

# Agenda

## **Ordinary Meeting**

**Thursday, 15 February 2024**

**commencing at 9:00am**

**Sunshine Coast City Hall Chamber, 54 First Avenue, Maroochydore**





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**ORDINARY MEETING**

**NOTICE**

2 February 2024

Dear Councillors, Group Executives and relevant staff,

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

**15 February 2024**

**commencing at 9.00am.**

A handwritten signature in black ink, appearing to read "Bill Hadrill", is positioned above the printed name.

**Bill Hadrill | Acting Chief Executive Officer**

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**1 DECLARATION OF OPENING**

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

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

That the Minutes of the Ordinary Meeting held on 18 January 2024 be received and confirmed.

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

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

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

**6.2 DECLARABLE CONFLICTS OF INTEREST**

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

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

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

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

**7 PRESENTATIONS / COUNCILLOR REPORTS**







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## 8 REPORTS DIRECT TO COUNCIL

### 8.1 QUARTERLY PROGRESS REPORT - QUARTER 2 2023/24

**File No:** Council Meetings

**Author:** Manager, Strategy and Policy  
Civic Governance

**Appendices:** App A - Chief Executive Officer's Quarterly Highlights Report  
Quarter 2, 2023/24 ..... 15    
App B - Operational Plan Activities Report Quarter 2, 2023/2443   


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### PURPOSE

This report presents the Progress Report for Quarter 2 of 2023/24. The report covers the period 1 October to 31 December 2023 and seeks to inform Council and the community on the progress of the implementation of activities, significant projects and service highlights from Council's Operational Plan 2023/24.

The matters which are the substance of this report and the recommendations in this report do not constitute a major policy decision as prescribed under section 90B of the *Local Government Act 2009*. Accordingly, Council may proceed to consider and deliberate on this report during the local government caretaker period.

### EXECUTIVE SUMMARY

Each quarter, Council receives a progress report on the delivery of the Operational Plan 2023/24. The report is published and made available to the community.

The report comprises:

- Appendix A – Chief Executive Officer's Quarterly Highlights Report Quarter 2 of 2023/24
- Appendix B – Operational Plan Activities Report Quarter 2 of 2023/24.

Council's Operational Plan 2023/24 outlines 87 activities to be delivered over the financial year to advance Council's vision for the region as Australia's most sustainable region. Healthy. Smart. Creative.

Below are some key highlights achieved throughout Quarter 2 of 2023/24:

#### Our Strong Community

- The Sunshine Coast All Abilities Action Plan 2024-2028 was adopted by Council in November 2023 and outlines the actions Council will undertake over the next five years to improve inclusion for people with a disability.
- More than \$1.3 million in community grants were allocated to 428 applications to support grassroots community organisations and groups deliver a wide range of outcomes for the region.
- Council completed the \$3.7 million roof replacement at the Caloundra Indoor Sports Stadium, which included the addition of 150 kilowatt solar panels, progressing Council's sustainability objectives.

**Our Environment and Liveability**

- The Environment and Liveability Strategy (2023 refresh) was adopted by Council in October 2023 to incorporate new information and strengthen the strategic foundation already established by Council and its partners.
- The proposed new Sunshine Coast Planning Scheme was formally submitted to the Queensland Government for first State Interest Review in December 2023, a key milestone in the planning scheme development process.
- The Sunshine Coast Resource Recovery Strategy 2023 was adopted in November 2023 to align with Australian and Queensland Government waste reduction targets.

**Our Resilient Economy**

- The Sunshine Coast Regional Economic Development Strategy 2013-2033 (2023 refresh) was adopted at Council's Ordinary Meeting in October 2023.
- \$12.5 million in economic activity for the region was generated from 17 Sunshine Coast major events with 23,985 guests attending.
- 3075 Sunshine Coast businesses accessed specialist advice, information, workshops and events that support economic development in the region.

**Our Service Excellence**

- \$6.1 million was invested into our local road network to rehabilitate and resurface 26 kilometres of road for the safety of our community (total area 146,972m<sup>2</sup>).
- Stages 2 and 3 of the Mooloolaba Transport Corridor Upgrade project were completed, which expanded Brisbane Road from two to four lanes, upgraded signalised intersections, included the new Mayes Canal Bridge, new pedestrian pathways and a feature timber boardwalk for pedestrians and cyclists.
- Council officially opened the new eight-story PARKnGO facility located at 4 Lightning Lane in the Maroochydore City Centre, accommodating close to 300 parking spaces, six accessible parking spaces, 39 motorcycle spaces and 28 bikes.

**Our Outstanding Organisation**

- Council received an unmodified audit opinion from the Queensland Audit Office for the fifteenth consecutive year Council's financial statements are a true indication of our results.
- Council's revised Policy Framework was endorsed in October 2023, placing a stronger emphasis on evidence-based policy development, best practice and a clearer alignment with the organisation's values.
- Council's Corporate Plan 2024-2028 was adopted in December 2023 to ensure it remains responsive to changes in the operating environment and aligned to the strategic directions and priorities in the refreshed regional strategies.



**OFFICER RECOMMENDATION**

That Council:

- (a) receive and note the report titled “Quarterly Progress Report - Quarter 2 2023/24”
- (b) receive and note the Chief Executive Officer’s Quarterly Highlights Report – Quarter 2 2023/24 (Appendix A) and
- (c) receive and note the Operational Plan Activities Report – Quarter 2 2023/24 (Appendix B) reporting on implementation of the Corporate and Operational Plans.

**FINANCE AND RESOURCING**

This report is developed and funded within the current operational budget to provide an update on the progress towards delivery of the operational plan activities. Detailed Financial Performance Reports are provided to Council each month covering operating revenue and expenses as well as progress on the capital works program.

**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**

This report has been discussed with Councillor J Natoli and Councillor E Hungerford as Portfolio Councillors for Our Outstanding Organisation.

**Internal Consultation**

Consultation has occurred with relevant Coordinators, Managers and each Group Executive to inform the preparation of this report.

This is a whole of Council report and consultation involves all Groups of Council:

- Built Infrastructure Group
- Business Performance Group
- Civic Governance Group
- Customer and Planning Services Group
- Economic and Community Development Group
- Liveability and Natural Assets Group.

**External Consultation**

There has been no external consultation in relation to this report, but many of the activities highlighted in the report involve consultation with elements of the community.

**Community Engagement**

There has been no community engagement in relation to this report although community engagement has been an inherent part of progressing many of the activities in this report.

## PROPOSAL

Under section 174(3) of the *Local Government Regulation 2012*, the Chief Executive Officer is required to provide a regular report to a Council meeting outlining the progress in delivering its operational plan activities.

### Progress report

The Chief Executive Officer's Quarterly Highlights Report – Quarter 2, 2023/24 (**Appendix A**) consists of a summary of achievements under each of the Corporate Plan goals, as reflected in the structure of Council's Operational Plan 2023/24.

Operational Plan Activities Report - Quarter 2 of 2023/24 (**Appendix B**) provides details on the implementation of the 87 activities outlined in Council's Operational Plan 2023/24. It includes the status of each activity including percentage complete, on time and on budget indicators as well as progress commentary.

## Legal

This report has been prepared in response to the requirements of section 174(3) of the *Local Government Regulation 2012*.

## Policy

The presentation of this report in itself, is not inconsistent with any adopted Council policies. The quarterly progress report is, however, a component of Council's Integrated Planning and Performance Framework.

## Risk

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

- reputation/public image: the report provides information on Council's operational plan and service delivery with both qualitative and quantitative updates to the community
- legislative: the report seeks to fulfill the legislative requirements of the *Local Government Act 2009* and the *Local Government Regulation 2012* and
- business activity: the report keeps Council informed on the progress of the operational plan activities and risk associated with their budget and schedule.

## Previous Council Resolution

### Ordinary Meeting 16 November 2023 (OM23/130)

*That Council:*

- receive and note the report titled "Quarterly Progress Report - Quarter 1, 2023/24"*
- receive and note the Chief Executive Officer's Quarterly Highlights Report – Quarter 1 2023/24 (Appendix A), and*
- receive and note the Operational Plan Activities Report – Quarter 1, 2023/24 (Appendix B) reporting on implementation of the Corporate and Operational Plans.*

### Special Meeting 22 June 2023 (SM23/1)

*That Council:*

- receive and note the report titled "**Operational Plan 2023/24**"*
- adopt the Operational Plan 2023/24 (Appendix A) and*

- (c) *authorise the Chief Executive Officer to make minor administrative amendments to the Operational Plan 2023/24 (if required) prior to publication.*

**Related Documentation**

- Corporate Plan 2023-2027
- Operational Plan 2023/24
- Financial information provided to Council in the Financial and Capital management report.

