

# Agenda

**Ordinary Meeting**  
**Thursday, 19 June 2025**

**commencing at 9:00am**

Sunshine Coast City Hall Chamber, 54 First Avenue, Maroochydore

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ORDINARY MEETING

NOTICE

6 June 2025

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

19 June 2025

commencing at 9:00am.

A handwritten signature in black ink, appearing to read "John Baker", followed by a period.

John Baker | Chief Executive Officer

Sunshine Coast Regional Council  
54 First Avenue, Maroochydore QLD 4558  
P 07 5441 8240  
E [john.baker@sunshinecoast.qld.gov.au](mailto:john.baker@sunshinecoast.qld.gov.au)  
W [www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au)



**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 19 June 2025 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 DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE OF PREMISES TO ESTABLISH MULTIPLE DWELLING UNITS (116 UNITS) AT SUNRISE DRIVE, MAROOCHYDORE****File No:** MCU22/0111**Author:** Development Planner  
Customer & Planning Services Group**Appendices:** App A - Recommended Conditions of Approval ..... 17 [↓](#) **Attachments:** Att 1 - Detailed Officer Report ..... 41 [↓](#) Att 2 - Proposal Plans ..... 91 [↓](#) **PURPOSE**

The purpose of this report is to seek Council's determination of a Development Application for a Material Change of Use of Premises to establish Multiple Dwelling Units (116 units) at Sunrise Drive, Maroochydore (the application).

The application is before Council due to the level of community interest regarding the application.

**EXECUTIVE SUMMARY**

The applicant seeks a Development Permit for Material Change of Use of Premises to establish Multiple Dwelling Units (116 units) at Sunrise Drive, Maroochydore, described as Part of Lot 904 SP327717. The application is Impact Assessable, as the development exceeds the density provisions (Dwelling Unit Factor Control and Plot Ratio Control) of the Wises Farm Preliminary Approval Document.

Notwithstanding these matters, the layout, scale, form and character of the proposed development will be in keeping with the desired character of the locality and will contribute to making the adjacent streets more attractive, interesting and safe. Separation in building form allows space between units, provides opportunity for landscaping, views, breezes and promotes a lighter, more open building form suitable for the Sunshine Coast environment.

Although there is a shortfall of 4 parking spaces on-site, the development will undertake frontage works resulting in 10 additional on-street parking spaces on Somerton Drive, improving the existing parking options for the local community. Further, under the current *Sunshine Coast Planning Scheme 2014*, the proposed development would exceed the parking requirements.

A total of 100 submissions were received, of which 85 were determined to be 'properly made' in accordance with the *Planning Act 2016*. Of the total submissions made, 3 submissions identified their support for the proposal and 93 submissions identified their objection to the proposal (2 neutral and 2 unsure). The relevant matters raised in these submissions were considered in the assessment of this application.

The officer recommendation is that the application is approved subject to the imposition of conditions identified in Appendix A to this report.

## OFFICER RECOMMENDATION

**That Council:**

- (a) **receive and note the report titled “Development Permit for Material Change of Use of Premises to establish Multiple Dwelling Units (116 Units) at Sunrise Drive, Maroochydore” and**
- (b) **APPROVE Application No. MCU22/0111 for a Development Permit for Material Change of Use of Premises to establish Multiple Dwelling Units (116 Units) at Sunrise Drive, Maroochydore, subject to the imposition of conditions identified in Appendix A.**

## FINANCE AND RESOURCING

In the event of an approval, Infrastructure Charges would be applicable to the proposed development in accordance with the Wises Farm Infrastructure Agreement for the parks network of \$326,691. A further review of a contribution towards the road network will be required to establish the current vehicle trips/day. The current trip/day contribution is \$586.50.

## CORPORATE PLAN

<b>Corporate Plan Goal:</b>	<b><i>Our service excellence</i></b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	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

In relation to the Divisional Councillor, Councillor T Bunnag has notified Council of a Prescribed Conflict of Interest in accordance with the *Local Government Act 2009*, and therefore he has not been involved in any meetings, discussions or communication in relation to making a decision on this matter.

The Portfolio Councillors Councillor W Johnston & Councillor C Dickson have been consulted during the assessment process.

### Internal Consultation

The application was referred to the following internal Council specialists and their assessment forms part of this report:



- Development Engineer, Development Services Branch, Customer and Planning Services Group.
- Principal Development Engineer - Hydraulics, Development Services Branch, Customer and Planning Services Group.
- Environment Officer, Development Services Branch, Customer and Planning Services Group.
- Urban Designer, Development Services Branch, Customer and Planning Services Group.
- Landscape Officer, Development Services Branch, Customer and Planning Services Group.

### External Consultation

The application did not require referral to any Referral Agencies as a Concurrence Agency or Advice Agency. Council sought third party advice from Energex regarding the relocation options for the pad-mount transformer adjacent Sunshine Cove Way. Energex advised that the Applicant/Developer is responsible for any request and costs associated with the asset relocation.

### Community Engagement

The application was publicly notified for 15 business days between 29 January 2024 and 19 February 2024 in accordance with the requirements of the *Planning Act 2016*.

A total of 100 submissions were received, of which 85 were determined to be 'properly made' in accordance with the *Planning Act 2016*. Of the total submissions made, 3 submissions identified their support for the proposal and 93 submissions identified their objection to the proposal (with 2 neutral and 2 unsure).

A summary of the issues raised by submitters together with a response is provided in the officer's Detailed Assessment Report at Attachment 1 to this report. The assessment of this application considered all relevant issues and matters raised in submissions.

### PROPOSAL

The applicant seeks a Development Permit for Material Change of Use of Premises to establish Multiple Dwelling Units (116 units) at Sunrise Drive, Maroochydore, described as Part of Lot 904 SP327717. The application is Impact Assessable, as the development exceeds the density provisions (Dwelling Unit Factor Control and Plot Ratio Control) of the Wises Farm Preliminary Approval Document.

The development includes 8 x 1 bedroom units, 76 x 2 bedroom units, 28 x 3 bedroom units and 4 x 4 bedroom units. The design involves a large central open atrium with landscaped raised planters, artificial grass and seating available for residents and their guests for passive recreation. A central communal outdoor recreation area is proposed which would comprise of a main pool, kids pool and barbeque. A recreation room is also located adjacent and north of the central communal outdoor area. A total landscaped area is proposed of 42.3% of the site, including deep soil area (21.2%), bio-retention basins (1.6%), and podium landscape (19.5%).

A total of 184 car parking spaces is proposed comprising of 153 resident spaces and 31 visitor spaces (including 2 Persons with a Disability spaces). A total of 145 resident bicycle spaces and 32 visitor bicycle spaces is proposed within the semi-basement.

Vehicular access would be via a new 10m wide heavy-duty crossover and 10m wide driveway from Somerton Drive. This driveway would be able to accommodate a Van, Medium Rigid Vehicle (Type A Access) and Waste Collection Vehicle. One (1) visitor car parking space and a turn-around area is also located adjacent the vehicular entry point.

The site is located within the Wises Farm Preliminary Approval (MCU03/0039) and the *Maroochy Plan 2000* is the planning scheme for the purposes of assessment. The subject site is located in the Planning Area No. 1 Maroochydore, Precinct No. 10 – Low / Medium Residential with a Precinct Class of Master Planned Community. The local area provisions are superseded by the Wises Farm Preliminary Approval that overrides the Planning Scheme. The subject site is located within Precinct 6 - Wises Farm Central Medium/High Density Residential (Wises Farm Mixed Housing). In this precinct, medium density residential development is encouraged.

The proposal has been assessed against the Wises Farm Preliminary Approval. The key considerations for the assessment of this application relate to:

- Building Height
- Plot Ratio and Density
- Building Design and Setbacks
- Pedestrian Connectivity
- Parking
- Stormwater and
- Flooding.

#### Building Height

The Wises Farm Preliminary Approval Document identifies the maximum building height for the subject site as 4 storeys (but not more than 15m) above natural ground level. The proposed development complies with this requirement, as the building height was reduced in response to submissions to be within the 4 storey/15m maximum height limit from ground level.

#### Plot Ratio and Density

The development proposes a plot ratio of 1.43. The Precinct 6 - Design and Form Controls recommends as an Acceptable Measure a maximum plot ratio of 1.

The Wises Farm Preliminary Approval uses Dwelling Unit Factor preferred minimum and maximum densities for the precinct to determine a preferred density. The Precinct 6 - Design and Form Controls recommends as an Acceptable Measure a maximum Dwelling Unit Factor of 250m<sup>2</sup> per dwelling and minimum of 100m<sup>2</sup> per dwelling which equates to 81.78 equivalent dwelling units. The development proposes 122.15 equivalent dwelling units.

With respect to the above, the development does not comply with the preferred Plot Ratio and preferred Dwelling Unit Factor (i.e. Acceptable Measures) of the Wises Farm Code related to density.

Since the proposal does not comply with preferred Plot Ratio or Dwelling Unit Factor for the site, the development is required to be justified against Element 1, Performance Criteria P2 of the Wises Farm Code which states:

*"Buildings in any Precinct within Wises Farm shall generally accord the Stated Intent for each Precinct type and the Desired Precinct Character for each individual Precinct".*

The landscape and built form statements which are of particular relevance include:

*"5.26 Development within the Precinct will be designed to incorporate the use of good quality materials with a high quality finish, including: wide eaves, verandas, balconies and breezeways. Where possible, verandas and balconies will be orientated to take advantage of views to either the waterways, significant areas of vegetation, open spaces, the Buderim mountain, or the Town Centre".*

*"5.29 Opportunities will be provided throughout the Precinct to walk or ride to the lake parks, or move along the major adjoining pedestrian and cycle links to the commercial Precincts within Wises Farm, and the Town Centre Core. This should be encouraged by incorporating subdivision layouts and design that maximises the utilisation of these facilities".*

To ensure the development complies with Element 1, Performance Criteria P2 of the Wises Farm Code, consideration of the overall built form and design, setbacks and landscaping is required.

#### Building Design and Setbacks

The development proposes setbacks that are less than the Acceptable Measures outline below:

Boundary Location	Maroochy Plan 2000 (Acceptable Measure)	Proposed
Sunshine Cove Way	6m (principal street frontage)	Basement - 3.7m-4.5m Podium - 4.5m (indented bus bay), otherwise 6m Levels 2-4 - 4.5m (indented bus bay), otherwise 6m
Somerton Drive	4.5m	Basement - 3m Podium - 3m to balcony Levels 2-4 - 4m to balcony
Oaklands Lane	4.5m	Basement - 2m Podium - 2m to balcony and 3m to wall Levels 2-4 - 2m to balcony and 3m to wall
Amity Avenue	4.5m	Basement - 4.5m Podium - 4.6m (less window treatments) Levels 2-4 - 4.5m (less window treatments)
Sunrise Drive	4.5m	Basement - 4.7m Podium - 7.3m to balcony Levels 2-4 - 7.3m to balcony

The building envelope intrudes into the desired setbacks on three (3) of the five (5) sides. Setbacks are considered important to achieve the anticipated precinct intent and the design and form controls, as well to control the overall built form and massing of the development. Another important consideration in achieving the precinct intent objectives for Precinct 6,

includes the adequate provision of landscaping to provide attractive tree lined streets, which sensitively integrate the natural and built environment.

Council's urban design specialist has assessed the subject development application and has advised that the proposed setbacks are suitable for each of the road frontages. The development has been placed into Council's 3D model and reviewed to ensure that the development is appropriate based on its location and in the context of the surrounding area.

The length of building and massing has been improved by the reduction of building length, and increased separation between 45m lengths of buildings. Loss of some of the initially proposed units (i.e. a reduction in unit yield) has created space to allow for separation of unit forms into 'shorter' separate forms. Separation in building form allows space between units, provides opportunity for landscaping, views, breezes and promotes a lighter, more open building form suitable for the Sunshine Coast environment.

It is considered that the layout, scale, form and character of the proposed development will be in keeping with the desired character of the locality and will contribute to making the adjacent streets more attractive, interesting and safe.

#### Pedestrian Connectivity

Whilst potentially desirable from a public permeability perspective, it is noted that the public pedestrian connection through the site is not a requirement of the planning scheme or the Wises Farm Preliminary Approval. In addition, it is agreed that there may be safety implications with creating such a public connection in this location, which could then lead to (via line-of-sight) more people crossing centrally to the future bus stop on the southern side of Sunshine Cove Way as well as the lake pavilion, rather than using the established and safe island crossing refuge points at either end of the subject development site.

#### Parking

It is noted that the proposed development requires, as an Acceptable Measure, 188 car parking spaces (159 resident spaces and 29 visitor spaces). A total of 184 car parking spaces is proposed comprising of 153 resident spaces and 31 visitor spaces (including 2 Persons with a Disability spaces).

A total of 29 visitor spaces can be conditioned in the event of approval, meaning that two (2) visitor spaces can become resident spaces (155 resident spaces). This leaves a shortfall of four (4) resident parking spaces based on the Acceptable Measure rates.

Although there is a shortfall of 4 parking spaces on-site, the development will undertake frontage works resulting in 10 additional on-street parking spaces on Somerton Drive, improving the existing parking options for the local community. Further, the applicant undertook a comparison of car parking rates under the *Maroochy Plan 2000* and current *Sunshine Coast Planning Scheme 2014*. Under the current *Sunshine Coast Planning Scheme 2014*, a total of 182 parking spaces (153 resident spaces and 29 visitor spaces) was required, meaning that the proposed development would exceed current parking outcomes.

With consideration of the above factors (and the additional 177 bicycle parking spaces on the site), the parking shortfall of four (4) car spaces is considered acceptable in this instance.

### Stormwater

Stormwater is proposed to be treated to meet the post development stormwater quality design objectives prior to discharge from the site. Two (2) end of line bio-retention basins are proposed in the southern frontage of the site integrated with the proposed landscaping.

The bio-retention basins have been suitably integrated with a maximum of 50% retaining walls. The stormwater pipes in Sunrise Drive and Sunshine Cove Way are deep enough to allow 0.7m filter media depth to allow tree planting.

### Flooding

The Wises Farm Preliminary Approval includes a condition in relation to flooding which requires flood immunity of buildings to be in accordance with the current *Flood hazard overlay code* requirements (under the *Sunshine Coast Planning Scheme 2014*). For the proposed building, this means for habitable floors, the floor levels are 0.5m above the 1% Annual Exceedance Probability flood level. Flood search CER21/19511 identifies the 1% Annual Exceedance Probability flood level to be 3.24m Australian Height Datum with the minimum floor level therefore 3.74m Australian Height Datum. It is noted that CER21/19511 has expired during the assessment of the application. However, no updates to the Maroochy River flood model have been undertaken since the flood information search was issued.

The architectural plans show that minimum floor level of habitable floors is proposed at 4.5m Australian Height Datum. The floor level of the basement carpark is at 1.50m AHD with the driveway entrance to the basement at 3.74m Australian Height Datum so achieves the required 0.5m freeboard to 1% Annual Exceedance Probability flooding.

### Conclusion of Assessment of Proposal

The proposed development sufficiently complies with the requirements of the *Maroochy Plan 2000* and the Wises Farm Preliminary Approval and does not raise any significant issues that cannot be addressed by conditions. The application is therefore recommended for approval subject to reasonable and relevant conditions.

### **Legal**

In relation to this development application, there are currently no legal implications relevant to this report, but it is noted that 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 be bound to any required actions resulting from any legal proceedings.

### **Policy**

The application has been assessed against the *Maroochy Plan 2000* and the *Wises Farm Preliminary Approval* 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 be bound to any required actions resulting from any legal proceedings.

**Previous Council Resolution**

There is no previous Council resolution relevant to this report.

**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 proposed plans of the development are provided as Attachment 2 to this report.

**Critical Dates**

There are no critical dates relevant to this report. Council's decision for the application has a due date of 19 June 2025 in accordance with the provisions of the *Planning Act 2016*. However, where a decision for an impact assessable development application has not been made by the due date, the applicant may elect to lodge an appeal to the Planning and Environment Court based on a 'deemed refusal' of the application.

**Implementation**

In accordance with the requirements of the *Planning Act 2016*, Council officers will communicate Council's decision on the application to the applicant and submitters who made a properly made submission.

#### APPLICATION DETAILS

Application No: MCU22/0111  
Street Address: Sunrise Drive, Maroochydore  
Real Property Description: Part of Lot 904 SP327717  
Planning Scheme: Maroochy Plan 2000 (21 January 2005)

#### APPROVAL DETAILS

Nature of Approval: Approval with conditions  
Type of Approval: Development Permit for Material Change of Use of Premises to establish Multiple Dwelling Units (116 Units)

#### CURRENCY PERIOD OF APPROVAL

Unless lawfully extended, the currency period for this development approval is six (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

#### PLANNING

##### When conditions must be complied with

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

##### Final Architectural Building Detail

3. Prior to any building works commencing, architectural drawings must be prepared and submitted to council for review and endorsement against the Approval Plans. The

architectural drawings must show the final developed details of the facade treatment, the ground interface and the rooftop/building capping elements of the approved buildings, and must depict a higher level of documentation detail than that shown on the Approved Plans. The architectural drawings must:

- (a) nominate materials, colours and finishes;
  - (b) have title blocks, revision numbers, scale details, north point and be cross referenced to larger scaled drawings;
  - (c) include elevation and facade treatment drawings for all floor levels that demonstrate the final design outcome for all elevations of the built form including:
    - (i) detailed plans, sections and elevations at 1:50 or 1:20 scale for elements of the facade including structural elements and fixed and operable elements such as balustrades, screens, doors, windows, projecting fins and planter beds/trellises;
    - (ii) all servicing and infrastructure, including but not limited to, pad-mount transformers, pump rooms, fire hydrant boosters, etc.;
    - (iii) rooftop or building capping elements, awnings and soffits;
  - (d) include a rendered perspective of from each road frontage showing the intended finished built form;
  - (e) include dimensions for the extent of projecting elements, balustrade height and door and windows/glazing configurations;
  - (f) show the final height and position of the building/s on the site with dimensioned setbacks matching the Approved Plans;
  - (g) show how the building/s coordinates with the approved landscaping for the site;
  - (h) show the location of mailboxes for all units.
4. All building works must be undertaken generally in accordance with the endorsed architectural drawings referred to in this development approval.
5. Certification must be submitted to council from a qualified person\*. The certification must certify that the Building Permit Approval drawings are in accordance with the approved plans as detailed in the list of approved plans.
- \*(Refer to Advisory Note)

*Note – Any changes to the approved plans must be undertaken through the relevant approval process as required under the Planning Act 2016.*

### **Building Appearance**

6. The approved building must be constructed such that its external appearance achieves a high quality design finish, including the degree of building form articulation, window coverage, clear glazing, openings, roof overhangs, feature cladding materials, finishes, varied building treatments and finishes, lightweight timber elements, glazed balustrades shown on the Approved Plans, with no inclusions or future alterations being made without approval in writing by council.



7. All air conditioning units or other mechanical equipment must be visually integrated into the design and finish of the building, or otherwise fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties.
8. All deck and balcony areas above ground floor must not be enclosed by permanent fixtures such as shutters, louvres, glass panelling or the like, except where required to satisfy any privacy condition of this development approval.

#### **Fencing and Walls**

9. Unless otherwise approved in writing by council, front fencing and walls are not permitted within the landscaped buffer area at ground level around the perimeter of the building.

#### **Building Height**

10. The maximum height of the development must not exceed four (4) storeys and 15m above natural ground level at any point.
11. 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.

#### **Clothes Drying Areas**

12. Each dwelling unit must be provided with an outdoor non-mechanical (natural) clothes drying facility that is screened from public view by the use of fixed or operable screens incorporated into the building design. Where individual outdoor clothes drying facilities are not provided for each unit, one or more clothes drying areas fitted with robust clothes lines must be provided in accessible and screened communal locations to meet the clothes drying needs of occupants. The requirement for screening of outdoor clothes drying by occupants must be included in the Community Management Statement for any body corporate for the subject site.

#### **Street Identification**

13. The street address of the development must be clearly visible and discernible from both Somerton Drive and Sunshine Cove Way by the provision of a street number and, where appropriate, the building name.
14. The main building entrances/foyers/reception areas must be clearly visible and identifiable from the street or otherwise provided with signage and lighting at strategic locations to direct people to these main building entrances.

#### **Communal Recreation Areas**

15. Communal recreation areas must be provided as shown on the approved plans.

### Weather Protection

16. Inclement weather protection to external openings, windows and doors must be provided by at least one of the following:
  - (a) a permanently fixed overhang with a minimum overhang width of 450mm;
  - (b) a permanent external vertical fin awning, perpendicular to the wall surface and equal to the height of the opening;
  - (c) a permanent external assembly containing adjustable or fixed screens with a maximum transparency of 25%.

### Community Management Statement

17. Any proposed Community Management Statement required for the development pursuant to the *Body Corporate and Community Management Act 1997* must be submitted to council for approval at the same time as submission of the building format plan (or similar) for approval.
18. All clauses and by-laws of the proposed Community Management Statement must accord with the requirements of this development approval and, in particular, must include the following additional clauses:
  - (a) parking within the development site must:
    - (i) remain available at all times;
    - (ii) not be converted for any other use (such as storage); and
    - (iii) for visitors, be accessible at all times;
  - (b) the Body Corporate is responsible for all landscaping at ground level.

### Infrastructure Agreements

19. The applicant must comply with all relevant requirements of Voluntary Infrastructure Agreement No 1 for Wises Farm Mixed Use Development & Voluntary Infrastructure Agreement No 2 for Wises Farm Mixed Use Development.

## ENGINEERING

### External Works

20. Somerton Drive must be upgraded for the length of its frontage to the subject site, as described below. The works must be undertaken in accordance with an operational works approval and, unless otherwise agreed with council, must include in particular:
  - (a) construction of 10 x 2.3m wide indented on-street parking bays in accordance with AS2890 to the development side only;
  - (b) removal of the existing property access and reinstatement of the kerb, footpath and verge area to match the balance of the site frontage, including the provision of topsoil and turf where the existing verge is grassed;
  - (c) installation of Rate 3 LED street lighting to P4 Standard (if existing lighting is inadequate).

21. Sunshine Cove Way must be upgraded for the length of its frontage to the subject site, as described below. The works must be undertaken in accordance with an operational works approval and, unless otherwise agreed with council, must include in particular:
  - (a) provide a reinforced concrete slab suitable for the future bus shelter. The minimum width between the edge of the existing footpath and the proposed property boundary is to be 2.5m (this may require designation of additional road reserve in this location);
  - (b) the slab dimensions and specifications are to be in accordance with the *Queensland Transport* standard drawings;
  - (c) provide capped power conduit to the slab location for future electrical connection.

#### **Property Access and Driveways**

22. A sealed access driveway must be provided from Somerton Drive 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 IPWEA standard drawing RSD-102 (RS-051) Type B access;
  - (b) truncation of existing paths in the verge for the driveway construction, including any additional extents of reconstruction to provide a smooth pathway transition;
  - (c) provision of safe pedestrian sight triangle truncations to features adjacent to the exit driveway;
  - (d) a driveway width of 10m at the kerb invert, extending into the property to provide vehicle queuing and passing;
  - (e) suitable safety measures, including warning signage, to improve driver awareness of pedestrians and enhance pedestrian safety. Warning signage must be provided near the exit ramp from the underground parking area to warn motorists of pedestrian movement along the frontage street.

#### **On-site Parking**

23. A minimum of 184 car parking spaces must be provided and marked on the site. The works must be undertaken in accordance with an operational works approval and must include in particular:
  - (a) a minimum of 29 visitor parking spaces within the total, which are clearly marked for that purpose and accessible at all times for visitor use;
  - (b) provision of vandal resistant public lighting with intensities to satisfy the requirements of *AS 1158 – Lighting for roads and public spaces*;
  - (c) two (2) parking spaces for people with disabilities must satisfy the current requirements of the *National Construction Code*;
  - (d) dimensions, crossfalls and gradients in accordance with *AS 2890 - Parking facilities*.
24. All on-site parking areas and access driveways must be maintained exclusively for vehicle parking and manoeuvring and kept in a tidy and safe condition at all times.

25. Prior to the issue of any development permit for operational works for this development, building plans (including sections) showing any beams, services or other obstructions on ceilings where parking or manoeuvring is proposed, must be submitted to council demonstrating a minimum height clearance in accordance with AS 2890.
26. Where access to the car park is proposed to be restricted by a security gate, provision must be made for queuing of vehicles clear of the roadway while waiting for the security gate to open.
27. Where access to visitor parking is proposed to be restricted by a security gate, provision must be made for intercom access (or other entry methodology), which can be operated with vehicles queued clear of the roadway while waiting for the security gate to open. Provision must also be made for vehicles to exit the site in a forward direction if entry through the security gate is prohibited.
28. Signage must be provided to direct visitors to the visitor car parking spaces provided on site.

#### **Service Vehicles**

29. Service vehicle parking, manoeuvring and standing spaces must be provided on the site. The works must be undertaken in accordance with an operational works approval and AS 2890.2 - *Off-street commercial vehicle facilities* and must include in particular:
  - (a) a minimum one (1) Van space;
  - (b) a minimum one (1) Medium Rigid Vehicle space (Type A - Access);
  - (c) a minimum one (1) Waste Collection Vehicle space.

#### **Pedestrian and Bicycle Facilities**

30. Pedestrian and bicycle facilities must be provided for the development, as required below. The works must be undertaken in accordance with an operational works approval and, unless otherwise agreed with council, must include in particular:
  - (a) a minimum 1.8m wide footpath within the road verge for the entire length of the site's frontage to Somerton Drive, including pram crossings at the intersection;
  - (b) adequate separation of all specific pedestrian routes from vehicle access and manoeuvring areas, and clear demarcation by pavement marking, signposts or changes in surface materials or levels;
  - (c) signage and lighting at strategic locations to direct people to buildings;
  - (d) a minimum of 145 x Class 1 or 3 residential bicycle parking spaces, in accordance with AS 2890.3 – *Bicycle parking*;
  - (e) a minimum of 32 x Class 3 visitor bicycle parking spaces, in accordance with AS 2890.3 – *Bicycle parking*.

### Utility Services

31. Underground reticulated electricity must be provided to the development site 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.
32. An underground telecommunications service\* must be provided to the development site in accordance with the requirements of the service provider.  
*\*(Refer to Advisory Note)*
33. Where a pad-mound electrical supply is required for the development, any redundant electrical pillars within the frontage of the site, must be removed, and the ground surface reinstated to match the required streetscape treatment for that locality.
34. Fire hydrants must be supplied at accessible locations as necessary to achieve the Liveable Communities benchmarks of the *State Planning Policy*.
35. Certification must be submitted to council from all relevant service providers which certifies that the development has met the requirements of development approval and all applicable legislation at the time of construction.
36. If agreed to by the grantee and the Energex, the existing pad-mount transformer is to be relocated generally in accordance with the approved plans, and all costs associated with the relocation is to be at the developers expense. The existing easement must be extinguished, and all services relocated (sewer, electrical and stormwater).

### Easements

37. 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.
38. 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.
39. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.

### Road Reserve Dedication

40. The land area required for the bus shelter slab in Sunshine Cove Way must be dedicated as road reserve at no cost to council.

### Earthworks

41. 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.
42. Where the development involves excavation or filling over, or adjacent to drainage infrastructure access chamber surface levels must be adjusted to provide a freeboard of 100mm above the finished ground surface level.
43. 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 on public roadways, vehicle barriers must be designed in accordance with *Austroads* and the *DTMR* design guidelines;
  - (b) where located adjacent to vehicle manoeuvring areas, vehicle barriers must be designed in accordance with *AS 2890.1 – Off-street Parking*;
  - (c) where located near publicly accessible paths, pedestrian and cycle barriers must be designed in accordance with *Austroads Guide to Road Design – Part 6A Paths for Walking and Cycling*;
  - (d) 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*;
  - (e) all barriers must be certified to the appropriate load conditions from *AS 1170 – Structural Design Actions* by either the manufacturer or engineering calculations.

## HYDRAULICS & WATER QUALITY

### Stormwater Drainage

44. 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 Section 8 of the Engineering Report listed in this development approval;
  - (b) collection and discharge of stormwater to the piped drainage system in Sunrise Drive and Sunshine Cove Way; and
  - (c) the use of gravity stormwater drainage and not surcharge pits.

### Stormwater Quality Management

45. A stormwater quality treatment system must be provided for the development. The works must be undertaken in accordance with an operational works approval, and include stormwater quality treatment devices of a size and location generally in

accordance with those shown in Section 9 of the of the Engineering Report listed in this development approval, with the exception of the following:

- (a) bio-retention filter media depth increased to 0.7m where feasible.

- 46. Permanent educational signage\* must be erected to educate the residents of the development about the function of the bio-retention device(s). The dimensions, standard, presentation and location of the educational signage must be in accordance with an operational works approval.

\*(Refer to Advisory Note)

- 47. All stormwater quality treatment devices must be maintained in accordance with the *Water by Design (2012) – Maintaining Vegetated Stormwater Assets* (Version 1). A copy of this document must be retained on the site together with the approved Operational Works drawings for the stormwater quality treatment system and a detailed life cycle costing of the system attached as an addendum. Records of all maintenance activities undertaken must be kept and made available to council upon request.

#### **Flood Immunity**

- 48. The minimum floor level of all buildings constructed on the site must be in accordance with the Approved Plans. The minimum opening crest level of the basement ramp and the minimum crest level of all stairway exits from the basement must be 3.74m AHD. There must be no openings in the basement below a level of 3.74m AHD.

### **LANDSCAPE**

#### **Landscaping Works**

- 49. The development site must be landscaped. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
  - (a) the extent of landscape works shown on the approved plans;
  - (b) landscape areas, as demonstrated on approved plans, are to be co-ordinated and shown on all application material;
  - (c) landscaping, within the private property to all street frontages, exclusive of the access driveway and pedestrian access paths, generally uncompromised by infrastructure items must include a mix of tall and medium trees at approximately 6m centres, screening shrubs at approximately 1-1.5m centres and tufting grasses to ensure coverage of the bed at maturity to effectively screen any bin or utility storage areas and the like from the road frontage, designed such, that a minimum 30% of the built form will be screened/buffered at maturity;
  - (d) any architectural features of the built form which presents as portions of solid walls, must be screened with in ground landscaping at maturity utilising tall columnar landscape feature trees, particularly at corner locations to provide vertical relief;
  - (e) all internal pedestrian paths, ramps, including any undercroft, which runs parallel to the built form must be screened with landscaping when viewed from any roadway or public open space;

- (f) Water Sensitive Urban Design (WSUD) principles are to be adopted where bio-basins are required, these must be provided with a minimum 700mm filter media depth for the provision of trees and vegetated batters no greater than 1:4, where located alongside property boundaries adjoining pedestrian footpaths, and 1:3 on internal property edges to ensure they make a contribution to the landscape frontage strip;
  - (g) demonstrate that services, e.g. underground tanks, stormwater pipes, water services, electrical, and sewer are not compromising landscape provisions and are generally located under hardstand areas or are aligned to outer edges, so that the deep planting areas are not prejudiced from being able to support the growth of trees;
  - (h) provide details of any proposed fencing of critical infrastructure, which must be permeable and located a minimum of 2m from any property boundary to ensure integration with the frontage landscape strip;
  - (i) existing street tree(s) within the road reserve must be assessed by a qualified person\* and be retained and protected where possible. Any existing tree which is not deemed as structurally sound or healthy is required to be replaced or remediated to ensure a sustainable streetscape landscape is achieved, this also includes the addition of new street trees or streetscape landscaping where space exists. These requirements must be demonstrated on plans submitted;
  - (j) the landscape treatment to the frontage of Amity Avenue must be extended to include the road reserve between the property boundary and the footpath with a low maintenance coastal planting palette consisting of shrubs and tufting grasses which can be easily maintained;
  - (k) provide details of all podium planters, including species, depth, width, extent, and specifications for growing media which must include the following:
    - (i) podium planters are to be provided with the required soil depth to support the growth of the intended vegetation which must include small to medium shade trees;
    - (ii) all podium planters are to be specified with a high quality podium mix, guaranteed for a minimum 10 years without replacement (provision of warranty is to be provided as part of the Operational Works Landscaping) e.g. Fytogreen Hydrocell 40 or equivalent performance;
    - (iii) provision of an automatic irrigation system to all landscape areas including podium planters on private property connected to a common property supply point and utilising harvested water from site;
    - (iv) dense planting to the podium planters including use of vertical monocot species for screening and buffering;
    - (v) all species are to be selected for coastal hardiness.
50. 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, sustained and vigorous plant growth. All plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.

*NB: A detailed landscape plan is required for any future operational works application.*

*\*(Refer to Advisory Note)*



## ENVIRONMENT

### Waste Management

51. Refuse storage, removal and collection facilities must be provided in accordance with the Approved Plans and the following:
  - (a) provision of a minimum bulk bin\* volume of 120L for general waste and 120L recyclable waste for each dwelling unit;
  - (b) servicing of 1100L low noise bulk bins only for general and recyclable waste;
  - (c) collection by service vehicles from within the site only in a safe, efficient and unobstructed manner. Where any obstruction or obstruction to waste collection vehicles, facilities and/or storage areas result in unsafe, inefficient or obstructed servicing as determined by council, the obstruction or obstruction must be removed or rectified;
  - (d) maintain continued responsibility by the body corporate, or the equivalent site management entity, to present bulk bins at the temporary storage area on waste collection day;
  - (e) an at-grade movement path between the temporary storage area and the access driveway, i.e. no steps, edging, ledges or the like, such that bins can be manually handled to the Waste Collection Vehicle (WCV) for servicing;
  - (f) provision of a readily accessible wash-down area in the vicinity of the permanent bin storage area fitted with a hosecock, bin roll over bund, and drain connected to the sewer that has a stormwater catchment area of no more than 1m<sup>2</sup>;
  - (g) provision of general and recyclable waste chutes located above each basement waste storage room, connected to each floor of the buildings for the disposal of waste. The waste chutes must be:
    - (i) vertical and cylindrical with a minimum diameter of 450mm;
    - (ii) constructed of non-corrosive, smooth, impervious and noise-dampening materials;
    - (iii) contained within fire rated shafts;
    - (iv) constructed to finish at least 25mm below the ceiling level of the collection room and not more than 300mm above the height of the waste containers;
    - (v) ventilated without causing odour within the building;
    - (vi) fly and vermin proof;
    - (vii) fitted with maintenance access and cleaning appliances;
    - (viii) fitted with self-closing hoppers on each level located between 1m and 1.5m above the floor level, and with wall and floor surfaces around the hopper of an impervious easy to clean material,;
  - (h) provision of a waste rooms at the bottom of the waste chutes for the collection and permanent storage location of general recyclable waste. The waste rooms must be:
    - (i) constructed of fire rated, impervious and smooth materials to all walls, floors, doors and junctions;
    - (ii) constructed with access doors sized to permit unobstructed entry and exit of the bulk bins\*;
    - (iii) fly and vermin proof;

- (iv) fitted with a lock capable of being opened from the inside without a key at any time;
- (v) refrigerated or otherwise ventilated to reduce odour;
- (vi) co-located with a hosecock and drain connected to the sewer.  
\*(Refer to Advisory Note)
- (i) provision of an on-site tow vehicle or other mechanical means to haul bulk bins from the basement refuse storage area to the temporary collection embayment located at street level.

52. Certification must be submitted to council from a qualified person\* which certifies that all waste chutes and waste rooms have been constructed in accordance with the requirements of this development approval.  
\*(Refer to Advisory Note)

#### Acid Sulfate Soils

53. An amended acid sulfate soils investigation must be undertaken in accordance with council's *Code for Assessment and Management of Acid Sulfate Soils*. Where the investigation identifies acid sulfate soils that require management as a result of excavation for the basement and/or rainwater storage tanks, then all works must be carried out in accordance with an acid sulfate soil and groundwater management plan (or part thereof) prepared by a qualified person\* and endorsed through an operational works approval. The amended report is to reflect the new depth of the basement excavation.  
\*(Refer to Advisory Note).
54. All waters, including stormwater runoff, groundwater seepage and leachate from acid sulfate soils must achieve the following quality prior to release from the site:
- (a) a pH range of 6.5-8.5 pH units;
  - (b) 50mg/L maximum total suspended solids concentration;
  - (c) 0.3mg/L maximum total iron concentration;
  - (d) 0.2mg/L maximum total aluminium concentration;
  - (e) no visible plume at either the point of release from the site or within a waterway.
55. A Dewatering Management Plan (DMP) must be developed by a qualified person\* and implemented on site during the operational works phase of the development. Where groundwater is released to waters, the DMP must include the criteria required by the above condition, and propose an effective treatment train such that the above release criteria is achieved prior to release. The earthworks construction method utilised must be such that the amount of dewatering for the excavation is minimised.  
\*(Refer to Advisory Note)
56. During the Operational Works phase, where groundwater is released to the environment, weekly verification sampling and testing for compliance with the above criteria, must be undertaken at a NATA accredited laboratory, and results provided to council on a fortnightly basis.

57. The basement must be designed, constructed and maintained as a completely sealed, waterproof, and groundwater excluding structure\*. It must be fully tanked and contain a waterproofing system (e.g. waterproof membrane system) to prevent all groundwater infiltration, and be able to withstand full hydrostatic pressure with no permanent or post-construction sub-surface drainage. Certification must be submitted to council from a qualified person\* which certifies that the basement structure has been constructed in accordance with this condition of approval. *\*(Refer to Advisory Note)*
58. In the event that groundwater infiltrates into the basement structure post construction, it must only be, either:
  - (a) lawfully discharged to sewer in accordance with Unitywater's Trade Waste Policy; or
  - (b) removed offsite by a licensed regulated waste transporter.
59. All treated material must undergo verification testing at the rate of one sample per 250m<sup>3</sup> throughout the duration of the excavation phase of the development. The verification testing must be undertaken by a qualified person\* using the SPOCAS or Chromium Reducible Sulphur testing suite, and the results for each sample must be submitted to council.  
*\*(Refer to Advisory Note)*

#### **Erosion and Sediment Control**

60. An erosion and sediment control (ESC) and a dewatering pre-construction inspection must be organised with council prior to the commencement of any on site works. The applicant must organise for the principal contractor, and the ESC specialist who will provide ESC certification to attend the meeting.
61. An erosion and sediment control plan must be prepared by a qualified person\* and be implemented onsite. The erosion and sediment control plan must be kept on site at all times and be provided to council on request.  
*\*(Refer Advisory Note)*
62. During construction of the development, the applicant/principal contractor must minimise on-site erosion and the release of sediment or sediment-laden stormwater from the site at all times and implement the industry best practice standards for erosion and sediment control, as per International Erosion Control Association Best Practice Erosion Sediment Control (IECA BPESC), including but not limited to:
  - (a) drainage control measures must be implemented and maintained to minimize water flow across areas of exposed earth;
  - (b) erosion and sediment control measures must be implemented and maintained to prevent soil loss from earth disturbance areas and prevent deposition beyond earth disturbance areas; and
  - (c) no release of contaminants to land beyond onsite area of earth disturbance, unless all reasonable and practicable measures have been implemented, as per the IECA BPESC guidelines.

This condition applies from the time land disturbance first occurs until all exposed soils areas are permanently stabilised against erosion, for all works associated with this development permit.

#### Acoustic Environment

63. Unless varied by a condition(s) of this development approval, acoustic measures and treatments must be incorporated into the development generally in accordance with Section 9 of the Acoustic Report listed within this development approval.
64. Certification must be submitted to council from a qualified person\* that the development has been constructed in accordance with the Acoustic Report and Acoustic Amenity conditions of this development approval.  
*\*(Refer to Advisory Note)*
65. Certification, based on operational noise compliance testing must be submitted to council from a qualified person\* that all mechanical plant and equipment noise complies with the noise criteria listed within Section 6 of the Acoustic Report. Certification must include a report prepared by a qualified person\* which includes operational noise compliance verification testing results, and specify the location, type and operating scenario of all mechanical plant and equipment included in the compliance testing. Certification is required prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of the approved use, whichever is first.  
*\*(Refer to Advisory Note)*

#### Lighting Devices

66. Lighting associated with the use must be designed, sited, installed and tested to comply with Tables 3.2 & 3.3 for Zone A3 of *AS/NZS 4282 - Control of the obtrusive effects of outdoor lighting*. This condition does not authorise Environmental Nuisance as defined under the *Environmental Protection Act 1994*.
67. Security lighting provided for the building entrance, external stairwells and ground level car parking areas must be designed to limit the duration of lighting within these areas through the use of sensors and timing devices. Security lighting must be recessed within the ceiling at each level and/or shielded to avoid light spill to neighbouring properties.
68. Under canopy lights and car park lighting must include shields to orientate light away from sensitive land uses at an appropriate angle to avoid direct line of sight to luminaires.
69. Certification must be submitted to council from a qualified person\* that all lighting devices comply with the requirements of this development approval.  
*\*(Refer to Advisory Note)*

**REFERRAL AGENCIES**

Not applicable.

**DEVELOPMENT PLANS**

The following development plans are Approved Plans for the development:

**Approved Plans**

Plan No.	Rev.	Plan Name	Date
290-DA-02	C	<i>Site Plan</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-03	E	<i>Basement Floor Plan</i> , prepared by Innovative Planning Solutions	01/05/2025
290-DA-04	C	<i>Floor Plan</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-05	C	<i>Level 2-4 Floor Plan</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-06	C	<i>Roof Plan</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-07	C	<i>North Elevation</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-08	C	<i>South Elevation</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-09	C	<i>East and West Elevations</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-10	C	<i>Section A</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-11	C	<i>Section B</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-12	C	<i>Section C</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-13	C	<i>Typical Unit Floor Plans - 3 and 2 Bedroom Dwellings</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-14	C	<i>Typical Unit Floor Plans - 4 and 2 Bedroom Dwellings</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-17	C	<i>1:500 Elevations</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-24	C	<i>Section S1</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-25	C	<i>Section S2</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-01	C	<i>Perspective View from Southwest</i> , prepared by Innovative Planning Solutions	05/02/2025

290-DA-18	C	<i>Perspective View from Southeast</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-19	C	<i>Elevated Perspective View from Southeast</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-20	C	<i>Perspective View to Vehicle Entry from Somerton Drive</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-21	C	<i>Perspective View from Eton Lane Walkway</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-22	C	<i>Perspective View from Sunshine Cove Way, to Eastern Break in Built Form</i> , prepared by Innovative Planning Solutions	05/02/2025
290-DA-23	C	<i>Perspective View to Pedestrian Access from Somerton Drive</i> , prepared by Innovative Planning Solutions	05/02/2025
ED 22106 MCU-01	E	<i>Landscape Concept Plan</i> , prepared by Element Design	14/08/2023
ED 22106 MCU-02	E	<i>Landscape Concept Plan</i> , prepared by Element Design	14/08/2023
ED 22106 MCU-03	E	<i>Landscape Concept Plan</i> , prepared by Element Design	14/08/2023
ED 22106 MCU-04	E	<i>Landscape Concept Plan</i> , prepared by Element Design	14/08/2023
ED 22106 MCU-05	E	<i>Landscape Concept Plan</i> , prepared by Element Design	14/08/2023
ED 22106 MCU-06	E	<i>Photo Montage</i> , prepared by Element Design	14/08/2023

#### REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

#### Referenced Documents

Document No.	Rev.	Document Name	Date
C6318/21/ENG-V3	V3	<i>Engineering Report</i> , prepared by Walsh Consulting Engineers ( <i>Note this report still references 128 Units</i> )	August 2024
2022183 R01C	R01C	<i>Acoustic Report, Proposed Residential Development, Part Lot 903 on SP327708, Sunrise Drive, Maroochydore</i> , prepared by Acoustic Works	30 June 2022

#### ADVISORY NOTES

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

### **Equitable Access and Facilities**

1. 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:
  - (a) the *Disability Discrimination Act 1992 (Commonwealth)*;
  - (b) the *Anti-Discrimination Act 1991 (Queensland)*;
  - (c) the *Disability (Access to Premises – Buildings) Standards*.

### **Aboriginal Cultural Heritage Act 2003**

2. 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 07 3247 6212 to discuss any obligations under the *ACH Act*.

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

3. Should the conditions of this development approval require easements or works to be undertaken over land external to the site, council recommends that easement 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**

4. 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**

5. 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**

6. This development permit may trigger a "Notice of Financial Contribution" to be issued in accordance with the Wises Farm Infrastructure Agreements No 1 and No 2 between Felix Hill Pty Ltd as trustee for the Sunshine Unit Trust, Peter Wises and David Mitchell Wise, Queensland Government Department of Main Roads and Maroochy Shire Council, executed as part of the Wises Farm Mixed Use Development Preliminary Approval.

#### **Development Compliance Inspection**

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

#### **Pre-Design Meeting Services**

8. Council offers a pre-design meeting service specifically for operational works applications. Applicants are encouraged to utilise this service prior to the submission of their operational works application to ensure that their application is not held up by avoidable design issues. It is anticipated that the pre-design meeting will ultimately assist in fast tracking the assessment of an operational works application once it is lodged with council as a result of design and application issues being resolved or substantially resolved prior to the application being submitted. For more information on this service or to book a pre-design meeting please visit council's website or contact (07) 5475 PLAN.

#### **Building and Construction Industry (Portable Long Service Leave) Levy ("Qleave")**

9. The QLeave levy must be paid prior to the issue of a Development Permit for Operational Works where required. Council will not be able to issue a development approval for operational works without receipt of details that the Levy has been paid. QLeave contact: 1800 803 491 (free call) or (07) 3212 6844.



### Co-ordination of Operational Works

10. Additional application fees apply to operational work applications where the different aspects of the works are lodged separately. Significant savings in application fees will result if all works are lodged in a single application.

### Preparation of a Preliminary Construction Management Plan

11. A preliminary construction management plan must be submitted with the Operational Works application and must address the following:
  - (a) traffic management during all aspects of the construction phase including:
    - (i) a traffic management control plan in accordance with the *Manual of Uniform Traffic Control Devices (MUTCD)* detailing all temporary signage and traffic control measures prior to construction;
    - (ii) maintenance of safe pedestrian access for the areas affected by the works during and after daily construction has ceased;
    - (iii) proposed fencing to the site during the construction phase of the development;
    - (iv) approval of the traffic management control plan by the *Department of Transport and Main Roads (TMR)* for any works on State-controlled roads;
    - (v) provision for worker car parking;
  - (b) maintenance and protection of water quality and existing drainage lines through the construction site, through the implementation of appropriate erosion and sediment control measures;
  - (c) works programme identifying key components of the works and their respective durations;
  - (d) establishment of a communication protocol with the general public, adjoining owners, emergency services and local businesses to advise of agreed construction times, impacts on traffic, services and other relevant issues;
  - (e) identification of complaint management procedures including:
    - (i) contact details for the on-site manager;
    - (ii) dispute resolution procedures;
  - (f) details on the location of external fill sites/sources, the haulage route, type of vehicle to be utilised during filling operations and frequency of usage. NOTE: any damage to the existing road system as a result of haulage operations shall be fully repaired at the applicant's expense.

It is acknowledged that the preliminary construction management plan will be a draft document requiring finalisation upon appointment of the principal contractor employed to construct the works and a final document will be required to be submitted at the pre-start meeting for the project.

### Bioretention Basin Educational Signage

12. Suggested wording for the permanent educational signage required by this development approval is as follows:

*"BIORETENTION BASIN - This bioretention basin reduces the pollution of our waterways by reducing the amount of heavy metals, litter, suspended solids, and nutrients discharged to (insert name of receiving waters)".*

#### Qualified Person

13. For the purpose of preparing a landscape plan, a qualified person is considered to be a landscape architect, landscape designer and/or horticulturist with a minimum of three (3) years current experience in the field of landscape design.
14. Undertaking, supervising tree works and preparing arboriculture certification, is considered to be a person with a minimum of five (5) years current experience in the field of arboriculture, including tree protection, hazard identification/mitigation and AS2303 certification (Tree Stock for Landscape Use) assessment and either:
  - (a) International Society of Arboriculture (ISA) certification; or
  - (b) AQF Level 5 (Diploma of Arboriculture).
15. For the purpose of certifying waste chute requirements for the development, a qualified person is considered to be either:
  - (a) a Registered Professional Engineer of Queensland (RPEQ);
  - (b) an environmental, waste management, or other consultant with a minimum of three (3) years current experience in the field of waste management.
16. For the purpose of certifying acoustic matters or treatments for the development, a qualified person is considered to be either:
  - (a) a Registered Professional Engineer of Queensland (RPEQ);
  - (b) an environmental consultant with a minimum of three (3) years current experience in the field of acoustics.
17. For the purpose of certifying lighting devices for the development, a qualified person is considered to be either:
  - (a) a Registered Professional Engineer of Queensland (RPEQ);
  - (b) an environmental or electrical design consultant with a minimum of three (3) years current experience in the field of outdoor lighting.
18. For the purpose of preparing an acid sulfate soil and dewatering management plan, a qualified person is considered to be either:
  - (a) a Registered Professional Engineer of Queensland (RPEQ); or
  - (b) a soil scientist with a minimum of five (5) years current experience in the field of acid sulfate soils.
19. For the purpose of certifying a sealed groundwater excluding basement structure, a qualified person is considered to be:
  - (a) a Registered Professional Engineer of Queensland (RPEQ).

20. For the purpose of preparing an Erosion and Sediment Control Plan for the development, a qualified person is considered to be either:
  - (a) a Registered Professional Engineer of Queensland (RPEQ);
  - (b) a Certified Professional in Erosion and Sediment Control with a minimum three (3) years' experience in the field of Erosion and Sediment Control.

#### **Groundwater Excluding Basement Structure**

21. Conditions of this approval require the basement structure to be constructed as a completely sealed groundwater excluding structure in accordance with an applicable standard e.g. *BS 8102:2022 Protection of Below Ground Structures Against Water Ingress - Code of Practice (Type A&B Structural Integrity with Grade 3 Watertightness)*, *AS 3735 - Concrete Structures for Retaining Liquids (excluding testing requirements under Section 7)*. Council is seeking to ensure that basements within acid sulfate soil areas, are not designed and constructed as a leaking structure, where groundwater regularly flows into the basement. Groundwater within acid sulfate soil prone areas are generally acidic and likely to contain high levels of metals in solution (e.g. iron, aluminium, manganese), in which any discharge to the stormwater system would likely constitute an offence under the *Environmental Protection Act 1994*.

#### **Noise – Fixed Plant and Equipment**

22. Mechanical Plant and Equipment includes air-conditioning and condenser units, basement exhaust systems and discharge units, pool filtration units, spa filtration and blower units, refrigeration or heating units, pumps and generators, kitchen exhaust and discharge units. For the building design and construction of the approved use, the direction of a qualified person (acoustic consultant) will ensure the installation of fixed plant and equipment is suitably located and/or shielded to avoid nuisance being caused to sensitive land use, both internal and external to the development site. It is not intended that this condition regulates noise from mechanical plant and equipment in perpetuity.

#### **Waste Management – On Property Servicing of Bulk Bins**

23. The conditions of this approval contain detailed requirements regarding waste management storage and collection areas. An "On-Property" collection service requires the refuse contractor to manually retrieve bins from within the property and return them after servicing occurs. Bulk bins are not permitted to be placed out on the road reserve for collection. Council is seeking to minimise existing long term problems associated with servicing of waste containers, specifically issues associated with visual amenity of bulk bins standing on road reserves, traffic issues, and Workplace Health & Safety considerations for the cleansing contractor with manual movement of bins. The purpose of the temporary bin storage embayment at the site frontage within the property boundary is to reflect:

- (a) the minimum requirements that must be achieved so as to conduct safe, efficient and unobstructed On-Property collection of bulk bins; and
- (b) the minimisation of Workplace Health & Safety issues associated with manual handling of bulk bins by the cleansing contractor.

#### **Waste Management – Bin Sizes**

- 24. Councils Waste and Resources Management Branch coordinates waste collection within the Sunshine Coast Council area, in conjunction with the appointed waste collection contractor. Waste collection services for residential developments are available, with varying bin sizes and service frequency to achieve safe, efficient and unobstructed servicing for the development. Please contact council's Waste and Resources Management Branch via the Customer Service Centre for further information regarding available bin sizes.

#### **Environmental Harm**

- 25. *The Environmental Protection Act 1994* requires that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Contact council or the Department of Environment & Heritage Protection for further information with respect to *Environmental Protection Act 1994* requirements.

#### **PROPERTY NOTES**

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

#### **MCU22/0111 - Benefited Area Levy**

Council has previously resolved to set a Benefited Area Levy for the higher than normal landscaping standard and level of service provided in Wise's Farm Mixed Use Development, prior to the release of the first stage of development "off maintenance".

All properties will be subject to a Benefited Area Levy for higher than normal landscaping standard. This levy is expected to be between 10% and 20% of the value of the general rate with the actual value being set by council annually based upon actual landscape costs.

#### **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 (Filling and Excavation)
- Development Permit for Operational Work (Engineering Work - Stormwater)
- Development Permit for Operational Work (Engineering Work - Roadwork)
- Development Permit for Operational Work (Engineering Work - Electrical)
- Development Permit for Operational Work (Engineering Work - Rate 3 Street Lighting)
- Development Permit for Operational Work (Engineering Work - Parking)
- Development Permit for Operational Work (Landscaping Work)
- Development Permit for Building Work

#### **SUBMISSIONS**

There were 85 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.





## DETAILED ASSESSMENT REPORT

### MATERIAL CHANGE OF USE OF PREMISES TO ESTABLISH MULTIPLE DWELLING UNITS (116 UNITS) MCU22/0111

[Link to Development.i - MCU22/0111](#)

APPLICATION SUMMARY	
<b>Division:</b>	8
<b>Applicant:</b>	Living Choice Australia Pty Ltd
<b>Consultant:</b>	Innovative Planning Solutions Pty Ltd
<b>Owner:</b>	Hacketts Inn Pty Ltd
<b>Proposal:</b>	Development Permit for Material Change of Use of Premises to establish Multiple Dwelling Units (116 Units)
<b>Properly Made Date:</b>	3 August 2022
<b>Street Address:</b>	Sunrise Drive, Maroochydore
<b>RP Description:</b>	Part of Lot 904 SP327717
<b>Assessment Type:</b>	Impact
<b>Number of Properly Made Submissions:</b>	A total of 100 submissions were received, of which 85 were determined to be 'properly made' in accordance with the <i>Planning Act 2016</i> . Of the 85 properly made submissions, 78 were against the original proposal, 3 were for the original proposal and 4 were neutral.
<b>State Referral Agencies:</b>	Not applicable
<b>Referred Internal Specialists:</b>	<ul style="list-style-type: none"> <li>• Urban Designer</li> <li>• Development Engineer</li> <li>• Hydraulics and Water Quality Specialist</li> <li>• Landscape Officer</li> <li>• Environment Officer</li> </ul>
STATUTORY DETAILS	
<b>Planning Scheme:</b>	<i>Maroochy Plan 2000</i> (21 January 2005) (Wises Farm Preliminary Approval applies to the land)
<b>SEQRP Designation:</b>	Urban Footprint
<b>Strategic Framework Land Use Category:</b>	Urban
<b>Planning Area:</b>	No. 1 - Maroochydore

<b>Precinct:</b>	Precinct 6 – Wises Farm Central Medium/High Density Residential (Wises Farm Mixed Housing) under the Wises Farm Preliminary Approval Document
<b>Assessment Type:</b>	Impact

### PROPOSAL:

The applicant seeks a Development Permit for Material Change of Use of Premises to establish Multiple Dwelling Units (116 units) at Sunrise Drive, Maroochydore, described as Part of Lot 904 SP327717. It is noted that the original proposed development was to establish 128 units, and the applicant changed the application including a reduction in proposed yield and proposed maximum building height post-public notification in response to issues raised in submissions.

The proposal is Impact Assessable, as the development exceeds the density provisions (Dwelling Unit Factor Control and Plot Ratio Control) of the Wises Farm Preliminary Approval Document.

It is noted that the development also originally triggered impact assessment as the design exceeded the maximum height requirements of the Wises Farm Preliminary Approval Document (maximum height of 4 storeys (but not more than 15m). However, the proposed changed design now involves a development which would have a maximum height of 15m and four (4) storeys from natural ground level, which complies with the height requirement for the precinct. Furthermore, it is noted that the partially sunk semi-basement carpark now projects no more than 1m from natural ground level, so as not to represent an additional storey.

The proposal involves a split building with a shared semi-basement and podium level.

The following make-up of units is proposed:

- 8 x 1 bedroom units,
- 76 x 2 bedroom units,
- 28 x 3 bedroom units, and
- 4 x 4 bedroom units.

The following unit types are proposed:

- Studio (55.2m<sup>2</sup>), including an 11m<sup>2</sup> balcony,
- Common Two Bed (107.4m<sup>2</sup>), including a 16.1m<sup>2</sup> balcony,
- Common Three Bed (151.3m<sup>2</sup>), including a 25.1m<sup>2</sup> balcony,
- Small Two Bed (83.3m<sup>2</sup>), including an 11m<sup>2</sup> balcony, and
- Common Four Bed (292.1m<sup>2</sup>), including an 89.2m<sup>2</sup> balcony.



Each unit would have a balcony which achieves a minimum width of 2.4m and a minimum area of 11m<sup>2</sup>.

The design involves a large central open atrium which would have landscaped raised planters, artificial grass and seating available for residents and their guests for passive recreation.

A central communal outdoor recreation area is proposed which would comprise of a main pool, kids pool and barbeque. A recreation room is also located adjacent and north of the central communal outdoor area.

The architectural plans show that the minimum floor level of habitable floors is proposed at 4.5m Australian Height Datum. The floor level of the semi-basement carpark would be at 1.50m Australian Height Datum with the driveway entrance to the semi-basement at 3.74m Australian Height Datum.

A total of 184 car parking spaces is proposed comprising of 153 resident spaces and 31 visitor spaces (including 2 Persons with a Disability spaces). It is not proposed to place a gate internally or at the entrance to the carparking area and therefore visitor parking would always be accessible.

A total of 145 resident bicycle spaces and 32 visitor bicycle spaces is proposed within the semi-basement.

Pedestrian access to the development would be gained primarily from Somerton Drive, and from Sunshine Cove Way. Basement and fire access would be provided via Amity Avenue and Sunrise Drive. Three (3) lifts are provided across the development site (one at the western wing and two at the eastern wing).

A number of units at the podium level would have direct access to the external pedestrian network via their balconies, stairs and shared pedestrian pathways with the intention of reducing impacts on proposed landscaping which would surround the development.

Landscaping would be located around the perimeter of building as follows:

- 4.5m to 6m approximately wide along Sunshine Cove Way;
- 4.5m wide along Amity Avenue;
- 2m wide along Oaklands Lane;
- 3m wide along Somerton Drive; and
- approximate average of 4.7m wide along Sunrise Drive.

Landscaping would consist of deep soil area (21.2%), bio-retention basins (1.6%), and podium landscape (19.5%), with a total landscaped area of 42.3% of the site.

Vehicular access would be via a new 10m wide heavy-duty crossover and 10m wide driveway from Somerton Drive. This driveway would be able to accommodate a Van, Medium Rigid Vehicle (Type A Access) and Waste Collection Vehicle. One (1) visitor car parking space and a turn-around area is also located adjacent the vehicular entry point.

The semi-basement carpark would be screened by perimeter gardens and fixed louvre screens which would also allow for natural ventilation.

A pad-mount transformer would be located adjacent to the existing bio-retention basin north of the site.

Waste would be collected in the semi-basement within two (2) storage areas and transported to a temporary waste collection area at ground level adjacent Somerton Drive and the main vehicular access location for servicing.

Two (2) bio-retention basins are proposed within the Sunshine Cove Way frontage.

Acid sulfate soils would be treated during excavation of the semi-basement as required.

### Proposal Plans

Below is the series of proposal plans showing the basement parking and floor plans, typical unit floor plans, elevations, sections and perspectives depicting the development.

