetlands overlay mapping applicable to the subject land. Specifically, change the location and/or extent of the mapped Native Vegetation Area, Riparian Protection Area, Waterways and Wetlands elements affecting the subject land to reflect the results of detailed technical assessment.

- Vary the minimum lot size for the part of the subject land that is proposed to be included Low density residential zone from 700m<sup>2</sup> (as required in the *Buderim local plan code*) to 1500m<sup>2</sup>.

In accordance with s61 of the *Planning Act 2016*, when assessing a variation request, the assessment manager must consider:

- the result of the assessment of that part of the development application that is not the variation request; and
- the consistency of the variations sought with the rest of the local planning instrument that is sought to be varied; and
- the effect the variations would have on submission rights for later development applications, particularly considering the amount and detail of information included in, attached to, or given with the application and available to submitters; and
- any other matter prescribed by regulation.

With respect to item (a) the application also seeks a Development Permit for Reconfiguring a Lot (1 lot into 2 lots) and a Development Permit for a Material Change of Use of Premises to establish a Dwelling house and a Secondary dwelling. As discussed in the earlier sections of this report, it is considered that the proposed reconfiguring a lot and the proposed material change of use would achieve the outcomes of the applicable assessment benchmarks, in particular, the *Biodiversity, waterways and wetlands overlay code*, the *Flood hazard overlay code*, the *Landslide hazard and steep land overlay code*, the *Buderim local plan code*, the *Limited development (landscape residential) zone code*, the *Low density residential zone code*, the *Reconfiguring a lot code* and the *Dwelling house code*.

With respect to item (b), the proposed variation request seeks to vary the zoning and the Biodiversity, waterways and wetlands overlay on the site, to better align with the outcomes of the local planning instrument (the *Sunshine Coast Planning Scheme 2014*). As part of the application, the applicant has undertaken ground-truthing investigations which have demonstrated the current planning scheme overlay mapping is incorrect in the north-eastern portion of the site. This part of the site is currently mapped as containing "ecologically important areas". However, it has been demonstrated that the "ecologically important areas" on the site are significantly less than what is currently mapped and are concentrated in the western portion of the site. Furthermore, the landslide hazard on the site has been assessed and is considered 'moderate'. As outlined within submitted technical reporting, the proposed development would not cause adverse impacts on any adjoining buildings, properties and infrastructure, and appropriately responds to the landslide hazard and steep land constraint.

Accordingly, the current extent of the Limited development (Landscape Residential) zoning and the Biodiversity, waterways and wetlands overlay mapping for the site does not reflect the actual site characteristics. It is considered that the proposed variations to the mapping would be consistent with the planning scheme's purpose of and outcomes for the Limited development (Landscape Residential) zone and the Biodiversity, waterways and wetlands overlay. Furthermore, the proposal to vary the minimum lot size for the part of the subject land that is proposed to be included Low density residential zone

from 700m<sup>2</sup> to 1500m<sup>2</sup> represents an appropriate response to the site conditions and would be consistent with the planning scheme.

With respect to item (c) the Plan of Development (POD) includes tables of assessment for a material change of use in each proposed zone, for reconfiguring a lot in the Low density residential zone, and for development in the Biodiversity, waterways and wetlands overlay. However, the proposed categories of development and assessment for future development on the subject site match that which applies to other land in the planning scheme with the same zoning and overlay mapping, and the applicable assessment benchmarks for future development (codes) are also the same. The only change is that the POD requires impact assessment for reconfiguring a lot in the Low density residential zone where lots less than 1500m<sup>2</sup> are proposed to be created.

As explained in an earlier section of this report, if the variation request were to be approved, it is still possible that a future (different) application could be made to instead reconfigure the subject site into three lots in total, i.e. 2 x 1500m<sup>2</sup> lots in the Low density residential zone and 1 x balance lot in the Limited development (Landscape Residential) zone. Alternatively, if the applicant decided to proceed with the proposed reconfiguring a lot, a future application could still be made to subdivide the balance Lot 9 into two lots, i.e. 1 x 1500m<sup>2</sup> lot in the Low density residential zone and 1 x new balance lot in the Limited development (landscape residential) zone), resulting in a total of 3 lots being created over time. Both of these scenarios would be subject to code assessment (thereby limiting submission rights) and would be an unintended consequence of the proposed variation request.

It is therefore recommended that the variation request as it relates to the zoning of the land be approved with an amendment. Specifically, it is recommended that the area of the site that is included in the Low density residential zone be limited to the area of proposed Lot 10 which is 1542m<sup>2</sup> in area. This means that the extent of subdivision over the site would be limited to creating a single additional lot no less than 1500m<sup>2</sup> in size, as per the current reconfiguring a lot proposal. Any future proposal to subdivide proposed Lot 9 (or the area encompassing proposed Lot 9) would be subject to impact assessment as this area would remain entirely in the Limited development (Landscape Residential) zone. This amendment would afford submission rights for any further subdivision of the land beyond what is proposed in the current application.

With respect to item (d), the other matters prescribed by the *Planning Regulation 2017* include the common material, the South East Queensland Regional Plan and the State Planning Policy (to the extent relevant). As previously discussed, it is considered that the proposed variation request complies with the South East Queensland Regional Plan and the State Planning Policy.

As detailed in the previous sections of this report, it is considered that the proposed variation request would comply with all applicable assessment benchmarks and would satisfy the requirements of the *Planning Act 2016*, subject to the amendment recommended above. Furthermore, it is considered that the proposed reconfiguring a lot and the proposed material change of use would also achieve the outcomes of all applicable assessment benchmarks, subject to the imposition of reasonable and relevant conditions. Approval of the application is therefore recommended.

## CONSULTATION:

### Referral Agencies

The application did not require referral to any Referral Agencies.

### Other External Referrals

The application did not require any other external referrals.

### Public Notification

The application was publicly notified for 30 business days between 4 September and 17 October 2023 in accordance with the requirements of the *Planning Act 2016*. A total of two (2) submissions were received, both of which were determined to be 'properly made' in accordance with the *Planning Act 2016*. The submitters are residents of Clithero Avenue in the vicinity of the subject site.

The following table provides a description of the matters raised in submissions received about the application, together with a statement of how those matters were dealt with in reaching a recommended decision.

ISSUES	COMMENTS
<p><u>Martins Creek</u></p> <ul style="list-style-type: none"> <li>The riparian buffer zone should not be removed as it is and has been in place to protect the Martins Creek, and surrounding existing and emerging flora and fauna including platypus.</li> <li>Martins Creek is a unique part of Buderim's character flowing through the Clithero Ave property and other properties before flowing down the escarpment via a series of cascades to Serenity Falls, a local tourist attraction. It is essential the health of this creek is maintained.</li> <li>Concerns that the creek would be impacted adversely during the construction phase due to the steep slope of the land and possible landslide risks. Removal of trees would destabilise the steep sloping terrain and combined with the proposal's significant hard-surface and roofed areas would increase runoff exacerbating the creek flow during significant rain events.</li> </ul>	<p>The Martins Creek Riparian Protection Area is not proposed to be removed. The application has identified that the currently mapped Riparian Protection Area under the overlay includes land in the north east of the site which is significantly set back and elevated above Martins Creek, and does not contain any riparian values. It is considered that the application has demonstrated the proposed alternative mapping for the Riparian Protection Area would accurately reflect the ground-truthed site attributes, as observed in the field and by reference to ground surface contours.</p> <p>The proposed development does not involve any adverse impacts to Martins Creek or the ecologically important area in the vicinity of the creek. The proposed development on the ground (i.e. the proposed new dwelling house) is well set back from the waterway and the ground-truthed ecologically important vegetation in the vicinity of the waterway. The application has demonstrated that peak flows at the site would be unchanged as a result of the proposed development.</p>



<ul style="list-style-type: none"> <li>Public access to Martins Creek should be restored as for many years access has been discouraged by fencing and signage.</li> </ul>	<p>Public access would not be available if Council were to require a land dedication of Martins Creek. The school to the south is the only publicly owned land but this does not give permission for Council to lawfully access the land through the school or for the public to lawfully access the land through the school. Additionally, providing public access to this section of Martins Creek may result in adverse impacts to the ecologically important area within and around the creek due to there being an increased number of persons accessing the site. Furthermore, the steep slopes and overland flows in this area of the site means that it is generally unsuitable for public access.</p>
<p><u>Change to stream ordering</u> The proposed redesignation being suggested for Martins Creek from a 3-4 to a 1-2 does not take into account the historical surface and sub surface stream flows into Martins Creek upstream of the submission site, that have been incorporated into ground site and road drainage with the village and subdivision development up stream of the site. The report writer needs to visit during a rain event to observe the rain, stream and stormwater flow from top of Buderim to the site and beyond to make and assessment, not just rely on a modelling tool that conveniently ignores such inputs to stream flow calculations.</p>	<p>Council agrees with the consultant's assessment that based on the Strahler method for numerical stream ordering, the portion of Martins Creek extending through the site is a Stream Order 1 Waterway not a Stream Order 3-4 Waterway as currently shown on the Biodiversity, waterways and wetlands overlay map of the planning scheme. Council's Aquatic Ecologist within the Liveability and Natural Assets group has advised that they agree with the proposed Stream Order 1-2 classification, and has confirmed that Council has undertaken further catchment investigation and a reclassification of stream orders for accuracy. Future updated Council mapping will likely incorporate the revised stream order to reflect it as a Stream Order 1-2.</p>

<p><u>Loss of trees</u></p> <p>The property has some magnificent trees which provide habitat for the wildlife. We are concerned firstly that 13 trees would be removed to facilitate the development. This includes one 25m grey gum (12), one 28m silky oak (13) and one 25m lemon scented gum (16). Additionally, more trees could well be lost due to structural damage that may happen during construction. The arborist stated that Trees 1, 5 and 18 would be subjected to varying levels of encroachment within their TPZ (tree protection zone). Protection of trees that contribute to the setting, character and sense of place in Buderim is essential.</p>	<p>The majority of the trees that are proposed to be removed to accommodate the new dwelling and driveway are located in close proximity to existing infrastructure on the site (e.g. boundary fences and built forms). Even in the absence of the current application, removal of these trees would either constitute exempt vegetation clearing as defined in the planning scheme, or, their removal would be likely supported by Council assessment officers due to their location near infrastructure.</p> <p>The proposed new driveway has been aligned specifically to protect the significant mature trees located in the road reserve. Furthermore, it is noted that the ground-truthed significant vegetation within the ecologically important area around Martins Creek (i.e. tall, wet eucalypt forest in the south west that grades into a riparian rainforest community in the north west) would remain protected under the planning scheme and as a condition of any approval. Additionally, landscape planting between the proposed new driveway and the northern boundary is recommended to be required as a condition of any approval. On balance it is considered that the development provides for the protection of ecologically important vegetation and character vegetation in accordance with the requirements of the <i>Biodiversity, waterways and wetlands overlay code</i> and the <i>Buderim local plan code</i>.</p>
<p><u>Reconfiguring a lot</u></p> <p>The intention here appears to achieve an approval to redesignate 3222m<sup>2</sup> of the lot to Low Density Residential, with the view to additionally apply for an additional subdivision of the 3222m<sup>2</sup> into 3 further lots, each suitable for a dwelling.</p>	<p>The Plan of Development submitted with the application requires impact assessment for reconfiguring a lot in the Low density residential zone where lots less than 1500m<sup>2</sup> are proposed to be created. However, it is agreed that because the area proposed to be included in the Low density residential zone is at least 3000m<sup>2</sup>, further subdivision could occur and be subject to code assessment only.</p> <p>It is therefore recommended that the area of the site that is included in the Low density residential zone be limited to the area of proposed Lot 10 which is 1542m<sup>2</sup> in area. This would mean that the extent of subdivision over the site would be limited to creating a</p>

	<p>single additional lot no less than 1500m<sup>2</sup> in size, as per the current reconfiguring a lot proposal. Any future proposal to subdivide proposed Lot 9 (or the area encompassing proposed Lot 9) would then be subject to impact assessment as this area would remain entirely in the Limited development (Landscape Residential) zone. This would enable submission rights for any further subdivision of the land beyond what is proposed in the current application.</p>
<p><u>Traffic</u></p> <ul style="list-style-type: none"> <li>The application indicates no impact on Transport to Clithero Avenue and surrounding area. Again we dispute that comment and oppose on the grounds that adjacent to this property is an entrance used to access the Buderim Mountain State School by parents and students. we have vehicle traffic and parking issues now and have had for some time in the Southern part of Clithero Avenue. The driveways to the proposal are in direct impact zone of the turn circle for north and south bound traffic in Clithero Avenue.</li> <li>The design and gradients of the new proposed driveway does not encourage easy access for off-street parking, and would impact on the limited on-street parking availability to existing residents and school traffic.</li> <li>A recent proposal to link Elizabeth St to Clithero Ave by a road has been put on hold temporarily but if it were to ever go ahead there would be an access issue from the proposed development onto the roadway.</li> </ul>	<p>The proposed new driveway to the new house would be accessed directly via the existing driveway crossover for the existing house, and therefore would not involve any impacts to the Clithero Avenue cul-de-sac head.</p> <p>The design and gradients of the proposed new driveway complies with the relevant Institute of Public Works Engineering Australasia, Queensland and Northern Territory (IPWEA-QNT) standard drawings nominated in the <i>Dwelling house code</i> and the <i>Planning scheme policy for development works</i>. The proposed driveway would not involve any impacts to the Clithero Avenue cul-de-sac head or to any on-street parking spaces in the street.</p> <p>There are no current Council road projects involving a link between Clithero Avenue and Elizabeth Street in Council's Local Government Infrastructure Plan (LGIP).</p>

<p><u>Heritage</u> This is a unique property built by Charles Blackman. This famous Australian artist spent 5 years of his life working here, being greatly influenced by the serenity of the rainforest backdrop. Surely the council should protect this site as a single entity for heritage reasons alone.</p>	<p>The subject site was originally identified as a local heritage place in the planning scheme due to its links to Charles Blackman but was subsequently removed as part of Amendment No. 22 (Major Amendment and Planning Scheme Policy Amendment, Historic Cultural Heritage – 24 August 2020) because the site was no longer deemed to be of heritage significance on account of the peripheral links of the site and the Sunshine Coast region to the prominence of the artist.</p>
<p><u>Short-term accommodation</u> The plans indicate that the current northern dwelling be replaced by a building with substantially increased dimensions. The proposed 5 bedroom building is obviously designed for short-stay accommodation. With the revised plans the on-site parking has been reduced to 2 cars. As the site is opposite one of the entrances to Buderim School, after-school and vacation care the street's already limited on-street parking and traffic issues would be further exacerbated by this development.</p>	<p>The proposed new dwelling house cannot be used for Short-term accommodation without a separate development permit for a material change of use. Any future application for Short-term accommodation would require impact assessment and public notification.</p>

## CONCLUSION

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



## PLAN OF DEVELOPMENT

### 1. APPLICATION

The variation, referred to as the Plan of Development (**POD**) seeks to vary the effect of the Sunshine Coast Planning Scheme 2014 as it relates to development on the land described as, and originating from Lot 4 on RP901053 (**the premises**), and all subsequent subdivided lots.

This Plan of Development applies to assessing development within the POD area as identified in section 4.0 and section 5.0, below.

The variations sought by the POD overrides the zoning map, the overlay mapping and the level of assessment currently applicable to the premises, with those identified in the POD. Where there is inconsistency between the provisions of the *Sunshine Coast Planning Scheme 2014* and the POD, the POD prevails over all other components, to the extent of inconsistency.

In accordance with section 43(1) and (3) of the *Planning Act 2016*, this variation approval is to operate as a local categorising instrument for development on the premises. In particular, the POD seeks to do the following:

- Categorise development as assessable development or accepted development, in accordance with section 3.0 – Categories of Development and Assessment;
- Specify the categories of assessment required for difference types of assessable development, in accordance with section 3.0 – Categories of Development and Assessment
- Set out the matters (assessment benchmarks) that an assessment manager must assess assessable development against, in accordance with section 3.0 – Categories of Development and Assessment.

Subsequent development applications for assessable development on the premises are to be assessed against the POD and the Sunshine Coast Planning Scheme 2014. Where conflict arises between the provisions of the POD and the Sunshine Coast Planning Scheme 2014, the POD.

### 2. GENERAL PURPOSE

The purpose of the POD is to enable low density residential development in the north east corner of the premises, generally in accordance with the Sunshine Coast Planning Scheme 2014 and the Low Density Residential Zone Code. It is noted that residential uses have existed on the site since at least the 1970s, and have always been concentrated in the north east corner of the site.

In addition, the POD seeks to rectify the Biodiversity, Waterways and Wetland Overlay mapping on the site, as the current mapping does not reflect the existing site features accurately. Investigations of the state and local environmental values and significance on the site has been undertaken and have found that the extent of ecologically important areas on the site are located in the western portion of the site.

Specifically, the POD seeks to vary the planning scheme as follows

- Vary the zoning applicable on the site to be the Low Density Residential Zone (including Precinct LDR 1 - Protected Housing Area) and Limited Development (Landscape Residential) Zone.
- Override the Biodiversity, Waterways and Wetlands Overlay which is applicable to the site under the planning scheme, and provide updated overlay mapping which has been prepared subject to detailed technical assessment. Specifically, the POD seeks to vary the Riparian Protection Area, Waterway, Wetlands and Native Vegetation Area designations on the premises.

development  
directive



### 3. CATEGORIES OF DEVELOPMENT AND ASSESSMENT

#### LOW DENSITY RESIDENTIAL (PRECINCT LDR1) ZONE

Development in the Low Density Residential (Precinct LDR1) Zone as mapped under the POD is subject to the following categories of development and assessment.

Note: where an aspect of development is proposed on premises included in more than one zone, local plan or overlay, the category of development and category of assessment is the highest category for each aspect of the development under each of the applicable zones, local plans or overlays.

Note: where development is proposed on premises partly affected by an overlay or zone, the category of development and category of assessment for the overlay or zone only relates to the part of the premises affected by the overlay or zone.

#### MATERIAL CHANGE OF USE

Low density residential zone		
Defined use	Category of development and category of assessment	Assessment benchmarks for assessable development and requirements for accepted development
Residential activities		
Dual occupancy	<b>Accepted development</b> if not located in Precinct LDR1 (Protected Housing Area).	- Dual occupancy code
	<b>Impact assessment</b> if not otherwise specified	- The planning scheme
Dwelling house	<b>Accepted development</b>	- Dwelling house code
Dwelling unit	<b>Code assessment</b>	- Low density residential zone code - Applicable local plan code - Multi-unit residential uses code - Prescribed other development codes
Residential care facility	<b>Code development</b> if not located in Precinct LDR1 (Protected Housing Area).	- Low density residential zone code - Applicable local plan code - Residential care facility and retirement facility code - Prescribed other development codes
	<b>Impact assessment</b> if not otherwise specified	- The planning scheme
Retirement facility	<b>Code development</b> if not located in Precinct LDR1 (Protected Housing Area).	- Low density residential zone code - Applicable local plan code - Residential care facility and retirement facility code - Prescribed other development codes
	<b>Impact assessment</b> if not otherwise specified	- The planning scheme
Business activities		
Home based business	<b>Accepted development</b> if:- (a) for a home office; or (b) involving a home based child care service licensed under the Child Care Act 2002.	- No requirements applicable



Low density residential zone		
Defined use	Category of development and category of assessment	Assessment benchmarks for assessable development and requirements for accepted development
	<b>Accepted development</b> if for an activity other than a high impact home based business activity	- Home based business code
	<b>Impact assessment</b> if for a high impact home based business activity.	- The planning scheme
Sales office	<b>Accepted development</b>	- Sales office code
Shop	<b>Code assessment</b> if for a corner store	- Low density residential zone code - Applicable local plan code - Business uses and centre design code - Prescribed other development code
Community activities		
Community care centre	<b>Code assessment</b>	- Low density residential zone code - Applicable local plan code - Community activities code - Prescribed other development code
Community use	<b>Accepted development</b> if:- (a) located on Council owned or controlled land; and (b) undertaken by or on behalf of the Council.	- No requirements applicable
	<b>Impact assessment</b> if not otherwise specified.	- The planning scheme
Emergency services	<b>Code assessment</b>	- Low density residential zone code - Applicable local plan code - Community activities code - Prescribed other development code
Sport and recreation activities		
Park	<b>Accepted development</b>	- No requirements applicable
Other activities		
Utility installation	<b>Accepted development</b> if for a local utility	- No requirements applicable
	<b>Impact assessment</b> if not otherwise specified	- The planning scheme
Other defined uses		
All other uses in Schedule 1 (Definitions)	<b>Impact assessment</b>	- The planning scheme
Undefined uses		
Any use not defined in Schedule 1 (Definitions)	<b>Impact assessment</b>	- The planning scheme



## RECONFIGURING A LOT

Reconfiguring a Lot		
Zone	Category of development and category of assessment	Assessment benchmarks for assessable development and requirements for accepted development
Low density residential zone	<b>Impact assessment if:-</b> (a) Creating one or more additional lots in the Low density residential zone; and (b) Not complying with the minimum lot size of 1,500m <sup>2</sup> .	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>

## LIMITED DEVELOPMENT (LANDSCAPE RESIDENTIAL) ZONE

Development in the Limited Development (Landscape Residential) zone as mapped under the POD is subject to the following categories of development and assessment.

Note: where an aspect of development is proposed on premises included in more than one zone, local plan or overlay, the category of development and category of assessment is the highest category for each aspect of the development under each of the applicable zones, local plans or overlays.

Note: where development is proposed on premises partly affected by an overlay or zone, the category of development and category of assessment for the overlay or zone only relates to the part of the premises affected by the overlay or zone.

Limited development (landscape residential) zone		
Defined use	Category of development and category of assessment	Assessment benchmarks for assessable development and requirements for accepted development
Residential activities		
Dwelling house	<b>Accepted development</b>	- Dwelling house code
Business activities		
Home based business	<b>Accepted development if:-</b> (a) for a home office; or (b) involving a home based child care service licensed under the Child Care Act 2002.	- No requirements applicable
	<b>Accepted development</b> if for an activity other than a high impact home based business activity	- Home based business code
	<b>Impact assessment</b> if for a high impact home based business activity.	- The planning scheme
Community activities		
Community use	<b>Accepted development if:-</b> (a) located on Council owned or controlled land; and (b) undertaken by or on behalf of the Council.	- No requirements applicable
	<b>Impact assessment</b> if not otherwise specified.	- The planning scheme
Sport and recreation activities		
Park	<b>Accepted development</b>	- No requirements applicable





Limited development (landscape residential) zone		
Defined use	Category of development and category of assessment	Assessment benchmarks for assessable development and requirements for accepted development
Rural activities		
Animal husbandry	<b>Accepted development</b> if: (a) involving the grazing of livestock only; and (b) located outside the Urban growth management boundary <b>Impact assessment</b> if not otherwise specified.	- Rural uses code  - The planning scheme
Other activities		
Utility installation	<b>Accepted development</b> if for a local utility <b>Impact assessment</b> if otherwise not specified	- No requirements applicable - The planning scheme
Other defined uses		
All other uses in Schedule 1 (Definitions)	<b>Impact assessment</b>	- The planning scheme
Undefined uses		
Any use not defined in Schedule 1 (Definitions)	<b>Impact assessment</b>	- The planning scheme

Development in the Biodiversity, waterways and wetlands overlay (Native vegetation area, Natural watercourse and Riparian protection area and Wetlands sub-categories) as mapped under the POD is subject to the following categories of development and assessment.