**Critical Dates**

Quarterly Progress reports are usually presented to Council within eight weeks of the end of the calendar quarter, subject to the scheduled meeting cycle. The *Local Government Regulation 2012* requires the report to be presented to Council at intervals of not more than three months.

**Implementation**

Should the recommendation be accepted by Council, the report will be published and available for community access via Council's website and a digital copy will be provided to the State Library of Queensland.



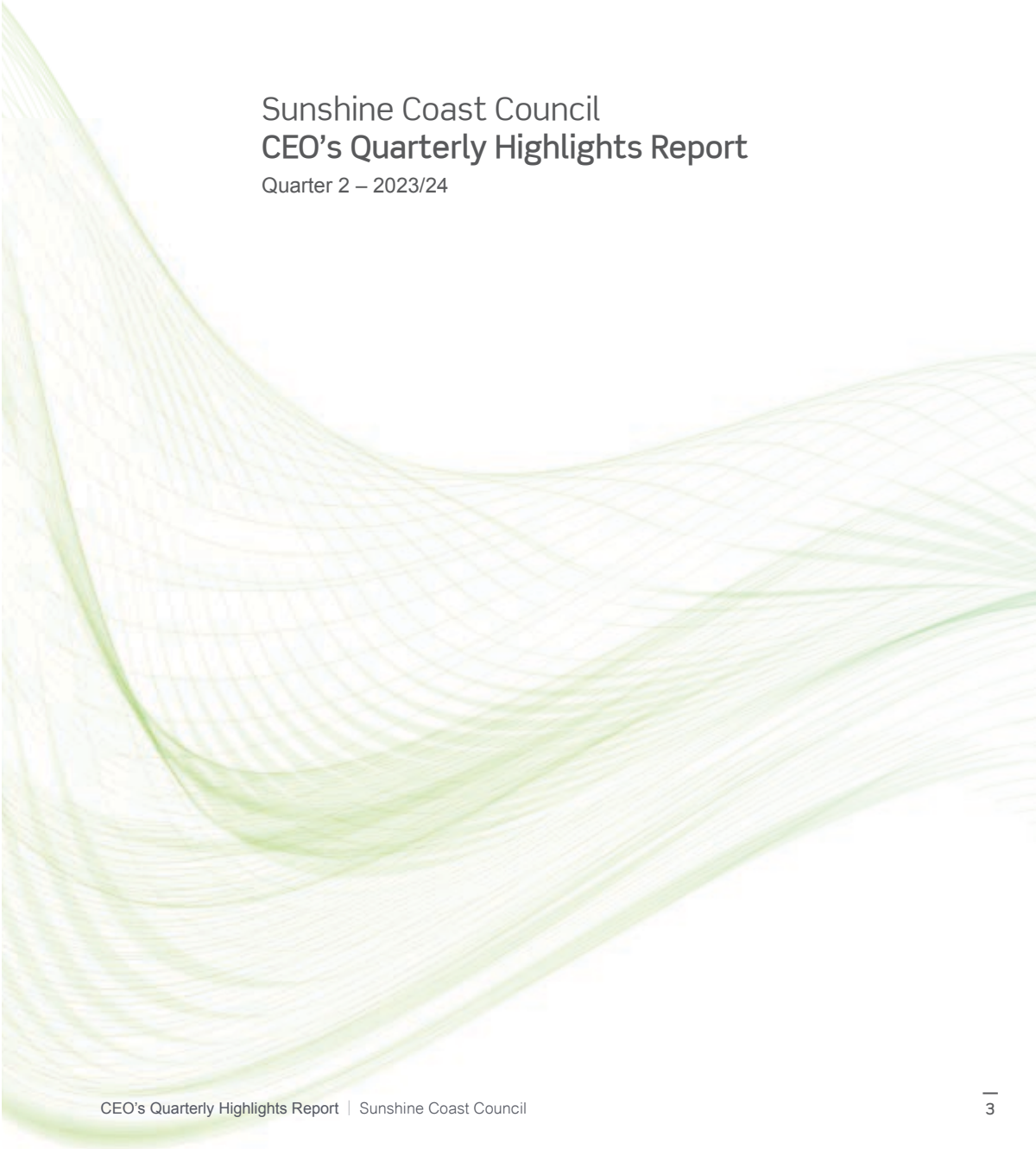


## Sunshine Coast Council CEO's Quarterly Highlights Report

Quarter 2 – 2023/24







## Sunshine Coast Council CEO's Quarterly Highlights Report

Quarter 2 – 2023/24





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#### **Acknowledgements**

Council wishes to thank all contributors and  
stakeholders involved in the development of this document.

#### **Reference document**

Sunshine Coast Council CEO's Quarterly Highlights Report,  
Quarter 2 – 2023/24

#### **Disclaimer**

To the extent this document contains future plans, activities,  
policies and strategies, these matters are aspirational and subject  
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## Traditional Acknowledgement

Sunshine Coast Council acknowledges the Sunshine Coast Country, home of the Kabi Kabi peoples and the Jinibara peoples, the Traditional Custodians, whose lands and waters we all now share.

We recognise that these have always been places of cultural, spiritual, social and economic significance. The Traditional Custodians' unique values, and ancient and enduring cultures, deepen and enrich the life of our community.

We commit to working in partnership with the Traditional Custodians and the broader First Nations (Aboriginal and Torres Strait Islander) communities to support self-determination through economic and community development.

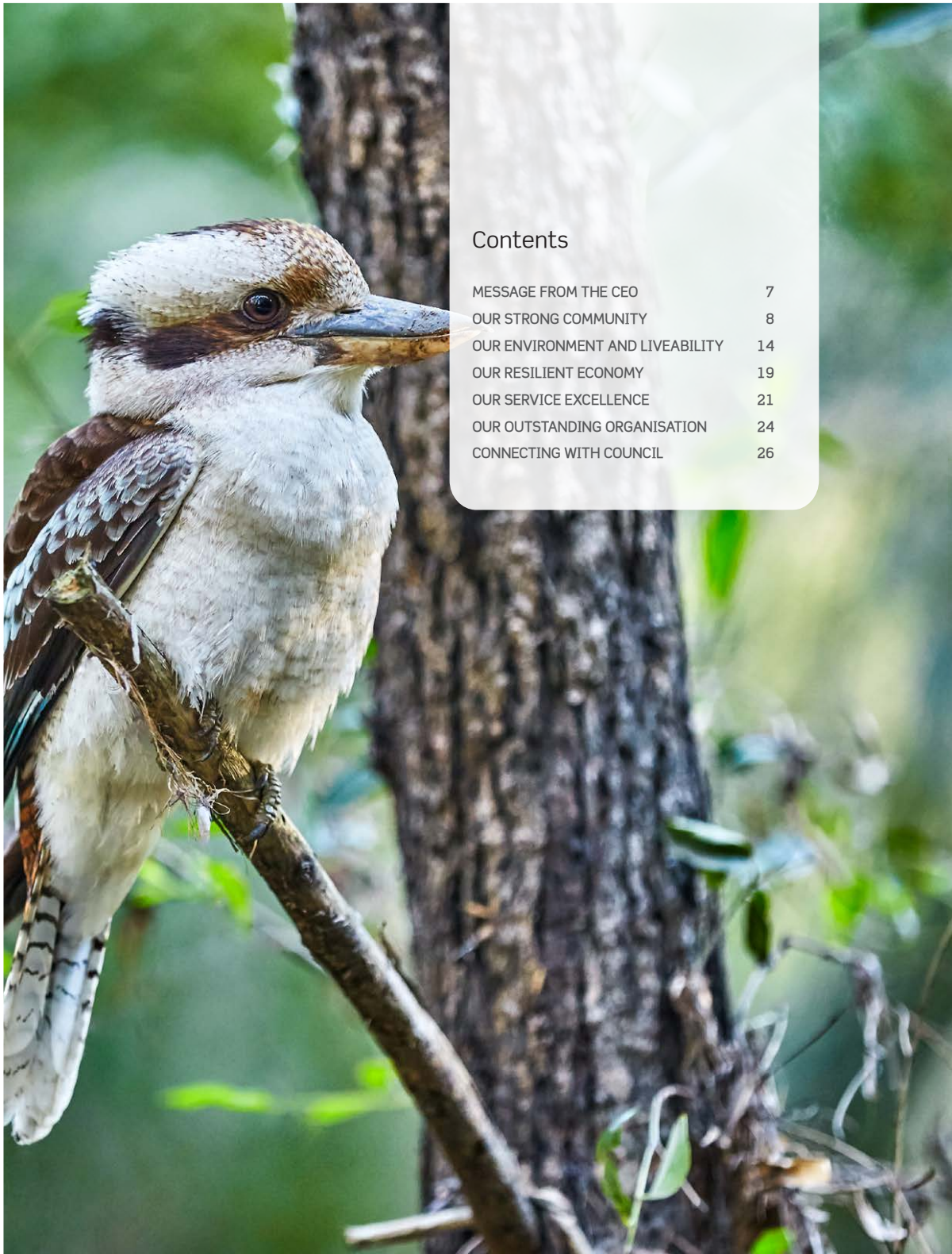
Truth telling is a significant part of our journey. We are committed to better understanding the collective histories of the Sunshine Coast and the experiences of First Nations peoples. Legacy issues resulting from colonisation are still experienced by Traditional Custodians and First Nations people.