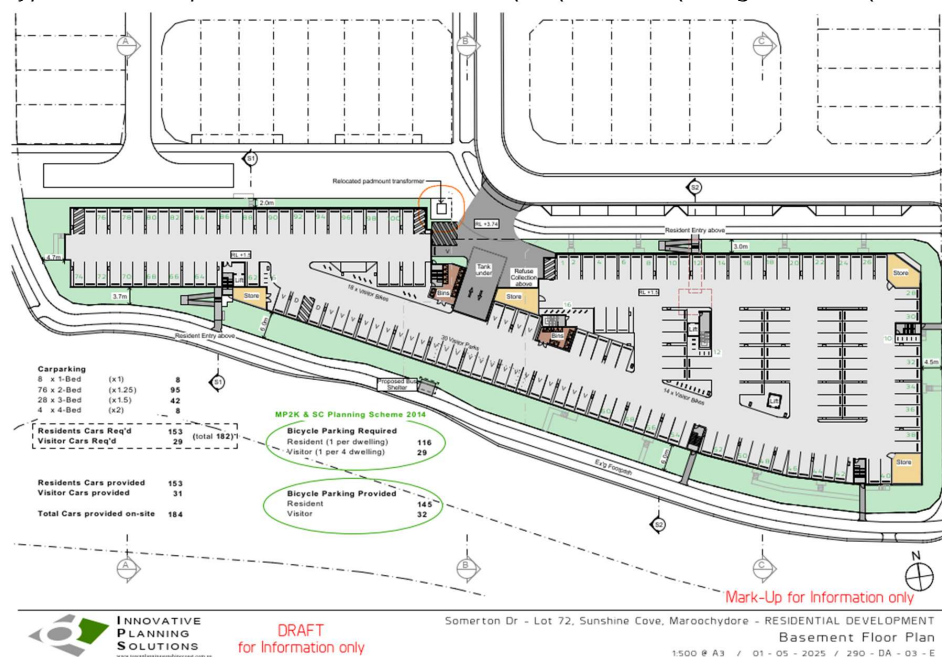


Figure 1 - Basement Floor Plan



Figure 2 - Floor Plan

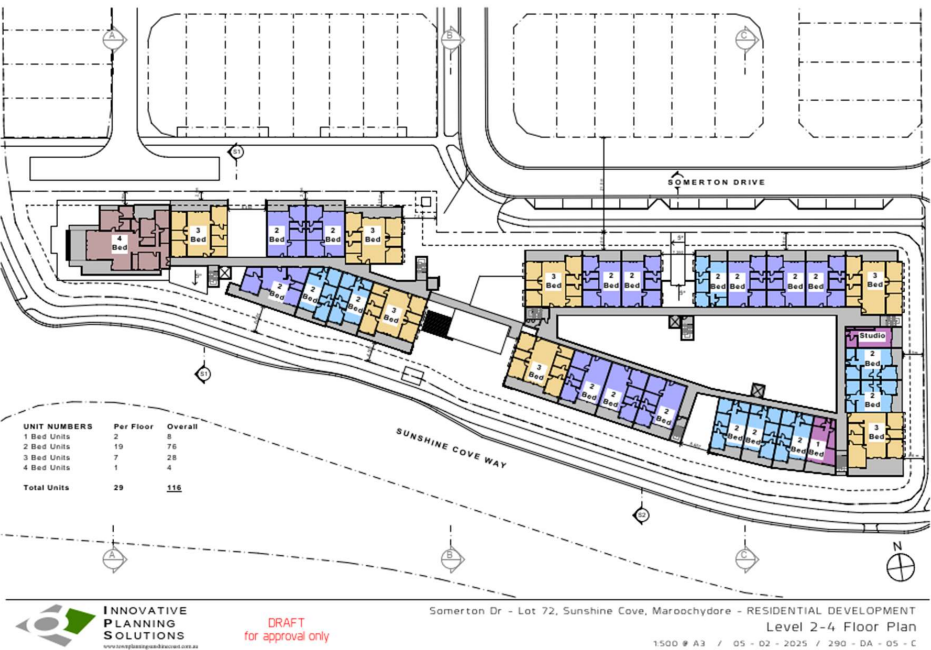


Figure 3 - Level 2-4 Floor Plan

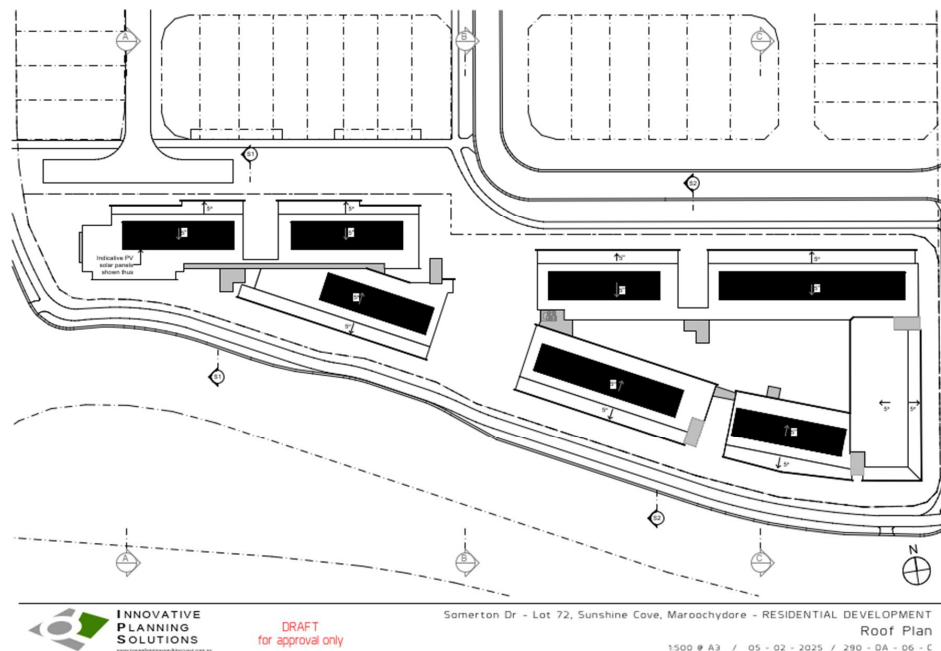


Figure 4 - Roof Plan

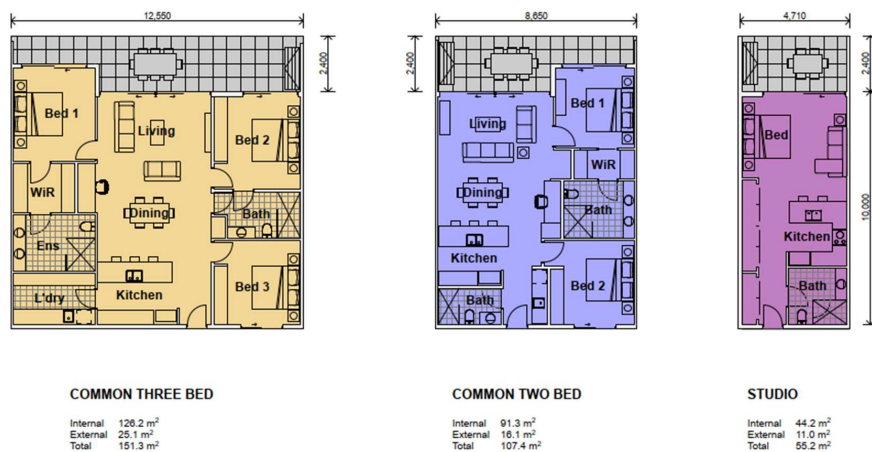
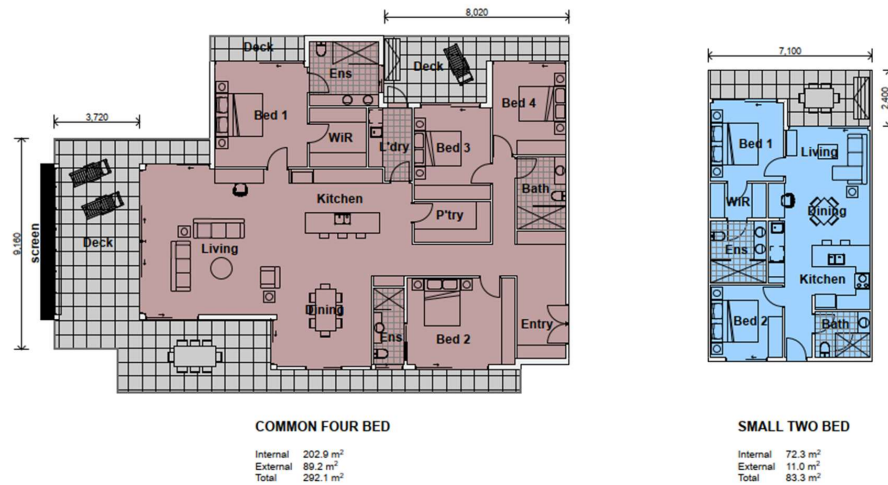


Figure 5 - Typical Unit Floor Plan for 1, 2 and 3 Bedroom Units



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Typical Unit Floor Plans - 4 and 2 Bedroom Dwellings  
1:100 # A3 / 05 - 02 - 2025 / 290 - DA - 16 - C

Figure 6 - Typical Unit Floor Plan for 2 and 4 Bedroom Units

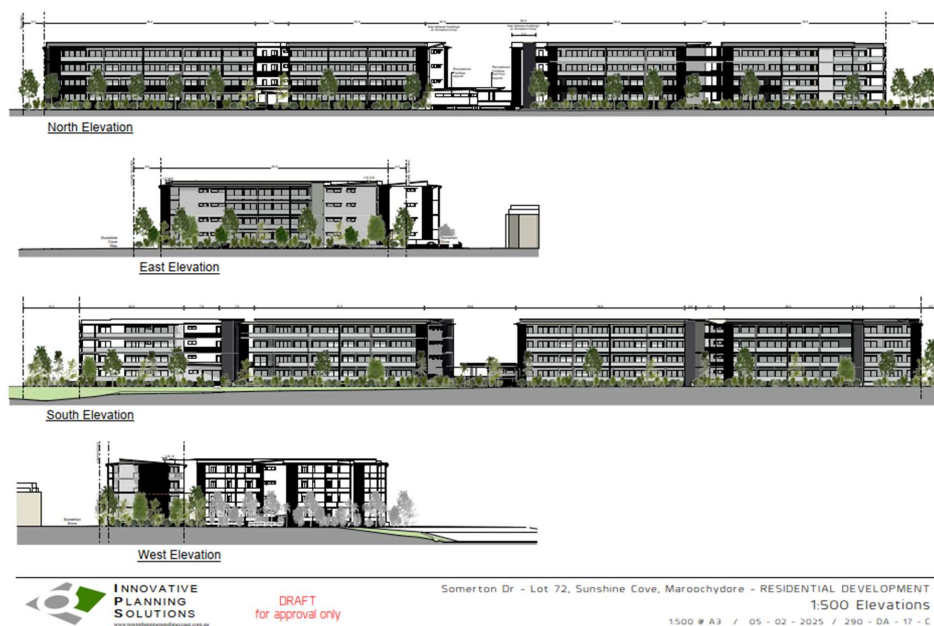
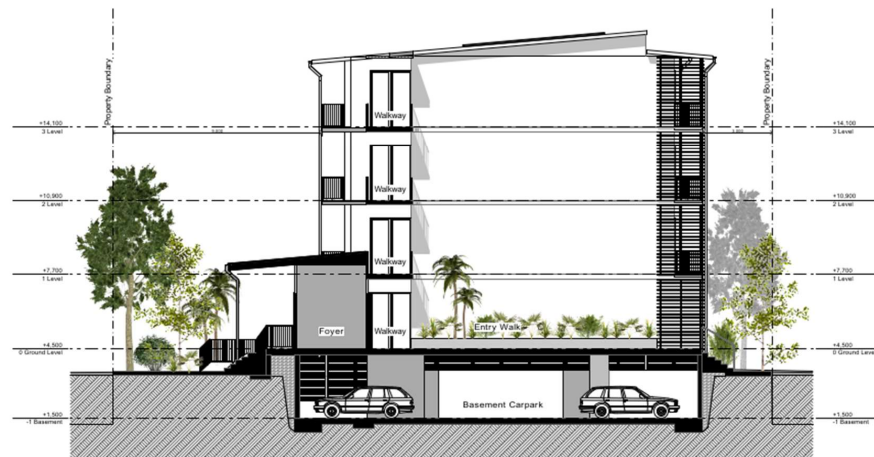


Figure 7 - Elevations





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Section S1  
1:100 @ A3 / 05 - 02 - 2025 / 290 - 0A - 2A - C

Figure 8 - Sections



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Section S2  
1:150 @ A3 / 05 - 02 - 2025 / 290 - 0A - 2A - C

Figure 9 - Sections



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Somerton Dr - Lot 72, Sunshine Cove, Maroochydore - RESIDENTIAL DEVELOPMENT  
Perspective View from southwest  
# A3 / 05 - 02 - 2025 / 290 - DA - 01 - C

Figure 10 - Perspective Views



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Somerton Dr - Lot 72, Sunshine Cove, Maroochydore - RESIDENTIAL DEVELOPMENT  
Perspective View from southeast  
# A3 / 05 - 02 - 2025 / 290 - DA - 18 - C

Figure 11 - Perspective Views



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Somerton Dr - Lot 72, Sunshine Cove, Maroochydore - RESIDENTIAL DEVELOPMENT  
Elevated Perspective View from southeast  
# A3 / 05 - 02 - 2025 / 290 - DA - 19 - C

Figure 12 - Perspective Views



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Somerton Dr - Lot 72, Sunshine Cove, Maroochydore - RESIDENTIAL DEVELOPMENT  
Perspective View to Vehicle Entry from Somerton Drive  
# A3 / 05 - 02 - 2025 / 290 - DA - 20 - C

Figure 13 - Perspective Views





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Somerton Dr - Lot 72, Sunshine Cove, Maroochydore - RESIDENTIAL DEVELOPMENT  
Perspective View from Eton Lane Walkway

# A3 / 05 - 02 - 2025 / 290 - DA - 21 - C

Figure 14 - Perspective Views



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Somerton Dr - Lot 72, Sunshine Cove, Maroochydore - RESIDENTIAL DEVELOPMENT  
Perspective View from Sunshine Cove Way, to eastern break in built form

# A3 / 05 - 02 - 2025 / 290 - DA - 22 - C

Figure 15 - Perspective Views



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Somerton Dr - Lot 72, Sunshine Cove, Maroochydore - RESIDENTIAL DEVELOPMENT  
Perspective View to Pedestrian Access from Somerton Drive  
# A3 / 05 - 02 - 2025 / 290 - DA - 23 - C

Figure 16 - Perspective Views

The following table describes the key development parameters for the proposal:

<b>MATERIAL CHANGE OF USE</b>	<b>DEVELOPMENT PARAMETERS</b>	
	<b>Design solution offered by the codes as an Acceptable Measure for achieving compliance</b>	<b>Proposed</b>
<b>Number of Units</b>	(see density / Dwelling Unit Factor)	116
<b>Building Height/Storeys</b>	Maximum height of 4 storeys and not more than 15m (from natural ground level)	4 storeys Maximum 15m from natural ground level
<b>Density</b>	The maximum allowed Dwelling Unit Factor is 81.78 based on an amalgamated lot area of 8,178m <sup>2</sup>	Equivalent Dwelling Unit Factor of 122.15
<b>Plot Ratio</b>	Maximum Plot Ratio control of 1	1.43

Setbacks	Setbacks stipulated by the Wises Farm Preliminary Approval Document and <i>Maroochy Plan 2000</i>		<u>Boundary Location</u>	<u>Proposed</u>
	<u>Boundary Location</u>	<u>Maroochy Plan 2000 (Acceptable Measure)</u>	Sunshine Cove Way	Basement - 3.7m- 4.5m  Podium - 4.5m (indented bus bay), otherwise 6m  Levels 2-4 - 4.5m (indented bus bay), otherwise 6m
	Sunshine Cove Way	6m (principal street frontage)	Somerton Drive	Basement - 3m  Podium - 3m to balcony  Levels 2-4 - 4m to balcony
	Somerton Drive	4.5m	Oaklands Lane	Basement - 2m  Podium - 2m to balcony and 3m to wall  Levels 2-4 - 2m to balcony and 3m to wall
	Oaklands Lane	4.5m	Amity Avenue	Basement - 4.5m  Podium - 4.6m (less window treatments)  Levels 2-4 - 4.5m (less window treatments)
	Amity Avenue	4.5m	Sunrise Drive	Basement - 4.7m  Podium - 7.3m to balcony
	Sunrise Drive	4.5m		

		Levels 2-4 - 7.3m to balcony
<b>Site Cover</b> (note this is not a specified development parameter)		<p>73.8% (including podium landscape)</p> <p>54.3% (excluding podium landscape)</p> <p>*Note: design changes to lower the basement and building has resulted in a ground level podium at a reduced height/elevation. The ground level podium is approximately 1m above site survey ground levels. The significance of this is that the site cover figure would typically include all buildings and structures, including basements, more than 1m above natural ground level.</p>
<b>Parking</b>	<ul style="list-style-type: none"> <li>• 8 x 1 bedroom units</li> <li>• 76 x 2 bedroom units</li> <li>• 28 x 3 bedroom units</li> <li>• 4 x 4 bedroom units</li> </ul> <p>1 x 8 (1 bedroom units) = 8</p> <p>1.25 x 76 (2 bedroom units) = 95</p> <p>1.75 x 32 (3+ bedroom units) = 56</p> <p>= 159 resident spaces required</p> <p>0.25 x 116 = 29 visitor spaces required</p> <p>Total required = 188 car parking spaces (159 resident and 29 visitor)</p> <p>116 resident bicycle spaces required (Class 1 or 3)</p> <p>29 visitor bicycle spaces required (Class 3)</p>	<p>Total proposed = 184 car parking spaces (153 resident spaces and 31 visitor spaces including 2 Persons With a Disability spaces)</p> <p>145 resident bicycle spaces</p> <p>32 visitor bicycle spaces</p>

<b>Landscaping</b>	30% of site	<p>Landscaping around perimeter of building - 4.5m to 6m approximately wide along Sunshine Cove Way, 4.5m wide along Amity Avenue, 2m wide along Oaklands Lane, 3m wide along Somerton Drive, approximate average of 4.7m wide along Sunrise Drive.</p> <p>Deep Soil Area - 21.2%                      Bio-basins – 1.6%                      Podium Landscape – 19.5%                      Total Landscaping = 42.2% of site</p>
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#### SITE DETAILS:

##### Site Features and Location

<b>SITE AND LOCALITY DESCRIPTION</b>	
<b>Land Area:</b>	8,178m <sup>2</sup>
<b>Existing Use of Land:</b>	Vacant land
<b>Road Frontage:</b>	<p>The site has road frontage to: Somerton Drive and Oaklands Lane (north); Sunshine Cove Way (south); Amity Avenue (east); and Sunrise Drive (west).</p> <p>The site also has a constructed central road pavement under private ownership known as Grosvenor Court.</p>
<b>Significant Site Features:</b>	<p>Energex pad-mount transformer</p> <p>Easement Z &amp; Y - water supply and sewerage</p>
<b>Topography:</b>	Predominantly flat
<b>Surrounding Land Uses:</b>	<p>Predominantly dwelling houses</p> <p>North - dwelling houses, Estia Health</p> <p>East - dwelling houses</p> <p>South - Wises Farm Lake, Sunshine Motorway</p> <p>West - dwelling houses</p>



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



Figure 17 - Locality Plan



Figure 18 - Aerial Plan

### Development History of Site

The following summarises the most relevant points in considering the history/background to the Wises Farm Preliminary Approval (MCU03/0039):

- the preliminary approval application to override the *Maroochy Plan 2000* (the planning scheme) was lodged with council on 26 February 2003;
- the council determined the application and issued a decision notice on 26 August 2004;
- council considered a request for a negotiated decision and issued a negotiated decision notice on 31 August 2004;
- the preliminary approval took effect on 15 October 2004; and
- the approval included a Development Permit for Operational Works (bulk earthworks) associated with the lake system.

The approval is supported by two Voluntary Infrastructure Agreements to achieve certainty in delivering key pieces of regional infrastructure to service the Maroochydore Key Regional Centre, and to supply necessary urban infrastructure to service the Wises Farm development. In addition, these Agreements stipulate the required development contributions applicable for all development within the site (provided it is consistent with the preliminary approval).

Council approved a change to the preliminary approval (MCU03/0039.04) which:

- altered the location of the southern 1ha park,
- included minor changes to road alignments,
- included minor changes to precinct provisions, and

- revised provisions for annexed units.

A further change to the preliminary approval (MCU03/0039.05) was approved in July 2015 which removed the height limit in storeys specified for Precinct 1 (but maintained the height limit in metres).

#### Preliminary Approval Map Extracts



Figure 19 - Precinct Plan from Wises Farm Variation Approval (MCU03/0039)



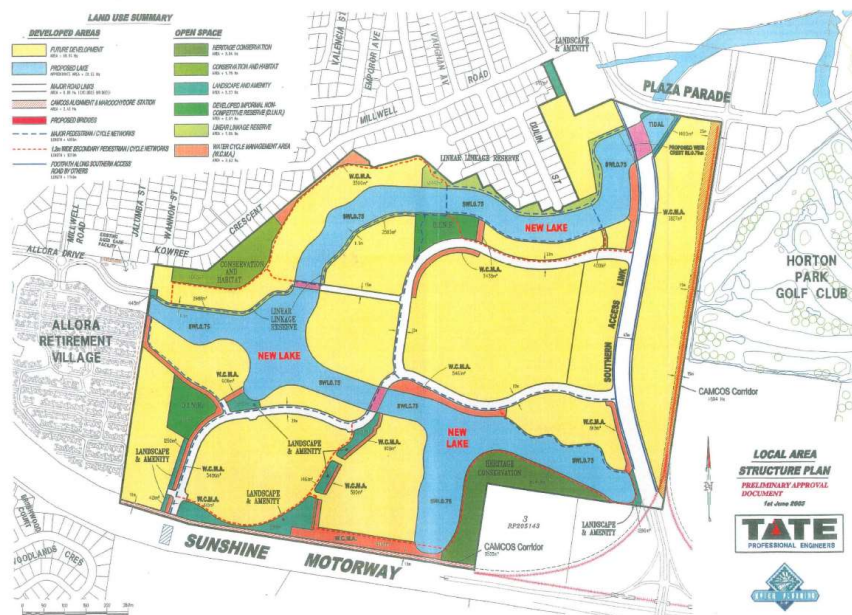


Figure 20 - Land Use Summary Plan from Wises Farm Variation Approval (MCU03/0039)

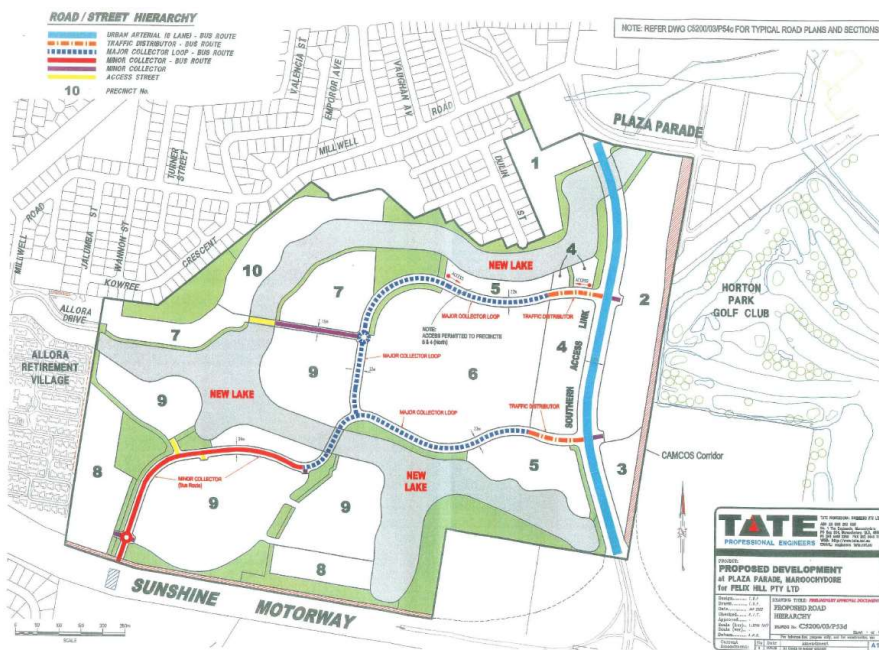


Figure 21 - Road/Street Hierarchy Plan from Wises Farm Variation Approval (MCU03/0039)

The parent subdivision approval (council Ref. REC17/0026) was issued on 2 November 2017 and took effect on 3 November 2017 following the issue of a Decision Notice. This approval was for the creation of 85 lots including 80 residential lots and 5 englobo lots. On 1 March 2021, council issued a Change to Development Approval (council Ref. REC17/0026.05) reducing the number of lots to 67 residential lots and 5 englobo lots. A number of further changes have also been approved.

The plans below show the building heights and lot layouts approved over the site and the lands to the north of the subject site.



Figure 22 -Building Heights approved under subdivision approval (REC17/0026)

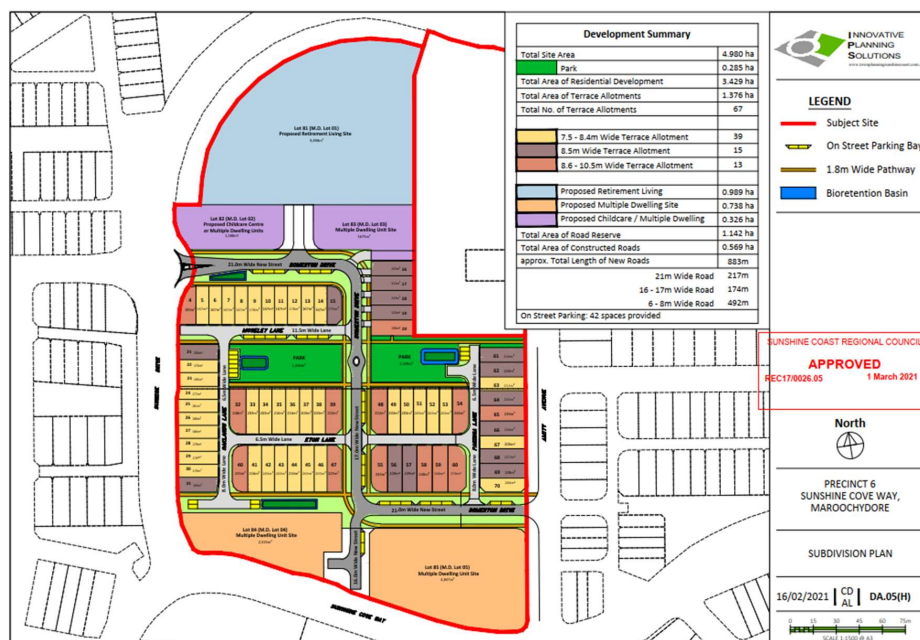


Figure 23 -Lot Layout Plan approved under subdivision approval (REC17/0026)

## 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 South East Queensland 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.

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

#### State Planning Policy, Part E

The assessment benchmarks of the State Planning Policy 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 applicable planning scheme for the application is *Maroochy Plan 2000* (21 January 2005). The following sections relate to the provisions of the Planning Scheme.

<b>PLANNING SCHEME DETAILS</b>	
<b>Planning Scheme:</b>	<i>Maroochy Plan 2000</i> (21 January 2005) (Wises Farm Preliminary Approval applies to the land)
<b>Strategic Framework Land Use Category:</b>	Urban
<b>Planning Area:</b>	No. 1 - Maroochydore
<b>Precinct:</b>	Precinct 6 – Wises Farm Central Medium/High Density Residential (Wises Farm Mixed Housing) under the Wises Farm Preliminary Approval Document
<b>Consistent/Inconsistent Use:</b>	Consistent (Impact application due to development exceeding density provisions of the Wises Farm Preliminary Approval Document. Initial design also exceeded maximum height requirements).
<b>Applicable Assessment Benchmarks:</b>	<ul style="list-style-type: none"> <li>• Entire <i>Maroochy Plan 2000</i></li> <li>• Wises Farm Preliminary Approval Document including the Wises Farm Code</li> </ul>

#### Strategic Framework

The Strategic Plan is an Assessment Benchmark for Impact Assessable applications. The application has been assessed against each of the relevant matters and found to be generally consistent with each matter.

#### Local Area Provisions

The subject site is located in the Planning Area No.1 Maroochydore, Precinct No. 10 – Low / Medium Residential with a Precinct Class of Master Planned Community.

The local area provisions are superseded by the Wises Farm Preliminary Approval that overrides the Planning Scheme.

The proposal has been assessed against the Wises Farm Preliminary Approval and is deemed to comply with the higher order intent provisions. However, the applicant is seeking a performance outcome, predominantly with respect to non-compliance with the design and form controls, specifically the Acceptable Measures relating to density - Plot Ratio and Dwelling Unit Factor.

#### Wises Farm Preliminary Approval (Preliminary Approval Overriding the Planning Scheme) & Applicable Maroochy Plan 2000 Codes (Planning Scheme)

#### Wises Farm Preliminary Approval (Master Planned Community)

The subject site forms part of the Wises Farm Master Planned Community. A preliminary approval sets up the framework of the overall master planned community, including the layout of the lakes system, dedication of development precincts and the designation of key infrastructure, i.e. roads, footpaths, lakes, stormwater and open space.

This approval changes the level of assessment for development within the preliminary approval area, in accordance with supplementary tables of assessment. The Wises Farm structure plan identifies 10 precincts intended for urban development. The subject site is located within Precinct 6 - Wises Farm Central Medium/High Density Residential (Wises Farm Mixed Housing).

The Intent for this precinct includes the following statement that is relevant to this proposal:

*"5.4 Medium density residential development will be encouraged. Traditional forms of detached housing on large separately titled residential allotments are discouraged. Rather a variety of medium to high density accommodation should be provided in environments that offer high amenity for existing and future residents".*

#### Landscape and Built Form

The landscape and built form statements which are of particular relevance include:

*"5.26 Development within the Precinct will be designed to incorporate the use of good quality materials with a high quality finish, including: wide eaves, verandas, balconies and breezeways. Where possible, verandas and balconies will be orientated to take advantage of*

*views to either the waterways, significant areas of vegetation, open spaces, the Buderim mountain, or the Town Centre”.*

*“5.29 Opportunities will be provided throughout the Precinct to walk or ride to the lake parks, or move along the major adjoining pedestrian and cycle links to the commercial Precincts within Wisers Farm, and the Town Centre Core. This should be encouraged by incorporating subdivision layouts and design that maximises the utilisation of these facilities”.*

#### Design and Form Controls

The Precinct 6 - Supplementary Table of Development Assessment (Assessment of Material Change of Use) establishes the level of assessment for the current application in conjunction with the precinct Design and Form Controls.

The design and form controls for this precinct anticipate density, plot ratio and height controls in accordance with the following extract:

- (a) Dwelling Unit Factor Controls - a maximum site area of 250m<sup>2</sup> per dwelling and a minimum 100m<sup>2</sup> per dwelling;
- (b) Plot Ratio Controls – the maximum plot ratio for all premises is 1.
- (c) Building Height Controls – Maximum height for all development of 4 storeys (but not more than 15m).

As the proposal does not meet the Dwelling Unit Factor and Plot Ratio Controls, the application is impact assessable.

#### Assessment against the Preliminary Approval Document (PAD)

The proposed multiple dwelling units are a preferred and consistent use within Precinct 6. The proposed use is also consistent with the higher order Reconfiguration of a lot approval (council Ref. REC17/0026), which nominates this subject site as a multiple dwelling unit site. Typically, multiple dwelling units are designated as code assessable in Precinct 6, where the development complies with all the design and form controls as listed above. This application was deemed impact assessable as the submitted application involved a development proposal that was initially over height, and exceeding the plot ratio and Dwelling Unit Factor controls.

While the development is generally consistent with the intent of the preliminary approval, the applicant is seeking a performance outcome, predominantly with respect to density - plot ratio and Dwelling Unit Factor.

Design and Form Controls of the Wises Farm Preliminary Approval Document including  
Building Height, Plot Ratio, Dwelling Unit Factor

### Building Height

The Wises Farm Preliminary Approval Document identifies the maximum building height for the subject site as 4 storeys (but not more than 15m) above natural ground level. The proposed development complies with this requirement, although it is noted that the initial design exceeded this requirement.

Building height was reduced in response to submissions to be within the 4 storey / 15m maximum height limit from ground level. To allow this, the semi-basement was lowered / further sunk into the ground. As a benefit of this, the height of the first level of dwellings is reduced, improving the streetscape outcome and reducing the visual impact of the semi-basement carpark screening on the streetscape. Additionally, the level changes allow for select units to have an individual front entry/footpath.

The below sun shadow diagrams demonstrate that there will be no significant shadowing impact arising from the amended proposal.

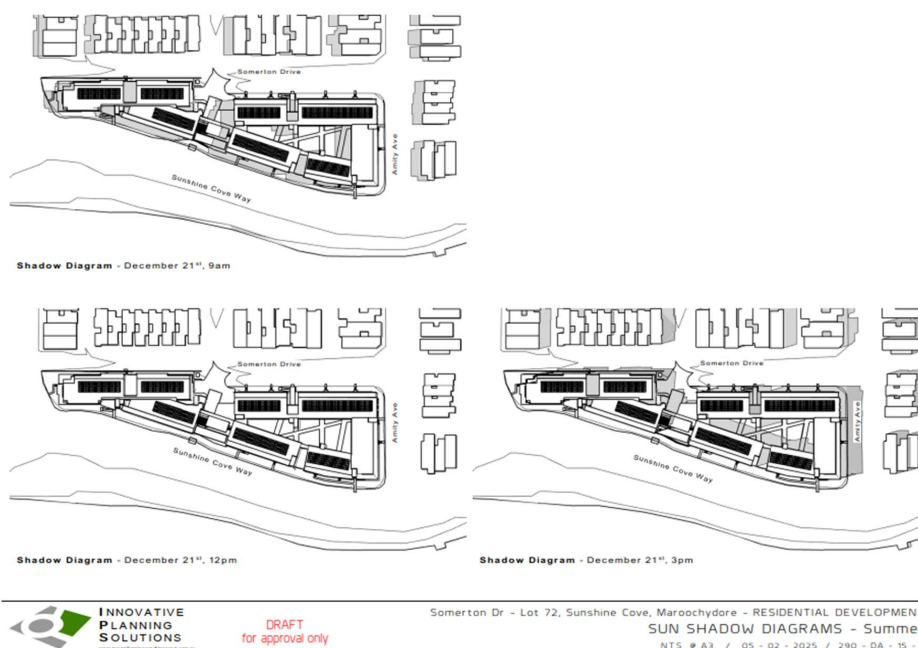


Figure 24 -Shadow Diagrams provided by applicant



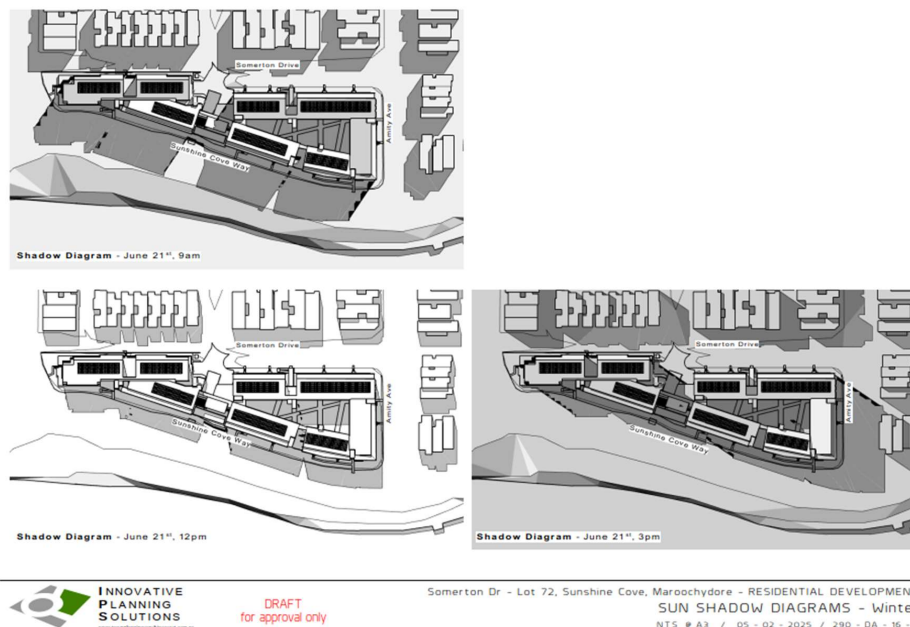


Figure 25 -Shadow Diagrams provided by applicant

### Plot Ratio & Dwelling Unit Factor

The definition of Plot Ratio in the *Maroochy Plan 2000* is as follows:

**“Plot ratio”** is the ratio between gross floor area of the building or buildings and the overall area of the lot or lots on which the building is, or the buildings are, sited”.

The development proposes a plot ratio of 1.43. The Precinct 6 - *Design and Form Controls* recommends as an Acceptable Measure a maximum plot ratio of 1.

The Wises Farm Preliminary Approval uses Dwelling Unit Factor preferred minimum and maximum densities for the precinct to determine a preferred density.

The definition of Dwelling Unit Factor in the *Maroochy Plan 2000* is as follows:

**“Dwelling unit factor” (DUF)** means the hypothetical maximum number of dwelling units that is considered desirable to be developed on a site. The DUF is calculated by dividing the area of the site (in square metres) by the applicable site area (in square metres) per dwelling unit specified for the precinct in which the site is located...”



The Precinct 6 - *Design and Form Controls* recommends as an Acceptable Measure a maximum DUF of 250m<sup>2</sup> per dwelling and minimum of 100m<sup>2</sup> per dwelling which equates to 81.78 equivalent dwelling units. The development proposes 122.15 equivalent dwelling units.

With respect to the above, the development does not comply with the preferred Plot Ratio and preferred Dwelling Unit Factor (i.e. Acceptable Measures) of the Wises Farm Code related to density.

Since the proposal does not comply with preferred Plot Ratio or Dwelling Unit Factor for the site, the development is required to be justified against Element 1, Performance Criteria P2 of the Wises Farm Code which states:

*"Buildings in any Precinct within Wises Farm shall generally accord the Stated Intent for each Precinct type and the Desired Precinct Character for each individual Precinct".*

In order to ensure the development complies with Element 1, Performance Criteria P2 of the Wises Farm Code, council has ensured that the overall built form and design, setbacks and landscaping achieves the Precinct 6 Intent and Landscape and Built Form Statements.

### **Building Design & Setbacks**

The proposed development is located on an unusually large allotment bordered by multiple roads.

Building length/separation - the length of building and massing has been improved by the reduction of building length, and increased separation between 45m lengths of buildings. Loss of some of the initially proposed units (i.e. a reduction in unit yield) has created space to allow for separation of unit forms into 'shorter' separate forms. Separation in building form allows space between units, provides opportunity for landscaping, views, breezes and promotes a lighter, more open building form suitable for the Sunshine Coast environment.

Variation in form, materials, colours and finishes - key changes to improve these design aspects have been made and include:

- schedule of materials and nominated finishes identify construction materials to understand final finishes and construction materials to deliver the proposed design;
- use of contrasting colour schemes, e.g. strategic use of lighter and darker colours, to provide depth and variation to the building appearance;
- articulated roof form and expressed eaves (early designs had a flat roof that did not reflect the Sunshine Coast subtropical design principles);
- permeability in mass to define and separate building forms (maximum approximately 45m façade length). Visually the length of façades are reduced, and

- vistas through the building are opened up. Additional benefits include improved airflow and a subtropical design response;
- permeability in material including lightweight and open materials such as batten screening shown on balconies;
  - permeability for pedestrians/residents including increased pedestrian permeability across the ground plane, and a number of private 'front door' stairways from ground floor units connecting to the street; and
  - distinctive roof form which relates to Sunshine Coast Subtropical design.

Roof form changes - the initial roof design was flat and did not address the distinctive Sunshine Coast & subtropical roof form requirements of the planning scheme. During later stages of assessment, the current roof form was proposed to further articulate the roof, present an eave for weather protection and in response to character, and work within the maximum 4 storey / 15m height limit provision.

### Setbacks

The required and proposed setbacks are summarised in the table below:

### **Setbacks stipulated by the Wises Farm Preliminary Approval Document and *Maroochy Plan 2000* vs Proposed**

<b><u>Boundary Location</u></b>	<b><u>Maroochy Plan 2000</u></b> <small>(Acceptable Measure)</small>	<b><u>Proposed</u></b>
Sunshine Cove Way	6m (principal street frontage)	Basement - 3.7m-4.5m  Podium - 4.5m (indented bus bay), otherwise 6m  Levels 2-4 - 4.5m (indented bus bay), otherwise 6m
Somerton Drive	4.5m	Basement - 3m  Podium - 3m to balcony  Levels 2-4 - 4m to balcony
Oaklands Lane	4.5m	Basement - 2m  Podium - 2m to balcony and 3m to wall  Levels 2-4 - 2m to balcony and 3m to wall
Amity Avenue	4.5m	Basement - 4.5m  Podium - 4.6m (less window treatments)

		Levels 2-4 - 4.5m (less window treatments)
Sunrise Drive	4.5m	Basement - 4.7m  Podium - 7.3m to balcony  Levels 2-4 - 7.3m to balcony

### **Visual Analysis Imagery**

A visual analysis has been undertaken of the proposed development. Below is the location and images as produced by the analysis.

<b>View</b>	<b>Location</b>
A	Bike path, looking north
B	Maroochy Boulevard looking north west
C	Dalton Drive intersection, looking west
D	Somerton Drive, looking south towards Buderim
E	Amity Avenue, looking south to site
F	Corner of Amity Avenue and Somerton Drive, looking west
G	Corner Sunshine Cove Way and Amity Avenue
H	Sunshine Cove Way, looking west
I	Sunshine Cove Way, looking north across pool area
J	Sunshine Cove Way, looking east to pool area
K	Sunshine Cove Way, looking north through building break
L	Sunshine Cove Way, looking east
M	Corner of Sunshine Cove Way and Sunrise Drive looking east
N	Sunrise Drive looking east across Oaklands Lane

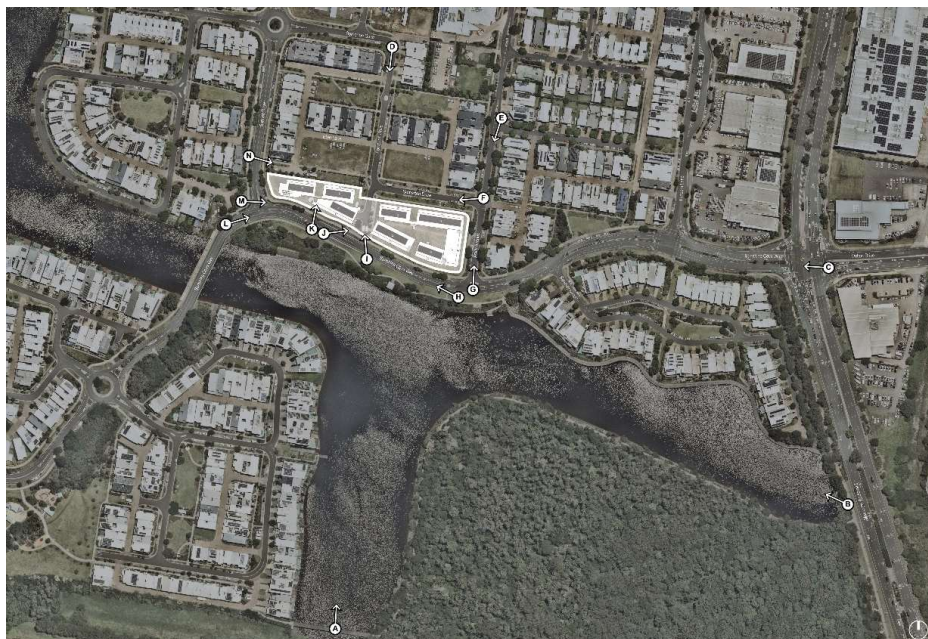


Figure 25 -Location Plan for Visual Analysis



A



B



Figure 26 -Visual Analysis Points A, B, C and D



Figure 27 -Visual Analysis Points E, F, G and H



Figure 28 -Visual Analysis Points I, J, K and L





Figure 29 - Visual Analysis Points M and N

The building envelope intrudes into the required setbacks on three (3) of the five (5) sides. Setbacks are considered important in order to achieve the anticipated precinct intent and the design and form controls, as well as a means to control the overall built form and massing of the development. Another important consideration in achieving the precinct intent objectives for Precinct 6, includes the adequate provision of landscaping to provide attractive tree lined streets, which sensitively integrate the natural and built environment.

Council's urban design specialist has assessed the subject development application and has advised that the proposed setbacks are suitable for each of the road frontages. The development has been placed into council's 3D model and reviewed to ensure that the development is appropriate based on its location and in the context of the surrounding area.

Council's urban design specialist has provided the following summary of the proposed development:

*"Key changes to the building design include: reduction in building height to within the 15m height limit, reduction in building length, removal of units to create breaks in the building form and reduced density and inclusion of a Sunshine Coast appropriate roof form. The design has seen a major reduction in site cover. The design has seen major setback improvements and allows for a generous setback buffer to all frontages.*

*At a finer scale, the design has been developed to include material and finish specification, with the addition of schedules that identify products and systems that the design is proposed to use. External building finishes and colours are identified, with the applicant choosing a contrasting colour scheme to assist in breaking up and distinguishing building form, to reduce the apparent length. Design changes to improve the resident pedestrian experience, and accessibility are also evident. Response to weather protection and Sunshine Coast design principles, can be seen in the roof form and eaves, use of window hoods and the arrangement of units on a single loaded corridor to maximise ventilation, and access to daylight.*

*The building form itself is an arrangement of single loaded units and takes a perimeter block form, essentially most units face outwards towards one of the site frontages and are connected internally via an external breezeway walkway. This is a preference of the developer and whilst it does appear as a lengthy façade, the design principles have merit, and the assessment provisions such as height and setbacks can be achieved. Given that the site is immediately adjacent and surrounded by streets, laneways or open space for stormwater infrastructure, and does not have a typical 'side, back, front' regular lot arrangement, it is understandable that the developer has chosen to treat most elevations as a 'frontage' where units have balconies that articulate the façade, and engage with the street and surrounds".*

A condition of approval requires the applicant to submit and nominate all materials, colours and finishes prior to building works commencing.

It is considered that the layout, scale, form and character of the proposed development will be in keeping with the desired character of the locality, and will contribute to making the adjacent streets more attractive, interesting and safe.

#### Private Open Space

The following unit types are proposed:

- Studio (55.2m<sup>2</sup>), including an 11m<sup>2</sup> balcony
- Common Two Bed (107.4m<sup>2</sup>), including a 16.1m<sup>2</sup> balcony
- Common Three Bed (151.3m<sup>2</sup>), including a 25.1m<sup>2</sup> balcony
- Small Two Bed (83.3m<sup>2</sup>), including an 11m<sup>2</sup> balcony
- Common Four Bed (292.1m<sup>2</sup>), including an 89.2m<sup>2</sup> balcony

Each unit would have a balcony which achieves a minimum width of 2.4m and a minimum area of 11m<sup>2</sup>. This is deemed acceptable for residents and their guests.

#### Communal Open Space

The design involves a large central open atrium which would have landscaped raised planters, artificial grass and seating available to all residents and guests for passive recreation.

A central communal outdoor recreation area is proposed which would comprise of a main pool, kids pool and barbeque. A recreation room is also located adjacent the central communal outdoor area.

The proposed communal open space areas are sufficient for residents and their guests.

### Pedestrian Connectivity

Although council officers encouraged the applicant to provide public pedestrian connectivity through the site, the applicant has advised that *"public pedestrian connectivity through the site is not viable or desirable due to level changes and the fact that existing safe road crossings (including to access the designated bus stop opposite) are located at the far southeast and southwest edges of the development site"*.

The site has a constructed central 'road pavement' and footpath which are still under private ownership known as Grosvenor Court. This area has not been titled/dedicated to date and it is no longer intended for this to occur, as historical balance lots (including two large englobo multiple dwelling lots) will instead be amalgamated to form the subject development site. The road pavement, footpath and existing services would be removed where required. The existing water and sewerage easements (Easements X & Y in favour of Unitywater) would be extinguished where required.

Whilst potentially desirable from a public permeability perspective, it is noted that the public pedestrian connection is not a requirement of the planning scheme or the Wises Farm Preliminary Approval. In addition, it is agreed that there may be safety implications with creating such a public connection in this location, which could then lead to (via line-of-sight) more people crossing centrally to the future bus stop on the southern side of Sunshine Cove Way as well as the lake pavilion, rather than using the established and safe island crossing refuge points at either end of the subject development site.

### **Landscaping**

The Wises Farm Code does not specify any quantitative measures relating to the landscaping outcomes for the site. However, the precinct intent does emphasise the role of landscaping for the site, as highlighted in section 5.27 of the code, which states:

*"Entry statements may be provided to the Precinct and, where proposed, should combine a number of elements including signage, walls, advanced and ornamental planting and possibly lighting and water. The ring road abutting the Precinct may have its own distinctive street trees which will be larger in size to those within the Precinct itself to reflect the different widths of the road systems and the actual physical space available for their planting growth."*

*Maroochy Plan 2000* requires the development provide a minimum of 30% landscaping to the site (A3 of the *Code for Multi-storey Residential Premises*).

Landscaping around the perimeter of the building is 2m wide or greater, 4.5m to 6m approximately wide along Sunshine Cove Way; 4.5m wide along Amity Avenue; 2m wide along Oaklands Lane; 3m wide along Somerton Drive; and approximate average of 4.7m wide along Sunrise Drive.



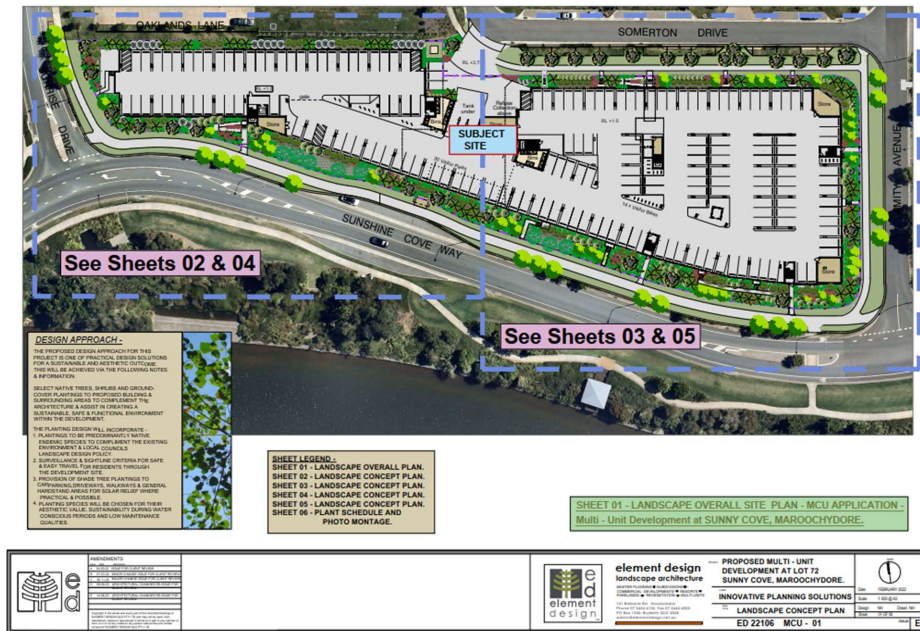


Figure 30 - Landscape Concept Plan

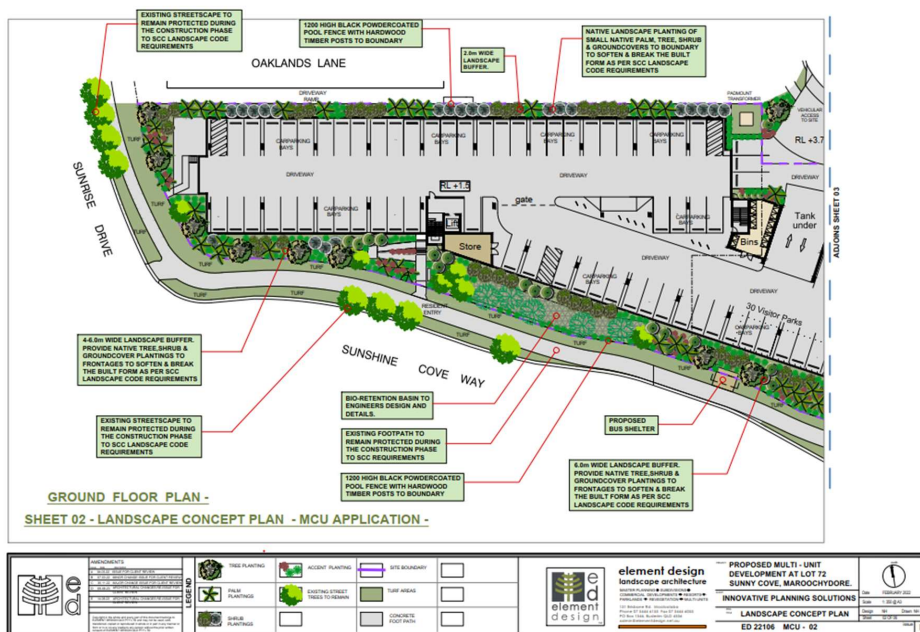


Figure 31 - Landscape Concept Plan







Figure 34 - Landscape Concept Plan

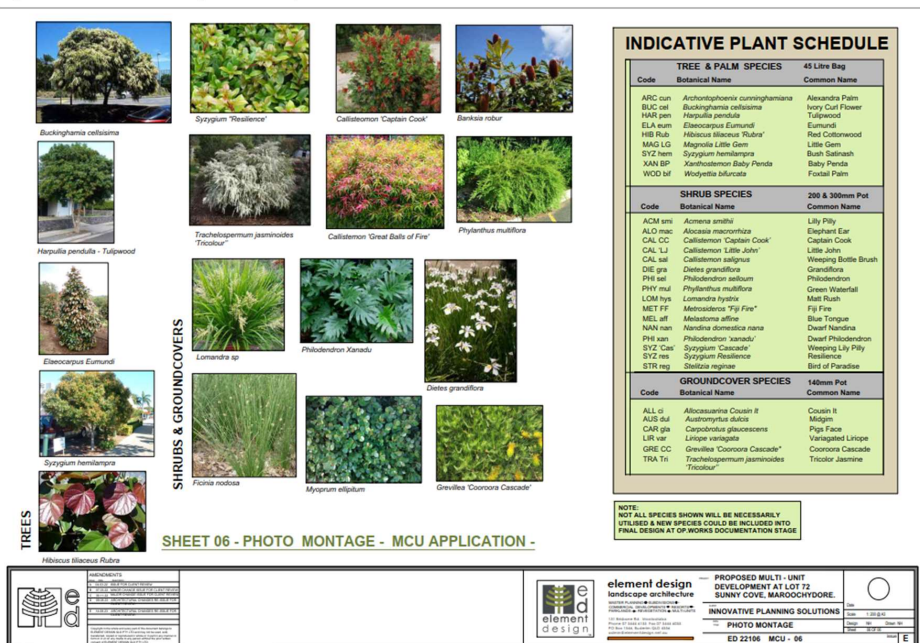


Figure 35 - Indicative Planting Schedule

With the inclusion of the existing street trees in the road reserve and the additional on-site plantings, the development is considered to achieve the desired landscape intent of the Wise Farm Code and *Maroochy Plan 2000*. It has been recommended as a condition of approval, that unless approved in writing by council, that there is to be no fences or walls located within these landscaped areas. It has also been conditioned that these areas must be maintained by the Body Corporate. The applicant has demonstrated that the development achieves: Deep Soil Area - 21.2%; Bio-basin – 1.6%; and Podium Landscape – 19.5% (Total Landscaping = 42.2% of the site).

### Parking

On-site residential and visitor parking will be provided within the semi- basement carpark.

A total of 184 car parking spaces is proposed comprising of 153 resident spaces and 31 visitor spaces (including 2 Persons with a Disability spaces). It is not proposed to place a gate internally or at the entrance to the carparking area and therefore visitor parking would always be accessible.

It is noted that the proposed development requires, as an Acceptable Measure, 188 car parking spaces (159 resident spaces and 29 visitor spaces).

A total of 29 visitor spaces has been conditioned, meaning that two (2) visitor spaces can become resident spaces (155 resident spaces). This leaves a shortfall of four (4) resident parking spaces based on the Acceptable Measure rates.

Although there is a shortfall of 4 spaces on-site, the development is conditioned to provide 10 additional on-street parking spaces on Somerton Drive, improving the existing parking options for the local community.

The applicant also undertook a comparison of car parking rates under the *Maroochy Plan 2000* and under the current *Sunshine Coast Planning Scheme 2014* and it was found that the proposed development would exceed the parking requirements under the *Sunshine Coast Planning Scheme 2014* rates (see table below):

<b><i>Maroochy Plan 2000</i> Parking Rates</b>	<b>Calculated Requirement</b>	<b><i>Sunshine Coast Planning Scheme 2014</i> Parking Rates</b>	<b>Calculated Requirement</b>
1 bed unit: 1 space / unit	8 spaces	1 bed unit: 1 space / dwelling	8 spaces
2 bed unit: 1.25 spaces / unit	95 spaces	2 bed unit: 1.25 spaces / dwelling	95 spaces
3 bed unit: 1.75 spaces / unit	49 spaces	3 bed unit: 1.5 spaces / dwelling	42 spaces

4 bed unit: 1.75 spaces / unit	7 spaces	4 bed unit: 2 spaces / dwelling	8 spaces
1 visitor space / 4 units	29 visitor spaces	1 visitor space / 4 dwellings	29 visitor spaces
<b>TOTAL</b>	<b>188 spaces</b>	<b>TOTAL</b>	<b>182 spaces</b>

The applicant has advised that they are supportive of a condition which requires within the Community Management Statement that parking within the development site must:

- remain available at all times;
- not be converted for any other use (such as storage); and
- for visitors, be accessible at all times.

This condition has been incorporated into the final recommendation.

Future bus stops exist either side of Sunshine Cove Way, south of the subject site, with Translink to determine when these become operational.

With consideration of the above factors (and below bicycle spaces consideration), the parking shortfall of four (4) car spaces is considered acceptable in this instance.

A total of 145 resident bicycle spaces and 32 visitor bicycle spaces is proposed within the semi-basement. The applicant is able to provide additional bicycle spaces as follows.

<b><i>Maroochy Plan 2000 &amp; Sunshine Coast Planning Scheme 2014 Bicycle Parking Rates</i></b>	<b>Calculated Requirement</b>	<b>Provided Spaces</b>
1 space / unit	116 spaces	145 spaces
1 visitor space / 4 units	29 visitor spaces	32 visitor spaces
<b>TOTAL</b>	<b>145 spaces</b>	<b>177 spaces</b>

The additional bicycle spaces have been conditioned.

#### Traffic and Transport Considerations

The proposed development is located within close walking distance of the Maroochydore Central Business District and the associated public transport network that has been provided for within and as part of the Wises Farm Preliminary Approval area. It is noted that future bus stops exists adjacent the southern property boundary of the subject site with Translink to determine when these become operational. The closest existing bus stop is located on Maroochy Boulevard to the east.

Council has conditioned a small land dedication to ensure that there is sufficient space adjacent the existing bus bay for a shade/shelter structure.

### Overlay Codes

The following Special Management Areas are applicable to this application:

- Acid Sulfate Soils
- Flood Prone and Drainage Constraint Areas

The application has been assessed against each of the applicable overlay codes and found to be compliant with, or can be conditioned to comply with, each.

### **Code for Integrated Water Management**

Flooding aspects of the *Code for Integrated Water Management* are dealt with through the Preliminary Approval conditions. Stormwater quality and drainage aspects of the code are discussed below.

### **Stormwater Quality**

Stormwater is proposed to be treated to meet the post development stormwater quality design objectives prior to discharge from the site. Two (2) end of line bio-retention basins are proposed in the southern frontage of the site integrated with the proposed landscaping.

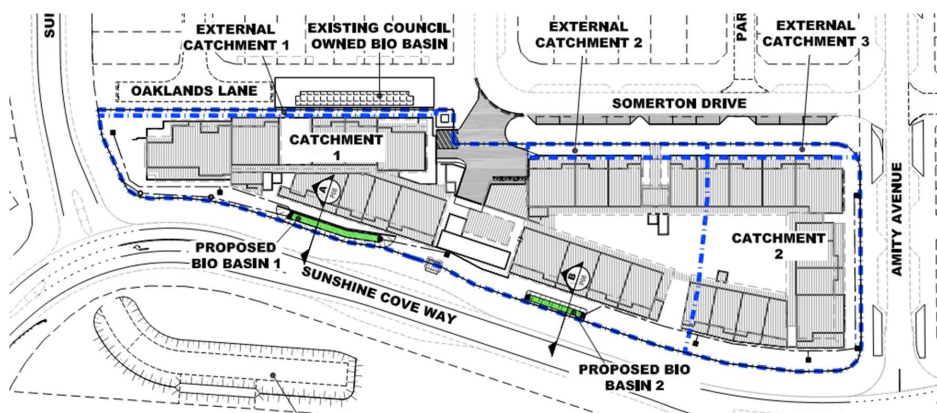


Figure 36 - Stormwater Quality Treatment Devices

The bio-retention basins have been suitably integrated with a maximum of 50% retaining walls. The stormwater pipes in Sunrise Drive and Sunshine Cove Way are deep enough to allow 0.7m filter media depth to allow tree planting. For some reason the pipes from the field inlets within the site are quite shallow and these will need to be lowered which is feasible to do.



A retaining wall is proposed to one bio-retention basin and batters to both propose 1:2 grade - conditions are required to ensure vegetative batters with a minimum 1:4 grade along road reserves or 1:3 elsewhere is achieved.

### Stormwater Drainage

Being part of the Sunshine Cove master planned community stormwater detention is dealt with through the lake design and no on-site detention is required provided that stormwater is connected to the piped drainage system as designed by the master developer. Two (2) stormwater connection points are proposed to be utilised for the site as shown on the image below. These are the connections which have been sized to accept unmitigated post development flows from the development.



Figure 37 - Stormwater Connections

Being recently developed lots, there is no overland flowpath which runs through the site, with the overland flowpath from Somerton Drive through the existing bio-retention basin.

### Flooding

The Wises Farm Preliminary Approval includes a condition in relation to flooding which essentially requires flood immunity of buildings to be in accordance with the current *Flood hazard overlay code* requirements (under the *Sunshine Coast Planning Scheme 2014*). For the proposed building, this means for habitable floors, the floor levels are 0.5m above the 1% Annual Exceedance Probability flood level. Flood search Cer21/19511 identifies the 1% Annual Exceedance Probability flood level to be 3.24m Australian Height Datum with the minimum floor level therefore 3.74m Australian Height Datum. It is noted that Cer21/19511 has expired during the assessment of the application. However, no updates

to the Maroochy River flood model have been undertaken since the flood information search was issued.

The architectural plans show that minimum floor level of habitable floors is proposed at 4.5m Australian Height Datum. The floor level of the basement carpark is at 1.50m AHD with the driveway entrance to the basement at 3.74m Australian Height Datum so achieves the required 0.5m freeboard to 1% Annual Exceedance Probability flooding.

There are a number of exits from the basement to the road reserve and the road reserve is less than 3.74m Australian Height Datum. It will be necessary that these entrances are designed to exclude floodwaters up to 3.74m Australian Height Datum and this can be conditioned in the event of approval.

### **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

The development is located within the Urban Footprint of the South East Queensland Regional Plan. Having regard to the South East Queensland Regional Plan, the development is consistent with the outcomes expressed and sought to be achieved by the South East Queensland Regional Plan.

#### State Planning Policy

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

The proposal is consistent with the policy intent of the State Planning Policy and does not conflict with any of the identified state interests.



## CONSULTATION:

### Referral Agencies

The application did not require referral to any Referral Agencies.

### Other External Referrals

Council sought third party advice from Energex regarding the relocation options for the pad-mount transformer adjacent Sunshine Cove Way. Energex advised that the Applicant/Developer is responsible for any request and costs associated with the asset relocation.

### Public Notification

The application was publicly notified for 15 business days between 29 January 2024 and 19 February 2024 in accordance with the requirements of the *Planning Act 2016*. A total of 100 submissions were received, of which 85 were determined to be 'properly made' in accordance with the *Planning Act 2016*. Of the 85 properly made submissions, 78 were against the original proposal, 3 were for the original proposal and 4 were neutral.

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 decision:

ISSUES	COMMENTS
<b>Parking</b>  Insufficient parking for the proposed development. Insufficient parking rates for the proposed development (e.g. cars associated with housemates and partners is not accounted for in the applicable rates). Each unit will more than likely have 2 cars.  Insufficient parking in the Flinders Lane area due to council not requiring businesses to provide staff car parks.  In-sufficient on-street parking within the Sunshine Cove estate generally.  No provision for trailers, boats, caravans, motorhomes, glider trailers,	Acceptable Measure parking rates are listed within the Parking Code of the <i>Maroochy Plan 2000</i> . On-site parking is generally compliant, with a shortfall of four (4) resident spaces based on the Acceptable Measure rates. Under the current <i>Sunshine Coast Planning Scheme 2014</i> , the proposed parking would be compliant. A number of conditions are recommended for the four (4) resident car space shortfall, as detailed in the report. The development is also conditioned to provide 10 indented on-street parking bays on Somerton Drive and will see an improvement in the on-street parking capacity within the locality.  The issue is more likely that staff from certain businesses are not parking within the

<p>work trucks, etc. which will end up on already crowded streets.</p> <p>Visitors and tradespersons cannot get parking.</p> <p>An additional entry/exit is required for the proposed development.</p>	<p>designated on-site staff car parking spaces and instead are parking on the street.</p> <p>There is not a planning requirement to provide on-site parking for these. However, the on-street parking of these is noted as a current issue for many areas of the Sunshine Coast.</p> <p>Council's Development Engineer has assessed the subject development application. An additional vehicular entry/exit is not required.</p>
<p><b>Traffic</b></p> <p>Significant additional traffic and congestion will be generated that the roads were not designed for.</p> <p>Possible queuing issues entering the proposed development leading to roadblocks.</p> <p>Existing traffic congestion at Sunshine Cove Way and Maroochy Boulevard and having to negotiate traffic lights.</p> <p>The need for traffic lights at the corner.</p> <p>The development will cause danger of motorists, cyclists and pedestrians because of the huge increase in vehicles on already narrow roads and lanes.</p> <p>Issues exiting Serenity Circuit due to continual stream of cars.</p> <p>Traffic associated with staff and visitors of Estia Health.</p>	<p>The anticipated traffic generated by the proposed development is within the ultimate designed parameters for the master planned community and within the design carrying capacity of the associated external road network.</p> <p>No gate is proposed at the entrance or internal to the basement carpark, so there should not be any queuing or roadblock issues.</p> <p>Council's Development Engineer has assessed the development and has recommended approval of the application subject to conditions.</p>
<p><b>Pedestrian/Bicycle Infrastructure &amp; Links</b></p> <p>Concern that the planning application is proposing the amalgamation of 10 residential lots and two (2) englogo lots</p>	<p>The site has a constructed central 'road pavement' and footpath which are still under private ownership known as Grosvenor Court. This area has not been titled/dedicated to date and it is no longer intended for this to occur, as historical balance lots (including two</p>

<p>and a formed road and existing road reserves into one lot.</p> <p>Loss of Grosvenor Court and its road reserve, footpath and the vital visual connection and access from the land-locked Precinct to the lake to the south, and with that the loss of views of Buderim mountain and the Heritage Reserve.</p> <p>Existing walking/cycling tracks will be restricted by the proposed development.</p>	<p>large englobo multiple dwelling lots) will instead be amalgamated to form the subject development site. The road pavement, footpath and existing services would also be removed where required. The existing water and sewerage easements (Easements X &amp; Y in favour of Unitywater) would be extinguished where required.</p> <p>The proposed development includes a split built form which will allow a view corridor of Buderim Mountain and the reserve area.</p>
<p><b>Height</b></p> <p>The height and size of the development does not comply with the Wises Farm Preliminary Approval.</p> <p>Graduating height towards the lake within Precinct 6 not provided.</p>	<p>The height of the proposed development was lowered 1.5m into the ground to form a semi-basement in response to submissions, such that the proposed height of 4 storeys and 15m is compliant with the design and form controls of the Wises Farm Preliminary Approval.</p>
<p><b>Density</b></p> <p>Excessive density / density not in keeping with the applicable planning provisions for the site.</p>	<p>Noted. In response to submissions, the applicant reduced the total number of units from 128 to 116, including the introduction of 1-bedroom units to contribute towards a diversity of dwelling types.</p>
<p><b>Plot Ratio</b></p> <p>The development should be made to meet the plot ratio control of 1.0 identified in the Wises Farm Preliminary Approval.</p>	<p>The development proposes a plot ratio of 1.43. The Precinct 6 - <i>Design and Form Controls</i> recommends as an Acceptable Measure a maximum plot ratio of 1. Plot ratio was reduced from 1.58 to 1.43 in response to submissions. The proposed plot ratio is consistent with other approved developments within the general locality.</p>
<p><b>DUF</b></p> <p>The DUF within the Wises Farm Preliminary Approval must be complied with, so the number of dwellings proposed should be substantially reduced.</p>	<p>The Wises Farm Preliminary Approval uses Dwelling Unit Factor preferred minimum and maximum densities for the precinct. The development results in a Dwelling Unit Factor of 122.15 equivalent dwelling units. The Precinct 6 - <i>Design and Form Controls</i> recommends as an Acceptable Measure a maximum Dwelling Unit Factor of 250m<sup>2</sup> per</p>

	dwelling and minimum of 100m <sup>2</sup> per dwelling (or equivalent Dwelling Unit Factor of 81.78).
<p><b>Site Cover</b></p> <p>Site cover is inconsistent with code requirements.</p>	<p>The development proposes a site cover of 73.8% (including podium landscape) and 54.3% (excluding podium landscape). Site cover is not an applicable planning control for the subject development application. Rather the built form is controlled by height, setbacks, plot ratio and dwelling unit factor.</p> <p>The development is required to be justified against Element 1, Performance Criteria P2 of the Wises Farm Code. In order to ensure the development complies with Element 1, Performance Criteria P2 of the Wises Farm Code. Council has ensured that the overall built form and design, setbacks and landscaping achieve the Precinct 6 Intent and Landscape and Built Form Statements.</p>
<p><b>Setbacks</b></p> <p>The development should comply with the regulations for setbacks</p> <p>Setbacks are too narrow on all boundaries and will result in a visually unappealing outcome.</p>	<p>The proposed setbacks were increased in response to submissions. The proposed setbacks have been assessed, allow for greater than typical landscape buffers (i.e. 2m wide or greater) and are considered acceptable.</p>
<p><b>Architectural Design / Built-Form Outcome</b></p> <p>The size, scale and density of the development is not in harmony with the surrounding neighbourhood. Bulky and monolithic building. Long urban bulk.</p> <p>Aesthetically the building is bland, uniform, lacks architecture features, interest, and contemporary urban style and the finishes do not appear to be of the required high quality.</p> <p>Colours and materials should include light coloured roofing material to</p>	<p>In response to submissions, the applicant provided greater breaks in the built-form outcome and units were removed from the proposal. This allows for greater articulation and additional access to light and ventilation throughout the building complex.</p> <p>The proposed materials are consistent with other approved developments within the locality.</p> <p>Part of the conditions of approval require submission of a colour palette for endorsement.</p>

reduce on-going cooling costs for residents.	
<b>Loss of Views</b>  Views including sunset views will be reduced by the development.	The proposed height is compliant. The length of building and massing has been improved throughout the application process. Loss of some of the initially proposed units (i.e. a reduction in unit yield) has created space to allow for separation of unit forms into 'shorter' separate forms.
<b>Overshadowing / Access to Breezes</b>  Overshadowing solar panels and surrounding residences access to breezes.	The proposed height is compliant.  Modelling of the proposed development has demonstrated it will not result in significant overshadowing of nearby detached houses.  Reduced access to breezes cannot be substantiated.
<b>Noise</b>  Noise from apartment balconies and air conditioning units.	Council's Environment Officer has recommended approval of the application subject to conditions. These will improve some noise generated by the development, but dwellings and units are required to provide for outdoor spaces for use by residents and occupier behaviour relating to noise is a police matter.
<b>Insufficient Private Open Space / Use of Balconies</b>  Private open space is insufficient to satisfy the density of the development.  Use of balconies for storage of bikes, exercise equipment and drying of washing and impact on entrance to Sunshine Cove.	The following unit types are proposed: <ul style="list-style-type: none"> <li>• Studio (55.2m<sup>2</sup>), including an 11m<sup>2</sup> balcony</li> <li>• Common Two Bed (107.4m<sup>2</sup>), including a 16.1m<sup>2</sup> balcony</li> <li>• Common Three Bed (151.3m<sup>2</sup>), including a 25.1m<sup>2</sup> balcony</li> <li>• Small Two Bed (83.3m<sup>2</sup>), including an 11m<sup>2</sup> balcony</li> <li>• Common Four Bed (292.1m<sup>2</sup>), including an 89.2m<sup>2</sup> balcony</li> </ul> Each unit would have a balcony which achieves a minimum width of 2.4m and a minimum area of 11m <sup>2</sup> . This is deemed acceptable for residents and their guests.