Note: where an aspect of development is proposed on premises included in more than one zone, local plan or overlay, the category of development and category of assessment is the highest category for each aspect of the development under each of the applicable zones, local plans or overlays.

Note: where development is proposed on premises partly affected by an overlay or zone, the category of development and category of assessment for the overlay or zone only relates to the part of the premises affected by the overlay or zone.

Biodiversity, waterways and wetlands overlay		
Development subject to overlay <sup>1</sup>	Category of development and category of assessment	Assessment benchmarks for assessable development and requirements for accepted development <sup>2</sup>
<b>Material change of use</b> , other than in an existing building, if:- (a) on land subject to the biodiversity, waterways and wetlands overlay as	<b>Code assessment</b> if for one of the following uses and provisionally made accepted development by	- Biodiversity, waterways and wetlands overlay code

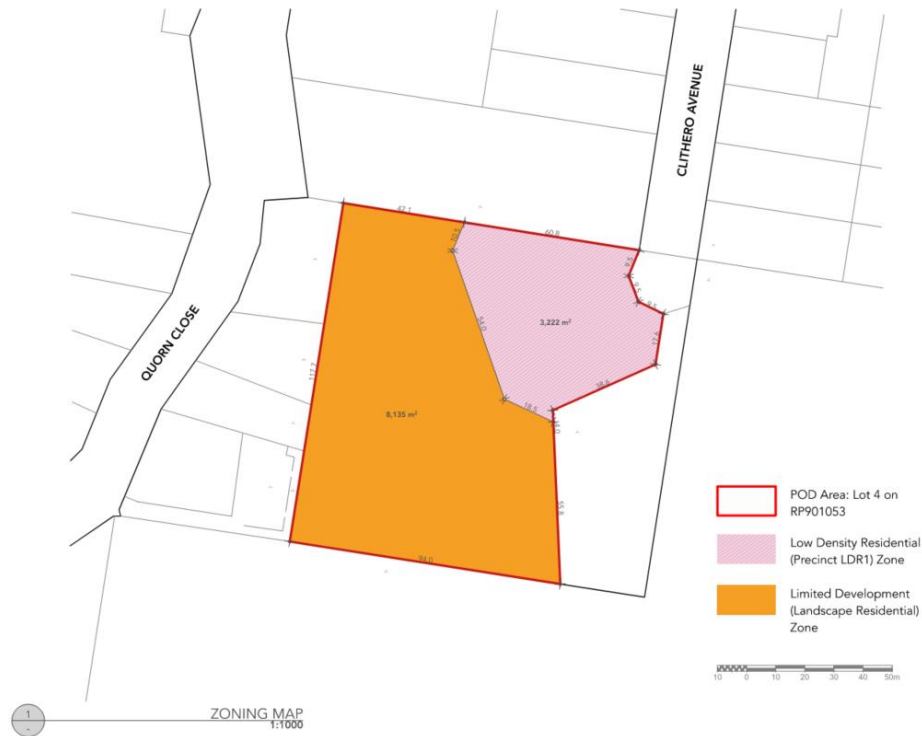
<sup>1</sup> Editor's note—to remove any doubt, development that is not identified as being subject to an overlay in this table does not require assessment against an overlay code and there is no change to the provisional level of assessment.

<sup>2</sup> Editor's note—to remove any doubt, where there are no relevant acceptable outcomes for accepted development subject to requirements provided in the applicable overlay code, accepted development is not required to be assessed against the overlay code.

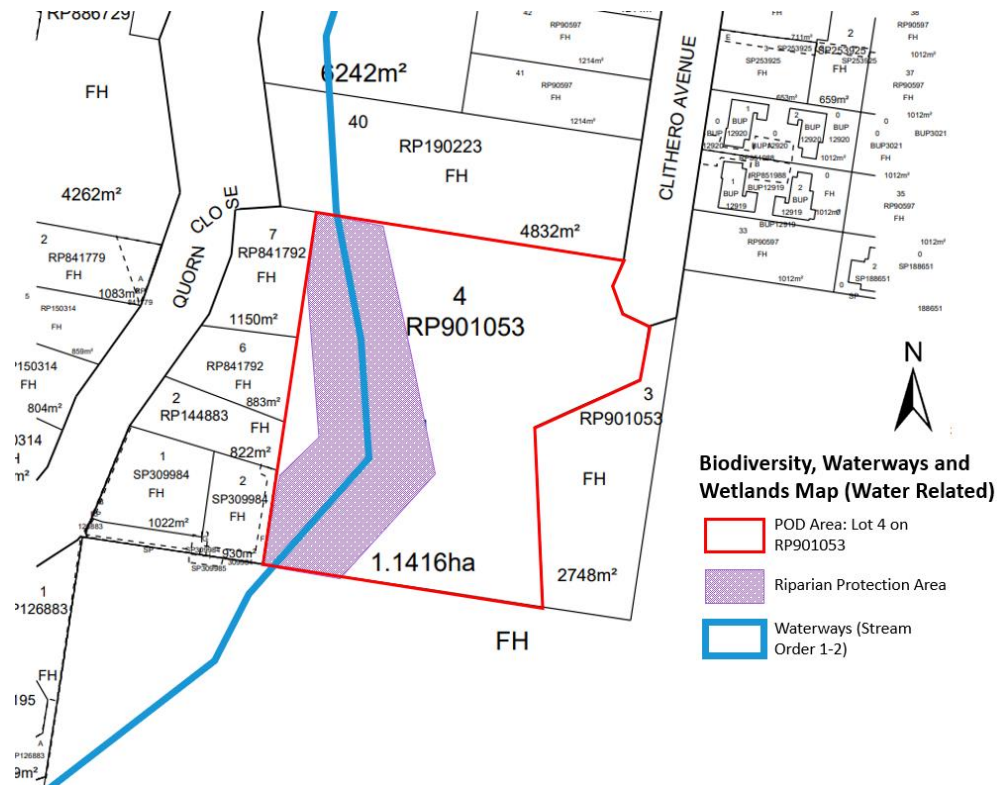


Biodiversity, waterways and wetlands overlay		
Development subject to overlay <sup>1</sup>	Category of development and category of assessment	Assessment benchmarks for development assessable and requirements for accepted development <sup>2</sup>
identified on a Biodiversity, Waterways and Wetlands Overlay Map; and (b) not for an extractive industry within Precinct RUR 1 (Meridan Plains Extractive Resource Area)	another table of assessment:- (a) dual occupancy; (b) low impact industry; (c) rural industry; (d) service industry; (e) transport depot; or (f) warehouse.	
<b>Reconfiguring a lot</b> if on land subject to the biodiversity, waterways and wetlands overlay as identified on a Biodiversity, Waterways and Wetlands Overlay Map.	No change	- Biodiversity, waterways and wetlands overlay code
<b>Operational work</b> if on land subject to the biodiversity, waterways and wetlands overlay as identified on a Biodiversity, Waterways and Wetlands Overlay Map.	<b>Code assessment</b> if:- (a) involving filling or excavation; and (b) provisionally made accepted development by the table of assessment in Section 5.8 (Categories of development and categories of assessment – operational work); other than:- (c) where on Council owned or controlled land; and (d) undertaken by or on behalf of the Council.	- Biodiversity, waterways and wetlands overlay code
	<b>Impact assessment</b> if not otherwise specified.	- The planning scheme
<b>Building work not associated with a material change of use, other than <i>minor building work</i></b> , if on land subject to the biodiversity, waterways and wetlands overlay as identified on a Biodiversity, Waterways and Wetlands Overlay Map	No change	- Biodiversity, waterways and wetlands overlay code

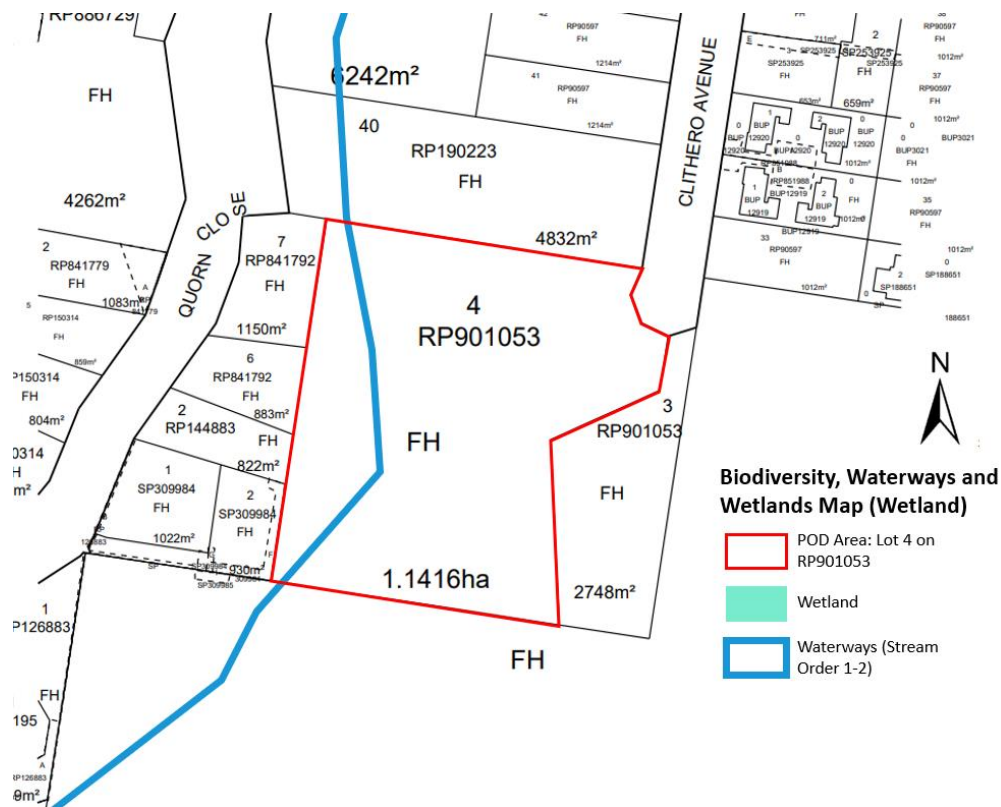
#### 4. PLAN OF DEVELOPMENT – ZONING



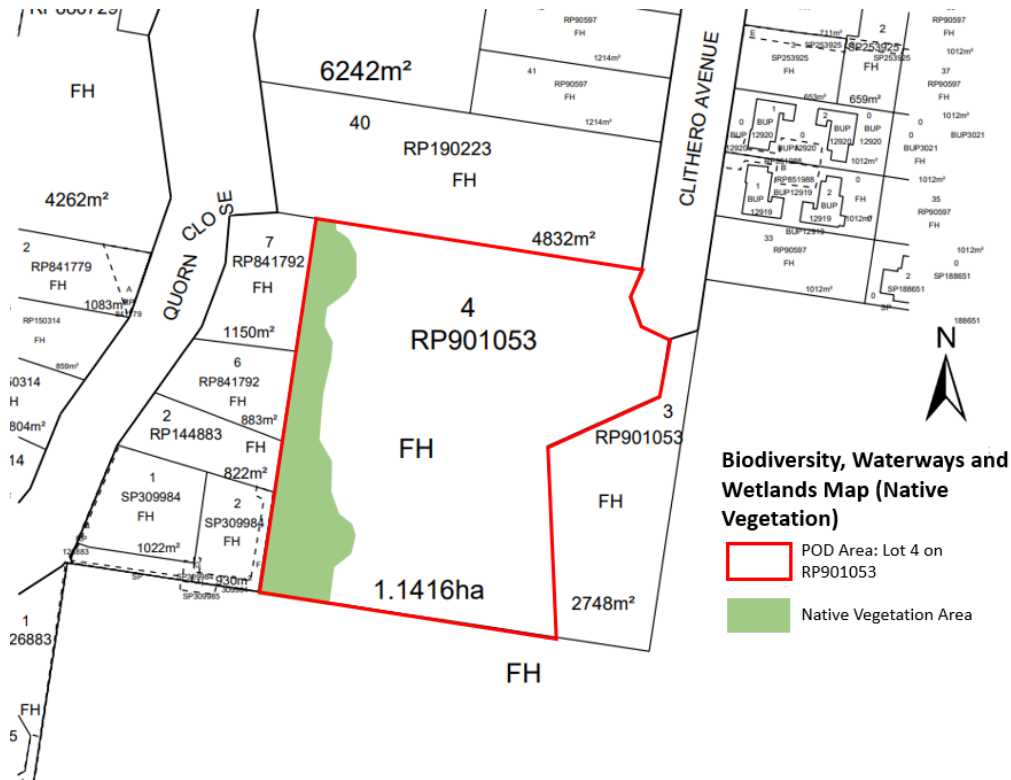
## 5. PLAN OF DEVELOPMENT – BIODIVERSITY, WATERWAYS AND WETLANDS OVERLAY MAP (RIPARIAN PROTECTION AREA AND WATERWAYS SUB-CATEGORIES)



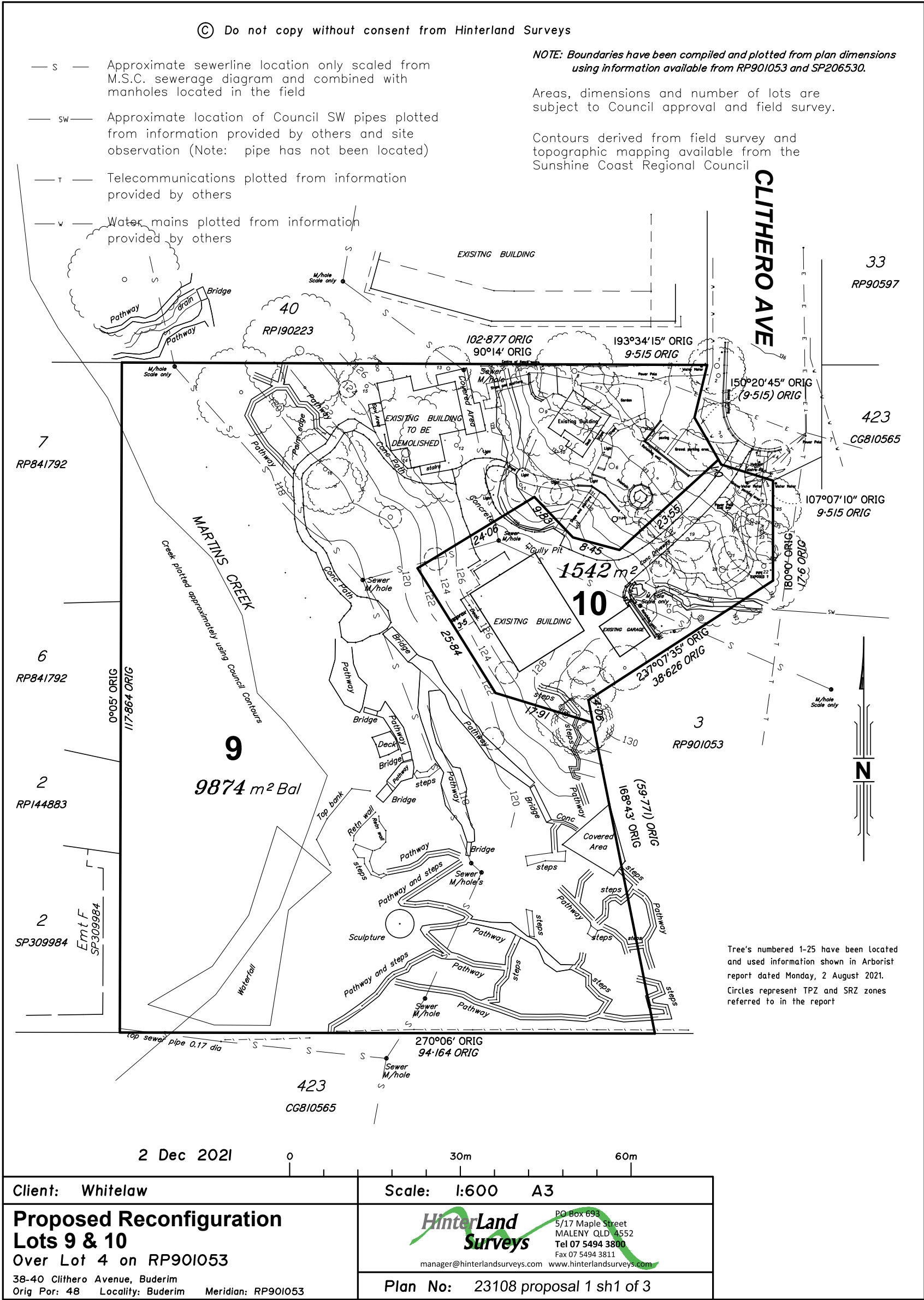
## 6. PLAN OF DEVELOPMENT – BIODIVERSITY, WATERWAYS AND WETLANDS OVERLAY MAP (WETLAND SUB-CATEGORY)