We recognise our shared history and will continue to work in partnership to provide a foundation for building a shared future with the Kabi Kabi and the Jinibara peoples.

We wish to pay respect to their Elders – past, present and emerging, and acknowledge the important role First Nations people continue to play within the Sunshine Coast community.

Together, we are all stronger.





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## Message from the CEO



**Emma Thomas**  
Chief Executive Officer

Quarter two is a busy time of the year as we progress our operational activities and prepare to welcome many visitors to our region to enjoy the wonderful attractions on offer over the holiday season.

It is very important our region is welcoming and that our facilities and spaces are inclusive and can be enjoyed by all. In November 2023, the Sunshine Coast All Abilities Action Plan 2024-2028 was adopted by Council and outlines the detailed actions Council will undertake over the next five years to improve inclusion for people with a disability. The plan will focus on priority areas for action including awareness and education, built environment and public spaces, employment and training, events, programs, participation and communication.

As we look to the future, it is crucial that our long-term regional strategies and implementation plans are relevant and reflect our community's needs and values. In October 2023, the refreshed Environment and Liveability Strategy and Regional Economic

Development Strategy were adopted by Council to continue to provide clear directions. Similarly, our Corporate Plan 2024-2028 was adopted in December 2023 and remains consistent with our three key regional strategies. This plan will and effectively guide Council's annual operational plan and budget development for the 2024/25 financial year.

Another strategy of significance for our region is the Sunshine Coast Resource Recovery Strategy 2023, adopted in November 2023. With this strategy, Council will align with Australian and Queensland Government waste reduction targets. Our goal is that, by 2041, our region considers rubbish as not something to be buried in the ground, but a resource to be reused again and again.

Helping drive this repurposing evolution is the new \$40 million Material Recovery Facility (MRF) in Nambour which became operational in December 2023. With intelligent sorting technology, this type of recycling plant will be able to recover glass bottles, plastic containers, cardboard, paper, steel and aluminium cans to supply a range of quality products for re-use across several industries. This facility provides essential infrastructure to support our regions' transition to a circular economy for managing waste.

Over in our developing City Centre in Maroochydore, the new eight-story PARKnGO facility, located at 4 Lightning Lane was delivered during the quarter. The facility will

accommodate close to 300 parking spaces, six accessible parking spaces, 39 motorcycle spaces and catering for 28 bikes.

Finally, I am thrilled to make special mention of our Customer Contact team who were awarded the Customer Service Team of the Year (Medium - 20 to 100 staff) at the Customer Service Institute of Australia, Service Excellence Awards. Last financial year the team responded to 260,000 contacts with an overall satisfaction rating of 4.40 out of 5 for ease of business with Council. This is such an important service for our community and well-deserved recognition of the work done by our employees to put our customers at the centre of everything we do.

I encourage you to read on and find out how Council is partnering with our community, business and other tiers of government to progress our healthy, smart, creative region.

**Emma Thomas**  
Chief Executive Officer





## Our Strong Community

Our communities are connected and thriving places where people are included, treated with respect and opportunities are available for all.



**97,961**

people attended community events at Council's venues



**94%**

customer satisfaction with library and cultural programs



**421,475**

attendances to Council owned aquatic centres



**428**

community grant applications awarded, allocating more than \$1.3 million this quarter

### Community and cultural development and partnerships

#### Sunshine Coast All Abilities Action Plan 2024-2028

The Sunshine Coast All Abilities Action Plan 2024-2028 was adopted at Council's Ordinary Meeting in November 2023.

The action plan was developed through extensive community engagement, with particular focus on connecting with people with disability, carers and support workers. A reference group, made up of people with lived experience of disability was fundamental in the developing the action plan.

The plan outlines detailed actions Council will undertake over the next five years to improve inclusion for people with disability.

#### Raising Awareness of Gender-Based Violence

The global 16 Days of Activism against Gender-Based Violence campaign commenced on 25 November 2023, International Day for the Elimination of Violence against Women, and ran through to Friday 10 December 2023, Human Rights Day. The theme for this year was Love ≠ Control. In an act of solidarity and support for victims of domestic and family violence, another Seeds of Hope planting event was held on 6 December 2023 with 500 native trees planted along the dunes at Alexandra Headland Beach.

### First Nations Supplier Networking

The First Nations Supplier Networking Kickstart was held at Bli Bli on 21 November 2023, in partnership with Department of Youth Justice, Employment Small Business and Training. The event supported and celebrated First Nations economic participation on the Sunshine Coast through bringing together local First Nation's businesses and key stakeholders from the business sector.

A panel discussion with four First Nation's business owners explored ways that Council can support the First Nations business community, as well as stories of success from within our community. By creating and nurturing relationships between First Nations suppliers, government, and businesses, this event aimed to kickstart conversation that will aim to strengthen a resilient community which prioritises local First Nations businesses as the suppliers of choice.

### Diverse Queensland Workforce and Migrant Work Ready

The Diverse Queensland Workforce and Migrant Work Ready celebration and networking event was held on 9 November 2023 at Altitude Nine, Sunshine Coast City Hall.

The event hosted skilled multicultural workers who are ready to add value to Sunshine Coast businesses, and gain insights on the value of culturally diverse workforce from a range of esteemed speakers including Aleem Ali, CEO of Welcoming Australia.

### Rewired: Youth-led mental health event

In partnership between UniSC's Thompson Institute and Council, the free 'Rewired: Youth-led mental health day' was held on 21 October 2023 at Venue 114.

Young people, aged 16 to 25, were invited to take part in the program created by a group of 10 young people, including UniSC and high school students. It was a space where young people can talk openly about their mental health experiences and share tips for prioritising wellbeing. It included food that can boost your mood, great live music, and empowering workshops on how to better manage your emotions and support others when they are down.

There was also a range of fun and challenging exercise options, including yoga and boxing as well as a meditation hosted by a Buddhist nun. Attendees had the opportunity to hear from pro-surfer and mental health advocate Cooper Chapman and former triathlete Alexa Leary who overcame a life-threatening accident to become a champion Australian Paralympic swimmer.

### Council's Major Grants

The spotlight was on young people for the latest Major Grants round, with community projects designed to empower, inspire and uplift young people on the Sunshine Coast.

A total of 99 local community organisations received a share of \$629,231 in the Major Grant round for a range of projects and programs. Some of the programs supported include:

- \$4000 to Business Mentors Sunshine Coast Inc to go towards six interactive events targeted at Sunshine Coast start-ups, micro-enterprises, and early-stage businesses
- \$6131 towards the Youth Mental Health Summit for venue and equipment costs for the event
- \$7118 to Youturn Limited (Headspace Maroochydore) to acquire workshop equipment, including art supplies and board games
- \$9000 to Arts Connect Inc to support 77 local Sunshine Coast artists to showcase their work and delivering 24 creative workshops and demonstrations, and
- \$10,000 towards Reignite, a therapeutic arts project initiated by Integrated Family and Youth Services.