	The use of balconies for storage of bikes, exercise equipment and drying of washing is a Body Corporate matter. Fixed washing lines have been conditioned to be screened from the public view by the use of fixed or operable screens incorporated into the building design.
<p><b>Insufficient Communal Open Space</b></p> <p>The communal space appears quite unappealing for residents, with the podium courtyard not sufficiently located and accessible to a large number of units.</p>	<p>The design involves a large central open atrium which would have landscaped raised planters, artificial grass and seating available to all residents and guests for passive recreation.</p> <p>A central communal outdoor recreation area is proposed which would comprise of a main pool, kids pool and barbeque. A recreation room is also located adjacent the central communal outdoor area.</p> <p>The proposed communal open space areas are sufficient for residents and their guests.</p>
<p><b>Pedestrian Access to the Site</b></p> <p>Clearer pedestrian access to the site should be provided.</p>	<p>More defined main pedestrian access points with foyers have been included in the design.</p> <p>Additional pedestrian access to a number of the ground floor dwellings via pathways with stairs was introduced in response to submissions.</p>
<p><b>Landscaping</b></p> <p>Landscape depths are too narrow and will result in a visually unappealing outcome.</p>	Total landscaping complies with requirements. The development will be surrounded by landscaping in excess of typical requirements and will have a landscaped internal atrium.
<p><b>Infrastructure</b></p> <p>Insufficient infrastructure to support the proposed development.</p>	The development will be required to connect to all essential infrastructure.
<p><b>Stormwater</b></p> <p>Unacceptable strains on the stormwater system of Sunshine Cove.</p>	Council's Hydraulics and Water Quality Engineer has assessed the development application and has recommended approval subject to conditions (refer to report).
<p><b>Flooding</b></p> <p>There is a high risk of flooding due to the design of the proposal.</p>	The proposed development achieves the relevant flood immunity requirements. Council's Hydraulics and Water Quality Engineer has assessed the development

	application and has recommended approval subject to conditions (refer to report)
<b>Rental Units</b>  Concern that the majority of units will be rented.	This is not a planning related matter.
<b>Need for Manager/Caretaker</b>  An on-site easy to access Manager/Caretaker is needed to manage neighbour concerns when they arise.  Is there an on-site manager which deals with unacceptable noise and other community nuisance?	This is not a planning requirement. The development will have a Body Corporate which will have a process for dealing with concerns and complaints such as unacceptable noise as they arise.
<b>Impact on Natural Environment</b>  Impact on natural environment.	There is insufficient detail within this statement to understand what impacts on the natural environment are of concern.
<b>Safety</b>  The development will have a negative impact on safety.	There is insufficient detail within this statement to understand what safety aspects are of concern.
<b>Reduced Quality of Life / Increase in Crime</b>  Reduced quality of life / increase in crime.	This cannot be substantiated.
<b>Negative Impact on Stress</b>  The development will have a negative impact on stress.	This is not a planning related matter.
<b>Negative Impact on Property Values</b>  The development will have a negative impact on property values.	This is not a planning related matter.
<b>Barking Dogs &amp; Cats</b>  Extra pet dogs and cats and barking problems.	This is not a planning related matter.
<b>Communication that the Site would be a Retirement Complex</b>	This is not a planning related matter.

We were told by the Sunshine Cove developers that the development site would house a Retirement Complex.	
<b>Loss of Community Facility</b>	Although the Community Facility is yet to be delivered, the Master Developer has paid a financial contribution in lieu of the delivery of the Community Facility as per the requirements of the Infrastructure Agreement.

During assessment of the application, a community group requested the developer to construct and pay for two (2) proposed embellishments (a community meeting shelter/kitchen pavilion in Sunshine Cove Park and a separate toilet block within Tinnanbar Terrace Park). Such outcomes are not identified requirements of the planning scheme and not directly associated with the development, which is a consistent use within the location. A requirement to construct such infrastructure would not be a lawful condition under the *Planning Act 2016*.

Council's Open Space and Social Policy Team's provided the following response in relation to this request:

*"Toilet facilities in Tinnanbar Terrace Park (Local Park) - toilet / amenity facilities are not a supported embellishment in local parks. The role and function of a local park is to provide recreation space for residents of the immediate surrounds who have access to their own toilet facilities.*

*Pavilion in Sunshine Cove Park (noting the park is currently being upgraded from a local to a district park) - the proposed pavilion with kitchen and storage in this park is not a supported embellishment for a recreation park, as per the Environment and Liveability Strategy and supporting Recreation Parks Plan and the Open Space Landscape Infrastructure Manual. The current provision of 6x Barbecue shelters in this park meets / exceeds the required provision of facilities for social gatherings for residents of the surrounding district in line with the intended role and function of a district recreation park. Furthermore, ongoing maintenance and whole of life asset management of this proposed facility would be a considerable cost implication for council which is a significant concern given the restrictions on budgets available to maintain existing assets".*

## CONCLUSION:

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

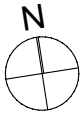


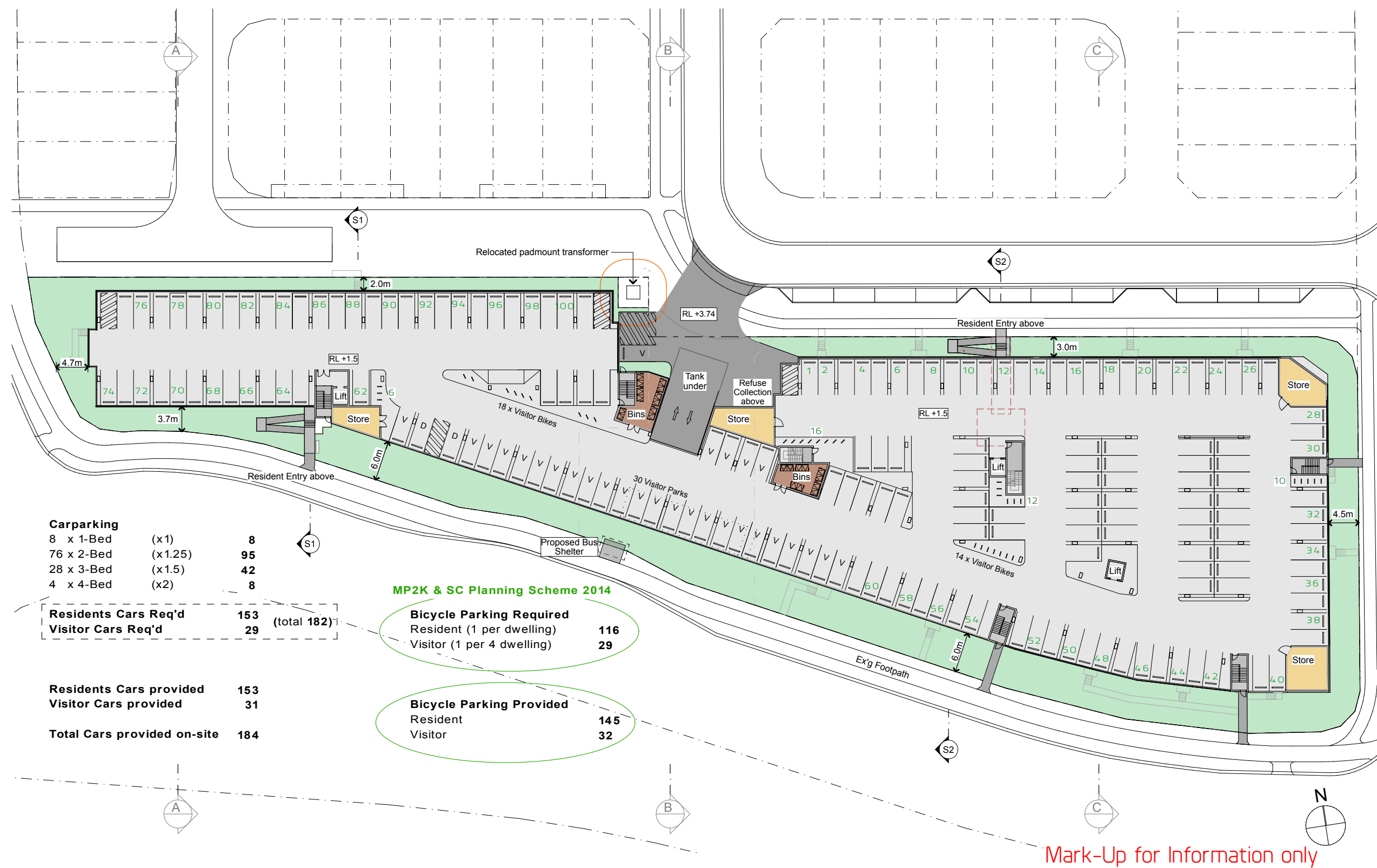


**RP DESCRIPTION**  
Lot 72 on SP 308996

**DEVELOPMENT DETAILS**

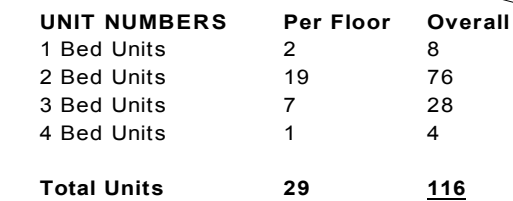
Site Area	8,178 m <sup>2</sup> (100%)
Site Cover	6,036 m <sup>2</sup> (73.8%) including podium landscape 4,442 m <sup>2</sup> (54.3%) excluding podium landscape
Deep Soil Area	1,731 m <sup>2</sup> (21.2%)
Bio-Basin	131 m <sup>2</sup> (1.6%)
Podium Landscape	1,594 m <sup>2</sup> (19.5%)
Total Landscape:	3,456 m <sup>2</sup> (42.2%)
Building Height	4 Storey (max 15 m max above NGL)





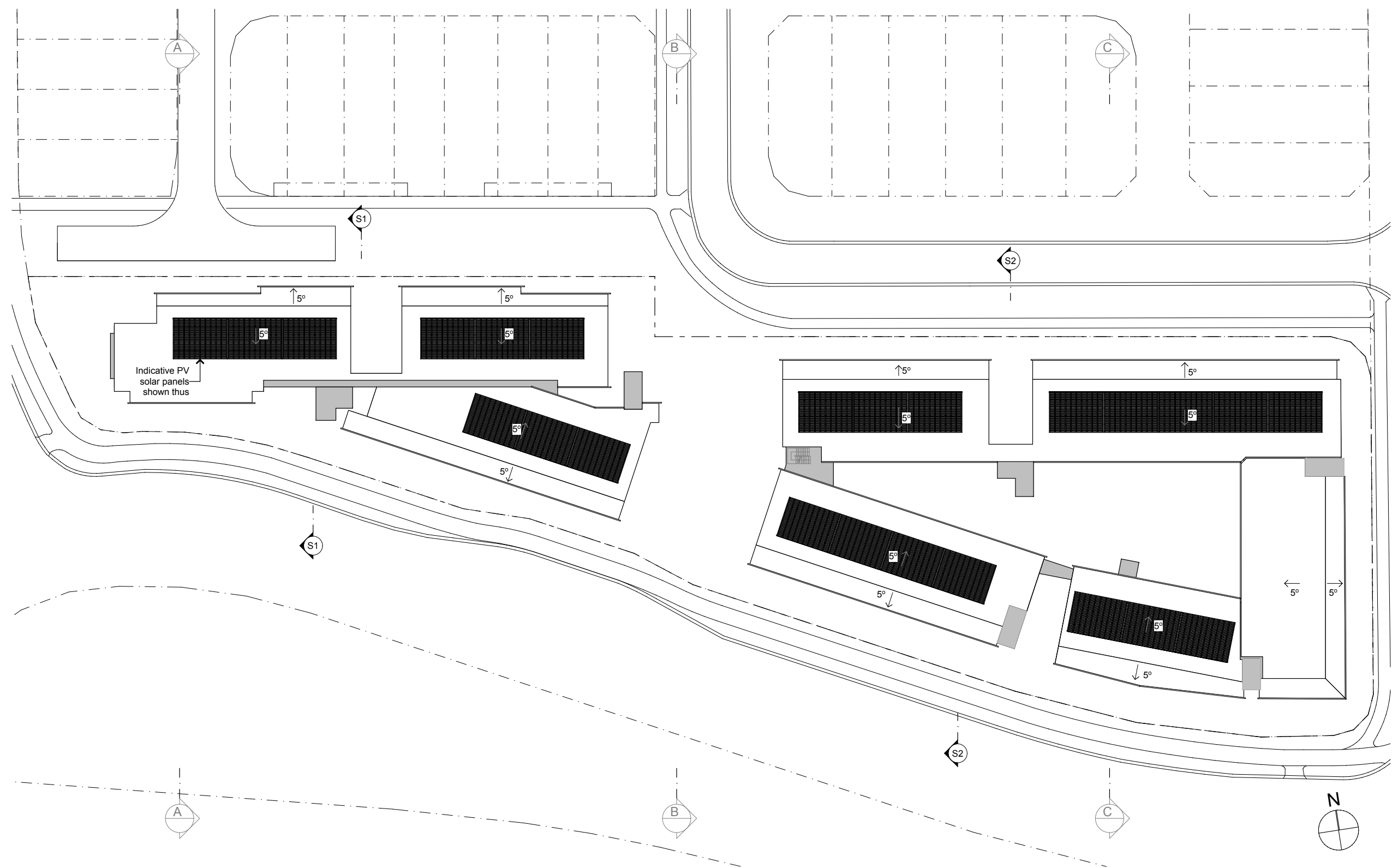
<b>Carparking</b>		
8 x 1-Bed	(x1)	8
76 x 2-Bed	(x1.25)	95
28 x 3-Bed	(x1.5)	42
4 x 4-Bed	(x2)	8
<b>Residents Cars Req'd</b>		
<b>Visitor Cars Req'd</b>		29 (total 182)
<b>Residents Cars provided</b>		
<b>Visitor Cars provided</b>		31
<b>Total Cars provided on-site</b>		184





1:500 @ A3 / 05 - 02 - 2025 / 290 - DA - 05 - C





- ExT ExoTec™ Compressed Fibre Cement Cladding
- AFS AFS Logicwall - fibre-cement wall system
- Al-G Powder Coated Aluminium Framed Windows & Sliding Doors
- GB Axiom Metropolis Frameless Glass Balustrade
- DC DecoClad Soffit Lining
- LV Louvreclad Vulcan Aluminium Shade Screen, DecoWood Finish
- LK Louvreclad Kensington Car Park Ventilation
- Ax AXIOM Lynfield Powder Coated Aluminium Balustrade



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- Ax AXIOM Lynfield Powder Coated Aluminium Balustrade



DRAFT  
for approval only

Somerton Dr - Lot 72, Sunshine Cove, Maroochydore - RESIDENTIAL DEVELOPMENT  
South Elevation

1:250 @ A3 / 05 - 02 - 2025 / 290 - DA - 08 - C





East Elevation

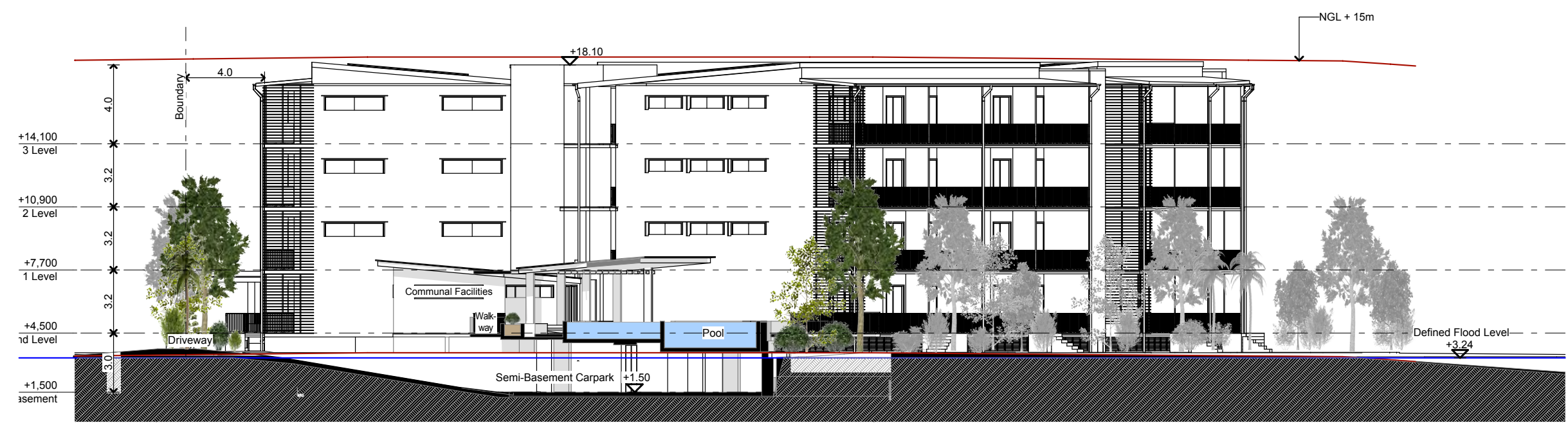


West Elevation





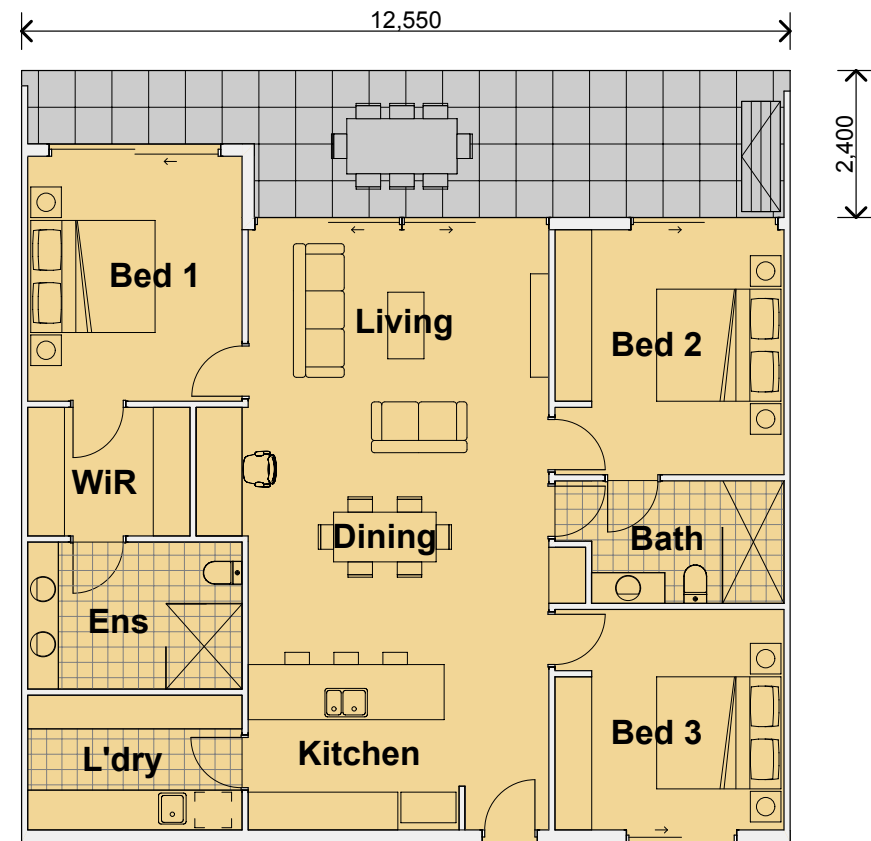
Section A



Section B

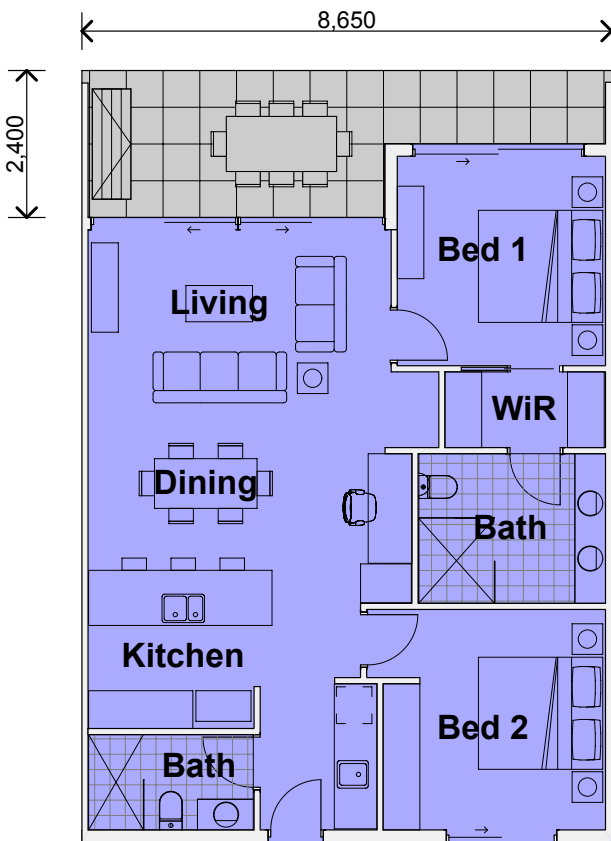


Section C



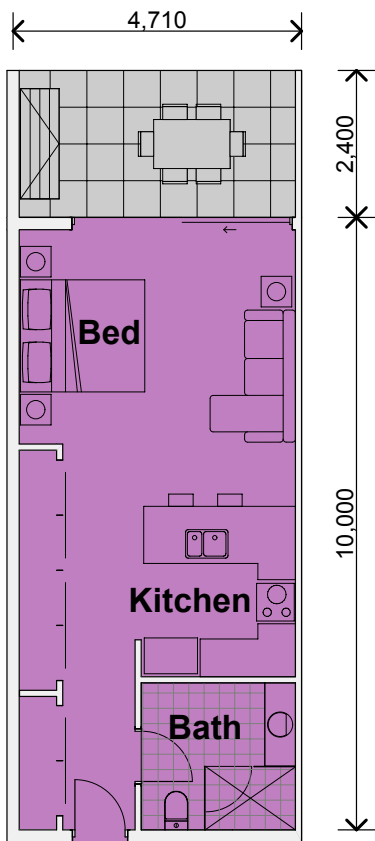
COMMON THREE BED

Internal	126.2 m <sup>2</sup>
External	25.1 m <sup>2</sup>
Total	151.3 m <sup>2</sup>



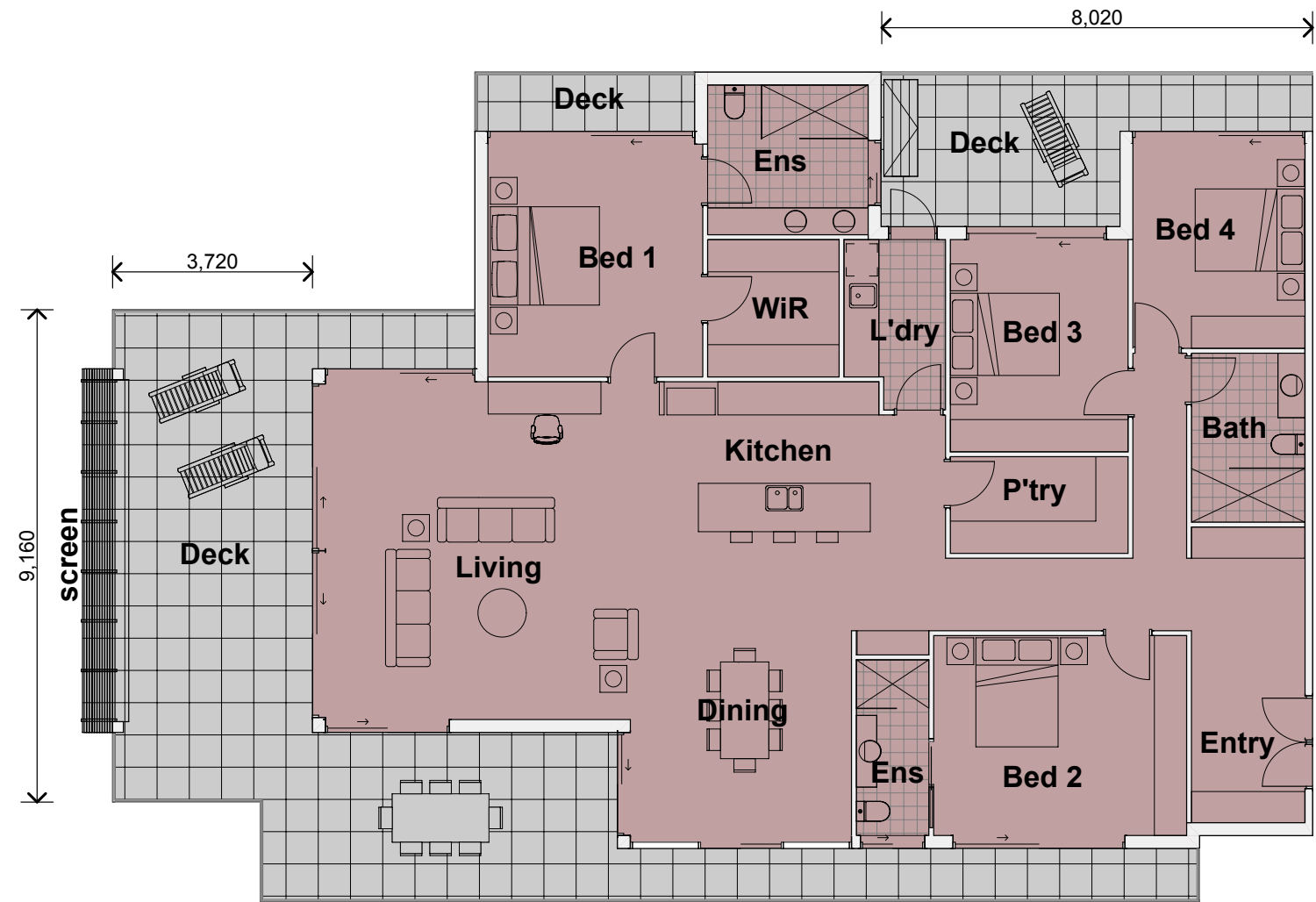
COMMON TWO BED

Internal	91.3 m <sup>2</sup>
External	16.1 m <sup>2</sup>
Total	107.4 m <sup>2</sup>



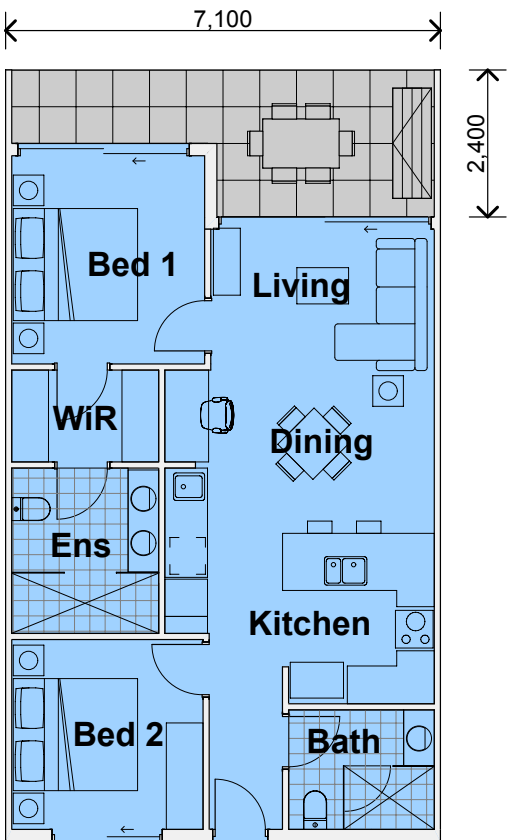
STUDIO

Internal	44.2 m <sup>2</sup>
External	11.0 m <sup>2</sup>
Total	55.2 m <sup>2</sup>



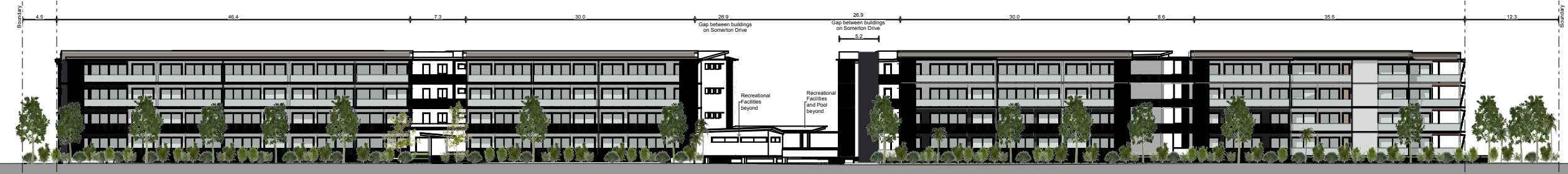
**COMMON FOUR BED**

Internal	202.9 m <sup>2</sup>
External	89.2 m <sup>2</sup>
Total	292.1 m <sup>2</sup>

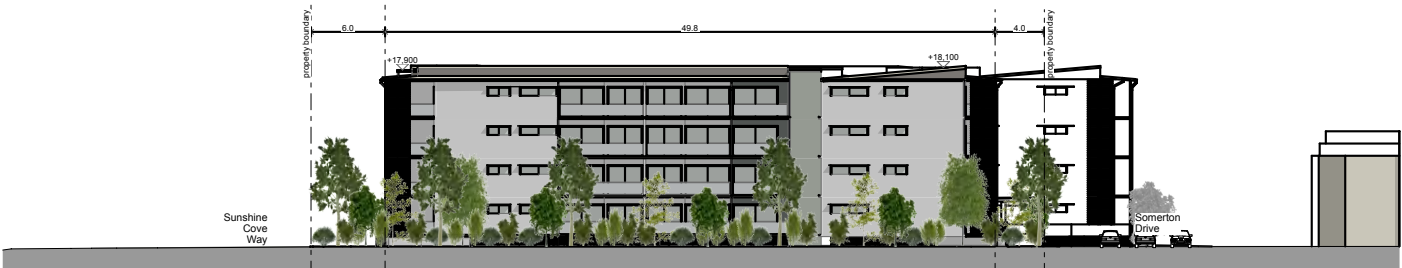


**SMALL TWO BED**

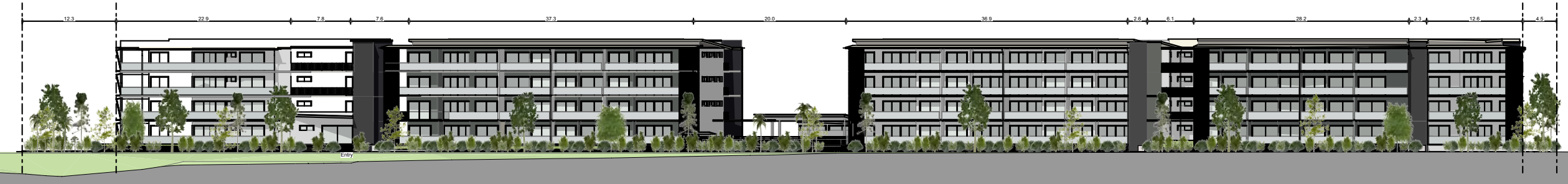
Internal	72.3 m <sup>2</sup>
External	11.0 m <sup>2</sup>
Total	83.3 m <sup>2</sup>



North Elevation



East Elevation



South Elevation



West Elevation







































DESIGN APPROACH -

THE PROPOSED DESIGN APPROACH FOR THIS PROJECT IS ONE OF PRACTICAL DESIGN SOLUTIONS FOR A SUSTAINABLE AND AESTHETIC OUTCOME. THIS WILL BE ACHIEVED VIA THE FOLLOWING NOTES & INFORMATION.

SELECT NATIVE TREES, SHRUBS AND GROUND-COVER PLANTINGS TO PROPOSED BUILDING & SURROUNDING AREAS TO COMPLEMENT THE ARCHITECTURE & ASSIST IN CREATING A SUSTAINABLE, SAFE & FUNCTIONAL ENVIRONMENT WITHIN THE DEVELOPMENT.


- THE PLANTING DESIGN WILL INCORPORATE -
1. PLANTINGS TO BE PREDOMINANTLY NATIVE ENDEMIC SPECIES TO COMPLEMENT THE EXISTING ENVIRONMENT & LOCAL COUNCILS LANDSCAPE DESIGN POLICY.
  2. SURVEILLANCE & SIGHTLINE CRITERIA FOR SAFE & EASY TRAVEL FOR RESIDENTS THROUGH THE DEVELOPMENT SITE.
  3. PROVISION OF SHADE TREE PLANTINGS TO CARPARKING, DRIVEWAYS, WALKWAYS & GENERAL HARDSTAND AREAS FOR SOLAR RELIEF WHERE PRACTICAL & POSSIBLE.
  4. PLANTING SPECIES WILL BE CHOSEN FOR THEIR AESTHETIC VALUE, SUSTAINABILITY DURING WATER CONSCIOUS PERIODS AND LOW MAINTENANCE QUALITIES.


SHEET LEGEND -


- SHEET 01 - LANDSCAPE OVERALL PLAN.  
 SHEET 02 - LANDSCAPE CONCEPT PLAN.  
 SHEET 03 - LANDSCAPE CONCEPT PLAN.  
 SHEET 04 - LANDSCAPE CONCEPT PLAN.  
 SHEET 05 - LANDSCAPE CONCEPT PLAN.  
 SHEET 06 - PLANT SCHEDULE AND PHOTO MONTAGE.

See Sheets 03 & 05

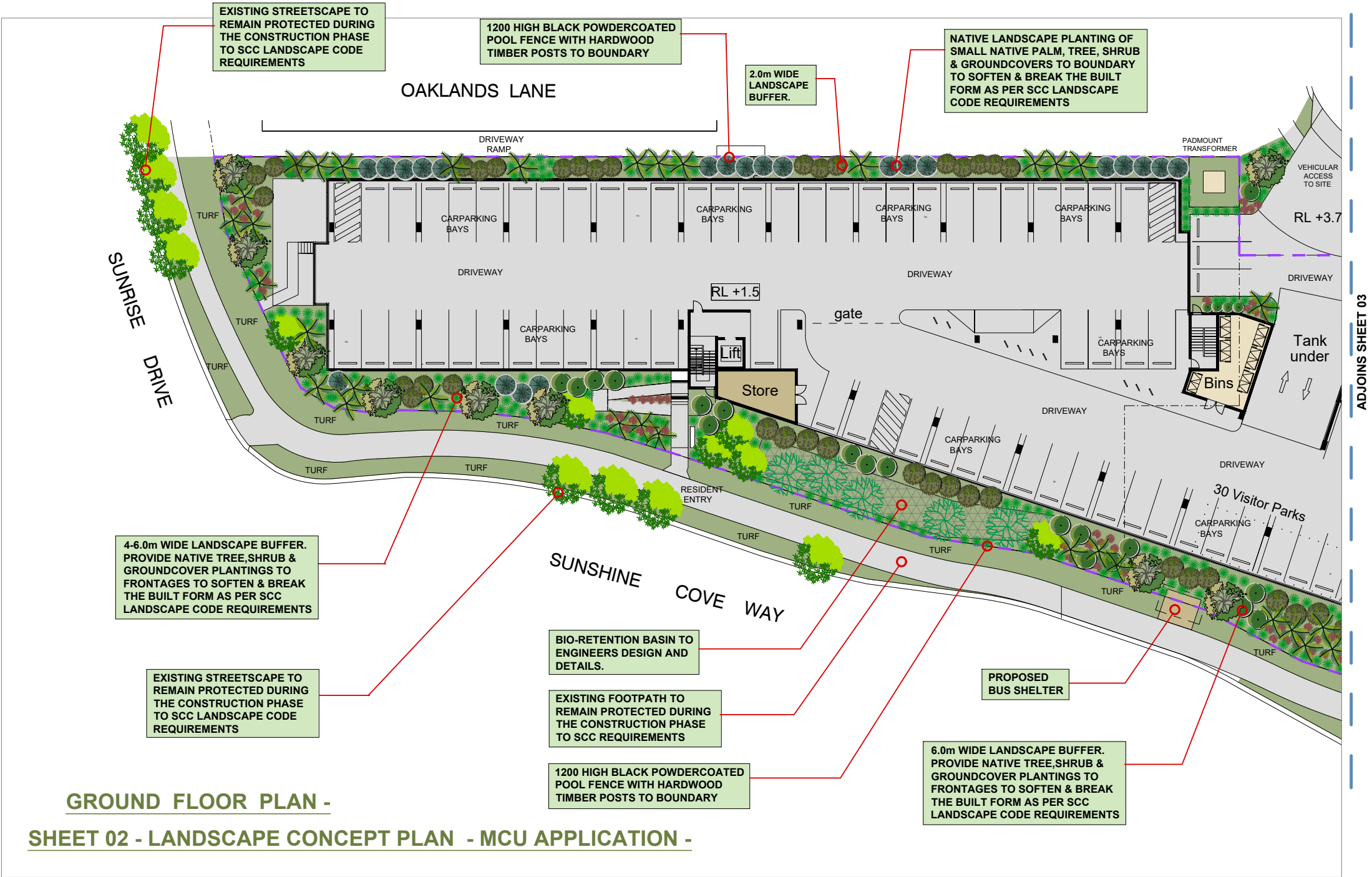
SHEET 01 - LANDSCAPE OVERALL SITE PLAN - MCU APPLICATION - Multi - Unit Development at SUNNY COVE, MAROOCHYDORE.

	AMENDMENTS	
	Rev	Description
	A	04.03.22 ISSUE FOR CLIENT REVIEW
	B	07.03.22 MINOR CHANGE ISSUE FOR CLIENT REVIEW
	C	30.11.22 MAJOR CHANGE ISSUE FOR CLIENT REVIEW
	D	09.08.23 ARCHITECTURAL CHANGES RE-ISSUE FOR CLIENT REVIEW
E	14.08.23 ARCHITECTURAL CHANGES RE-ISSUE FOR CLIENT REVIEW	
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	PROJECT	
	PROPOSED MULTI - UNIT DEVELOPMENT AT LOT 72 SUNNY COVE, MAROOCHYDORE.	
	CLIENT	
	INNOVATIVE PLANNING SOLUTIONS	
	DWG TITLE	
LANDSCAPE CONCEPT PLAN		
ED 22106 MCU - 01		

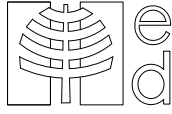





































	
Date	FEBRUARY 2022
Scale	1: 600 @ A3
Design	NH
Drawn	NH
Sheet	01 OF 06
Issue	E





	<div><div>AMENDMENTS</div><div><div>Issue</div><div>Date</div><div>Description</div></div><div><div>A</div><div>04.03.22</div><div>ISSUE FOR CLIENT REVIEW</div></div><div><div>B</div><div>07.03.22</div><div>MINOR CHANGE ISSUE FOR CLIENT REVIEW</div></div><div><div>C</div><div>30.11.22</div><div>MAJOR CHANGE ISSUE FOR CLIENT REVIEW</div></div><div><div>D</div><div>09.08.23</div><div>ARCHITECTURAL CHANGES RE-ISSUE FOR CLIENT REVIEW</div></div><div><div>E</div><div>14.08.23</div><div>ARCHITECTURAL CHANGES RE-ISSUE FOR CLIENT REVIEW</div></div></div> <div><div>Copyright in the whole and every part of this document belongs to ELEMENT DESIGN QLD PTY LTD and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or in or on any media to any person without the prior written consent of ELEMENT DESIGN QLD PTY LTD.</div></div>	<div><div>LEGEND</div><div><div>TREE PLANTING</div><div>ACCENT PLANTING</div><div>SITE BOUNDARY</div><div>PALM PLANTINGS</div><div>EXISTING STREET TREES TO REMAIN</div><div>TURF AREAS</div><div>SHRUB PLANTINGS</div><div>CONCRETE FOOT PATH</div></div></div>	<div><div>element design</div><div>landscape architecture</div><div>MASTER PLANNING • SUBDIVISIONS • COMMERCIAL DEVELOPMENTS • RESORTS • PARKLANDS • REVEGETATION • MULTI-UNITS</div><div>151 Brisbane Rd. Mooloolaba Phone 07 5444 6155 Fax 07 5444 6055 PO Box 1546, Buderim QLD 4556 admin@elementdesign.net.au</div></div>	<div><div>PROJECT</div><div>PROPOSED MULTI - UNIT DEVELOPMENT AT LOT 72 SUNNY COVE, MAROOCHYDORE.</div></div> <div><div>CLIENT</div><div>INNOVATIVE PLANNING SOLUTIONS</div></div> <div><div>DRAWN TITLE</div><div>LANDSCAPE CONCEPT PLAN</div></div> <div><div>ED 22106 MCU - 02</div></div>	<div><div>north</div><div></div></div> <div><div>Date</div><div>FEBRUARY 2022</div></div> <div><div>Scale</div><div>1: 350 @ A3</div></div> <div><div>Design</div><div>NH</div><div>Drawn</div><div>NH</div></div> <div><div>Sheet</div><div>02 OF 06</div></div> <div><div>ISSUE</div><div>E</div></div>
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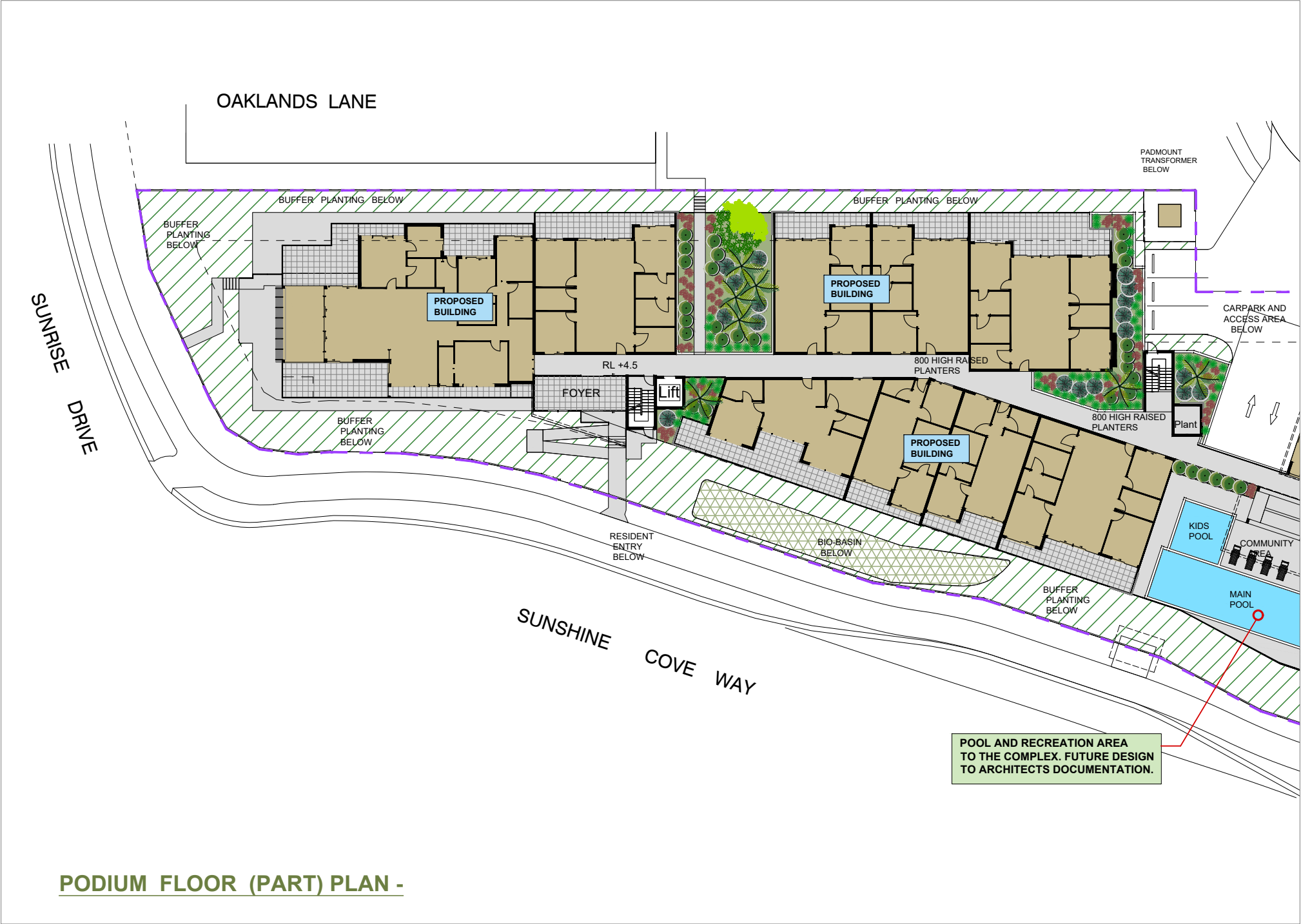


	<b>AMENDMENTS</b> <table><tr><th>Issue</th><th>Date</th><th>Description</th></tr><tr><td>A</td><td>04.03.22</td><td>ISSUE FOR CLIENT REVIEW</td></tr><tr><td>B</td><td>07.03.22</td><td>MINOR CHANGE ISSUE FOR CLIENT REVIEW</td></tr><tr><td>C</td><td>30.11.22</td><td>MAJOR CHANGE ISSUE FOR CLIENT REVIEW</td></tr><tr><td>D</td><td>09.08.23</td><td>ARCHITECTURAL CHANGES RE-ISSUE FOR CLIENT REVIEW</td></tr><tr><td>E</td><td>14.08.23</td><td>ARCHITECTURAL CHANGES RE-ISSUE FOR CLIENT REVIEW</td></tr></table>		Issue	Date	Description	A	04.03.22	ISSUE FOR CLIENT REVIEW	B	07.03.22	MINOR CHANGE ISSUE FOR CLIENT REVIEW	C	30.11.22	MAJOR CHANGE ISSUE FOR CLIENT REVIEW	D	09.08.23	ARCHITECTURAL CHANGES RE-ISSUE FOR CLIENT REVIEW	E	14.08.23	ARCHITECTURAL CHANGES RE-ISSUE FOR CLIENT REVIEW	<b>LEGEND</b> <table><tr><td></td><td>TREE PLANTING</td><td></td><td>ACCENT PLANTING</td><td></td><td>SITE BOUNDARY</td><td></td></tr><tr><td></td><td>PALM PLANTINGS</td><td></td><td>EXISTING STREET TREES TO REMAIN</td><td></td><td>TURF AREAS</td><td></td></tr><tr><td></td><td>SHRUB PLANTINGS</td><td></td><td>CONCRETE FOOT PATH</td><td></td><td>CONCRETE FOOT PATH</td><td></td></tr></table>			TREE PLANTING		ACCENT PLANTING		SITE BOUNDARY			PALM PLANTINGS		EXISTING STREET TREES TO REMAIN		TURF AREAS			SHRUB PLANTINGS		CONCRETE FOOT PATH		CONCRETE FOOT PATH	
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		<b>PROJECT</b> PROPOSED MULTI - UNIT DEVELOPMENT AT LOT 72 SUNNY COVE, MAROOCHYDORE.																																									
		<b>CLIENT</b> INNOVATIVE PLANNING SOLUTIONS																																									

<b>DWG TITLE</b>	<b>LANDSCAPE CONCEPT PLAN</b>
	ED 22106 MCU - 03

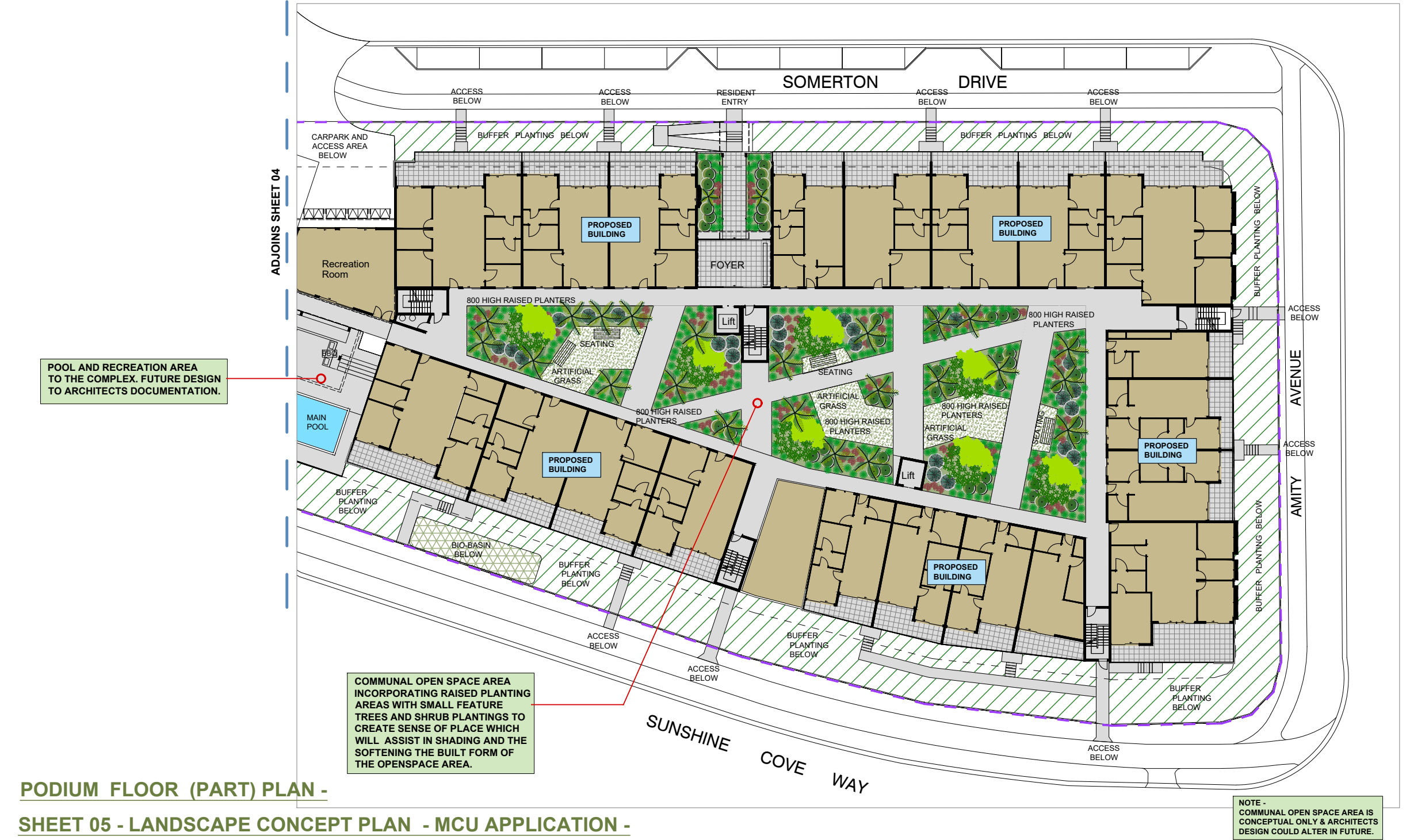
Date	FEBRUARY 2022
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Design	NH
Drawn	NH
Sheet	03 OF 06
Issue	E





**PODIUM FLOOR (PART) PLAN -**  
**SHEET 04 - LANDSCAPE CONCEPT PLAN - MCU APPLICATION -**

	<b>AMENDMENTS</b>		<b>LEGEND</b>			<b>element design</b> landscape architecture MASTER PLANNING • SUBDIVISIONS • COMMERCIAL DEVELOPMENTS • RESORTS • PARKLANDS • REVEGETATION • MULTISUNITS 151 Brisbane Rd., Mooloolaba Phone 07 5444 6155 Fax 07 5444 6055 PO Box 1546, Buderim QLD 4556 admin@elementdesign.net.au	<b>PROPOSED MULTI - UNIT DEVELOPMENT AT LOT 72 SUNNY COVE, MAROOCHYDORE.</b> <b>INNOVATIVE PLANNING SOLUTIONS</b> <b>LANDSCAPE CONCEPT PLAN</b> <b>ED 22106 MCU - 04</b>		Date: FEBRUARY 2022							
	<small>Copyright in the whole and every part of this document belongs to ELEMENT DESIGN QLD PTY LTD and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or in any media in any person without the prior written consent of ELEMENT DESIGN QLD PTY LTD.</small>		<table border="1"><tr><td>TREE PLANTING</td><td>ACCENT PLANTING</td><td>SITE BOUNDARY</td><td></td></tr><tr><td>PALM PLANTINGS</td><td>TURF AREAS</td><td></td><td></td></tr><tr><td>SHRUB PLANTINGS</td><td>CONCRETE FOOT PATH</td><td></td><td></td></tr></table>						TREE PLANTING	ACCENT PLANTING	SITE BOUNDARY		PALM PLANTINGS	TURF AREAS		
TREE PLANTING	ACCENT PLANTING	SITE BOUNDARY														
PALM PLANTINGS	TURF AREAS															
SHRUB PLANTINGS	CONCRETE FOOT PATH															
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								Sheet: 04 OF 06	Issue: E							



	<b>AMENDMENTS</b> Issue Date Description A 04.03.22 ISSUE FOR CLIENT REVIEW B 07.03.22 MINOR CHANGE ISSUE FOR CLIENT REVIEW C 30.11.22 MAJOR CHANGE ISSUE FOR CLIENT REVIEW D 09.08.23 ARCHITECTURAL CHANGES RE-ISSUE FOR CLIENT REVIEW E 14.08.23 ARCHITECTURAL CHANGES RE-ISSUE FOR CLIENT REVIEW  Copyright in the whole and every part of this document belongs to ELEMENT DESIGN QLD PTY LTD and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or in any media in any person without the prior written consent of ELEMENT DESIGN QLD PTY LTD.		<b>LEGEND</b>		<b>element design</b> landscape architecture MASTER PLANNING • SUBDIVISIONS • COMMERCIAL DEVELOPMENTS • RESORTS • PARKLANDS • REVEGETATION • MULTI-UNITS 151 Brisbane Rd., Mooloolaba Phone 07 5444 6155 Fax 07 5444 6055 PO Box 1546, Buderim QLD 4556 admin@elementdesign.net.au	<b>PROPOSED MULTI - UNIT DEVELOPMENT AT LOT 72 SUNNY COVE, MAROOCHYDORE.</b> <b>INNOVATIVE PLANNING SOLUTIONS</b> <b>LANDSCAPE CONCEPT PLAN</b> <b>ED 22106 MCU - 05</b>		 Date FEBRUARY 2022 Scale 1:350 @ A3 Design NH Drawn NH Sheet 05 OF 06 Issue E	
	TREE PLANTING	ACCENT PLANTING	CONCRETE FOOT PATH	SITE BOUNDARY	TREE PLANTING	ACCENT PLANTING	CONCRETE FOOT PATH	SITE BOUNDARY	TREE PLANTING
PALM PLANTINGS	TURF AREAS	ARTIFICIAL TURF AREAS	TREE PLANTING	ACCENT PLANTING	CONCRETE FOOT PATH	SITE BOUNDARY	TREE PLANTING	ACCENT PLANTING	CONCRETE FOOT PATH
SHRUB PLANTINGS	TREE PLANTING	ACCENT PLANTING	CONCRETE FOOT PATH	SITE BOUNDARY	TREE PLANTING	ACCENT PLANTING	CONCRETE FOOT PATH	SITE BOUNDARY	TREE PLANTING





Buckinghamia cellisima



Harpullia pendula - Tulipwood



Elaeocarpus Eumundi



Syzygium hemilampra



Hibiscus tiliaceus Rubra



Syzygium 'Resilience'



Trachelospermum jasminoides  
'Tricolour'



Lomandra sp



Ficinia nodosa



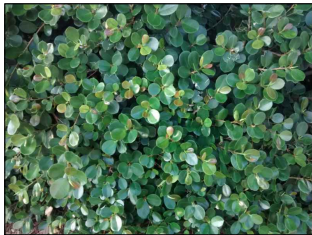
Callistemon 'Captain Cook'



Callistemon 'Great Balls of Fire'



Philodendron Xanadu



Myoprum ellipitum



Banksia robur



Phyllanthus multiflora



Dietes grandiflora



Grevillea 'Cooroora Cascade'

## INDICATIVE PLANT SCHEDULE

TREE & PALM SPECIES		45 Litre Bag
Code	Botanical Name	Common Name
ARC cun	Archontophoenix cunninghamiana	Alexandra Palm
BUC cel	Buckinghamia cellisima	Ivory Curl Flower
HAR pen	Harpullia pendula	Tulipwood
ELA eum	Elaeocarpus Eumundi	Eumundi
HIB Rub	Hibiscus tiliaceus 'Rubra'	Red Cottonwood
MAG LG	Magnolia Little Gem	Little Gem
SYZ hem	Syzygium hemilampra	Bush Satinash
XAN BP	Xanthostemon Baby Penda	Baby Penda
WOD bif	Wodyettia bifurcata	Foxtail Palm

SHRUB SPECIES		200 & 300mm Pot
Code	Botanical Name	Common Name
ACM smi	Acmena smithii	Lilly Pilly
ALO mac	Alocasia macrorrhiza	Elephant Ear
CAL CC	Callistemon 'Captain Cook'	Captain Cook
CAL 'LJ	Callistemon 'Little John'	Little John
CAL sal	Callistemon salignus	Weeping Bottle Brush
DIE gra	Dietes grandiflora	Grandiflora
PHI sel	Philodendron selloum	Philodendron
PHY mul	Phyllanthus multiflora	Green Waterfall
LOM hys	Lomandra hystrix	Matt Rush
MET FF	Metrosideros "Fiji Fire"	Fiji Fire
MEL aff	Melastoma affine	Blue Tongue
NAN nan	Nandina domestica nana	Dwarf Nandina
PHI xan	Philodendron 'xanadu'	Dwarf Philodendron
SYZ 'Cas'	Syzygium 'Cascade'	Weeping Lily Pilly
SYZ res	Syzygium Resilience	Resilience
STR reg	Stellitzia reginae	Bird of Paradise

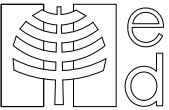
GROUNDCOVER SPECIES		140mm Pot
Code	Botanical Name	Common Name
ALL ci	Allocasuarina Cousin It	Cousin It
AUS dul	Austromyrtus dulcis	Midgim
CAR gla	Carpobrotus glaucescens	Pigs Face
LIR var	Liriope variagata	Variagated Liriope
GRE CC	Grevillea 'Cooroora Cascade'	Cooroora Cascade
TRA Tri	Trachelospermum jasminoides 'Tricolour'	Tricolor Jasmine

**NOTE:**  
NOT ALL SPECIES SHOWN WILL BE NECESSARILY  
UTILISED & NEW SPECIES COULD BE INCLUDED INTO  
FINAL DESIGN AT OP.WORKS DOCUMENTATION STAGE

TREES

SHRUBS & GROUNDCOVERS

## SHEET 06 - PHOTO MONTAGE - MCU APPLICATION -



AMENDMENTS		
Issue	Date	Description
A	04.03.22	ISSUE FOR CLIENT REVIEW
B	07.03.22	MINOR CHANGE ISSUE FOR CLIENT REVIEW
C	30.11.22	MAJOR CHANGE ISSUE FOR CLIENT REVIEW
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### PROPOSED MULTI - UNIT DEVELOPMENT AT LOT 72 SUNNY COVE, MAROOCHYDORE.

CLIENT  
**INNOVATIVE PLANNING SOLUTIONS**

DWG  
TITLE  
**PHOTO MONTAGE**

**ED 22106 MCU - 06**

Date	Scale	1:200 @ A3
Design	NH	Drawn NH
Sheet	06 OF 06	Issue
		<b>E</b>



**8.2 MAY 2025 FINANCIAL PERFORMANCE REPORT****File No:** Council Meetings**Author:** Coordinator Financial Services  
Business Performance Group**Attachments:** Att 1 - May 2025 Financial Performance Report ..... 127 [↓](#)   
Att 2 - May 2025 Capital Grant Funded Project Report..... 139 [↓](#) **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 May 2025, in terms of the operating result and delivery of the capital program.