## 7. PLAN OF DEVELOPMENT – BIODIVERSITY, WATERWAYS AND WETLANDS OVERLAY MAP (NATIVE VEGETATION AREA SUB-CATEGORY)

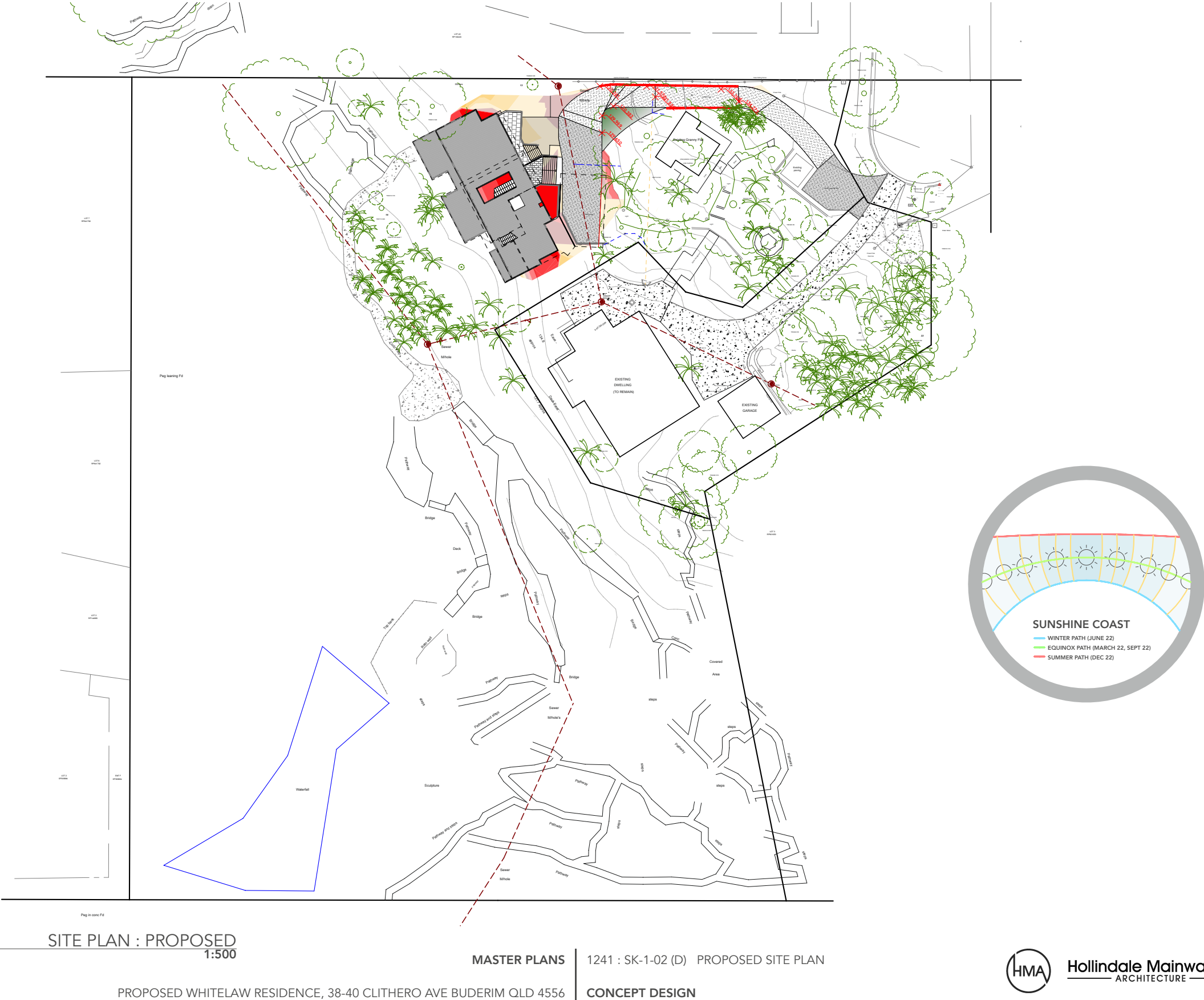




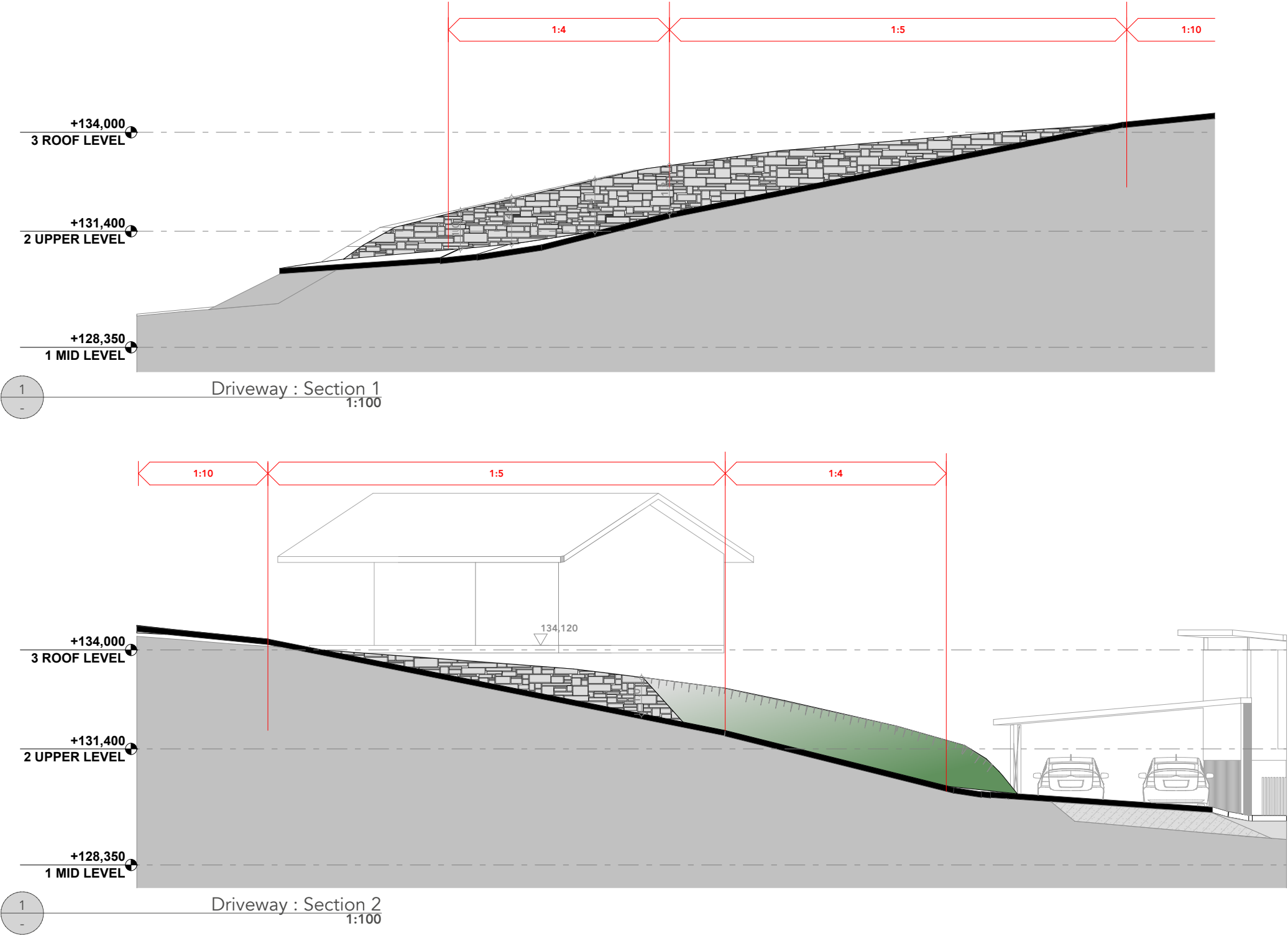






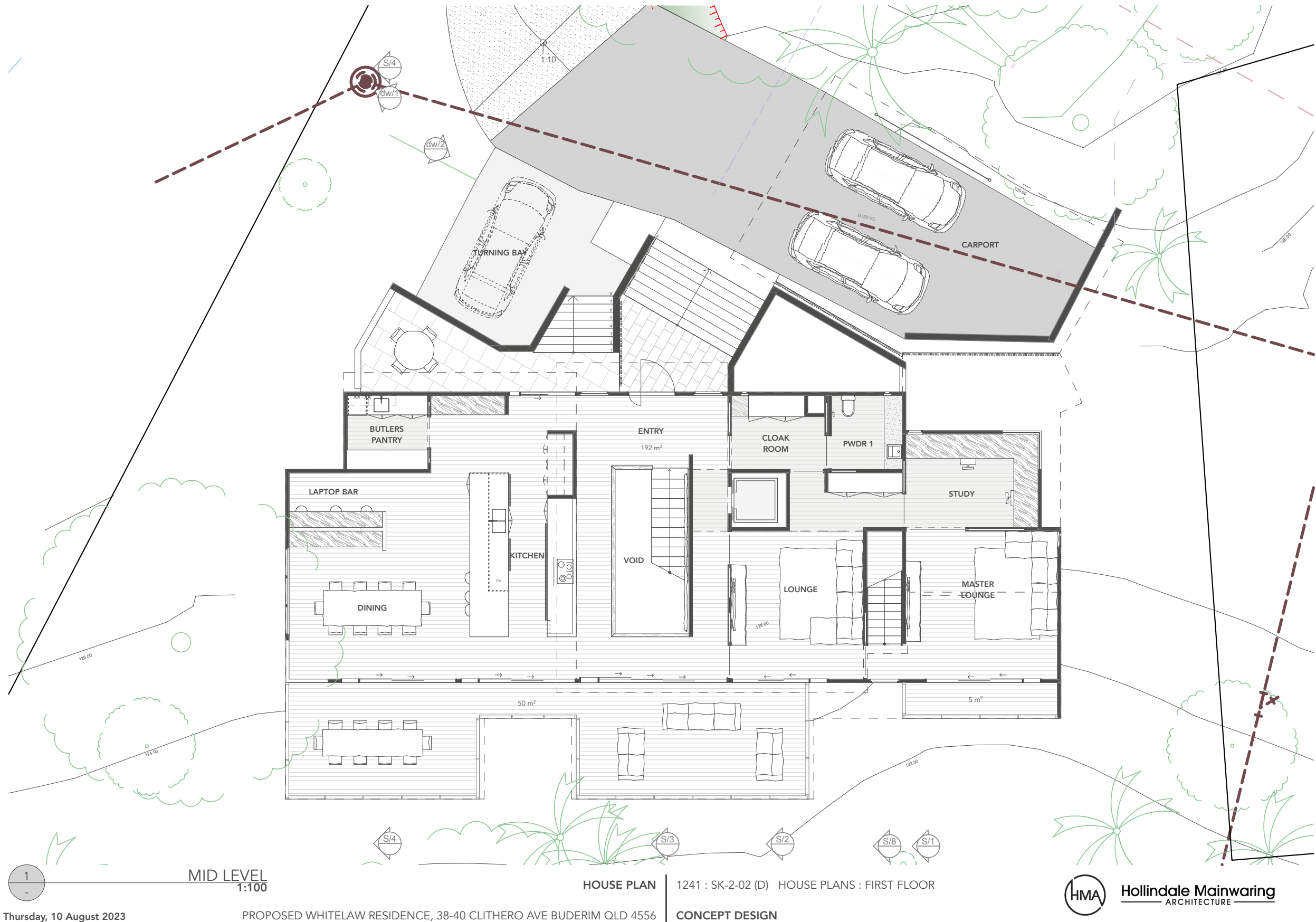


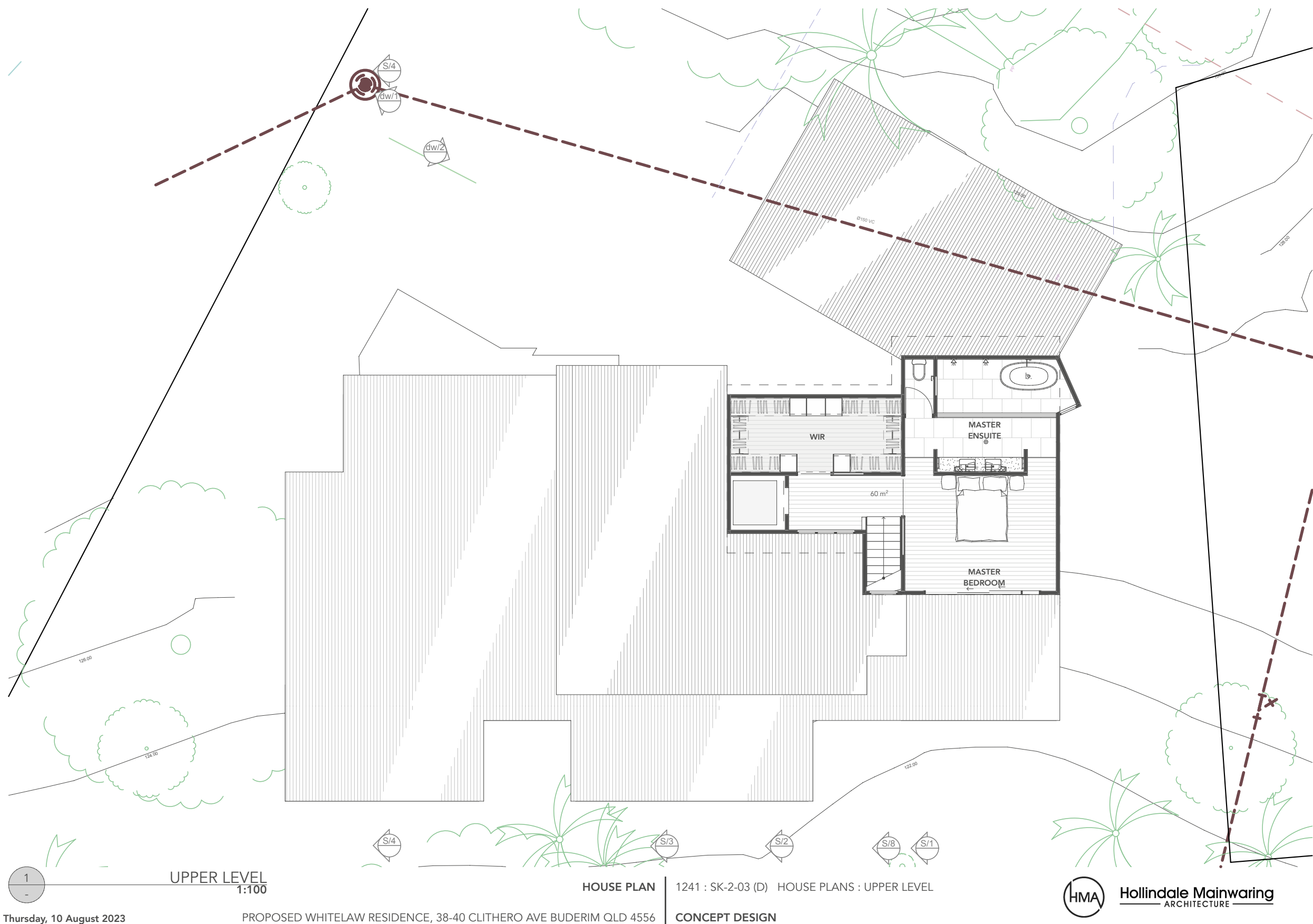














ROOF LEVEL  
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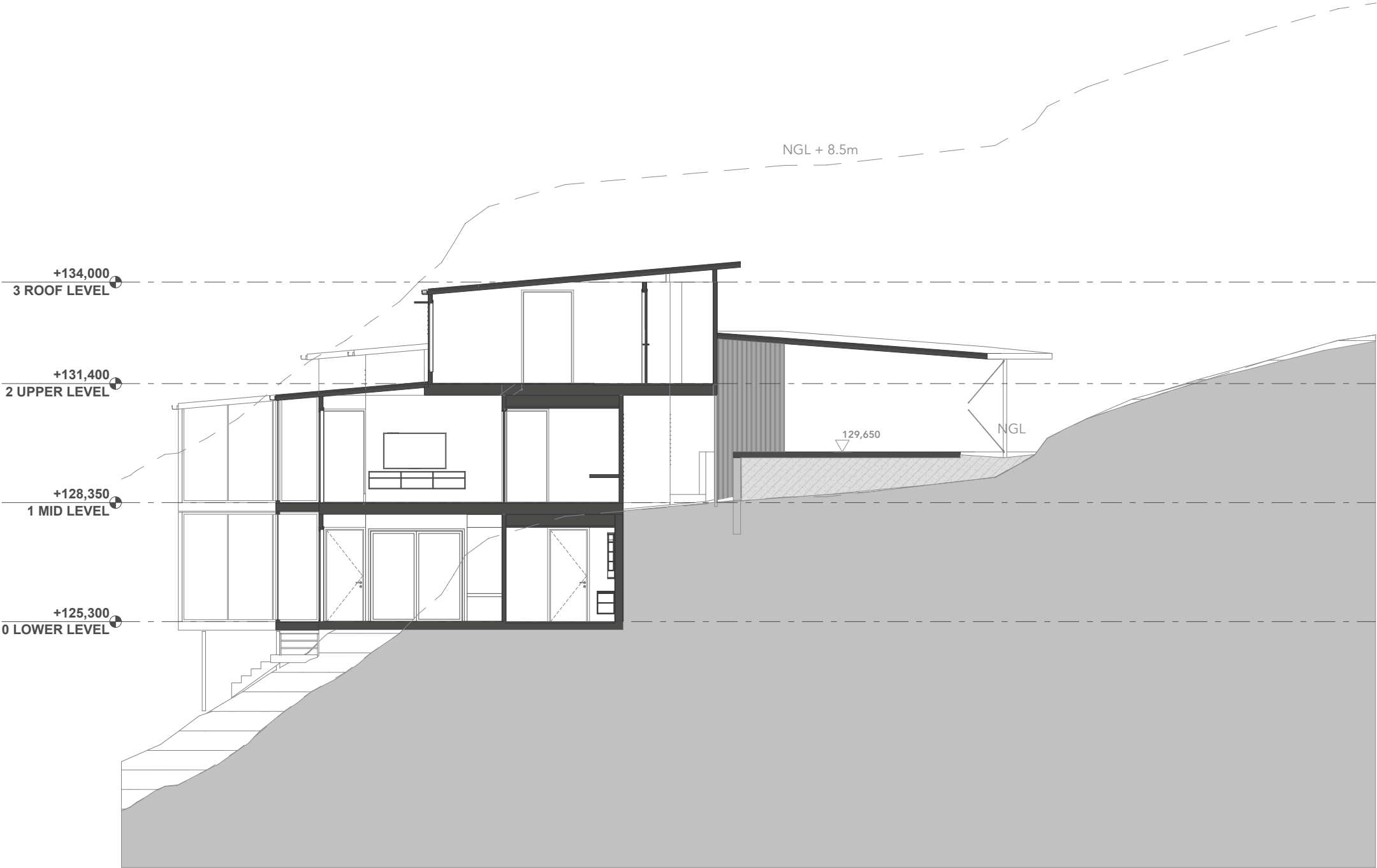