### Council's Minor Grants

A total of \$133,749 has been provided to 80 community groups to undertake upgrades, purchase equipment, supply training for volunteers and deliver local community programs with the help of Council's Minor Grants Program. Recipient organisations include:

- \$2000 to Suncoast Spinners Wheelchair Basketball Inc to help purchase equipment, including portable junior basketball hoops, training vests and referee whistles to support the weekly kids' club wheelchair basketball program at UniSC stadium
- \$2000 to Chancellor Park Soccer Club towards the purchase and installation of a water bubbler
- \$1996 to Buddina Community Garden Inc towards the preparation of garden beds and planting of trees, shrubs and ground covers along southern side of garden, and
- \$1895 to Sunshine Coast Dragon Boat and Outrigger Canoe Club Inc to purchase a defibrillator for the club.

### Creative Arts funding

Council's Creative Industries Investment Program (CIIP) allocated \$90,000 to support three creative initiatives across two years following a rigorous application process. The CIIP delivers strategically targeted outcomes through multi-year funding offered once per financial year.

The program provides funding certainty to established arts organisations to develop and deliver a high-quality, diverse program of arts experiences that will further grow our creative industries capacity, audiences and participation. Funded initiatives will support:

- 74 artists, creative practitioners and producers
- 20 First Nations artists and creative practitioners
- direct opportunities to 124 participants and 5800 audience members
- engagement of 93 volunteers, and
- development of 71 partnerships.

CIIP is jointly funded through Council's Arts and Heritage Levy and the Queensland Government's Regional Arts Development Fund.

### Horizon Festival 2023

Horizon Festival 2023 was held from 25 August to 3 September 2023, providing 10 days and nights of art, music and more, from the coast to the hinterland.

The event hosted special performances from Gubbi Gubbi Dance Troupe, rhythmic performance from Dancenorth Australia, the Horizon drumming band and exhibitions were held across the region including the Sunshine Coast Art Prize at Caloundra Regional Gallery.

The event delivered economic benefits to the community, with an estimated economic impact of \$814,941 generated from 2981 people visiting the Sunshine Coast from outside the region to specifically attend the festival.

### Community Strategy Annual Report 2022/23

The Community Strategy Annual Report for 2022/23 was adopted by Council at the Ordinary Meeting in October 2023.

The highlighted achievements in the annual report included:

- Council's Community Grants Program providing more than \$5 million in grants to local community organisations to support over 1000 projects, events and partnerships
- Council's flagship Healthy Sunshine Coast program returned with almost 4000 people registering for the program and choosing from more than 40 weekly activities
- key deliverables under Council's Reconciliation Action Plan, such as establishing and maintaining mutually beneficial relations with First Nations organisations and increased understanding, value and recognition of First Nations cultures, and
- Council officially committed to participate in the Welcoming Cities Network, strengthening our commitment to cultural diversity and inclusion.

### Art and Heritage Levy Annual Report 2022/23

The Arts and Heritage Levy Annual Report was adopted by Council in November 2023. Highlights from the report include the Arts Program, which in its first year has provided employment for more than 350 artists and art workers, 82 of whom were First Nations, and engaged 136 volunteers.

The Heritage Program aims to document, research, conserve, protect, promote and provide access to those tangible and intangible items, places, facilities and events that define the stories, history and values of the people, communities and culture of the Sunshine Coast.



Key highlight from Arts and Heritage programs include:

- Project 24 at 2nd Space in Nambour – offering two artists each month a space to create, experiment and collaborate through the residency program
- development of First Nations creative arts programs including the Blak Refinery and Elder-in-Residence program
- 133 events and public programs delivered, achieving audience numbers of more than 15,044 including free monthly heritage talks, the annual First Nations Family Fun Day at Bankfoot House, film screenings and Sunshine Coast Open House, and
- Bankfoot House welcomed 4332 visitors through the doors, including 1242 school students who engaged in the curriculum aligned education programs.

#### Transport Levy Annual Report 2022/23

The Transport Levy Annual Report 2022/23 was adopted by Council at the Ordinary Meeting in November 2023.

Key initiatives delivered through the Levy included:

- Improvements to bus stops and access to them
- Continuation of the RideScore trial initiative at select primary schools
- supporting the two Flexilink services and Council Link service for eligible persons travelling to their nearest centre
- starting the implementation of the ThinkChange travel change behaviour program which has been a key step towards challenging habitual patterns of travel
- supporting the Queensland Government in progressing the Detailed Business Case for the Sunshine Coast Public Transport Project, and
- supporting various research and investigations to understand changes over time in how people travel.

#### Community Venues

A total of 70,252 patrons were hosted at four Council venues during the quarter, including Venue 114 and the newly opened Altitude Nine event space at Sunshine Coast City Hall.

Events held at Venue 114 included DMA's and James Johnston sold out music gigs, Rewired: Youth Mental Health event, the SunnyKids Mayoral Ball, end of year school formals, Youth Recycle Markets, Coast2Bay Annual Christmas Party 2023 and the 2023 TAFE Queensland Graduation.

The Events Centre hosted 20,938 patrons across 40 events during the quarter. Some highlights included: Sleeping Beauty (Royal Czech Ballet), The Beach Boys Experience, Sydney Comedy Festival, Anthony Callea and Tim Campbell, Trent Dalton – author evening, Sunshine Coast Comedy Festival, John Stephan – A Salute to Roy Orbison and The Everly Brothers and The Nutcracker – Ballet International Gala.

#### Disaster Management

As part of Get Ready Queensland Week from 9 to 16 October 2023, Council in collaboration with the Local Disaster Management Group launched a tool to help safeguard people, properties and our natural assets against bush fires.

## Libraries

As of 1 December 2023, the Caloundra Library, located at 8 Omrah Avenue, Caloundra is open seven days per week.

This decision to extend the opening hours of the library was based on positive community feedback received during a trial earlier in 2023. The community can access workshops and activities that will now also be hosted on Sundays.

Council operates eight libraries across the region to provide resources and a range of learning workshops and events. Key highlights from the quarter include:

- 117 senior programs were delivered to 2289 participants this quarter (67% increase in attendance)
- 185 participants attended 28 MyTech Digital Literacy sessions
- 595 participants attended events with high profile authors and journalists, Trent Dalton and Leigh Sales
- 3539 participants attended 59 spring holiday programs delivered by Young Peoples Services, and
- 6637 participants attended 212 early literacy session such as Storytime and Rhymetime.

## Sporting Facilities

Sunshine Coast Stadium hosted Stadium Cabaret for a second year on 11 November 2023 with 1200 people in attendance. Two national events were held on Lake Kawana with the Coast to Coast Dragon Boat Festival from 10 to 12 November 2023 with 1078 attendees and the Australian Outrigger Canoe Racing Association National Sprint Titles on 17 to 19 November 2023 with 2400 attendees. Monster Thrillmasters Spectacular occurred on 18 November 2023 with 9000 people attending. A new, last-minute event, the Australian Quadball Club Championships, the largest national quadball (quidditch) tournament in Australia, was held on 9 to 10 December 2023 with 220 attendees.

Caloundra Indoor Stadium re-opened on 6 October 2023 following a roof replacement. Events held during the quarter included the Regional Disability Expo on 19 October 2023 with 1300 people attending, an Interclub Pickleball Tournament on 29 October 2023 with 120 people playing and the Just Acrobatics Expo on 11 November 2023 with 800 people attending.

Maroochydore Multi Sports Complex held the AFL Masters Carnival in the first week of October 2023 followed by the Queensland Schools AFL Cup from 13 to 15 October 2023 with 2000 attendees. In addition, the Australian Defence Force Careers Day was held on 18 November 2023 with 1000 attendees.

Nambour Showgrounds held Gemfest and DogFest in October 2023 and Collectorama in November 2023.



#### Nambour Showgrounds Master Plan 2023-2038

The Nambour Showgrounds Master Plan 2023-2038 was endorsed by Council in November 2023, mapping out a future for the venue, which held its first show in 1909.

The new master plan guides the use and development of the showgrounds for the next 15 years and beyond. The showgrounds is a versatile facility which serves a range of important functions, including a centre for major events, a facility for community and sports activities and also a crucial disaster evacuation centre during times of emergency.

The Master Plan focuses on the role of the showgrounds as an events centre and a community and sports facility provider, which is currently used by 28 local groups who use the sports fields, meeting rooms and pavilions regularly.

#### Caloundra Indoor Sports Stadium Roof Replacement

The \$3.7 million roof replacement was completed at the Caloundra Indoor Sports Stadium.

As part of the roof replacement, 150 kilowatts of solar panels were installed on the roof, progressing Council's sustainability objectives.