**Operating Performance****Table 1: Operating Budget as at 31 May 2025**

	<b>Original Budget \$'000</b>	<b>Current Budget \$'000</b>
Total Operating Revenue	610,085	624,963
Total Operating Expenses	587,086	613,910
<b>Operating Result</b>	<b>22,999</b>	<b>11,053</b>

	<b>Year to Date Actuals April 2025 \$'000</b>	<b>Year to Date Budget May 2025 \$'000</b>	<b>Year to Date Actuals May 2025 \$'000</b>
Total Operating Revenue	593,440	608,271	605,816
Total Operating Expenses	505,390	554,930	555,478
<b>Operating Result</b>	<b>88,050</b>	<b>53,340</b>	<b>49,339</b>
<b>Total Cash Balance</b>	<b>166,457</b>		<b>135,275</b>

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

The monthly financial report includes several accounts where the year-to-date actuals have been estimated based on the budget. A forecast for the 2024/25 financial year has not been included in this month's report as the forecast result is under review as part of the 2025/26 budget process. An independent detailed review of the financial report and key budget assumptions has commenced and will be presented to Council as part of the 2025/26 budget consideration.

### OFFICER RECOMMENDATION

**That Council receive and note the report titled "May 2025 Financial Performance Report".**

### FINANCE AND RESOURCING

This report sets out the details of Council's financial performance and investments for the month ending 31 May 2025, and meets Council's legislative reporting requirements.

### CORPORATE PLAN

**Corporate Plan Goal:**

**Outcome:**

**Operational Activity:**

***Our outstanding organisation***

We serve our community by providing this great service  
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 Councillors, E Hungerford and J Broderick.

#### Internal Consultation

This report has been written in conjunction with advice from:

- 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 2024-25 Investment Policy, and  
Sunshine Coast Council's 2024-25 Debt Policy.

### Risk

The reported Actual Year to Date financial result includes several items that are estimated pending the completion of year-end processing.

It is likely that the end of year position for Depreciation and Recurrent Capital expenses will be significantly greater than the budget which will adversely impact the Operating Result.

The Year to Date Employee Costs appear on track to achieve the targeted vacancy rate.

### Previous Council Resolution

#### Ordinary Meeting 27 March 2025 (OM25/19)

*That Council:*

- (a) *receive and note the report titled "Budget Review 3 2024-25"*
- (b) *adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's amended budget for 2024-25 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 2024-25 Capital Works Program, endorse the indicative four-year program for the period 2026 to 2029, and note the five-year program for the period 2030 to 2034*
- (c) *note the following documentation applies as adopted December 2024*
  - (i) *the Debt Policy*
- (d) *note the following documentation applies as adopted 20 June 2024*
  - (i) *the Revenue Policy*
  - (ii) *the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget, and*
  - (iii) *the Revenue Statement*
  - (iv) *the rates and charges to be levied for the 2024-25 financial year and other matters as adopted 20 June 2024*
  - (v) *the Strategic Environment Levy Policy*

- (vi) *the Strategic Arts and Heritage Levy Policy*
- (vii) *the Strategic Transport Levy Policy*
- (viii) *Prescribed Services Charge Plan (No. 2) 2024-25 Financial Year and*
- (e) *endorse the 2024-25 Minor Capital Works Program (Appendix B).*

**Ordinary Meeting 12 December 2024 (OM24/124)**

*That Council:*

- (a) *receive and note the report titled "Budget Review 2 2024-25"*
- (b) *adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's amended budget for 2024-25 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 2024-25 Capital Works Program, endorse the indicative four-year program for the period 2026 to 2029, and note the five-year program for the period 2030 to 2034*
  - (viii) *the Debt Policy*
- (c) *note the following documentation applies as adopted 20 June 2024*
  - (i) *the Revenue Policy*
  - (ii) *the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget, and*
  - (iii) *the Revenue Statement*
  - (iv) *the rates and charges to be levied for the 2024-25 financial year and other matters as adopted 20 June 2024*
  - (v) *the Strategic Environment Levy Policy*
  - (vi) *the Strategic Arts and Heritage Levy Policy*
  - (vii) *the Strategic Transport Levy Policy*
  - (viii) *Prescribed Services Charge Plan (No. 2) 2024-25 Financial Year and*
- (d) *endorse the 2024-25 Minor Capital Works Program (Appendix B).*

**Ordinary Meeting 26 September 2024 (OM24/82)**

*That Council:*

- (a) *receive and note the report titled "Budget Review 1 – 2024-25" and*
- (b) *adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's amended budget for 2024-25 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 2024-25 Capital Works Program, endorse the indicative four-year program for a period 2026 to 2029, and note the five-year program for the period 2030 to 2034*
- (c) *note the following documentation applies as adopted 22 June 2024*
- 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 2024-25 financial year and other matters as adopted 22 June 2024*
  - vi. *the Strategic Environment Levy Policy*
  - vii. *the Strategic Arts and Heritage Levy Policy*
  - viii. *the Strategic Transport Levy Policy*
  - ix. *Prescribed Services Charge Plan (No. 2) 2024-25 Financial Year and*
- (d) *endorse the Minor Capital Works Program (Appendix B).*

**Special Meeting 20 June 2024 (SM24/4)**

*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 2023-24 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 2024-25 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 30 May 2024)*
- viii. *the Revenue Policy (adopted by Council resolution on 30 May 2024)*
- 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 2024-25 Capital Works Program, endorsing the indicative four-year program for the period 2026 to 2029, and noting the five-year program for the period 2030 to 2034*
- xii. *the rates and charges to be levied for the 2024-25 financial year and other matters as detailed below in clauses 3 to 10*
- xiii. *the 2024-25 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. *Prescribed Services Charge Plan (No. 2) 2024-25 Financial Year.*

**Related Documentation**

2024-25 Adopted Budget

**Critical Dates**

There are no critical dates for this report.

**Implementation**

There are no implementation details to include in this report.

# 2024-25 BUDGET

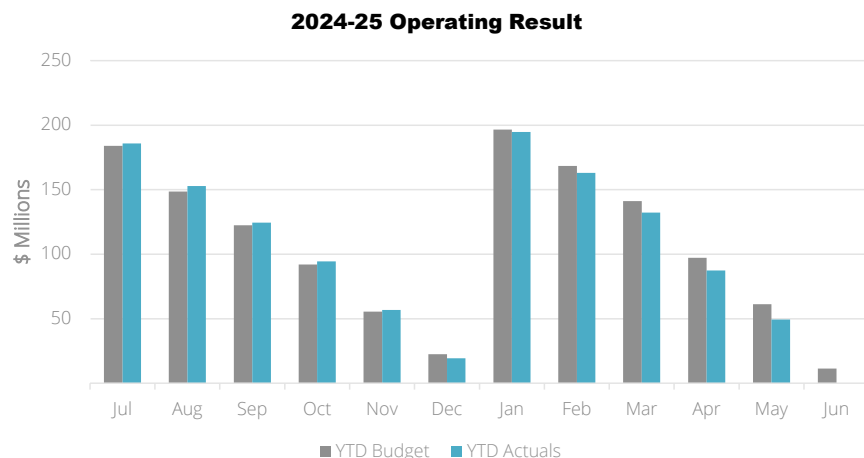
Financial Performance Report

May 2025





# Statement of Income and Expenses



As at 31 May, Council had an operating result of \$49.3 million, which is \$4.0 million (7.5%) below current budget.

The monthly financial report includes reporting lines where year-to-date actuals have been estimated based on the budget.

A forecast for the 2024-25 financial year has not been included as the forecast result is under review as part of the 2025-26 budget process.

Statement of Income & Expenses May 2025						
	Annual		YTD			
	Original Budget \$000	Current Budget \$000	Current Budget \$000	Actuals \$000	Variance \$000	Variance %
<b>Operating Revenue</b>						
General Rates	319,728	318,428	318,300	317,956	(345)	(0.1%)
Cleansing Charges	84,008	94,680	93,942	93,884	(57)	(0.1%)
Levies	23,872	23,890	23,859	23,859	0	0.0%
Fees and Charges	77,152	77,215	71,272	70,741	(531)	(0.7%)
Interest Received from Investments	14,883	12,870	11,669	9,404	(2,265)	(19.4%)
Operating Grants and Subsidies	16,129	17,407	14,238	14,523	285	2.0%
Operating Contributions	320	320	298	271	(27)	(9.1%)
Unitywater Participation	52,500	52,500	49,005	49,005	0	0.0%
Other Revenue	18,775	23,620	21,802	23,139	1,337	6.1%
Internal Sales/Recoveries	2,720	4,034	3,885	3,034	(852)	(21.9%)
<b>Total Operating Revenue</b>	<b>610,085</b>	<b>624,963</b>	<b>608,271</b>	<b>605,816</b>	<b>(2,455)</b>	<b>(0.4%)</b>
<b>Operating Expenses</b>						
Employee Costs	186,081	187,096	168,561	169,287	726	0.4%
Materials and Services	234,321	246,269	221,386	215,237	(6,150)	(2.8%)
Finance Costs	13,284	11,484	10,662	11,153	491	4.6%
Company Contributions	4,149	4,149	4,149	4,149	0	0.0%
Depreciation Expense*	115,664	126,800	116,384	116,486	103	0.1%
Other Expenses	29,587	30,301	25,977	26,520	543	2.1%
Recurrent Capital Expenses	4,000	7,811	7,811	13,645	5,833	74.7%
<b>Total Operating Expenses</b>	<b>587,086</b>	<b>613,910</b>	<b>554,930</b>	<b>556,478</b>	<b>1,547</b>	<b>0.3%</b>
<b>Operating Result</b>	<b>22,999</b>	<b>11,053</b>	<b>53,340</b>	<b>49,339</b>	<b>(4,002)</b>	<b>(7.5%)</b>
<b>Capital Revenue</b>						
Capital Grants and Subsidies*	25,000	49,446	36,336	36,336	-	-
Capital Contributions - Cash*	33,629	25,000	24,953	24,953	-	-
Capital Contributions - Fixed Assets*	74,538	74,538	3,861	3,861	-	-
<b>Total Capital Revenue</b>	<b>133,167</b>	<b>148,984</b>	<b>65,150</b>	<b>65,150</b>	-	-
<b>Non-recurrent Expenses</b>						
Profit/Loss on disposal, revaluation & impairment	-	-	-	3,613	3,613	-
Movements in landfill and quarry provisions	2,982	2,982	2,733	2,733	-	-
Recurrent Capital Expenses - Prior Year	-	-	-	8,086	8,086	-
Assets Transferred to Third Parties	-	-	-	-	-	-
<b>Total Non-recurrent Expenses</b>	<b>2,982</b>	<b>2,982</b>	<b>2,733</b>	<b>14,432</b>	<b>11,699</b>	<b>428.1%</b>
<b>Net Result</b>	<b>153,185</b>	<b>157,056</b>	<b>115,757</b>	<b>100,056</b>	<b>(15,701)</b>	<b>(13.6%)</b>

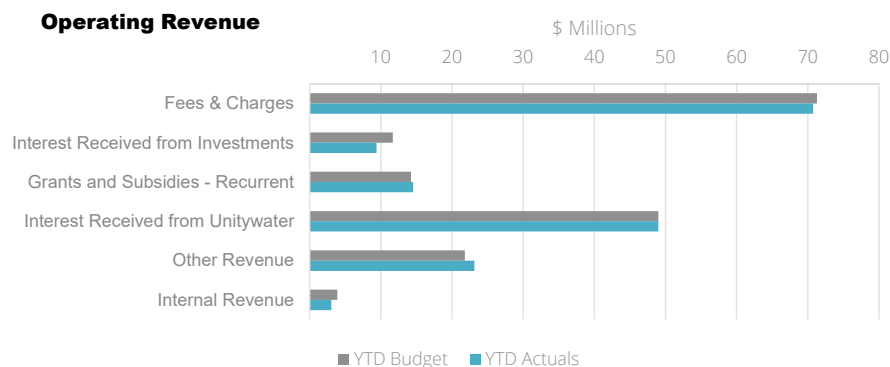
\* YTD Actuals based on budget estimates pending year-end processing

## Operating Result - Revenue

\$605.8 million in operating revenue has been received which is \$2.5 million lower than budget

- Fees and Charges below budget \$531,000  
*Below budget*
  - Holiday Parks Fees \$406,000 (impact of TC Alfred)
  - Development Services Fees \$938,000
  - Parking Business Unit Fees \$443,000
- Above budget*
  - Parking Infringements \$771,000
  - Resource Recovery Recyclables \$293,000
  - Sunshine Coast Stadium \$220,000
- Interest Received from Investments \$2.3 million lower than budget
- Lease Revenue \$276,000 higher than budget

Operating Summary				May 2025		
	Annual		YTD			
	Original Budget	Current Budget	Current Budget	Actuals	Variance	Variance
	\$000s	\$000s	\$000s	\$000s	\$000s	%
Operating Revenue	610,085	624,963	608,271	605,816	(2,455)	(0.4%)
Operating Expenses	583,086	606,099	547,119	542,833	(4,286)	(0.8%)
Recurrent Capital Expenses	4,000	7,811	7,811	13,645	5,833	74.7%
Operating Result	22,999	11,053	53,340	49,339	(4,002)	(7.5%)
Capital Revenue	133,167	148,984	65,150	65,150	-	-
Non-recurrent Expenses	2,982	2,982	2,733	14,432	11,699	428.1%
Net Result	153,185	157,056	115,757	100,056	(15,701)	(13.6%)



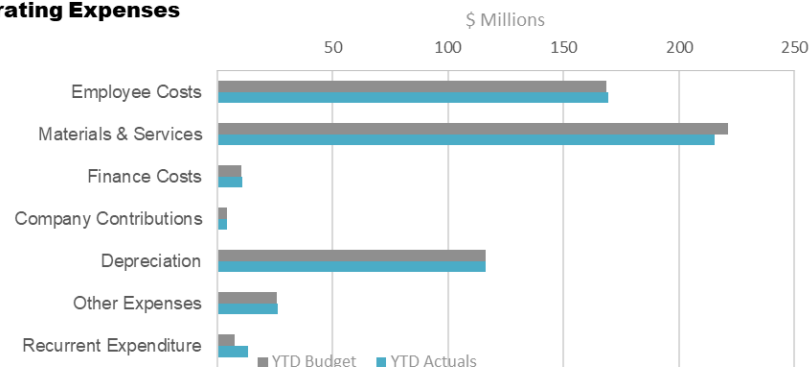
## Operating Result - Expenses

\$556.5 million in operating expenses has been incurred which is \$1.5 million (0.3%) higher than budget

- Materials and Services below budget \$6.2 million (2.8%)
  - Contracts below budget
    - *Digital and Information Services* \$722,000
    - *Transport Network management* \$250,000
- Quarry below budget \$938,000
- Street Lighting Electricity \$570,000 below budget
- Levy Projects \$2.6 million below budget  
*Environment Levy and Transport Levy*
- Projects below budget \$1.1 million
- Recurrent Capital Expenses \$5.8 million above budget

Operating Summary						May 2025
	Annual		YTD			
	Original Budget \$000s	Current Budget \$000s	Current Budget \$000s	Actuals \$000s	Variance \$000s	Variance %
Operating Revenue	610,085	624,963	608,271	605,816	(2,455)	(0.4%)
Operating Expenses	583,086	606,099	547,119	542,833	(4,286)	(0.8%)
Recurrent Capital Expenses	4,000	7,811	7,811	13,645	5,833	74.7%
<b>Operating Result</b>	<b>22,999</b>	<b>11,053</b>	<b>53,340</b>	<b>49,339</b>	<b>(4,002)</b>	<b>(7.5%)</b>
Capital Revenue	133,167	148,984	65,150	65,150	-	-
Non-recurrent Expenses	2,982	2,982	2,733	14,432	11,699	428.1%
<b>Net Result</b>	<b>153,185</b>	<b>157,056</b>	<b>115,757</b>	<b>100,056</b>	<b>(15,701)</b>	<b>(13.6%)</b>

### Operating Expenses



## Capital Expenditure

\$229.0 million (85.3%) of Council's \$268.4 million total capital works budget has been expended.

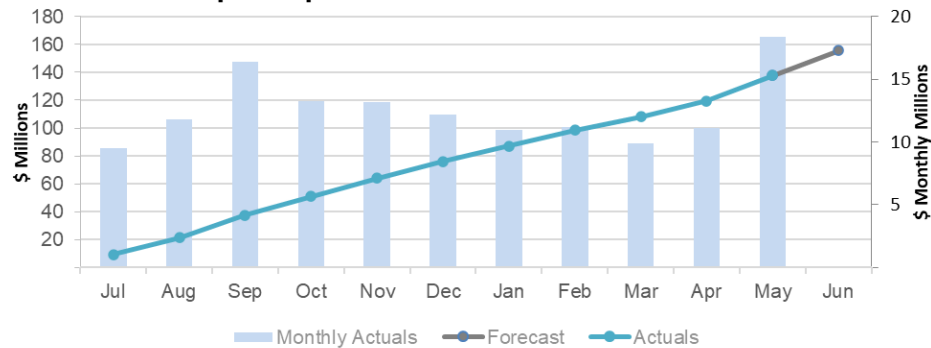
This is compared to the same period last year with \$248.8 million (74.8%) expended of Council's \$332.7 million total capital works budget.

The Core Capital Program has expended \$137.6 million, 90.3% of \$152.4 million budget.

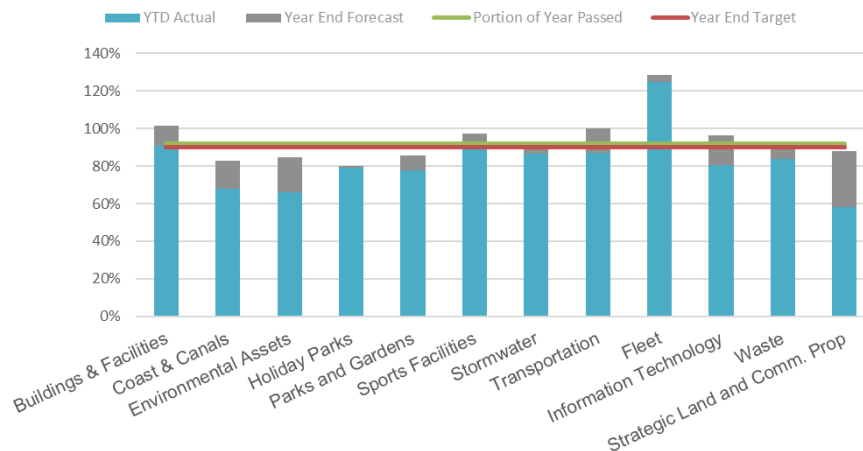
Capital Expenditure					May 2025	
	Annual		YTD		Year End	
	Original Budget \$000s	Current Budget \$000s	Actuals \$000s	% of FY Budget Spent	Forecast Year End Actual	Forecast Year End Variance to Budget
<b>Core Capital Works Program</b>						
Aerodromes	1,525	450	284	63.0%	334	(116)
Buildings and Facilities	28,286	16,498	14,966	90.7%	16,723	225
Coast and Canals	6,200	4,307	2,921	67.8%	3,572	(734)
Environmental Assets	4,120	2,262	1,490	65.9%	1,914	(348)
Minor Works	5,862	6,767	4,281	63.3%	5,483	(1,284)
Holiday Parks	2,881	2,732	2,162	79.2%	2,190	(541)
Parks and Gardens	10,480	10,301	8,010	77.8%	8,810	(1,491)
Sports Facilities	20,738	21,449	19,652	91.6%	20,872	(577)
Stormwater	14,318	11,346	9,807	86.4%	10,298	(1,048)
Transportation	99,213	85,372	74,081	86.8%	85,416	44
Deliverability Factor		(9,097)				9,097
<b>Total SCC Core Capital Program</b>	<b>193,624</b>	<b>152,386</b>	<b>137,654</b>	<b>90.3%</b>	<b>155,612</b>	<b>3,226</b>
Disaster Recovery Funding Arrangements	4,590	14,174	6,478	45.7%	8,654	(5,520)
Fleet	3,500	3,583	4,461	124.5%	4,600	1,017
Information Technology	10,000	10,680	8,620	80.7%	10,265	(415)
Waste	12,882	25,118	21,076	83.9%	22,930	(2,188)
Corporate Major Projects	39,730	41,761	38,587	92.4%	42,298	538
Strategic Land and Commercial Properties	18,992	20,679	12,017	58.1%	18,223	(2,457)
<b>Total Other Capital Program</b>	<b>89,694</b>	<b>115,994</b>	<b>91,343</b>	<b>78.7%</b>	<b>107,073</b>	<b>(8,922)</b>
<b>TOTAL PROGRAM</b>	<b>283,318</b>	<b>268,380</b>	<b>228,996</b>	<b>85.3%</b>	<b>262,685</b>	<b>(5,696)</b>
<i>The above program of works includes recurrent and non-recurrent expenditure, as reporting in the operating statement</i>						
Recurrent Expenses	4,000	7,811	13,645	174.7%		
Non-Recurrent Expenses	-	-	8,086	-		

# Capital Expenditure

**SCC Core Capital Expenditure**



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



## **Building and Facilities**

Program YTD spend at 90.7% of total budget.

## **Coast and Canals**

Program YTD spend at 67.8%. Quota Park Fishway Construction 4% YTD spent. Golden Beach Seawall 6% YTD spent.

## **Environmental Assets**

Program YTD spend at 65.9%.

## **Parks and Gardens**

Program YTD spend at 77.8% of total budget. Coastal Pathway 78.6% YTD spend.

## **Sports Facilities**

Program YTD spend at 91.6% of total budget. Honey Farm Sports & Rec Precinct 91% YTD spend.

## **Transportation**

Program YTD spend at 86.8% of total budget. Bus Stop Program 76.8% spend YTD. Road Resurfacing 85.7% spend YTD. Pedestrian and Cyclist Facilities 59% spend YTD. Streetscape Programs 73.6% spend YTD.

## **Information Technology**

Program YTD spend at 80.7% of total budget.

## **Strategic Land and Commercial Properties.**

Program YTD spend at 58.1% of total budget.

## **Disaster Recovery Funding Arrangements**

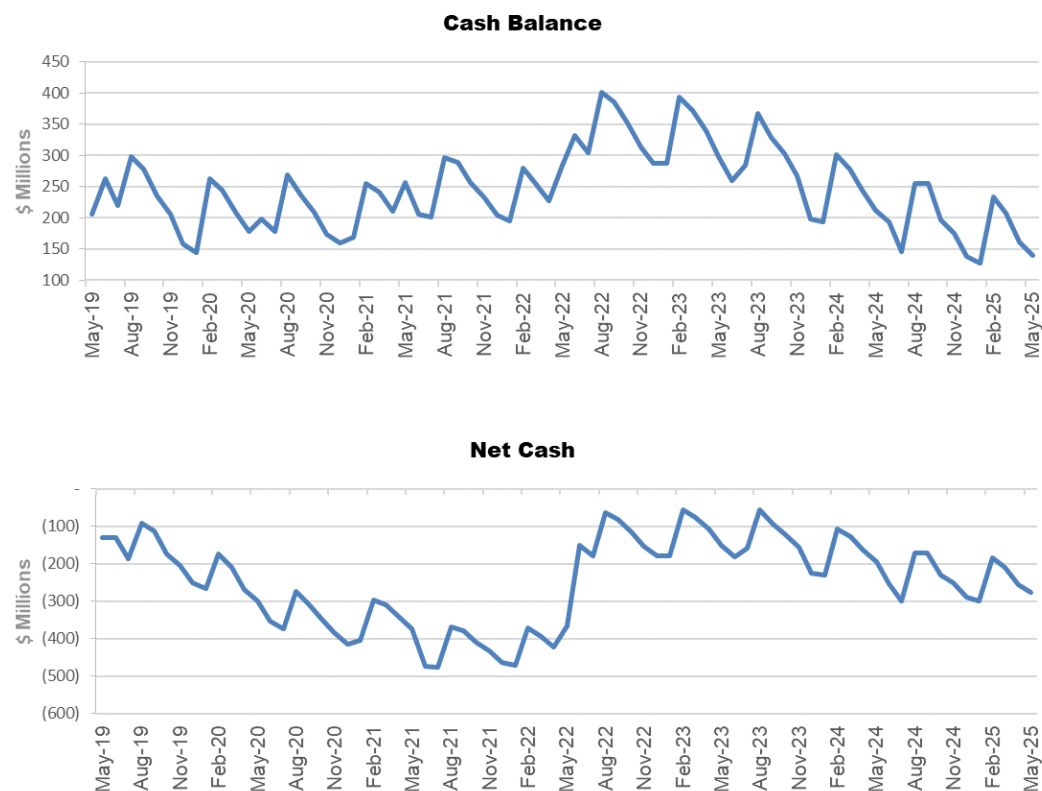
Program YTD spend at 45.7% of total budget. Council have requested an extension of time for delivery to 30 June 2025 for Buderim Tramway Landslide and Trail Repair 1% spent; David Low Way Landslip 22% spent.



## Cash Flows and Balance Sheet

- Cash balance at 31 May was \$135.3 million excluding Trust
- Debt balance at 31 May was \$421 million

Cash and Balance Sheet May 2025			
	Current Full Year Budget \$000s	YTD Budget \$000s	YTD Actuals \$000s
<b>CASH FLOWS</b>			
Opening Cash	193,347	166,457	166,457
Net Cash Inflow/(Outflows) from:			
Operating Activities	70,250	98,291	97,148
Investing Activities	(99,313)	(123,693)	(102,946)
Financing Activities	(2,781)	(25,975)	(25,384)
Net Increase/(decrease) in Cash Held	(31,845)	(51,377)	(31,182)
Cash at year end	161,502	115,080	135,275
<b>BALANCE SHEET</b>			
Current Assets	251,889		
Non Current Assets	9,043,510		
<b>Total Assets</b>	<b>9,295,399</b>		
Current Liabilities	190,333		
Non Current Liabilities	489,867		
<b>Total Liabilities</b>	<b>680,200</b>		
Net Community Assets/Total Community Equity	8,615,199		



# Debt

Council's current debt balance is \$421 million.

Sunshine Coast Council's debt program is governed by the 2024-25 Debt Policy, which was adopted with the Original Budget adoption on 20 June 2024 and updated with Budget Review 2 on 12 December 2024.

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 will draw down the borrowings for the 2024-25 financial year during June. A total of \$23.2 million which relate to:

- \$21.2 million for Waste
- \$1.8 million for Holiday Parks
- \$288,000 for Caloundra Aerodrome Master Plan

Debt - 2024-25				
	Opening Balance \$000	Debt Redemption \$000	New Borrowings \$000	Closing Balance \$000
Sunshine Coast Council Core	345,795	20,064	23,194	348,925
Maroochydore City Centre	100,213	5,784	-	94,429
Total	446,008	25,847	23,194	443,354



## Investment Performance

At month end Council has \$135.3 million cash (excluding Trust funds), with an average interest rate of 4.87%, being 0.59% above benchmark. This is compared to the same period last year with \$212 million cash (excluding Trust funds) with an average interest rate of 5%, being 0.65% above benchmark.

The benchmark used to measure performance of cash funds is the Bloomberg AusBond Bank Bill Index (BAUBIL).

All investment parameters remain within the guidelines established by the Investment Policy.

Investment Performance - May 2025				
Liquidity as at:		31/05/2025		Term deposits maturing:
		\$'000's		\$'000's
At-call accounts				Count
QTC + CBA (excl. trust)		135,275	84.45%	within 30 days
Maturities within 7 days		-	0.00%	30-59 days
<b>Total at-call</b>		<b>135,275</b>	<b>84.45%</b>	60-89 days
Investment Policy Target			10.00%	90-179 days
				180-364 days
				1 year - 3 years
				<b>Total</b>

INVESTMENT SUMMARY (including Trust) as at:							Investment Policy	
	31/05/2025		28/02/2025		31/05/2024		Individual Limit	Group Limits
A1+ (QTC)	117,763	74%	89,767	34.7%	98,552	41.7%	100%	100%
A1+ (Other)	42,424	26%	169,004	65.3%	117,701	49.8%	100%	100%
A1	-	0%	-	0.0%	-	0.0%	60%	100%
A2	-	0%	-	0.0%	20,000	8.5%	60%	90%
A3	-	0%	-	0.0%	-	0.0%	10%	30%
<b>Total Funds</b>	<b>160,188</b>		<b>258,771</b>		<b>236,253</b>			
<b>FUND SUMMARY</b>								
General Funds	135,275		233,810		212,252			
Trust Funds	24,913		24,961		24,001			
<b>Total Funds</b>	<b>160,188</b>		<b>258,771</b>		<b>236,253</b>			

## Risks

The reported Actual Year to Date financial result includes several items that are estimated pending the completion of year-end processing.

It is likely that the end of year position for Depreciation and Recurrent Capital expenses will be significantly greater than the budget which will adversely impact the Operating Result.

The Year to Date Employee Costs appear on track to achieve the targeted vacancy rate.

Thanks for your time



[sunshinecoast.qld.gov.au](http://sunshinecoast.qld.gov.au)







Ordinary Meeting Agenda  
Item 8.2 May 2025 Financial Performance Report  
Attachment 2 May 2025 Capital Grant Funded Project Report

19 JUNE 2025

2024-25 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>(\$8,641)</b>	<b>\$11,327</b>
1	Roads to Recovery Program					(\$4,800)	
<b>Local Road and Community Infrastructure Grant Funding - Round 4</b>						<b>(\$3,141)</b>	<b>\$10,075</b>
2	H5683 - LRCIP4 Venue 114 - Stage 1 Solar Install	Division 03	Bokarina	February 2024	March 2025	(\$400)	\$2,153
3	H1797 - LRCIP4 Kawana Waters Regional Aquatic Centre	Division 03	Bokarina	March 2023	June 2025	(\$347)	\$5,462
4	K3827 - LRCIP4 Charles Clarke Park Revetment Wal	Division 04	Mooloolaba	February 2024	September 2024	(\$500)	\$601
5	H7594 - LRCIP4 Mountain View Road Maleny Lookout	Division 05	Maleny	March 2024	March 2025	(\$500)	\$544
6	H2063 - LRCIP4 Power Memorial Park Renew Play Equipment	Division 08	Mudjimba	October 2024	November 2024	(\$98)	\$398
7	K4113 - LRCIP4 Lions and Norrie Job Coolum Park	Division 09	Coolum Beach	June 2024	October 2024	(\$500)	\$563
8	K3519 - LRCIP4 Nambour Yandina United Football Club	Division 10	Yandina		May 2024	(\$198)	\$1
9	K8468 - LRCIP4 Mooloolaba Esplanade Roadworks	Division 04	Mooloolaba	January 2025	May 2025	(\$400)	\$341
10	K2901 - Solar System Replacement					(\$200)	\$12
<b>Local Road and Community Infrastructure Grant Funding - Round 3</b>						<b>(\$400)</b>	<b>\$1,240</b>
11	K2732 - LRCIP3 WOR LED Streetlighting Upgrades	Whole of Council		July 2024	December 2024	(\$400)	\$1,240
<b>Urban Rivers and Catchments Program</b>						<b>(\$300)</b>	<b>\$12</b>
12	K6643 - Quota Park Fishway Construction	Division 10	Nambour	August 2025	October 2025	(\$300)	\$12
<b>State Government</b>						<b>(\$20,262)</b>	<b>\$18,180</b>
13	Disaster Recovery Funding Arrangements					(\$11,549)	
<b>Disaster Ready Fund - Round 1</b>						<b>(\$500)</b>	<b>\$0</b>
14	H7884 - Mooloolaba Foreshore Central Meeting Pla	Division 04	Mooloolaba			(\$500)	\$0
<b>Blackspot Funding</b>						<b>(\$1,238)</b>	<b>\$815</b>
15	K4895 - BlackSpot - Old Gympie Road Beerburum	Division 01	Beerburum			(\$500)	\$646
16	K6053 - BlackSpot Cotton Tree Area - Speed Reduction	Division 04	Maroochydore			(\$50)	\$31
17	K6054 - BlackSpot Sixth Ave Maroochydore - side	Division 04	Maroochydore			(\$350)	\$84
18	K3444 - BlackSpot Ilkley Road Ilkley	Division 05	Ilkley			(\$70)	\$12
19	K6056 - Blackspot - Mons Road Forest Glen	Division 07	Forest Glen			(\$268)	\$41
<b>Community Sustainability Action Grant - Round 8</b>						<b>(\$14)</b>	<b>\$1</b>
20	K7987 - Bankfoot House - Dairy Shingle Roof Rene	Division 01	Glass House Mountains			(\$14)	\$1
<b>Minor Infrastructure and Inclusive Facilities Fund</b>						<b>(\$474)</b>	<b>\$121</b>
21	K7686 - MSSWP2 - Ocean View Avenue and Palm Driv	Division 04	Mooloolaba	April 2025	April 2025	(\$112)	\$35
22	K7687 - MSSWP3 - Meta Street and Douglas Street	Division 04	Mooloolaba	March 2025	April 2025	(\$112)	\$40
23	K7596 - Maleny Skate Park Upgrade Phase 2	Division 05	Maleny			(\$250)	\$45
<b>Minor Infrastructure Program</b>						<b>(\$125)</b>	<b>\$1,090</b>
24	H3892 - Lions-Norrie Job Park, Coolum Landscape Plan	Division 09	Coolum Beach			(\$125)	\$1,090
<b>Queensland Transport Cycle Network Program</b>						<b>(\$1,861)</b>	<b>\$10,911</b>
25	K2705 - Coastal Pathway BA 233 to 229 Warana	Division 04	Warana			(\$575)	\$435
26	H3839 - LGIP Stringybark Rd Footbridge-Pathway	Division 07	Sippy Downs			(\$596)	\$10,436
27	H6416 - Emu Mountain Road Pathway Construction	Division 09	Coolum Beach			(\$690)	\$40
<b>2022-24 Local Government Grants and Subsidies Program</b>						<b>(\$98)</b>	<b>\$192</b>
28	H5637 - Caloundra Headland Coastal Pathway	Division 02	Kings Beach	September 2023	July 2024	(\$98)	\$192
<b>Walking Network Plans</b>						<b>(\$36)</b>	<b>\$0</b>
29	K3037 - Walking Network Plans	Whole of Council				(\$36)	\$0
30	Passenger Transport Accessible Infrastructure Program					<b>(\$422)</b>	
<b>School Transport Infrastructure Program</b>						<b>(\$821)</b>	<b>\$867</b>
31	K7471 - STIP - Landsborough State School - Pathw	Division 01	Landsborough	September 2024	September 2024	(\$492)	\$505
32	K7376 - STIP - Brightwater State School Dianell	Division 06	Mountain Creek	December 2024	December 2024	(\$300)	\$331
33	K7377 - STIP - Good Samaritan Catholic College	Division 09	Bli Bli			(\$29)	\$31
<b>South East Queensland Community Stimulus Program</b>						<b>(\$2,560)</b>	<b>\$3,364</b>
34	K2914 - Beerwah Cemetery entrance feature and carparking	Division 01	Beerwah			(\$310)	\$1
35	K6414 - Khancoban Drive Park - District Park Development	Division 06	Buderim			(\$250)	\$36
36	K7394 - Albany Lakes Park - Public Amenity	Division 06	Sippy Downs			(\$200)	\$36
37	H5133 - South Coolum Road Coolum New Pathway	Division 08	Coolum Beach			(\$250)	\$56
38	K7568 - Sundew Street MUDJIMBA - East Section kerb and channel	Division 08	Mudjimba			(\$400)	\$25
39	K3347 - Lions Norrie Job Park Coolum Pump Track	Division 09	Coolum Beach			(\$550)	\$19
40	H4605 - SEQCSP Eumundi Town Centre Placemaking	Division 10	Eumundi	August 2024	March 2025	(\$600)	\$3,191
<b>Transport Infrastructure Development Scheme</b>						<b>(\$564)</b>	<b>\$820</b>
41	H4613 - Cotton Tree Precinct Improvements	Division 04	Maroochydore	March 2025	March 2025	(\$150)	\$151
42	K1771 - Petrie Creek Road Shoulder Widening from Paynters Creek Road to Celestine Place	Division 07	Rosemount			(\$282)	\$309
43	K1719 - Ridgeview Drive and Havana Road West Junction	Division 09	Peregian Springs			(\$132)	\$361
Project Complete							



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**8.3 UPDATE AND AMENDMENT OF 2024-25 CONTRACTING PLAN****File No:** Council Meetings**Author:** Acting Manager Business and Innovation  
Business Performance Group**Appendices:** App A - Amended 2024-25 Contracting Plan ..... 147  

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**PURPOSE**

The purpose of this report is to:

- provide an update on progress of the Significant Contracts identified in the 2024-25 Contracting Plan and
- present for the consideration of Council amendments to the 2024-25 Contracting Plan to ensure it accurately reflects the Significant Contracts for the 2024-25 financial year.

**EXECUTIVE SUMMARY**

At the Ordinary Meeting of 17 May 2018, Council resolved to adopt the Strategic Contracting Procedures to empower Council to pursue improved contracting outcomes.

Having adopted the Strategic Contracting Procedures the *Local Government Regulation 2012* requires Council to make and adopt a contracting plan each financial year. The contracting plan must include the contracts that Council considers will be significant.

Amendments to the list of Significant Contracts identified in the 2024-25 Contracting Plan are required to ensure the list accurately reflects the Significant Contracts that Council has, or will enter into, during the 2024-25 Financial Year.

Council can, by resolution, amend a contracting plan at any time before the end of the financial year to which the plan relates.

The amended 2024-25 Contracting Plan is provided for Council's consideration as **Appendix A**.

**OFFICER RECOMMENDATION**

**That Council:**

- (a) **receive and note the report titled "Update and Amendment of 2024-25 Contracting Plan" and**
- (b) **adopt the amended 2024-25 Contracting Plan (Appendix A).**

**FINANCE AND RESOURCING**

There are no financial or resourcing implications associated with the amendment of the 2024-25 Contracting Plan.

**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>	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**

- Councillor E Hungerford – Outstanding Organisation Portfolio Councillor
- Councillor J Broderick – Outstanding Organisation Portfolio Councillor

**Internal Consultation**

Consultation has been undertaken with the Group Executive Business Performance on matters outlined in this report.

**External Consultation**

No external consultation was required in the preparation of this report.

**Community Engagement**

No community consultation was required in the preparation of this report.

**PROPOSAL****Contracting Plan**

At the Ordinary Meeting of 20 June 2024, Council resolved to adopt the 2024-25 Contracting Plan as part of the adoption of the 2024-25 Procurement Policy and Procurement and Disposal Framework.

The Contracting Plan is a document which outlines the types of contracts that Council proposes to enter into during the financial year, including principles and strategies for performing those contracts within the various markets being approached. The Contracting Plan must be consistent with, and support achievement of the strategic directions outlined in the Corporate Plan.

The Contracting Plan must include the contracts that Council considers will be significant together with a policy about the making of a Significant Contracting Plan.

Significant Contracts are contracts that:

- have an anticipated value of \$5 million or more and/or



- are deemed Significant Contracts following assessment under the Procurement Profiling Matrix, and Risk Assessment Calculator.

Table 1 below details the progress for each of the Significant Contracts listed in the 2024-25 Contracting Plan.

Contract	Procurement Strategy	Comments
Oval Avenue and Gosling St Upgrade	Public Tender	Tender Invited: June 2025 Tender Closed: Scheduled July / August 2025 <i>Currently out to market</i>
Nambour Resource Recovery Centre	Public Tender	No tender released in 2024-25.
Food Organic and Garden Organic Waste Processing Service	Public Tender	Tender Invited: February 2024 Tender Closed: April 2024 <i>Currently under evaluation</i>
Mooloolaba Foreshore Central Meeting Place	Public Tender	Tender Invited: September 2023 Tender Closed: October 2023 Contract Awarded: April 2025
Sippy Downs Library and Community Venue	Public Tender	No tender released in 2024-25.
Honey Farm Road Clubhouse Construction	Public Tender	No tender released in 2024-25.
Honey Farm Road Sports Field Establishment	Public Tender	No tender released in 2024-25.
B2N Rail Upgrade Offset Project	Public Tender	No tender released in 2024-25.
Microsoft Enterprise Agreement	Exception - Arrangement	Tender Invited: June 2024 Tender Closed: July 2024 Contract Awarded: July 2024
Landscape Maintenance Services	Public Tender	Tender Invited: February 2025 Tender Closed: April 2025 Contract Awarded: May 2025

Table 1 : 2024-25 Significant Contract Progress

### Amendments to 2024-25 Contracting Plan

The Business and Innovation Branch works closely with all stakeholders to deliver the Significant Contracts identified in the Contracting Plan. This engagement provides a considered approach to the procurement structure and strategy, together with timing to market for each of the Significant Contracts in order to deliver better outcomes for Council. As a result of this process amendments to the adopted Contracting Plan have been identified. Table 2 below details the amendments required to the 2024-25 Contracting Plan.

Contract	Amendment Required	Justification
Oval Avenue and Gosling St Upgrade	Removal from Contracting Plan	Procurement activity still current. Any resulting contract will be entered into during 2025-26.
Nambour Resource Recovery Centre	Removal from Contracting Plan	No tender released in 2024-25.
Food Organic and Garden Organic Waste Processing Service	Removal from Contracting Plan	Procurement activity still current. Any resulting contract will be entered into during 2025-26.
Sippy Downs Library and Community Venue	Removal from Contracting Plan	No tender released in 2024-25.
Honey Farm Road Clubhouse Construction	Removal from Contracting Plan	No tender released in 2024-25.
Honey Farm Road Sports Field Establishment	Removal from Contracting Plan	No tender released in 2024-25.
B2N Rail Upgrade Offset Project	Removal from Contracting Plan	No tender released in 2024-25.
Supply of Prefabricated Dwellings and Associated Civil Works – Marcoola	Addition to Contracting Plan	Awarded contract met the threshold for significant contact Tender Invited: May 2024 Tender Closed: June 2024 Contract Awarded: August 2024
QRA Full Service Landslip Remediation – First Bay, David Low Way, Coolum Beach	Addition to Contracting Plan	Awarded contract met the threshold for significant contact Tender Invited: July 2024 Tender Closed: September 2024 Contract Awarded: November 2024

Table 2 : Amendments to 2024-25 Contracting Plan

## Legal

Section 220(2) of the *Local Government Regulation 2012* requires Council to make and adopt a contracting plan each financial year.

Section 220(7) of the *Local Government Regulation 2012* allows Council, by resolution to amend a contracting plan at any time before the end of the financial year to which the plan relates.

## Human Rights Act 2019

There are no human rights implications relevant to Council's decision in this matter.

## Policy

The Procurement Policy and procurement and disposal framework provides a structured framework for Council's procurement and disposal contracting activities and ensure compliance with the relevant legislation.

The amendments to the 2024-25 Contracting Plan do not conflict with the Procurement Policy or any other current policy positions or documents of Council.

**Risk**

The 2024-25 Contracting Plan is not reflective of the Significant Contracts that Council has or will enter into during the 2024-25 Financial Year. While a failure to adopt the Amended 2024-25 Contracting Plan will not impact any procurement activities, it is considered best practice to align the Contracting Plan with the Significant Contract activities that have occurred during the 2024-25 Financial Year.

**Previous Council Resolution****Ordinary Meeting 20 June 2024 (OM24/43)**

*That Council:*

- (a) *receive and note the report titled "2024-25 Procurement Policy and Procurement and Disposal Framework" and*
- (b) *adopt the Procurement and Disposal Framework inclusive of:*
  - (i) *Procurement Policy (Appendix A)*
  - (ii) *Contract Manual (Appendix B)*
  - (iii) *Contracting Plan (Appendix C)*
  - (iv) *Local Preference in Procurement Guideline (Appendix D)*
  - (v) *Social Benefit in Procurement Guideline (Appendix E)*
  - (vi) *First Nations Procurement Guideline (Appendix F)*
  - (vii) *Innovation and Market-Led Engagement Guideline (Appendix G) and*
  - (viii) *Environment and Sustainability in Procurement Guideline (Appendix H).*

**Related Documentation**

*Local Government Act 2009*

*Local Government Regulation 2012*

Internal and External Audit Reports conducted on procurement and contracting activities.

**Critical Dates**

Section 220(7) of the *Local Government Regulation 2012* allows Council, by resolution to amend a contracting plan at any time before the end of the financial year to which the plan relates.

**Implementation**

There are no implementation details to include in this report.



## Amended 2024-25 Contracting Plan | Guidelines

Amended 2024-25 Contracting Plan		
DRAFT	Approved by CEO:	<OCEO INSERT signature>
		<OCEO INSERT date>
	Considered by ELT:	<INSERT date>

### Guideline purpose

Contracting Activities are the processes by which Council forms contracts with suppliers for the provision of goods, services, and works, and through which it disposes of Valuable Non-Current Assets or Surplus Assets.

### Guideline scope

Council adopts the Strategic Contracting Procedures to its Contracting Activities in accordance with Part 2, Schedule 6 of the *Local Government Regulation 2012*.

The Procurement Policy, Contract Manual, and this Contracting Plan, provide the framework for Council to carry out Contracting Activities in:

- An effective and efficient framework that delivers sound contracting outcomes;
- A manner that complies with the Procurement Policy; and
- Accordance with all applicable laws including the *Local Government Act 2009* (Qld) (LGA 2009) and the *Local Government Regulation 2012* (Qld) (LGR 2012);

Council Contracting Activities undertaken under the framework including this Contracting Plan, must be performed in a manner consistent with the following guidelines:

- Local Preference in Procurement Guideline;
- Social Benefit Procurement Guideline;
- First Nations Procurement Guideline;
- Innovation and Market-Led Engagement Guideline; and
- Environment and Sustainability in Procurement Guideline.

### Guideline application

#### Application of Contracting Plan

This Contracting Plan identifies:

- the types of Contracts Council proposes to make in the 2024-25 financial year;
- the principles and strategies for performing the Contracts;



## Amended 2024-25 Contracting Plan | Guidelines

- c) a policy about proposed delegations for the Contracts;
- d) a market assessment for each type of Contract;
- e) the Contracts that Council considers will be significant having regard to the market assessment; and
- f) a policy about the making of a Significant Contracting Plan.

### Types of Contracts

To service these categories, Council maintain a suite of template Contracts including:

- Design and Construction
- Construction
- Supply and Installation
- Services (including professional and consulting services)
- Supply of Goods
- Queensland Information Technology Framework Contracts

To undertake Contracting Activities, Council has engaged a category procurement model.

### Procurement Categories

For the 2023-24 financial year to 29 February 2024, Council spent \$311.7m across the six Procurement Categories as follows:

Categories	Approximate Total Spend
Engineering and Works	\$135.5m
Facilities	\$58.4m
Services	\$52.7m
Waste Services	\$31.1m
Fleet and Plant	\$22.7m
ICTS	\$11.3m

For the 2024-25 financial year, Council anticipates spending \$442m across the below categories:

Categories	Anticipated Total Spend
Engineering and Works	\$180m
Facilities	\$58m
Services	\$89m
Waste Services	\$63m

## Amended 2024-25 Contracting Plan | Guidelines

ICTS	\$21m
Other (incl Fleet and Plant and Planning)	\$31m

### Principles and Strategies

Council will have regard to the Sound Contracting Principles when undertaking Contracting Activities.

The Sound Contracting Principles are:

- value for money;
- open and effective competition;
- the development of competitive local business and industry;
- environmental protection; and
- ethical behaviour and fair dealing.

Strategies and Plans for Procurement Categories and individual procurements will be developed as per the Procurement Policy and Contract Manual.

### Delegation

Council has delegated powers to the CEO relating to Contracting Activities. The CEO has in turn delegated these powers onto appropriately qualified Council Officers. These delegations are recorded in the Delegation of Authority No. 2 – Procurement and Contracting Activities and Payments maintained by the CEO.

The procurement process used to enter into Contracts differs depending on the type of Contract. The type of Contract is determined by considering the complexity of the Contract, the associated risks, the anticipated value, and by the category in which it falls.

### Market Assessment

An assessment of the market for each category, based on Contracting Activities during the 2023-24 financial year can be found in Annexure A of this attachment.

### Significant Contracts

Significant Contracts are Contracts that:

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

A list of the Contracts that Council considers will be Significant Contracts for the 2024-25 financial year are as follows:

## Amended 2024-25 Contracting Plan | Guidelines

Contract	Reason for Significant Contract	Proposed Procurement Strategy
Mooloolaba Foreshore Central Meeting Place	> \$5M	Public Tender
Microsoft Enterprise Agreement	> \$5M	Quotes from State Government Standing Offer Arrangement ICTSS.2201 Provision of Microsoft Products and associated Licensing Solution Partner Services
Landscape Maintenance Services	> \$5M	Public Tender
Supply of Prefabricated Dwellings and Associated Civil Works - Marcoola	> \$5M	Public Tender
QRA Full Service Landslip Remediation - First Bay, David Low Way, Coolool Beach	> \$5M	Public Tender

### Policy about the making of a Significant Contracting Plan

Significant Contracting Plans will be prepared for all Significant Contracts prior to the commencement of the Contract. They will state:

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

The Significant Contracting Plan will be prepared by the Business & Innovation Branch in consultation with the Contract Administrator and any other relevant stakeholders identified in the Procurement Plan.

The Significant Contracting Plan will be endorsed by the Manager of the Branch seeking the Significant Contract and their Group Executive.

The Significant Contracting Plan will be approved by the Chief Executive Officer prior to the commencement of the Contract to which it relates.

## Amended 2024-25 Contracting Plan | Guidelines

### Guideline review

This guideline will be reviewed annually.

### Roles and responsibilities

Role	Responsibility
Council	Endorsement authority for setting this policy and for all material changes to this policy. Able to endorse non-material changes. Maintains awareness of organisational manuals where relevant and provides feedback to the CEO when consulted.
Chief Executive Officer (CEO)	Manual Sponsor.
Executive Leadership Team (ELT)	May provide advice to the CEO on setting this manual and any proposed material changes to the manual, as appropriate. Provides feedback to the GE and Manager regarding the scope of approaching reviews as appropriate.
Group Executive, Business Performance	Responsible for overseeing all financial management systems and services, including Contracting Activities.
Manager, Business & Innovation	Manual holder. Responsible for implementing and maintaining this guideline. This includes reviewing and reporting on its effectiveness, Council's compliance with it, and recommending changes to improve its effectiveness.
All Managers	Responsible for ensuring all Council Officers comply with this guideline when undertaking Contracting Activities
All Officers	Responsible for complying with this guideline when undertaking Procurement and Contracting Activities. Only officers delegated the authority to conduct Contracting Activities as per Delegation No 2 – Procurement and Contracting Activities and Payments Delegation are permitted to commence or bind Council in contract resulting from a Contracting Activity, and only within the limits of the relevant financial authority set in that delegation.

### Definitions

The definitions in the *Procurement Policy* and *Contract Manual* apply to this Contracting Plan.

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## Amended 2024-25 Contracting Plan | Guideline

### Appendix

Guideline information		
Title	2024-25 Contracting Plan	
Purpose	Contracting Activities are the processes by which Council forms contracts with suppliers for the provision of goods, services, and works, and through which it disposes of Valuable Non-Current Assets or Surplus Assets.	
Document number	<Business Area to include Final EDDIE reference of document seeking endorsement.>	
Corporate Plan reference	Goal Pathway  Service Output	Resilient economy / Outstanding Organisation High value economy of choice drives business performance, investment and enduring employment.  Maintain a contemporary governance framework that inspires trust and confidence in the operations of Council. Promote transparency in the decisions of Council and the information relied on to inform our decisions and actions.
GE advice date	<Insert>	
CEO approval date	<OCEO to insert date>	
Effective date	1 July 2024	
Review schedule	A full review must be undertaken annually.	
Last review	2023	
Next review	2025	
Guideline holder	The Manager responsible for this policy is: Business and Innovation.	
Approval authority	Council has authority to endorse material changes.	
Related documents		
Legislation	<ul style="list-style-type: none"><li>Public Sector Ethics Act 1994 (Qld)</li><li>Local Government Act 2009 (Qld)</li><li>Local Government Regulation 2012 (Qld)</li><li>Statutory Bodies Financial Arrangements Act 1982 (Qld)</li><li>Public Sector Ethics Act 1994 (Qld)</li><li>Disaster Management Act 2003 (Qld)</li><li>Human Rights Act 2019 (Qld)</li></ul>	
Policy	<ul style="list-style-type: none"><li>2024-25 Procurement Policy</li><li>2024-25 Contract Manual</li><li>2024-25 Contracting Plan</li><li>Significant Contracting Plan/s</li><li>Sunshine Coast Council's Corporate Plan 2024-2028</li></ul>	



Operational documents	<ul style="list-style-type: none"><li>Local Preference in Procurement Guideline</li><li>Social Benefit Procurement Guideline</li><li>First Nations Procurement Guideline</li><li>Innovation and Market-Led Engagement Guideline</li><li>Environment and Sustainability in Procurement Guideline</li><li>Employee Code of Conduct</li><li>Code of Conduct for Councillors</li><li>Councillors Acceptable Request Guidelines</li><li>Council's current delegations</li><li>Purchase Cards Guideline</li></ul>
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Version Control				
Version	Reason/Trigger	Change	Endorsed/Reviewed by	Date
1.0	Create New	N	Council (OM24/43)	20 June 2024
2.0	Review	Y	<insert>	<insert>

## Annexure A - Market Assessment

An assessment of the market for each category, based on Contracting Activities during the 2023/24 financial year to 29 February 2024, is as follows:

Category	Number of Contracts	Number of Suppliers	Total Spend	Procurement Processes	Comments
Engineering and Works	3,336	453	\$135.5M	<ul style="list-style-type: none"> <li>• Tender</li> <li>• RFQ</li> <li>• Exception</li> </ul>	<p>Council's Engineering and Works category of expenditure broadly covers products and services related to roads and construction and includes subcategories such as concrete, bitumen, emulsions &amp; asphalt materials and services, technical and engineering consulting services, playground, open space and recreational infrastructure and traffic management services.</p> <p>According to ABS data, following recent declines, the value of construction done in Australia saw a significant increase of 8.7% in Q4 2023 compared to the same period in the previous year. This is primarily driven by increases in Engineering Construction (15%) and Non-Residential Construction (12%). It should be noted that Residential Construction continued to see a decrease (-1.9%). Broadly, the value of construction done saw double-digit increases in WA (14.7%), ACT (12.4%), QLD (12.3%), and NSW (10.1%). The lowest increase was seen in VIC (1.9%) and SA (4.7%). The Australian Industry Group (Key Australian Industry Indicators) suggests that over 2023, the construction industry saw a 3.1% year-on-year growth in value-add.</p> <p>The ABS Producer Price Indexes (PPI) indicates that input prices to the construction sector rose 2.4% in the 12 months leading to December 2023. The main contributors were Electrical Equipment (+2.2%) due to raw material prices, higher manufacturing costs and limited labour supply in manufacturing, and other materials (+0.5%) including paint and other coatings (+1.6%) due to recent increases in crude oil prices. The price</p>

Category	Number of Contracts	Number of Suppliers	Total Spend	Procurement Processes	Comments
					<p>risers were offset by falls in steel products (-3.7%) due to weak demand from China and continued decline in residential building approvals.</p> <p>Output prices from the construction sector rose 5.4% in the same period. This growth was primarily driven by ongoing labour shortages for skilled tradespeople. Joinery trades, mechanical trades, and electricians are particularly in high demand. Additional strength recorded in non-residential construction reflects contractors increasing margins in order to mitigate risks associated with longer term projects.</p> <p>The difficulty of security supply within this category is considered medium as the majority of products and services can be procured via existing panel arrangements and registers of pre-qualified suppliers available both regionally and locally.</p>
Facilities	1,658	241	\$58.4M	<ul style="list-style-type: none"> <li>• Tender</li> <li>• RFQ</li> <li>• Exception</li> </ul>	<p>The Facilities category covers expenditure related to the construction, maintenance and operations of Council facilities excluding technical and engineering professional services. According to ABS data, changes in key price drivers are described below.</p> <p>- Labour costs (as measured by Wage Price index) rose 4.2% over the year 2023. This is seen across relevant industries including Utility Services (+3.7%), Construction (+4.1%),</p>

Category	Number of Contracts	Number of Suppliers	Total Spend	Procurement Processes	Comments
					<p>Accommodation and Food Services (+4%), Property Services (+3.8%), Administrative and Support Services (+4.5%).</p> <p>- Rental prices rose 7.3%. Continued growth in rental prices reflects low vacancy rates and a tight rental market, particularly in dwellings.</p> <p>- Electricity prices rose 6.9%. The introduction of the Energy Bill Relief Fund rebates from July 2023 has moderated the increase in electricity bills. Excluding the rebates, electricity prices would have increased 17.6% since June 2023 quarter.</p> <p>- Insurance prices rose 16.2%. This is the strongest annual rise since March 2021. Higher reinsurance, natural disaster, and claims costs contributed to higher premiums.</p> <p>According to IBIS Industry Report, facility management businesses have increasingly outsourced non-core, back-office functions to office administration service firms to benefit from their specialist expertise in these functions and reduce the costs of hiring specialised staff to provide various services. Market share concentration is low, there are a high number of businesses operating in this sector. They compete primarily on services quality and range, price and proximity to customers.</p> <p>Supply within this category is expected to continue to have a relatively low difficulty of being secured by Council due to sufficient availability of capable suppliers both regionally and locally and the relatively high level of market competition.</p>
Services	3,995	1,567	\$52.7M	<ul style="list-style-type: none"> <li>Tender</li> <li>RFQ</li> <li>Exception</li> </ul>	<p>RBA is forecasting a further slowing in inflation to 3.3% by June 2024 and 3.2% by December 2024 and these forecasts are underpinned by expectations of a further moderation in services inflation. Goods inflation has more than halved from its peak of 9.6% per annum in September 2022 to its current level of 3.8% year on year to December 2023. Services inflation is running at 4.6% year on year to December 2023.</p>

Category	Number of Contracts	Number of Suppliers	Total Spend	Procurement Processes	Comments
					<p>The largest services categories are: rents, insurance and financial services, travel, health services, education services, and food services.</p> <p>The Australian Industry Group Australian Industry Index indicates that activities in the business-oriented services sector is improving after a period of decline in 2023. The decline only started to ease in February 2024. Service businesses reported fragility in new orders due to increased prices and customer uncertainty. Some businesses reported improved activity, but shortages of specific skilled occupations constrained capacity to deliver projects.</p> <p>The NAB Quarterly Business Survey reported that after signs of easing cost and price pressures through late 2023 as the economy slowed, the business survey suggests progress was more incremental through Q1 2024. Business conditions appear to have stabilised and confidence also picked up, alongside improved but still weak forward orders. Capacity utilisation levels remain high. Materials availability issues appear to have abated but labour availability remained a significant issue for a third of firms and wage costs continue to be the top concern, alongside pressure on margins. However, NAB suggests that price growth measures are now tracking around a rate that, if maintained, would be consistent with inflation easing towards RBA's target range.</p> <p>Council will continue to seek to procure services competitively and leverage existing preferred supplier arrangements, register of pre-qualified supplier arrangements and panel arrangements when possible to secure various types of services and achieve value for money outcomes.</p>
Waste Services	137	20	\$31.1M	<ul style="list-style-type: none"> <li>• Tender</li> <li>• RFQ</li> <li>• Exception</li> </ul>	IBIS Industry Report indicates that the waste services industry's performance has been mixed in recent years. Industry revenue has grown at 2% compound annual growth rate over the past 5 years. Household waste generation has grown steadily, but activity has declined in many of the commercial and construction sectors, which has ultimately constrained industry demand. Furthermore, more recyclable and recoverable waste







Category	Number of Contracts	Number of Suppliers	Total Spend	Procurement Processes	Comments
					<p>materials have been diverted to firms outside the industry, further restricting revenue. This trend has partly been due to government regulations encouraging recycling, alternative disposal methods (such as energy generation), and raising landfill disposal costs. However, industry firms have continued to treat and dispose of a large proportion of waste generated by households and businesses, which has supported industry revenue.</p> <p>Internal competition in the industry is low due to the specialised nature of waste treatment and disposal services, the need for economies of scale, and geographic limitations. Waste disposal services are mostly confined to larger operators, particularly in urban areas. Major players in the industry have engaged in significant acquisition activity in recent years, increasing market share concentration. The top four companies generate over 40% of industry revenue.</p> <p>Market size is projected to continue growing due to forecasted population growth, urbanisation trends and increased construction activity that will lead to higher waste generation.</p>
Fleet and Plant	666	125	\$22.7M	<ul style="list-style-type: none"> <li>• Tender</li> <li>• RFQ</li> <li>• Exception</li> </ul>	<p>The Fleet &amp; Plant category covers the purchase, hire and lease of various types of fleet, maintenance of fleet and plant and the purchase of fuel, gas and lubricants.</p> <p>According to ABS data, inflation in the transportation group rose 3.7% in the 12 months to December 2023, driven by automotive fuel (+5.4%) and maintenance and repair of vehicles (+3.9%). Inflation eased by 0.2% in the quarter December 2024 from the previous quarter. The main contributors to the fall were spare parts (-3.4%), motor</p>

Category	Number of Contracts	Number of Suppliers	Total Spend	Procurement Processes	Comments
					<p>vehicles (-0.5%) and automotive fuel (-0.2%). This is offset by rises in insurance premiums (+3.8%).</p> <p>Prices of passenger car rental and hiring fell 19.5% in the 12 months to December 2023, driven by reductions in household and business short term car hire rates due to weaker demand and excess fleet size capacity.</p> <p>Prices of goods and equipment rental and hiring rose 5% in the same period, driven by heavy machinery and scaffold hire linked to elevated inputs costs amid construction equipment demand across the infrastructure, mining and heavy industrial markets.</p> <p>Council is to continue to procure services competitively and leverage existing preferred supplier arrangements, register of pre-qualified supplier arrangements and panel arrangements when possible, to secure various types of services and achieve value for money outcomes.</p>
ICT	382	115	\$11.3M	<ul style="list-style-type: none"> <li>• Tender</li> <li>• RFQ</li> <li>• Exception</li> </ul>	<p>IBIS Industry Report indicates that ICT enterprises have benefited from climbing demand in recent years. Downstream clients are ramping up investment in IT projects and software solutions to meet growing technological requirements. New South Wales and Victoria have the greatest proportion of enterprises and revenue in 2023-24, along with the largest shares of the national population. These enterprises provide services throughout Australia and services are provided through remote working arrangements. Client businesses have required the most up-to-date technologies, as technology has become ubiquitous and considered a necessity. This factor has supported demand for ICT goods and services. Greater capital expenditure on software and existing computer system upgrades is expected over the coming years.</p> <p>ICT services exhibit a low concentration level. Despite the presence of several high-profile multinational corporations, the four largest players account for only a small</p>

Category	Number of Contracts	Number of Suppliers	Total Spend	Procurement Processes	Comments
					<p>portion of industry revenue in 2023-24. Low barriers to entry encourage growth in the number of businesses in this sector.</p> <p>The ICT Industry Landscape Report (prepared by Accenture for NSW Government) indicates that, nationally, demand for ICT workers is expected to grow at 3.8% per year until 2030. It also forecasts a shortfall of over 180,000 workers by 2030. This shortage is expected to keep upward pressure on ICT professional services costs, including ICT contractors/consultants.</p> <p>Council will continue to seek to procure ICT services by going out to market; leveraging existing preferred supplier arrangements; registering pre-qualified supplier arrangements and panel arrangements to secure various types of services and achieving value for money outcomes.</p>

## 8.4 APPLICATION OF NATIONAL COMPETITION POLICY 2025-26

<b>File No:</b>	<b>Council Meetings</b>
<b>Author:</b>	<b>Coordinator Commercial Analysis Business Performance Group</b>
<b>Appendices:</b>	<b>App A - Justification for not applying the Code of Competitive Conduct..... 171</b> <a href="#">↓</a> 
<b>Attachments:</b>	<b>Att 1 - Legislative Requirements 2025-26..... 177</b> <a href="#">↓</a> 
	<b>Att 2 - Business Activity Identification 2025-26..... 185</b> <a href="#">↓</a> 
	<b>Att 3 - Full Cost Performance 2023-24..... 191</b> <a href="#">↓</a> 

### PURPOSE

The purpose of this report is to make recommendations for the application of National Competition Policy reforms for the 2025-26 financial year.

### EXECUTIVE SUMMARY

The key recommendations for the 2025-26 financial year resulting from the annual review of the application of National Competition Policy reforms to Council's business activities are outlined in this report.

The recommended business activity structure for 2025-26 is as follows:

- Apply Full Cost Pricing to the Waste & Resource Management significant business activity.
- Apply the Code of Competitive Conduct to Sunshine Coast Holiday Parks and Quarries business activities.
- Do not apply the Code of Competitive Conduct to eleven business activities.  
Justification for not applying the Code to these activities is detailed in Appendix A.

Sunshine Coast Holiday Parks has been identified as a new significant business activity and it is recommended a public benefit assessment be undertaken to determine the cost and benefits of applying competition reforms and the most effective way to achieve benefits from competitive neutrality for Sunshine Coast Holiday Parks for the 2026-27 financial year.