HOUSE PLAN | 1241 : SK-2-04 (D) HOUSE PLANS : ROOF PLANS

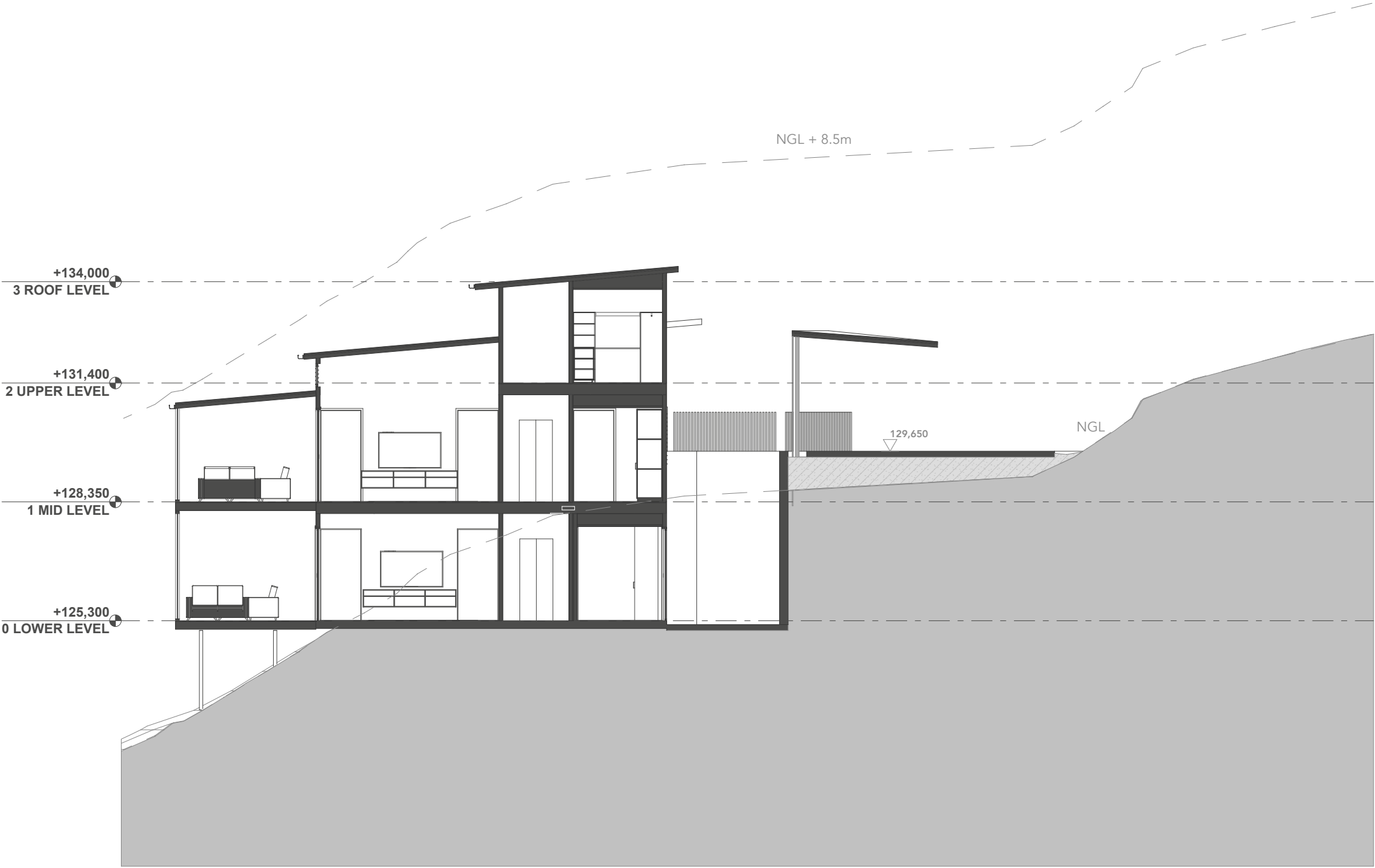
CONCEPT DESIGN

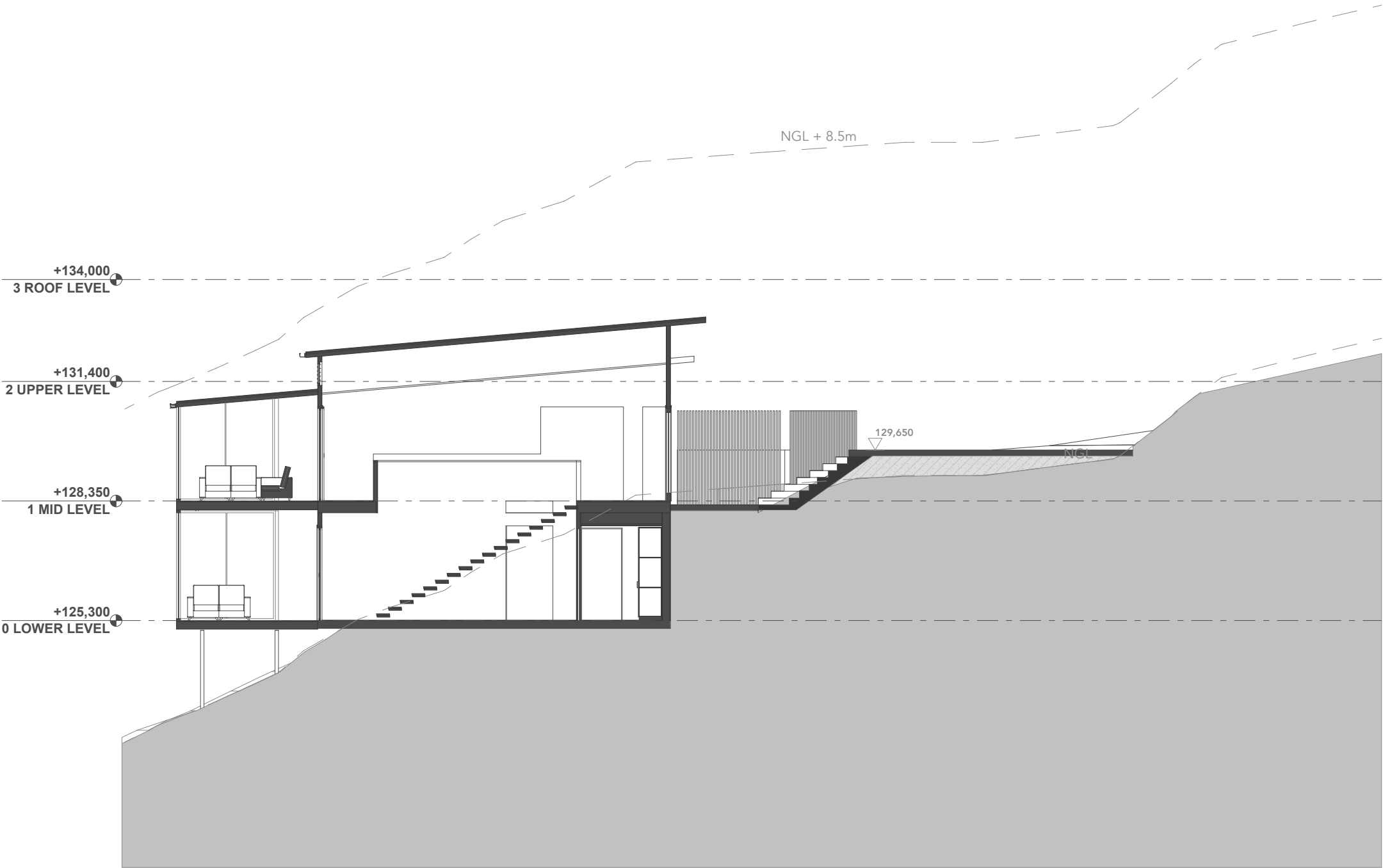


Hollindale Mainwaring  
ARCHITECTURE





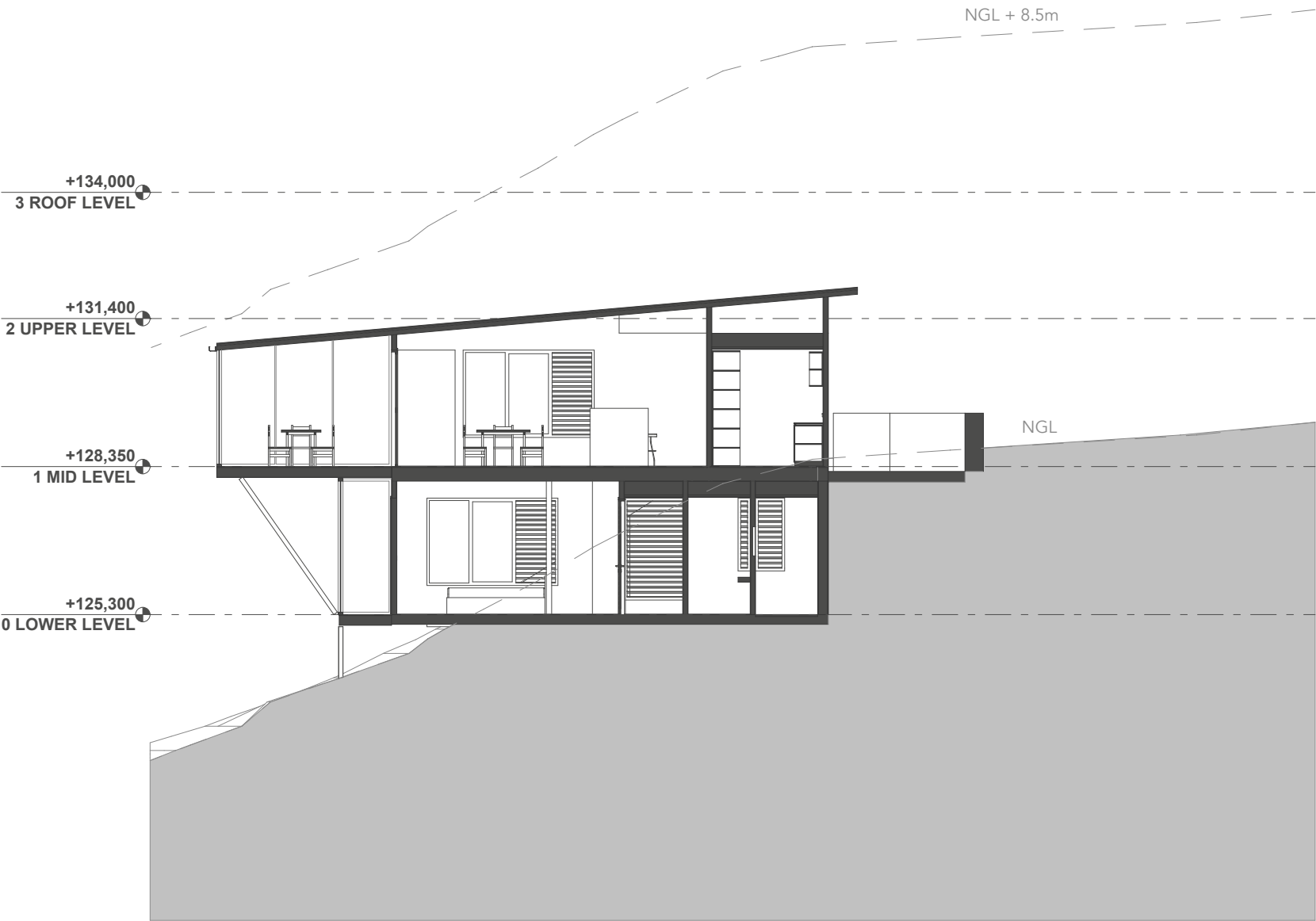




SECTIONS | 1241 : SK-3.3 (D) SECTION 3

CONCEPT DESIGN





SECTIONS | 1241 : SK-3.4 (D) SECTION 4  
CONCEPT DESIGN





Thursday, 10 August 2023

PROPOSED WHITELOW RESIDENCE, 38-40 CLITHERO AVE BUDERIM QLD 4556

ELEVATIONS | 1241 : SK-4-01 (D) EASTERN ELEVATION  
CONCEPT DESIGN



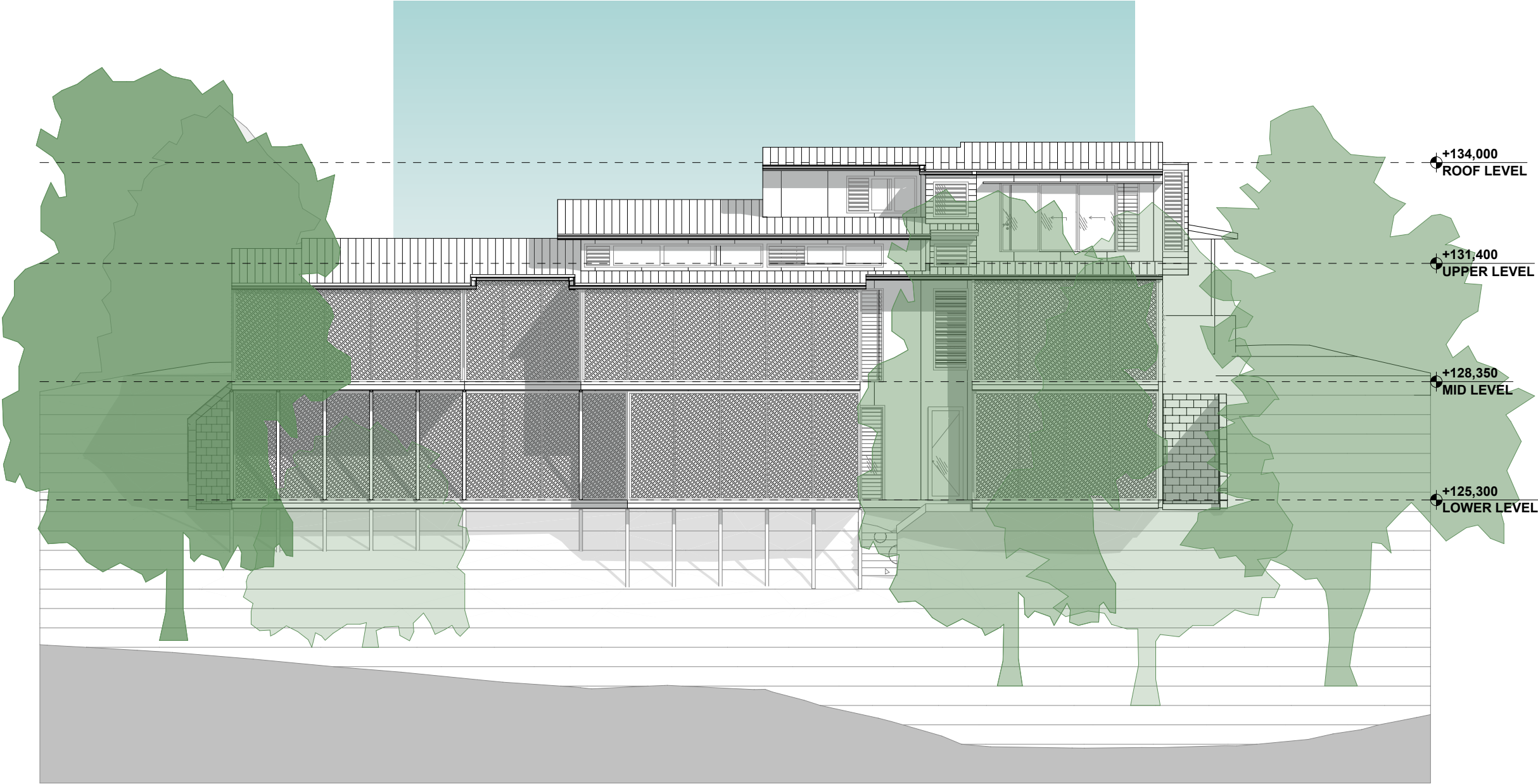


Thursday, 10 August 2023

PROPOSED WHITELAW RESIDENCE, 38-40 CLITHERO AVE BUDERIM QLD 4556

ELEVATIONS | 1241 : SK-4-02 (D) SOUTHERN ELEVATIONS  
CONCEPT DESIGN





Thursday, 10 August 2023

PROPOSED WHITELAW RESIDENCE, 38-40 CLITHERO AVE BUDERIM QLD 4556

ELEVATIONS | 1241 : SK-4-03 (D) WESTERN ELEVATION  
CONCEPT DESIGN





Thursday, 10 August 2023

PROPOSED WHITELAW RESIDENCE, 38-40 CLITHERO AVE BUDERIM QLD 4556

ELEVATIONS | 1241 : SK-4-04 (D) NORTHERN ELEVATION  
CONCEPT DESIGN







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## 8.2 MARCH 2024 FINANCIAL PERFORMANCE REPORT

**File No:** Council Meetings

**Author:** Acting Coordinator Financial Services  
Business Performance Group

**Attachments:** Att 1 - March 2024 Financial Performance Report ..... 107 [↓](#)   
Att 2 - Capital Grant Funded Project Report March 2024 .. 117 [↓](#) 

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### PURPOSE

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

### EXECUTIVE SUMMARY

This monthly financial performance report provides Council with a summary of performance against budget as at 31 March 2024, in terms of the operating result and delivery of the capital program.

### Operating Performance

**Table 1: Operating Budget as at 30 June 2024**

	<b>Original Budget \$000</b>	<b>Current Budget \$000</b>
Total Operating Revenue	590,615	591,591
Total Operating Expenses	566,003	570,122
<b>Operating Result</b>	<b>24,612</b>	<b>21,470</b>

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

### OFFICER RECOMMENDATION

**That Council receive and note the report titled "March 2024 Financial Performance Report"**

### FINANCE AND RESOURCING

This report sets out the details of Council's financial performance and investments for the month ending March 2024, and meets Council's legislative reporting requirements.

### CORPORATE PLAN

**Corporate Plan Goal:** *Our outstanding organisation*

**Outcome:** We serve our community by providing this great service

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**Operational Activity:** S28 - Financial and procurement services – financial and procurement management and governance, ensuring effective business management and legislative compliance, coordination and development of Council's budget process, administration of financial systems, sundry debtors, accounts payable, financial and asset accounting, treasury, procurement, contract and supply functions.

## **CONSULTATION**

### **Councillor Consultation**

Consultation has been undertaken with the Portfolio Councillor, E Hungerford

### **Internal Consultation**

This report has been written in conjunction with advice from:

- Acting Group Executive Business Performance
- Chief Financial Officer

### **External Consultation**

No external consultation is required for this report.

### **Community Engagement**

No community engagement is required for this report.

### **Legal**

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

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

### **Policy**

Sunshine Coast Council's 2023/24 Investment Policy, and  
Sunshine Coast Council's 2023/24 Debt Policy.

### **Risk**

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

**Previous Council Resolution****Ordinary Meeting 14 December 2023 (OM23/149)**

*That Council:*

- (a) *receive and note the report titled "Budget Review 2 2023/2024"*
- (b) *adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's amended budget for 2023/24 financial year incorporating:*
  - (i) *the statement of income and expenditure*
  - (ii) *the statement of financial position*
  - (iii) *the statements of changes in equity*
  - (iv) *the statement of cash flow*
  - (v) *the relevant measures of financial sustainability*
  - (vi) *the long-term financial forecast*
  - (vii) *Council's 2023/24 Capital Works Program, endorse the indicative four-year program for the period 2025 to 2028, and note the five-year program for the period 2029 to 2033*
- (c) *note the following documentation applies as adopted 22 June 2023*
  - (i) *the Debt Policy*
  - (ii) *the Revenue Policy*
  - (iii) *the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget, and*
  - (iv) *the Revenue Statement*
  - (v) *the rates and charges to be levied for the 2023/24 financial year and other matters as adopted 22 June 2023*
  - (vi) *the Strategic Environment Levy Policy*
  - (vii) *the Strategic Arts and Heritage Levy Policy*
  - (viii) *the Strategic Transport Levy Policy*
  - (ix) *the Derivatives Policy and*
- (d) *endorse the Minor Capital Works Program (Appendix B).*

**Ordinary Meeting 21 September 2023 (OM23/104)**

*That Council:*

- (a) *receive and note the report titled "Budget Review 1 – 2023/24" and*
- (b) *adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's amended budget for 2023/24 financial year incorporating:*
  - i. *the statement of income and expenditure*

- ii. *the statement of financial position*
  - iii. *the statement of changes in equity*
  - iv. *the statement of cash flow*
  - v. *the relevant measurers of financial sustainability*
  - vi. *the long-term financial forecast*
  - vii. *Council's 2023/24 Capital Works Program, endorse the indicative four-year program for a period 2025 to 2028, and note the five-year program for the period 2029 to 2033*
- (c) *note the following documentation applies as adopted 22 June 2023*
- i. *the Debt policy*
  - ii. *the Revenue policy*
  - iii. *the total value of change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
  - iv. *the Revenue statement*
  - v. *the rates and charges to be levied for the 2023/24 financial year and other matters as adopted 22 June 2023*
  - vi. *the Strategic Environment Levy Policy*
  - vii. *the Strategic Arts and Heritage Levy Policy*
  - viii. *the Strategic Transport Levy Policy*
  - ix. *the Derivates Policy and*
- (d) *endorse the Minor Capital Works Program (Appendix B)*

**Special Meeting 22 June 2023 (SM23/2)**

*That Council:*

**1. STATEMENT OF ESTIMATED FINANCIAL POSITION**

*receive and note Appendix A, pursuant to section 205 of the Local Government Regulation 2012, the statement of the financial operations and financial position of the Council in respect to the 2022/23 financial year*

**2. ADOPTION OF BUDGET**

*adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's budget for 2023/24 financial year incorporating:*

- i. *the statement of income and expenditure*
- ii. *the statement of financial position*
- iii. *the statement of changes in equity*
- iv. *the statement of cash flow*
- v. *the relevant measures of financial sustainability*
- vi. *the long-term financial forecast*

- vii. *the Debt Policy (adopted by Council resolution on 25 May 2023)*
- viii. *the Revenue Policy (adopted by Council resolution on 25 May 2023)*
- ix. *the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
- x. *the Revenue Statement*
- xi. *Council's 2023/24 Capital Works Program, endorse the indicative four-year program for the period 2025 to 2028, and note the five-year program for the period 2029 to 2033*
- xii. *the rates and charges to be levied for the 2023/24 financial year and other matters as detailed below in clauses 3 to 10*
- xiii. *the 2023/24 Minor Capital Works Program*
- xiv. *the Strategic Environment Levy Policy*
- xv. *the Strategic Arts and Heritage Levy Policy*
- xvi. *the Strategic Transport Levy Policy and*
- xvii. *the Derivatives Policy*

**Related Documentation**

2023/24 Adopted Budget

**Critical Dates**

There are no critical dates for this report.

**Implementation**

There are no implementation details to include in this report.





# Statement of Income and Expenses

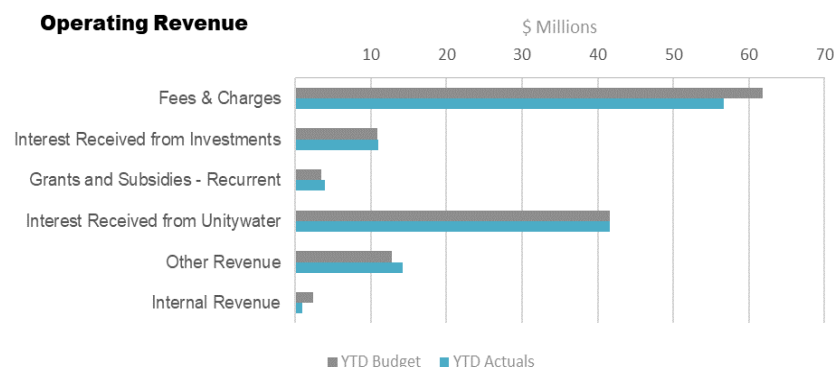


At the end of March 2024, Council has a favourable operating result of \$122.1 million, revenue is below budget by \$4.6 million, and expenses were also below budget by \$6.9 million, resulting in a \$2.3 million favourable variance.

Statement of Income & Expenses							
	Annual		YTD				Annual
	Original Budget \$000	Current Budget \$000	Current Budget \$000	Actuals \$000	Variance \$000	Variance %	Forecast Budget \$000
<b>Operating Revenue</b>							
General Rates	298,265	298,265	298,030	298,046	16	0.0%	298,265
Cleansing Charges	78,328	78,328	78,328	78,328	0	0.0%	78,328
Levies	28,756	30,352	28,515	28,547	32	0.1%	30,352
Fees and Charges	82,335	79,254	61,857	56,646	(5,210)	(8.4%)	79,254
Interest Received from Investments	13,850	15,350	10,888	10,962	74	0.7%	15,350
Operating Grants and Subsidies	14,977	18,537	3,403	3,895	492	14.5%	18,537
Operating Contributions	320	320	309	249	(60)	(19.4%)	320
Unitywater Participation	52,438	52,438	41,625	41,625	0	0.0%	52,438
Other Revenue	17,787	18,436	12,755	14,192	1,437	11.3%	18,436
Internal Sales/Recoveries	3,560	3,977	2,409	991	(1,418)	(58.9%)	3,977
<b>Total Operating Revenue</b>	<b>590,615</b>	<b>595,258</b>	<b>538,118</b>	<b>533,482</b>	<b>(4,637)</b>	<b>(0.9%)</b>	<b>595,258</b>
<b>Operating Expenses</b>							
Employee Costs	176,203	176,993	127,471	126,778	(693)	(0.5%)	176,993
Materials and Services	235,600	242,232	172,898	165,685	(7,213)	(4.2%)	242,232
Finance Costs	13,137	12,809	9,652	9,330	(322)	(3.3%)	12,809
Company Contributions	4,657	4,657	4,657	4,656	(0)	(0.0%)	4,657
Depreciation Expense	105,674	105,674	80,639	80,639	-	-	105,674
Other Expenses	26,732	26,876	19,004	19,804	799	4.2%	26,876
Recurrent Capital Expenses	4,000	4,000	4,000	4,453	453	11.3%	4,000
<b>Total Operating Expenses</b>	<b>566,003</b>	<b>573,241</b>	<b>418,321</b>	<b>411,344</b>	<b>(6,977)</b>	<b>(1.7%)</b>	<b>573,241</b>
<b>Operating Result</b>	<b>24,612</b>	<b>22,017</b>	<b>119,797</b>	<b>122,138</b>	<b>2,340</b>	<b>2.0%</b>	<b>22,017</b>
<b>Capital Revenue</b>							
Capital Grants and Subsidies	70,836	99,758	30,511	30,511	-	-	99,758
Capital Contributions - Cash	32,384	32,481	21,080	21,080	(0)	(0.0%)	32,481
Capital Contributions - Fixed Assets	82,820	82,820	18,379	18,379	(0)	(0.0%)	82,820
<b>Total Capital Revenue</b>	<b>186,040</b>	<b>215,059</b>	<b>69,970</b>	<b>69,970</b>	<b>(0)</b>	<b>(0.0%)</b>	<b>215,059</b>
<b>Non-recurrent Expenses</b>							
Profit/Loss on disposal, revaluation & impairment	-	-	-	2,551	2,551	-	-
Movements in landfill and quarry provisions	2,982	2,982	2,236	2,236	-	-	2,982
Recurrent Capital Expenses - Prior Year	-	-	-	5,317	5,317	-	-
Assets Transferred to Third Parties	-	-	-	-	-	-	-
<b>Total Non-recurrent Expenses</b>	<b>2,982</b>	<b>2,982</b>	<b>2,236</b>	<b>10,104</b>	<b>7,868</b>	<b>351.9%</b>	<b>2,982</b>
<b>Net Result</b>	<b>207,671</b>	<b>234,095</b>	<b>187,531</b>	<b>182,003</b>	<b>(5,528)</b>	<b>(2.9%)</b>	<b>234,095</b>



# Operating Result – March 2024



Operating Summary						
	Annual		YTD			
	Original Budget \$000s	Current Budget \$000s	Current Budget \$000s	Actuals \$000s	Variance \$000s	Variance %
Operating Revenue	590,615	595,258	538,118	533,482	(4,637)	(0.9%)
Operating Expenses	562,003	569,241	414,321	406,891	(7,430)	(1.8%)
Recurrent Capital Expenses	4,000	4,000	4,000	4,453	453	11.3%
<b>Operating Result</b>	<b>24,612</b>	<b>22,017</b>	<b>119,797</b>	<b>122,138</b>	<b>2,340</b>	<b>2.0%</b>
Capital Revenue	186,040	215,059	69,970	69,970	(0)	(0.0%)
Non-recurrent Expenses	2,982	2,982	2,236	10,104	7,868	351.9%
<b>Net Result</b>	<b>207,671</b>	<b>234,095</b>	<b>187,531</b>	<b>182,003</b>	<b>(5,528)</b>	<b>(2.9%)</b>

## Substantial Revenue Variance for the Period Ending March 2024

	Annual		YTD				Annual Forecast Budget \$000
	Original Budget \$000	Current Budget \$000	Current Budget \$000	Actuals \$000	Variance \$000	Variance %	
<b>Operating Revenue</b>							
Fees and Charges	82,335	79,254	61,857	56,646	(5,210)	(8.4%)	79,254
Other Revenue	17,787	18,436	12,755	14,192	1,437	11.3%	18,436

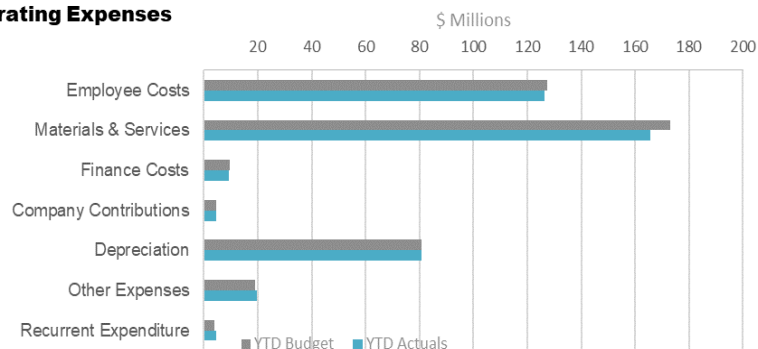
As at 31 March 2024, \$533 million operating revenue has been achieved resulting in a variance of \$4.6 million (0.9%) below budget.

Significant revenue variances include:

- **Fees and Charges** – Plumbing applications and inspections \$2.2 million below budget, Quarry Services sales \$2.2 million below budget, Caloundra Music Festival \$1.6 million below budget.
- **Other Revenue** – Additional revenue received for environmental offsets with commercial properties lease revenue higher than budget plus Sale of electricity easements to Energex providing a one-time boost to the bottom line.

## Operating Result – March 2024 (continued)

### Operating Expenses



### Operating Summary

	Annual		YTD			
	Original Budget \$000s	Current Budget \$000s	Current Budget \$000s	Actuals \$000s	Variance \$000s	Variance %
Operating Revenue	590,615	595,258	538,118	533,482	(4,637)	(0.9%)
Operating Expenses	562,003	569,241	414,321	406,891	(7,430)	(1.8%)
Recurrent Capital Expenses	4,000	4,000	4,000	4,453	453	11.3%
<b>Operating Result</b>	<b>24,612</b>	<b>22,017</b>	<b>119,797</b>	<b>122,138</b>	<b>2,340</b>	<b>2.0%</b>
Capital Revenue	186,040	215,059	69,970	69,970	(0)	(0.0%)
Non-recurrent Expenses	2,982	2,982	2,236	10,104	7,868	351.9%
<b>Net Result</b>	<b>207,671</b>	<b>234,095</b>	<b>187,531</b>	<b>182,003</b>	<b>(5,528)</b>	<b>(2.9%)</b>

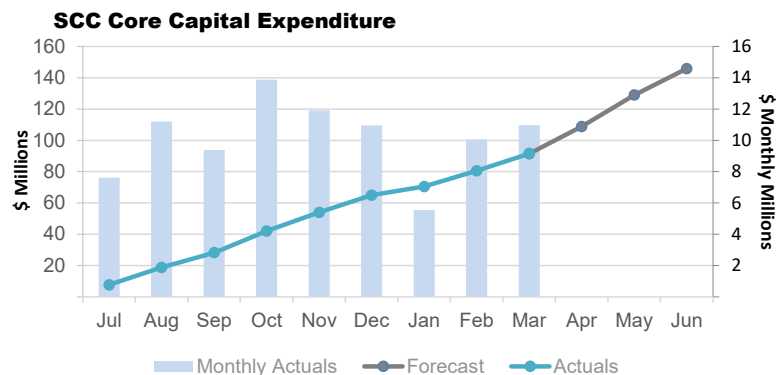
### Substantial Expenditure Variance for the Period Ending March 2024

	Annual		YTD				Annual Forecast Budget \$000
	Original Budget \$000	Current Budget \$000	Current Budget \$000	Actuals \$000	Variance \$000	Variance %	
<b>Operating Expenses</b>							
Employee Costs	176,203	176,993	127,471	126,778	(693)	(0.5%)	176,993
Materials and Services	235,600	242,232	172,898	165,685	(7,213)	(4.2%)	242,232

As at 31 March 2024, \$411 million had been expended resulting in a variance of \$6.9 million (1.7%) below budget.

- **Employee Costs** – Employee expenses under budget by \$693,000
- **Materials and Services** – Lower than expected contractor expenses have been realised throughout various areas of Council resulting in lower than budget expenditure in Waste \$1.9 million, Solar Farm energy charges \$1.2 million, Quarry Services \$1.8 million and Caloundra Music Festival \$648,000.