The roof replacement received funding through the Queensland Government's South East Queensland Community Stimulus Program and the Community and Recreational Assets Recovery and Resilience Program in association with Council.



## Our Environment and Liveability

Our natural assets, healthy environment and liveability credentials are maintained and enhanced.



**5872 hectares**  
of landscape and garden beds  
maintained



**10,496 hectares**  
managed for conservation under the  
Sunshine Coast Land for Wildlife program



**401**  
wheelie bins of weeds removed  
by 475 volunteers with the  
Community Nature Conservation  
Program



**1683 MWh**  
of power generated from Council's landfill  
Renewable Energy Facility in Caloundra,  
with an associated reduction in greenhouse  
gas emissions of 30,105 tonnes

### Environment and Liveability Strategy (2023 refresh)

The refreshed Environment and Liveability Strategy was adopted by Council at the Ordinary Meeting in October 2023.

Council consulted with community groups across the region, as well as the wider community through the Have Your Say website, receiving more than 400 contributions from the community through workshops, surveys, online webinars and formal submissions during this two-stage consultation process between May and August 2023.

Key changes made as part of the project include:

- recognition of the Sunshine Coast's UNESCO Biosphere status
- incorporation of the United Nations Sustainable Development Goals
- recognition of the state of climate emergency and strengthen climate change wording
- recognition of dark skies and associated planning, and
- strengthening our waste strategic directions.

### Environment Levy Annual Report 2022/23

The Environment Levy Annual Report 2022/23 was adopted by Council at the Ordinary Meeting in November 2023.

A total investment of \$7.8 million was made to strengthen the health of our waterways, biodiversity and coastal areas. Programs such as Kids in Action and BatPod are nurturing our young environmental stewards and more than 1300 private landholders have planted 27,900 native trees through the Land for Wildlife program.

Other initiatives included weeds management, maintaining Council's extensive conservation estate of Environment Levy-acquired land and investment into ecological restoration for our dunes and rocky headlands, important places supporting biodiversity and our region's coastal lifestyle.

## Beaches, foreshores, coastal infrastructure and canals

### Sunshine Coast and Noosa Regional Coastal Process Model

Council, in partnership with Noosa Shire Council commenced the Sunshine Coast and Noosa Regional Coastal Process Model project. The project involves using data and a complex computer program to model future sand movement and how our shoreline could evolve, providing a glimpse into what our iconic coastline could look like in the future.

The project will help Council plan the best ways to manage and preserve our beaches and foreshores from Kings Beach at Caloundra to Noosa Main Beach. It will use wind, wave and landform information to numerically model how the sand and sediment will travel along the coast over time.

In the short-term, the model could be used to predict erosion hot spots for upcoming storm events. In the longer-term, it would show how a beach responds to sea-level rise and management actions like nature-based solutions, dredging and nourishment projects, seawalls or groynes and headland bypassing systems. The modelling will also be used to inform future management actions and updates to important documents such as Coastal Hazard Adaptation Strategies and Shoreline Erosion Management Plans.

The project has received \$300,000 through the Australian Government's Coastal and Estuarine Risk Mitigation Program 2022-23.

### Maloja Pontoon

Council has replaced the well-used Maloja Pontoon at Tripcony Lane, Caloundra with a new, more accessible one.

The new 12 x 4 metre pontoon featured a more modern design, including a durable concrete deck that was perfect for fishing and boating. A modified design to the new pontoon provides a gentler sloping gangway of 14 x 1.8 metres that improves accessibility for all users, especially at low tide.

To deliver this project, Council invested \$220,000

with support of the Australian Government, which provided assistance through an \$80,000 Fishing Infrastructure Grant.

## Bushland Conservation and habitat

### Blue Heart Sunshine Coast

Council secured 120 hectares of land at Yandina Cooloom Road, Cooloom, with plans to introduce tidal waters to aid the natural transition to wetland habitat, helping improve the quality of water flowing into the river from the site and creating a place for the community to come and connect with nature.

The site adjoins the Cooloom Creek Environment Reserve, which provides fish breeding areas and habitat for threatened species such as the Water Mouse. The purchase secured one of the largest and most significant single land holdings in the Blue Heart project area, bringing publicly owned land within this major green space to almost 1700 hectares.

The \$6 million land purchase was secured through the SEQ City Deal, a partnership between the Australian Government, Queensland Government and Council of Mayors (SEQ) that allocated \$35.3 million to the Blue Heart initiative.

### Dark Sky reserve

Council has commenced its planning for a proposal to establish a Sunshine Coast Dark Sky Reserve through the International Dark Sky Places Program. The dark-sky movement is a global campaign to reduce light pollution.

Informed by preliminary investigations, the proposed Dark Sky Reserve would encompass almost 900 square kilometres in the Mary River Catchment and adjoining national parks in our local government area, including Maleny, Mapleton, Montville, Witta, Flaxton and Conondale.

The certification process with the International Dark Sky Association will take several years to complete. Establishing and maintaining a reserve would contribute to an increased number of

stars visible at night and it could also improve wellbeing while bringing thriving tourism business to hinterland areas. A dark night sky is also important to our native wildlife that rely on dark night skies to move and feed safely at night.

#### BiospHERO Day

More than 1000 community members attended the inaugural 'BiospHERO Day' on 5 November 2023. It was a day of celebrating sustainability in our region and was the culmination of a week-long program of events celebrating people and nature in our Sunshine Coast Biosphere.

#### Recreation parks, trails and facilities

##### Blackall Range Skate Park

Sunshine Coast skaters, riders, scooters and bladers are benefiting from the shade sails installed at the popular Blackall Range skate park in Palmwoods. The \$198,000 works also included upgrading the car park from gravel to bitumen and installing a drinking fountain.

This project was made possible through a 50:50 funding partnership between Council and the Heritage Palmwoods Community Branch.

#### Sustainable growth and network planning

##### Sunshine Coast Planning Scheme

A proposed new Sunshine Coast Planning Scheme was formally submitted to the Queensland Government for first State Interest Review in December 2023.

This is the next stage of the plan-making process and follows a period of intensive drafting and deliberation by Council as well as extensive preliminary (non-statutory) community consultation on proposed region-wide and local planning directions that occurred in early 2022.

Our community will again be consulted once the State's Planning Minister and new Council have approved the draft planning scheme to be put on formal public display.

##### Palmview Infrastructure Agreement

Council announced in October 2023 it will amend the Palmview Infrastructure Agreement and the Structure Plan and Planning Scheme Policy to provide for a revised road network to service this community.

With the impending completion of the Bruce Highway Connection, this new connection will now be recognised as the next road link in Council's planning documents. Importantly, the revised road network for Palmview will enable the Palmview development to continue, which is a critical outcome given the current housing crisis on the Sunshine Coast and the need to ensure the continuity of land supply for the construction of new homes.

Our community will be able to have their say on the proposed future road networks under the new planning scheme community consultation.



### Strategic land acquisition for sport and recreation

Council has secured another 37 hectares of land to be set aside for a future major sport and recreation Precinct at Bli Bli, just north of the Maroochy River. The latest strategic land acquisition on Oyster Bank Road lies alongside 97 hectares already purchased for the project by Council in 2021.

The major project took a long-term strategic view to ensure communities in the northern and central areas of our region can continue to access these quality spaces.

While the project is in the early planning stages, the purchase contributes towards delivering Council's long-term target to maintain five hectares of sport and recreation land per 1000 residents as our region continues to grow, a goal set down in the Environment and Liveability Strategy. The project also aligns with Council's Sunshine Coast Community Strategy, which aims to empower communities to live healthy and active lifestyles.

### Caloundra Town Square

The concept drawings for the transformational Caloundra town square project were revealed by Council in November 2023. This project is a crucial element of the Caloundra Community + Creative Hub that will create a unique public space that connects The Events Centre, new Library Plus Caloundra, the proposed new Sunshine Coast Regional Gallery and parks and streets through to picturesque Bulcock Beach.

The design was guided in partnership with the community through a series of pop-up sessions, online surveys and engagement forums and was inspired by the colours and forms of nature, including fig trees, the Pumicestone Passage, Pacific Ocean, beach life, mountains and the creative community.

The next step in the overarching project is the repurposing of the Caloundra administration building into an integrated community facility with a district library and community meeting spaces, creating Library Plus Caloundra, with completion scheduled for 2025.

### Mooloolaba Foreshore Revitalisation

A new fly-through video for the next stage of the Mooloolaba Foreshore Revitalisation project was released in November 2023, featuring the latest concept images of Mooloolaba's reimagined Central Meeting Place.