The current statutory requirements and key differences between Full Cost Pricing, Commercialisation and the Code of Competitive Conduct are outlined in **Attachment 1**.

The annual review and identification of business activities is detailed in **Attachment 2**.

Business activity full cost pricing performance for 2023-24 is shown in **Attachment 3**.

**OFFICER RECOMMENDATION**

**That Council:**

- (a) receive and note the report titled “Application of National Competition Policy 2025-26”**
- (b) apply Full Cost Pricing to the Waste and Resource Management significant business activity for the 2025-26 financial year in accordance with section 44(1)(b) of the *Local Government Act 2009***
- (c) undertake a public benefit assessment to determine the reform option to apply to Sunshine Coast Holiday Parks for the 2026-27 financial year, in accordance with section 46(2) of the *Local Government Act 2009***
- (d) apply the Code of Competitive Conduct to the following business activities, for the 2025-26 financial year, in accordance with section 47 of the *Local Government Act 2009*:**
  - (i) Sunshine Coast Holiday Parks and**
  - (ii) Quarries and**
- (e) not apply the Code of Competitive Conduct to the following, in accordance with section 47 of the *Local Government Act 2009* for the reasons referred to in Appendix A justification for not applying the Code of Competitive Conduct to certain prescribed business activities:**
  - (i) Aquatic Centres**
  - (ii) Caloundra Indoor Stadium**
  - (iii) Caloundra Regional Gallery**
  - (iv) Cemeteries**
  - (v) Festivals**
  - (vi) Multisport Complexes and Showgrounds**
  - (vii) Off-street Parking**
  - (viii) Retail Electricity Strategy and Sunshine Coast Solar Farm**
  - (ix) Sunshine Coast Stadium and Kawana Sports Precinct and**
  - (x) Venue 114 and Community Spaces.**

**FINANCE AND RESOURCING**

The financial implications of applying the National Competition Policy reforms primarily relate to competitive neutrality and cost reflective pricing for Council’s business activities. They include:

- the application of competitive neutrality principle
- the pricing provisions
- the cost of performing community service obligations, less any revenue received from carrying out those obligations, must be treated as revenue for the business activity when deciding what to charge for goods or services provided

- the competitive neutrality complaints process and
- budget, annual report and financial statement disclosures.

Management of the National Competition Policy reforms can be managed within current resource allocations.

## **CORPORATE PLAN**

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

**Outcome:**

**Operational Activity:**

We serve our community by providing this great service  
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 was undertaken with Councillor E Hungerford, and Councillor J Broderick.

### **Internal Consultation**

- Executive Leadership Team
- Chief Financial Officer
- Coordinator Business Operations
- Coordinator Cemeteries
- Coordinator Financial Accounting
- Coordinator Financial Services
- Coordinator Healthy Places
- Coordinator Smart City Framework
- Coordinator Sports Venues & Development
- Contracts Manager (Holiday Parks)
- General Counsel
- Head of Property
- Manager Governance and Executive Services
- Manager Arts Heritage & Libraries
- Manager Business and Innovation
- Manager Customer Response
- Manager Development Services



- Manager Environmental Operations
- Manager Parks & Gardens
- Manager Sport & Community Venues
- Manager Transport Network Management
- Manager Waste and Resource Management
- Chief Economic Development Officer
- Parking and Transport Manager
- Quarry Manager.

Managers and coordinators were consulted on the application of National Competition Policy reforms to the activities in their branches. Input into justification for not applying the Code of Competitive Conduct to activities was a key area of consultation. The results of the consultation have been included in this report.

### **External Consultation**

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

### **Community Engagement**

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

### **PROPOSAL**

In the mid to late 1990s, a suite of market and economic reforms were introduced to stimulate growth and job creation in Australia. For local governments in Queensland these reforms revolved around the following:

1. The extension of the trade practices laws prohibiting anti-competitive activities to all businesses including local government businesses.
2. The introduction of competitive neutrality so that private businesses could compete on an equal footing with those owned by local government.
3. The review and reform of all laws that restrict competition.
4. Specific reform and price monitoring of the water industry.

National Competition Policy reforms are applied to various identified 'business activities' of the Council.

Council must consider and resolve the application of National Competition Policy on an annual basis to comply with the *Local Government Act 2009*.

Under the competitive neutrality principle, an entity that is conducting a business activity in competition with the private sector should not enjoy a net advantage over competitors only because the entity is a public sector entity.

The underlying assumption is that competition is generally desirable, unless it can be demonstrated, on a case-by-case basis, that it will not deliver socially beneficial outcomes. If Council undertakes a new significant business activity in a key market it must undertake a public benefit assessment to determine the costs and benefits of applying competition

reforms. This assessment also determines the most effective way to achieve benefits from competitive neutrality.

Council is also required to use its discretion in deciding whether to apply the Code of Competitive Conduct to smaller, prescribed business activities that are not significant business activities. Should Council decide to *not* apply the Code of Competitive Conduct, then it is required to provide detail of the reasons for not doing so. This may include an assessment of the costs and benefits of applying competition reforms.

Additionally, under the *Local Government Act 2009* specific National Competition Policy disclosures of business activities are required in the Budget documents, Annual Report and Financial Statements.

**Attachment 1** outlines the legislative requirements, the reform options and the key differences between Full Cost Pricing, Commercialisation, and the Code of Competitive Conduct.

**Attachment 2** sets out the process for annual business activity identification and threshold analysis of Council's business activities.

**Attachment 3** shows business activity full cost pricing performance based on 2023-24 audited actual results.

### **Classification of Council's Business Activities**

Business activities are classified against expenditure thresholds each financial year. For significant business activities, expenditure for this purpose is the operating expenditure less depreciation and any expenditure to achieve competitive neutrality which is not actually incurred plus loan redemption payments. For prescribed business activities, expenditure is the operating costs, administration and overhead costs, cost of resources and depreciation.

The 2025-26 thresholds are as follows:

- Significant business activities have expenditure over the \$9.7 million threshold.
- Business activities have expenditure over the \$340,000 threshold.

The classification of Council's business activities is listed in the Table 1 below for 2025-2026.

Sunshine Coast Holiday Parks has exceeded the significant business activity expenditure threshold. A public benefit assessment is required when business activities move classification from a business activity to a Significant Business Activity. A public benefit assessment determines which reform option will achieve the greatest net community benefit.

**Table 1: Proposed Business Activity Classification and NCP reform**

Group	Business Activity	Classification	Full Cost Pricing	Code of Competitive Conduct
<b>Built Infrastructure</b>	Off-street Parking	Prescribed		✓
	Quarries	Prescribed		✓
<b>Business Performance</b>	Retail Electricity Strategy and Sunshine Coast Solar Farm	Prescribed		✓
<b>Customer and Planning Services</b>	Cemeteries	Prescribed		✓
<b>Economic and Community Development</b>	Aquatic Centres	Prescribed		✓
	Caloundra Indoor Stadium	Prescribed		✓
	Caloundra Regional Gallery	Prescribed		✓
	Cultural Heritage	Prescribed		✓
	Festivals (Horizon)	Prescribed		✓
	Multisport Complexes & Showgrounds	Prescribed		✓
	Sunshine Coast Holiday Parks	Significant and Public Benefit Assessment		✓
	Sunshine Coast Stadium and Kawana Sports Precinct	Prescribed		✓
	Venue 114 & Community Spaces	Prescribed		✓
<b>Liveability and Natural Assets</b>	Waste and Resource Management	Significant	✓	

### Council controlled entities

Council has 100% controlling interest of three corporatised entities. SunCentral Maroochydore Pty Ltd and Sunshine Coast Events Centre Pty Ltd are prescribed business activities. These companies' financial statements are audited by Queensland Audit Office and Annual Reports published on both Council's and the companies' websites and consolidated into Council's financial statements. Sunshine Coast Arts Foundation Ltd expenditure is below the prescribed business activity threshold.

### Summary Outcomes of Business Activity Review

The recommended 2025-26 business activity structure based on the annual business activity review and identification conducted in accordance with the legislation is to:

1. apply the Full Cost Pricing in accordance with section 44(1)(b) of the *Local Government Act 2009* to the Waste and Resource Management significant business activity
2. undertake a public benefit assessment to determine the reform option to apply to Sunshine Coast Holiday Parks for the 2026-27 financial year, in accordance with section 46(2) of the *Local Government Act 2009*
3. apply the Code of Competitive Conduct to the Sunshine Coast Holiday Parks and Quarries business activities, in accordance with sections 47 of the *Local Government Act 2009* and

4. not apply the Code of Competitive Conduct to the following business activities in accordance with sections 47 of the *Local Government Act 2009*.
- i) Aquatic Centres
  - ii) Caloundra Indoor Stadium
  - iii) Caloundra Regional Gallery
  - iv) Cemeteries
  - v) Festivals
  - vi) Multisport Complexes and Showgrounds
  - vii) Off-street Parking
  - viii) Retail Electricity Strategy and Sunshine Coast Solar Farm
  - ix) Sunshine Coast Stadium and Kawana Sports Precinct
  - x) Venue 114 and Community Spaces.

### **Council's Annual Budget**

The intent of the legislation is to enhance transparency regarding the financial performance of business activities, requiring them to be reported separately from other Council activities in the budgeted financial reports. Income and expense statements are to be published in the budget separately for commercialised business units and significant business activities operating under full cost pricing. Details regarding community service obligations are also required to be published for each business activity.

The budget process for significant business activities and business activities under the code of competitive conduct includes the following key stages:

- Revenue requirements are determined from long term financial plans and full cost pricing models (that includes recovery of efficient operating costs, return of capital and return on capital).
- Activity based costing analysis is undertaken to determine outputs for products and services provided by each business activity.
- An overarching price strategy is determined regarding accepted level of cost recovery.
- Council is informed regarding price strategy for each business activity to achieve full cost recovery.
- Approved pricing strategy and activity-based costing outputs used to inform increases in utility charges / fees and charges.

### **Council's Annual Report**

The annual report of Council must include information relating to the identification and performance of business activities. This information is contained in the body of the financial statements in line with legislative requirements, which in turn are published as part of Council's annual report.

### **Queensland Audit Office**

The financial statements and the annual report of Council are audited by the auditor-general and contain the audit report.

**Legal**

- In accordance with Chapter 3 of the *Local Government Act 2009* and the *Local Government Regulation 2012*, Council is required each year to identify any new 'financially significant' business activities and to identify its business activities.
- **Attachment 1** describes the current statutory requirements.
- This report responds to the statutory obligation of Council in relation to the identification of business activities and the application of appropriate competition policy reform options.

**Policy**

The organisational policy on Competition Reform Compliance sets out a framework outlining annual compliance requirements in relation to the application of competition policy principles to Council's nominated business activities in accordance with applicable legislative requirements.

**Risk**

Failure to conduct the assessments required in the *Local Government Act 2009* and the *Local Government Regulation 2012* could leave Council exposed to competitive conduct complaints in respect of its business activities that are competing with the private sector, including potential legal and reputational risks for Council.

**Previous Council Resolution****Ordinary Meeting 20 June 2024 (OM24/44)**

*That Council:*

- (a) *receive and note the report titled "Application of National Competition Policy 2024-25"*
- (b) *apply Full Cost Pricing to the Waste and Resource Management significant business activity for the 2024-25 financial year in accordance with section 44(1)(b) of the Local Government Act 2009*
- (c) *apply the Code of Competitive Conduct to the following business activities, for the 2024-25 financial year, in accordance with section 47 of the Local Government Act 2009:*
  - (i) *Sunshine Coast Holiday Parks and*
  - (ii) *Quarries and*
- (d) *not apply the Code of Competitive Conduct to the following, in accordance with section 47 of the Local Government Act 2009 for the reasons referred to in Appendix A justification for not applying the Code of Competitive Conduct to certain prescribed business activities:*
  - (i) *Aquatic Centres*
  - (ii) *Caloundra Indoor Stadium*
  - (iii) *Caloundra Regional Gallery*
  - (iv) *Cemeteries*
  - (v) *Festivals*
  - (vi) *Multisport Complexes and Showgrounds*
  - (vii) *Off-street Parking*

- (viii) Retail Electricity Strategy and Sunshine Coast Solar Farm*
- (ix) Sunshine Coast International Broadband Cable Network*
- (x) Sunshine Coast Stadium and Kawana Sports Precinct and*
- (xi) Venue 114 and Community Spaces.*

**Related Documentation**

There is no related documentation relevant to this report.

**Critical Dates**

This recommendation needs to be adopted each financial year per legislative requirements.

**Implementation**

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will apply the revised National Competition Policy reforms for the 2025-26 financial year. As the recommended business activity structure for 2025-26 is the same as the business activity structure currently in place, there are no significant changes in process required.





# Appendix A –

## Justification for not applying the Code of Competitive Conduct to certain prescribed business activities

Prescribed business activity	Corporate Plan & Policy linkage	Reasons for not applying the Code of Competitive Conduct
Aquatic Centres	The Sunshine Coast Aquatic Plan 2011 - 2026 is an important contributor to the Safe and Healthy Communities outcome of the Sunshine Coast Council Corporate Plan 2025-2030.	<p>Aquatic centres are provided by Council to achieve public benefit objectives. Aquatic centres generate health benefits, ranging across a reduction in the burden of disease, improved mental health outcomes, reduced absenteeism, and fewer childhood drownings.</p> <p>They also provide social benefits such as: enhancing an individual's leisure time or creating increased life satisfaction; by bringing people together; supporting more vulnerable groups; and supporting early learning.</p> <p>Entry prices are set to provide equitable access to the community. Learn to swim services are provided by the private sector.</p>
Caloundra Indoor Stadium	The Sunshine Coast Sport and Active Recreation Plan 2011-2026 is an important contributor to the Safe and Healthy Communities outcome of the Sunshine Coast Council Corporate Plan 2025-2030.	<p>Caloundra Indoor Stadium is provided by Council to achieve public benefit objectives. Providing equitable access to sport facilities and services contributes to the health and wellbeing, social cohesion and broadening of the regional economy of the Sunshine Coast.</p> <p>Encouraging and facilitating increased physical activity reduces health costs and increases productivity. There is a positive association between sport and social integration, cohesion and community development.</p> <p>Pricing for these facilities reflects these objectives.</p>
Caloundra Regional Gallery	<p>The Sunshine Coast Creative Arts Plan 2023 - 2038 is an important contributor to outcomes of the Sunshine Coast Council Corporate Plan 2025-2030 including:</p> <ul style="list-style-type: none"><li>• A shared future that embraces culture, heritage and diversity; and</li><li>• a creative identity that supports community, cohesiveness development and wellbeing</li></ul>	<p>Caloundra Regional Gallery is provided by Council to achieve public benefit objectives. Caloundra Regional Gallery presents a changing exhibition program featuring leading local and national artists. Professional curators and education staff develop and deliver a range of exhibitions and public programs that explore the unique culture and character of the Sunshine Coast.</p>

Prescribed business activity	Corporate Plan & Policy linkage	Reasons for not applying the Code of Competitive Conduct
Cemeteries	The Cemetery Plan 2019-2028 informs the delivery of Sunshine Coast Council's cemetery network. The Plan contributes to the Sunshine Coast Council Corporate Plan 2025-2030, Sunshine Coast Community Strategy 2019-2041, Environment and Liveability Strategy 2017 and South East Queensland Regional Plan 2017.	<p>Cemetery services are mostly provided by local governments in the Queensland market. Private enterprise operating within the Sunshine Coast local government area provide options for ash interments and memorialisation but not burials.</p> <p>The majority of Council's cemeteries are located on State land entrusted to Council for the purpose of providing cemetery services including burials. Two cemeteries are owned as freehold.</p> <p>A proportion of the community continue to choose burials rather than cremation. This trend remains constant. Services would not meet the needs of the community if Council did not facilitate burials.</p> <p>Pricing for Council memorial services are set on a commercial basis. Pricing for other services are set on a cost recovery basis, which does not take into account notional costs under the full-cost pricing provisions required by the code of competitive conduct. Pricing practices are not a deterrent to new businesses entering the market.</p>
Festivals	<p>The Sunshine Coast Creative Arts Plan 2023 - 2038 is an important contributor to outcomes of the Sunshine Coast Council Corporate Plan 2025-2030 including:</p> <ul style="list-style-type: none"> <li>A shared future that embraces culture, heritage and diversity; and</li> <li>a creative identity that supports community, cohesiveness development and wellbeing</li> </ul>	<p>Council's festival events are provided by Council to achieve public benefit objectives and form an integral part of delivering on the objectives of the Sunshine Coast Creative Arts Plan specifically:</p> <p>Goal 1 – Empowering and celebrating self-determined First Nations creativity and contemporary cultural expression.</p> <p>Goal 2- building the capacity of the region's creatives, artists and sector so that they are professional, skilled and connected.</p> <p>Goal 3 – growing arts audiences through participation and diverse, meaningful and tailored experiences</p> <p>Goal 5 – cultivating the Sunshine Coast identity as a creative region that attracts attention, talent and investment.</p> <p>The market for festival events is heavily influenced by time, place and content. Other private sector festival organisers are not constrained from starting up or visiting the Sunshine Coast because Council's festivals are each conducted over a discrete period of time (over a number of days at most). Like most major events, the date for Council's festivals are also published well in advance, allowing private sector festival organisers to plan their own events at dates and times that coincide or do not conflict with those of Council.</p> <p>Council's cultural festivals are a specific sector development and local showcase opportunity.</p>

Prescribed business activity	Corporate Plan & Policy linkage	Reasons for not applying the Code of Competitive Conduct
		<p>Council's cultural and community service in the form of festivals for community and visitors of all ages and diversities – applying the code (particularly the pricing provisions) may detrimentally impact the ability of all ages and diversities to attend and enjoy such cultural and community events. It also decreases the ability to achieve the Arts Plan goals.</p> <p>Private sector organisers of large-scale festivals would generally not be interested in delivering the type of cultural and community service festival events that are run by Council (namely, the Caloundra Music Festival and the Horizon Festival) - it is therefore arguable that the festivals do not directly compete with the type of events that would normally be conducted by the private sector.</p> <p>Council is providing festivals, some of which are free or below cost of delivery. This pricing has been established to reflect social objectives, such as enabling a diverse range of ages and diversities to attend, promoting local talent, generating economic activity and encouraging tourism; and</p> <p>Community based events attract a strong community involvement in the form of a large volunteer base. Similarly, other groups, such as school groups and not-for-profit organisations rely upon festivals for unique fundraising opportunities.</p>
Multisport Complexes and Showgrounds	The Sunshine Coast Sport and Active Recreation Plan 2011-2026 is an important contributor to the Safe and Healthy Communities outcome of the Sunshine Coast Council Corporate Plan 2025-2030.	<p>Multisport Complexes and Showgrounds are provided by Council to achieve public benefit objectives.</p> <p>Providing equitable access to these facilities and services contributes to the health and wellbeing, social cohesion and broadening of the regional economy of the Sunshine Coast.</p> <p>Encouraging and facilitating increased physical activity reduces health costs and increases productivity. There is a positive association between sport and social integration, cohesion and community development.</p> <p>Multisport Complexes and Showgrounds are utilised by a diverse range of community and sporting groups that provide social benefits such as: enhancing an individual's leisure time or creating increased life satisfaction; by bringing people together.</p> <p>Pricing for these facilities reflects these objectives.</p>

Prescribed business activity	Corporate Plan & Policy linkage	Reasons for not applying the Code of Competitive Conduct
Off-street Parking	<p>The Sunshine Coast Council Parking Management Plan is guided by a range of strategic and legislative documents including:</p> <ul style="list-style-type: none"> <li>Sunshine Coast Council Corporate Plan 2025-2030</li> <li>Sunshine Coast Sustainable Transport Strategy 2011-2031</li> <li>Sunshine Coast Smart City Framework</li> <li>Sunshine Coast Planning Scheme 2014.</li> </ul>	<p>Council provides off-street parking to achieve the objectives of the Local Area Parking Plans.</p> <p>Council is providing services traditionally provided by a Local Government.</p> <p>If Council did not provide these services, there would be a clear gap in supply leading to negative outcomes such as traffic congestion in major precincts.</p> <p>The market for parking services is heavily influenced by location (the market can generally be narrowly defined as the region in which the car park is located and the distance that people are willing to walk from their car to their destination). If there are no private off-street parking facilities within close proximity (e.g. within reasonable walking distance) to Council's parking facilities, it is arguable that private sector competition is currently low.</p> <p>While some private sector parking providers may provide off-street parking, they are at different locations provided for different purposes and/or provided for free.</p>
Retail Electricity and Sunshine Coast Solar Farm	<p>The Retail Electricity Strategy incorporating Sunshine Coast Solar Farm ensures affordable and reliable electricity supplies to Council operations which is essential to achieving the outcomes of the Sunshine Coast Council Corporate Plan 2025-2030.</p> <p>The Retail Electricity Strategy supports the policy positions on energy contained in Council's Environment and Liveability Strategy including: <i>"Renewable energy usage is maximised and underpins a transition to a clean energy future."</i></p>	<p>The Sunshine Coast Solar Farm is a cost replacement project being a mechanism to replace a portion of pre-existing committed electricity spend by offsetting Council's own electricity usage against the electricity generated by the Solar Farm.</p> <p>Excess generation is sold into, or any electricity requirement is purchased from, the wholesale electricity market as required.</p> <p>Council is not able to influence price setting and will take:</p> <ul style="list-style-type: none"> <li>the Queensland spot price for electricity generated</li> <li>the market price for large-scale generation certificates.</li> </ul>
Sunshine Coast Stadium and Kawana Sports Precinct	<p>The Sunshine Coast Sport and Active Recreation Plan 2011-2026 is an important contributor to the Safe and Healthy Communities outcome of the Sunshine Coast Council Corporate Plan 2025-2030.</p>	<p>Providing equitable access to sport facilities and services contributes to the health and wellbeing, social cohesion and broadening of the regional economy of the Sunshine Coast.</p> <p>Encouraging and facilitating increased physical activity reduces health costs and increases productivity.</p> <p>As a regional facility Sunshine Coast Stadium serves the regional and national event markets. Elsewhere in Queensland these markets primarily utilise Queensland Government owned facilities.</p>

Prescribed business activity	Corporate Plan & Policy linkage	Reasons for not applying the Code of Competitive Conduct
		Pricing for these facilities to community-based groups reflects these objectives and does not take into account notional costs under the full-cost pricing provisions required by the code of competitive conduct. Pricing for commercial hire, are benchmarked against industry prices, thus avoiding any pricing advantage from government ownership.
Venue 114 & Community Spaces	<p>The Sunshine Coast Arts Plan 2018 - 2038 is an important contributor to outcomes of the Sunshine Coast Council Corporate Plan 2025-2030 including:</p> <ul style="list-style-type: none"> <li>• A shared future that embraces culture, heritage and diversity; and</li> <li>• a creative identity that supports community, cohesiveness development and wellbeing</li> </ul>	Venues and community spaces are provided by Council to achieve public benefit objectives. Providing a range of facilities and venues enables the community to access and enjoy arts, entertainment and environmental activities. This contributes to the health and wellbeing, social cohesion and regional economy of the Sunshine Coast. Pricing for these facilities reflects these objectives. Pricing for commercial hire, are benchmarked against industry prices, thus avoiding any pricing advantage from government ownership.





## **NATIONAL COMPETITION POLICY**

### **CURRENT STATUTORY REQUIREMENTS AND REFORM OPTIONS**

In April 1995, the Australian Government and all states and territories agreed to the implementation of a National Competition Policy (NCP). The NCP represents a commitment from governments to reduce restrictions to competition to enhance the overall efficiency of Australia's economic performance.

At the local government level, the underlying philosophy is to improve service delivery efficiency and reduce costs to both government and the community through competitive neutrality, while removing any competitive advantage enjoyed by Council purely due to its nature.

Under the competitive neutrality principle, an entity that is conducting a business activity in competition with the private sector should not enjoy a net advantage over competitors only because the entity is a public sector entity.

The underlying assumption is that competition is generally desirable, unless it can be demonstrated, on a case-by-case basis, that it will not deliver socially beneficial outcomes. If Council undertakes a new significant business activity in a key market with operational expenditure exceeding \$9.7 million it must undertake a public benefit assessment to determine the costs and benefits of applying competition reforms. This assessment also determines the most effective way to achieve benefits from competitive neutrality.

Council is also required to use its discretion in deciding whether to apply the Code of Competitive Conduct (the Code) to smaller, prescribed business activities that are not "significant" business activities, but which meet a \$340,000 expenditure threshold. Should Council decide to not apply the Code, then it is required to provide detail of the reasons for not doing so.

Additionally, under the *Local Government Act 2009* and *Local Government Regulations 2012*, specific National Competition Policy disclosures of business activities are required in the Budget documents, Annual Report and Financial Statements.

### **Current Statutory Requirements**

Council must consider and resolve the application of the National Competition Policy on an annual basis to comply with the *Local Government Act 2009* and *Local Government Regulations 2012*.

Of note, it is intended that the National Competition Policy reforms apply to overall "activities" and not to individual or component parts such as the individual assets or services comprising that activity. For each "activity" the following must be considered:

- Whether the activity meets the definition of a "business activity" under the *Local Government Act 2009*. "Business activity" is defined as "trading in goods and services"
- If the activity meets this definition, then based on its expenditure for the previous financial year:
  - is it a "significant business activity", with expenditure exceeding the \$9.7 million threshold set out in the *Local Government Regulations 2012*? or

- is it a “prescribed business activity” with expenditure exceeding the \$340,000 threshold set out in the *Local Government Regulations 2012*? or
- The threshold for significant business activities in operating expenditure excluding depreciation and competitive neutrality adjustments plus interest plus loan redemption. Refer section 19 & 20 *Local Government Regulations 2012*.
- The threshold for prescribed business activities in operating expenditure plus interest plus cost of sales plus depreciation. Refer section 39 *Local Government Regulations 2012*.
- If it does not meet the definition of business activity, then the National Competition Policy regime does not apply.

An activity is less likely to be a business activity within the meaning of the *Local Government Act 2009* if it:

- is predominantly a regulatory or policy-making function, particularly if revenue is derived from cost-recovery fees; or
- involves the provision of goods or services internally (i.e. to customers within Council) – such supplies are unlikely to meet the “trading” element of the definition of business activity;
- has, as its primary function, public benefit community service or social policy objectives. Of note, such an objective alone will not prevent the activity falling within the definition of business activity if it involves the trading of goods or services;
- does not meet the necessary “trading” requirements, such as where the relevant goods or services are supplied on a one-off basis, rather than repeatedly or the level of trading activity is so trivial that it is regarded as inconsequential and incidental to the primary activity and function of Council.

#### **Ways to apply the competitive neutrality principle to business activities**

- The competitive neutrality principle for significant business activities (over \$9.7 million expenditure) can be applied under the *Local Government Act 2009* by:
  - Full Cost Pricing;
  - Commercialisation; or
  - Corporatisation.
- The way to apply the competitive neutrality principle for prescribed business activities (expenditure over \$340,000) under the *Local Government Act 2009* is the Code of Competitive Conduct (the Code).
- The competitive neutrality principle is achieved by:
  - removing any competitive advantage or competitive disadvantage, wherever possible and appropriate.
  - promoting efficiency of the use of resources to ensure markets are not unnecessarily distorted; and

- if any net advantage over competitors remains, which exist only because Council is in competition with the private sector, and which cannot be eliminated, then:
  - Council must ensure that when setting the price of goods or services, the individual advantages and disadvantages that make up the net advantage are taken into account in deciding the required revenue in relation to the pricing provisions.
- The pricing provisions.
- The cost of performing community service obligations, less any revenue received from carrying out those obligations, must be treated as revenue for the business activity when deciding what to charge for goods or services provided.
- Budget, annual report and financial statement disclosures.
- The competitive neutrality complaints process.

#### **Pricing Provisions**

- The pricing provisions require that:
  - The projected Total Revenue from conducting the business activity must cover the projected Total Costs of conducting the activity over a projected period.
    - for significant business activities the projected period is each financial year
    - for prescribed business activities the projected period is more than one year but not more than five years
  - Total Costs includes:
    - operational costs
    - administration and overhead costs
    - cost of resources
    - depreciation
    - equivalent amounts for taxes that Council is not liable to pay
    - equivalent amounts for any cost of funds advantage that Council obtains over commercial interest rates because of State guarantees on borrowings; and
    - return on capital which must be determined using the rate at which, in the Council's opinion, a comparable private sector business conducting the activity would be able to obtain the capital in the market.
  - Goods or services may be priced at an amount that could reasonably be charged by an entity conducting the activity with the primary object of making a profit.

#### **Discretion on whether to apply the Code**

While Council has discretion to *not* apply the code of competitive conduct to a prescribed business activity, it is recommended that any decision to not apply the code is:

- Reasonable;
- Defensible;
- Takes into account competition with the private sector; and
- Considers principles similar to the public benefit assessment:
  - Competition generally leads to better, more efficient organisations, giving consumers lower prices, greater choice and higher quality services
  - The underlying assumption is that competition is generally desirable for significant business activities that operate in key markets, unless it can be demonstrated, on a case-by-case basis, that it will not deliver socially beneficial outcomes.
  - In smaller, prescribed business activities:
    - The benefits from competition are likely to be more limited
    - the costs of competition reforms may exceed the benefits and detract from the delivery socially beneficial outcomes.

Should Council decide to not apply the Code the resolution must state the reasons for not doing so.

### **1. Significant Business Activities**

The significant business activity expenditure threshold is \$9.7 million. Competition reforms may be applied to significant business activities via Full Cost Pricing or Commercialisation.

#### **Full Cost Pricing**

- Reform option applied via public benefit assessment process.
- Retention of the business activity within Council's current organisational structure.
- Setting prices in accordance with commercial full cost recovery principles, including recovery of:
  - Efficient operating expenses;
  - A return of capital (i.e. depreciation expense); and
  - A return on capital (i.e. cost of debt plus return on equity invested in the business).
- Full cost pricing reform implies the application of competitive neutrality principles.

#### **Commercialised Business Unit**

- Reform option applied via public benefit assessment process.

- The key principles of commercialisation include for example that the commercial business unit has:
  - clear objectives;
  - maintains management autonomy and authority;
  - is accountable for its performance; and
  - complies with the competitive neutrality principle.
- Creation of a commercialised business unit (not a separate legal entity) to manage the business.
- Setting prices in accordance with commercial full cost recovery principles, including recovery of:
  - Efficient operating expenses;
  - A return of capital (i.e. depreciation expense); and
  - A return on capital (i.e. cost of debt plus return on equity invested in the business).
- Increased managerial autonomy for day-to-day operations.
- Greater ability to source inputs from outside of Council.
- Own business and operating plan.
- More commercial orientation than full cost pricing.
- Additional reporting obligations such as annual tax equivalent returns, annual performance plan and separate reporting of performance in Council's annual report.

### **Corporatisation**

The corporatisation processes within the *Corporations Act 2001 (Cwlth)* applies to local governments seeking to establish corporations. Creation of separate legal entity to manage a business results in the corporation being subject to National Competition Policy through the *Competition and Consumer Act 2010 (Cwlth)*.

### **Public Benefit Assessment**

If Council identifies a new significant business activity (in its annual report), (which would include a scenario where the expenditure of an existing business activity exceeds the \$9.7 million financial year threshold such that it becomes a significant business activity), it must conduct a public benefit assessment of that activity before the end of the financial year in which the significant business activity is first identified.

This involves making an assessment of whether the benefit to the public (in terms of service quality and cost) of applying the competitive neutrality principle in relation to the significant business activity will outweigh the costs of applying the competitive neutrality principle.

If applicable, Council must:



- prepare a report on the public benefit assessment that contains its recommendations about the application of the competitive neutrality principle in relation to the significant business activity;
- consider the report, and decide (by resolution) whether or not to apply the competitive neutrality principle in relation to the significant business activity; and
- provide the Minister with a copy of the report and all resolutions made in relation to the report.

If the local government resolves not to apply the competitive neutrality principle, it must:

- provide a statement of supporting reasons; and
- repeat the public benefit assessment process described above in within three years after making the decision.

Community consultation is an essential component of the PBA and steps must be taken to engage the local community and other stakeholder groups. The consultation program may include:

- Inviting written submissions via direct letter approach (useful for industry groups) and via web (useful for general public)
- One-on-one briefing/discussion sessions (useful for industry groups, unions, environmental groups and recreation groups)
- Staff meetings/notices (employees)
- Meetings with other key stakeholders (Council representatives) and
- Liaison with other Government departments.
- Generally, it is found that the general public will have minimal input into the PBA process and ways of encouraging further input can be discussed at project inception. However, it is important to note that their concerns will generally revolve around pricing level and structure which is often a separate issue from business structure. The most responses will likely be received from unions and environmental groups, in addition to input from Council management and other representatives.

The PBA report would include:

- Assessment of the 'base case', i.e. continuing with the existing corporate structure and organisational, regulatory and pricing arrangements, with reference to enabling performance comparison over time; and
- Assessment of the reform options under consideration, i.e. corporatisation, commercialisation and full cost pricing, with reference to the incremental benefits and costs from the 'base case'.

- A statement on whether or not and, if so, to what extent, the benefits that would be realised from implementation of any of the reforms would outweigh the costs; and
- Details of those costs and benefits; and
- Preparation of a draft report including a recommendation on whether any of the reforms should be implemented for the significant business activity and why; and
- If reform is recommended:
  - A statement of which reform should be implemented, and
  - A timetable for its implementation; and
- A summary of all consultation outcomes provided as an appendix to the report; and
- Making the draft report available for public comment prior to the report being finalised

## **2. Code of Competitive Conduct Business Activities**

- The business activity expenditure threshold is \$340,000.
- Reform option applied via annual Council resolution.
- Retention of the business activity within Council's current organisational structure.
- Setting prices in accordance with commercial full cost recovery principles, including recovery of:
  - Efficient operating expenses;
  - A return of capital (i.e. depreciation expense); and
  - A return on capital (i.e. cost of debt plus return on equity invested in the business).
- Code of competitive conduct implies the application of competitive neutrality principles.
- Automatic application of the code of competitive conduct to building certification and competitive roads activities.

## **3. No Reforms Elected to Be Applied**

### **Cost Recovery Pricing Principles**

- Retention of the activity within Council's current organisational structure.
- Setting prices to reflect the cost of providing non-competitive services including recovery of:
  - Efficient operating expenses; and
  - A return of capital (i.e. depreciation expense).



## ATTACHMENT 2

### BUSINESS ACTIVITY IDENTIFICATION

#### 1. Annual Review and Identification of Business Activities

To identify activities that may be a business activity within the meaning of the *Local Government Act 2009*, Council officers undertook a review of the:

- *Register of General Cost-recovery Fees and Commercial Charges 2024/25* and the
- *Development Services Register of Cost-recovery Fees and Commercial Charges 2024/25*.

Of note, it is intended that National Competition Policy reforms apply to overall “activities” and not to individual or component parts such as the individual assets or services comprising that activity. For each “activity” the following must be considered:

- Whether the activity meets the definition of a business activity under the *Local Government Act 2009*. Business activity is defined as trading in goods and services.
- If the activity meets this definition, then based on its expenditure for the previous financial year:
  - is it a “significant business activity”, with expenditure exceeding the \$9.7 million threshold set out in the *Local Government Regulations 2012*? or
  - is it a “prescribed business activity” with expenditure exceeding the \$340,000 threshold set out in the *Local Government Regulations 2012*? or
- If it does not meet the definition of business activity, then the National Competition Policy regime does not apply.

Generally changes to the status of a business activity may arise due to the following:

- New business activities are established as a result in a change in Council’s structure or as a result of the establishment of new business ventures.
- Existing businesses are divested.
- Annual expenditure threshold levels are reached or not (generally impacting on significant business activities).

Once the process of reviewing current business activities and identifying potential new significant business activities and all other types of business activities has been completed, it is necessary to apply the appropriate reforms to ensure legislative compliance.

#### 2. Business Activity Threshold Analysis 2024-2025

Threshold analysis is based on the 2024-2025 budget operating expenditure data.

##### Table 1: Significant business activity

(Expenditure threshold \$9.7 million)

Group	Significant Business Activity	FY2024 Expenditure \$'000
<b>Liveability and Natural Assets</b>	Waste and Resources Management	
	Full Cost Pricing Reform	\$84,037
<b>Economic and Community Development</b>	Sunshine Coast Holiday Parks	\$9,825
	Public Benefit Assessment	

**Table 2: Prescribed business activities – reform option code of competitive conduct**

(Expenditure threshold \$340,000)

Group	Business Activity	Classification	Budget Expenditure \$'000
<b>Built Infrastructure</b>	Off-street Parking	Prescribed	\$3,356
	Quarries	Prescribed	\$4,509
<b>Business Performance</b>	Retail Electricity Strategy and Sunshine Coast Solar Farm	Prescribed	\$3,710
<b>Customer and Planning Services</b>	Cemeteries	Prescribed	\$2,354
<b>Economic and Community Development</b>	Aquatic Centres	Prescribed	\$2,863
	Caloundra Indoor Stadium	Prescribed	\$838
	Caloundra Regional Gallery	Prescribed	\$1,254
	Festivals (Horizon)	Prescribed	\$770
	Multisports Complexes & Showgrounds	Prescribed	\$1,226
	Sunshine Coast Holiday Parks	Prescribed	\$9,825
	Sunshine Coast Stadium and Kawana Sports Precinct	Prescribed	\$2,451
	Altitude 9, Venue 114 & Community Spaces	Prescribed	\$3,156

Note: For the threshold test for significant business activities the budget expenditure excludes depreciation and competitive neutrality costs that are not actually incurred plus loan redemption payments.

#### Council controlled entities

Table 3 below lists corporatised entities which Council has 100% controlling interests. Their financial statements are audited by Queensland Audit Office and Annual Reports published on both Council's and the companies' websites. SunCentral Maroochydore Pty Ltd and Sunshine Coast Events Centre Pty Ltd are consolidated into Council's financial statements. Sunshine Coast Arts Foundation Ltd had expenditure of \$110,000 in FY 2025/2026 which is below the prescribed business activity threshold.

**Table 3: Prescribed business activities – corporatisation reform**

Company	FY2024 Operating Expenditure \$'000
SunCentral Maroochydore Pty Ltd	\$2,754
Sunshine Coast Events Centre Pty Ltd	\$5,127

### Non-business activities

Table 4 below lists activities that are **not** considered business activities as these are activities that have one or more of the following attributes:

1. Have a predominantly regulatory or policy-making role issuing licences or permits that are issued pursuant to the statutory functions of Council or applicable laws including local laws or levy cost-recovery fees (under *Local Government Act 2009* section 97).
  - o A cost-recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged
  - o The constrained cost base of these activities is not consistent with the competitive neutrality adjustments required by the pricing provisions
  - o The pricing provisions sets the total revenue requirement of business activities to include costs which Council does not actually incur such as tax equivalents, equivalents for the costs of funds advantage and return on capital at market rates experienced by the private sector. A profit margin is also envisioned by the pricing provisions.
2. Involve the provision of goods or services internally (i.e. to customers within Council) – such supplies are unlikely to meet the "trading" element of the definition of business activity.
3. Have, as their primary function, responsibility for providing public benefit, community service or social policy functions. Total revenue for these activities may include a small proportion of fees and charges with the majority of funding from general rates, environment and heritage levies or grants from other levels of government.
4. Do not meet the necessary "trading" requirements, such as where the relevant goods or services are supplied on a one-off basis, rather than repetitively or the level of trading activity is so trivial as to be inconsequential and incidental to the primary activity and functions of Council.



**Table 4: Non-business activities**

Group	Activity	Attributes above	FY2024 Opex \$'000
<b>Built Infrastructure</b>	Fleet Management	2	\$5,462
	Transport Network Operations	3, 4	\$119,090
	Parks & Gardens	3, 4	\$66,902
<b>Business Performance</b>	Property Information	1	\$10,723
	Property Management	2, 3	\$35,194
<b>Civic Governance</b>	Right to Information	1	\$625
<b>Customer and Planning Services</b>	Healthy Places, Response Services, Community Land Permits and Parking	1	\$24,428
	Development Services	1	\$22,917
<b>Economic and Community Development</b>	Arts, Heritage and Libraries	3, 4	\$23,416
<b>Liveability and Natural Assets</b>	Natural Areas Management	3, 4	\$31,622

Note: FY2024 Operating expenditure is for the Branch of Council that provides that activity. This not the cost of the delivering specific services for which cost recovery fees are charged.

## Roads

Council road works activities are predominantly non-competitive activities focused on internal construction and maintenance rather than external tendering for contract works. Road maintenance and construction activities are undertaken by a combination of day labour force and contract services.

Council does not actively submit competitive tenders for works on state-controlled roads or other roads in neighbouring Council areas. Council undertakes minor works for Main Roads based on negotiated shared cost arrangements.

Accordingly, road works has not been identified as a business activity of Council.

## Applying National Competition Policy reforms for FY2024/2025

Council Officers have assessed Council's activities and recommend the following business activity classifications and National Competition Policy applications:

- Waste and Resources Management is a significant business activity and competitive neutrality is achieved through Full Cost Pricing.
- Sunshine Coast Holiday Parks and Quarries are prescribed business activities and competitive neutrality is achieved through applying the Code of Competitive Conduct.
- Council uses its discretion not to apply the Code of Competitive Conduct to the following prescribed business activities for the reasons as set out in Appendix 1:

- Aquatic Centres
  - Caloundra Leisure Centre
  - Caloundra Regional Gallery
  - Cemeteries
  - Festivals
  - Multisport Complexes and Showgrounds
  - Off-street Parking
  - Retail Electricity Strategy and Sunshine Coast Solar Farm
  - Sunshine Coast Stadium and Kawana Sports Precinct
  - Altitude 9, Venue 114 and Community Spaces
- 
- SunCentral Maroochydore Pty Ltd and Sunshine Coast Events Centre Pty Ltd are prescribed business activities and competitive neutrality is achieved through corporatisation.



ATTACHMENT 3

Business Activities – Full Cost Recovery Performance

2023-24 Financial Data	Waste and Resource Management	Sunshine Coast Holiday Parks	Quarries Business Unit
	\$'000	\$'000	\$'000
Operating revenue	104,717	24,309	2,341
Community service obligations	1,527	-	211
<b>Total operating revenue</b>	<b>106,244</b>	<b>24,309</b>	<b>2,552</b>
Operating expenditure excluding interest	74,198	11,720	4,905
Depreciation	6,816	1,250	254
Competitive neutrality costs excluding income tax equivalent	529	680	46
<b>Total operating expenditure</b>	<b>81,543</b>	<b>13,650</b>	<b>5,206</b>
<b>Earnings before interest and tax (EBIT)</b>	<b>24,700</b>	<b>10,658</b>	<b>(2,654)</b>
Return (pre-tax nominal)%	15.6%	14.4%	(53.3%)
Target return	11,464	5,205	427
Weighted average cost of capital %	9.1%	12.0%	10.9%
Income tax expense	6,722	2,580	-
<b>Surplus/(Shortfall) EBIT to target return</b>	<b>6,514</b>	<b>2,873</b>	<b>(2,659)</b>
<b>Value of Council's investment in the Business Activity</b>	<b>118,429</b>	<b>74,490</b>	<b>4,883</b>



Note: Weighted average cost of capital and target return are calculated on a pre-tax nominal basis.

Value of Council's investment in the Business Activity is made up of property, plant and equipment assets excluding strategic land holdings.



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**8.5 DELEGATION TO THE CHIEF EXECUTIVE OFFICER - ANNUAL REVIEW**

<b>File No:</b>	<b>Council Meetings</b>
<b>Author:</b>	<b>Acting Manager Governance and Executive Services Civic Governance Group</b>
<b>Appendices:</b>	<b>App A - 2016-73 (V10) Delegation to the Chief Executive Officer ..... 199</b> <a href="#">↓</a> 
<b>Attachments:</b>	<b>Att 1 - 2016-73 (V10) Delegation to the Chief Executive Officer Tracked Changes..... 221</b> <a href="#">↓</a> 

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**PURPOSE**

The purpose of this report is to satisfy the requirement of section 257 (5) of the *Local Government Act 2009* (Qld) to annually review and update the Council's delegation instrument to the Chief Executive Officer.

**EXECUTIVE SUMMARY**

Council performs many functions and exercises authority under a wide range of legislation, associated subordinate legislation and its own local laws. Council can delegate its powers to the Chief Executive Officer to implement and enforce some of these responsibilities under section 257 of the *Local Government Act 2009* (the Act), where it is lawful for Council to delegate that authority.

Under section 257 (3) of the Act, Council must not delegate authority to decide or determine a matter where the matter is expressly required by an Act to be determined by resolution of Council.

Section 257(5) of the Act requires the local government to review all delegations to the Chief Executive Officer annually. The last review and adoption of the Sunshine Coast Council's Delegation to the Chief Executive Officer occurred at the Ordinary Meeting of 20 June 2024.

To comply with section 257 (5) of the Act and ensure the currency of the Delegation to the Chief Executive Officer, a review has been conducted to ensure consistency between the Local Government Association of Queensland's (LGAQ) delegations register (informed by King and Company Solicitors) and Council's delegations register.

Recommended updates to Council's current Instrument of Delegation to the Chief Executive Officer, based on the review, are identified and tracked in the proposed Instrument of Delegation at **Attachment 1**.



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

- (a) **receive and note the report titled “Delegation to the Chief Executive Officer - Annual Review”**
- (b) **adopt Delegation 2016-73 (V10), Delegation to the Chief Executive Officer (Appendix A), noting that this Delegation replaces and supersedes Delegation 2016-73 (v9) Delegation to the Chief Executive Officer adopted by Council on 20 June 2024 and**
- (c) **note that all other specific and individual delegations of authority to the Chief Executive Officer which have been authorised by Council through previous resolutions, are retained.**

**FINANCE AND RESOURCING**

The cost of conducting the review of the Instrument of Delegation and the preparation of this report has been funded through the existing budget allocation for the Governance and Executive Services Branch.

**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>	S30 - Governance – providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported.

**CONSULTATION****Councillor Consultation**

The Outstanding Organisation Portfolio Councillors, E Hungerford and J Broderick have been consulted regarding the annual review of delegations and the recommendations proposed in this report.

**Internal Consultation**

Internal consultation occurred with the following officers:

- Acting Group Executive Civic Governance
- Acting Manager Governance and Executive Services

**External Consultation**

Consultation was undertaken with the Local Government Association of Queensland (LGAQ) to obtain their most current advice regarding statutory delegation review documentation from King and Company Solicitors.

**Community Engagement**

No community engagement is required for the preparation of this report as it relates to an internal administrative activity and the conduct of the operational responsibilities of Council.

**PROPOSAL**

The Local Government Association of Queensland, together with King and Company Solicitors, provides updates of statutory delegations of authority under relevant legislation twice a year. This includes advice on those matters which cannot be delegated by a local government, due to the requirement for those matters to be determined by resolution of Council.

As part of Council's annual review of delegations, an analysis was undertaken of the legislation identified in Council's existing Delegation to the Chief Executive Officer, the Local Government Association of Queensland's delegation register (informed by King and Company Solicitors), and Council's delegation register. This work helps to facilitate the currency, consistency, and completeness of Council's delegation framework.

The following legislation has been identified through King and Company Solicitors for inclusion in the Council to Chief Executive Officer Delegation:

- *Coexistence Queensland Act 2013* - this relates to legislation changes strengthening coexistence between the State's resources, agriculture, and renewable energy industries. The GasFields Commission Queensland is now called Coexistence Queensland with a new and expanded remit. The legislation delegates power to the Local Government as an entity (landholder) to comply with and respond to notices from the Chairperson of Coexistence Queensland. It also includes the power to agree with Coexistence Queensland for the services of employees to be made available to Coexistence Queensland. It is unlikely this delegation would be exercised.
- *Security of Critical Infrastructure Act 2018* - amended 4 April 2025 and impacts local governments by clarifying obligations for data storage systems and expanding government assistance powers. This change empowers the regulator to direct an entity (including local councils) to remedy a seriously deficient risk management program, ensuring that Councils are taking appropriate security measures for any critical infrastructure. Local governments must be prepared for a broader range of potential interventions. There are expanded provisions for the use and disclosure of protected information, which may require local governments to share more information with federal authorities.
- *State Emergency Service Act 2024 (Qld)* - Before the enactment of the *State Emergency Service Act 2024*, the management and establishment of State Emergency Service (SES) units and related emergency response activities in Queensland were governed by a combination of older legislation and frameworks including the *Disaster Management Act 2003*. The *State Emergency Service Act 2024* has streamlined and formalised these responsibilities, providing clearer guidelines and enhanced powers to local governments to manage SES units and respond to emergencies more effectively.

**Legal**

Section 257 of the *Local Government Act 2009* authorises a local government to make a resolution to delegate its powers to:

- the Mayor
- Chief Executive Officer
- a standing committee, or
- a joint standing committee.

While delegations provide expediency to facilitate the daily operations of a local government, a delegation is revocable and does not prevent Council at any time, from acting on a matter that is the subject of a delegation of authority. In such cases, the delegate must not act under the authority of the delegation where Council has elected to exercise its authority itself. Put simply, a delegation of authority from Council is not an abrogation of Council's legal authority to make a decision or determine a matter that is the subject of a delegation.

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

Section 259 (Delegation by the Chief Executive Officer) of the *Local Government Act 2009* allows the Chief Executive Officer of a local government to delegate the Chief Executive Officer's powers (including powers delegated to the Chief Executive Officer by the local government) to another employee of the local government.

To comply with section 257(3) of the Act, provisions of an Act or subordinate legislation not capable of delegation are identified in Schedule 2 of the proposed new Delegation to the Chief Executive Officer in **Appendix A** to this report. A delegation is not permissible if the relevant Act specifically provides that the power must be exercised by a resolution of the local government. This restriction applies where legislation uses the specific words 'by resolution'. Moreover, by virtue of the definition of 'adopt' the same limitation applies to a number of statutory provisions where that term is used, and as such, the authority must be exercised by the elected Council.

Where legislation simply gives Council the ability to act or make a decision without using the words 'resolution' or 'adopt' or a word of the same derivation, and so long as the context does not clearly indicate otherwise, then the power may be delegated.

Facilitating appropriate delegations to the Chief Executive Officer is consistent with the *Human Rights Act 2019* (Qld). Actions and decisions which seek to maintain the operational efficiency and effectiveness of the local government contribute to the protection of the right of an individual to take part in public life (section 23).

### **Policy**

There are no policy implications.

### **Risk**

The proposed amendment to the Instrument of Delegation has been prepared to mitigate the risk of any gaps in delegated powers and to ensure the Chief Executive Officer has appropriate authority to manage the operational activities of Council under any relevant legislation. Where required, the Chief Executive Officer can subdelegate certain authorities to appropriately qualified officers, which occurs separately through the Delegations of Authority from the Chief Executive Officer under Section 259 of the Act.

All delegated officers are required to complete mandatory delegation awareness training to ensure they are aware of their delegated responsibilities and apply the principles of good decision making when exercising delegated powers.

**Previous Council Resolution****Ordinary Meeting 20 June 2024 (OM24/47)**

*That Council:*

- (a) receive and note the report titled "Delegation to the Chief Executive Officer - Annual Review"*
- (b) adopt Delegation 2016-73 (V9), Delegation to the Chief Executive Officer (Appendix A), noting that this Delegation replaces and supersedes Delegation 2016-73 (v8) Delegation to the Chief Executive Officer adopted by Council on 22 June 2023*
- (c) revoke Council's strategic policy document titled "Delegations Guiding Principles Policy (Delegations from Council to the Chief Executive Officer), noting that the guiding principles have been incorporated into Delegation 2016-73 (V9), to the Chief Executive Officer and*
- (d) note that all other specific and individual delegations of authority to the Chief Executive Officer which have been authorised by Council through previous resolutions, are retained.*

**Related Documentation**

Council's Instrument of Delegations and associated Schedules are available in the Delegations Register.

**Critical Dates**

It is important that Council considers this report as soon as possible to ensure compliance with section 257 of the *Local Government Act 2009* which requires annual review of the Delegation to the Chief Executive Officer. The Delegation to the Chief Executive Officer was last endorsed by Council on 20 June 2024 (OM24/47).

**Implementation**

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will:

- update Council's Delegation Register, and
- update relevant section 259 Delegations of Authority from the Chief Executive Officer to Council officers.





## DELEGATION AUTHORITY

DELEGATION NO.	2016-73 (v10)
DELEGATION TITLE:	Delegation to the Chief Executive Officer
Delegation from Council to:	Chief Executive Officer
Date and Resolution No.	
Source of Authority:	
Local Government Act 2009 (Qld)	
Refer Schedule 1	
Refer Schedule 2	

### Delegated Power:

Council resolves, pursuant to section 257(1)(b) of the *Local Government Act 2009* (Qld), to delegate to the Chief Executive Officer all of the powers of the local government conferred under:

- a) Council's Local Laws;
- b) the Acts and Subordinate Legislation listed in Schedule 1 of this delegation.

### Interpretation:

1. To the extent that this delegation confers a power to take any action, including making a decision, the power extends to doing anything which is necessary or convenient to perform that action, make that decision or give effect to a decision made by the local government or the local government's delegate such as:
  - a) considering factual and legal matters and issues in order to:
    - i) form any belief which is required; and
    - ii) be satisfied about any matter or thing;
  - b) consulting with any person who is required to be consulted with;
  - c) issuing any notices including publishing any notice in the gazette, newspaper or on the local government's website;
  - d) approving any forms;
  - e) filing any document;
  - f) extending any period;
  - g) providing reasons; and
  - h) making or refunding any payment.



2. Under this delegation, the words used are to take their meaning from the Queensland legislation conferring the authority or to the extent that no meaning is prescribed, the words will take their ordinary meaning unless otherwise specified in this delegation.
3. Under this delegation, the words used have the meanings set out below:
  - a) 'Act' has the meaning given to that term under the *Acts Interpretation Act 1954* (Qld);
  - b) 'Queensland legislation' has the meaning given to that term under the *Acts Interpretation Act 1954* (Qld);
  - c) 'powers of the local government' means all powers conferred on the local government under Queensland legislation which is the subject of this delegation including any Subordinate Legislation and Statutory Instrument made under that legislation or which has taken effect under that legislation even if not expressly mentioned in this delegation;
  - d) 'Subordinate Legislation' has the meaning given to that term under the *Statutory Instruments Act 1992* (Qld);
  - e) 'Statutory Instrument' has the meaning given to that term under the *Statutory Instruments Act 1992* (Qld);
  - f) 'Local Law' has the meaning given to that term under the *Local Government Act 2009* (Qld) and a reference to a local law in this delegation includes a reference to:
    - i) an 'interim local law' as defined by the *Local Government Act 2009* (Qld);
    - ii) a 'subordinate local law' as defined by the *Local Government Act 2009* (Qld); and
    - iii) a local law that incorporates a 'model local law' as defined by the *Local Government Act 2009* (Qld).
4. To the extent of any inconsistency between the conferral of this delegation of powers and any earlier delegation of powers to the Chief Executive Officer, this delegation prevails.

#### Delegation Conditions and Guiding Principles

1. The powers conferred by this delegation must be exercised in accordance with the Queensland legislation conferring the authority, including any obligations which are imposed in exercising the power.
2. The powers conferred by this delegation must not be exercised in circumstances where the power is not capable of delegation (refer to schedule 2 of this delegation).
3. The delegated officer must make and keep a register of all instances of where this delegation has been exercised.
4. Unless compliance would be contrary to any law, the policies of the local government and codes of conduct must be complied with in exercising the powers conferred by this delegation.
5. The following guiding principles apply:
  - a) The powers conferred by delegation to the Chief Executive Officer must be exercised in a manner that is consistent with Local Government Act 2009, Local Government Regulation 2012 and in accordance with any other legislation that may specifically confer authority to exercise the delegated power.
  - b) When making a decision to exercise a delegated power, the Chief Executive Officer must have due regard to the strategic direction and priorities set by Council including the Corporate Plan, Operational Plan, Annual Budget and financial delegation.
  - c) In the performance of a delegated function or in the exercise of a delegated power, the Chief Executive Officer may do anything that is lawfully and reasonably incidental to the delegated function or power.

- d) Delegations made by Council are made to the position of Chief Executive Officer and unless excluded in the terms of appointment extend to persons acting in that position from time to time.
- e) The Chief Executive Officer is not obliged to exercise a delegation.
- f) The Chief Executive Officer must avoid exercising any delegation where it can fairly be concluded that to do so would give rise to material claims of the delegate having an actual or perceived conflict of interest, whether financial or otherwise.
- g) As a matter of practice, the Chief Executive Officer must consult with the Mayor and relevant Portfolio Councillor prior to exercising a delegated power in instances where the exercise of the delegations may reasonably be expected to:
  - i. generate significant community concern; and/or
  - ii. result in significant financial, resource or policy implications for Council

**Delegation Criteria - *Planning Act 2016***

1. The delegated officer may exercise the powers of the local government under the *Planning Act 2016* for an application other than the following:
  - a) an application where, in the opinion of the delegated officer, the estimated construction value of the proposed development exceeds \$100 million (excluding land content);
  - b) under the transitional provisions set out in Chapter 8 of the *Planning Act 2016*- an application for the approval of a master plan for a master planned area;
  - c) an application for a variation request as defined in the *Planning Act 2016*;
  - d) an application for a proposed development where a substantial number of submissions have been received during the notification part objecting to the proposed development.
2. In exercising the powers delegated, where a development application has been decided by Council the delegated officer must give due consideration to the materiality of the changes sought through a negotiated decision notice and consult with the divisional councillor where those changes would have a material impact on the outcome of the original decision.
3. However, even if paragraph 9 a) above applies, the delegated officer may exercise the powers of the local government under the *Planning Act 2016* without that limitation for an application where the application has the potential for "deemed approval".

**Delegation Administration Procedure – *Planning Act 2016*:**

1. The following procedure is to be undertaken for any powers exercised under the *Planning Act 2016* and *Planning Regulation 2017* unless compliance would be contrary to any law:
  - a) The policies of the local government must be complied with and in particular any policy related to entering into an infrastructure agreement.
  - b) The policies and codes of conduct of the local government must be complied with and in particular:
    - i) a development application is to be referred to the Chief Executive Officer for decision where a councillor has a material personal interest in the development application.