# Capital Expenditure - March 2024

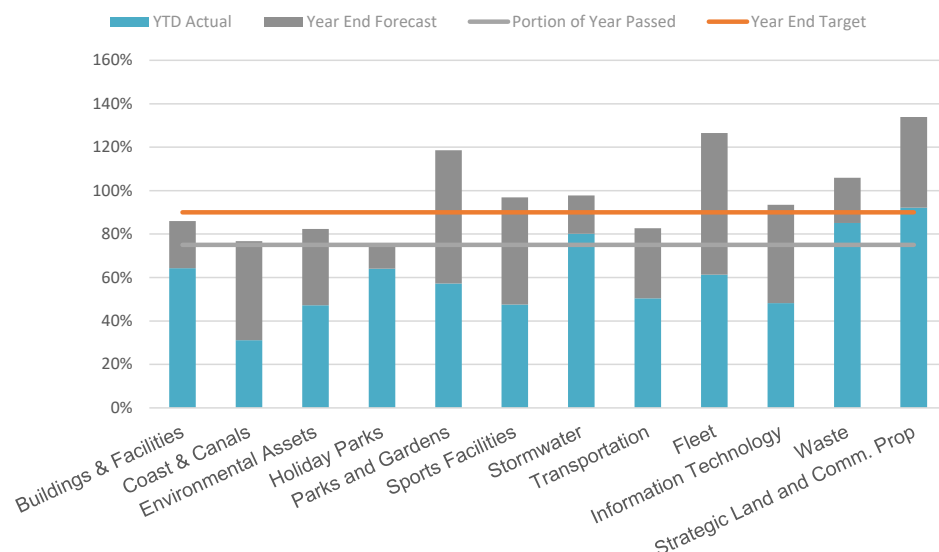


- On 31 March 2024, \$207 million (62%) of Council's \$332.6 million Capital Works Program had been financially expended.
- The Core Capital Program has progressed 54% of budget, an actual spend of \$91.5 million.
- Corporate Major Projects has progressed 69%
- A range of significant projects continue to progress with construction during first half of 2024 including
  - Caloundra Centre Activation – Library
  - Honey Farm Road Sports and Recreation Precinct works
  - Stringybark Road Pedestrian and Cycle Bridge
  - Charles Clarke Park Revetment Wall
  - Outrigger Park Boat Ramp and Carpark

Capital Expenditure						
	Annual		YTD		Year End	
	Original Budget \$000s	Current Budget \$000s	Actuals \$000s	% of FY Budget Spent	Forecast Year End Actual	Forecast Year End Variance to Budget
<b>Core Capital Works Program</b>						
Aerodromes	845	995	1,045	105.0%	1,065	70
Buildings and Facilities	31,331	20,905	13,433	64.3%	17,979	(2,926)
Coast and Canals	2,087	4,796	1,493	31.1%	3,680	(1,117)
Environmental Assets	3,497	3,857	1,823	47.3%	3,178	(679)
Minor Works	5,020	5,766	2,412	41.8%	4,747	(1,019)
Holiday Parks	2,556	1,643	1,052	64.1%	1,241	(402)
Parks and Gardens	12,176	11,613	6,653	57.3%	13,779	2,166
Sports Facilities	19,438	11,021	5,245	47.6%	10,678	(344)
Quarries	-	-	62	-	41	41
Stormwater	15,515	11,230	9,005	80.2%	10,982	(248)
Transportation	87,862	97,782	49,305	50.4%	80,882	(16,899)
<b>Total SCC Core Capital Program</b>	<b>180,328</b>	<b>169,609</b>	<b>91,529</b>	<b>54.0%</b>	<b>148,251</b>	<b>(21,358)</b>
Disaster Recovery Funding Arrangements	40,089	41,553	18,196	43.8%	41,711	157
Fleet	5,242	4,000	2,455	61.4%	5,063	1,063
Information Technology	10,000	9,631	4,642	48.2%	9,009	(623)
Waste	25,203	49,503	42,149	85.1%	52,432	2,929
Corporate Major Projects	32,975	28,007	19,325	69.0%	25,819	(2,189)
Strategic Land and Commercial Properties	36,880	30,075	27,734	92.2%	40,277	10,202
Maroochydore City Centre	-	275	45	16.2%	42	(233)
Sunshine Coast Airport Runway	-	-	1,387	-	1,351	1,351
<b>Total Other Capital Program</b>	<b>150,389</b>	<b>163,044</b>	<b>115,932</b>	<b>71.1%</b>	<b>175,701</b>	<b>12,657</b>
<b>TOTAL</b>	<b>330,716</b>	<b>332,653</b>	<b>207,461</b>	<b>62.4%</b>	<b>323,952</b>	<b>(8,701)</b>

## Capital Expenditure – March 2024 (continued)

**% YTD spent compared to profiled budget by Program**



### Coast and Canals

- \$2.5 million budget for Charles Clarke Park, works started February 2024, 24% expensed. On track to be completed by July 2024.

### Building and Facilities

- \$20.9 million budget including community and corporate facilities is has progressed 64%, with a spend of \$13.4 million

### Fleet

- \$4.5 million on order, expecting \$4 million budget to be expended by the end of the 2023/24 financial year with \$2.5 million of fleet received so far. Some fleet on order will be received next financial year.

### Parks and Gardens

- \$3.6 million Coastal Pathways has progressed to 74% with a spend of \$2.8 million
- \$7.3 million Recreational Parks program has progressed 40% with a spend of \$2.9 million

### Sports Facilities

- \$5.8 million Honey Farm Road Project has progressed 17% with a spend of \$892,000

### Strategic Land and Commercial Properties

- Acquisitions and negotiations for land associated with Council's trunk road infrastructure and open space requirements will continue through the financial year, currently 92% expensed

### Transportation

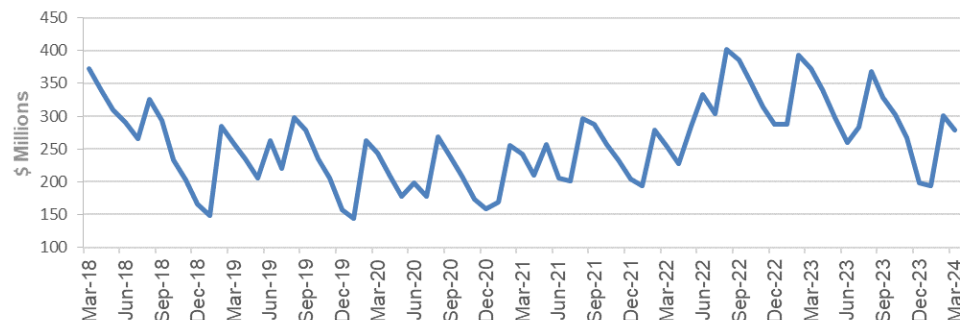
- Council's \$25 million road resurfacing and rehabilitation program has progressed 70% with a spend of \$17.6 million
- Council's \$9.8 million Unsealed Road Upgrades program has progressed 83% with a spend of \$8.2 million
- Council's \$1.2 million bus stop program has progressed 56% with a spend of \$677,000
- Pedestrian and Cycling Enabling Facilities has progressed 72% with a spend of \$2.8 million

### Waste

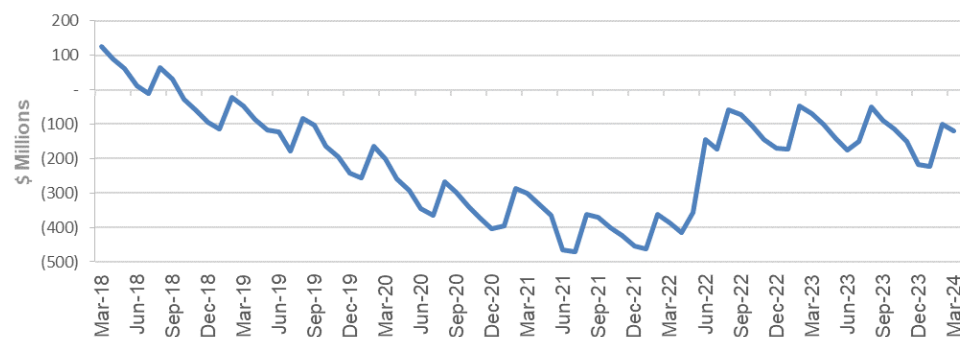
- Construction is complete on the new Material Resource Facility (MRF) and the facility is now operational at the Nambour Waste Precinct
- The Landfill Expansion liner component of the works are underway, progress 85% with a spend of \$19.2m.

# Cash Flows and Balance Sheet

**Cash Balance**



**Net Cash**



Cash and Balance Sheet 2023-24	
	Current Budget \$000s
<b>CASH FLOWS</b>	
Opening Cash	260,120
Net Cash Inflow/(Outflows) from:	
Operating Activities	85,682
Investing Activities	(144,892)
Financing Activities	4,457
<b>Net Increase/(decrease) in Cash Held</b>	<b>(54,753)</b>
<b>Cash at year end</b>	<b>205,367</b>
<b>BALANCE SHEET</b>	
Current Assets	279,734
Non Current Assets	7,332,142
<b>Total Assets</b>	<b>7,611,876</b>
Current Liabilities	178,915
Non Current Liabilities	509,749
<b>Total Liabilities</b>	<b>688,664</b>
<b>Net Community Assets/Total Community Equity</b>	<b>6,923,212</b>

- Council's cash at 31 March 2024 is \$279.5 million
- Council's debt at 31 March 2024 is \$418 million

# Debt

Sunshine Coast Council's debt program is governed by the 2023/24 Debt Policy, which was adopted with the Original Budget adoption on 22 June 2023.

New borrowings are undertaken in accordance with the Queensland Treasury Corporation Guidelines, the Statutory Bodies Financial Arrangements Act 1982 and Section 192 of the Local Government Regulation 2012.

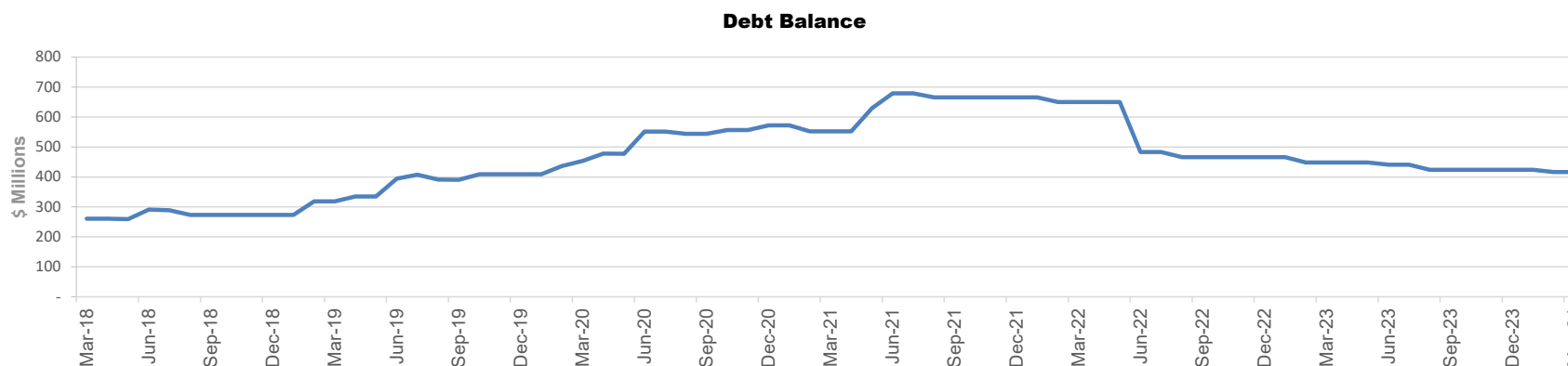
Council's anticipated borrowings for the 2023-24 financial year are forecast at \$28.5 million and relate to:

- \$26.6 million for Waste
- \$1.9 million for Holiday Parks

Council's current debt as at 31 March 2024 is \$418 million. Council repays debt twice yearly in August and February.

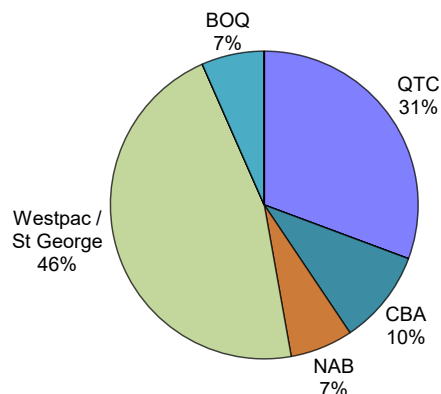
Debt - 2023/24				
	Opening Balance \$000	Debt Redemption \$000	New Borrowings \$000	Closing Balance \$000
Sunshine Coast Council Core	335,286	18,103	28,542	345,724
Maroochydore City Centre	106,481	6,042	-	100,439
<b>Total</b>	<b>441,767</b>	<b>24,145</b>	<b>28,542</b>	<b>446,164</b>

Table 1: 2023/24 Adopted Debt Balance

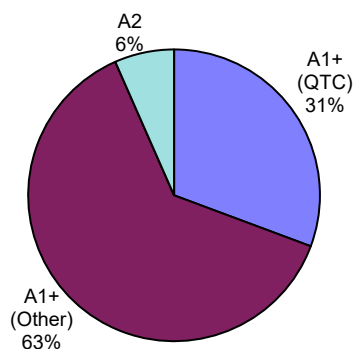


# Investment Performance

Investment per financial institution (%)



Investment by Standard & Poor's (Short Term Credit Rating)



Investment Performance - March 2024			
Liquidity as at:		31/03/2024	
		\$'000's	
<b>At-call accounts</b>			
QTC + CBA (excl. trust)	99,522	32.85%	
Maturities within 7 days		-	0.00%
<b>Total at-call</b>		<b>99,522</b>	<b>32.85%</b>
Investment Policy Target			10.00%

Term deposits maturing:		\$'000's	Count
within 30 days		50,000	5
30-59 days		60,000	5
60-89 days		40,000	4
90-179 days		30,000	3
180-364 days		-	-
1 year - 3 years		-	-
<b>Total</b>		<b>180,000</b>	<b>17</b>

INVESTMENT SUMMARY (including Trust) as at:							Investment Policy	
	31/03/2024		31/12/2023		31/03/2023		Individual Limit	Group Limits
A1+ (QTC)	92,953	31%	54,395	24.4%	124,460	32.3%	100%	100%
A1+ (Other)	190,045	63%	148,927	66.7%	210,914	54.7%	100%	100%
A1	-	0%	-	0.0%	30,000	7.8%	60%	100%
A2	20,000	7%	20,000	9.0%	20,000	5.2%	60%	90%
A3	-	0%	-	0.0%	-	0.0%	10%	30%
<b>Total Funds</b>	<b>302,998</b>		<b>223,322</b>		<b>385,374</b>			
<b>FUND SUMMARY</b>								
General Funds	279,522		200,823		373,366			
Trust Funds	23,476		22,500		12,008			
<b>Total Funds</b>	<b>302,998</b>		<b>223,322</b>		<b>385,374</b>			

- All investment parameters remain within the guidelines established by the Investment Policy.
- For the month ending 31 March 2024 Council had \$279.5 million cash (excluding Trust Fund), with an average interest rate of 5.1%, being 0.9% above benchmark. This is compared to the same period last year with \$373 million cash (excluding Trust Fund) with an average interest rate of 4.41%, being 0.97% above benchmark.
- The benchmark used to measure performance of cash funds is Bloomberg AusBond Bank Bill index (BAUBIL).





2023/24 Financial Year Grant Funding							
	Description	Division	Suburb	Estimated Construction Start Month	Construction Completed Month	TOTAL Grant Revenue \$'000	Project Expenditure to date \$'000
<b>Federal Government</b>						<b>(\$14,623)</b>	<b>\$5,447</b>
1	Roads to Recovery Program					(\$3,644)	
Local Road and Community Infrastructure Grant Funding - Round 2 - Agreement end date 30 June 2022						(\$400)	\$429
2	H3799 - LRCIP2 - Zgrajewski Road Gravel Road Upgrade	Division 09	Yandina Creek	January 2022	November 2022	(\$400)	\$429
Local Road and Community Infrastructure Grant Funding - Round 3 - Agreement end date 30 June 2023						(\$770)	\$643
3	H5465 - LRCIP3 Lake Weyba Foreshore Trail Upgrade	Division 09	Lake Weyba			(\$370)	\$325
4	K2732 - LRCIP3 WOR LED Streetlighting Upgrades	Whole of Council			June 2024	(\$400)	\$318
Black Summer Bushfire Recover Grants Program						(\$400)	\$318
5	K3402 - Nambour Showgrounds PA System	Division 10	Nambour			(\$400)	\$318
Urban Congestion Fund						(\$4,337)	\$4,058
6	H3747 - Mooloolaba Transport Corridor - D and C	Division 04	Mooloolaba		November 2023	(\$4,337)	\$4,058
7	Recycling Modernisation Fund					(\$5,072)	
<b>State Government</b>						<b>(\$79,581)</b>	<b>\$10,603</b>
8	Disaster Recovery Funding Arrangements					(\$41,806)	
Blackspot Funding						(\$2,802)	\$416
9	K3443 - Blackspot Old Gympie Road Beerwah to Landsborough	Division 01	Beerwah			(\$66)	\$12
10	K3444 - Blackspot Ilkley Road Ilkley - Hazard Signage and Delineation Upgrade	Division 05	Ilkley			(\$258)	\$7
11	K3445 - Blackspot Brisbane Road Mooloolaba - Signal Upgrade	Division 04	Mooloolaba	May 2024	May 2024	(\$77)	\$15
12	K4894 - Blackspot - Beerburum Street and Cooroy	Division 02	Dicky Beach	March 2024	July 2024	(\$1,305)	\$165
13	K4895 - BlackSpot - Old Gympie Road	Division 01	Beerwah	May 2024	June 2024	(\$1,000)	\$37
14	K2085 - BlackSpot Edmund Street and William Street Intersection	Division 02	Shelly Beach			(\$97)	\$180
Local Government Alliance						(\$11)	\$0
15	B1514 - TMR Local Government Alliance	Whole of Council				(\$11)	\$0
2022-24 Local Government Grants and Subsidies Program						(\$686)	\$1,836
16	H5637 - Caloundra Headland Coastal Pathway	Division 02	Kings Beach	May 2023	July 2024	(\$686)	\$1,836
Queensland Transport MOU						(\$1,620)	\$111
17	H8786 - Design and Permits Outrigger Boat Ramp	Division 04	Minyama			(\$1,620)	\$111
Queensland Transport Cycle Network Program						(\$2,819)	\$620
18	H3839 - LGIP Stringybark Rd Footbridge-Pathway	Division 07	Sippy Downs	March 2024	November 2024	(\$2,800)	\$546
19	H4851 - LGIP Ballinger Rd Active Transport Link	Division 07	Buderim			(\$19)	\$74
Community Recreational Assets Recovery Resilience Program						(\$750)	\$638
20	H1977 - CRARRP - Maroochy Multi-Sports Development	Division 07	Maroochydhore			(\$297)	\$268
21	K4238 - CRARRP - Maroochydhore Regional Football	Division 07	Kunda Park			(\$40)	\$1
22	K4240 - CRARRP - Suncoast Hinterland BMX Club	Division 05	Landsborough	September 2023	September 2023	(\$81)	\$42
23	K4243 - CRARRP - Sugar Bag Eastern Trail Repairs	Division 02	Caloundra West			(\$279)	\$322
24	K4244 - CRARRP - Parklands Conservation Park Trails Restoration	Division 09	Bli Bli			(\$52)	\$5
25	Passenger Transport Accessible Infrastructure Program					(\$330)	
26	Passenger Transport Infrastructure Investment Program					(\$250)	
Minor Infrastructure Program						(\$840)	\$1,551
27	K3519 - Nambour Yandina United Football Club change rooms designs	Division 10	Yandina			(\$590)	\$1,512
28	H3892 - Lions-Norrie Job Park, Coolum Landscape Plan	Division 09	Coolum Beach			(\$250)	\$39
School Transport Infrastructure Program						(\$940)	\$737
29	K4380 - STIP - Chancellor State College - Columbia Street	Division 06	Sippy Downs	November 2023	February 2024	(\$300)	\$394
30	K4382 - STIP - Currimundi State School Buderim	Division 03	Battery Hill			(\$253)	\$281
31	K4383 - STIP - Buderim Mountain State School Lindsay Road	Division 07	Buderim	March 2024	May 2024	(\$205)	\$20
32	K4384 - STIP - Peachester Primary School Peachester	Division 01	Peachester			(\$182)	\$43
Transport Infrastructure Development Scheme						(\$1,964)	\$790
33	H4615 - Sippy Downs School Precinct	Division 06	Sippy Downs			(\$690)	\$27
34	H4617 - Mooloolaba School Precinct	Division 04	Mooloolaba			(\$10)	\$0
35	H8416 - Emu Mountain Road Pathway Construction	Division 09	Coolum Beach			(\$120)	\$106
36	K2723 - Camp Flat Road Upgrade Stage 4	Division 09	Bli Bli	September 2023		(\$1,144)	\$657

2023/24 Financial Year Grant Funding							
	Description	Division	Suburb	Estimated Construction Start Month	Construction Completed Month	TOTAL Grant Revenue \$'000	Project Expenditure to date \$'000
	<b>South East Queensland Community Stimulus Program - Agreement end date 30 June 2024</b>					<b>(\$2,512)</b>	<b>\$3,844</b>
37	H1670 - SEQCSP First Avenue Streetscape	Division 04	Maroochydore	February 2024	June 2025	(\$910)	\$198
38	K1618 - SEQCSP Caloundra Indoor Sports Stadium - Roof Replacement	Division 02	Caloundra	July 2023	December 2023	(\$357)	\$2,547
39	H7141 - SEQCSP Jack Morgan Park Amenities	Division 09	Coolum Beach		May 2024	(\$178)	\$361
40	H7863 - SEQCSP Coolum Sports Complex intersection	Division 09	Coolum Beach	September 2023	November 2023	(\$647)	\$662
41	H4602 - SEQCSP Woombye Streetscape Placemaking	Division 05	Woombye	October 2022	April 2024	(\$420)	\$76
	<b>Qcoast 2100</b>					<b>(\$250)</b>	<b>\$60</b>
44	K4295 - Esplanade Golden Beach Foreshore Rehabilitation	Division 02	Golden Beach			(\$250)	\$60
45	<b>Recycling and Jobs Fund</b>					<b>(\$22,000)</b>	
	<b>Project Complete</b>						

### 8.3 COUNCILLOR ACCEPTABLE REQUEST GUIDELINES

**File No:** Council Meetings

**Author:** Coordinator Councillor Governance  
Civic Governance

**Appendices:** App A - Councillor Acceptable Request Guidelines ..... 123  

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#### PURPOSE

This report presents to Council for its consideration, an updated version of the *Councillor Acceptable Request Guidelines*. Section 170A (7) of the *Local Government Act 2009* (the Act) provides that such guidelines must be adopted by resolution of the local government.

#### EXECUTIVE SUMMARY

Acceptable requests guidelines are guidelines, adopted by resolution of the local government, about—

- (a) the way in which a councillor may ask a local government employee for advice to help the councillor carry out his or her responsibilities under the Act; and
- (b) reasonable limits on requests that a councillor may make.