The video gives a bird's eye view of the upcoming rejuvenation. This next step of the foreshore's revitalisation represents a multimillion-dollar investment by Council and the Australian Government in Mooloolaba's future. The construction contract for Stage two work remains in the tender phase. Council will share timing and further details with the community and local business operators once the tender phase is completed.

Stage two of the project includes a \$7.95 million contribution through the Australian Government's Disaster Ready Fund to replace Mooloolaba's seawall. The new seawall will help safeguard the community and public infrastructure from risk associated with rising sea levels and more extreme weather events into the future.

## Waste and resource management

### Sunshine Coast Resource Recovery Strategy 2023

The Sunshine Coast Resource Recovery Strategy 2023 was adopted at Council's Ordinary Meeting in November 2023. With this strategy, Council aligns to Australian and Queensland Government waste reduction targets.

The strategy was developed with input from the region's sustainability advocates and outlines Council's plan to manage waste into the future. The goal is that, by 2041, nothing ends up in landfill. To do this, the strategy considers rubbish not as something to be buried in the ground, but a resource to be reused again and again. It sets a clear path to harness the value of these resources – for example by collecting food waste and converting it into compost and recovered plastics that can be repurposed into clothing or park benches.

Through the plan, Council will advocate for new and improved product stewardship schemes and collaborate with other South-East Queensland Councils for area-wide solutions. The strategy also supports Council's target to be a zero-net emissions organisation by 2041.

### Material Recovery Facility

Council's Material Recovery Facility (a new type of recycling plant), based in Nambour commenced operations in December 2023.

The facility will recover and repurpose glass bottles and jars, plastic containers and steel and aluminium from about 60,000 tonnes of annual household and business recyclable waste, collected from yellow-lid bins. The facility will also sort paper and cardboard at a staggering 98 per cent purity – the highest quality of any Australian facility.

Having a facility that delivers the highest quality of segregated materials fuels the circular economy and prevents more waste going to landfill. Once sorted and baled, these materials are distributed to specialist manufacturers where they are made into a range of new products such as packaging and paper products right through to road base and outdoor furniture.

Construction of the facility was funded through an agreement between all levels of government, with \$22 million from the Queensland Government's Recycling and Jobs Fund, \$13.5 million from Council and a \$5.1 million joint contribution from Australian and Queensland governments under the Queensland Recycling Modernisation Fund.



## Our Resilient Economy

Our resilient, high-value economy of choice drives business performance, investment and enduring employment.



**\$6.3 million**

in revenue for Sunshine Coast holiday parks



**23,985**

guests attended 17 major events, which generated approximately \$12.5 million in economic activity for the region



**3075**

businesses accessed specialist advice and information



**\$89.2 million**

or 62% of the total available purchasing spend for the quarter went to local businesses

### Economic development

During the quarter, Council worked with local industry organisations and businesses to support a range of programs and events, including:

- a campaign to promote tourism and hospitality jobs on the Sunshine Coast Jobs Hub
- the Local Business Support Program delivered tailored and specialist advice to 322 businesses across the region
- 19 events were delivered involving 1379 participants which included the Sunshine Coast Business Awards, 12 businesses participating in the Build A Better Business Planning Workshops, Growing Queensland Businesses Procurement event, Buy Local campaigns and participation in Chamber of Commerce events. In collaboration with the Food and Agribusiness Network (FAN) and the Manufacturing Excellence Forum (MEF), Council hosted a Behind the Scenes Factory Tour with 17 local industry representatives who were selected to experience a behind-the-scenes showcase of best practice processes, continuous improvement and scale-up from Gourmet Garden (McCormick's), The Country Chef Bakery Co., Artisan Labs and Your Mates Brewing Co.

### Place activation

Eight events were held throughout the quarter in Nambour, Mooloolaba and Caloundra which were attended by more than 45,000 people.

This included Christmas in Caloundra, the Mooloolaba Foreshore Festival and TramFest and Forecourt Live events in Nambour.

### Local suppliers

Sixty-two percent of Council's total available purchasing spend went to local business this quarter, representing an amount of \$89.2 million. The result is an increase of \$2.2 million compared to the previous quarter.

The percentage total is lower than the 70 percent target this was due to acquiring specialist skills not currently available within the region. There has been \$14 million more spent on local suppliers in quarter two in comparison to the same period last year.

### Sunshine Coast Economic Development Strategy 2013-2033 (2023 refresh)

The Sunshine Coast Regional Economic Development Strategy 2013-2033 (2023 refresh) was adopted at Council's Ordinary Meeting in October 2023.

Since 2013, the Strategy has provided a 20-year vision and blueprint for sustainable economic growth to help to ensure the region actively participates in the global economy and delivers the lifestyle and opportunities for local residents and businesses.

Under the five-year implementation plan, Council will collaborate with business and industry partners to deliver and support a suite of actions from 2023 to 2028 to drive opportunities for the Sunshine Coast and its residents.

### Regional Economic Development Strategy Annual Report 2022/23

Council endorsed its Regional Economic Development Strategy Annual Report 2022/23 at Council's Ordinary Meeting in October 2023.

Key highlights from the annual report included:

- investment attraction and major events opportunities where we achieved an estimated economic impact of \$388.96 million and the creation of 1897 jobs, both directly and indirectly
- our region is now home to the national Critical Infrastructure Information and Sharing Analysis Centre and a growing list of national and international corporate businesses such as Youi, Genpact, McCormick & Co and Kilcoy Global Foods, and
- Council is making significant strides in our role as a key delivery partner for the Brisbane 2032 Olympic and Paralympic Games.

### Xplore Conference

The Xplore Conference was held from 10 to 11 November 2023 at Mantra Mooloolaba for medical innovators, visionaries and curious minds. The tech conference was a landmark event that is further cementing the Sunshine Coast as a leading healthcare technology innovation hub in Australia.

The conference, attended by 79 delegates explored emerging healthcare trends, particularly in extended reality (XR), which combines virtual and physical realities through the use of technology. Beyond its academic and professional scope, Xplore aimed to contribute to the local economy by attracting talent, fostering innovation and facilitating investment opportunities in the Healthtech sector.

### Screen Industry Report

The highly anticipated 'Screen Production on the Sunshine Coast Report' was launched at the Sunshine Coast Screen Summit on 13 November 2023. It outlines the strategic direction required for the region to foster growth in the screen industry.

Council launched the report in partnership with the University of the Sunshine Coast, Queensland University of Technology and local screen advocacy body, the Sunshine Coast Screen Collective. The landmark report highlights our region's diverse film locations, the wealth of talent available, and underscores the undeniable potential of the Sunshine Coast as an ideal location for screen productions which further enhances Queensland's offering to the industry.

Some of the key recommendations of the report are about supporting and growing this community through professional development and investing in a local production support scheme that develops local screen projects for emerging practitioners making content.

### Holiday Parks

Council operates six holiday parks across the region, offering low cost accommodation options in prime tourist locations.

This quarter, holiday parks operated at an average occupancy of 82%, with an increase in revenue of 9% from the same period last year. The holiday parks hosted 36,000 visitors with positive growth in summer holiday bookings.

In addition, the Cotton Tree Holiday Park received a new Camp Kitchen, installed in time for the holiday rush offering BBQ and seating facilities to both tourists and locals.





## Our Service Excellence

Our services are consistent and accessible and provide positive experiences for our customers and value to our community.



**92%**

of development applications assessed within statutory timeframes



**1660**

building approvals issued with a construction value of \$561 million



More than **62,200**

customers were assisted through the development and customer contact centres



**\$6.1 million**

invested into our local road network to rehabilitate and resurface 26kms of road with a total area of 146,972m<sup>2</sup> for the safety of our community

### Cemeteries

#### Kulangoor Cemetery Masterplan Review 2023

Community engagement for the Kulangoor Cemetery Masterplan Review was held from 3 October to 1 December 2023 and considered the following key conditions:

- land availability at Kulangoor
- Councils desire for infrastructure and amenities that promote passive recreation and accessibility in line with the Environment and Liveability Strategy, and
- community needs and expectations.

The proposed future development of Kulangoor Cemetery aspires to be modern, accessible, provide choice, with sustainability in mind for our diverse community.

Council also invited the community to nominate to be a part of the Community Reference Group (CRG) to have ongoing input into the project. It is expected that the CRG will convene in early 2024 and this group will review the feedback received from the community.