## Schedule 1

## Acts

No.	Name of Act
1	<i>Aboriginal Cultural Heritage Act 2003 (Qld)</i>
2	<i>Acquisition of Land Act 1967 (Qld)</i>
3	<i>Acquisition of Land Regulation (2014) (Qld)</i>
4	<i>Aged Care Act 1997 (Cth)</i>
5	<i>Animal Care and Protection Act 2001 (Qld)</i>
6	<i>Animal Care and Protection Regulation 2012 (Qld)</i>
7	<i>Animal Management (Cats and Dogs) Act 2008 (Qld)</i>
8	<i>Animal Management (Cats and Dogs) Regulation 2019 (Qld)</i>
9	<i>Anti-Discrimination Act 1991 (Qld)</i>
10	<i>Auditor-General Act 2009 (Qld)</i>
11	<i>Australia's Foreign Relations (State and Territory Arrangements) Act 2020 (Cth)</i>
12	<i>Biosecurity Act 2014 (Qld)</i>
13	<i>Biosecurity Regulation 2016 (Qld)</i>
14	<i>Body Corporate and Community Management (Accommodation Module) Regulation 2020 (Qld)</i>
15	<i>Body Corporate and Community Management (Commercial Module) Regulation 2020 (Qld)</i>
16	<i>Body Corporate and Community Management (Small Schemes Module) Regulation 2020 (Qld)</i>
17	<i>Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011 (Qld)</i>
18	<i>Body Corporate and Community Management (Standard Module) Regulation 2020 (Qld)</i>
19	<i>Body Corporate and Community Management Act 1997 (Qld)</i>
20	<i>Building Act 1975 (Qld)</i>
21	<i>Building Fire Safety Regulation 2008 (Qld)</i>
22	<i>Building Regulation 2006 (Qld)</i>
23	<i>Building Regulation 2021 (Qld)</i>
24	<i>Coastal Protection and Management Act 1995 (Qld)</i>
25	<i>Corporations Act 2001 (Cth)</i>
26	<i>Coexistence Queensland Act 2013 (Qld)</i>
27	<i>Crime and Corruption Act 2001 (Qld)</i>
28	<i>Development Assessment Rules (Qld)</i>
29	<i>Disaster Management Act 2003 (Qld)</i>
30	<i>Disaster Management Regulation 2014 (Qld)</i>
31	<i>Economic Development Act 2012 (Qld)</i>
32	<i>Electricity Act 1994 (Qld)</i>
33	<i>Electricity Regulation 2006 (Qld)</i>

No.	Name of Act
34	<i>Electrical Safety Act 2002 (Qld)</i>
35	<i>Electrical Safety Regulation 2013 (Qld)</i>
36	<i>Environmental Offsets Act 2014 (Qld)</i>
37	<i>Environmental Offsets Regulation 2014 (Qld)</i>
38	<i>Environmental Protection (Water and Wetland Biodiversity) Policy 2019 (Qld)</i>
39	<i>Environmental Protection Act 1994 (Qld)</i>
40	<i>Environmental Protection Regulation 2019 (Qld)</i>
41	<i>Evidence Act 1977 (Qld)</i>
42	<i>Fire and Emergency Service Act 1990 (Qld)</i>
43	<i>Fisheries Act 1994 (Qld)</i>
44	<i>Food Act 2006 (Qld)</i>
45	<i>Food Production (Safety) Act 2000 (Qld)</i>
46	<i>Forestry Act 1959 (Qld)</i>
47	<i>Fossicking Act 1994 (Qld)</i>
48	<i>Gaming Machine Act 1991 (Qld)</i>
49	<i>Geothermal Energy Act 2010 (Qld)</i>
50	<i>Greenhouse Gas Storage Act 2009 (Qld)</i>
51	<i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation (Qld)</i>
52	<i>Heavy Vehicle National Law Act 2012 (Qld)</i>
53	<i>Heavy Vehicle National Law (Queensland)</i>
54	<i>Heavy Vehicle National Law Regulation 2014 (Qld)</i>
55	<i>Housing Act 2003 (Qld)</i>
56	<i>Housing Regulation 2015 (Qld)</i>
57	<i>Human Rights Act 2019 (Qld)</i>
58	<i>Industrial Relations Act 2016 (Qld)</i>
59	<i>Industrial Relations Regulation 2018 (Qld)</i>
60	<i>Information Privacy Act 2009 (Qld)</i>
61	<i>Instrument of Delegation and Direction – Economic Development Act 2012 (Minister for Economic Development Queensland) 17 October 2019</i>
62	<i>Integrity Act 2009 (Qld)</i>
63	<i>Integrated Planning Act 1997 (Qld)</i>
64	<i>Integrated Resort Development Act 1987 (Qld)</i>
65	<i>Justices Act 1886 (Qld)</i>
66	<i>Judicial Review Act 1991 (Qld)</i>
67	<i>Labour Hire Licensing Act 2017 (Qld)</i>
68	<i>Land Access Ombudsman Act 2017 (Qld)</i>
69	<i>Land Act 1994 (Qld)</i>

No.	Name of Act
70	<i>Land Regulation 2020 (Qld)</i>
71	<i>Land Title Act 1994 (Qld)</i>
72	<i>Land Valuation Act 2010 (Qld)</i>
73	<i>Libraries Act 1988 (Qld)</i>
74	<i>Liquor Act 1992 (Qld)</i>
75	<i>Local Government Act 2009 (Qld)</i>
76	<i>Local Government Electoral Act 2011 (Qld)</i>
77	<i>Local Government Regulation 2012 (Qld)</i>
78	<i>Manufactured Homes (Residential Parks) Act 2003 (Qld)</i>
79	<i>Marine Parks Act 2004 (Qld)</i>
80	<i>Medicines and Poisons (Pest Management Activities) Regulation 2021 (Qld)</i>
81	<i>Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021 (Qld)</i>
82	<i>Medicines and Poisons Act 2019 (Qld)</i>
83	<i>Mineral &amp; Energy Resources (Common Provisions) Act 2014 (Qld)</i>
84	<i>Mineral Resources Act 1989 (Qld)</i>
85	<i>Mining and Quarrying Safety and Health Act 1999 (Qld)</i>
86	<i>Mining and Quarrying Safety and Health Regulation 2017 (Qld)</i>
87	<i>Minister's Guidelines and Rules Under the Planning Act 2016 (Qld)</i>
88	<i>Mixed Use Development Act 1993 (Qld)</i>
89	<i>Nature Conservation (Administration) Regulation 2017 (Qld)</i>
90	<i>Nature Conservation (Animals) Regulation 2020 (Qld)</i>
91	<i>Nature Conservation (Plants) Regulation 2020 (Qld)</i>
92	<i>Nature Conservation (Protected Areas Management) Regulation 2024 (Qld)</i>
93	<i>Nature Conservation (Wildlife Management) Regulation 2006 (Qld)</i>
94	<i>Nature Conservation Act 1992 (Qld)</i>
95	<i>Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 (Qld)</i>
96	<i>Peaceful Assembly Act 1992 (Qld)</i>
97	<i>Petroleum and Gas (Production and Safety) Act 2004 (Qld)</i>
98	<i>Petroleum and Gas (Production and Safety) Regulation 2018 (Qld)</i>
99	<i>Planning Act 2016 (Qld)</i>
100	<i>Planning Regulation 2017 (Qld)</i>
101	<i>Planning Act 2016 – Development Assessment Rules (Qld)</i>
102	<i>Planning and Environment Court Act 2016 (Qld)</i>
103	<i>Planning and Environment Court Rules 2018 (Qld)</i>
104	<i>Plumbing and Drainage Act 2002 (Qld)</i>
105	<i>Plumbing and Drainage Regulation 2019 (Qld)</i>
106	<i>Plumbing and Drainage Act 2018 (Qld)</i>

No.	Name of Act
107	<i>Plumbing and Drainage Regulation 2019 (Qld)</i>
108	<i>Property Law Act 1974 (Qld)</i>
109	<i>Prostitution Act 1999 (Qld)</i>
110	<i>Public Health (Infection Control for Personal Appearance Services) Act 2003 (Qld)</i>
111	<i>Public Health Act 2005 (Qld)</i>
112	<i>Public Health Regulation 2018 (Qld)</i>
113	<i>Public Interest Disclosure Act 2010 (Qld)</i>
114	<i>Public Records Act 2023 (Qld)</i>
115	<i>Public Sector Ethics Act 1994 (Qld)</i>
116	<i>Queensland Building and Construction Commission Act 1991 (Qld)</i>
117	<i>Queensland Heritage Act 1992 (Qld)</i>
118	<i>Queensland Reconstruction Authority Act 2011 (Qld)</i>
119	<i>Rail Safety National Law (Qld)</i>
120	<i>Regional Planning Interests Act 2014 (Qld)</i>
121	<i>Residential Services (Accreditation) Act 2002 (Qld)</i>
122	<i>Residential Tenancies and Rooming Accommodation Act 2008 (Qld)</i>
123	<i>Retail Shop Leases Act 1994 (Qld)</i>
124	<i>Retail Shop Leases Regulation 2016</i>
125	<i>Right to Information Act 2009 (Qld)</i>
126	<i>River Improvement Trust Act 1940 (Qld)</i>
127	<i>Security of Critical Infrastructure Act 2018 (Cth)</i>
128	<i>Safety in Recreational Water Activities Act 2011 (Qld)</i>
129	<i>Soil Conservation Act 1986 (Qld)</i>
130	<i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 (Qld)</i> <i>Delegation by Northern SEQ Distributer Retailer Authority (Unitywater) to Moreton Bay Regional Council, Sunshine Coast Regional Council and Noosa Shire Council – 30 June 2014</i>
131	<i>Standard Plumbing and Drainage Regulation 2003 (Qld)</i>
132	<i>State Development and Public Works Organisation Act 1971 (Qld)</i>
133	<i>State Emergency Service Act 2024</i>
134	<i>State Penalties Enforcement Act 1999 (Qld)</i>
135	<i>State Penalties Enforcement Regulation 2014 (Qld)</i>
136	<i>Statutory Bodies Financial Arrangements Act 1982 (Qld)</i>
137	<i>Statutory Bodies Financial Arrangements Regulation 2019 (Qld)</i>
138	<i>Stock Act 1915 (Qld)</i>
139	<i>Stock Route Management Act 2002 (Qld)</i>
140	<i>Stock Route Management Regulation 2003 (Qld)</i>
141	<i>Strong and Sustainable Resource Communities Act 2017 (Qld)</i>

No.	Name of Act
142	<i>Summary Offences Act 2005 (Qld)</i>
143	<i>Summary Offences Regulation 2016 (Qld)</i>
144	<i>Survey and Mapping Infrastructure Act 2003 (Qld)</i>
145	<i>Sustainable Planning Act 2009 (Qld)</i>
146	<i>Sustainable Planning Regulation 2009 (Qld)</i>
147	<i>Telecommunications (Interception and Access) Act 1979 (Cth)</i>
148	<i>Tobacco and Other Smoking Products Act 1998 (Qld)</i>
149	<i>Torres Strait Islander Cultural Heritage Act 2003 (Qld)</i>
150	<i>Transport Infrastructure (Busway) Regulation 2002 (Qld)</i>
151	<i>Transport Infrastructure (Public Marine Facilities) Regulation 2023 (Qld)</i>
152	<i>Transport Infrastructure (Rail) Regulation 2006 (Qld)</i>
153	<i>Transport Infrastructure (State Controlled Roads) Regulation 2017 (Qld)</i>
154	<i>Transport Infrastructure Act 1994 (Qld)</i>
155	<i>Transport Operations (Marine Pollution) Act 1995 (Qld)</i>
156	<i>Transport Operations (Marine Safety) Act 1994 (Qld)</i>
157	<i>Transport Operations (Marine Safety) Regulation 2016 (Qld)</i>
158	<i>Transport Operations (Passenger Transport) Act 1994 (Qld)</i>
159	<i>Transport Operations (Road Use Management) Act 1995 (Qld)</i>
160	<i>Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015 (Qld)</i>
161	<i>Transport Operations (Road Use Management—Road Rules) Regulation 2009 (Qld)</i>
162	<i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 (Qld)</i>
163	<i>Transport Planning and Coordination Act 1994 (Qld)</i>
164	<i>Trusts Act 1973 (Qld)</i>
165	<i>Waste Reduction and Recycling Act 2011 (Qld)</i>
166	<i>Waste Reduction and Recycling Regulation 2023 (Qld)</i>
167	<i>The Waste Reduction and Recycling (Local Government) Delegation (No. 1) 2015</i>
168	<i>Water Act 2000 (Qld)</i>
169	<i>Water Regulation 2016 (Qld)</i>
170	<i>Water Supply (Safety and Reliability) Act 2008 (Qld)</i>
171	<i>Work Health and Safety Act 2011 (Qld)</i>
172	<i>Work Health and Safety Regulation 2011 (Qld)</i>
173	<i>Workers Compensation and Rehabilitation Act 2003 (Qld)</i>
174	<i>Workers Compensation and Rehabilitation Regulation 2014 (Qld)</i>
175	<i>Working with Children (Risk Management and Screening) Act 2000 (Qld)</i>



## Schedule 2

Matters that require a resolution of Council.

The powers of Sunshine Coast Regional Council which are not able to be delegated are set out in the tables below.

<b>Animal Management (Cats and Dogs) Act 2008 (Qld) (AMCDA)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
12 – Identification devices under Act	Council may, by resolution, nominate a device to assist in identifying a dog.
50 – Duration of registration	Council may, by resolution, fix the period for registration of a dog. However, the period must not be more than 3 years.
74 – Requirements for application (Restricted Dog Permits) and 83 – Requirements for renewal application	Restricted dog permits and renewals must be accompanied by the fee fixed by resolution of Council.
113 – Approval of inspection program authorising entry	Council may, by resolution, approve a program (an approved inspection program) under which an authorised person may enter a place to monitor compliance with the AMCDA or an aspect of the AMCDA.

<b>Biosecurity Act 2014</b>	
<b>Section</b>	<b>Cannot be delegated</b>
235 - Authorising and carrying out biosecurity program	A program authorisation must be authorised by a resolution of the local government.

<b>Building Act 1975 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
32 - Local laws, local planning instruments and local government resolutions that may form part of the building assessment provisions	Council may make resolutions about an aspect of, or matter related or incidental to, building work prescribed under a regulation.

<b>Building Regulation 2021 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
8 – Designation of area liable to flooding	Council may, by resolution: <ul style="list-style-type: none"> <li>(a) designate part of its area as a flood hazard area; and</li> <li>(b) declare the following for all or part of a flood hazard area: <ul style="list-style-type: none"> <li>(i) the defined flood level;</li> <li>(ii) the maximum flow velocity of water;</li> </ul> </li> </ul>

<b>Building Regulation 2021 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
	<ul style="list-style-type: none"> <li>(iii) an inactive flow or backwater area;</li> <li>(iv) a freeboard that is more than 300mm;</li> <li>(v) the finished floor level of class 1 buildings built in all or part of the flood hazard area.</li> </ul> <p>If the local government makes a designation or declaration, the local government must state in the planning scheme, temporary local planning instrument under the Planning Act or resolution, that the designation or declaration is made under this section.</p>
45 – Local governments may exempt particular assessable building work from particular stages of inspection	<p>Council may, by resolution, declare localities and forms of buildings or structures in its area exempt from inspection at a stage of assessable building work if the work:</p> <ul style="list-style-type: none"> <li>(a) is, or is an alteration to, a single detached class 1a building or a class 10 building or structure; and</li> <li>(b) is not for a swimming pool or fencing around it.</li> </ul>

<b>Economic Development Act 2012 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
169 – Delegations	<p>Council may not subdelegate a function or power of the Minister for Economic Development Queensland (<b>MEDQ</b>) delegated to it where MEDQ has, when delegating the function or power to Council, directed that the function or power cannot be subdelegated.</p>

<b>Environmental Protection Act 1994 (Qld) (EPA)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
514 – Devolution of powers	<ul style="list-style-type: none"> <li>(a) Council may make a resolution about the fees payable to it for the administration and enforcement of a matter devolved to it by the Governor in Council, which may include prescribing a different fee, whether higher or lower.</li> </ul>
518 – Delegation by administering authority	<p>Where Council is an administering authority, it may, by resolution, delegate its powers under the Environmental Protection Act to an appropriately qualified entity.</p>

<b>Food Act 2006 (Qld) (Food Act)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
31 – Fees payable to local governments	<p>Council may make a resolution about the fees payable to it for providing a service or taking action under the Food Act.</p>

<b>Land Act 1994 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
56 – Model by-laws	<p>Decide where the local government is trustee of trust land to adopt a model by-law.</p>

<b>Libraries Act 1988 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
55 – Library committees	Council may direct, by resolution, the functions, powers and duties to be fulfilled by a library committee.

<b>Liquor Act 1992 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
173N – Suspension of designation	Council may, by resolution, suspend the designation of a public place as a public place where permitted liquor may be consumed for a period of not more than 10 days if it reasonably believes it is in the best interests of the residents of the area to do so.

<b>Local Government Act 2009 (Qld) (Local Government Act)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
25C – Establishment of joint local governments	A joint local government is established for an area if 2 or more local governments approve, by resolution, the constitution for the joint local government.
25H – Chairperson and deputy chairperson	A joint local government must appoint a chairperson and deputy chairperson from its members, by resolution.
25I - Disbursement from operating fund of joint local government for purposes other than exclusive jurisdiction	A joint local government may only make a disbursement from its operating fund if the joint local government has, by resolution, decided the amount of the disbursement is not required for exercising its exclusive jurisdiction.
25J – Winding up joint local governments	A joint local government may, by resolution, decide to wind up the joint local government.
29 – Local law making process	A local law must be made by resolution of Council.
32 – Consolidated versions of local laws	Council may prepare and adopt, by resolution, a consolidated version of a local law.
46 – Assessing public benefit	Council must conduct a public benefit assessment of any new significant business activity that is identified in the annual report. Council must prepare a report on the public benefit assessment that contains its recommendations about the application of the competitive neutrality principle in relation to the significant business activity. Council must consider the report and decide, by resolution, whether or not to apply the competitive neutrality principle in relation to the significant business activity.
47 – Code of competitive conduct	Council must decide each financial year, by resolution, whether to apply the code of competitive conduct to a business activity prescribed under regulation.
48 – Competitive neutrality complaints	Council must adopt, by resolution, a process for resolving competitive neutrality complaints. A competitive neutrality complaint is a complaint: (a) relating to a failure of Council to conduct a business activity in accordance with the competitive neutrality principle; and (b) is made by an affected person as defined in section 48(3) of the Local Government Act.

<b>Local Government Act 2009 (Qld) (Local Government Act)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
74 – Roads map and register	Council may, by resolution or local law, fix a fee for a copy of a map or register of roads within the local government area.
80A – Malls	Council may decide by resolution to pay compensation to a person because of the establishment, modification or closing of a mall by the local government
84 – Meetings about trust land generally open to the public	All meetings relating to trust land must be open to the public, unless the trustee council decides, by resolution, that the meeting be closed to the public.
93 – Land on which rates are levied	Land, primarily used for showgrounds or horseracing or charitable purposes may be exempted from rating by resolution of Council.
94 – Power to levy rates and charges	The rates and charges to be levied in a financial year must be decided by resolution at Council's budget meeting for that financial year
97 – Cost-recovery fees	Council may, under a local law or a resolution, fix a cost-recovery fee. An application for the issue or renewal of a licence, permit, registration or other approval under a local government Act may also include a tax if Council decides, by resolution, that the purpose of the tax benefits its local government area.
99 – Fees on occupiers of land below the high-water mark	Council may, by resolution, levy a fee on the occupier of land below the high-water mark for the use of Council's roads and other infrastructure.
110 – Councillors liable for improper disbursements	Councillors will be liable in accordance with section 110 for any disbursement of Council funds which is: (a) not provided for in Council's budget; and (b) made without the approval, by resolution, of Council.
134 – Approving an inspection program	Council may, by resolution, approve a systematic or a selective inspection program allowing an authorised person to enter and inspect certain properties within Council's local government area.
150G 150AE 150AF 150ES 150EU Conduct of Councillors	Adoption of the model procedures or other procedures for the conduct of the local government's meetings and meetings of its committees; Adoption of an investigation policy about dealing with suspected inappropriate conduct of councillors referred by the assessor to the local government; Decision to investigate a councillor's conduct in another way than as provided above; Decision, where a councillor has a declarable conflict of interest, to allow the Councillor to participate in a decision about the matter or to leave the place where the meeting is being held; Decision, where there is no quorum for deciding matter because of the prescribed conflicts of interest or declarable conflicts of interest, to deter the matter to a later meeting; Decision, where there is no quorum for deciding matter because of the prescribed conflicts of interest or declarable conflicts of interest, not to decide the matter and take no further action in relation to the matter.
164 - Filling vacancy in office of mayor	Decision to appoint a councillor to the office of mayor if the office becomes vacant during the final part of the local government's term
165 – Acting mayor	Council may, by resolution, appoint an acting mayor from its councillors in certain circumstances.

<b>Local Government Act 2009 (Qld) (Local Government Act)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
	Council may also, by resolution, declare that the office of deputy mayor is vacant, in which case it must immediately appoint another deputy mayor from its councillors.
166 – Filling a vacancy in the office of another councillor (other than the Mayor)	<p>If the office of a councillor who is not the mayor becomes vacant during the beginning or middle of Council's term, Council must, by resolution, fill the vacant office by either:</p> <ul style="list-style-type: none"> <li>(a) a by-election; or</li> <li>(b) by following the procedure under section 166A.</li> </ul> <p>If the former councillor's office becomes vacant during the final part of Council's term, the vacant office must be filled by Council appointing, by resolution, a person who is:</p> <ul style="list-style-type: none"> <li>(a) qualified to be a councillor; and</li> <li>(b) if the former councillor was elected or appointed to office as a political party's nominee—the political party's nominee.</li> </ul>
170A – Requests for assistance or information	<p>'Acceptable requests guidelines' are guidelines of Council regarding:</p> <ul style="list-style-type: none"> <li>(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 Local Government Act; and</li> <li>(b) reasonable limits on requests that a councillor may make.</li> </ul> <p>Acceptable requests guidelines must be adopted by resolution by Council.</p>
175 – Post-election meetings	<p>Council must, by resolution, appoint a deputy mayor from its councillors (other than the mayor) at:</p> <ul style="list-style-type: none"> <li>(a) a meeting held within 14 days after the conclusion of each quadrennial election and the conclusion of a fresh election of its councillors; and</li> <li>(b) at the first meeting after the office of the councillor who is the deputy mayor becomes vacant.</li> </ul>
196 – Appointing other local government employees	Council must, by resolution, adopt an organisational structure that is appropriate to the performance of Council's responsibilities.
197A – Councillor advisors	Council must, by resolution, allow a councillor to appoint one or more appropriately qualified persons (each a councillor advisor) to assist the councillor in performing responsibilities under the Act.
202 – Appointing authorised persons	<p>A person is qualified to be an authorised person of Council if:</p> <ul style="list-style-type: none"> <li>(a) the person is an authorised person for another local government; and</li> <li>(b) Council has, by resolution, decided that authorised persons of the other local government may be appointed as authorised persons of Council.</li> </ul>
257 – Delegation of local government powers	Council may only delegate certain powers under the Local Government Act or another Act by resolution. Council must not delegate a power that an Act states must be exercised by resolution.
257A – Delegation of joint local government's powers	A joint local government may, by resolution, delegate its powers to certain persons or bodies. However it must not delegate a power that an Act states must be exercised by resolution.
259 – Delegation of chief executive officer powers	<p>Council's CEO must not delegate the following powers:</p> <ul style="list-style-type: none"> <li>(a) a power delegated by the local government, if the local government has directed the chief executive officer not to further delegate the power; and</li> <li>(b) a power to keep a register of interests.</li> </ul>

<b>Local Government Act 2009 (Qld) (Local Government Act)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
268 – Process for administrative action complaints	Council must adopt, by resolution, a process for resolving complaints about an administrative action of Council by a person who is apparently directly affected by the administrative action.
276 – Local laws	Council may proceed in adopting or making a local law in accordance with the relevant process.
324 Process if no investigation policy	Decision about the procedure for investigating a councillor's inappropriate conduct if an investigation policy has not been adopted under section 150AE; Decision to deal with a councillor's inappropriate conduct in another way than as recommended by the assessor under Section 150AC(3)

<b>Local Government Regulation 2012 (Qld) (Local Government Regulation)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
29 – Converting a business unit to a commercial business unit	Council must make the decision to convert a business unit to a commercial business unit by resolution.
30 – Creating a commercial business unit	Council must make the decision to create a commercial business unit by resolution.
55 – Local government response to competition authority's report	Council must decide, by resolution, whether to implement the recommendations in a report by the competition authority.
74 – Rateable value of land	When calculating the rateable value of land, Council may use the value of the land averaged over a number of financial years only if it decides, by resolution, to do so.
81 – Categorisation of land for differential general rates	Council must decide the different categories of rateable land in its local government area by resolution at its budget meeting, before Council levies differential general rates.
94 – Levying special rates or charges	Council may, by resolution, decide to levy special rates and charges. Council may amend an overall plan or an annual implementation plan regarding the special rates or charges at any time by resolution.
97 – Surplus special rates or charges after plan is cancelled	Where: (a) Council decides to cancel an overall plan before it is carried out; and (b) Council has not spent all the special rates or charges; and (c) the overall plan identifies the beneficiaries of the plan, Council may decide, by resolution, the proportions that it must pay the current owners of the land on which the special rates or charges were levied.
102 – Reading meters for utility charges	Council may, by resolution, decide a meter is taken to have been read during the period that starts 2 weeks before, and ends 2 weeks after, the day on which the meter is actually read.
116 – Limitation of increase in rates or charges levied	Council may resolve to limit the increase in rates or charges when it resolves to levy rates or charges.
118 – When rates or charges must be paid	Council must decide, by resolution at its budget meeting, the date by which, or the period within which, rates or charges must be paid.
122 – Resolutions for granting concession	Council may only grant a ratepayer a concession for rates or charges for land by resolution.

<b>Local Government Regulation 2012 (Qld) (Local Government Regulation)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
129 – Paying rates or charges by instalments	Council may decide, by resolution at its budget meeting, to allow ratepayers to pay rates or charges by instalments.
130 – Discount for prompt payment of rates or charges	Council may decide, by resolution at its budget meeting, to allow a discount for payment of rates or charges before the due date for payment. Council may change the due date for payment and the discount period to end on a later day by resolution.
133 - Interest on overdue rates or charges	Decision about the rate of interest payable on overdue rates or charges under 133 (3)(b)
140 – Notice of intention to sell land for overdue rates or charges	Council may, by resolution, decide to sell land on which there are overdue rates or charges in the circumstances set out in section 140 of the Local Government Regulation.
149 – Requirements for notice of intention to acquire land	Council may decide to acquire land by resolution for overdue rates or charges.
165 – Preparation of 5-year corporate plan	Council must prepare a 5-year Corporate Plan and must adopt its 5-year Corporate Plan. Council may also amend its 5-year corporate plan at any time by resolution.
167 – Preparation of long term asset management plan	Council must prepare and adopt a long-term asset management plan.
170 – Adoption and amendment of budget	Council must adopt a budget and may amend the budget for a financial year by resolution any time before the end of the financial year.
173 – Unauthorised spending	Adopting an annual budget amended in compliance with Sect 173A.  Council may spend money which is not authorised in its budget for genuine emergency or hardship if it makes a resolution about spending the money before, or as soon as practicable after, the money is spent.
174 – Preparation and adoption of annual operational plan	Council must adopt an annual operational plan and may, by resolution, amend its annual operational plan at any time before the end of the financial year.
182 – Preparation of annual report	Council must adopt its annual report within one month after the day the auditor-general gives their report about the local government's financial statement.
191- Investment policy	Council must adopt an investment policy.
192 – Debt policy	Council must adopt a debt policy for a financial year.
195 – Community grants policy	Council must adopt a policy about local government grants to community organisations (including eligibility criteria).
196 – Entertainment and hospitality	Council must adopt a policy about the local government's spending on entertainment or hospitality.
197 – Advertising spending	Council must adopt a policy about the local government's spending on advertising.
198 – Procurement policy	Council must adopt a policy about procurement.
201- Transferring money to or from a trust fund	Council may, by resolution, transfer money from the trust fund if the purpose for which it was credited to the fund no longer exists.



<b>Local Government Regulation 2012 (Qld) (Local Government Regulation)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
206 – Valuation of non-current physical assets	Council must, by resolution, set an amount for each different type of non-current physical asset below which the value of an asset of the same type must be treated as an expense.
218 – Power to choose strategic approach	Council may decide to apply Strategic contracting procedures to its contracts by resolution. Council may also decide that Chapter 6, Part 2 no longer applies to its contracts by a later resolution.
219 - Effect of choice	Decision that Chapter 6 Part 2 (strategic contracting procedures) no longer applies to local government contracts.
220 – Contracting plans	Council must make and adopt a contracting plan each financial year by resolution, but must not do so before it adopts an annual budget for a financial year. Council may, by resolution, amend a contracting plan at any time before the end of the financial year to which the plan relates.
221 – Significant contracting plans	Council may, by resolution, amend a significant contracting plan at any time before the end of the financial year to which the plan relates.
222 – Contracting manual	Council must make and adopt a contract manual.
228 – Tender process	Council may invite expressions of interest under section 228(5) only if it decides by resolution that it would be in the public interest to invite expressions of interest before inviting written tenders.
230 – Exception if quote or tender consideration plan prepared	Council may enter into a medium-sized or large-sized contractual arrangement without first inviting written quotes or tenders if it decides, by resolution, to prepare a quote or tender consideration plan and prepares and adopts the plan.
235 – Other exceptions	Council may enter into a medium-sized or large-sized contractual arrangement without first inviting written quotes or tenders if it decides, by resolution, that: (a) there is only one supplier who is reasonably available; or (b) because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders.
236 – Exceptions for valuable non-current asset contracts	Before disposing of a valuable non-current asset other than by tender or auction in accordance with section 236, Council must decide by resolution that the exceptions allowing such disposal apply to Council.
247 – Remuneration payable to councillors	Council may decide, by resolution, that the maximum amount of remuneration payable to a councillor under the remuneration schedule is not payable to the councillor. If this occurs, Council must also decide, by resolution, the amount of remuneration payable to the councillor.
250 – Requirement to adopt expenses reimbursement policy or amendment	Council must adopt and may amend its expenses reimbursement policy at any time by resolution.
254 - Exemption of minutes and close a meeting	Council may exempt an advisory committee from the requirement to take minutes of its proceedings by resolution. Council or a committee may decide by resolution that a meeting be closed to the public if the councillors or members of the committee consider it necessary to close the meeting to discuss certain matters.

<b>Local Government Regulation 2012 (Qld) (Local Government Regulation)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
257 – Frequency and place of meetings	Council must meet at least once in each month either at one of its public offices or at another place fixed by Council by resolution for the meeting.
306 – Process for resolving administrative actions complaints	Council must adopt a complaints management process and written policies and procedures supporting the process.

<b>Minister's Guidelines and Rules for amending a planning scheme for section 20 of the Planning Act 2016</b>	
<b>Section</b>	<b>Cannot be delegated</b>
Chapter 2, Part 1, 3.1	For the purposes of section 20 of the Planning Act (amending planning schemes under Minister's rules), adoption of a proposed administrative amendment to a planning scheme.
Chapter 2, Part 2, 6.1	For the purposes of section 20 of the Planning Act (amending planning schemes under Minister's rules), adoption of a proposed minor amendment to a planning scheme.
Chapter 2, Part 3, 14.1	For the purposes of section 20 of the Planning Act (amending planning schemes under Minister's rules), adoption of a proposed qualified state interest amendment to a planning scheme approved and notified by the Minister under section 13.5.
Chapter 2, Part 4, 22.1	For the purposes of section 20 of the Planning Act (amending planning schemes under the Minister's rules), adoption of a proposed major amendment to a planning scheme approved and notified by the Minister under section 21.5.
Chapter 3, Part 1, 5.1	For the purposes of section 22 of the Planning Act (making or amending planning scheme policies), adoption of a proposed planning scheme policy or amendment.
Chapter 3, Part 2, 9.1	For the purposes of section 23 of the Planning Act (making or amending temporary local planning instruments), adoption of a proposed temporary local planning instrument or temporary local planning instrument amendment approved and notified by the Minister under section 8.5.
Chapter 5, Part 2, 6.1	For the purposes of section 25(3) of the Planning Act (reviewing a local government infrastructure plan) and making or amending an LGIP, or making an interim LGIP amendment, adoption of a proposed LGIP or amendment approved and notified by the Minister under section 7.9

<b>Planning Act 2016</b>	
<b>Section</b>	<b>Cannot be delegated</b>
9 – Temporary local planning instruments	Resolution that the local government give a temporary local planning instrument or amendment, and the request for an earlier effective day, to the Minister for approval.
24 – Repealing TLPs or planning scheme policies	Council may repeal a TLPI, or planning scheme policy, by resolution.
113 – Adopting Charges by Resolution	Council may by resolution (a charges resolution) adopt charges (each an adopted charge) for providing trunk infrastructure for development.
175 – Proceedings brought in a representative capacity	A person may bring offence proceedings in a representative capacity if the person has the consent of the members of its controlling or governing body where the proceedings are being brought on behalf of a body of persons or a corporation (e.g. Council).
Schedule 2 – Required fee	Fixing of a fee for an application or referral to a local government.

<b>Planning Regulation 2017</b>	
<b>Section</b>	<b>Cannot be delegated</b>
Part 1 - Division 3 – Superseded Planning Schemes – s 11(3)	Council may, by resolution, set a fee for considering a superseded planning scheme request.
Schedule 6 Part 2 – Material change of use for particular buildings or structures – s 3(b)	For a class 1(a) building made up of not more than 2 attached dwellings – the local government for the local government area in which the premises are located may decide by resolution that this subsection will apply to that class of building.
Schedule 9 - Division 2 – Local Government as referral agency (Table 1)	Council may declare in its planning scheme, or by resolution, that building work for a building or structure is in a locality and of a form that may: <ul style="list-style-type: none"> <li>(a) have an extremely adverse effect on the amenity or likely amenity of the locality;</li> <li>(b) or be in extreme conflict with the character of the locality.</li> </ul>
68D - Provisions in relation to economic support instruments	Adopt an economic support instrument for its local government area
68G - Provisions in relation to economic support instruments	Revoke an economic support instrument for its local government area

<b>Plumbing and Drainage Regulation 2019 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
39 – Fast-track work declaration for a local government area	Council may decide, by resolution, to declare permit work of a stated type to be fast-track permit work for its local government area (a fast-track work declaration).
40 – Fast-track opt-out declaration for local government area	Council may decide, by resolution, to declare that it will not deal with any applications relating to permits for work to be carried out in its local government area as fast-track applications (a fast-track opt-out declaration).

<b>Plumbing and Drainage Regulation 2019 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
71 - Local government declarations about remote areas and eligible work	Council may decide, by resolution to declare part of its local government area to be a remote area because of the area's remoteness from the local government's public office (a remote area declaration).
71 - Local government declarations about remote areas and eligible work	Council may decide, by resolution, to declare particular permit work carried out in a remote area to be eligible work if the local government considers the work is of a type that, even if not inspected, will not be likely to adversely affect public health or safety, or the environment.

<b>Public Health (Infection Control for Personal Appearance Services) Act 2003 (Qld) (PHICPASA)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
9 – Local government to administer Act	Council may make a resolution about the fees payable to it for providing a service or taking action under the PHICPASA.

<b>Queensland Heritage Act 1992 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
119 – Local government resolution to enter place in, or remove place from, local heritage register	Council may, by resolution, add or remove a place from its local heritage register in certain circumstances.

<b>Residential Services (Accreditation) Act 2002 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
29 – Notice of compliance with prescribed building requirements	Council may, by resolution, prescribe a fixed fee for a written application to Council by a person conducting, or who proposes to conduct, a residential service for a notice stating whether the relevant premises comply with the prescribed building requirements.

<b>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
28 – Power to amend by agreement	If Council is a participant in a participation agreement for a distributor-retailer, Council may agree to an amendment of the agreement only if it has passed a resolution to that effect.
34 – Councillor members	A councillor-member's appointment to the board of a distributor-retailer ends if Council (and all other participating local governments) have agreed as such by resolution.

<b>Stock Route Management Act 2002</b>	
<b>Section</b>	<b>Cannot be delegated</b>
110 – Adopting a stock route network management plan	If the Minister is satisfied of the matters mentioned in section 109(2), the Minister must advise the local government that it may, by resolution, adopt the plan.
114 – Amending a stock route management plan	After considering the amended plan the Minister must advise the local government that the local government may by resolution amend the plan.

<b>Sunshine Coast Regional Council Local Law No. 1 (Administration) 2011</b>	
<b>Section</b>	<b>Cannot be delegated</b>
35 – Rewards	The amount of any reward offered for information leading to the conviction of a person for an offence and the conditions on which the reward is payable must be decided by resolution of Council.
42 – Fees	If a local law provides for payment of a fee, and does not itself fix the amount of the fee, the fee is to be fixed by resolution under Chapter 4, Part 2 of the Local Government Act. Such resolution may provide for the reimbursement of the fee in certain circumstances.

<b>Sunshine Coast Regional Council Local Law No. 2 (Animal Management) 2011</b>	
<b>Section</b>	<b>Cannot be delegated</b>
4A – Registration device	Council must decide, by resolution, registration devices to be used to assist in identifying a cat (e.g. collar tags).
4H – Duration of registration	Council must prescribe a fixed period, by resolution, for the registration of cats.

<b>Sunshine Coast Regional Council Local Law No. 3 (Community Health and Environmental Management) 2011</b>	
<b>Section</b>	<b>Cannot be delegated</b>
7 – Emergency declarations	Council may, by resolution, declare an animal or plant to be a local pest if it is satisfied that urgent action is needed to avoid or minimise an immediate risk of environmental harm posed by the relevant plant or animal.

<b>Sunshine Coast Regional Council Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011</b>	
<b>Section</b>	<b>Cannot be delegated</b>
9 – Power to close a local government controlled area, facility or infrastructure	Council may, by resolution, temporarily (and for a maximum of 6 months) close a Council controlled area or road to public access in certain circumstances.
11 – Protected areas	Council may, by resolution, delegate a Council controlled area or road or any part thereof as a protected area for the cultivation of vegetation or the protection of fauna or flora.

<b>Sustainable Planning Act 2009</b>	
<b>Section</b>	<b>Cannot be delegated</b>
92 – Action local government may take after review	After reviewing its planning scheme, Council may, by resolution: <ul style="list-style-type: none"> <li>(a) propose to prepare a new scheme; or</li> <li>(b) propose to amend the scheme; or</li> <li>(c) if Council is satisfied that the scheme is suitable to continue without amendment, decide to take no further action.</li> </ul>
123 – Repealing temporary local planning instruments	Council may, by resolution, repeal a temporary local planning instrument.
124 – Repealing planning scheme policies	Council may, by resolution, repeal a planning scheme policy, other than a planning scheme policy that is replaced by another planning scheme policy.
399 – Who may carry out compliance assessment	Council may nominate, by resolution, a suitable qualified entity to carry out compliance assessment for Council.
590 – Giving enforcement notices	If Council is the assessing authority, it may not delegate its power to give an enforcement notice ordering the demolition of a building.
598 – Proceeding brought in a representative capacity	Where a proceeding is brought in the Magistrates Court to prosecute a person on behalf of Council, Council must first provide its consent by resolution to the commencement of proceedings on its behalf.
602 – Proceeding brought in a representative capacity	Where a proceeding is brought in the court in relation to an enforcement order or interim enforcement order on behalf of Council, Council must first provide its consent by resolution to the commencement of proceedings on its behalf.
630 – Power to adopt charges by resolution	Council may, by resolution, adopt charges for providing trunk infrastructure for development. This is defined as a 'charges resolution'.

<b>Sustainable Planning Regulation 2009</b>	
<b>Section</b>	<b>Cannot be delegated</b>
Schedule 7 (Item 17) – Amenity and aesthetic impact of particular building work	Council may declare in its planning scheme or by resolution that building work for a building or structure is in a locality and of a form that may: <ul style="list-style-type: none"> <li>(a) have an extremely adverse effect on the amenity, or likely amenity, of the locality; or</li> <li>(b) be in extreme conflict with the character of the locality.</li> </ul>

<b>Transport Operations (Road Use Management) Act 1995 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
103 – Examples of how parking may be regulated	Council may, by local law or resolution, specify parking fees for a place or traffic area of the fee for: <ul style="list-style-type: none"> <li>(a) a disabled or other parking permit issued by Council; and</li> <li>(b) a commercial vehicle identification label allowing a vehicle to park in a loading zone.</li> </ul>

Delegation No. 2016-73  
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<b>Waste Reduction and Recycling Act 2011 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
125 – Adoption of plan following consultation 127 - Amendment of a plan	Council must adopt, by resolution, a waste reduction and recycling plan, or an amendment of a waste reduction and recycling plan, before the plan or amendment is implemented in its local government area.

<b>Waste Reduction and Recycling Regulation 2023 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
5 – Designation of areas	Council may, by resolution, designate areas within its local government area in which Council may conduct general waste or green waste collection.

<b>Water Supply (Safety and Reliability) Act 2008 (Qld) (Water Supply Act)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
161 – Declaration of service area if Council supplies a reticulated water service or sewerage service in all or part of the local government area	Council may declare by resolution: (a) all or part of its local government area to be a service area for a retail water service or a sewerage service; and (b) the service provider for the service area. Council may also amend the declaration, by resolution, to add an area to, or remove an area from, the service area (with the written agreement of the service provider).
476 – Proceeding started in a representative capacity	Where a proceeding for an enforcement order is commenced by a person on behalf of Council, Council must first provide its consent by resolution to the commencement of proceedings on its behalf.
498 – Proceeding brought in a representative capacity	Where a proceeding for an offence against the Water Supply Act is commenced by a person on behalf of Council, Council must first provide its consent by resolution to the commencement of proceedings on its behalf.





## DELEGATION AUTHORITY

DELEGATION NO.	2016-73 (v10)
DELEGATION TITLE:	Delegation to the Chief Executive Officer
Delegation from Council to:	Chief Executive Officer
Date and Resolution No.	
Source of Authority:	
Local Government Act 2009 (Qld)	
Refer Schedule 1	
Refer Schedule 2	

### Delegated Power:

Council resolves, pursuant to section 257(1)(b) of the *Local Government Act 2009* (Qld), to delegate to the Chief Executive Officer all of the powers of the local government conferred under:

- a) Council's Local Laws;
- b) the Acts and Subordinate Legislation listed in Schedule 1 of this delegation.

### Interpretation:

1. To the extent that this delegation confers a power to take any action, including making a decision, the power extends to doing anything which is necessary or convenient to perform that action, make that decision or give effect to a decision made by the local government or the local government's delegate such as:
  - a) considering factual and legal matters and issues in order to:
    - i) form any belief which is required; and
    - ii) be satisfied about any matter or thing;
  - b) consulting with any person who is required to be consulted with;
  - c) issuing any notices including publishing any notice in the gazette, newspaper or on the local government's website;
  - d) approving any forms;
  - e) filing any document;
  - f) extending any period;
  - g) providing reasons; and
  - h) making or refunding any payment.

2. Under this delegation, the words used are to take their meaning from the Queensland legislation conferring the authority or to the extent that no meaning is prescribed, the words will take their ordinary meaning unless otherwise specified in this delegation.
3. Under this delegation, the words used have the meanings set out below:
  - a) 'Act' has the meaning given to that term under the *Acts Interpretation Act 1954* (Qld);
  - b) 'Queensland legislation' has the meaning given to that term under the *Acts Interpretation Act 1954* (Qld);
  - c) 'powers of the local government' means all powers conferred on the local government under Queensland legislation which is the subject of this delegation including any Subordinate Legislation and Statutory Instrument made under that legislation or which has taken effect under that legislation even if not expressly mentioned in this delegation;
  - d) 'Subordinate Legislation' has the meaning given to that term under the *Statutory Instruments Act 1992* (Qld);
  - e) 'Statutory Instrument' has the meaning given to that term under the *Statutory Instruments Act 1992* (Qld);
  - f) 'Local Law' has the meaning given to that term under the *Local Government Act 2009* (Qld) and a reference to a local law in this delegation includes a reference to:
    - i) an 'interim local law' as defined by the *Local Government Act 2009* (Qld);
    - ii) a 'subordinate local law' as defined by the *Local Government Act 2009* (Qld); and
    - iii) a local law that incorporates a 'model local law' as defined by the *Local Government Act 2009* (Qld).
4. To the extent of any inconsistency between the conferral of this delegation of powers and any earlier delegation of powers to the Chief Executive Officer, this delegation prevails.

#### Delegation Conditions and Guiding Principles

1. The powers conferred by this delegation must be exercised in accordance with the Queensland legislation conferring the authority, including any obligations which are imposed in exercising the power.
2. The powers conferred by this delegation must not be exercised in circumstances where the power is not capable of delegation (refer to schedule 2 of this delegation).
3. The delegated officer must make and keep a register of all instances of where this delegation has been exercised.
4. Unless compliance would be contrary to any law, the policies of the local government and codes of conduct must be complied with in exercising the powers conferred by this delegation.
5. The following guiding principles apply:
  - a) The powers conferred by delegation to the Chief Executive Officer must be exercised in a manner that is consistent with Local Government Act 2009, Local Government Regulation 2012 and in accordance with any other legislation that may specifically confer authority to exercise the delegated power.
  - b) When making a decision to exercise a delegated power, the Chief Executive Officer must have due regard to the strategic direction and priorities set by Council including the Corporate Plan, Operational Plan, Annual Budget and financial delegation.
  - c) In the performance of a delegated function or in the exercise of a delegated power, the Chief Executive Officer may do anything that is lawfully and reasonably incidental to the delegated function or power.

- d) Delegations made by Council are made to the position of Chief Executive Officer and unless excluded in the terms of appointment extend to persons acting in that position from time to time.
- e) The Chief Executive Officer is not obliged to exercise a delegation.
- f) The Chief Executive Officer must avoid exercising any delegation where it can fairly be concluded that to do so would give rise to material claims of the delegate having an actual or perceived conflict of interest, whether financial or otherwise.
- g) As a matter of practice, the Chief Executive Officer must consult with the Mayor and relevant Portfolio Councillor prior to exercising a delegated power in instances where the exercise of the delegations may reasonably be expected to:
  - i. generate significant community concern; and/or
  - ii. result in significant financial, resource or policy implications for Council

**Delegation Criteria - *Planning Act 2016***

1. The delegated officer may exercise the powers of the local government under the *Planning Act 2016* for an application other than the following:
  - a) an application where, in the opinion of the delegated officer, the estimated construction value of the proposed development exceeds \$100 million (excluding land content);
  - b) under the transitional provisions set out in Chapter 8 of the *Planning Act 2016*- an application for the approval of a master plan for a master planned area;
  - c) an application for a variation request as defined in the *Planning Act 2016*;
  - d) an application for a proposed development where a substantial number of submissions have been received during the notification part objecting to the proposed development.
2. In exercising the powers delegated, where a development application has been decided by Council the delegated officer must give due consideration to the materiality of the changes sought through a negotiated decision notice and consult with the divisional councillor where those changes would have a material impact on the outcome of the original decision.
3. However, even if paragraph 9 a) above applies, the delegated officer may exercise the powers of the local government under the *Planning Act 2016* without that limitation for an application where the application has the potential for "deemed approval".

**Delegation Administration Procedure – *Planning Act 2016*:**

1. The following procedure is to be undertaken for any powers exercised under the *Planning Act 2016* and *Planning Regulation 2017* unless compliance would be contrary to any law:
  - a) The policies of the local government must be complied with and in particular any policy related to entering into an infrastructure agreement.
  - b) The policies and codes of conduct of the local government must be complied with and in particular:
    - i) a development application is to be referred to the Chief Executive Officer for decision where a councillor has a material personal interest in the development application.

## Schedule 1

### Acts

No.	Name of Act
1	<i>Aboriginal Cultural Heritage Act 2003 (Qld)</i>
2	<i>Acquisition of Land Act 1967 (Qld)</i>
3	<i>Acquisition of Land Regulation (2014) (Qld)</i>
4	<i>Aged Care Act 1997 (Cth)</i>
5	<i>Animal Care and Protection Act 2001 (Qld)</i>
6	<i>Animal Care and Protection Regulation 2012 (Qld)</i>
7	<i>Animal Management (Cats and Dogs) Act 2008 (Qld)</i>
8	<i>Animal Management (Cats and Dogs) Regulation 2019 (Qld)</i>
9	<i>Anti-Discrimination Act 1991 (Qld)</i>
10	<i>Auditor-General Act 2009 (Qld)</i>
11	<i>Australia's Foreign Relations (State and Territory Arrangements) Act 2020 (Cth)</i>
12	<i>Biosecurity Act 2014 (Qld)</i>
13	<i>Biosecurity Regulation 2016 (Qld)</i>
14	<i>Body Corporate and Community Management (Accommodation Module) Regulation 2020 (Qld)</i>
15	<i>Body Corporate and Community Management (Commercial Module) Regulation 2020 (Qld)</i>
16	<i>Body Corporate and Community Management (Small Schemes Module) Regulation 2020 (Qld)</i>
17	<i>Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011 (Qld)</i>
18	<i>Body Corporate and Community Management (Standard Module) Regulation 2020 (Qld)</i>
19	<i>Body Corporate and Community Management Act 1997 (Qld)</i>
20	<i>Building Act 1975 (Qld)</i>
21	<i>Building Fire Safety Regulation 2008 (Qld)</i>
22	<i>Building Regulation 2006 (Qld)</i>
23	<i>Building Regulation 2021 (Qld)</i>
24	<i>Coastal Protection and Management Act 1995 (Qld)</i>
25	<i>Corporations Act 2001 (Cth)</i>
26	<i>Coexistence Queensland Act 2013 (Qld)</i>
27	<i>Crime and Corruption Act 2001 (Qld)</i>
28	<i>Development Assessment Rules (Qld)</i>
29	<i>Disaster Management Act 2003 (Qld)</i>
30	<i>Disaster Management Regulation 2014 (Qld)</i>
31	<i>Economic Development Act 2012 (Qld)</i>
32	<i>Electricity Act 1994 (Qld)</i>
33	<i>Electricity Regulation 2006 (Qld)</i>

No.	Name of Act
34	<i>Electrical Safety Act 2002 (Qld)</i>
35	<i>Electrical Safety Regulation 2013 (Qld)</i>
36	<i>Environmental Offsets Act 2014 (Qld)</i>
37	<i>Environmental Offsets Regulation 2014 (Qld)</i>
38	<i>Environmental Protection (Water and Wetland Biodiversity) Policy 2019 (Qld)</i>
39	<i>Environmental Protection Act 1994 (Qld)</i>
40	<i>Environmental Protection Regulation 2019 (Qld)</i>
41	<i>Evidence Act 1977 (Qld)</i>
42	<i>Fire and Emergency Service Act 1990 (Qld)</i>
43	<i>Fisheries Act 1994 (Qld)</i>
44	<i>Food Act 2006 (Qld)</i>
45	<i>Food Production (Safety) Act 2000 (Qld)</i>
46	<i>Forestry Act 1959 (Qld)</i>
47	<i>Fossicking Act 1994 (Qld)</i>
48	<i>Gaming Machine Act 1991 (Qld)</i>
49	<i>Geothermal Energy Act 2010 (Qld)</i>
50	<i>Greenhouse Gas Storage Act 2009 (Qld)</i>
51	<i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation (Qld)</i>
52	<i>Heavy Vehicle National Law Act 2012 (Qld)</i>
53	<i>Heavy Vehicle National Law (Queensland)</i>
54	<i>Heavy Vehicle National Law Regulation 2014 (Qld)</i>
55	<i>Housing Act 2003 (Qld)</i>
56	<i>Housing Regulation 2015 (Qld)</i>
57	<i>Human Rights Act 2019 (Qld)</i>
58	<i>Industrial Relations Act 2016 (Qld)</i>
59	<i>Industrial Relations Regulation 2018 (Qld)</i>
60	<i>Information Privacy Act 2009 (Qld)</i>
61	<i>Instrument of Delegation and Direction – Economic Development Act 2012 (Minister for Economic Development Queensland) 17 October 2019</i>
62	<i>Integrity Act 2009 (Qld)</i>
63	<i>Integrated Planning Act 1997 (Qld)</i>
64	<i>Integrated Resort Development Act 1987 (Qld)</i>
65	<i>Justices Act 1886 (Qld)</i>
66	<i>Judicial Review Act 1991 (Qld)</i>
67	<i>Labour Hire Licensing Act 2017 (Qld)</i>
68	<i>Land Access Ombudsman Act 2017 (Qld)</i>
69	<i>Land Act 1994 (Qld)</i>

No.	Name of Act
70	<i>Land Regulation 2020 (Qld)</i>
71	<i>Land Title Act 1994 (Qld)</i>
72	<i>Land Valuation Act 2010 (Qld)</i>
73	<i>Libraries Act 1988 (Qld)</i>
74	<i>Liquor Act 1992 (Qld)</i>
75	<i>Local Government Act 2009 (Qld)</i>
76	<i>Local Government Electoral Act 2011 (Qld)</i>
77	<i>Local Government Regulation 2012 (Qld)</i>
78	<i>Manufactured Homes (Residential Parks) Act 2003 (Qld)</i>
79	<i>Marine Parks Act 2004 (Qld)</i>
80	<i>Medicines and Poisons (Pest Management Activities) Regulation 2021 (Qld)</i>
81	<i>Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021 (Qld)</i>
82	<i>Medicines and Poisons Act 2019 (Qld)</i>
83	<i>Mineral &amp; Energy Resources (Common Provisions) Act 2014 (Qld)</i>
84	<i>Mineral Resources Act 1989 (Qld)</i>
85	<i>Mining and Quarrying Safety and Health Act 1999 (Qld)</i>
86	<i>Mining and Quarrying Safety and Health Regulation 2017 (Qld)</i>
87	<i>Minister's Guidelines and Rules Under the Planning Act 2016 (Qld)</i>
88	<i>Mixed Use Development Act 1993 (Qld)</i>
89	<i>Nature Conservation (Administration) Regulation 2017 (Qld)</i>
90	<i>Nature Conservation (Animals) Regulation 2020 (Qld)</i>
91	<i>Nature Conservation (Plants) Regulation 2020 (Qld)</i>
92	<i>Nature Conservation (Protected Areas Management) Regulation 2024 (Qld)</i>
93	<i>Nature Conservation (Wildlife Management) Regulation 2006 (Qld)</i>
94	<i>Nature Conservation Act 1992 (Qld)</i>
95	<i>Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 (Qld)</i>
96	<i>Peaceful Assembly Act 1992 (Qld)</i>
97	<i>Petroleum and Gas (Production and Safety) Act 2004 (Qld)</i>
98	<i>Petroleum and Gas (Production and Safety) Regulation 2018 (Qld)</i>
99	<i>Planning Act 2016 (Qld)</i>
100	<i>Planning Regulation 2017 (Qld)</i>
101	<i>Planning Act 2016 – Development Assessment Rules (Qld)</i>
102	<i>Planning and Environment Court Act 2016 (Qld)</i>
103	<i>Planning and Environment Court Rules 2018 (Qld)</i>
104	<i>Plumbing and Drainage Act 2002 (Qld)</i>
105	<i>Plumbing and Drainage Regulation 2019 (Qld)</i>
106	<i>Plumbing and Drainage Act 2018 (Qld)</i>

No.	Name of Act
107	<i>Plumbing and Drainage Regulation 2019 (Qld)</i>
108	<i>Property Law Act 1974 (Qld)</i>
109	<i>Prostitution Act 1999 (Qld)</i>
110	<i>Public Health (Infection Control for Personal Appearance Services) Act 2003 (Qld)</i>
111	<i>Public Health Act 2005 (Qld)</i>
112	<i>Public Health Regulation 2018 (Qld)</i>
113	<i>Public Interest Disclosure Act 2010 (Qld)</i>
114	<i>Public Records Act 2023 (Qld)</i>
115	<i>Public Sector Ethics Act 1994 (Qld)</i>
116	<i>Queensland Building and Construction Commission Act 1991 (Qld)</i>
117	<i>Queensland Heritage Act 1992 (Qld)</i>
118	<i>Queensland Reconstruction Authority Act 2011 (Qld)</i>
119	<i>Rail Safety National Law (Qld)</i>
120	<i>Regional Planning Interests Act 2014 (Qld)</i>
121	<i>Residential Services (Accreditation) Act 2002 (Qld)</i>
122	<i>Residential Tenancies and Rooming Accommodation Act 2008 (Qld)</i>
123	<i>Retail Shop Leases Act 1994 (Qld)</i>
124	<i>Retail Shop Leases Regulation 2016</i>
125	<i>Right to Information Act 2009 (Qld)</i>
126	<i>River Improvement Trust Act 1940 (Qld)</i>
127	<i>Security of Critical Infrastructure Act 2018 (Cth)</i>
128	<i>Safety in Recreational Water Activities Act 2011 (Qld)</i>
129	<i>Soil Conservation Act 1986 (Qld)</i>
130	<i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 (Qld)</i> <i>Delegation by Northern SEQ Distributer Retailer Authority (Unitywater) to Moreton Bay Regional Council, Sunshine Coast Regional Council and Noosa Shire Council – 30 June 2014</i>
131	<i>Standard Plumbing and Drainage Regulation 2003 (Qld)</i>
132	<i>State Development and Public Works Organisation Act 1971 (Qld)</i>
133	<i>State Emergency Service Act 2024</i>
134	<i>State Penalties Enforcement Act 1999 (Qld)</i>
135	<i>State Penalties Enforcement Regulation 2014 (Qld)</i>
136	<i>Statutory Bodies Financial Arrangements Act 1982 (Qld)</i>
137	<i>Statutory Bodies Financial Arrangements Regulation 2019 (Qld)</i>
138	<i>Stock Act 1915 (Qld)</i>
139	<i>Stock Route Management Act 2002 (Qld)</i>
140	<i>Stock Route Management Regulation 2003 (Qld)</i>
141	<i>Strong and Sustainable Resource Communities Act 2017 (Qld)</i>



No.	Name of Act
142	<i>Summary Offences Act 2005 (Qld)</i>
143	<i>Summary Offences Regulation 2016 (Qld)</i>
144	<i>Survey and Mapping Infrastructure Act 2003 (Qld)</i>
145	<i>Sustainable Planning Act 2009 (Qld)</i>
146	<i>Sustainable Planning Regulation 2009 (Qld)</i>
147	<i>Telecommunications (Interception and Access) Act 1979 (Cth)</i>
148	<i>Tobacco and Other Smoking Products Act 1998 (Qld)</i>
149	<i>Torres Strait Islander Cultural Heritage Act 2003 (Qld)</i>
150	<i>Transport Infrastructure (Busway) Regulation 2002 (Qld)</i>
151	<i>Transport Infrastructure (Public Marine Facilities) Regulation 2023 (Qld)</i>
152	<i>Transport Infrastructure (Rail) Regulation 2006 (Qld)</i>
153	<i>Transport Infrastructure (State Controlled Roads) Regulation 2017 (Qld)</i>
154	<i>Transport Infrastructure Act 1994 (Qld)</i>
155	<i>Transport Operations (Marine Pollution) Act 1995 (Qld)</i>
156	<i>Transport Operations (Marine Safety) Act 1994 (Qld)</i>
157	<i>Transport Operations (Marine Safety) Regulation 2016 (Qld)</i>
158	<i>Transport Operations (Passenger Transport) Act 1994 (Qld)</i>
159	<i>Transport Operations (Road Use Management) Act 1995 (Qld)</i>
160	<i>Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015 (Qld)</i>
161	<i>Transport Operations (Road Use Management—Road Rules) Regulation 2009 (Qld)</i>
162	<i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 (Qld)</i>
163	<i>Transport Planning and Coordination Act 1994 (Qld)</i>
164	<i>Trusts Act 1973 (Qld)</i>
165	<i>Waste Reduction and Recycling Act 2011 (Qld)</i>
166	<i>Waste Reduction and Recycling Regulation 2023 (Qld)</i>
167	<i>The Waste Reduction and Recycling (Local Government) Delegation (No. 1) 2015</i>
168	<i>Water Act 2000 (Qld)</i>
169	<i>Water Regulation 2016 (Qld)</i>
170	<i>Water Supply (Safety and Reliability) Act 2008 (Qld)</i>
171	<i>Work Health and Safety Act 2011 (Qld)</i>
172	<i>Work Health and Safety Regulation 2011 (Qld)</i>
173	<i>Workers Compensation and Rehabilitation Act 2003 (Qld)</i>
174	<i>Workers Compensation and Rehabilitation Regulation 2014 (Qld)</i>
175	<i>Working with Children (Risk Management and Screening) Act 2000 (Qld)</i>

## Schedule 2

Matters that require a resolution of Council.

The powers of Sunshine Coast Regional Council which are not able to be delegated are set out in the tables below.

<b>Animal Management (Cats and Dogs) Act 2008 (Qld) (AMCDA)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
12 – Identification devices under Act	Council may, by resolution, nominate a device to assist in identifying a dog.
50 – Duration of registration	Council may, by resolution, fix the period for registration of a dog. However, the period must not be more than 3 years.
74 – Requirements for application (Restricted Dog Permits) and 83 – Requirements for renewal application	Restricted dog permits and renewals must be accompanied by the fee fixed by resolution of Council.
113 – Approval of inspection program authorising entry	Council may, by resolution, approve a program (an approved inspection program) under which an authorised person may enter a place to monitor compliance with the AMCDA or an aspect of the AMCDA.

<b>Biosecurity Act 2014</b>	
<b>Section</b>	<b>Cannot be delegated</b>
235 - Authorising and carrying out biosecurity program	A program authorisation must be authorised by a resolution of the local government.

<b>Building Act 1975 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
32 - Local laws, local planning instruments and local government resolutions that may form part of the building assessment provisions	Council may make resolutions about an aspect of, or matter related or incidental to, building work prescribed under a regulation.

<b>Building Regulation 2021 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
8 – Designation of area liable to flooding	Council may, by resolution: <ul style="list-style-type: none"> <li>(a) designate part of its area as a flood hazard area; and</li> <li>(b) declare the following for all or part of a flood hazard area:               <ul style="list-style-type: none"> <li>(i) the defined flood level;</li> <li>(ii) the maximum flow velocity of water;</li> </ul> </li> </ul>

<b>Building Regulation 2021 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
	<p>(iii) an inactive flow or backwater area;</p> <p>(iv) a freeboard that is more than 300mm;</p> <p>(v) the finished floor level of class 1 buildings built in all or part of the flood hazard area.</p> <p>If the local government makes a designation or declaration, the local government must state in the planning scheme, temporary local planning instrument under the Planning Act or resolution, that the designation or declaration is made under this section.</p>
45 – Local governments may exempt particular assessable building work from particular stages of inspection	<p>Council may, by resolution, declare localities and forms of buildings or structures in its area exempt from inspection at a stage of assessable building work if the work:</p> <p>(a) is, or is an alteration to, a single detached class 1a building or a class 10 building or structure; and</p> <p>(b) is not for a swimming pool or fencing around it.</p>

<b>Economic Development Act 2012 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
169 – Delegations	<p>Council may not subdelegate a function or power of the Minister for Economic Development Queensland (<b>MEDQ</b>) delegated to it where MEDQ has, when delegating the function or power to Council, directed that the function or power cannot be subdelegated.</p>

<b>Environmental Protection Act 1994 (Qld) (EPA)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
514 – Devolution of powers	<p>(a) Council may make a resolution about the fees payable to it for the administration and enforcement of a matter devolved to it by the Governor in Council, which may include prescribing a different fee, whether higher or lower.</p>
518 – Delegation by administering authority	<p>Where Council is an administering authority, it may, by resolution, delegate its powers under the Environmental Protection Act to an appropriately qualified entity.</p>

<b>Food Act 2006 (Qld) (Food Act)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
31 – Fees payable to local governments	<p>Council may make a resolution about the fees payable to it for providing a service or taking action under the Food Act.</p>

<b>Land Act 1994 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
56 – Model by-laws	<p>Decide where the local government is trustee of trust land to adopt a model by-law.</p>

<b>Libraries Act 1988 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
55 – Library committees	Council may direct, by resolution, the functions, powers and duties to be fulfilled by a library committee.

<b>Liquor Act 1992 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
173N – Suspension of designation	Council may, by resolution, suspend the designation of a public place as a public place where permitted liquor may be consumed for a period of not more than 10 days if it reasonably believes it is in the best interests of the residents of the area to do so.

<b>Local Government Act 2009 (Qld) (Local Government Act)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
25C – Establishment of joint local governments	A joint local government is established for an area if 2 or more local governments approve, by resolution, the constitution for the joint local government.
25H – Chairperson and deputy chairperson	A joint local government must appoint a chairperson and deputy chairperson from its members, by resolution.
25I - Disbursement from operating fund of joint local government for purposes other than exclusive jurisdiction	A joint local government may only make a disbursement from its operating fund if the joint local government has, by resolution, decided the amount of the disbursement is not required for exercising its exclusive jurisdiction.
25J – Winding up joint local governments	A joint local government may, by resolution, decide to wind up the joint local government.
29 – Local law making process	A local law must be made by resolution of Council.
32 – Consolidated versions of local laws	Council may prepare and adopt, by resolution, a consolidated version of a local law.
46 – Assessing public benefit	Council must conduct a public benefit assessment of any new significant business activity that is identified in the annual report. Council must prepare a report on the public benefit assessment that contains its recommendations about the application of the competitive neutrality principle in relation to the significant business activity. Council must consider the report and decide, by resolution, whether or not to apply the competitive neutrality principle in relation to the significant business activity.
47 – Code of competitive conduct	Council must decide each financial year, by resolution, whether to apply the code of competitive conduct to a business activity prescribed under regulation.
48 – Competitive neutrality complaints	Council must adopt, by resolution, a process for resolving competitive neutrality complaints. A competitive neutrality complaint is a complaint: <ul style="list-style-type: none"> <li>(a) relating to a failure of Council to conduct a business activity in accordance with the competitive neutrality principle; and</li> <li>(b) is made by an affected person as defined in section 48(3) of the Local Government Act.</li> </ul>

Local Government Act 2009 (Qld) (Local Government Act)	
Section	Cannot be delegated
74 – Roads map and register	Council may, by resolution or local law, fix a fee for a copy of a map or register of roads within the local government area.
80A – Malls	Council may decide by resolution to pay compensation to a person because of the establishment, modification or closing of a mall by the local government
84 – Meetings about trust land generally open to the public	All meetings relating to trust land must be open to the public, unless the trustee council decides, by resolution, that the meeting be closed to the public.
93 – Land on which rates are levied	Land, primarily used for showgrounds or horseracing or charitable purposes may be exempted from rating by resolution of Council.
94 – Power to levy rates and charges	The rates and charges to be levied in a financial year must be decided by resolution at Council's budget meeting for that financial year
97 – Cost-recovery fees	Council may, under a local law or a resolution, fix a cost-recovery fee. An application for the issue or renewal of a licence, permit, registration or other approval under a local government Act may also include a tax if Council decides, by resolution, that the purpose of the tax benefits its local government area.
99 – Fees on occupiers of land below the high-water mark	Council may, by resolution, levy a fee on the occupier of land below the high-water mark for the use of Council's roads and other infrastructure.
<del>107A – Approval of budget</del>	<del>Council must consider the budget presented by the mayor and, by resolution, adopt the budget with or without amendment. The budget must be adopted before 1 August in the financial year to which the budget relates. REPEALED and not just contained in the Regulation</del>
110 – Councillors liable for improper disbursements	Councillors will be liable in accordance with section 110 for any disbursement of Council funds which is: (a) not provided for in Council's budget; and (b) made without the approval, by resolution, of Council.
134 – Approving an inspection program	Council may, by resolution, approve a systematic or a selective inspection program allowing an authorised person to enter and inspect certain properties within Council's local government area.
150G 150AE 150AF 150ES 150EU Conduct of Councillors	Adoption of the model procedures or other procedures for the conduct of the local government's meetings and meetings of its committees; Adoption of an investigation policy about dealing with suspected inappropriate conduct of councillors referred by the assessor to the local government; Decision to investigate a councillor's conduct in another way than as provided above; Decision, where a councillor has a declarable conflict of interest, to allow the Councillor to participate in a decision about the matter or to leave the place where the meeting is being held; Decision, where there is no quorum for deciding matter because of the prescribed conflicts of interest or declarable conflicts of interest, to deter the matter to a later meeting; Decision, where there is no quorum for deciding matter because of the prescribed conflicts of interest or declarable conflicts of interest, not to decide the matter and take no further action in relation to the matter.
164 - Filling vacancy in office of mayor	Decision to appoint a councillor to the office of mayor if the office becomes vacant during the final part of the local government's term

<b>Local Government Act 2009 (Qld) (Local Government Act)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
165 – Acting mayor	Council may, by resolution, appoint an acting mayor from its councillors in certain circumstances. Council may also, by resolution, declare that the office of deputy mayor is vacant, in which case it must immediately appoint another deputy mayor from its councillors.
166 – Filling a vacancy in the office of another councillor (other than the Mayor)	If the office of a councillor who is not the mayor becomes vacant during the beginning or middle of Council's term, Council must, by resolution, fill the vacant office by either: (a) a by-election; or (b) by following the procedure under section 166A. If the former councillor's office becomes vacant during the final part of Council's term, the vacant office must be filled by Council appointing, by resolution, a person who is: (a) qualified to be a councillor; and (b) if the former councillor was elected or appointed to office as a political party's nominee—the political party's nominee.
170A – Requests for assistance or information	'Acceptable requests guidelines' are guidelines of Council regarding: (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 Local Government Act; and (b) reasonable limits on requests that a councillor may make. Acceptable requests guidelines must be adopted by resolution by Council.
175 – Post-election meetings	Council must, by resolution, appoint a deputy mayor from its councillors (other than the mayor) at: (a) a meeting held within 14 days after the conclusion of each quadrennial election and the conclusion of a fresh election of its councillors; and (b) at the first meeting after the office of the councillor who is the deputy mayor becomes vacant.
196 – Appointing other local government employees	Council must, by resolution, adopt an organisational structure that is appropriate to the performance of Council's responsibilities.
197A – Councillor advisors	Council must, by resolution, allow a councillor to appoint one or more appropriately qualified persons (each a councillor advisor) to assist the councillor in performing responsibilities under the Act.
202 – Appointing authorised persons	A person is qualified to be an authorised person of Council if: (a) the person is an authorised person for another local government; and (b) Council has, by resolution, decided that authorised persons of the other local government may be appointed as authorised persons of Council.
257 – Delegation of local government powers	Council may only delegate certain powers under the Local Government Act or another Act by resolution. Council must not delegate a power that an Act states must be exercised by resolution.
257A – Delegation of joint local government's powers	A joint local government may, by resolution, delegate its powers to certain persons or bodies. However it must not delegate a power that an Act states must be exercised by resolution.
259 – Delegation of chief executive officer powers	Council's CEO must not delegate the following powers:

<b>Local Government Act 2009 (Qld) (Local Government Act)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
	(a) a power delegated by the local government, if the local government has directed the chief executive officer not to further delegate the power; and (b) a power to keep a register of interests.
268 – Process for administrative action complaints	Council must adopt, by resolution, a process for resolving complaints about an administrative action of Council by a person who is apparently directly affected by the administrative action.
276 – Local laws	Council may proceed in adopting or making a local law in accordance with the relevant process.
324 Process if no investigation policy	Decision about the procedure for investigating a councillor's inappropriate conduct if an investigation policy has not been adopted under section 150AE; Decision to deal with a councillors inappropriate conduct in another way than as recommended by the assessor under Section 150AC(3)

<b>Local Government Regulation 2012 (Qld) (Local Government Regulation)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
29 – Converting a business unit to a commercial business unit	Council must make the decision to convert a business unit to a commercial business unit by resolution.
30 – Creating a commercial business unit	Council must make the decision to create a commercial business unit by resolution.
55 – Local government response to competition authority's report	Council must decide, by resolution, whether to implement the recommendations in a report by the competition authority.
74 – Rateable value of land	When calculating the rateable value of land, Council may use the value of the land averaged over a number of financial years only if it decides, by resolution, to do so.
81 – Categorisation of land for differential general rates	Council must decide the different categories of rateable land in its local government area by resolution at its budget meeting, before Council levies differential general rates.
94 – Levying special rates or charges	Council may, by resolution, decide to levy special rates and charges. Council may amend an overall plan or an annual implementation plan regarding the special rates or charges at any time by resolution.
97 – Surplus special rates or charges after plan is cancelled	Where: (a) Council decides to cancel an overall plan before it is carried out; and (b) Council has not spent all the special rates or charges; and (c) the overall plan identifies the beneficiaries of the plan, Council may decide, by resolution, the proportions that it must pay the current owners of the land on which the special rates or charges were levied.
102 – Reading meters for utility charges	Council may, by resolution, decide a meter is taken to have been read during the period that starts 2 weeks before, and ends 2 weeks after, the day on which the meter is actually read.
116 – Limitation of increase in rates or charges levied	Council may resolve to limit the increase in rates or charges when it resolves to levy rates or charges.