The existing *Councillor Acceptable Request Guidelines* were last adopted by Council on 6 December 2018.

With the commencement of the new term of Council and in line with Council's new policy review process, the opportunity has been taken to update Council's existing *Councillor Acceptable Request Guidelines* to take account of legislative amendments since the Guidelines were last adopted and to clarify Councillors' ability to direct local government employees who provide administrative support to Councillors.

Updates to these Guidelines also reflect recent amendments to Chapter 5A of the Act which relate to councillor conduct. In particular, these updates replace the term "inappropriate conduct" with the new term "conduct breach" and provide that councillor conduct matters must be referred to the Office of the Independent Assessor.

The amended *Councillor Acceptable Request Guidelines* are provided for Council's consideration as **Appendix A**.

#### OFFICER RECOMMENDATION

**That Council:**

- (a) receive and note the report titled "**Councillor Acceptable Request Guidelines**" and
- (b) resolve under section 170A (7) of the *Local Government Act 2009* to endorse the ***Councillor Acceptable Request Guidelines (Appendix A)*** to replace the ***Councillor Acceptable Request Guidelines*** approved by Council on 6 December 2018.

## FINANCE AND RESOURCING

There are no financial or resourcing implications associated with the adoption of the amended *Councillor Acceptable Request Guidelines*.

## CORPORATE PLAN

<b>Corporate Plan Goal:</b>	<b><i>Our outstanding organisation</i></b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	S27 - Elected Council – providing community leadership, democratic representation, advocacy and decision-making.

## CONSULTATION

### Councillor Consultation

All Councillors have been consulted about the proposed amendments to this Guideline

### Internal Consultation

- Group Executive, Civic Governance
- Manager, Governance and Executive Services
- Governance Policy Lead

### External Consultation

There has been no external consultation undertaken in relation to this report given this matter relates to the internal interface between Councillors and Council employees.

### Community Engagement

There has been no community engagement undertaken in relation to this report given this matter relates to the internal interface between Councillors and Council employees.

## PROPOSAL

Council's current *Councillor Acceptable Request Guidelines* (the Guidelines) were adopted on 6 December 2018. Legislative changes since that time necessitate a review and update to the 2018 Guidelines.

Section 170A of the Act provides that the Councillor Acceptable Requests Guidelines are guidelines, adopted by resolution of the local government, about—

- (a) the way in which a councillor may ask a local government employee for advice to help the councillor carry out his or her responsibilities under the Act;
- (b) reasonable limits on requests that a councillor may make.

No changes to the Guideline are proposed which are relevant to paragraph (a) above - that is, the way in which a councillor may ask a local government employee for advice to help them carry out their duties.

However, section 170 (3) of the Act now provides as follows:

*No councillor, including the mayor, may give a direction to any other local government employee **except in accordance with guidelines made under section 170AA about the provision of administrative support to councillors.***

To accommodate this amendment, the proposed updated *Councillor Acceptable Requests Guidelines* at **Appendix A** permit Councillors to give reasonable direction to administrative support staff in accordance with section 170 of the Act and in line with the *Provision of Administrative Support to Councillors Guideline*, which is endorsed by the Chief Executive Officer under section 170AA of the Act.

In November 2023, the Councillor Conduct provisions under Chapter 5A of the Act were amended. Of relevance for this Guideline are the amended definitions in section 150K of the Act and the subsequent amendments to the *Code of Conduct for Councillors in Queensland*.

To accommodate these amendments to the Act, the proposed updated *Councillor Acceptable Requests Guidelines* have been amended to reflect how councillor conduct is now currently managed (ie. through referral to the Office of the Independent Assessor). In addition, the term "inappropriate conduct" is replaced by "conduct breach" to align with the updated provisions of the Act.

## **Legal**

Section 170A of the *Local Government Act 2009* requires that local governments must adopt, by resolution, acceptable requests guidelines.

### *Human Rights Act 2019*

The proposed *Councillor Acceptable Request Guidelines* are compatible with Council's obligations under the *Human Rights Act 2009* and are consistent with the local government principles in section 4 of the *Local Government Act 2009*.

## **Policy**

The proposed *Councillor Acceptable Request Guidelines* do not conflict with any current policy positions or documents of Council.

## **Risk**

The existing Guidelines are not reflective of the current provisions of the *Local Government Act 2009*. While a failure to adopt the updated Guideline proposed in this report may not diminish the intent and application of the existing document, a guideline that is not contemporary may be open to challenge.

## **Previous Council Resolution**

### **Ordinary Meeting 6 December 2018 (OM18/204)**

*That Council:*

- (a) *receive and note the report titled "Councillor Governance Matters: Councillor Code of Conduct, Investigations Policy, Standing Orders & Councillors' Acceptable Request Guidelines"*

- (b) *adopt the Councillor Code of Conduct (Appendix A)*
- (c) *adopt the Investigations Policy (Appendix B)*
- (d) *adopt the amended Sunshine Coast Standing Orders 2018 (incorporating the Model Meeting Procedures (Appendix C) with the following amendment to section 16.1:*
  - (1) *A member may bring forward to a meeting a motion on any matter within the jurisdiction or official cognisance of the local government by giving notice in writing, in the approved form, to the chief executive officer either at the previous meeting or not less than seven days before the commencement of the meeting which the motion is to be discussed and*
- (e) *adopt the amended Councillors Acceptable Requests Guidelines (Appendix D).*

**Related Documentation**

- Code of Conduct for Councillors in Queensland
- Councillor Expenses Reimbursement and Provision of Facilities and Support Policy
- Provision of Administrative Support for Councillors Guideline
- Sunshine Coast Council Investigations Policy

**Critical Dates**

There are no dates critical to the adoption of this Guideline.

**Implementation**

Should the recommendation in this report be accepted by Council, the Chief Executive Officer will publish the updated Guidelines on both Council's website and staff Intranet.

## Strategic Policy

### Councillor acceptable request guidelines

	Endorsed by Council	<OCEO INSERT signature>
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### Policy purpose

This policy sets out the guidelines for requests for assistance, advice or information by Councillors to Council employees, to assist Councillors to carry out their responsibilities under the *Local Government Act 2009* (the Act).

### Policy outcome

Councillors are able to seek assistance, advice or information - in certain circumstances - from local government employees to assist them to carry out their responsibilities under the Act and be provided with that information. A Councillor may also, subject to any limits prescribed under a regulation, ask the Chief Executive Officer (CEO) to provide information relating to the local government<sup>1</sup>.

### Policy scope

Section 170A (7) of the Act provides that acceptable requests guidelines are guidelines, adopted by resolution of the local government, about –

- (a) the way in which a Councillor may ask a local government employee for advice to help the Councillor carry out his or her responsibilities under the Act; and
- (b) reasonable limits on requests that a Councillor may make.

Under section 170A (5) of the Act, a request of a Councillor is of no effect if it does not comply with these guidelines unless the request is made by a Mayor, or the chairperson of a committee makes a request that relates to their role as a chairperson<sup>2</sup>.

Section 170A (4) of the Act provides that a Councillor may not request – and the Chief Executive Officer is not required to provide to a councillor – information or a document:

- that is a record of the Councillor Conduct tribunal; or
- that was a record of a former conduct review body; or
- if disclosure of the information or document to the Councillor would be contrary to an order of a court or tribunal; or
- that would be privileged from production in a legal proceeding on the ground of legal professional privilege.

<sup>1</sup> Section 170A *Local Government Act 2009*

<sup>2</sup> Section 170A(5) *Local Government Act 2009*

## Councillor acceptable request guidelines | Strategic Policy

This Policy does not apply to directions to local government employees about providing administrative support. Matters relating to administrative support for Councillors fall within the scope of the Provision of Administrative Support to Councillors Guideline, developed in accordance with sections 170 and 170AA of the Act.

### Policy statement

Councillors may request assistance, advice or information from local government employees to carry out their responsibilities under the Act, on matters that are within the employee's scope of responsibility or knowledge where:

- the request is of a nature of a simple question that can be verbally responded to; and/or
- the employee normally provides similar assistance, advice or information to either the public or more senior employees of the local government.

However, no Councillor, including the Mayor, may give a direction to any local government employee, with the exception of the Mayor directing the Chief Executive Officer in discrete circumstances<sup>3</sup>. Contravention of this provision may result in disciplinary action being taken against a Councillor.

The Mayor may give a direction to the Chief Executive Officer, however it must not be inconsistent with a resolution, or a document adopted by resolution, of Council. Contravention of the provision may result in disciplinary action being taken against the Mayor. Section 170(5) of the Act requires that records be kept of directions given to the CEO and that those records be made available to Councillors.

Councillors may request access to or use of Council resources (not specifically covered by other policies) for the benefit of community groups where the request is in writing to the relevant Branch Manager, Group Executive or the Chief Executive Officer and the request is authorised by the Chief Executive Officer or other delegated officer.

### Guiding Principles

1. A Councillor may ask a local government employee for advice or information to help the Councillor carry out his or her responsibilities under the Act;
2. In requesting assistance, advice or information, Councillors must not direct or pressure employees in relation to their work or work priorities or seek to influence advice and/or recommendations the employee should make.
3. Requests from Councillors for assistance, advice or information must be made in a professional manner and with respect.
4. Councillor requests must be both reasonable and appropriate and cognisant of the following limitations:
  - (a) Requests from Councillors for assistance, advice or information will be responded to as soon as reasonably possible, but in a timeframe not exceeding five (5) working days of receipt of the request. If the request involves a complicated issue; requires significant time or resources to research; or necessitates a report to Council, the employee must respectfully notify the

<sup>3</sup> Section 170 Local Government Act 2009



## Councillor acceptable request guidelines | Strategic Policy

Councillor and the relevant Branch Manager/Group Executive who will escalate the reason for the delay to the CEO.

If the CEO believes that it is not practicable to respond to the Councillor's request within 5 working days, the Councillor must be advised of that belief and the reasons for the belief. In such circumstances, the CEO or the relevant employee must comply with the Councillor request within 20 business days after receiving the request<sup>4</sup>.

- (b) It is expected and entirely appropriate that any relevant employee can speak with/respond to a Councillor's request for advice or information where such request is within the employee's normal activities/responsibilities.

However, should a request for assistance, advice or information not fall within an employee's responsibilities or knowledge, the employee must ensure a relevant employee is contacted to assist the Councillor and that the Councillor is informed that this referral to a relevant employee has occurred.

To assist communications and ensure coordination, employees should ensure provision of assistance, advice or information to Councillors is shared with the relevant Branch Manager and Group Executive.

- (c) Where a Councillor repeatedly operates outside of these guidelines, in addition to the requirements of the Act (refer "Consequences of non-compliance" below) the CEO retains the right to require that all future requests for assistance, advice or information, by that Councillor be made in writing to the CEO.

Should it be necessary for requests for assistance, advice or information to be put in writing to the CEO, the maximum response timeframe will increase from 5 to 10 working days.

5. Should a Councillor request access to, or use of, a Council resource (not specifically covered by other policies) for the benefit of a community group, such access or use must be requested in writing to the relevant Branch Manager, Group Executive or the CEO and the request authorised by the CEO or other delegated officer prior to such access or use being granted.
6. Should a Councillor require access to Council properties where staff offices are located and are not typically accessible to unauthorised employees or members of the public (such as depots, construction areas/sites, confined areas etc), access must be authorised via an approval from the relevant Group Executive or the CEO. In obtaining access, the Councillor must comply with all site specific worksite health and safety requirements, including but not limited to, the use of any necessary personal protective equipment and any lawful directions given.
7. If a Councillor asks for assistance, advice or information outside of these guidelines, or attempts to direct or influence an employee about the way in which his or her duties are to be performed, the employee must report this in a timely manner to their Group Executive or the CEO. The employee is not required to notify that Councillor that their actions have been referred to the Group Executive or CEO.

<sup>4</sup> Section 170A(9) *Local Government Act 2009*

## Councillor acceptable request guidelines | Strategic Policy

Under the Act, this conduct will be referred to the Office of the Independent Assessor as a suspected conduct breach (see “Consequences of non-compliance” below).

### Consequences of non-compliance

Failure to comply with the standards of behaviour in the *Code of Conduct for Councillors in Queensland* may give rise to a complaint about a councillor’s conduct and subsequent investigation and disciplinary action should that Councillor be found to have engaged in conduct contrary to the Code.

Any complaint about the conduct of a councillor must be reported to the Office of the Independent Assessor (OIA) for investigation.

### Policy review

A full review of these Guidelines must be undertaken within every four years. Reviews may occur more regularly as required.

### Roles and responsibilities

This policy applies to all councillors, including the Mayor, and employees of the Sunshine Coast Regional Council.

Role	Responsibility
Council	Endorsement authority for setting these Guidelines under section 170A (7) of the Act and for all changes to these Guidelines
Chief Executive Officer (CEO)	Recommends Council endorsement of proposed amendments to this policy.
Executive Leadership Team (ELT)	Provides advice to the CEO on setting this policy and all proposed material changes to this policy. Provides feedback to the policy sponsor and policy holder regarding the scope of approaching reviews.
Group Executive (GE), Civic Governance	Policy sponsor.
Manager, Governance & Executive Services	Policy holder.
Governance & Executive Services	Leads this policy’s development, including communication, implementation, review and reporting.

## Councillor acceptable request guidelines | Strategic Policy

### Definitions

Refer to Council's Policy Framework for definitions of common terms. The following contains definitions for terms specific to this policy. For otherwise undefined terms, the plain English meaning informs interpretation.

Term	Definition
<b>Councillor</b>	(of a local government) includes the Mayor.
<b>Officer/employee</b>	Includes all employees of the Sunshine Coast Regional Council, regardless of their employment status or type, for example, permanent, maximum-term, casual, full/part time, those with employment contracts or agency casuals.
<b>CEO</b>	Is the Chief Executive Officer of the Council as prescribed by the <i>Local Government Act 2009</i> .
<b>Direct</b>	Includes an order, instruction or demand to perform a task, make a certain decision or recommendation, or take a particular action within a specific timeframe.
<b>Request</b>	Includes questions, suggestions or feedback.

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## Councillor acceptable request guidelines | Strategic Policy

### Appendix

Policy information		
Title	Councillor Acceptable Request Guidelines	
Purpose	This policy sets out the guidelines for requests for assistance, advice or information by Councillors to local government employees to assist Councillors to carry out their responsibilities under the <i>Local Government Act 2009</i> (the Act).	
Document number	<Business Area to include EDDIE reference of document seeking endorsement. Civic Governance to update with FINAL EDDIE reference>	
Corporate Plan reference	Goal	Our Outstanding Organisation Maintain a contemporary governance framework that inspires trust and confidence in the operations of Council Governance
	Pathway	
	Service Output	
Category	Statutory	
Subcategory		
Approved		
Approval date		
Effective date		
Review schedule	A full review must be undertaken within every four years, and reviewed policy document must be provided to highest level approval authority for endorsement. Reviews may occur more regularly as required, having regard to a policy risk assessment.	
Last review	2024	
Next review	2028	
Policy holder	The Manager responsible for this policy is: Manager, Governance and Executive Services	
Approval authority	Amendments to this policy must be endorsed by Council resolution.	
Related documents		
Legislation	<i>Local Government Act 2009</i>	
Policy setting documents	<i>Code of Conduct for Councillors in Queensland</i> (2024) Sunshine Coast Regional Council - <i>Employee Code of Conduct</i> Sunshine Coast Regional Council – <i>Investigations Policy – Councillors</i>	
Operational documents		

## Councillor acceptable request guidelines | Strategic Policy

Version Control				
Version	Reason/Trigger	Change	Endorsed/Reviewed by	Date
1.0	Create New	N/A	OM(18/204)	6/12/2018
1.1	Non material changes update based on changes to the Local Government Act 2009. Authority delegated to CEO to make non-material changes OM19/197 12/12/2019	Re-brand	CEO	12/12/2019
2.0	Review	Y		



**8.4 COUNCILLOR EXPENSES AND RESOURCES POLICY****File No:** Council Meetings**Author:** Coordinator Councillor Governance  
Civic Governance**Appendices:** App A - Councillor Expenses and Resources Policy ..... 137  **PURPOSE**

The purpose of this report is for Council to adopt an expenses reimbursement policy in accordance with section 250 (1) of the *Local Government Regulation 2012* (the Regulation). The Regulation states this policy must provide for the:

- payment of reasonable expenses incurred, or to be incurred, by Councillors for discharging their duties and responsibilities as Councillors and
- provision of facilities to Councillors for that purpose.

**EXECUTIVE SUMMARY**

Every local government in Queensland is required under the Regulation to adopt an expenses reimbursement policy. Council's existing *Councillor Expenses Reimbursement and Provision of Facilities and Support Policy* was adopted by Council on 10 November 2021.

To coincide with the commencement of the new term of Council and to reflect legislative and associated policy changes since 2021, an updated and renamed *Councillor Expenses and Resources Policy* has been developed and is presented at **Appendix A** for Council's consideration.

The proposed policy sets the parameters to authorise the payment of reasonable expenses incurred, or to be incurred, by Councillors in discharging their duties and responsibilities. The policy applies to the Mayor and all Councillors.

The proposed policy seeks to ensure that Councillors are appropriately and reasonably supported to carry out their roles, as well as including robust approval parameters in line with good governance practice and to reflect community expectations.

The proposed policy does not deviate significantly from the existing policy, but does seek to achieve a better consistency and alignment with other Council policies – in particular Council's Corporate Travel Policy and Motor Vehicle Policy and Procedure.

Under section 186(b) of the Regulation, Council's annual report must include information about both the expenses incurred and facilities provided to Councillors under the expenses reimbursement policy. Council complies with this requirement in the development of its annual report each year, with the report ordinarily considered by Council in November and published on Council's website thereafter.

**OFFICER RECOMMENDATION****That Council:**

- (a) receive and note the report titled “Councillor Expenses and Resources Policy”
- (b) adopt under section 250 (1) of the *Local Government Regulation 2012*, the *Councillor Expenses and Resources Policy* at Appendix A to replace the *Councillors Expenses Reimbursement and Provision of Facilities and Support Policy* which was adopted by Council on 10 November 2021
- (c) request the Chief Executive Officer to publish the *Councillor Expenses and Resources Policy* on Sunshine Coast Council’s website and ensure a copy of the Policy can be inspected and purchased at Council’s public offices, in accordance with section 251 (1) of the *Local Government Regulation 2012* and
- (d) determine entitlements for Councillors annually as part of the budget development and adoption process.

**FINANCE AND RESOURCING**

The adoption of this policy will have minimal impact on the adopted 2023-2024 budget. The amended policy does not provide for additional resources or funds beyond those already endorsed. The costs associated with the provision of support to, and reimbursement of expenses by, Councillors is primarily drawn from the budget for the Civic Governance Group.

**CORPORATE PLAN**

<b>Corporate Plan Goal:</b>	<b><i>Our outstanding organisation</i></b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	S27 - Elected Council – providing community leadership, democratic representation, advocacy and decision-making.

**CONSULTATION****Councillor Consultation**

All Councillors have been consulted about the proposed amendments to this Policy.

**Internal Consultation**

- Group Executive, Civic Governance
- Manager, Governance and Executive Services
- Governance Policy Lead
- Manager, Strategic Asset Management

**External Consultation**

Consultation with the Local Government Association of Queensland has occurred with regard to Councillor private use contributions of Council fleet vehicles.

There has been no other external consultation undertaken in relation to this report as this matter relates to the operational and logistical support provided by the organisation to support the Mayor and Councillors to undertake their roles.



**Community Engagement**

Community engagement has not been undertaken in relation to this report as this matter relates to the operational and logistical support provided by the organisation to support the Mayor and Councillors to undertake their roles.

However, the Regulation requires that a copy of an expenses reimbursement policy be published on Council's website and be available for purchase at Council's public offices. Councillor expenditure under this policy must also be published in Council's annual report.

**PROPOSAL**

The Act requires every council in Queensland to adopt a councillor expenses reimbursement policy which authorises the payment of reasonable expenses incurred, or to be incurred, by Councillors as well as detailing the resources provided to Councillors to assist them in discharging their duties and responsibilities as Councillors.

As indicated above, Council's existing *Councillor Expenses Reimbursement and Provision of Facilities and Support Policy* was most recently adopted by Council on 10 November 2021.

To coincide with the commencement of the new term of Council and to reflect legislative and associated policy changes since 2021, an updated and renamed *Councillor Expenses and Resources Policy* has been developed and is presented at **Appendix A** for Council's consideration.

Some of the key changes in the proposed policy compared with the current policy adopted in November 2021 include:

- In line with Council's transition to a new Motor Vehicle Policy and Procedure to achieve targets relating to reducing the size of the fleet and emissions, the option has been included in the proposed policy for Councillors to utilise a private vehicle for business purposes and seek reimbursement for business use up to the amount paid to Managers in lieu of a fleet vehicle.
- Inclusion of a requirement for Councillors to pay for parking at Council facilities in line with the arrangements established for Council employees with a vehicle entitlement.
- Councillors who travel overseas for Council-related business to be required to share the experience and learnings with their Councillor colleagues and the organisation, as well as provide details of costs or benefits derived from the travel – noting that in line with existing statutory requirements, expenses associated with overseas travel are reported in Council's annual report.

**Legal**

Under section 250 (1) of the Regulation, Council must adopt an expenses reimbursement policy. Amendments to that policy must also be adopted by resolution of Council.

In accordance with section 186(b) of the Regulation, the expenses incurred by, and the facilities provided to, each Councillor under the expenses reimbursement policy are published in Council's annual report.

*Human Rights Act 2019*

The proposed Councillor Expenses and Resources Policy is not incompatible with Council's obligations under the *Human Rights Act 2009*.

**Policy**

The proposed *Councillor Expenses and Resources Policy* achieves better alignment with other associated Council policies. As the existing *Councillors' Expenses Reimbursement and Provision of Facilities and Support Policy* dated 10 November 2021 will be replaced if Council accepts the recommendations in this report, there is minimal risk of policy inconsistency by the adoption of this new policy.

**Risk**

It is important that this Policy align with other Council policies to ensure consistency across a range of matters including procurement, human resource management, finance, fleet and asset management, and information technology allocation and use, amongst others. The proposed Policy has been prepared to ensure alignment with existing policies as far as practicable.

Council has in place established procedures for the authorisation of Councillor expenditure and the allocation of other resources, including support.

**Previous Council Resolution****Ordinary Meeting 10 November 2021 (OM21/109)**

*That Council:*

- (a) *receive and note the report titled "Councillor Expenses Reimbursement and Provision of Facilities and Support Policy"*
- (b) *endorse the amended Councillor Expenses Reimbursement and Provision of Facilities and Support Policy (Appendix A) in accordance with section 250 of the Local Government Regulation 2012 to replace the Councillors' Expenses Reimbursement and Provision of Facilities Policy which was approved by Council on 12 October 2017*
- (c) *request the Chief Executive Officer to publish the amended Policy on Sunshine Coast Council's website and ensure a copy of the Policy can be inspected and purchased at Sunshine Coast Council's public office in accordance with section 251 of the Local Government Regulation 2012*
- (d) *determine entitlements annually as part of the budget adoption process and*
- (e) *remove the Media Engagement Policy – Councillor from Council's policy register.*

**Related Documentation**

*Local Government Act 2009*

*Local Government Regulation 2012*

Advocacy and Engagement Expenses Policy

Code of Conduct for Councillors in Queensland

Corporate Travel Policy

Councillors Acceptable Request Guidelines

Entertainment and Hospitality Policy

Information and Communications Technology (ICT) Acceptable Use Policy

Motor Vehicle Policy and Procedure

Procurement Policy (annual) and Contract Manual

Provision of Administrative Support to Councillors Guideline

Provision of Communication Support to Councillors Policy and Guideline

**Critical Dates**

There are no critical dates relevant to this report.