### Customer and community relations

This quarter, Council's Customer Response team won the Customer Service Team of the Year (Medium - 20 to 100 staff) at the Customer Service Institute of Australia 2023 Australian Service Excellence Awards. This is a great reflection on the work Council does to serve our community each and every day.

Council continues to experience greater uptake on self-serve, online services and a decline in phone calls direct to our centres.

### Development services

During this quarter, there was a steadying of development activity in the region, likely influenced by market conditions, including increases to interest rates and ongoing challenges in the supply chain impacting access to resources and construction costs.

In October 2023, Council held a pilot event called Development Connect. This event provided general development information to approximately 80 residents on their properties.

In addition, several workshops were held with key stakeholders on how to work together to achieve best practice assessment processes.

## Local amenity and local laws

### Amended subordinate local law

An amended subordinate local law which changes the way our community moves about with their animals at Point Cartwright was approved by Council at the Ordinary Meeting in December 2023. Under the new subordinate local law amendments, dogs will be allowed on-leash at Half Moon Bay, open-space areas of Point Cartwright Reserve, Buddina Beach and La Balsa Park.

To balance the needs of our community, environmental protection considerations and being respectful of cultural heritage, Council endorsed the decision to incorporate a second, temporary, dog off-leash area on part of the northern beach commonly known as 'Carties Beach', between 4pm and 8am, Monday to Friday. Dogs are prohibited from this area at all times on weekends.

This arrangement is temporary and will be in effect until 30 June 2025.

## Public Health

### Pest Management

Council's partnership with Queensland Health continued during the quarter with weekly sampling for exotic mosquito species and the associated viruses such as Japanese encephalitis.

Field sampling was undertaken with specialist equipment throughout the local government area's higher risk locations such as wetlands and urban tourist centres, totalling 26 locations. No detections were found through quarter two, with weekly monitoring ongoing.

## Project Delivery

### Coolum Sports Complex

The busy intersection at the Coolum Sports Complex has received an upgrade.

A new exit lane (slip lane) has been completed by Council's internal construction team to ease congestion for people exiting the sports complex when multiple events are on. The exit lane was added to the intersection to allow cars leaving the facility to merge easily and prevent congestion piling on David Low Way. New lighting and a new footpath were also finished.

This intersection was made possible with funding from the Queensland Government's South East Queensland Community Stimulus Program and Council.

### New court upgrades at Eumundi Tennis Club

Council provided more than \$700,000 towards four new court upgrades at the Eumundi Tennis Club.

Upgrades were the replacement of two hard courts and two synthetic grass installations. In addition to the four courts, the facility received fencing, electrical future-proofing works for future lighting upgrades, plus new internal concrete pathways. There is also a new shelter and picnic table for onlookers to watch the action.

## Road network management

### Mooloolaba Transport Corridor Upgrade

Stages 2 and 3 of the Mooloolaba Transport Corridor Upgrade are now complete. Benefits include a wider road, expanded from two lanes to four, the new and upgraded signalised intersections, three traffic lanes over the new Mayes Canal Bridge, new pedestrian pathways and a feature timber boardwalk for pedestrians and cyclists.

This project was designed to improve safety, connectivity and traffic flow to Mooloolaba for pedestrians, cyclists, motorists and public transport users. The new road, bridge and pathways now assist in reducing delays during peak periods and caters for future traffic growth into Mooloolaba. Landscaping forms an important part of the project with nearly 250 new trees and 11,500 new plants which will grow to create a greener and cooler environment for all to enjoy.

The Mayes Canal Bridge works have benefitted from a \$12 million investment from the Australian Government through the Infrastructure Investment Program.

### PARKnGO Lightning Lane

The new eight-storey public car park located at 4 Lightning Lane in the heart of Maroochydore City Centre opened to the public on 13 December 2023. The car park is adjacent to Foundation Place in the Maroochydore City Centre and offers undercover parking to the community, 24 hours a day, seven days a week.

Close to 300 parking spaces are available with six accessible parking spaces catering for varying mobility needs and four EV charging stations supported by an 80 kilowatt rooftop solar system. The car park includes 39 motorcycle spaces, caters for 28 bikes and has generous end-of-trip facilities available.

In addition to increased parking, the ground floor of the building includes space for commercial tenancies. The facility, which was funded by Council, delivered by Walker Corporation and constructed by Hutchinson Builders.



## Our Outstanding Organisation

Our organisation is high performing, innovative and community focused, marked by great people, good governance and regional leadership.



**107%**

of Council's total electricity consumption was offset by the Sunshine Coast Solar Farm



**6**

awards were received during the quarter

### Corporate Plan 2024-2028

The Corporate Plan 2024-2028 was adopted by Council at the Ordinary Meeting in December 2023. Council's corporate plan is reviewed annually to ensure it remains responsive to, and reflective of, any changes in the operating environment and remains consistent with Council's directions and strategic priorities.

The updates within the Corporate Plan 2024-2028 maintain alignment to the regional and Council strategies that were also adopted by Council during the quarter. This provides ongoing connection between our long, medium and short-term planning, the timing of which is important to shape the development of the 2024/25 operational plan and budget.

The Corporate Plan presents an ongoing commitment to advance Council's vision as Australia's most sustainable region – Healthy. Smart. Creative. It also continues to strive for balance between driving economic opportunities, maintaining and enhancing environmental values and ensuring community well-being - whilst maturing our organisation's approach to deliver service excellence and fostering an agile, innovative, sustainable and ethical workplace where our people are proud to work.

### 2023 State of the Region

Council's State of our Region provides a snapshot of achievements, memorable moments and programs from throughout the year.

The address featured many inspiring community champions, who shared their stories and aspirations for the future of our region.

Key achievements highlighted included:

- Genpact, a New York professional services firm now operating within our region and creating 250 new jobs in finance, insurance, IT and administration
- Council's first billion-dollar budget, which included a Capital Works Program of \$331 million was adopted in June and is being delivered, and
- A better product to protect our people and places when faced with natural disasters by investing in a bushfire detection system

Contributors at the address included David Foreman of Integrated Family and Youth Services, Mathew Lynn from TurtleCare, Natasha Odgers, who works in disaster resilience within our hinterland communities, Lachie Smart of Smartline Medical, Sunshine Coast Young Citizen of the Year Mason Hope and Rhondra Alexander of Friends of Currimundi Lake.

### Annual Report 2022/23

Council's Annual Report 2022/23, adopted by Council at the Ordinary Meeting in November 2023.

Council's achievements were underpinned by strong financial management and demonstrated an unwavering commitment to supporting the goals outlined in the Corporate Plan.



## Financial and procurement services

The Queensland Audit Office (QAO) Final Audit of Council's 2022/23 Financial Statements was finalised in October 2023. The QAO Closing Report issued an unmodified audit opinion, which is the fifteenth consecutive unmodified audit opinion achieved by Council, reflecting that Council's financial statements are a true indication of our results.

## Governance

### Sunshine Coast Council Policy Framework

A revised Sunshine Coast Council Policy Framework was endorsed by Council at the Ordinary Meeting in October 2023.

The revised Policy Framework facilitates improved currency, consistency and functionality across Council's policy setting, supporting legislative and regulatory compliance, sound risk management and an enhanced ability for the policy set to facilitate the achievement of Council's vision and goals. The framework places a stronger emphasis on evidence based policy development, responsiveness to expectations and best practice and a clearer alignment with the organisation's values.

## Awards

Council received six awards during the quarter and recognises an award provided to builder McNab for our very own Sunshine Coast City Hall:

- Council's Customer Response team won the Customer Service Team of the Year (Medium - 20 to 100 staff) the at the Customer Service Institute of Australia 2023 Australian Service Excellence Awards.
- Council's ParkSmart program received the 'On-street Excellence in Technology and Innovation' award at the 2023 Parking Industry Awards.
- Council's Vitamin SC campaign (video series) received two gold level awards in the categories of 'Multimedia/Video Promotion' and 'Paid Advertising Campaign' for cities with a population between 200,000 - 500,000.
- Council won the Excellence Award for Projects over \$20 million for the Sunshine Coast City Hall project at the 2023 Institute of Public Works Engineering Queensland and Northern Territory Excellence Awards.
- Buderim Village Park was awarded an International Green Flag Award, recognising the provision and management of high-profile parks to industry best practice methods.
- Sunshine Coast City Hall builder McNab was awarded the National Commercial/Industrial Construction Award (\$50m to \$100m) at the Master Builders National Excellence in Building and Construction Awards.