<b>Local Government Regulation 2012 (Qld) (Local Government Regulation)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
118 – When rates or charges must be paid	Council must decide, by resolution at its budget meeting, the date by which, or the period within which, rates or charges must be paid.
122 – Resolutions for granting concession	Council may only grant a ratepayer a concession for rates or charges for land by resolution.
129 – Paying rates or charges by instalments	Council may decide, by resolution at its budget meeting, to allow ratepayers to pay rates or charges by instalments.
130 – Discount for prompt payment of rates or charges	Council may decide, by resolution at its budget meeting, to allow a discount for payment of rates or charges before the due date for payment. Council may change the due date for payment and the discount period to end on a later day by resolution.
133 - Interest on overdue rates or charges	Decision about the rate of interest payable on overdue rates or charges under 133 (3)(b)
140 – Notice of intention to sell land for overdue rates or charges	Council may, by resolution, decide to sell land on which there are overdue rates or charges in the circumstances set out in section 140 of the Local Government Regulation.
149 – Requirements for notice of intention to acquire land	Council may decide to acquire land by resolution for overdue rates or charges.
165 – Preparation of 5-year corporate plan	Council must prepare a 5-year Corporate Plan and must adopt its 5-year Corporate Plan. Council may also amend its 5-year corporate plan at any time by resolution.
167 – Preparation of long term asset management plan	Council must prepare and adopt a long-term asset management plan.
170 – Adoption and amendment of budget	Council must adopt a budget and may amend the budget for a financial year by resolution any time before the end of the financial year.
173 – Unauthorised spending	Adopting an annual budget amended in compliance with Sect 173A.  Council may spend money which is not authorised in its budget for genuine emergency or hardship if it makes a resolution about spending the money before, or as soon as practicable after, the money is spent.
174 – Preparation and adoption of annual operational plan	Council must adopt an annual operational plan and may, by resolution, amend its annual operational plan at any time before the end of the financial year.
182 – Preparation of annual report	Council must adopt its annual report within one month after the day the auditor-general gives their report about the local government's financial statement.
191- Investment policy	Council must adopt an investment policy.
192 – Debt policy	Council must adopt a debt policy for a financial year.
195 – Community grants policy	Council must adopt a policy about local government grants to community organisations (including eligibility criteria).
196 – Entertainment and hospitality	Council must adopt a policy about the local government's spending on entertainment or hospitality.
197 – Advertising spending	Council must adopt a policy about the local government's spending on advertising.
198 – Procurement policy	Council must adopt a policy about procurement.

<b>Local Government Regulation 2012 (Qld) (Local Government Regulation)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
201- Transferring money to or from a trust fund	Council may, by resolution, transfer money from the trust fund if the purpose for which it was credited to the fund no longer exists.
206 – Valuation of non-current physical assets	Council must, by resolution, set an amount for each different type of non-current physical asset below which the value of an asset of the same type must be treated as an expense.
218 – Power to choose strategic approach	Council may decide to apply Strategic contracting procedures to its contracts by resolution. Council may also decide that Chapter 6, Part 2 no longer applies to its contracts by a later resolution.
219 - Effect of choice	Decision that Chapter 6 Part 2 (strategic contracting procedures) no longer applies to local government contracts.
220 – Contracting plans	Council must make and adopt a contracting plan each financial year by resolution, but must not do so before it adopts an annual budget for a financial year. Council may, by resolution, amend a contracting plan at any time before the end of the financial year to which the plan relates.
221 – Significant contracting plans	Council may, by resolution, amend a significant contracting plan at any time before the end of the financial year to which the plan relates.
222 – Contracting manual	Council must make and adopt a contract manual.
228 – Tender process	Council may invite expressions of interest under section 228(5) only if it decides by resolution that it would be in the public interest to invite expressions of interest before inviting written tenders.
230 – Exception if quote or tender consideration plan prepared	Council may enter into a medium-sized or large-sized contractual arrangement without first inviting written quotes or tenders if it decides, by resolution, to prepare a quote or tender consideration plan and prepares and adopts the plan.
235 – Other exceptions	Council may enter into a medium-sized or large-sized contractual arrangement without first inviting written quotes or tenders if it decides, by resolution, that: (a) there is only one supplier who is reasonably available; or (b) because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders.
236 – Exceptions for valuable non-current asset contracts	Before disposing of a valuable non-current asset other than by tender or auction in accordance with section 236, Council must decide by resolution that the exceptions allowing such disposal apply to Council.
247 – Remuneration payable to councillors	Council may decide, by resolution, that the maximum amount of remuneration payable to a councillor under the remuneration schedule is not payable to the councillor. If this occurs, Council must also decide, by resolution, the amount of remuneration payable to the councillor.
250 – Requirement to adopt expenses reimbursement policy or amendment	Council must adopt and may amend its expenses reimbursement policy at any time by resolution.
254 - Exemption of minutes and close a meeting	Council may exempt an advisory committee from the requirement to take minutes of its proceedings by resolution.

<b>Local Government Regulation 2012 (Qld) (Local Government Regulation)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
	Council or a committee may decide by resolution that a meeting be closed to the public if the councillors or members of the committee consider it necessary to close the meeting to discuss certain matters.
257 – Frequency and place of meetings	Council must meet at least once in each month either at one of its public offices or at another place fixed by Council by resolution for the meeting.
306 – Process for resolving administrative actions complaints	Council must adopt a complaints management process and written policies and procedures supporting the process.

<b>Minister's Guidelines and Rules for amending a planning scheme for section 20 of the Planning Act 2016</b>	
<b>Section</b>	<b>Cannot be delegated</b>
Chapter 2, Part 1, 3.1	For the purposes of section 20 of the Planning Act (amending planning schemes under Minister's rules), adoption of a proposed administrative amendment to a planning scheme.
Chapter 2, Part 2, 6.1	For the purposes of section 20 of the Planning Act (amending planning schemes under Minister's rules), adoption of a proposed minor amendment to a planning scheme.
Chapter 2, Part 3, 14.1	For the purposes of section 20 of the Planning Act (amending planning schemes under Minister's rules), adoption of a proposed qualified state interest amendment to a planning scheme approved and notified by the Minister under section 13.5.
Chapter 2, Part 4, 22.1	For the purposes of section 20 of the Planning Act (amending planning schemes under the Minister's rules), adoption of a proposed major amendment to a planning scheme approved and notified by the Minister under section 21.5.
Chapter 3, Part 1, 5.1	For the purposes of section 22 of the Planning Act (making or amending planning scheme policies), adoption of a proposed planning scheme policy or amendment.
Chapter 3, Part 2, 9.1	For the purposes of section 23 of the Planning Act (making or amending temporary local planning instruments), adoption of a proposed temporary local planning instrument or temporary local planning instrument amendment approved and notified by the Minister under section 8.5.
Chapter 5, Part 2, 6.1	For the purposes of section 25(3) of the Planning Act (reviewing a local government infrastructure plan) and making or amending an LGIP, or making an interim LGIP amendment, adoption of a proposed LGIP or amendment approved and notified by the Minister under section .7.9

<b>Planning Act 2016</b>	
<b>Section</b>	<b>Cannot be delegated</b>
9 – Temporary local planning instruments	Resolution that the local government give a temporary local planning instrument or amendment, and the request for an earlier effective day, to the Minister for approval.
24 – Repealing TLPIs or planning scheme policies	Council may repeal a TLPI, or planning scheme policy, by resolution.
113 – Adopting Charges by Resolution	Council may by resolution (a charges resolution) adopt charges (each an adopted charge) for providing trunk infrastructure for development.
175 – Proceedings brought in a representative capacity	A person may bring offence proceedings in a representative capacity if the person has the consent of the members of its controlling or governing body where the proceedings are being brought on behalf of a body of persons or a corporation (e.g. Council).
Schedule 2 – Required fee	Fixing of a fee for an application or referral to a local government.

<b>Planning Regulation 2017</b>	
<b>Section</b>	<b>Cannot be delegated</b>
Part 1 - Division 3 – Superseded Planning Schemes – s 11(3)	Council may, by resolution, set a fee for considering a superseded planning scheme request.
Schedule 6 Part 2 – Material change of use for particular buildings or structures – s 3(b)	For a class 1(a) building made up of not more than 2 attached dwellings – the local government for the local government area in which the premises are located may decide by resolution that this subsection will apply to that class of building.
Schedule 9 - Division 2 – Local Government as referral agency (Table 1)	Council may declare in its planning scheme, or by resolution, that building work for a building or structure is in a locality and of a form that may: <ul style="list-style-type: none"> <li>(a) have an extremely adverse effect on the amenity or likely amenity of the locality;</li> <li>(b) or be in extreme conflict with the character of the locality.</li> </ul>
68D - Provisions in relation to economic support instruments	Adopt an economic support instrument for its local government area
68G - Provisions in relation to economic support instruments	Revoke an economic support instrument for its local government area

<b>Plumbing and Drainage Regulation 2019 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
39 – Fast-track work declaration for a local government area	Council may decide, by resolution, to declare permit work of a stated type to be fast-track permit work for its local government area (a fast-track work declaration).
40 – Fast-track opt-out declaration for local government area	Council may decide, by resolution, to declare that it will not deal with any applications relating to permits for work to be carried out in its local government area as fast-track applications (a fast-track opt-out declaration).

<b>Plumbing and Drainage Regulation 2019 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
71 - Local government declarations about remote areas and eligible work	Council may decide, by resolution to declare part of its local government area to be a remote area because of the area's remoteness from the local government's public office (a remote area declaration).
71 - Local government declarations about remote areas and eligible work	Council may decide, by resolution, to declare particular permit work carried out in a remote area to be eligible work if the local government considers the work is of a type that, even if not inspected, will not be likely to adversely affect public health or safety, or the environment.

<b>Public Health (Infection Control for Personal Appearance Services) Act 2003 (Qld) (PHICPASA)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
9 – Local government to administer Act	Council may make a resolution about the fees payable to it for providing a service or taking action under the PHICPASA.

<b>Queensland Heritage Act 1992 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
119 – Local government resolution to enter place in, or remove place from, local heritage register	Council may, by resolution, add or remove a place from its local heritage register in certain circumstances.

<b>Residential Services (Accreditation) Act 2002 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
29 – Notice of compliance with prescribed building requirements	Council may, by resolution, prescribe a fixed fee for a written application to Council by a person conducting, or who proposes to conduct, a residential service for a notice stating whether the relevant premises comply with the prescribed building requirements.

<b>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
28 – Power to amend by agreement	If Council is a participant in a participation agreement for a distributor-retailer, Council may agree to an amendment of the agreement only if it has passed a resolution to that effect.
34 – Councillor members	A councillor-member's appointment to the board of a distributor-retailer ends if Council (and all other participating local governments) have agreed as such by resolution.

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<b>Stock Route Management Act 2002</b>	
<b>Section</b>	<b>Cannot be delegated</b>
110 – Adopting a stock route network management plan	If the Minister is satisfied of the matters mentioned in section 109(2), the Minister must advise the local government that it may, by resolution, adopt the plan.
114 – Amending a stock route management plan	After considering the amended plan the Minister must advise the local government that the local government may by resolution amend the plan.

<b>Sunshine Coast Regional Council Local Law No. 1 (Administration) 2011</b>	
<b>Section</b>	<b>Cannot be delegated</b>
35 – Rewards	The amount of any reward offered for information leading to the conviction of a person for an offence and the conditions on which the reward is payable must be decided by resolution of Council.
42 – Fees	If a local law provides for payment of a fee, and does not itself fix the amount of the fee, the fee is to be fixed by resolution under Chapter 4, Part 2 of the Local Government Act. Such resolution may provide for the reimbursement of the fee in certain circumstances.

<b>Sunshine Coast Regional Council Local Law No. 2 (Animal Management) 2011</b>	
<b>Section</b>	<b>Cannot be delegated</b>
4A – Registration device	Council must decide, by resolution, registration devices to be used to assist in identifying a cat (e.g. collar tags).
4H – Duration of registration	Council must prescribe a fixed period, by resolution, for the registration of cats.

<b>Sunshine Coast Regional Council Local Law No. 3 (Community Health and Environmental Management) 2011</b>	
<b>Section</b>	<b>Cannot be delegated</b>
7 – Emergency declarations	Council may, by resolution, declare an animal or plant to be a local pest if it is satisfied that urgent action is needed to avoid or minimise an immediate risk of environmental harm posed by the relevant plant or animal.

<b>Sunshine Coast Regional Council Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011</b>	
<b>Section</b>	<b>Cannot be delegated</b>
9 – Power to close a local government controlled area, facility or infrastructure	Council may, by resolution, temporarily (and for a maximum of 6 months) close a Council controlled area or road to public access in certain circumstances.
11 – Protected areas	Council may, by resolution, delegate a Council controlled area or road or any part thereof as a protected area for the cultivation of vegetation or the protection of fauna or flora.

<b>Sustainable Planning Act 2009</b>	
<b>Section</b>	<b>Cannot be delegated</b>
92 – Action local government may take after review	After reviewing its planning scheme, Council may, by resolution: <ul style="list-style-type: none"> <li>(a) propose to prepare a new scheme; or</li> <li>(b) propose to amend the scheme; or</li> <li>(c) if Council is satisfied that the scheme is suitable to continue without amendment, decide to take no further action.</li> </ul>
123 – Repealing temporary local planning instruments	Council may, by resolution, repeal a temporary local planning instrument.
124 – Repealing planning scheme policies	Council may, by resolution, repeal a planning scheme policy, other than a planning scheme policy that is replaced by another planning scheme policy.
399 – Who may carry out compliance assessment	Council may nominate, by resolution, a suitable qualified entity to carry out compliance assessment for Council.
590 – Giving enforcement notices	If Council is the assessing authority, it may not delegate its power to give an enforcement notice ordering the demolition of a building.
598 – Proceeding brought in a representative capacity	Where a proceeding is brought in the Magistrates Court to prosecute a person on behalf of Council, Council must first provide its consent by resolution to the commencement of proceedings on its behalf.
602 – Proceeding brought in a representative capacity	Where a proceeding is brought in the court in relation to an enforcement order or interim enforcement order on behalf of Council, Council must first provide its consent by resolution to the commencement of proceedings on its behalf.
630 – Power to adopt charges by resolution	Council may, by resolution, adopt charges for providing trunk infrastructure for development. This is defined as a 'charges resolution'.

<b>Sustainable Planning Regulation 2009</b>	
<b>Section</b>	<b>Cannot be delegated</b>
Schedule 7 (Item 17) – Amenity and aesthetic impact of particular building work	Council may declare in its planning scheme or by resolution that building work for a building or structure is in a locality and of a form that may: <ul style="list-style-type: none"> <li>(a) have an extremely adverse effect on the amenity, or likely amenity, of the locality; or</li> <li>(b) be in extreme conflict with the character of the locality.</li> </ul>

<b>Transport Operations (Road Use Management) Act 1995 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
103 – Examples of how parking may be regulated	Council may, by local law or resolution, specify parking fees for a place or traffic area of the fee for: <ul style="list-style-type: none"> <li>(a) a disabled or other parking permit issued by Council; and</li> <li>(b) a commercial vehicle identification label allowing a vehicle to park in a loading zone.</li> </ul>



Delegation No. 2016-73  
Version 10

<b>Waste Reduction and Recycling Act 2011 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
125 – Adoption of plan following consultation 127 - Amendment of a plan	Council must adopt, by resolution, a waste reduction and recycling plan, or an amendment of a waste reduction and recycling plan, before the plan or amendment is implemented in its local government area.

<b>Waste Reduction and Recycling Regulation 2023 (Qld)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
5 – Designation of areas	Council may, by resolution, designate areas within its local government area in which Council may conduct general waste or green waste collection.

<b>Water Supply (Safety and Reliability) Act 2008 (Qld) (Water Supply Act)</b>	
<b>Section</b>	<b>Cannot be delegated</b>
161 – Declaration of service area if Council supplies a reticulated water service or sewerage service in all or part of the local government area	Council may declare by resolution: (a) all or part of its local government area to be a service area for a retail water service or a sewerage service; and (b) the service provider for the service area. Council may also amend the declaration, by resolution, to add an area to, or remove an area from, the service area (with the written agreement of the service provider).
476 – Proceeding started in a representative capacity	Where a proceeding for an enforcement order is commenced by a person on behalf of Council, Council must first provide its consent by resolution to the commencement of proceedings on its behalf.
498 – Proceeding brought in a representative capacity	Where a proceeding for an offence against the Water Supply Act is commenced by a person on behalf of Council, Council must first provide its consent by resolution to the commencement of proceedings on its behalf.

8.6 COUNCIL PORTFOLIO SYSTEM 2025

File No:	Council Meetings
Author:	Manager Strategy and Policy Civic Governance Group
Appendices:	App A - Sunshine Coast Council 2025 Portfolio Responsibilities ..... 247 <a href="#">↓</a> 
	App B - Sunshine Coast Council 2025 Portfolio System and Protocols..... 249 <a href="#">↓</a> 

PURPOSE

The purpose of this report is to consider the Council Portfolio system and responsibilities as aligned to the Corporate Plan 2025-30 commencing on 1 July 2025.

EXECUTIVE SUMMARY

The Sunshine Coast Council (Council) has operated under a portfolio system since 2008 as part of its governance framework. This system enhances Councillor engagement, leadership, and representation where Councillors have areas of focus aligned to their portfolio.

Following the 2024 local government elections, Council adopted the Council Portfolio System at its Ordinary Meeting on 30 May 2024. Under the system, two Councillors take responsibility for each portfolio, each of these being aligned to the goals in Council’s Corporate Plan 2024–2028. The Mayor undertakes a regional leadership and representational role in line with the *Local Government Act 2009*.

Council portfolios

In February 2025, Council adopted the new Corporate Plan 2025-30 (Corporate Plan) which comes into effect on 1 July 2025. The Corporate Plan has five goals:

- Strong community
- Environment and liveability
- Resilient economy
- Managing for growth
- Organisational excellence.

The Council Portfolio Responsibilities have been updated to align to the Corporate Plan 2025-30 (**Appendix A**).

The Sunshine Coast Council Portfolio System and Protocols (**Appendix B**) provides details of the portfolio system and the associated operating protocols.

Membership of the Audit Committee will remain with Councillor Ted Hungerford and Councillor Jenny Broderick as approved by Council in May 2024, in line with the responsibilities of the new Organisational Excellence Portfolio.

**OFFICER RECOMMENDATION**

**That Council:**

- (a) receive and note the report titled “Council Portfolio System 2025” and**
- (b) approve the following allocation of Sunshine Coast Regional Council portfolios to Councillors (Appendix A):**
  - **Region Shaping Projects, Regional Advocacy and Intergovernmental Relations – Councillor Rosanna Natoli**
  - **Strong Community – Councillor David Law and Councillor Taylor Bunnag**
  - **Environment and Liveability – Councillor Maria Suarez and Councillor Tim Burns**
  - **Resilient Economy – Councillor Terry Landsberg and Councillor Joe Natoli**
  - **Managing for Growth – Councillor Winston Johnston and Councillor Christian Dickson**
  - **Organisational Excellence – Councillor Ted Hungerford and Councillor Jenny Broderick and**
- (c) approve the Sunshine Coast Council 2025 Portfolio System and Protocols (Appendix B).**

**FINANCE AND RESOURCING**

No additional impact on Council’s approved budget is envisaged to implement the recommendations in this report.

**CORPORATE PLAN**

<b>Corporate Plan Goal:</b>	<b><i>Our outstanding organisation</i></b>
<b>Delivery Pathway:</b>	Maintain a contemporary governance framework that inspires trust and confidence in the operations of Council
<b>Operational Activity:</b>	S27 - Elected Council – providing community leadership, democratic representation, advocacy and decision-making.

**CONSULTATION****Councillor Consultation**

Consultation has been undertaken with the Mayor and Councillors on the matters outlined in this report.

**Internal Consultation**

Consultation has been undertaken with the Chief Executive Officer and the Executive Leadership Team on matters outlined in this report.

**External Consultation**

External consultation was not considered necessary in relation to the matters considered by this report. The matters within this report are operational in nature and support good governance for the Region.

**Community Engagement**

Community engagement was not considered necessary in relation to the matters considered by this report. The matters within this report are operational in nature and support good governance for the Region.

**Legal**

No legal issues have been identified. As indicated above, there is no statutory requirement on local governments to establish a Council portfolio system. The model proposed is in line with Council's approach to contemporary governance practices.

**Policy**

The recommendations within this report are not in conflict with any other existing Council policies.

**Risk**

There are no significant risks identified with adopting the recommendations in this report.

**Previous Council Resolution****Ordinary Meeting 30 May 2024 (OM24/25)**

*That Council:*

- (a) receive and note the report titled "Council Portfolio System 2024"*
- (b) approve the following allocation of Sunshine Coast Regional Council portfolios to Councillors –*
  - Region Shaping Projects, Regional Advocacy and Intergovernmental Relations – Councillor Rosanna Natoli*
  - Strong Community – Councillor David Law and Councillor Taylor Bunnag*
  - Environment and Liveability – Councillor Maria Suarez and Councillor Tim Burns*
  - Resilient Economy – Councillor Terry Landsberg and Councillor Joe Natoli*
  - Service Excellence – Councillor Winston Johnston and Councillor Christian Dickson*
  - Outstanding Organisation – Councillor Ted Hungerford and Councillor Jenny Broderick*
- (c) approve the Sunshine Coast Regional Council 2024 Portfolio System and Protocols (Appendix A) to replace the Sunshine Coast Regional Council 2020 Councillor Portfolio System and Protocols*
- (d) approve the Sunshine Coast Regional Council 2024 Portfolio Responsibilities (Appendix B) to replace the 2020-24 Councillor Portfolios – Strategic Alignment Model and*

- (e) *under section 210 (1) (b) (i) of the Local Government Regulation 2012 approve the appointment of Councillor Ted Hungerford and Councillor Jenny Broderick as members of the Sunshine Coast Regional Council Audit Committee.*

**Related Documentation**

- Sunshine Coast Council Corporate Plan 2025-30
- Sunshine Coast Council Audit Committee Charter
- *Local Government Act 2009*
- *Local Government Regulation 2012*

**Critical Dates**

To align with the Corporate Plan 2025-30 commencement on 1 July 2025, the allocations of portfolios to Councillors should occur prior to this date to facilitate a smooth transition.

**Implementation**

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

- advise Council staff of the appointment of Councillors to each portfolio and
- publish details of the portfolio responsibilities and Councillor designations on Council's website.

APPENDIX A

Council Portfolio Responsibilities

Sunshine Coast Council's 2025 Portfolio Responsibilities are aligned with the goals of the Sunshine Coast Council Corporate Plan 2025–30. This document includes the portfolio name, Councillor designation, portfolio components and responsibilities and alignment to Council's key strategies.

Portfolio Name	Councillor Designation	Portfolio Components	Portfolio Responsibilities	Key Strategy Alignment
Regional	<ul style="list-style-type: none"><li>Mayor Rosanna Natoli</li></ul>	<ul style="list-style-type: none"><li>Region Shaping Projects and Regional Advocacy</li><li>Intergovernmental Relations</li></ul>	<ul style="list-style-type: none"><li>Project oversight of region shaping projects, including the Brisbane 2032 Olympic and Paralympic Games; Maroochydore City Centre and the management of the commercial partnership associated with the operation of the Sunshine Coast Airport.</li><li>Advocacy and representation to other levels of government on policy and program matters; regional planning; and financing and funding of region shaping and other major projects.</li><li>Regional representation and engagement with the Prime Minister, Premier and Federal and State Government Ministers and other governments (including all aspects of international relations).</li></ul>	<ul style="list-style-type: none"><li>All</li></ul>
Strong Community	<ul style="list-style-type: none"><li>Councillor David Law</li><li>Councillor Taylor Bunnag</li></ul>	<ul style="list-style-type: none"><li>Community Development</li><li>Community support services and facilities</li><li>Community Sports and recreation</li><li>Arts and Heritage</li></ul>	<ul style="list-style-type: none"><li>Community development policy, strategy and program development and delivery</li><li>Community grant programs</li><li>Community events including Horizon Festival</li><li>Libraries</li><li>Community facilities planning, management and development</li><li>Community sport and recreation facilities planning, management and development (excluding sport industry investment and development)</li><li>Relationship management with local sport and recreation organisations</li><li>Relationship management with representatives of the First Nations peoples</li><li>Reconciliation action planning and coordination of implementation</li><li>Multiculturalism</li><li>Sunshine Coast Arts Advisory Board</li><li>Arts and Heritage Levy</li><li>Arts and heritage program development and delivery</li><li>Arts and heritage facilities planning, management and development.</li></ul>	<ul style="list-style-type: none"><li>Sunshine Coast Community Strategy 2019-2041 (2024 refresh)</li></ul>
Environment and Liveability	<ul style="list-style-type: none"><li>Councillor Maria Suarez</li><li>Councillor Tim Burns</li></ul>	<ul style="list-style-type: none"><li>Environment and Liveability</li><li>Place development and design</li></ul>	<ul style="list-style-type: none"><li>Environment and Liveability policy and strategy</li><li>Environment Levy</li><li>Conservation estate (acquisitions and management), environmental operations, coastal canals and waterways management and monitoring</li><li>Urban centres master planning and place making</li><li>Centres activation and revitalisation (excluding priority development areas)</li><li>Coordination of place making methodology and project reporting</li><li>Waste and resource management.</li></ul>	<ul style="list-style-type: none"><li>Sunshine Coast Environment and Liveability Strategy (2023 edition)</li><li>Sunshine Coast Resource Recovery Strategy 2023</li><li>Coastal Hazard Adaptation Strategy 2021</li></ul>
Resilient Economy	<ul style="list-style-type: none"><li>Councillor Terry Landsberg</li><li>Councillor Joe Natoli</li></ul>	<ul style="list-style-type: none"><li>Economic Development</li><li>Industry and local business development</li><li>Investment attraction and facilitation</li><li>Innovation (regional)</li><li>Tourism and Major Events</li></ul>	<ul style="list-style-type: none"><li>Economic development policy and strategy</li><li>Industry development</li><li>Investment attraction</li><li>Local business support services</li><li>Trade and export development programs</li><li>Collaborative Research and Digital Disruption</li><li>Economic Innovation initiatives</li><li>Relationship management with Visit Sunshine Coast and management of Funding Deed.</li><li>Sunshine Coast Major Events strategy implementation</li><li>Management of the Sunshine Coast Events Board and major events sponsorship and support.</li><li>Council programming and support arrangements for major events.</li></ul>	<ul style="list-style-type: none"><li>Sunshine Coast Regional Economic Development Strategy 2013 - 2033 (2023 refresh)</li><li>Sunshine Coast Major Events Strategy 2018-2028 (2023 refresh)</li></ul>

APPENDIX A				
			<ul style="list-style-type: none"><li>Holiday Parks.</li></ul>	
<b>Managing for Growth</b>	<ul style="list-style-type: none"><li>Councillor Winston Johnston</li><li>Councillor Christian Dickson</li></ul>	<ul style="list-style-type: none"><li>Integrated Transport Planning and Delivery</li><li>Strategic Asset Management</li><li>Local Law Implementation</li><li>Strategic Land Use Planning and Development Assessment</li><li>Capital works Delivery</li></ul>	<ul style="list-style-type: none"><li>Development assessment services and standards monitoring</li><li>Management, development and review of the Sunshine Coast Council Planning Scheme and input to regional planning instruments</li><li>Stormwater systems, network planning and operations</li><li>Development, delivery and monitoring of the annual core capital works program</li><li>Development, delivery and monitoring arrangements for Council's asset maintenance program</li><li>Local Laws implementation</li><li>Transport policy and strategy</li><li>Transport Levy</li><li>Transport corridor and network planning</li><li>Parking and traffic management strategies, solutions and service monitoring.</li></ul>	<ul style="list-style-type: none"><li>Integrated Transport Strategy</li><li>Stormwater Management Strategy</li><li>Sunshine Coast Planning Scheme</li></ul>
<b>Organisational Excellence</b>	<ul style="list-style-type: none"><li>Councillor Ted Hungerford</li><li>Councillor Jenny Broderick</li></ul>	<ul style="list-style-type: none"><li>Finance and Procurement</li><li>Civic Governance</li><li>Digital Information and Communication Services</li><li>Corporate Strategy and Policy</li><li>Audit, assurance and risk</li><li>Property Management</li><li>Councillor advisory</li><li>Customer Service</li></ul>	<ul style="list-style-type: none"><li>Council revenue policies and financing arrangements</li><li>Budget development and budget review arrangements.</li><li>Long term financial plan</li><li>Council's participation in Unitywater</li><li>Development, monitoring and review of the People Plan</li><li>Safety Management System and standards</li><li>Development and implementation of the Digital Plan and Information systems, standards and cybersecurity monitoring</li><li>Procurement policy and implementation</li><li>Property acquisitions, management and disposals</li><li>Council communication planning and delivery</li><li>Meeting Management services</li><li>Advisory and operational support to the Mayor and Councillors</li><li>Corporate Governance framework, corporate policy review process and monitoring</li><li>Audit Committee – support, management and monitoring performance</li><li>Corporate and Operational Plan development, monitoring and reporting</li><li>Performance monitoring systems and reporting, including service review program</li><li>Integration of strategies and Council input to external legislative and policy development processes and reviews</li><li>Insurance and Risk advisory services</li><li>Ethical standards and integrity reporting and compliance</li><li>Customer service standards and response</li><li>Monitoring Customer and community satisfaction levels.</li></ul>	<ul style="list-style-type: none"><li>Organisational Excellence Strategy</li></ul>



# Sunshine Coast Council 2025 Portfolio System and Protocols



## Introduction

### 1.0 Introduction

- 1.1 Council operates a portfolio system as part of its governance structure. This system provides for nominated Councillors to be assigned specific responsibilities linked to the strategic priorities of Council and the core responsibilities that it is required to discharge.
- 1.2 This document provides details of the portfolio system and the associated operating protocols.

## Background

### 2.0 Relevant Statutory Provisions

- 2.1 Various provisions of the *Local Government Act 2009* are relevant to the portfolio system and its protocols, including:
  - (a) section 12 provides for the functions and responsibilities of Councillors and the additional responsibilities of the Mayor
  - (b) section 170 (1) and (2) provides that the Mayor may give directions to the Chief Executive Officer under limited circumstances and within specific parameters and
  - (c) section 170 (3) provides that no Councillor (including the Mayor) may give directions to any other council employee.

### 3.0 Role of Portfolio Councillors

- 3.1 In addition to their responsibilities as a Councillor under the *Local Government Act 2009*, Councillors as portfolio holders are required to:
  - (a) keep abreast of Council proposals, issues and activities which are relevant to their portfolio;
  - (b) act as the official Council spokesperson or representative on portfolio relevant matters; and
  - (c) provide input and advice to Council officers (but not direct Council officers) on portfolio relevant matters.
- 3.2 To this end, Portfolio Councillors should:
  - (a) be a key point of contact and engage with industry and community groups and associations on portfolio matters;
  - (b) ensure there is consistent communication and messaging on portfolio matters;
  - (c) participate in and, where approved or appropriate, lead any Council working groups or meetings formed in relation to relevant portfolio issues;
  - (d) provide advice and guidance to Council and the organisation on portfolio matters through participation, discussion and debate at Council meetings;
  - (e) keep the Mayor and the relevant Divisional Councillor (as appropriate)

fully informed on portfolio matters;

- (f) provide an elected representative's viewpoint and act as a sounding board for Executive Leadership Team Members and Managers on issues relating to the portfolio; and
- (g) generally champion the advancement of Council's key priorities and decisions relevant to their portfolio responsibilities.

**3.3** Portfolio Councillors do not hold any specific statutory or governance responsibilities related to their portfolio beyond those which they ordinarily hold as an elected Councillor.

**3.4** In discharging their responsibilities as Portfolio Councillors and consistent with their role under the *Local Government Act 2009*, Councillors should maintain a focus on strategic issues relevant to their portfolio, rather than the day to day operational matters.

**3.5** A Portfolio Councillor does not assume any of the roles, powers and functions assigned to the Mayor under the *Local Government Act 2009* unless delegated by the Mayor. This includes the portfolio responsibilities exclusively assigned to the Mayor, including Regional Advocacy and Intergovernmental Relations.

#### **4.0 Role of the Mayor in the Portfolio System**

**4.1** Specific responsibilities are assigned to the Mayor under section 12 (4) of the *Local Government Act 2009*. These are:

- (a) leading and managing meetings of the local government at which the Mayor is the chairperson, including managing the conduct of the participants at the meetings;
- (b) leading, managing, and providing strategic direction to, the Chief Executive Officer in order to achieve the high quality administration of the local government;
- (c) directing the chief executive officer in accordance with section 170 of the *Local Government Act 2009*;
- (d) conducting a performance appraisal of the Chief Executive Officer, at least annually, in the way that is decided by the local government (including as a member of a committee, for example);
- (e) ensuring that the local government promptly provides the Minister with the information about the local government area, or the local government, that is requested by the Minister;
- (f) being a member of each standing committee of the local government;
- (g) representing the local government at ceremonial or civic functions.

- 4.2 The Mayor undertakes a regional leadership and representational role consistent with the functions of that office. To this end, the Mayor assumes responsibilities (including as media spokesperson) for region shaping projects, regional advocacy and inter-governmental relations.
- 4.3 The Mayor's portfolio responsibilities for region shaping projects primarily focus on advocacy and representation to other levels of government and the community and investment sourcing.
- 4.4 Regional advocacy and inter-governmental relations (including all aspects of international relations) are the sole responsibility of the Mayor. Engagement with other levels of government at Ministerial level is to be managed at all times by the Mayor, consistent with the leadership and advocacy responsibilities of that role on behalf of the region. Relevant Portfolio Councillors should participate with the Mayor (where appropriate) in any advocacy and/or engagement activities with Federal and State Ministers on matters relating to specific portfolios.
- 4.5 The Mayor is typically the spokesperson on regional issues, which include but are not necessarily limited to:
  - (a) Matters of emergency (eg. floods, fires, cyclones, pandemics etc)
  - (b) Major reputation management
  - (c) State and/or Federal Government matters, policies, plans, initiatives and relationships
  - (d) Opening of major facilities
  - (e) Initiatives and projects of major regional significance
  - (f) Region wide planning matters
  - (g) Major events
  - (h) Major region-wide promotions
  - (i) National and international charity appeals
  - (j) General commentary on matters impacting on or relevant to, the community generally; matters of regional environmental significance; and the performance of the regional economy.

## 5.0 Role of the Deputy Mayor in the Portfolio System

- 5.1 Section 165 (1) of the *Local Government Act 2009* provides that the Deputy Mayor acts for the Mayor during –
  - (a) the absence or temporary incapacity of the Mayor; or
  - (b) a vacancy in the office of Mayor.
- 5.2 The Deputy Mayor plays a senior leadership role in Council in support of the Mayor. This includes both in the conduct of the business of Council and in representing the region (when the Mayor is unable to do so or as delegated by the Mayor)

- 5.3 This aspect of the role of the Deputy Mayor is additional to any portfolio responsibilities assigned to the Deputy Mayor.

## 6.0 Operating Protocols for the Portfolio System

- 6.1 Portfolio Councillors will be appropriately supported by the organisation to enable them to:
- (a) be across the details of portfolio relevant proposals coming before Council;
  - (b) be well placed to present and advocate portfolio issues within the community;
  - (c) remain abreast of research and other developments relevant to their portfolio; and
  - (d) understand and communicate the implications of decisions by Council and other levels of government on portfolio matters.
- 6.2 Portfolio Councillors should be engaged by Executive Leadership Team members and Managers at the earliest opportunity:
- (a) on all portfolio relevant matters where there is an intention to develop a Council report;
  - (b) where it is proposed to conduct community engagement activities on a portfolio relevant matter; and/or
  - (c) on portfolio relevant matters which are likely to generate media or strong community interest.
- 6.3 In support of inclusive teamwork and co-operation between Portfolio Councillors and Council employees, Executive Leadership Team members should establish clear, open and regular communication with their Portfolio Councillors and involve key staff in these interactions as considered appropriate. Executive Leadership Team members should meet regularly with their Portfolio Councillors to ensure they remain abreast of current information, service issues and proposed response strategies.
- 6.4 Portfolio Councillors should be briefed by the relevant Executive Leadership Team member(s) and their managers on all portfolio relevant reports proposed to be considered by Council. A Portfolio Councillor should not seek to delay the progress of a report and must not direct the advice and recommendations in a report. The Portfolio Councillor does not have to support the recommendations in a report but should be aware a report is proposed for the Council Agenda and is fully briefed on the content, direction and proposals in the report.
- 6.5 Where a matter spans the responsibilities of more than one Portfolio Councillor, the relevant Portfolio Councillors shall engage with each other at the earliest opportunity on issues and matters which span their portfolio responsibilities.

## 7.0 Authorities and Limitations



- 7.1 The *Local Government Act 2009* and the Portfolio system do not provide for formal delegated authority to a Portfolio Councillor for policy determination and operational decision-making for matters relevant to a portfolio.
- 7.2 The Portfolio system provides Councillors with an opportunity to develop and maintain a heightened level of knowledge, leadership and representation across the region in a specified area of responsibility.
- 7.3 The Portfolio system does not set aside or alter the provisions of the *Local Government Act 2009*, which require corporate decisions on policies and resources to be reached at properly constituted Council meetings or by the Chief Executive Officer (where delegated by Council).
- 7.4 Further, the Portfolio system does not seek to set aside or amend any of the instruments nominated below. Where there is any inconsistency between the Portfolio system and a provision in any of the following instruments, the provision of the instrument shall prevail to the extent of any inconsistency:
  - (a) any other requirements of the *Local Government Act 2009* or the *Local Government Regulation 2012*;
  - (b) any other legislation of the Commonwealth or the State;
  - (c) the *Code of Conduct for Councillors in Queensland*; and/or
  - (d) the Councillors Acceptable Requests Guidelines in relation to communication between Councillors and Council staff.

## 8.0 Communication

- 8.1 Portfolio Councillor(s) should be the key Council spokesperson on a portfolio related matter (other than those matters specified in section 4.0). The Mayor can also make comment on any portfolio matters and be quoted in Council releases along with the Portfolio Councillors (including for media statements arising from decisions of Council).
- 8.2 Where a portfolio-related issue or project primarily has a specific Divisional focus, the Portfolio Councillor(s) must work with the Divisional Councillor on any public communications. In such circumstances, the Divisional Councillor should be the lead spokesperson on the matter.
- 8.3 If neither the Mayor nor Deputy Mayor is available to comment on a regional issue and/or project, a relevant Portfolio Councillor, Divisional Councillor or the Chief Executive Officer (in that order) may act as the spokesperson in that instance for the media.

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**8.7 AUDIT COMMITTEE MEETING - 19 MAY 2025**

<b>File No:</b>	<b>Council Meetings</b>
<b>Author:</b>	<b>Manager Audit, Assurance and Risk Advisory Services Civic Governance Group</b>
<b>Appendices:</b>	<b>App A - Minutes of the Audit Committee meeting of 19 May 2025</b> ..... 261 <a href="#">↓</a>  <b>App B - 2025 – 2026 Internal Audit Program of Work ..... 283</b> <a href="#">↓</a> 

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**PURPOSE**

To provide Council with a report on matters reviewed at the Audit Committee (“the Committee”) meeting held on 19 May 2025 and recommendations made by the Committee to Council.

This report is provided in fulfillment of Council’s obligations under section 105 of the *Local Government Act 2009* and section 211 of the *Local Government Regulation 2012*.

**EXECUTIVE SUMMARY**

Under section 105 (2) of the *Local Government Act 2009*, Council is required to establish and maintain an Audit Committee. Council’s Audit Committee is comprised of Mr Mitchell Petrie (Independent Chair), Mr Pat McCallum (Independent Member), Ms Sue Tindal (Independent Member), Councillor E Hungerford and Councillor J Broderick.

Under Clause 6 of the Audit Committee Charter, the Committee meets (at a minimum) four times each year or as determined by Council or the Committee.

The agenda for the Audit Committee on 19 May 2025 covered these matters:

- Meeting Minutes and Audit Committee Resolutions/Action Items
- Chief Executive Officer's Update
- Finance: Annual Financial Statement Risk and Planning Assessment
- Queensland Audit Office: First Interim Report for 2024/25
- Built Infrastructure/Business Performance: Project Office: Update on Asset Management Program
- Governance: Integrity Report
- Governance: Internal Audit Program of Work update
- Governance: Proposed Internal Audit 2025-2026 Program of Work
- Governance: Recommendation Monitoring
- Governance: Internal Audit Report: Grants
- Governance: Internal Audit Report: Contract Management Review
- Governance: Internal Audit Report: Cash Handling Review
- Governance: Strategic Risk Update Report
- Strategic Risk Discussion: Financial Sustainability



**OFFICER RECOMMENDATION**

**That Council:**

- (a) receive and note the report titled “Audit Committee Meeting - 19 May 2025”**
- (b) endorse the Minutes of the Audit Committee meeting of 19 May 2025 at Appendix A to this report, and**
- (c) accept the recommendation of the Audit Committee dated 19 May 2025 and in doing so, approve the 2025 – 2026 Internal Audit Program of Work at Appendix B.**

**FINANCE AND RESOURCING**

There are no financial or resourcing issues specifically associated with this report. The report fulfils the statutory reporting obligations of 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>	S30 - Governance – providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported.

**CONSULTATION****Councillor Consultation**

Councillors J Broderick and E Hungerford attended and participated in the Audit Committee meeting on 19 May 2025.

All Councillors received the Audit Committee agenda prior to the meeting.

**Internal Consultation**

The Chief Executive Officer and other Executive Leadership Team (ELT) members participated in the Committee meeting and contributed to the development of the Committee Agenda papers. Other officers consulted in the preparation of papers for consideration at the Audit Committee meeting on 19 May 2025:

- Manager Finance
- Coordinator Financial Accounting
- IT PMO Manager
- A/Coordinator Corporate Risk & Insurance
- Manager Ethical Standards
- Coordinator Integrity Management.

**External Consultation**

The independent members of the Committee were present at the Committee meeting on 19 May 2025.

**PROPOSAL**

Under section 105 (2) of the *Local Government Act 2009*, Council (as a large local government) must establish and maintain an Audit Committee. The Act provides the Audit Committee has the following functions:

- (a) monitors and reviews—
  - (i) the integrity of financial documents; and
  - (ii) the internal audit function; and
  - (iii) the effectiveness and objectivity of Council's internal auditors; and
- (b) makes recommendations to Council about any matters that the Committee considers need action or improvement.

The Committee has no delegated decision-making authority. The Committee is, however, a source of independent advice to Council and the Chief Executive Officer.

The Committee is comprised of Mr Mitchell Petrie (Independent Chair), Mr Pat McCallum (Independent Member), Ms Sue Tindal (Independent Member), Councillor E Hungerford and Councillor J Broderick.

The overall objective of the Committee is to assist Council and the Chief Executive to discharge their responsibilities, in particular:

- corporate governance and responsibilities in relation to the organisation's financial reporting, internal control structure, risk management systems and the external and internal audit functions
- maintain an independent and objective forum promoting transparency, accountability and an ethical culture throughout Council
- maintain open lines of communications with Council, Executive Management, External Audit and Internal Audit, to exchange information and views
- oversee and appraise the quality and efficiency of audits conducted by both the Internal and External Audit functions and
- ensure both the Internal and External Audit functions are independent and effective.

Under section 211 of the *Local Government Regulation 2012*, the Committee must provide Council with a written report about the matters reviewed at its meetings and make recommendations to Council on any matters the Committee considers need action or improvement. The Committee meets at least four times each year.

The most recent meeting of the Audit Committee took place on 19 May 2025. The minutes of the Committee meeting are provided at **Appendix A** to this report.

**Legal**

This report to Council has been developed in fulfillment of Council's statutory obligations under the *Local Government Act 2009* and *Local Government Regulation 2012*.

**Risk**

Specific risks associated with each matter contained in the Committee Agenda reports have been raised and addressed in the briefings to the Committee.

**Previous Council Resolution****Ordinary Meeting 27 February 2025 (OM25/12)**

*That Council:*

- (a) receive and note the report titled “**Audit Committee Meeting 10 February 2025**” and*
- (b) endorse the Minutes of the Audit Committee meeting of 10 February 2025 at Appendix A to this report.*

**Ordinary Meeting 12 December 2024 (OM24/126)**

*That Council:*

- (a) receive and note the report titled “Appointment of Independent Audit Committee Member”*
- (b) approve the appointment of the independent Audit Committee member as recommended, for a term of four years from and including 1 January 2025 and concluding on 31 December 2028 and*
- (c) authorise the Chief Executive Officer to publicly release the name of the person appointed as a member of the Audit Committee, should Council endorse the recommendations in this report.*

**Ordinary Meeting 20 June 2024 (OM24/46)**

*That Council:*

- (a) receive and note the report titled “Audit Committee Meeting 23 May 2024”*
- (b) endorse the Minutes of the Audit Committee meeting of 23 May 2024 at Appendix A to this report and*
- (c) accept the recommendation of the Audit Committee dated 23 May 2024 and in doing so, approve the 2024 – 2025 Internal Audit Program of Work at Appendix B.*

**Ordinary Meeting 18 January 2024 (OM24/7)**

*That Council:*

- (a) receive and note the report titled “Appointment of Independent Audit Committee Member”*
- (b) approve the appointment of the independent Audit Committee member, as discussed in confidential session, for a term of three years from and including 18 January 2024 and concluding on 31 December 2026 and*
- (c) authorise the Chief Executive Officer to publicly release the name of the person appointed as a member of the Audit Committee, should Council endorse the recommendations in this report.*

**Related Documentation**

There is no related documentation relevant to this report.

**Implementation**

Implementation of the Audit Committee resolutions and the internal and external audit recommendations are overseen by the Chief Executive Officer and the Executive Leadership Team and monitored by the Audit Committee.



# Minutes

## Audit Committee

**Monday, 19 May 2025**

**Sunshine Coast City Hall, 54 First Avenue, Maroochydore, Level 1, Eudlo Rooms**

### **AUDIT COMMITTEE MEMBERS**

Councillor J Broderick

Councillor E Hungerford

Mr M Petrie

Mr P McCallum

Ms S Tindal

Division 1

Division 7

External Member (Chair)

External Member

External Member







AUDIT COMMITTEE MINUTES

19 MAY 2025

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**AUDIT COMMITTEE MINUTES**

**19 MAY 2025**

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Please Note: The resolutions as shown in italics throughout these minutes are the resolutions carried by the Audit Committee.

## AUDIT COMMITTEE MINUTES

19 MAY 2025

### 1 DECLARATION OF OPENING

The Chair declared the meeting open at 9:30am.

Councillor J Broderick acknowledged the Traditional Custodians of the land on which the meeting took place.

### 2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

#### AUDIT COMMITTEE MEMBERS

Councillor J Broderick	Division 1
Councillor E Hungerford	Division 7
Mr M Petrie	External Member (Chair)
Mr P McCallum	External Member
Ms S Tindal	External Member (Via Teams)

#### COUNCIL OFFICERS

Chief Executive Officer  
 A/Group Executive Built Infrastructure  
 A/Group Executive Business Performance  
 A/Group Executive Civic Governance  
 A/Group Executive Customer and Planning Services  
 Group Executive Economic and Community Development  
 Group Executive Liveability and Natural Assets  
 Manager Audit, Assurance and Risk Advisory Services  
 Coordinator Financial Accounting  
 Manager Asset Management  
 Manager Ethical Standards  
 Coordinator Corporate Risk & Insurance

#### APOLOGIES

Group Executive Customer and Planning Services

#### ATTENDEES

Engagement Manager	Queensland Audit Office
Engagement Leader	Queensland Audit Office

**AUDIT COMMITTEE MINUTES**

**19 MAY 2025**

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**3 INFORMING OF CONFLICTS OF INTEREST**

**3.1 PRESCRIBED CONFLICTS OF INTEREST**

Pursuant to Section 150EL of the *Local Government Act 2009*, no declarations of prescribed conflicts of interest were made during this meeting.

**3.2 DECLARABLE CONFLICTS OF INTEREST**

Pursuant to Section 150EQ of the *Local Government Act 2009*, no declarations of declarable conflicts of interest were made during this meeting.

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**AUDIT COMMITTEE MINUTES**

**19 MAY 2025**

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**4      REPORTS DIRECT TO AUDIT COMMITTEE**

**4.1      MEETINGS MINUTES AND AUDIT COMMITTEE RESOLUTIONS/ACTION ITEMS**

**File No:**                      **Audit Committee**

**Author:**                    **Manager Audit, Assurance and Risk Advisory Services**  
                                     **Civic Governance Group**

---

**EXECUTIVE SUMMARY**

**Audit Committee Meeting Minutes**

The items of business considered by the Committee at its 10 February 2025 meeting are summarised in agenda sequence and minutes. The Minutes of this meeting were presented to Council for consideration at its Ordinary Meeting on 27 February 2025.

**Audit Committee Resolutions and Action Items**

Recommendations and action items recorded at Audit Committee meetings refer to specific approvals, tasks, actions, or responsibilities assigned to individuals or teams.

Items are documented in the meeting minutes and serve as a point of reference to ensure actions agreed are followed through and implemented effectively.

**Committee Recommendation** (AC25/12)

**Moved:**            **P McCallum**

**Seconded:**      **S Tindal**

*That the Audit Committee receive and note the report titled "Meetings Minutes and Audit Committee Resolutions/Action Items".*

**Carried unanimously.**

---

**AUDIT COMMITTEE MINUTES**

**19 MAY 2025**

---

**4.2      CHIEF EXECUTIVE OFFICERS UPDATE**

**File No:**                      **Audit Committee**  
**Author:**                    **Manager Strategy and Policy**  
                                     **Civic Governance Group**

---

**EXECUTIVE SUMMARY**

The Audit Committee receives a regular report from the Chief Executive Officer outlining Council's performance in progressing implementation of the Corporate Plan and associated annual Operational Plan.

This report is current as of 31 March 2025 and provides an overview of Council's:

- Financial performance.
- Capital Works Program.
- Operational Plan performance by exception.

**Committee Recommendation** (AC25/13)

**Moved:**            **Councillor E Hungerford**  
**Seconded:**      **Councillor J Broderick**

*That the Audit Committee:*

- (a) *receive and note the report titled "Chief Executive Officers Update" and*
- (b) *note the Exception Report to the Audit Committee Operational Plan Activities, Quarter 3 2024-25.*

**Carried unanimously.**

---

**AUDIT COMMITTEE MINUTES**

**19 MAY 2025**

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**4.3      FINANCE: ANNUAL FINANCIAL STATEMENT RISK AND PLANNING  
ASSESSMENT**

**File No:**                      **Audit Committee**  
**Author:**                    **Coordinator Financial Accounting**  
                                     **Business Performance Group**

---

**EXECUTIVE SUMMARY**

Council has a statutory obligation to prepare General Purpose Financial Statements on an annual basis, culminating in audit certification in late October, before publication in Council's Annual Report.

In conjunction with Queensland Audit Office, Council endeavours each year to strengthen the quality control surrounding this process.

**Committee Recommendation** (AC25/14)

**Moved:**            **P McCallum**  
**Seconded:**      **Councillor E Hungerford**

*That the Audit Committee receive and note the report titled "Finance: Annual Financial Statement Risk and Planning Assessment."*

**Carried unanimously.**

---



**AUDIT COMMITTEE MINUTES**

**19 MAY 2025**

**4.4 QUEENSLAND AUDIT OFFICE: FIRST INTERIM REPORT FOR 2024-25**

**File No:** Audit Committee

**Author:** Coordinator Financial Accounting  
Business Performance Group

**EXECUTIVE SUMMARY**

The Queensland Audit Office conducted the First Interim Audit for the 2024-25 financial statement process during March 2025, and the First Interim Report.

In this phase, Queensland Audit Office assessed the design and implementation of Council's internal controls relevant to the financial report, and whether they are operating effectively. They assessed the key controls they intend to rely on in auditing Council's financial statements.

One new issue relating to payroll Masterfile changes was identified during the interim audit.

There is one (1) significant deficiency and eight (8) deficiencies outstanding from prior year(s).

Based on the results of Queensland Audit Office testing completed to date and the resolution of prior year issues, the auditors have determined Council's internal control environment supports an audit strategy where they can rely on Council's controls.

**Committee Recommendation** (AC25/15)

**Moved:** S Tindal

**Seconded:** Councillor E Hungerford

*That the Audit Committee receive and note the report titled "Queensland Audit Office: First Interim Report for 2024-25".*

**Carried unanimously.**

---

**AUDIT COMMITTEE MINUTES**

**19 MAY 2025**

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**4.5      BUILT INFRASTRUCTURE/BUSINESS PERFORMANCE: ASSET  
MANAGEMENT PROGRAM UPDATE**

**File No:**                      **Audit Committee**  
**Author:**                    **IT PMO Manager**  
                                     **Business Performance Group**

---

**EXECUTIVE SUMMARY**

The Audit Committee has received progressive updates in relation to Council's asset management activities on a regular basis, with the last update in February 2025.

Previous update in February provided the Audit Committee with an overview of the re-set of the Asset Management program which outlined the transition to the Digital and Information Services IT Program Management Office to include the program as a deliverable within the capital program. Also to identify the key scope and review the existing progress of the previous program outcomes.

Key activities in progress since the February update are:

- Project Control Group meetings with Group Executives and key stakeholders has been established and held monthly.
- Budget is on track.
- Scope review and analysis has commenced on the following:
  - As-is processes review, asset delay recognition, fleet optimisation work, identification of the data sources - standardisation and cleansing and Inventory - First Phase on Properties.
- Pulse Action Items (79 individual identified) sourced from the previous asset external reports have been uploaded and will be progressively reviewed by the program team.
- High-level proposed approach and schedule has been developed based on the various phases to deliver the program over the next two to three years.

It is recommended that the Audit Committee endorse the proposed program phases as indicated in the asset management program update.

This update report will outline the activities to date including responses to the Audit Committee action items raised: Implementation plan including costs to date, proposed timelines, responsibility, and project governance processes.

**Committee Recommendation** (AC25/16)

**Moved:**                      **Councillor J Broderick**  
**Seconded:**                **P McCallum**

*That the Audit Committee receive and note the report titled "Built Infrastructure/Business Performance: Asset Management Program Update".*

**Carried unanimously.**

---

**AUDIT COMMITTEE MINUTES**

**19 MAY 2025**

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**4.6      GOVERNANCE: INTEGRITY REPORT**

**File No:**                      **Audit Committee**  
**Author:**                    **Coordinator Integrity Management**  
                                     **Civic Governance Group**

---

**EXECUTIVE SUMMARY**

Good governance is an integral component in building trust, confidence and value in the organisation and is inherently linked to the values and behaviours that have been implemented by Council since December 2022.

Good governance operates on a distributed ownership basis – namely, everyone has a role to play in the good governance of the organisation. A key focus of the work undertaken by the Civic Governance Group - in partnership with groups and branches across the organisation - is to build awareness and understanding on the importance of good governance in all that we do. Equally, the Civic Governance Group continues to work with its partners across Council to provide a sound and contemporary operating platform so that Council is suitably placed to discharge its statutory and service responsibilities on behalf of the community.

Key deliverables since November 2024 include:

- Established a confidential reporting service, replacing the Faircall Hotline, offering staff the opportunity to escalate concerns relating to conduct matters to the Ethical Standards Branch for independent review.
- The Complaints Management Policy (Administrative Actions) considered and approved by Council.
- Continued the major review of the Employee Code of Conduct.
- Continued to progress with the implementation of the changes associated with the *Information Privacy and other Legislation Act 2023* (IPOLA).
- Development and implementation of Council's Artificial Intelligence Policy.

**Committee Recommendation** (AC25/17)

**Moved:**                    **S Tindal**  
**Seconded:**              **P McCallum**

*That the Audit Committee receive and note the report titled "Governance: Integrity Report".*

**Carried unanimously.**

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**AUDIT COMMITTEE MINUTES**

**19 MAY 2025**

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**4.7      GOVERNANCE: INTERNAL AUDIT PROGRAM OF WORK UPDATE**

**File No:**                      **Audit Committee**

**Author:**                    **Manager Audit, Assurance and Risk Advisory Services**  
                                     **Civic Governance Group**

---

**EXECUTIVE SUMMARY**

**Summary of Reviews being undertaken in the Financial Year (FY) 2025**

- 1 review is in reporting
- 1 review is in fieldwork
- 2 reviews are in planning
- 2 Reviews are not started
- 5 Reviews are completed

**Reporting**

- 1 Report was reported at the 10 February 2025 Audit Committee Meeting
- 3 Reports are reported at the 19 May 2025 Audit Committee Meeting

**Committee Recommendation** (AC25/18)

**Moved:**                    **Councillor E Hungerford**

**Seconded:**                **P McCallum**

*That the Audit Committee receive and note the report titled "Governance: Internal Audit Program of Work Update".*

**Carried unanimously.**

---

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**AUDIT COMMITTEE MINUTES**

**19 MAY 2025**

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**4.8      GOVERNANCE: PROPOSED INTERNAL AUDIT 2025-26 PROGRAM OF WORK**

**File No:**                      **Audit Committee**

**Author:**                    **Manager Audit, Assurance and Risk Advisory Services**  
                                     **Civic Governance Group**

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**EXECUTIVE SUMMARY**

Contemporary audit planning requires the head of internal audit to identify annually, audit topics on a strategic, cross-organisational and functional basis, drawing on risk management information.

The proposed 2025-2026 Internal Audit Program of Work has been developed in consultation with the Chief Executive Officer, Group Executives and business areas and aims to provide risk-based coverage for aspects of the operations of Council.

Whilst most audit topics in the proposed Program of Work are focused on assurance, there is provision for advisory services.

The format for the proposed Program of Work has been expanded this year to provide a more holistic view of the activities with which the Audit, Assurance and Risk Advisory Services Branch is involved.

Once considered by the Audit Committee and endorsed by Council, the Program of Work will become the operating plan for the Internal Audit team in the Audit, Assurance and Risk Advisory Services Branch.

**Committee Recommendation** (AC25/19)

**Moved:**                    **Councillor J Broderick**

**Seconded:**               **P McCallum**

*That the Audit Committee:*

- (a) *receive and note the report titled "Governance: Proposed Internal Audit 2025-26 Program of Work" and*
- (b) *recommend to Council that the Proposed FY2026 Program of Work be endorsed.*

**Carried unanimously.**

## AUDIT COMMITTEE MINUTES

19 MAY 2025

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### 4.9 GOVERNANCE: RECOMMENDATION MONITORING

**File No:** Audit Committee

**Author:** Manager Audit, Assurance and Risk Advisory Services  
Civic Governance Group

---

### EXECUTIVE SUMMARY

At the start of Quarter 3, FY2025 (1 January 2025), there were 68 active audit recommendations.

#### Committee Recommendation (AC25/20)

**Moved:** Councillor E Hungerford

**Seconded:** S Tindal

*That the Audit Committee receive and note the report titled "Governance: Recommendation Monitoring".*

**Carried unanimously.**

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**AUDIT COMMITTEE MINUTES**

**19 MAY 2025**

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**4.10    GOVERNANCE: INTERNAL AUDIT REPORT: GRANTS**

**File No:**                      **Audit Committee**  
**Author:**                    **Manager Audit, Assurance and Risk Advisory Services**  
                                      **Civic Governance Group**

---

**EXECUTIVE SUMMARY**

The main focus of the audit was the overall governance framework and compliance with policy and guidelines across three signature grant programs administered by the Community Development Branch.

The following Grants programs were reviewed:

1.    Community Grants Program
2.    Community Partnership Funding Program
3.    Sports Field maintenance Program.

**Committee Recommendation** (AC25/21)

**Moved:**            **Councillor J Broderick**  
**Seconded:**      **Councillor E Hungerford**

*That the Audit Committee receive and note the report titled "Governance: Internal Audit Report: Grants".*

**Carried unanimously.**

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**AUDIT COMMITTEE MINUTES**

**19 MAY 2025**

---

**4.11    GOVERNANCE: INTERNAL AUDIT REPORT: CONTRACT MANAGEMENT  
AND DELEGATIONS REPORT**

**File No:**                      **Audit Committee**

**Author:**                    **Manager Audit, Assurance and Risk Advisory Services  
Civic Governance Group**

---

**EXECUTIVE SUMMARY**

The audit focused on the corporate framework and contract management activities within 3 Groups: Liveability and Natural Assets, Built Infrastructure and Business Performance where contract values represent over 80% of the total spend on contracts.

Sunshine Coast Council has adopted the strategic contracting procedures in accordance with the *Local Government Regulation 2012*. Whilst procurement activities are substantially centralised, post award contract management activities are largely de-centralised and undertaken within each Group and Branch across Council.

**Committee Recommendation** (AC25/22)

**Moved:**                    **S Tindal**

**Seconded:**                **P McCallum**

*That the Audit Committee receive and note the report titled "Governance: Internal Audit Report: Contract Management and Delegations Report".*

**Carried unanimously.**

---



## AUDIT COMMITTEE MINUTES

19 MAY 2025

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### 4.12 GOVERNANCE: INTERNAL AUDIT REPORT: CASH HANDLING REVIEW

**File No:** Audit Committee

**Author:** Manager Audit, Assurance and Risk Advisory Services  
Civic Governance Group

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#### EXECUTIVE SUMMARY

There are thirteen counter staff across three central locations in Caloundra, Maroochydore and Nambour. Counter transactions are recorded in the cash receipting module of the T1 Property system and reconciled daily.

The control environment was reviewed including second line activities that ensure all cash is accounted for and banked intact and all cash balances and floats are maintained securely. The review also looked at cash handling activities in the context of the safety of staff involved.

#### Committee Recommendation (AC25/23)

**Moved:** Councillor E Hungerford

**Seconded:** Councillor J Broderick

*That the Audit Committee receive and note the report titled "Governance: Internal Audit Report: Cash Handling Review".*

**Carried unanimously.**

---

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**AUDIT COMMITTEE MINUTES**

**19 MAY 2025**

---

**4.13    GOVERNANCE: STRATEGIC RISK UPDATE REPORT**

**File No:**                      **Audit Committee**  
**Author:**                    **Corporate Risk & Insurance Officer**  
                                     **Civic Governance Group**

---

**EXECUTIVE SUMMARY**

Currently there are eleven strategic risks in Council's corporate risk register. Since December, the Risk team and the Acting Group Executive have been updating these risks with input from the Group Executives and Chief Executive Officer. To date, eight of the eleven risks have been circulated for review.