**Implementation**

Should the recommendations in this report be accepted by Council, the Chief Executive Officer will:

- publish the *Councillor Expenses and Resources Policy* on Council's website as soon as practicable
- ensure a copy of the newly adopted Policy can be inspected and purchased at Council's public offices and
- continue to maintain appropriate mechanisms to facilitate the approval of expenses and allocation of resources in accordance with this policy.



## Strategic Policy

### Councillor expenses and resources

	Endorsed by Council:	<INSERT date>
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### Policy purpose

Section 250 (1) of the *Local Government Regulation 2012* (the Regulation) provides that a local government must adopt an expenses reimbursement policy. Section 249 (2) of the regulation provides that an expenses reimbursement policy provides for the following:

- (a) payment of reasonable expenses incurred, or to be incurred, by councillors for discharging their duties and responsibilities as councillors;
- (b) provision of facilities to councillors for that purpose.

This policy responds to the requirements of sections 249 and 250 of the regulation and in doing so, provides a basis for providing support to Councillors and reimbursing them for expenses reasonably and legitimately incurred in performing their prescribed roles as the elected members of the Sunshine Coast Regional Council.

### Policy scope

This policy applies to the Mayor, Deputy Mayor and Councillors, having regard to their roles and responsibilities at regional, divisional and portfolio levels and should be read in conjunction with other related Council policies and guidelines specified in this document.

This policy does not provide for, or add to, the remuneration received by the Mayor, Deputy Mayor and Councillors for the performance of their roles. Councillors' remuneration is determined by the Local Government Remuneration Commission and as such, falls outside the scope of this policy.

### Policy statement

All Councillors are provided with reasonable and legitimate reimbursement for work-related expenses incurred by the elected representative and provided with reasonable and appropriate facilities and support to enable them to perform their official duties efficiently and effectively, in accordance with the principles outlined in the *Local Government Act 2009* (the Act) and the requirements of the regulation.

### Expenses and reimbursements

#### Budget provisions

Councillors are entitled to be reimbursed for reasonable and legitimate expenses incurred while undertaking Council business.

## Councillor expenses and resources | Strategic Policy

An entitlement budget will be allocated for each Councillor and the Mayor each financial year for reasonable expenses incurred under this policy, including, but not limited to, expenses as described below.

Budget allocations are available for one financial year only. Unspent funds in a single financial year will not be carried over to the next financial year.

### Professional development

Councillors are encouraged to undertake relevant professional development and will be reimbursed or entitled to the cost of reasonable expenses incurred for professional development, providing that sufficient funding remains in the approved entitlement budget. Professional development must be directly related to their official duties as an elected representative.

The costs associated with attendance by the Mayor or a Councillor at the Australian Local Government Association's National General Assembly or the Local Government Association of Queensland's Annual Conference will be met from the budget allocation for the Governance and Executive Services Branch and will not be charged as an expense against the Mayor or Councillor's entitlements budget allocation.

### Travel expenses

Councillors are entitled to be reimbursed for reasonable travel expenses (including flights, meals, accommodation, parking costs, tolls and public transport) when undertaking professional development or Council business in accordance with Council's *Corporate Travel Policy*. To remove any doubt, reimbursement will not apply for travel expenses incurred to travel within the local government area.

Reimbursement of travel expenses is contingent on the following conditions:

- Council will book and pay for all travel under this policy;
- economy class travel is the standard for all domestic travel. Economy class travel is the standard for any international travel, unless otherwise approved by Council;
- travel is undertaken via the most direct route;
- requests for travel should be made in sufficient time to take advantage of discounts and gain access to the widest range of flights;
- travel tickets are not transferable;
- travel insurance is provided for all Councillors on Council business (subject to the terms and conditions of the travel insurance policy); and
- under no circumstances will the travel costs for a non-Council employee or spouse accompanying a Councillor be reimbursed by Council.

### International travel

Where travel is being undertaken by a Councillor under Council's International Relations Policy, Council must approve the relevant mission and the inclusion of a Councillor in that mission. Unless otherwise determined by Council, the CEO will determine which Councillor(s) participates in the mission.

## Councillor expenses and resources | Strategic Policy

Where Council business related international travel outside of Council's International Relations Policy is proposed for or by a Councillor, a report should be prepared for Council's consideration and approval. The associated report should include, at a minimum:

- the dates and destinations of the travel
- the purpose of the travel
- the benefits of undertaking the travel
- the associated risks
- all known and anticipated costs
- the proposed itinerary
- details of any third-party hospitality; and
- any plans for personal travel before, after or during the Council-business-related travel.

In all circumstances, on their return, Councillors are expected to share the experience and learnings gained through the overseas travel with their Councillor colleagues. Sharing could take the form of a briefing at an appropriate forum or a written summary report. Any briefing or report should be completed and/or submitted within 4 weeks of the trip being completed. The briefing and/or report should also include outcomes, variations to the approved itinerary, costs, third party hospitality, any additional benefits, opportunities or relationships that are presented during the overseas travel. All relevant material should be made available and stored for future reference

All Council business related overseas travel will be reported in Council's Annual Report.

### Parking, tolls and public transport

Councillors may be reimbursed for parking at non-Council venues as well as costs associated with travel via public transport where such costs are incurred in the course of undertaking professional development or Council business and are incurred for travel outside the region. Any fines or infringements issued while undertaking such activities are the personal responsibility of the Councillor incurring the fine.

Council will cover reasonable costs for tolls and other charges associated with toll roads. The CEO may seek to recover the cost of tolls and other charges from Councillors from time to time should it become apparent that the costs incurred are not reasonable or a significant portion of the costs incurred are not associated with Council business.

### Accommodation

Accommodation outside the region for Councillors undertaking professional development or Council business will be arranged when it is not reasonable or safe to return home on the same day of travel in accordance with the Corporate Travel Policy and the following conditions:

- Council will book and pay for all accommodation under this policy;
- accommodation offered as part of a conference package will be booked where practicable; and
- where a Councillor chooses to stay with friends or family, no accommodation expenses will be paid.

## Councillor expenses and resources | Strategic Policy

### Meals

In accordance with the Corporate Travel Policy, Councillors are entitled to be reimbursed for the cost of meals in accordance with the Australian Tax Office's Taxation Determination ruling *Income Tax: what are the reasonable travel and overtime meal allowance expense amounts* for the relevant income year, when undertaking professional development or Council business within the following conditions:

- the costs are incurred personally;
- the meal was not provided as part of the registration costs of the activity, event or included in the travel booking;
- tips and gratuities are not reimbursable unless the meal is undertaken in a foreign country, the Councillor is travelling for professional development or for Council business, and there is a recognised cultural expectation that a tip will be provided. Approval for the Councillor to provide tips when consuming a meal when travelling overseas for professional development or for Council business must be obtained from the Chief Executive Officer prior to undertaking the overseas travel; and
- in relation to the consumption of alcohol, the prior approval of the Chief Executive Officer has been obtained for the reimbursement of such costs (subject to compliance with any conditions attached to the approval by the Chief Executive Officer).

### Hospitality

Councillors are entitled to reimbursement of reasonable costs for providing hospitality as defined within this policy, provided sufficient funding remains in the approved entitlement budget. The costs associated with the provision of meals will be reimbursed (per person) at the rates specified in the Australian Taxation Office's Taxation Determination ruling *Income Tax: What are the reasonable travel and overtime meal allowance expense amounts* for the relevant income year.

Where exceptional circumstances exist, the CEO may grant approval for the provision of hospitality above the limits specified in the Australian Taxation Office's Taxation Determination. Councillors' hospitality expenditure should also accord with Council's Entertainment and Hospitality Policy which is required under section 196 of the Regulation.

### Corporate gifts

Councillors may purchase and present corporate gifts for the purposes of showing appreciation to community groups or individuals, as awards, to interstate and international delegations, or to enhance Council's programs or values.

Corporate gifts must not be acquired for the personal use of Councillors, their family, friends or associates nor for Council staff. Reimbursement for cash awards, prizes, charitable donations or fund raising will not be approved. Corporate gifts allocated to school or sporting events to award participants must acknowledge Council as the contributor. All gifts or contributions are to be funded through the available approved entitlement budget of the Mayor or divisional Councillor.



## Councillor expenses and resources | Strategic Policy

### Approval

All approvals for expenses or reimbursements must be sought in writing from the Chief Executive Officer or delegate. As a matter of practice, approvals should be sought and gained prior to expenses being incurred. It is expected that all claims for reimbursement comply with Australian Taxation Office requirements such as requirement to produce tax invoices, receipts or where this is not possible, a signed Statutory Declaration detailing the expenditure and amount to be reimbursed.

### Expense exclusions

#### Spouses, partners and family members

Councillors are not entitled to reimbursement for expenses incurred for spouses, partners or other family members without the prior approval of the Chief Executive Officer. Equally where Council has incurred, for the sake of expediency, the payment of an expense associated with spouses, partners etc, Councillors will reimburse to Council the full amount of the expense within 10 business days.

In the event the spouse, partner or family member of a Councillor is also a Councillor, either of the following apply:

- (a) if both Councillors are incurring the expense as a function of performing their roles as Councillors, both are entitled to payment of, or reimbursement for, expenses incurred in undertaking those duties in accordance with the provisions of this Policy; or
- (b) if one Councillor attends a function, meeting or event, or undertakes travel as the spouse, partner or family member of another Councillor, no expenses associated with the spouse, partner or family member's attendance will be paid from Council budgets without the prior approval of the Chief Executive Officer.

#### Advertising

Councillors are not entitled to be reimbursed or provided with funds, services or facilities for advertising purposes.

#### Alcohol

Councillors are not entitled to be reimbursed or provided with funds for the purchase of alcoholic beverages without the prior approval of the Chief Executive Officer.

#### Other exclusions

- Expenses related to functions and activities requested or organised by Council departments will be met from the relevant approved departmental budget.
- Expenses associated with participation in the following programs will be met from existing budgets:
  - Australian Local Government Association National General Assembly;
  - Local Government Association of Queensland Annual Conference;
  - Local Government Association of Queensland Elected Member Updates when organised for all Councillors;
  - Australian Institute of Company Directors company directors course (or modules thereof);

## Councillor expenses and resources | Strategic Policy

- Local Government Association of Queensland (Peak Services) Diploma of Local Government for Elected Members (or modules thereof);
- New Councillor orientation programs;
- Other events as may be approved by the CEO from time to time, including but not limited to, portfolio related activities.
- It is reasonable that expenses associated with advocacy and representative activities undertaken by the Mayor and/or Deputy Mayor on behalf of Council should be adequately funded from existing budgets for this purpose. Such expenses should not be a charge against the approved entitlement budget allocation for the Mayor and/or Deputy Mayor.

Any payment for personal expenses must be reimbursed to Council as determined appropriate by the Chief Executive Officer.

### Provision of resources and support

#### Operational support

Each Councillor may be provided with an administrative and operational support officer to assist them in the performance of their duties, as well as undertake Council business. Such officers are employees of Council and subject to Council's usual terms and conditions of employment and reporting lines.

Administrative support is provided to Councillors in accordance with the *"Provision of Administrative Support to Councillors Guidelines"*. Councillor support employees are not permitted to assist Councillors with non-Council related business.

Communication support is provided on a professional basis to support or further the interests of Council, not those of an individual Councillor.

The arrangements for provision of operational support will be reviewed on a periodic basis and shall be subject to budgetary and operational parameters.

#### Office accommodation and assets

Councillors have access to office accommodation and meeting rooms located in Council operated premises. Councillors will be issued with business and communication tools to assist them in performing their duties and undertaking Council business. These tools must be utilised in accordance with any relevant policies, procedures, conditions of use and guidelines.

#### Business and communication tools

Councillors (including the Mayor) must transact all Council related business (emails, text messages etc) using a Council supplied device connected to Council's information network. Councillors must not transact or conduct Council related business on private electronic devices or utilising private mail or messaging accounts.

Councillors will be issued with, or have access to, business and communication tools to assist them in performing their duties and undertaking Council business, in accordance with the following conditions:

## Councillor expenses and resources | Strategic Policy

- All tools are procured by Council and are of the same standard as those available to senior management.
- All tools remain the property of Council and must be accounted for during any audit and returned at the end of the Councillor's term of office.
- Councillors are expected to comply with the same conditions of use, policies, guidelines and processes for business and communication tools that apply to employees.
- Business and communication tools will be replaced at the end of their working life.
- Councillors may make contribution for personal use as appropriate in their circumstances.
- Excessive or unreasonable personal use costs must be reimbursed by the Councillor.
- All unapproved international call, message and data costs must be reimbursed by the Councillor.
- Requests for additional or alternate business and communication tools will be assessed on their merit and determined by the CEO.

### Vehicles

To undertake their official duties, Councillors may either

- be provided with a Council leased vehicle (and make a personal use contribution); or
- utilise their own private vehicle in lieu of the provision of a Council leased vehicle and be entitled to reimbursement of associated business use expenses up to a prescribed amount.

Councillors must advise the CEO of which vehicle option they choose upon commencement of the Council term.

#### Council leased vehicle

Except where specified otherwise in this policy, the use, maintenance and allocation of vehicles will be in accordance with the Motor Vehicle Fleet Management Policy.

The model and standard of vehicle offered to Councillors will be selected from the list of available passenger fleet vehicles under the *Motor Vehicle Policy* and will be acquired through Council's approved fleet procurement processes.

The reasonable cost of professionally cleaning Councillors' vehicles will be approved once per quarter.

**Mayor:** The Mayor may be provided with a Council leased vehicle for Council business. It is recognised that demands on the Mayor are such that a private use contribution will not be sought from the Mayor unless the Mayor takes personal leave from Council for a period of more than two weeks. Where such personal leave is taken, the Mayor is required to reimburse Council 5.5% of the undepreciated value of the vehicle that would be applicable to the vehicle for that period.

**Councillors:** Councillors may choose to be provided with a Council leased vehicle for official Council business, with access to private use of that vehicle subject to reimbursement to Council for expenses associated with private use:

## Councillor expenses and resources | Strategic Policy

- The expense for private use shall be calculated such that the contribution by the Councillor will be either:
  - 5.5% of the undepreciated value of the vehicle, calculated annually; or
  - Average private use over a 3 month period substantiated by log book details provided by the Councillor.
- If this option is chosen, Councillors must advise the CEO of which contribution method they choose upon commencement of the Council term.

### Private vehicle

Councillors (including the Mayor) may elect to utilise their own private vehicle and be entitled to reimbursement of expenses annually up to the amount paid to Managers in lieu of a fleet vehicle.

Approvals for reimbursement will be in accordance with the relevant section of this Policy. All claims for reimbursement must be made in the financial year in which they were incurred (with one week leeway for expenses incurred in the last days of June).

It is expected that all claims for reimbursement comply with Australian Taxation Office requirements such as requirement to produce tax invoices, receipts or where this is not possible, a signed Statutory Declaration detailing the expenditure and amount to be reimbursed.

Councillors should seek their own independent advice in relation to taxation and insurance implications.

The amount reimbursed to Councillors (including the Mayor) will be published in Council's Annual Report.

### Vehicle parking at Council premises

Councillors are required to pay either an annual fee or "pay per day" to access a Council reserved car park on Council premises.

If the annual amount is chosen, payment will be made pro rata via Council's fortnightly payroll cycle.

If a Councillor chooses to pay per day, paid parking fees will be generated via a report each month and invoiced quarterly.

Councillors must advise the CEO of which payment method they choose upon commencement of the Council term.

The amount of the fee will be reviewed by the Chief Executive Officer from time to time.

### Legal costs and insurance cover

Council may decide, by resolution, pursuant to section 107 of the Act, to cover costs incurred through any inquiry, investigation, hearing or legal proceedings into the conduct of a Councillor, or arising out of, or in connection with the Councillor's performance of his/her duties. Councillors will be covered under Council insurance policies while discharging their duties. Specifically, insurance cover will be provided for public liability, professional indemnity, Councillors' liability, personal accident and worker's compensation, international and domestic travel insurance (subject to the terms and conditions of the Travel Insurance policy).

## Councillor expenses and resources | Strategic Policy

### Employee assistance service

With the prior approval of the Chief Executive Officer and subject to any conditions imposed by the Chief Executive Officer, Councillors may access the Employee Assistance Service available to Council employees.

### Return of assets

Councillors are expected to responsibly look after all publicly funded facilities and assets provided to them. All facilities/equipment must be returned to Council:

- prior to the completion of the Councillor's term or at a date and time agreed to by the CEO,
- immediately if a Councillor is suspended or removed from office,
- if replaced as part of an asset replacement program, or
- at the end of the asset's working life.

In reliance on the sound contracting principle of fair dealing under the Act, Councillors are not entitled to privately purchase replaced or replaceable assets without written approval from the Chief Executive Officer.

### Resource exclusions

Except where specified above, Council will not provide Councillors with support or facilities for personal use.

In accordance with the Local Government Quadrennial Elections Policy, Councillors must not use Council facilities provided to them during the caretaker period for campaign or election purposes.

### Contributions for use of resources for other roles

Where Council has authorised that a Councillor may undertake another role which involves the usage of Council supplied facilities, that Councillor should make arrangements for the reimbursement to Council for that usage. Such reimbursement may be made either personally or by the organisation in which the Councillor is engaged.

The amount to be reimbursed will be dependent on usage patterns and by negotiation between either the Councillor and the CEO or the Councillor, CEO and the relevant external organisation.

## Policy application

Councillors commit to consistently demonstrate and uphold the intent, objectives and principles of this policy. Nothing in this policy requires or authorises a Councillor to act in any way that is contrary to law. Any instances of non-compliance will be managed in accordance with any relevant codes of conduct, policies and legislation dealing with conduct and/or disciplinary action.

It is expected that the provisions for expenses, resources and support detailed in this policy is for official purposes only and not for personal use.

In accordance with the *Local Government Regulation 2012*, the expenses incurred and the facilities provided to Councillors under this policy will be summarised in Council's annual report.

## Councillor expenses and resources | Strategic Policy

### Policy review

A full review must be undertaken within every four years. Reviews may occur more regularly as required.

### Roles and responsibilities

Role	Responsibility
Council	Endorsement authority for setting this policy and for all changes to this policy.
Chief Executive Officer (CEO)	Recommends Council endorsement of proposed amendments to this policy
Executive Leadership Team (ELT)	Provides advice to the CEO and/or Council on setting this policy and all proposed changes to this policy. Provides feedback to the policy sponsor and policy holder regarding the scope of approaching reviews.
Group Executive (GE), Civic Governance	Policy sponsor.
Manager, Governance and Executive Services	Policy holder.
Governance and Executive Services	Leads this policy's development, including communication, implementation, review and reporting.

### Definitions

Refer to Council's Policy Framework for definitions of common terms. The following contains definitions for terms specific to this policy. For otherwise undefined terms, the plain English meaning informs interpretation.

Term	Definition
Advertising	Informing and/or educating the public about an idea, goods or services by using an appropriate communication tool.
Business and communication tools	Councillors will be issued, or have access to, the following business and communications tools: <ul style="list-style-type: none"> <li>Laptop, including docking station, mouse and monitor/s and other associated paraphernalia</li> <li>Smartphone</li> <li>Council office-based printers and scanners</li> <li>Access to Council's network and the internet both within Council premises and while working remotely</li> <li>Business cards</li> <li>Name badge</li> </ul>

## Councillor expenses and resources | Strategic Policy

Term	Definition
	<ul style="list-style-type: none"> <li>• Building access card</li> <li>• Branded business shirt or polo shirt</li> <li>• Personal protective equipment</li> <li>• Stationery</li> <li>• Access to news services</li> </ul> <p>Other reasonable items may be approved by the CEO or delegate from time to time.</p>
<b>Caretaker period</b>	As defined in the Act, the caretaker period commences on the day when public notice of the holding of a local government election is given under the <i>Local Government Electoral Act 2011</i> and ends at the conclusion of the election.
<b>CEO</b>	The Chief Executive Officer of Sunshine Coast Council.
<b>Civic function</b>	A function that the Mayor or Deputy Mayor hosts to promote inter-governmental relations, recognition of significant contributions or achievements made by community groups and individuals.
<b>Civic event</b>	Ceremonial events for the community that Council has an obligation to deliver under a state or federal arrangement and that require the attendance of the Mayor or Council representative.
<b>Corporate gift</b>	Includes, but is not limited to, various items of merchandise displaying Sunshine Coast Council branding, tickets to Sunshine Coast Council events, locally made items or items of local significance (inclusive of items produced by the region's First Nations people), Council free tree days, wreaths and flowers for significant events and condolences provided for appropriate members of the community procured for the purpose of presentation. Cash donations, prizes, grants, funding or gifts are strictly prohibited.
<b>Council business</b>	<p>Activities conducted on behalf of Council where a Councillor is required to undertake certain tasks to satisfy a legislative requirement, perform ceremonial activities or achieve business objectives of Council. Council business should result in a benefit being achieved either for the local government and/or the local community. This includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Preparing, attending and participating in Council meetings, committee meetings, workshops, strategic briefings, deputations and inspections;</li> <li>• Undertaking professional development opportunities;</li> <li>• Attending civic functions or civic events;</li> <li>• Attending public/community meetings, presentation dinners, annual general meetings and the like where invited as a Councillor;</li> <li>• Attending community events (e.g. school fetes, community group awards and presentations, fundraisers); and</li> </ul>

## Councillor expenses and resources | Strategic Policy

Term	Definition
	Attending networking events and business meetings when attending as a Councillor.
<b>Councillors</b>	The Mayor, Deputy Mayor and all other Councillors.
<b>Duties</b>	Councillors' roles and responsibilities set out in the Act.
<b>Expense</b>	Reasonable payment for costs incurred, or to be incurred, in the Councillor discharging their duties. These expenses are to be reimbursed to Councillors ( <i>or paid directly by Council if deemed appropriate</i> ).
<b>Facility</b>	The resources and tools necessary for Councillors to perform their duties efficiently and effectively; and at a level that fulfils community expectation.
<b>Hospitality</b>	Includes, but is not limited to, the provision of: <ul style="list-style-type: none"> <li>• food or beverages while undertaking Council business; and</li> <li>• corporate gifts as defined in this policy,</li> </ul> Hospitality expenses are subject to sufficient funding remaining in the approved entitlement budget.
<b>Portfolio</b>	The collection of functions assigned by Council to individual Councillors from time to time.
<b>Private Vehicle Use</b>	Any use of a Council vehicle for purposes other than Council business (as defined above).
<b>Professional Association</b>	An association of practitioners of a given profession.
<b>Professional Development</b>	Any facilitated learning opportunity. This includes, but is not limited to: <ul style="list-style-type: none"> <li>• Conferences, workshops, seminars or training provided by a government department (e.g. Department of Local Government) or professional association;</li> <li>• Study tours, conferences, workshops, meetings where a Councillor has been approved as Council's representative;</li> <li>• Membership of relevant professional or industry associations;</li> <li>• Subscriptions to relevant professional association or industry journals;</li> <li>• Purchase of relevant published reference materials including books and journals.</li> </ul> Note: Reimbursement of expenses incurred for travel, accommodation, meal and incidentals associated with professional development will be in accordance with this policy.
<b>Reasonable</b>	The application of sound judgment and consideration of what is prudent, responsible and acceptable to the community when determining levels of facilities and expenditure.