The format has been simplified and grouped in sets of two or three for review. Feedback from the Group Executives is incorporated with the risk updated before sending to the CEO for final review.

**Committee Recommendation** (AC25/24)

**Moved:**        **S Tindal**  
**Seconded:**    **Councillor J Broderick**

*That the Audit Committee receive and note the report titled "Governance: Strategic Risk Update Report".*

**Carried unanimously.**

---

**AUDIT COMMITTEE MINUTES**

**19 MAY 2025**

---

**4.14    STRATEGIC RISK DISCUSSION - FINANCIAL SUSTAINABILITY**

**File No:**                      **Audit Committee**  
**Author:**                    **Chief Executive Officer**  
                                     **Office of the Chief Executive Officer**

---

**EXECUTIVE SUMMARY**

The strategic risk discussion on financial sustainability was a high-level dialogue aimed at identifying, assessing, and mitigating risks that could threaten an organisation's long-term financial health.

**Committee Recommendation** (AC25/25)

**Moved:**            **M Petrie**  
**Seconded:**       **P McCallum**

*That the Audit Committee note the discussion held in relation to "Strategic Risk Discussion - Financial Sustainability".*

**Carried unanimously.**

---

**AUDIT COMMITTEE MINUTES**

**19 MAY 2025**

---

**5 NEXT MEETING**

The next Audit Committee will be held on 1 September 2025.

**6 MEETING CLOSURE**

The meeting closed at 12:55pm.

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# FY2026 PROGRAM OF WORK

## FINAL DRAFT

### INTERNAL AUDIT

01 July 2025 to 30 June 2026

Version	FY2026 Program of Work v0.1
Status	FINAL DRAFT
Last update	2025-05-08
Author	Audit & Assurance

## Internal Audit FY2026 Program of Work

### Introduction

#### Context

The International Standards for the Professional Practice of Internal Auditing (the standard) define that a risk-based plan is to be established to determine the priorities of the internal audit activity, consistent with the council's goals.

Internal Audit team (IA) provides independent and objective, audit services and advice to management, and the Audit Committee (AC) over the operations, projects, initiatives, and activities that underpin the Sunshine Coast Council's delivery of its corporate plan and strategies.

Looking to increase the role and impact of IA, the Branch will:

FY2024	<ul style="list-style-type: none"><li>• Encourage business to engage Audit &amp; Assurance for assurance activities</li><li>• Provide advisory internal audit services to add value</li></ul>
	<ul style="list-style-type: none"><li>• Continuing the use of external internal audit providers</li><li>• Working together with business to assess and manage risks, controls, and compliance obligations to enhance and protect the Council</li></ul>
	<ul style="list-style-type: none"><li>• Leverage off internal audit reviews undertaken in FY2024</li><li>• Fully move to manage action plans as business area response</li></ul>
	<ul style="list-style-type: none"><li>• Continuing the use of external internal audit providers</li><li>• Working together with business to assess and manage risks, controls, and compliance obligations to enhance and protect the Council</li></ul>
FY2025	<ul style="list-style-type: none"><li>• Ensure internal audit review have value and are impactful</li><li>• Ensure key risks of the organisation are being addressed</li></ul>
	<ul style="list-style-type: none"><li>• Continue to provide advisory internal audit services, when requested, to add value</li><li>• Working together with business to assess and manage risks, controls, and compliance obligations to enhance and protect the Council</li></ul>
FY2026	<ul style="list-style-type: none"><li>• Ensure internal audit review have value and are impactful</li><li>• Ensure key risks of the organisation are being addressed</li></ul>
	<ul style="list-style-type: none"><li>• Continue to provide advisory internal audit services, when requested, to add value</li><li>• Working together with business to assess and manage risks, controls, and compliance obligations to enhance and protect the Council</li></ul>

IA is looking to increase the insights provided to the CEO across the council, and to increase the value and impact of our work within the business areas.

In this context IA seeks to provide advice and support for business processes and internal controls to strengthen the control environment. There will be opportunities to:

- deliver real time "audit" insights over key projects/reforms, focus reviews in areas of higher risk, leveraging on the work undertaken by the risk management team
- complete key compliance audit reviews
- respond to business needs for audit, process, and internal control advice
- drive an improved internal control environment through education, self-assessment, and advice.

#### How the internal audit topics are chosen

To identify the areas of focus for audit, the following activities were performed:

- Continuing with themed, Council wide and auditing service enabler areas
- Discussion on the audit universe within the team and insights provided
- Formal discussions with the Chief Executive Officer and Group Executives (and Branch Managers if required)

## Internal Audit FY2026 Program of Work

Internal Audit team (IA) will for FY2028 continue our system of **Substitutions, Deferrals, Additions and Reallocations** needing to be documented for any changes to the FY2026 Program of Work. If a program change is required during the year and IA/Senior Management assessment agrees it is to be added to the Program; capacity will be reviewed, and a current review assessed as being of lower risk or importance will be substituted/replaced.

### What are the internal audit topics?

Each audit review topic has been overlaid against the Strategic Risk Register to provide the risk context for the audit. Further, initial scoping considerations are outlined to provide the context of the high-level objectives for the audit. The detail of the audit area will be defined at the time of detailed audit planning.

Not all individual audit topics are directly reflected in the strategic risk register or the group/branch risk registers. This is due to the difference in the risk levels being assessed.

IA activity may be separated into six (6) types being:

- **Insights** – mini-reviews to perform a quick health-check, take the pulse of any project, process or activity and deliver an insight report(s) to SCC Council, CEO and ELT.
- **IA Reviews** - Base level compliance reviews focused on core elements of the internal control environment. Conduct end-to end process walkthrough; then testing or sampling of transactions. Identify opportunities for process or control improvement.
- **IA Services** – Audit and/or advisory based services over initiatives/business processes designed to add value by assessing the effectiveness and efficiency of the project/process. Engagement through a variety of methods such as up-front advice, health checks or on-going monitoring and real time feedback (i.e. following along & acting as a touch point).
- **Program and Project Audit** – reviewing that major projects are managed to deliver the intended benefits, are on time and on budget.
- **Control Environment Initiatives** – continuous improvement program of activities, tasks, events, and actions that should be undertaken and reviewed at regular intervals to ensure progress is being made and that standards are increasing.
- **Audit Administration and IA projects** – activity or project work that is internally focused to the IA function, it is not performed with a "client" focus.

### ***Three lines of defence***



## Internal Audit FY2026 Program of Work

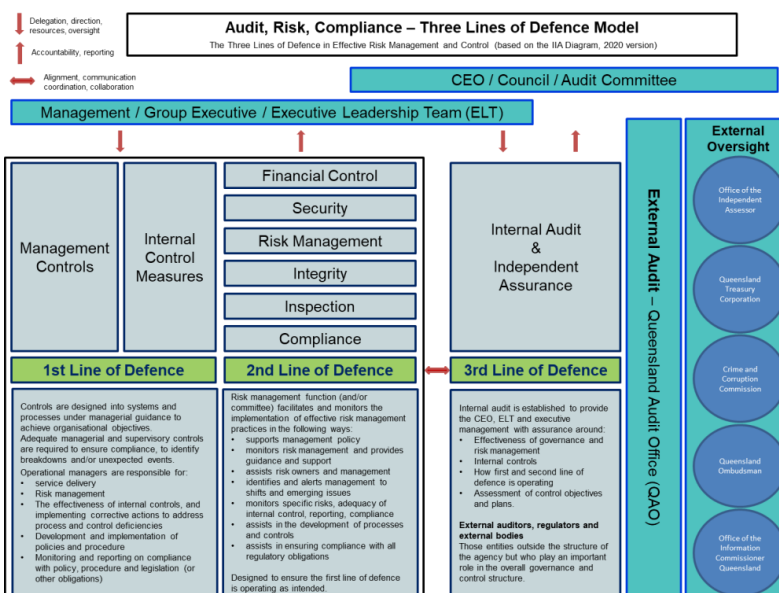
The program of work linkage with the three lines of defence provides line of sight to the Audit Committee (AC) and management of the ways in which key process areas are controlled and risks mitigated.

**First Line of Defence** is by the business units. Control assurance at this level is primarily obtained through segregation of duties, control self-assessment, monitoring and reporting.

**Second Line of Defence** includes management and internal oversight functions.

**Third Line of Defence** is independent assurance. This relates to a third-party evaluation of the

effectiveness of management systems and/or specific controls. It also includes the activities performed by IA, independent specialist auditors, other IA functions and external audit.



### Connecting with Risk Management (RM)

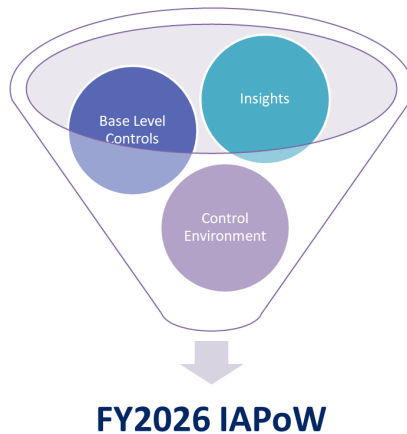
IA uses the RM strategic risk register as a key input into defining its focus and activities. This input is influenced by the maturity of the council's risk management framework.

Group/branch risk registers will also be reviewed, where available.

## Internal Audit FY2026 Program of Work

### Value of Internal Audit Activities

**Base Level Controls** – compliance reviews focused on providing fundamental audit review over



core elements, activities, and functions. Audit will assess the baseline of internal controls for both financial and non-financial.

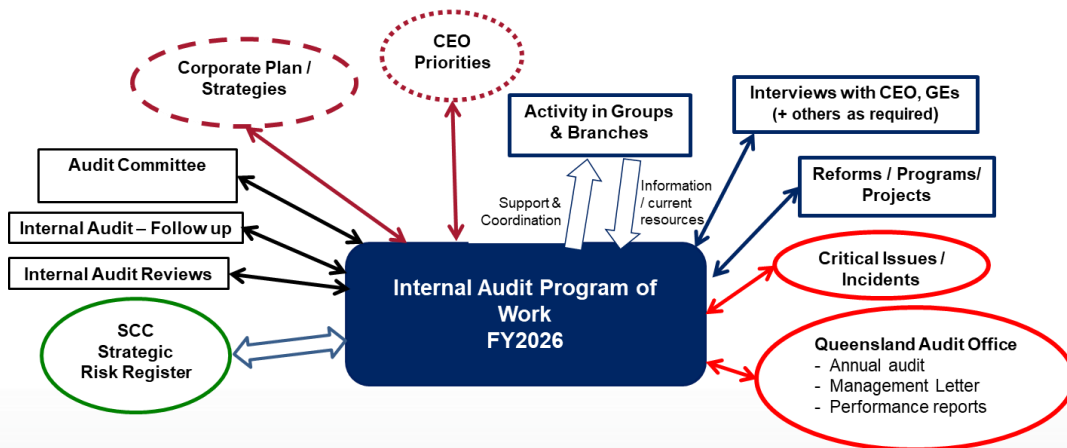
**Insight** – formative reviews designed to be more forward-looking and aware, briefer and more layered, more visual and dynamic. Forward-looking, insightful reports focus on the risks and issues of most concern to stakeholders.

**Control Environment** – Internal audit will assess the set of standards, processes, and structures that provide the basis for carrying out internal control across the council.

### Key Drivers and Inputs

To develop the full year program of work for FY2024 a robust process was undertaken to consider various drivers, inputs, and sources to define the program of work.

#### Inputs into the Financial Year 2026 (FY26) Program



List of Key Inputs

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## Internal Audit FY2026 Program of Work

- **Core** – systems, processes, functions, and compliance coverage – ensure that the program of work includes coverage/assurance across the SCC's core activities and processes
- **Governance, Risk and Compliance (GRC)** – good practice to meet requirements of good governance, risk, and compliance.
- **Risks** and risk management – stakeholders require adequate and effective mitigation strategies over strategic and operational risks to reduce both the likelihood of these risks occurring and the consequences. Reviews on the associated business operations, projects and activities are considered.
- **CEO Priorities (CEO)** – key priorities that will make council even better and enhance living on the Sunshine Coast.
- **Projects, Programs and Reforms (PPR)** – Assurance that key initiatives are managed and on track to deliver quality, on time and on budget outcomes. It is important for audit to engage with the projects, programs and/or reforms from the early stages of business case, through benefits identification, mobilisation, execution and closure.
- **Requests SCC & AC (RMA)** – we meet with all members of SCC ELT to understand the key objectives which they rely on and areas where they would value audit. Interviews will be used to validate the inclusion in the program of reviews driven by risks and coverage of key process areas, plus identified additional potential reviews. Together with the SCC corporate plan and strategies
- **Internal Audit Analysis (IA)** –IA uses its professional judgement and understanding of SCC, its risks, good practice expectations and other relevant information to identify areas for internal audits. Plus, may be for follow-up audit requirements.
- **Statutory Obligation and/or Requirement (SOR)**– Statutory or right to access/use obligation or requirement. I.e. Annual access review for or rates.

Audit requirements identified through the above drivers were considered for inclusion in the program. Audit then discusses the proposed program with the CEO, ELT and the AC to balance audit needs with available resources.

## Internal Audit FY2026 Program of Work

### PROPOSED FY2026 REVIEWS

Ref	Review title	Key Input#	Provider	Description	Work Days	Start Quarter
<b>2025-2026 Reviews</b>						
26-01	<b>External</b> - Cherbourg Aboriginal Shire Council	Special	Internal	AUDIT TBC, to be discussed and agreed with Cherbourg management	30	TBC
26-02	<b>Built Infrastructure</b> - Tree Mgmt. review follow-up	SR6/SR7	Internal	Follow up to the Tree management review in December 2022	15	TBC
26-03	<b>Council Wide</b> - Compliance Chain of Responsibility (Heavy Vehicle National Law)	SR7, SR, Risk	Internal/ Co-source	Key areas including Safety & Regulatory Compliance, - Driver & Vehicle Safety, Training & Competency, and Emergency Response Preparedness	35	TBC
26-04	<b>Business Performance</b> - Supplier Arrangements (Procurement) i.e. Trade and General Maintenance Supplier arrangement	Core, GRC, SR1	Internal	Procurement and contract management. Multiple panels of suppliers. To be discussed and scoped through discussion with Procurement Team. look at a specific arrangement (e.g. Property Maintenance) in terms of how the contract was being managed - economy, efficiency and effectiveness.	30	Q3-Q4
26-05	<b>Business Performance</b> - Accounts payable	Core, GRC, SR1	Internal	Creditor payment system, creation and changes. May look at accuracy and reliability, compliance with regulations, fraud risk, etcetera.	30	TBC
26-06	<b>Economic &amp; Community Development</b> - Holiday Parks	SR1, Core, GRC, Risk	Internal	Holiday parks are managed under separate management agreements and earn commission on revenue collected. Materiality of revenue (\$20M+)	40	TBC
26-07	<b>Customer &amp; Planning Services</b> - Infrastructure charges	Core, GRC, SR1	Internal	Infrastructure charges are raised against development applications for the provision of trunk infrastructure which supports growth across large neighbourhoods and catchments specifically around transport, stormwater, park and community networks.	30	TBC
<b>FY2026 Reviews</b>					Sub-Total	210

## Internal Audit FY2026 Program of Work

Ref	Review title	Key Input#	Provider	Description	Work Days	Start Quarter
Possible Alternative Reviews (may be substituted into program if their risk profile changes)						
25-alt	<b>Economic &amp; Community Development</b> <b>Liveability &amp; Natural Assets</b> Rates – Compliance, where required either revenue, or expenditure, or both	Core, GRC	Outsource	Review each year on an area relating to council rates: <ul style="list-style-type: none"> <li>Environment Levy (\$12.6M) - FY2026</li> <li>Special and Heritage (\$3M) - FY2026</li> </ul>	30	FY27
25-alt	<b>Business Performance</b> <b>Built Infrastructure</b> Asset Management Discovery Project	Core, GRC	Internal	Project Health Check of the project reviewing the enterprise asset management process.	20	FY27
25-arlt	<b>Built Infrastructure</b> Paid parking or Carpark operations (e.g. Brisbane Road)	Core, GRC, SR1	Internal	Operations of the council carparks. Policy and procedures and operational controls in place and operating effectively. Revenue collection processes, etc Encompasses all paid parking machines. QAO has raised a deficiency, their review of the reconciliations between parking revenue (per the TechOne general ledger) and the parking meter management system identified unreconciled amounts.	35	FY27
25-alt	<b>Liveability &amp; Natural Assets</b> Waste management continuity of services	Core, GRC, SR1	Internal	Review adequacy of business continuity for waste services. Contract review and associated controls to ensure continuity of services	35	FY27
25-arlt	<b>Economic &amp; Community Development</b> Aquatic Centres	SR1, Core, GRC, Risk	Internal /Outsource	Lease management, asset management & safety aspects.	35	FY27
25-alt	<b>Customer &amp; Planning Services</b> Development Compliance	Core, Risk	Internal	Development Compliance communications, processes procedures, record keeping, response management, stakeholder engagement, KPIs, and closure criteria.	35	FY27

## Internal Audit FY2026 Program of Work

Ref	Review title	Key Input\$	Provider	Description	Work Days	Start Quarter
<b>Internal Audit - Control Environment Initiatives / Administrative Tasks</b>						
26-80	IA Quality Assurance and Continuous Improvement Program (QAIP)	Core	Internal	Independent assurance for compliance	10	1-4
26-81	Fraud Prevention/Control Program	Core	Internal	Support and advisory assistance.	10	1-4
26-82	Management Initiated Services	Core	Internal	Services provided or reviews undertaken by Internal Audit specifically at the request of management.	20	1-4
26-90	Audit Committee attendance, paper preparation, issues reporting & follow-up	Core	Internal		25	1-4
26-91	Preparation Planning for FY2025	Core	Internal		20	Q3-4
26-92	Quality Assurance Reviews	Core	Internal		10	Q1-4
	<b>Internal Audit Activities</b>			<b>Sub Total</b>	<b>95</b>	

## SUMMARY for FY2026

<b>FY2026 Reviews</b>	<b>210</b>	
<b>Internal Audit Activities</b>	<b>95</b>	
<b>Total for Year</b>	<b>355</b>	

## Internal Audit FY2026 Program of Work

### Resources available

The combined co-sourced IA function has the following resources available to deliver the reviews (total available time less estimated leave, training and other non-review time).

Resources	Days Planned	FY2026 Days Available
Estimated/Planned Work Effort in Days	355	
<i>A: Audit and Assurance – Internal Days</i>		251
<i>B: Internal Audit and Risk Service Provider – External Days<sup>++</sup></i>		85 <sup>&amp;&amp;</sup>
<b>Total Available Days = A + B</b>		336
<b>FY2026 Days Available</b>	336	336
<b>Additional Days Available (surplus)</b>	0	
<b>Additional Days Required<sup>\$\$</sup> (shortage)</b>	19	

<sup>++</sup> Service provider days based on average daily rate of \$1,500 approximately.

### Notes:

- If a management request is received or if a business change occurs during the year and IA assessment deems it to be required to be added to the Program; capacity will be reviewed, and a current review assessed as being of lower risk or importance will be substituted/replaced.
- <sup>++</sup> If additional external days were required would need budgetary approval
- <sup>\$\$</sup> Days required will be found within current available work-days and from savings (plus any under and over estimations)
- <sup>&&</sup> provided an estimated equivalent amount of work days (3 reviews by 25-28 days)

## Internal Audit FY2026 Program of Work

### 3-Year indicative audit program

Group	FY2026	FY2027	FY2028	FY2029
Council Wide	Compliance Chain of Responsibility (Heavy Vehicle National Law)	Rates Compliance - General Rates/ Arts & Heritage/Special Levies		Secondary Employment Policy and Compliance Review
Civic Governance				
	Account payable Supplier Arrangements (Procurement) i.e. Trade and General Maintenance Supplier arrangement		Useful asset lives & depreciation	Procurement Controls – end to end P-Card controls follow-up
Built Infrastructure	Tree Mgmt. review follow-up	Asset Management Discovery Project Paid parking/Parking Operations	Capitalisation of the road reseal program Asset handover and recognition of Constructed Assets (Capitalisation)	
Liveability & Natural Assets		Waste management continuity of services	Enterprise WHS Contractor Services - Safety Management System	
Economic and Community Development	Holiday Parks	Aquatic Centres		
Customer & Planning Services	Infrastructure charges	Development Compliance		Disaster Recovery and Business Continuity of DA computer system
External Support	Cherbourg Aboriginal Shire Council	Cherbourg Aboriginal Shire Council	Cherbourg Aboriginal Shire Council	Cherbourg Aboriginal Shire Council
Audit Activities & Control Environment Initiatives	As per program of work (time permitting)	As per program of work (time permitting)	As per program of work (time permitting)	As per program of work (time permitting)
	7 (other Reviews to be considered) Max = 6 to 8	7 (other Reviews to be considered) Max = 6 to 8	5 (other Reviews to be considered) Max = 6 to 8	5 (other Reviews to be considered) Max = 6 to 8

#### Legend: (Current Group)

LaNA = Liveability & Natural Assets  
ECD = Economic & Community Development  
SCC = Council Wide  
CG = Civic Governance

BI = Built Infrastructure  
BP = Business Performance  
CPS = Customer & Planning Services

**NOTE:** names will change post structural realignment

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## Internal Audit FY2026 Program of Work

### Strategic Risks

Strategic Risk (SR) Register	
SR Ref	Risk
1	Inability to achieve and maintain financially sustainable operations, asset management and service delivery to the community into the future
2	Inability to reduce emissions, adapt and respond to extreme weather conditions, climate impacts
3	Failure to provide and maintain infrastructure to agreed standards and to meet population growth
4	Failure to plan and manage the impacts of rapid population growth on livability and natural environment
5	Failure to deliver on key community and economic strategies and projects
6	Inadequate corporate governance and internal controls to support a culture that effectively manages fraud prevention or ethical conduct, compliance, and performance
7	Oversight in processes to ensure the safety and wellbeing of our community, staff and contractors that result in fatality, damages, and reputational loss
8	Culture not aligned to values which lead to inappropriate behaviours and adverse performance
9	Lack of preparedness for significant disruptions to the ability to service the needs of the community, including through an act of terrorism and or natural disasters/pandemics
10	Inability to maintain sufficient and ongoing protection against unauthorised or erroneous access to computer systems and data
11	Major projects fail to deliver desired outcomes and value for money due to oversight and capability

## Internal Audit FY2026 Program of Work

### Control Environment Initiatives:

We would like to begin to introduce a conceptual framework to enhance IA, its role, performance, and value to the business. The goal is to lift the impact and effect of IA on the business and establish a program of continuous improvement.

To achieve this, proposed initiatives for FY2025 are run alongside the Program of Work.

Time permitting these are the activities and initiatives that we would like to start and progress:

Initiative: <i>Led by Internal Audit</i>	Outputs/outcomes
Baseline controls education	<ul style="list-style-type: none"> <li>Series of training sessions with financial and other teams across council.</li> <li>Increased awareness of risk and controls and an improvement in the control environment (together with Risk Management Team)</li> </ul>
Connectivity with Executive	<ul style="list-style-type: none"> <li>Feedback to Internal Audit team on issues, challenges, concerns and areas where Internal Audit can assist the business</li> <li>Influence of Executive to seek Internal Audit opinion, views and audit</li> <li>Flexibility in Internal Audit Program demonstrated through changes made to respond to business needs</li> </ul>
Internal Audit methodology and reporting templates review	<ul style="list-style-type: none"> <li>Regular review and update for continuous improvement opportunities, resulting in more effective Internal Audit delivery</li> </ul>
Trend/maturity analysis	<ul style="list-style-type: none"> <li>Analysis of Internal Audit reports and other intelligence gained through interaction with the business, to identify themes and issues that require consideration by Internal Audit.</li> </ul>
Client satisfaction questionnaire (CSQ) feedback	<ul style="list-style-type: none"> <li>Feedback obtained from auditee/sponsor on Internal Audit reviews, summarised and considered by the Internal Audit team for action where required; reported to Audit Committee 6 monthly</li> </ul>
Develop assurance maps/audit universe	<ul style="list-style-type: none"> <li>Robust set of assurance maps for business units, providing effective overview of sources of assurance over key risks, controls, processes</li> </ul>
Auditors from the business	<ul style="list-style-type: none"> <li>Identified &amp; use guest auditors from the business in review teams</li> <li>Improved awareness of risks and controls within the business</li> </ul>
Controls self-assessment (CSA) process	<ul style="list-style-type: none"> <li>Introduce entry-level CSAs into selected areas of the business.</li> </ul>
Project implementation audit framework	<ul style="list-style-type: none"> <li>Develop as part of the Project/Program Management Framework</li> <li>Greater level of timely audit over key projects</li> </ul>
Develop partnership with our IARSPs	<ul style="list-style-type: none"> <li>Using our Internal Audit and Risk Service providers (IARSPs) to support IA services to the SCC</li> <li>Utilise IARSPs range of skills to extend the range of reviews IA</li> </ul>
Quality assurance of Audit engagements	<ul style="list-style-type: none"> <li>More robust application of internal audit methodology, higher quality delivery of results, compliance with good practice standards</li> </ul>

## Internal Audit FY2026 Program of Work

### FULL LIST OF INTERNAL AUDITS UNDER CONSIDERATION

Ref	Review title	Key Input#	Provider	Description	Days	Year
<b>Council Wide</b>						
	Leave and Allowance Recording and Processes	Core, GRC	Internal	Related to payroll review and work PEAK may be doing	40	FY26
	Gifts and Benefits policy and procedures	Core, GRC	Internal	To assess the design adequacy and operating effectiveness of key controls in relation to Gifts and Benefits policy and procedures	40	FY27
	Asset handover and recognition of Constructed Assets (Capitalisation)	SR11, SR1, Risk	Internal	Look at a completed major project/projects, asset handover process/commissioning, physical verification and reconciliation to Confirm and Financial Asset Register. Continued problems with accuracy and completeness of asset registers. Impact on financial sustainability	35	FY25
	Asset handover and recognition of Contributed Assets (Capitalisation)	SR11, SR1, Risk	Internal	Look at a completed major project/projects, asset handover process/commissioning, physical verification and reconciliation to Confirm and Financial Asset Register. Accuracy and completeness of asset register, financial sustainability	35	FY25
	Asset Management Discovery Project	Core, GRC	Internal	Project Health Check of the project reviewing the enterprise asset management process.	20	New
	Councillor discretionary spend	Core, GRC, Risk	Internal	Review policies, procedures, Allocation, usage and acquittal of this spend	30	New
	Compliance Chain of Responsibility (Heavy Vehicle National Law)	SR7, SOR, Risk	Internal /Co-source	Key areas: - Safety & Regulatory Compliance - Driver & Vehicle Safety, Training & Competency - Emergency Response Preparedness	30	
	Compliance with Electrical Safety testing	SOR, Risk	Internal /Co-source	Review of compliance, flagged to ELT. Changes to Community leases, and inspection/condition assessments. Key areas: - Legal and Regulatory Compliance, Risk - Workplace Safety - Equipment Reliability, Preventive Maintenance	30	FY28

## Internal Audit FY2026 Program of Work

Ref	Review title	Key Input	Provider	Description	Days	Year
<b>Built Infrastructure</b>						
	Tree Mgmt. review follow-up	SR6, SR7	Internal	Follow up the Tree management review (Dec 2022)	15	FY25
	Plant Hire Processes and procedures	GRC, Risk	Internal	. Provide assurance that processes, procedures, and controls surrounding Council plant hire.	30	FY27
	Other areas of Fleet Vehicle Processes and procures	Core, GRC, Risk	Internal	Review of SCC owned vehicle management (vehicle booking and return, logbook maintenance, compliance with policies, fuel card and general maintenance of vehicles). Operational items: driver training fatigue management and infringements.	35	FY27
	Carpark operations (e.g. Brisbane Road)	SR1, Core	Internal	Operations of the council car parks. Policy and procedures and operational controls in place and operating effectively. Revenue collection, etc	30	FY26
	Capitalisation of the road reseal program	SR11, SR1, Risk	Internal	Review completed projects, asset process, physical verification and reconciliation (accuracy & completeness) to Confirm and Financial Asset Registers. Impact on financial sustainability	35	FY28
	Paid parking	Core, GRC, SR1	Internal	Encompasses all paid parking machines. This includes machines that accept various payment methods (cash, cards, and mobile phone apps), their operational functionality, the backend systems that support these operations, and the reconciliation processes for financial transactions.  QAO has raised a deficiency, their review of the reconciliations between parking revenue (per the TechOne general ledger) and the parking meter management system identified unreconciled amounts. While management are aware of the reconciliation variances, the cause of the discrepancy is unknown.	40	New

## Internal Audit FY2026 Program of Work

Ref	Review title	Key Input#	Provider	Description	Days	Year
<b>Business Performance</b>						
	Payroll Process Audit	Core, GRC, SR1	Internal	May be a series of reviews? Can be a placeholder in case a review is required. May be useful to undertake a project health check on the HRIS replacement system. To assess the design adequacy and operating effectiveness of key controls in relation to Payroll To be defined based in conjunction with third Party reviews being undertake (i.e. PEAK)	60	FY24 FY25 FY26 FY27 FY28
	Procurement Controls – end to end	Core, GRC, SR1	Internal	Effectiveness of controls in managing procurement. Compliance with procurement policy (e.g. Vendor selection, shortlisting ad etc.) Follow on from past reviews to look at imbedding changes work.	45	FY28
	Useful asset lives & depreciation	Core, GRC, SR1	Internal	Review of recent exercise in Finance and asset custodians (depends on what QAO are doing)? Determine what QAO will look at to avoid duplication	40	FY26
	Facilities management <i>10 years since last audit</i>	Core, GRC, SR1	Internal	Facilities management helps ensure the functionality, comfort, safety and efficiency of buildings and grounds, infrastructure and real estate.	35	FY26
	Supplier Arrangements (Procurement) i.e. Trade and General Maintenance Supplier arrangement	Core, GRC, SR1	Internal	Procurement and contract management. Multiple panels of suppliers. To be discussed and scoped through discussion with Procurement Team	30	New
	Accounts payable	Core, GRC, SR1	Internal	Creditor payment system, creation and changes. May look at accuracy and reliability, compliance with regulations, fraud risk, etcetera.	30	New
	Payroll Discovery Project	Core, GRC	Internal	Project Health Check of the project, including HRIS system search	20	New
	Purchase-Card controls follow-up	Core, GRC	Internal	Review of the controls, policy, procedural changes resulting from the recent fraud.	20	New
	Business Performance – DIS Project Management Methodology & Delivery - (include OPEX Projects and Council Programs)	SR11, SR6, GRC	Internal	Management of projects is key to providing value for money and demonstrating sound stewardship in program delivery. The objective of the audit is to assess the effectiveness of the project management framework and controls to support the delivery of projects, including governance, risk and compliance with the policy and procedures.	35	

## Internal Audit FY2026 Program of Work

Ref	Review title	Key Input	Provider	Description	Days	Year
<b>Customer &amp; Planning Services</b>						
	Secondary Employment Policy and Compliance Review	Core, GRC	Internal	With tougher economic times staff are seeking secondary employment more often. COI and risks to business need to be assessed to support staff to economically	30	FY28
	Disaster Recovery and Business Continuity of DA computer system	Core, GRC, Risk	Internal	To assess the effectiveness and efficiency of systems, processes and controls surrounding the DA computer system. Requirements for high availability.	30	FY26
	Pest and Vector Management	Core, Risk	Internal	Mosquito and vermin control. Efficiency of program delivery, legislative compliance, safety and associated contract management activities.	35	FY27
	Development Compliance	Core, Risk	Internal	Development Compliance communications, processes procedures, record keeping, response management, stakeholder engagement, KPIs, and management criteria.	35	New
	Infrastructure charges	Core, GRC, SR1	Internal	Infrastructure charges are raised against development applications for the provision of trunk infrastructure which supports growth across large neighbourhoods and catchments specifically around transport, stormwater, park and community networks. Materiality of capital revenue (\$29M)	30	New

Ref	Review title	Key Input	Provider	Description	Days	Year
<b>Civic Governance</b>						
	Fraud and Corruption Control Self-Assessment			Determine the organisation's overall position in relation to fraud control and compliance with better practice and standards using the QAO's (Nov 2023) self-assessment tool.  New QAO tool developed to assess overall fraud control environment in Local Councils. Would be useful exercise for the new Manager Ethical Standards	30	FY??

## Internal Audit FY2026 Program of Work

Ref	Review title	Key Input	Provider	Description	Days	Year
<b>Liveability &amp; Natural Assets</b>						
	Waste management continuity of services	Core, GRC, SR1	Internal	Review adequacy of business continuity for waste services. Contract review and associated controls to ensure continuity of services	35	FY26
	Environmental/sustainability claims	SR2, Risk	TBC	Post-scoping exercise in FY2025. Challenge the commitments being made by management. Meeting the right protocols and adjusting those commitments as new protocols that are announced e.g. by the UN, or others. Check to see that progress and performance are being reported accurately and consistently internally, and that appropriate metrics are being fully, accurately and honestly reported externally with appropriate context.	30	FY??
	Capital projects management and contracting	SR11, SR1, Risk	Internal	Policy, procedure, criteria, and methodology used to manage and source contracts for major projects. The objective of the audit is to assess the effectiveness of the project management framework and controls to support the delivery of projects, including governance, risk and compliance with the policy and procedures.	35	FY??
	Capital Works Prioritisation Methodology	SR1, SR11, Risk	Internal /Co-source	Criteria and methodology used to identify and prioritise major projects into the capital works program. High \$s and efficacy issues. Deferred in 2022 by Mgt	30	FY??
	Waste recycling	SR2, Risk	TBC	Elements of procurement and contract management and performance (WH&S?) Not reviewed in over 10 years, sustainability is a strategic objective. QAO performance audit.	35	FY28
	WHS Contractor Services - Safety Management System (based on FY25 audit work, this should become a Health Check)	SR7, SOR, Risk	Internal /Co-source	Project Health Check of the roll-out or post-implementation review of the new Contractor Safety Management System. Provide assurance that processes, procedures, and controls surrounding Council WHS program are in place and operating with evidence contractors. How does contractor acquit their WHS to Council	20	New
	Waste Contract Evaluation & Tender Award	SOR, Risk	Internal /Co-source	Waste Collection Contract - Evaluation and award of tender in accordance	30	FY27

## Internal Audit FY2026 Program of Work

Ref	Review title	Key Input	Provider	Description	Days	Year
<b>Economic and Community Development</b>						
	Review of HORIZON Festival	Core, GRC	Internal	<p>Provide assurance that processes, procedures and controls surrounding the program are in place and operating.</p> <p>Ranges of areas could be cover:</p> <ul style="list-style-type: none"> <li>• Procurement</li> <li>• Contracts</li> <li>• Venues</li> <li>• Security and WHS</li> <li>• Revenue and Accounting Controls... Etc.</li> </ul>	35	FY??
	Staff Retention	Core, GRC	Internal	Framework to improve Staff Retention is operational and working effectively	30	FY27
	Aquatic Centres	SR1, Core, GRC, Risk	Internal	Lease management, asset management and safety aspects.	40	FY26
	Holiday Parks	SR1, Core, GRC, Risk	Internal	<p>Holiday parks are managed under separate management agreements and earn commission on revenue collected.</p> <p>Materiality of revenue (\$20M+)</p>	45	New



## Internal Audit FY2026 Program of Work

### FY2025 YEAR's RESULT

Ref	Review title / Description	Key Input#	Provider	Group	Comment
COMPLETED 2024-2025 Reviews					
24-03	<b>RPEQ review</b> / Assess that the Sunshine Coast Council has the key components, obligations, regulations, and requirements of a framework governing engineering practices	SR3/ SR6	Minter Ellison	Council wide	Stage 2 reporting underway. Will be complete by 30 June.
24-05	<b>Council Wide Contract management</b> / Key controls and processes are working to ensure appropriate and compliant contract management. Plus, Contract delegations	SR3 SR6 SR9 Core	Internal	Council wide	COMPLETED
25-01	<b>Rates</b> / Transport Levy - Compliance with levy requirements, where required revenue, expenditure, or both.	GRC, Risk	BDO	BP	COMPLETED
25-02	<b>External - Cherbourg Aboriginal Shire Council / AUDIT REVIEW 2025</b>	CEO	Internal	External Council	COMPLETED
25-03	<b>Environmental/sustainability claims</b> / <u>Scoping exercise</u> looking at reporting and measurement criteria frameworks.	SR2, Risk	Internal	Council wide	Will be complete by 30 June.
24-05	<b>Capital Works Program Development</b> / To be scoped with management input. Key areas: - Model Check / Case Study - Evaluation Check - Methodology and Business Case process - Prioritisation	SR1, SR11, Risk	External	LaNA	Will be complete by 30 June.
25-08	<b>Cash Handling Review</b> / cash handling activities within the three Customer Contact Centres in the Customer Response Branch. To ensure all cash is accounted for and banked intact, etc.	SR6, SR7	Internal	CPS	COMPLETED
25-09	<b>Grants review</b> / Review Grant processes and acquittals. Follow-up of CCC review recommendations	SR5, GRC	Internal	ECD	COMPLETED
25-09	<b>Sponsorships review</b> / Review Sponsorship processes and acquittals.	SR5, GRC	Internal	ECD	Will be complete by 30 June.
25-10	<b>Compliance Chain of Responsibility (Heavy Vehicle National Law)</b> / Key areas: - Safety & Regulatory Compliance: - Driver & Vehicle Safety, Training & Competency: - Emergency Response Preparedness	SR7, SOR, Risk	Internal	BI	Will be started by 30 June. And completed in early FY2026
25-11	<b>DIS Project Management Methodology &amp; Delivery</b> / Assess the effectiveness of the project management framework and controls to support the delivery of projects, including governance, risk and compliance with the policy and procedures	SR11, SR6, GRC	Internal	BP	May not have time to complete, may need to be DEFERRED.

## Internal Audit FY2026 Program of Work

### REMOVED – FY2025

Ref	Review title / Description	Key Input#	Provider	Group	Comment
24-09	Asset management process and systems Follow along the project for Asset Management Transformation.	SR1/ SR3/ SR6/ PPR	Internal	BI	Superseded by Asset Management Program Review currently underway
25-04	Payroll Audit / placeholder if needed to assess the design adequacy and operating effectiveness of key controls in relation to Payroll. May be a follow-up review of prior audits	SR6/ Core, SOR	Internal/ Co-source	BP	Was a placeholder audit. Given Payroll Discovery Project, with possible changes it would be better to review after implementation.

### DEFERRED – FY2025

Ref	Review title / Description	Key Input#	Provider	Group	Comment
24-08	Tree Management Follow-up / Follow up to the Tree management review in December 2022	SR6/ SR7	Internal	BI	Deferred until June 2025. Review will start in FY26 to allow Parks & Gardens to complete work as scheduled for 30 June 2025
25-06	Asset handover and recognition of Constructed/Contributed Assets (Capitalisation) / Look at a completed major project/projects, asset handover process/commissioning, physical verification, and reconciliation to Confirm and Financial Asset Register	SR11, SR1, Risk	Internal	LaNA/BI	Management review currently underway will define new process and procedures. It would be better to review them after they have been implemented. Will review need to undertake an audit.
25-07	WHS of Contractor Services / Provide assurance that processes, procedures, and controls surrounding Council WHS program are in place and operating with evidence contractors	SR7, SOR, Risk	Internal/ Co-source	LaNA	Review covered by work during Contract Management review - reviewed WHS advisor's work, Contractor's SMS pilot work and contract management of Contractor WHS. Maybe undertake a Project Health Check of pilot and rollout.



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**8.8 DISPOSAL OF MULTIPLE LEASE LOTS - CALOUNDRA AEROSPACE PARK****File No:** F2024/42266**Author:** Senior Property Officer  
Business Performance Group**Attachments:** Att 1 - Proposed Lease Lots - Caloundra Aerospace Park .. 311  

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**PURPOSE**

To seek Council's resolution to grant an exception under Section 236(1)(e) and (2) of the *Local Government Regulation 2012* to dispose of land (via lease) by releasing several lease lots located at Caloundra Aerodrome, legally described as Lot 1 on SP312324 on the open market.

**EXECUTIVE SUMMARY**

The report seeks Council's resolution to grant an exception under Section 236(1)(e) and (2) of the *Local Government Regulation 2012* to allow Council to dispose of land via open market negotiations, rather than undertaking a second tender to release any remaining lease lots not secured during the tender process. The subject land comprises of approximately six (6) hectares and is located with the Caloundra Aerodrome, as shown in **Attachment 1 - Proposed Lease Lots**.

Sunshine Coast Council endorsed the Caloundra Aerodrome Master Plan 2042 in November 2022. Stage 1 of the Master Plan identifies the potential for the release of approximately 6.3 ha of net leasable land, through an extension of Pathfinder Drive, to support growth of existing businesses and to encourage new investment for businesses compatible with the aeronautical industry.

Council released to the market (late 2024) the opportunity to lease proposed new lots at the aerodrome via a tender process. The tender closed 12 November 2024 with the evaluation process having concluded. Negotiations are continuing with a number of shortlisted respondents on certain lots.

To ensure momentum following the release of the tender, Council approval is sought to:

- Obtain an exception to release any remaining lease lots on the open market for private treaty transaction, rather than conducting another tender.
- Appoint a Leasing and Marketing Agent.
- Secure offers from prospective tenants that meet Council's expectations for use/activation, market rent requirements, and compliance with Council's legislative requirements.

An exception is requested because the lots have been offered to the market via public tender. Allowing for open market negotiations will enable Council to be dynamic, actively negotiate interests, and be more time-competitive with the sites that may not be secured through the tender process.

**OFFICER RECOMMENDATION**

**That Council:**

- (a) receive and note the report titled “Disposal of Multiple Lease Lots - Caloundra Aerospace Park” and**
- (b) subject to any lots not being secured as part of the tender/negotiation process which closed 12 November 2024:**
  - (i) appoint a real estate agency to market the lease lots on the open market seeking a private treaty agreement provided that:**
    - (1) it complies with Section 236 of the *Local Government Regulation 2012* and**
    - (2) the consideration for the disposal is equal to or greater than the market value of the interest in land and**
  - (ii) resolve, pursuant to Section 236(1)(e) and (2) of the *Local Government Regulation 2012* that an exception to dispose of an interest (lease) in land located at Caloundra Aerospace Park located at 14 Caloundra Road, Caloundra West applies over any remaining lots as the lots have been offered to the market via public tender.**

**FINANCE AND RESOURCING**

Council will be required to pay for advertising costs for the leasing campaign and for commission fees to the real estate agent upon securing tenants to the Aerospace Park.

In addition, Council will be responsible for the design and construction of the infrastructure works associated with creating the lots. A capital budget has been prepared for the planning and investment required to achieve Council’s aspirations for this site as an important economic asset for the region.

Consultants have been engaged to finalise a design of the extension of Pathfinder Road and the creation of the new lots with anticipation of the construction to commence early 2026.

Council’s contribution towards the investment and the uplift in rental revenue will also contribute to the longevity of the project. The rent payable will be equal to or above that of the market value of the interest in land which will be determined by an independent registered valuer pursuant to Section 236(3) and 236(5) of the *Local Government Regulation 2012*.

**CORPORATE PLAN**

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

**Outcome:**

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

**CONSULTATION****Councillor Consultation**

- Councillor J Broderick - Division 1 Councillor
- Councillor T Landsberg - Division 2 Councillor
- Councillor W Johnston - Service Excellence Portfolio Councillor
- Councillor C Dickson - Service Excellence Portfolio Councillor

**Internal Consultation**

- Group Executive Business Performance
- Head of Property, Business Performance
- Building and Facilities Manager, Business Performance
- Manager of Leasing & Land Management, Business Performance
- Coordinator Strategic Property, Business Performance
- Senior Property Officer, Business Performance
- Coordinator Financial Services, Business Performance
- Manager Business and Innovation, Business Performance
- Coordinator Strategic Procurement and Commercial Opportunities, Business Performance
- Civil Program Delivery Manager, Liveability & Natural Assets
- Project Manager, Liveability & Natural Assets
- Senior Solicitor Property & Commercial, Civic Governance
- Head of Productivity and Industry, Economic & Community Development.

**External Consultation**

Council engaged a marketing agency to oversee and execute the marketing campaign for the tender release.

Premise - Civil Engineers have been engaged to prepare the design of the project.

Adams & Sparkes Town Planning have been engaged for services in relation to the reconfiguration of lot process to create the new lease lots.

**Community Engagement**

Community engagement was undertaken as part of the preparation of the Caloundra Aerodrome Master Plan 2024.

MacNeil and Co were engaged to undertake a marketing and engagement campaign for the aerodrome tender release which include online and radio advertising.

No specific community engagement has been undertaken for this report.

**PROPOSAL**

The Caloundra Aerodrome is located at 14 Caloundra Road Caloundra West and is legally described as Lot 1 SP312324, it is freehold land owned by Council.

The subject area is expected to become a precinct of choice for advanced aerospace and associated manufacturing activities delivery cutting edge, sophisticated and sustainable opportunities of significance to the Southeast Queensland aviation and aerospace industry.

Consultants have been engaged to finalise a design of the extension of Pathfinder Road and the creation of the new lease lots with anticipation of the construction to commence early 2026. Refer **Attachment 1 - Proposed Lease Lots**. The lot sizing and quantity may change slightly as design progresses.

The land release forms an integral part of the Master Plan 2042 where Council will optimise and develop the site. The release of the land will support and facilitate growth aspirations of the existing aviation related tourism, manufacturing, and technology development industries.

Council has offered the lots to the market via a public tender process. The intent of the public tender was to:

- seek commercial aviation-related businesses to express an interest to secure a site to construct, occupy and operate their business from the aerodrome; and to
- ensure Council complies with its legislative requirements under the *Local Government Regulation 2012*.

The tender closed 12 November 2024, with a number of negotiations continuing with shortlisted respondents on certain proposed lots, but other proposed lots remain available. Where a tender results in unsuccessful outcomes, it is considered appropriate to release the opportunity on the open market via Council's appointed commercial real estate and marketing agent. Council can enter into leases over the land via a private treaty arrangement under Section 236 of the *Local Government Regulation 2012* in the event that:

- the opportunity has been released via public tender; and
- no successful or suitable respondents resulted from the evaluations or negotiations.

To allow Council to enter into a lease via private treaty, Council is required to grant an exception under Section 236 of the *Local Government Regulation 2012* which provides that disposal, other than by public tender or auction, may occur if an exception applies. An exception is permitted where it relates to an application where the grant of the lease has been previously offered by public tender, but a lease has not been entered into.

To ensure that Council has explored every opportunity to secure leases for the entire precinct, an exception is being sought to commence an open market campaign for any lots not yet secured.

To ensure the disposal complies with Sections 236(3) and (5) of the *Local Government Regulation 2012* a market rental assessment will be undertaken to ensure that it is:

- assessed by a registered Valuer who is not an employee of the local government registered under the *valuers Registration Act 1992* and
- the face rent will be set at or above the market valuation as determined by the registered Valuer.

An exception under the *Local Government Regulation 2012* is deemed applicable and appropriate in this instance as the lots have been offered via a public tender and negotiations continue with shortlisted respondents. However, in the event no leases are secured via the tender process, leasing these sites on the open market, and entering into a private treaty agreement is expected to have the following benefits:

- expected to reduce the timeframe to obtain a tenant as opposed to releasing a further public tender
- takes advantage of any momentum and marketing materials provided by the marketing agency
- commercial operators are more familiar with the offer and acceptance process
- allows the Council with the opportunity to negotiate and counter-offer with prospective tenants as well as engage during the offer process

### **Legal**

Legal Services have been consulted in relation to this report and have undertaken a review of the proposed template Agreement for Lease and Lease Agreement.

### **Policy**

This report has been prepared in accordance with Council's Procurement Policy relating to the disposal of Council assets.

### **Risk**

Financial loss could result if Council invests capital funds into the project, such as planning and preliminary works without securing tenants.

Reputational risk could result if Council fails to deliver on a promised project harming the Council's reputation, adversely affecting relationships with clients, stakeholders and the community.

### **Previous Council Resolution**

#### **Ordinary Meeting 17 November 2022 (OM22/102)**

*That Council:*

- (a) *receive and note the report titled "Caloundra Aerodrome Master Plan"*
- (b) *endorse the Caloundra Aerodrome Master Plan 2042 (Appendix A) and*
- (c) *refer the Infrastructure Investment Plan for consideration as part of the next budget development process.*

### **Related Documentation**

Caloundra Aerodrome Master Plan 2042

### **Critical Dates**

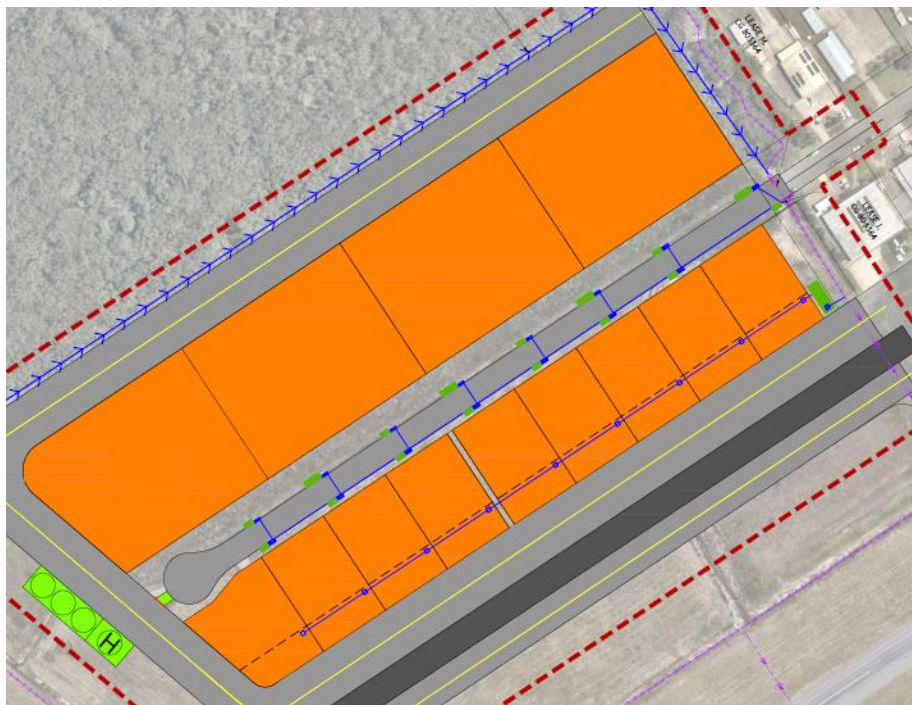
While there are no critical dates, obtaining an exception will help maintain momentum in securing prospective tenants. This will allow Council to enter into leases over any remaining sites via private treaty arrangements.



**Implementation**





Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will delegate authority to Strategic Property to engage a real estate agent to release multiple lease lots on the open market to secure tenants via this means; execute lease agreements (by Council's delegated officer) and register the lease agreements with Titles Queensland.

**Attachment 1 - Proposed Lease Lots - Caloundra Aerospace Park**



*Indicative Plan - subject to change*



8.9	DISPOSAL (LEASE): THE PAVILION - 37 ESPLANADE HEADLAND KINGS BEACH
File No:	F15/00129
Author:	Senior Property Officer Business Performance Group
Attachments:	Att 1 - Aerial Plan ..... 317   Att 2 - Survey Plan - Leased Area..... 319   Att 3 - Proposed Terms (Under Separate Cover) - Confidential

PURPOSE

To seek Council’s resolution to grant an exception under Section 236 of the *Local Government Regulation 2012*, and to enter into a new Trustee Lease with Metropolitan Caloundra Surf Life Saving Club (Tenant) to dispose of part of land (via lease).

EXECUTIVE SUMMARY

This report seeks Council’s resolution to grant an exception from the auction/tender process under Section 236(1)(c)(iii) of the *Local Government Regulation 2012* to dispose of land (via lease) by entering into a direct lease with Metropolitan Caloundra Surf Life Saving Club over part of 37 the Esplanade Kings Beach, legally described as Lot 202 SP249722.

The land at Lot 202 SP249722 Kings Beach is State Reserve for Park and Recreation under control of Council as Trustee.

The Tenant occupies premises of approximately 158m<sup>2</sup>, which consists of 92m<sup>2</sup> internal space and 66m<sup>2</sup> for outdoor dining, as reflected on **Attachment 2** under a lease which expired on 31 December 2024. The Tenant has continued to occupy the premises under a Trustee Permit under similar terms to the expired Trustee Lease but with a Permit Fee in alignment with the rent as agreed in **Proposed Terms (Attachment 3)**.

In preparing this report, the Chief Executive Officer recommends that **Attachment 3** be considered confidential in accordance with section 254J(3)(g) of the *Local Government Regulation 2012* as it contains information relating to negotiations relating to a commercial matter involving the Local Government for which a public discussion would likely prejudice the interests of the local government and recognising that, until Council makes a decision and the lease is executed, the lease has no certainty.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Disposal (Lease): The Pavilion - 37 Esplanade Headland Kings Beach ”
- (b) resolve that in accordance with Section 236(2) of the *Local Government Regulation 2012*, that an exception to dispose of an interest in land (lease) other than by tender or auction applies as per section 236(1)(c) (iii) the Metropolitan Caloundra Surf Life Saving Club Incorporated is the existing tenant of part of the land at 37 Esplanade Headland Kings Beach and

- (c) **authorise the Chief Executive Officer to publicly release details relating to the Trustee Lease upon execution of the Lease.**

## FINANCE AND RESOURCING

Each party will be responsible for bearing its own costs associated with the drafting, negotiation, and registration of the new trustee lease.

The proposed commercial lease terms are contained within confidential **Attachment 3**.

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

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

**Operational Activity:** S22 - Property management – comprehensive management of Council's land and building assets to ensure that Council's property dealings are optimised, centrally managed, and support Councils objectives.

## CONSULTATION

### Councillor Consultation

- Councillor T Landsberg - Division 2 Councillor
- Councillor W Johnston - Service Excellence Portfolio Councillor
- Councillor C Dickson - Service Excellence Portfolio Councillor

### Internal Consultation

- Group Executive Business Performance
- Head of Property, Business Performance
- Coordinator Strategic Property, Business Performance
- Legal Services, Civic Governance

### External Consultation

Council's Property Management Branch has liaised with the Tenant in relation to this report. Herron Todd White were engaged to undertake a market rent valuation.

### Community Engagement

Due to the administrative nature of this report, no community engagement has been undertaken or is required in relation to this report.

## PROPOSAL

The land subject to this lease is State Reserve under the control of Council as Trustee for the purpose of Park and Recreation. The premises is referred to as the Pavilion Kiosk as its located within the Kings Beach Bathing Pavilion adjacent to the Kings Beach Surf Club and ocean pool. The Kings Beach Bathing Pavilion is listed on the Queensland Heritage register.

The Tenant has operated out of the existing premises on a Community Trustee Lease since 1 January 2015 which expired on 31 December 2024. As a commercial café is operated from

the premises, a Permit Fee (set in alignment with a market rent) commenced from 1 January 2025, as agreed with the Tenant, whilst a new term was negotiated.

A review of the Tenant's performance under the current lease has been undertaken. They are in good standing and compliant with the essential terms of agreement including being up to date with payments. The Tenant's operations have not negatively impacted the utilisation of the remainder of the Council managed land which is occupied for the Surf Club and other community facilities. The Kiosk has complimented the existing site and provides additional retail offerings.

On this basis that there is broad support within the organisation, it is recommended that Council enter into a new Trustee Lease for a period of five (5) years with the current tenant by granting an exception as the current tenant has an already established operation on the land.

On the basis above, Council is of the opinion that the proposed terms are sufficient to support entering into a lease to the current lessee rather than opening submissions via tender or auction.

In accordance with the *Local Government Regulation 2012*, an exception from Council is required where Council seeks to enter into a new commercial lease with the existing tenant of the land (other than by tender or auction). If an exception is not approved, the premises will be offered for lease via a tender process.

### **Legal**

Council's Legal Services have been consulted in relation to the preparation of the Term Sheet and lease documentation.

### **Policy**

This report has been prepared in accordance with Council's Procurement Policy relating to the disposal of Council assets.

### **Risk**

Council is proposing to enter into a new lease with the current tenant by requesting that Council grant an exception under the *Local Government Regulation 2012*.

Council's position is that the proposed terms and conditions identified in **Attachment 3** are sufficient to warrant an exception under the legislation.

If an exception is not approved by Council there is an inherent risk that Council would:

- not be able to secure an improved offer via tender, and
- not be able to avoid an unnecessary period of vacancy and loss of revenue transitioning between tenants.

### **Previous Council Resolution**

There is no previous Council resolution relevant to this report.

### **Related Documentation**

There is no related documentation relevant to this report.

**Critical Dates**

The previous lease expired 31 December 2024. An interim Permit has been executed in accordance with the Offer to Lease, and this permit is due to expire 31 December 2025.

**Implementation**

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will:

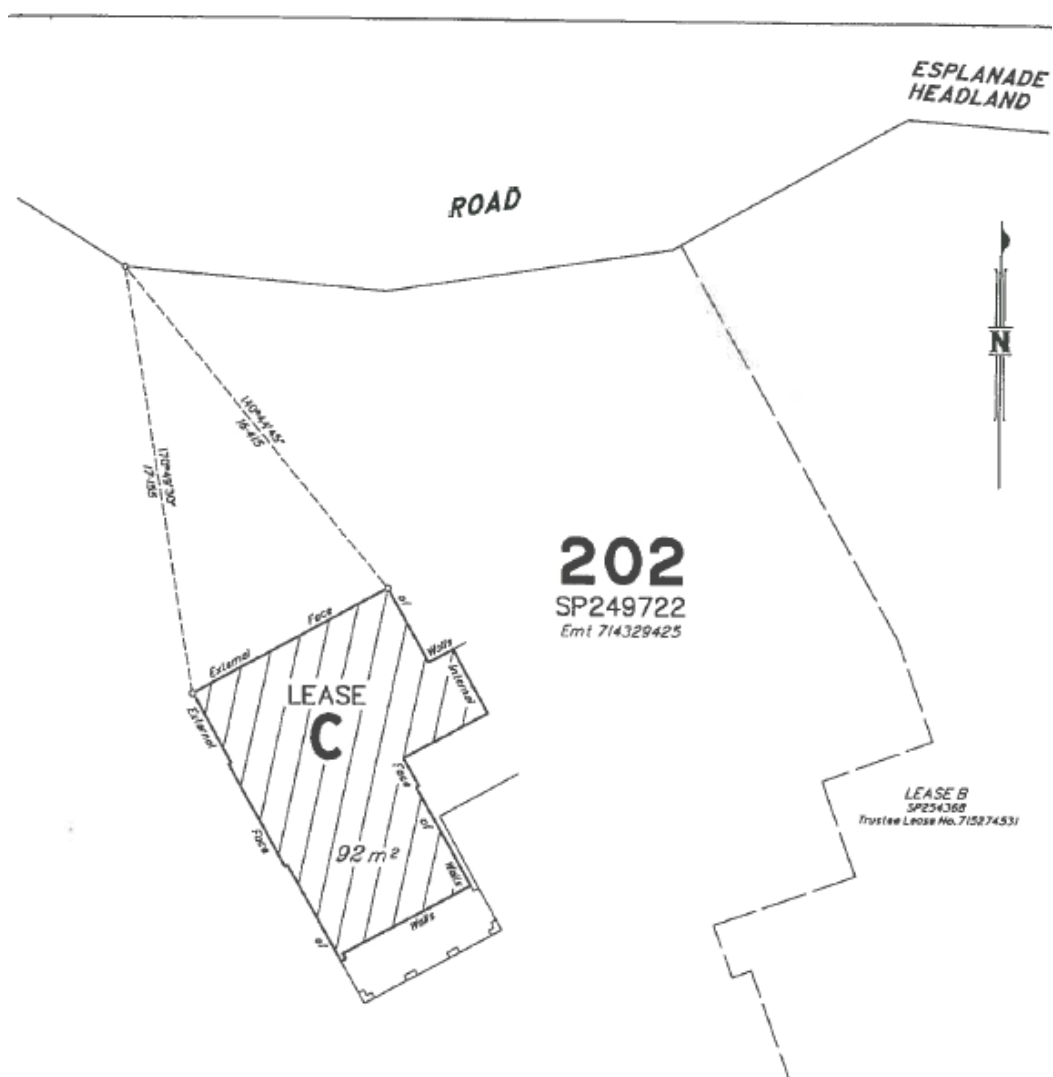
- request the officers prepare the Form 7 - Lease Documentation for execution by the Tenant and
- Councils delegated officer will arrange for the registration of this documentation at the Titles Office.







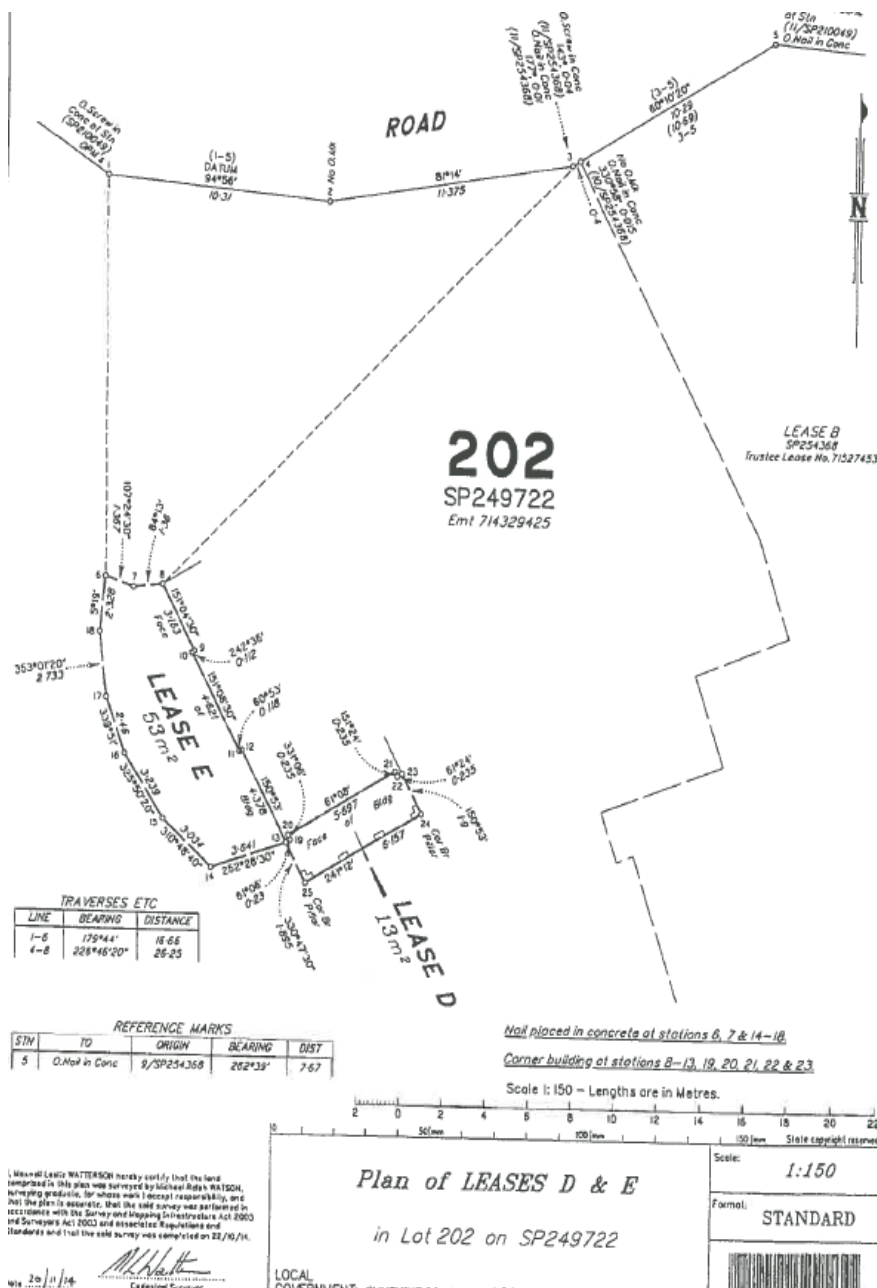




PLAN FOR LEASE PURPOSES

PLAN OF LEASE C  
BEING PART OF THE GROUND  
FLOOR OF A SINGLE STOREY BUILDING  
SITUATED ON LOT 202 ON SP249722  
TITLE REFERENCE - 49003003

The area shown hatched is the area  
referred to in the Lease Documents.



**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 24 July 2025.

**13 MEETING CLOSURE**