## Councillor expenses and resources | Strategic Policy

Term	Definition
Region	Inside the boundaries of the Sunshine Coast Regional Council local government area.

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## Councillor expenses and resources | Strategic Policy

### Appendix

Policy information		
Title	Councillor expenses and resources	
Purpose	<p>This policy ensures that public resources are utilised in a transparent, effective and accountable way in the public interest and is compliant with the principles underpinning the Act, which are:</p> <ul style="list-style-type: none"><li>transparent and effective processes, and decision-making in the public interest; and</li><li>sustainable development and management of assets and infrastructure, and delivery of effective services; and</li><li>democratic representation social inclusion and meaningful community engagement; and</li><li>good governance of, and by, local government; and</li><li>ethical and legal behaviour of Councillors and local government employees.</li></ul>	
Document number	<Business Area to include EDDIE reference of document seeking endorsement. Civic Governance to update with FINAL EDDIE reference>	
Corporate Plan reference	Goal Pathway Service Output	Our Outstanding Organisation Maintain a contemporary governance framework that inspires trust and confidence in the operations of Council Governance
Category	Administrative	
Approved	<insert>	
Approval date	<insert>	
Effective date	<insert>	
Review schedule	A full review must be undertaken within every four years, and reviewed policy document must be provided to highest level approval authority for endorsement. Reviews may occur more regularly as required, having regard to a policy risk assessment.	
Last review	March 2024	
Next review	2028	
Policy holder	The Manager responsible for this policy is: Manager, Governance and Executive Services.	
Approval authority	Resolution of Council is required to amend this Policy.	
Related documents		
Legislation	All individuals engaged in dealings within the scope of this policy are required to fulfil the ethical and behavioural obligations as defined in legislation. In the event of an inconsistency between any provision of this policy and any	

## Councillor expenses and resources | Strategic Policy

	<p>provision of the following related legislation the provisions of the related legislation shall prevail, unless the CEO or Council expressly waive a provision of this policy by prior agreement. For further assistance please contact the Manager of Governance and Executive Services</p> <p><a href="#">Local Government Act 2009</a></p> <p><a href="#">Local Government Regulation 2012</a></p> <p><a href="#">Public Records Act 2002</a></p> <p><a href="#">Public Sector Ethics Act 1994</a></p>
Policy setting documents	<p><a href="#">Advertising Spending Policy</a></p> <p><a href="#">Advocacy and Engagement Expenses Policy</a></p> <p><a href="#">Business Recordkeeping Policy</a></p> <p><a href="#">Code of Conduct for Councillors in Queensland</a></p> <p><a href="#">Corporate Travel Policy</a></p> <p><a href="#">Councillor Portfolio System and Protocols</a></p> <p><a href="#">Councillors Acceptable Request Guidelines</a></p> <p><a href="#">Entertainment and Hospitality Policy</a></p> <p><a href="#">Information and Communications Technology (ICT) Acceptable Use Policy</a></p> <p><a href="#">Local Government Elections Policy</a></p> <p><a href="#">Motor Vehicle Fleet Management Policy</a></p> <p><a href="#">Procurement Policy</a> (annual) and <a href="#">Contract Manual</a></p> <p><a href="#">Provision of Administrative Support to Councillors Guideline</a></p> <p><i>Provision of communications support to Councillors Guideline</i></p> <p><a href="#">Sunshine Coast Council's Corporate Plan</a></p>
Operational documents	

Version Control				
Version	Reason/Trigger	Change	Endorsed/Reviewed by	Date
1.1	Review of previous SCRC policy No. 4	Yes	Ordinary Meeting	25 June 2011
2.1	Review	Yes	Ordinary Meeting	28 June 2012
3.1	Review	Yes	Ordinary Meeting	25 July 2013
3.2	Updated Branding and Department Names	No	Corporate Governance Branch	10 January 2017

## Councillor expenses and resources | Strategic Policy

4.1	Review	Yes	Ordinary Meeting	12 October 2017
5.1	Review	Yes	Ordinary Meeting	10 November 2021
6.1	Review	Yes	Ordinary Meeting	

Sunshine Coast Council | [sunshinecoast.qld.gov.au](http://sunshinecoast.qld.gov.au) | [customerservices@sunshinecoast.qld.gov.au](mailto:customerservices@sunshinecoast.qld.gov.au)  
07 5475 7272 | Locked Bag 72 Sunshine Coast Mail Centre Qld 4560

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## 8.5 COUNCILLOR APPOINTMENTS TO EXTERNAL BODIES

**File No:** Council Meetings  
**Author:** Group Executive Civic Governance  
Civic Governance

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### PURPOSE

This report seeks Council's consideration of potential nominees to the roles of:

- Director and Alternate Director of the Council of Mayors South East Queensland (COMSEQ) Pty Ltd and
- District 2 (North) representative on the Policy Executive of the Local Government Association of Queensland (LGAQ).

### EXECUTIVE SUMMARY

Following the conclusion of the 2024 local government elections and the assumption of office by the Councillors, there is a need to consider Councillor representation on two external advocacy bodies of which Council is a member – the COMSEQ Pty Ltd and the Policy Executive of the LGAQ.

#### Council of Mayors South East Queensland Pty Ltd

COMSEQ is Australia's largest (by population representation) regional organisation of councils, advocating on behalf of, and representing the interests of, 11 councils in SEQ. Clause 11.1 of the COMSEQ Constitution provides that each member Council may appoint a Director to the COMSEQ Board and that each Director must be the Lord Mayor or Mayor or Administrator of the member council. Clause 11.10 of the COMSEQ Constitution provides that a Director of COMSEQ may nominate an Alternate Director to act in the Director's place when the Director is unable to do so. The Alternate Director must hold the office of Deputy Mayor of the member council.

#### Local Government Association of Queensland – Policy Executive

The LGAQ is a member owned company established under the *Corporation Act 2001*, which represents Queensland's 77 local governments. The Constitution of the LGAQ provides for the establishment of:

- a Board of Directors (which has corporate and legal responsibility for the organisation) and
- a Policy Executive.

The Policy Executive guides the policy and advocacy activities undertaken by the LGAQ on behalf of its membership and has three other specific responsibilities namely:

- appointing three Board Members (not including the President, who is elected by the members of the LGAQ)
- the approval of the annual budget of the LGAQ and

- the appointment of the LGAQ Chief Executive Officer.

The Policy Executive may meet up to six times each year (it is normally five meetings per year) and comprises the President and 15 District Representatives nominated from across Queensland. Each District Representative is nominated by the cohort of Councils that comprises that District. The Sunshine Coast Council, the City of Moreton Bay Council and the Noosa Shire Council make up District 2 (North).

The Policy Executive is reconstituted every four years following the conclusion of the Queensland local government elections. The Chief Executive Officer of the LGAQ has recently written to all council Chief Executive Officers inviting nominations for the District Representative position on the Policy Executive.

## OFFICER RECOMMENDATION

### That Council:

- (a) **receive and note the report titled "Councillor Appointments to External Bodies"**
- (b) **endorse the nomination of Mayor Rosanna Natoli as a Director and Councillor Maria Suarez as Alternate Director of the Council of Mayors South East Queensland Pty Ltd and**
- (c) **approve the nomination of Mayor Rosanna Natoli to be considered as the District Two (North) representative on the Policy Executive of the Local Government Association of Queensland.**

## FINANCE AND RESOURCING

There is no financial cost to Council associated with the Councillor nominees in this report taking up the roles for which they are proposed. Councillors do not receive additional remuneration associated with their appointments as a Director or Alternate Director of COMSEQ.

A Councillor who is appointed to the LGAQ Policy Executive may receive a meeting fee of \$560.00 per meeting (the Policy Executive may meet up to six times in each year) and accommodation and travel costs (where required). These costs are met by the LGAQ – not Council.

## CORPORATE PLAN

<b>Corporate Plan Goal:</b>	<b><i>Our outstanding organisation</i></b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	S27 - Elected Council – providing community leadership, democratic representation, advocacy and decision-making.

## CONSULTATION

### Councillor Consultation

All Councillors have been consulted and had input to the nominations proposed to the LGAQ Policy Executive. As the constitution for COMSEQ requires that the nominee for the positions of Director and Alternate Director be the Mayor and Deputy Mayor respectively, consultation on these appointments has been undertaken with the Mayor and the Deputy Mayor.

### Internal Consultation

- Chief Executive Officer

### External Consultation

No external consultation has been considered necessary in formulating the recommendations in this report.

### Community Engagement

There was no community engagement required for preparation of this report.

## PROPOSAL

Following the conclusion of the 2024 local government elections and the assumption of office by the Councillors, there is a need to consider Councillor representation on two external advocacy bodies of which Council is a member – the COMSEQ Pty Ltd and the Policy Executive of the LGAQ.

### COMSEQ Pty Ltd

COMSEQ was established in September 2005 as an independent advocacy organisation to represent the interests of one of the nation's fastest growing regions. COMSEQ is now Australia's largest regional organisation of councils (in terms of population represented) and through its 11 member councils, represents one in seven Australians.

COMSEQ is a company limited by shares. The members and shareholders of the company are the SEQ councils who each hold one share. The board of the company comprises the Mayors of each of the SEQ councils.

Key priorities for COMSEQ at this time include:

- representing members interests in the implementation of the SEQ City Deal, executed in March 2022;
- representing the interests of those members who are not key delivery partners in the staging of the Brisbane 2032 Olympic and Paralympic Games;
- leading a coordinated approach to member input to the SEQ Regional Planning Committee convened by the Minister responsible for Planning; and
- coordination of potential sub-regional approaches to sustainable waste management.

While the COMSEQ Constitution requires that a Director must be the Mayor of the member council and the Alternate Director must be the Deputy Mayor of the member council, it is considered prudent to seek Council authorisation for the Mayor and Deputy Mayor to

undertake these roles, given they represent an additional responsibility and interest for these two elected members of Council.

### **LGAQ Policy Executive**

The LGAQ has existed since 1896 and is recognised as the peak body for the local government system in Queensland and is a constituent member of the Australian Local Government Association. The Constitution of the LGAQ provides for governance of the LGAQ through two principal vehicles:

- a Board of Directors (which have corporate and legal responsibility for the company under the terms of the *Corporations Act 2001* and the company's Constitution) and
- a Policy Executive, which guides the policy and advocacy activities undertaken by the LGAQ on behalf of its membership and has three other specific responsibilities namely:
  1. appointing three Board Members (not including the President)
  2. the approval of the annual budget of the LGAQ and
  3. the appointment of the LGAQ Chief Executive Officer.

The Policy Executive meets up to six times each year (usually five meetings) and comprises:

- the President and
- 15 District Representatives nominated from across Queensland.

Each District Representative is nominated by the cohort of councils that geographically comprise that District. The Sunshine Coast Council, the City of Moreton Bay Council and the Noosa Shire Council make up District 2 (North). If more than one nomination is received from the District, the nominations are put to a preferential ballot in which the three councils vote.

The Policy Executive is reconstituted every four years within 90 days following the conclusion of the Queensland local government elections. One of the early tasks of the Policy Executive following its appointment is to appoint three of its members who, along with the President, form the Board of the LGAQ.

Membership of the LGAQ Policy Executive provides an important advocacy channel for the Sunshine Coast Council in the context of a wide range of policy, funding, legislative and program initiatives on which the LGAQ is engaged with State and Federal Governments.

### **Legal**

The proposed appointments to the COMSEQ Board and the LGAQ Policy Executive are being undertaken in accordance with the Constitution in place for each of these entities, which are established under the *Corporations Act 2001* (Cth).

### **Policy**

There are no major policy implications associated with this report. Council does, however, utilise a number of avenues, including through its memberships of the LGAQ and COMSEQ, to progress its advocacy for policy, program, funding and legislative outcomes to support the efficient operation of Council and for the benefit of the region.



**Risk**

There are no significant risks to Council in supporting the recommendations in this report.

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

*That Council:*

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

**Related Documentation**

- Sunshine Coast Council Audit Committee Charter
- Constitution of COMSEQ Pty Ltd
- Constitution of the LGAQ

**Critical Dates**

Council is required to submit its nominations for the Director and the Alternate Director of COMSEQ Pty Ltd by close of business on 24 April 2024.

Council has been requested to submit its nomination for the District 2 (North) representative to the LGAQ Policy Executive by 1 May 2024.

**Implementation**

Subject to Council's decision on the recommendations in this report, the Chief Executive Officer will:

- Notify the Company Secretary for COMSEQ of the nominations for Director and Alternate Director of the COMSEQ Board and
- Notify the Chief Executive Officer of the LGAQ of Council's nominee for the role of District 2 (North) representative on the LGAQ Policy Executive.



**8.6 REPRESENTATION AT PARIS 2024 OLYMPIC FAMILY PROGRAM****File No:** Council Meetings**Author:** Sunshine Coast Program Lead - Brisbane 2032  
Economic & Community Development Group

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**PURPOSE**

This report seeks Council's approval for Mayor Rosanna Natoli to undertake overseas travel from 24 July 2024 to 1 August 2024 to represent Council as a member of the Paris 2024 Olympic Games Family Program. As a Co-Host City / Games Delivery Partner, Sunshine Coast Council has been offered one (1) position as part of the Brisbane 2032 Olympic Family delegation.

This report is being presented for consideration at this time as participation in the Brisbane 2032 Olympic Family delegation to the Paris 2024 Olympic Games cannot be confirmed until approval to undertake overseas travel has been provided by Council.

**EXECUTIVE SUMMARY**

As a Co-Host City / Games Delivery Partner, Sunshine Coast Council has been offered one (1) position on the Paris 2024 Olympic Games Family Program with the Brisbane 2032 Olympic Family delegation.

Individuals accredited as Olympic Family receive access to the Paris 2024 Olympic Games including accommodation, event access/seating and transport services. The Olympic Family includes International Olympic Committee, International Paralympic Committee, International Sport Federations, National Olympic Committees, the Olympic Partner Sponsors, future Organising Committees for the Olympic Games (OCOGs), Rights Holding Broadcasters and select international dignitaries.

The following representatives have been invited to be part of the Brisbane 2032 Olympic Family delegation to Paris:

- Brisbane 2032 President and Chief Executive Officer (plus one accompanying guest each)
- Premier of Queensland and Minister for the Olympic and Paralympic Games (plus one accompanying guest)
- Lord Mayor of Brisbane (plus one accompanying guest)
- Mayor of Sunshine Coast Council
- Mayor of Gold Coast City Council.

**OFFICER RECOMMENDATION****That Council:**

- (a) **receive and note the report titled “Representation at Paris 2024 Olympic Family Program”**
- (b) **approve overseas travel from 24 July 2024 to 1 August 2024 to enable Mayor Rosanna Natoli to participate in the Paris 2024 Olympic Family Program and**
- (c) **note that any costs incurred by Council in association with participation in the Paris 2024 Olympic Family Program will be reported in Council’s 2024-2025 Annual Report.**

**FINANCE AND RESOURCING**

Mayor Natoli has indicated her intention to personally meet the costs of airfares associated with participating in the Paris 2024 Olympic Family Program.

All costs associated with accommodation and on-ground transport will be met by the International Olympic Committee.

An allowance for any other incidental costs incurred which are directly related to travelling as an official representative of Council are estimated to be no more than \$1000. Funding can be sourced from Council’s current operational budget to fund expenditure on incidentals.

**CORPORATE PLAN**

**Corporate Plan Goal:** ***Our strong community***

**Outcome:** 1.1 - Healthy and active communities

**Operational Activity:** 1.1.1 - Identify and secure an enduring legacy for the Sunshine Coast as a key delivery partner in the Brisbane 2032 Olympic and Paralympic Games and work collaboratively with our Community Reference Group and key partners to identify and implement Sunshine Coast specific themes, opportunities and challenges.

**CONSULTATION****Councillor Consultation**

Consultation has been undertaken with Mayor Natoli in relation to this report.

Councillors have been advised of the invitation for the Mayor to participate in the Paris 2024 Olympic Family Program.

**Internal Consultation**

Consultation has taken place with the following Council officers in the preparation of this report:

- Chief Executive Officer
- Group Executive, Economic and Community Development
- Group Executive, Civic Governance
- Sunshine Coast Program Lead, Brisbane 2032 Olympic and Paralympic Games.

**External Consultation**

External consultation has been undertaken in relation to this report with Brisbane 2032 Olympic and Paralympic Games Delivery Partners. The main partner and coordinator of the Australian delegation is Brisbane 2032, the Organising Committee for the Olympic Games (OCOG).

**Community Engagement**

There has been no Community Engagement undertaken in relation to this report.

**PROPOSAL**

In the past, the Mayor and Chief Executive Officer of the Olympic and Paralympic Games Host City would be included in the Olympic Family accreditation, where individuals accredited as Olympic Family receive access to the Games including accommodation, event access / seating and transport services.

The Olympic Family includes the International Olympic Committee, International Paralympic Committee, International Sport Federations, National Olympic Committees, the Olympic Partner Sponsors, future Organising Committees for the Olympic Games (OCOGs), Rights Holding Broadcasters and select international dignitaries.

Since Brisbane 2032 was awarded earlier as a regional bid under the 'New Norm', rather than the Host City contract signatory (Brisbane City Council) being the only Local Government invited to participate in the Olympic Family, the IOC has extended an invitation to both Sunshine Coast Council and Gold Coast City Council to participate.

To ensure Sunshine Coast Council maximises every opportunity offered as a delivery partner of the Olympic and Paralympic Games Brisbane 2032, particularly in activating our legacy in a sustainable and forward-looking manner and enhancing our experience and knowledge in matters of hosting and organising sports events, it is proposed that Mayor Natoli attend the Paris 2024 Olympic Games as part of the Brisbane 2032 Olympic Family delegation.

In recent years, as a Co-Host City of the Olympic and Paralympic Games Brisbane 2032, Sunshine Coast Council has been determined to ensure our organisation and region is appropriately acknowledged and engaged in all 2032 Games related initiatives. Non-attendance at the Paris 2024 Olympic Games could jeopardise this position and it is important that Council maintains a lead role in all aspects of Games delivery.

Council officers are currently working closely with the Brisbane 2032 Organising Committee to plan and carefully curate a program for the South East Queensland Mayors attending Paris 2024. Whilst not confirmed, Mayor Natoli will likely have the opportunity to attend events / functions / meetings hosted by the following organisations:

- International Olympic Committee
- Australian Olympic Committee
- World Union of Olympic Cities
- Australian Embassy/ Australian Government
- Brisbane 2032
- Paris City Council

In addition to the above, Mayor Natoli will be provided with the opportunity to attend competition events. During the proposed period of Mayor Natoli's attendance, those events which the Sunshine Coast region are proposed to host will be conducted:

- Basketball
- Road Cycling
- Football
- Mountain Bike
- Race Walk

Depending on overall scheduling, Mayor Natoli will also have the opportunity to attend other events including the Opening Ceremony. Whilst the Sunshine Coast region may not be hosting these events, attendance will still provide Mayor Natoli with an opportunity to observe the operations of the City and Venues during Games time. She would also be attending these events with other members of the Games Family which provides a unique opportunity to enhance relationships and promote the Sunshine Coast.

In summary, Mayor Natoli, as the Sunshine Coast's representative on the Paris 2024 Olympic Games Family Program would be required to:

- Officially represent the Sunshine Coast at a variety of official functions and events
- Network with past and future Games City Hosts and Games Delivery Partners to gain a deeper understanding of legacy outcomes derived from hosting an Olympic and Paralympic Games
- Observe the operations of the City of Paris and competition venues during the Games, capture learnings and disseminate information back through Council and the wider organisation and community
- Develop strategic relationships with key Olympic and Paralympic Games personnel and other International Sporting Federations to further develop the reputation of the Sunshine Coast as an international destination for sport, events and business.

Whilst separate programs, it is worth noting that Sunshine Coast Council will also be represented in Paris through the Olympic Observer Program and Paralympic Future OCOG Activities and Learning program. These programs consist of approximately 90 sessions facilitated by Paris 2024 and the International Olympic Committee/International Paralympic Committee on specific operational topics and are intended for operational staff responsible for Games delivery functions. Sunshine Coast Council will have two representatives (divided across three staff) on the Olympic Observer Program and one representative on the Paralympic Future OCOG Activities and Learning program.

In summary, there are a range of benefits that will be derived from the Mayor's attendance at the Paris 2024 Olympic Games. These include but are not limited to the following:

- Observe events proposed to be held on the Sunshine Coast in 2032
- Understand the experience of a spectator at an Olympic Games event
- Understand the community impacts for Host Cities during an Olympic and Paralympic Games
- Ensure the Sunshine Coast makes the most of the opportunities from the 2032 Games

- Understand the arts and culture offering at the Paris 2024 Games – Cultural Olympiad
- Understand the opportunities for local businesses from the Games
- View the transport offerings – not only for 2032 but potentially immediate opportunities for the Sunshine Coast.

**Legal**

The proposal contained in this report does not give rise to any additional legal issues or risks for Council.

Under section 188 of the *Local Government Regulation 2012*, the purpose of any international travel undertaken by a Councillor or a Council officer and any costs met by Council, will be reported in Council's annual report for the relevant financial year.

**Policy**

The Councillor Expenses Reimbursement and Provision of Facilities and Support Policy states that a resolution of Council is required for non-personal overseas travel under this policy where such travel falls outside of Council's adopted International Relations Policy.

**Risk**

There maybe a risk of a negative public reaction to expenditure associated with Council's participation in international activities. In this context it should be noted that:

- Mayor Natoli intends to personally meet the cost of airfares associated with the proposed travel
- costs such as accommodation and transfers are funded by the International Olympic Committee
- the pursuit of global recognition and strengthening of Olympic and Paralympic Games' related relationships is necessary if the region is to improve its local to global connections and leverage off our regions status as a Co-host City
- the insights afforded through participating in the Paris 2024 Olympic Games Family Program will potentially inform Council's approach to developing best practices in delivering a successful 2032 Olympic and Paralympic Games in our region.

**Previous Council Resolution**

There is no previous Council resolution relevant to this report.

**Related Documentation**

- Sunshine Coast Council Corporate Plan 2024-2028
- Councillor Expenses Reimbursement and Provision of Facilities and Support Policy

**Critical Dates**

The timeline for advising of attendance in the Paris 2024 Olympic Games Family is 25 April 2024.

This date is definitive as the accreditation process by the International Olympic Committee is required to commence on this date to ensure all members are appropriately accredited prior to the commencement of the Program.

**Implementation**

Should the recommendations in this report be accepted by Council, the Chief Executive Officer will allocate resources to assist in preparing Mayor Natoli for this Program, including all formalities associated with obtaining accreditation and making appropriate travel arrangements.



**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**



**12      NEXT MEETING**

The next Ordinary Meeting will be held on 30 May 2024.

**13      MEETING CLOSURE**