## Connecting with Council

Council invites the community to take part in many forms of community engagement.

To receive Council news and information you can subscribe to Council's [e-newsletters](#) by visiting Council's website at [sunshinecoast.qld.gov.au](https://sunshinecoast.qld.gov.au).

Through social media, Council aims to keep you up to date on a range of Council activities.

### Follow Council on:



Visit our have your say website at [haveyoursay.sunshinecoast.qld.gov.au](https://haveyoursay.sunshinecoast.qld.gov.au) to comment on current consultations and projects or read about how community engagement helped shape Council projects.

Contact us via MyCouncil online anywhere, anytime to ask a question, report a problem, lodge a request or provide your feedback. Complete an [online form](#) or chat with a Customer Service Officer using Council's [SMS](#), or [request a callback](#) service from 9am–4.30pm Monday to Friday or email [mail@sunshinecoast.qld.gov.au](mailto:mail@sunshinecoast.qld.gov.au).

Customer contact counters are open 8.30am–4.30pm Monday to Friday in Caloundra, Maroochydore and Nambour, for visits in person, or by phone on (07) 5475 7272. For after-hours emergencies, Council receives calls 24 hours a day, seven days a week.

We encourage you to visit [sunshinecoast.qld.gov.au](https://sunshinecoast.qld.gov.au).















# Operational Plan Activities Report Quarter 2, 2023/24





Quarterly Progress Report



## Corporate Plan Goal : Our strong community

Goal Objective: In all our communities, people are included, treated with respect, and opportunities are available to all.





### Healthy and active communities







Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
1.1.1	Identify and secure an enduring legacy for the Sunshine Coast as a key delivery partner in the Brisbane 2032 Olympic and Paralympic Games and work collaboratively with our Community Reference Group and key partners to identify and implement Sunshine Coast specific themes, opportunities and challenges.	01/07/2023	30/06/2024	50%			Council has been actively engaged in the development and delivery of the State Government's Brisbane 2032 Legacy Strategy, Elevate 2042 which was released on 10 November 2023. The four transformational themes and focus areas within Elevate 2042 align well with those identified in our Sunshine Coast 10+10+ Legacy Vision.
1.1.2	In collaboration with our Games Delivery Partners, progress the planning, design and delivery of the three Brisbane 2032 Olympic and Paralympic Games venues - Sunshine Coast Stadium, Sunshine Coast Indoor Sports Centre and Sunshine Coast Mountain Bike Centre.	01/07/2023	30/06/2024	50%			Project Validation Reports (PVR) for all three projects have now been completed with significant input from Council staff. The PVR's are now being processed through reviews by the Federal Expenditure Review Committee and State Cabinet Budget Review. At the time of reporting, final investment decisions and announcements were pending.
1.1.3	Deliver the 'Healthy Sunshine Coast' program to increase health and wellbeing in the community through low cost or free activities and workshops.	01/07/2023	30/06/2024	50%			Healthy Sunshine Coast programming has continued with strong attendance at activities and encouraging feedback from participants. The program has been able to support existing exercise classes that use public spaces by covering these activities under the broad Healthy Sunshine Coast program's permit. This has seen at least five new classes available in the program at no extra cost. Membership numbers remain strong via the Healthy Sunshine Coast Facebook page. Development of a data capture process is underway with the intent to develop consistent data for understanding the impact of the Healthy Sunshine Coast program.
1.1.4	Develop and commence implementation of the Sunshine Coast Lifeguard Services Plan 2023-2028 to enhance community safety along the region's beaches.	01/07/2023	30/06/2024	50%			The lifeguard service at Happy Valley has commenced at a Tier 4 level, meaning the area will be serviced by lifeguards during weekends, school holidays and public holidays from September through to May each year.







Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
1.1.5	Partner with the State Government and school communities to deliver travel behavioural change programs that support active transport options, including the 'RideScore Active School Travel' program, walking and cycling to school events, the cycle skills education course and the safe school travel program.	01/07/2023	30/06/2024	60%			<p>The RideScore Active School Travel Program wrapped up for 2023 with a total of 1933 registered students across 10 local state primary schools. The total trips of students riding and scootering to and from school between October and December was 52,410 with 57 new registrations. This represents a significant saving in private vehicle trips to school across the region. The program delivered 16 cycle skills sessions across four schools during the same period focusing on road safety and basic bike handling. Talara and Palmview state schools signed up to participate in the 2024 program, bringing the total participating schools to 11. A new RideScore Council website is currently being developed and security enhancements have been undertaken to the platforms data hosting environment along with planned upgrades to the Android and IOS apps.</p> <p>The development and submission of six grant applications via the State Government's Cycle Network Local Government Grants Program were finalised seeking more than \$9 million. The grants are being sought to deliver and design high quality priority cycling and walking infrastructure across the region. Council will be notified in June 2024 of the outcomes from the program.</p>
1.1.6	Implement prioritised actions from the Sunshine Coast Sport and Active Recreation Plan 2011-2026, including: the completion of upgrades to the North Shore Multi-Sports Complex and Nambour Yandina United Football clubhouses, completion of Caloundra Indoor Stadium roof replacement and commencement of the Kings Beach Surf Life Saving Facility redevelopment.	01/07/2023	30/06/2024	50%			<p>The North Shore Multi-Sports Complex clubhouse project was completed and officially opened in November 2023. The Nambour-Yandina United Football clubhouse partial demolition and rebuild is underway and due for completion by the end of March 2024. A new storage and office shed has been constructed at the Nambour-Yandina United Football Club. Honey Farm Sport and Recreation Precinct civil works tender package was awarded in December 2023, with works commencing in early 2024.</p>

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
1.1.7	Progress implementation of the Honey Farm Road sport and recreation project with a focus on preparing the fields and facilities to activate the designated sporting uses.	01/07/2023	30/06/2024	40%			<p>The Bulk Earthworks and Buried Services Package has been awarded to an experienced and reputable contractor with works expected to start onsite late January 2024, which is a significant milestone for the project. The package was awarded within the available budget for this scope of works.</p> <p>In addition, there will be two other tender packages for release to the market in early 2024, that will increase the construction productivity significantly.</p> <p>Coordination of all final design elements of the project has progressed well with all tender packages excluding the clubhouses at 90% completion. Resolution of the water main connection location has now been achieved and approved by the Department of Transport and Main Roads and Unity Water.</p>

*Vibrant community places and spaces that are inclusive, accessible and adaptable*





Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
1.2.1	Implement prioritised actions from the Sunshine Coast Aquatic Plan 2011-2026 including completion of stages 1 and 2 of the Kawana Aquatic Centre upgrade.	01/07/2023	30/06/2024	50%			<p>Stage 1 works at the Kawana Aquatic Centre including demolition and rebuild of the program pool and car park upgrades is due for completion by late January 2024. New pool lights have been installed in the 50 metre pool at the Cotton Tree Aquatic Centre. Nambour Aquatic Centre was subject to minor flooding during a major weather event in December 2023 and was back to being fully operational in just over a week.</p>
1.2.2	Implement prioritised projects and programs from the Sunshine Coast Library Plan 2014-2024 and the Library Network Plan 2019-2041, including delivery of programs that support life-long learning and planning for the delivery of new and refurbished libraries at Caloundra, Nambour and Sippy Downs.	01/07/2023	30/06/2024	50%			<p>Libraries are growing engagement and usage with an 8.4% increase in visitors compared with the same quarter last year. Attendances at Life Long Learning increased by 67% with introduction of hands-on workshops. There was a 52% increase in digital loans compared to the same quarter last year. Membership continues to grow (+1.75%) with over 116,000 members. The Heritage Library conducted successful programming on Photo Preservation with 87% attendee satisfaction and Libraries introduced the Learn to Sew program with 100% attendee satisfaction. Libraries introduced new technology for loan collections. Library Venue bookings increased by 12% and income increased by 82%. Over 2500 people attended two activation days at Beerwah Library Precinct held this quarter.</p>







Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
1.2.3	Implement prioritised actions from the Cemetery Plan 2019-2028, including: site planning for key cemetery sites at Kulangoor and Caloundra, updating content and information regarding cemetery services on Council's website, and forming a Cemetery Community Reference Group.	01/07/2023	30/06/2024	50%			<p>Community engagement for the Kulangoor Cemetery Masterplan Review was held from 3 October to 1 December 2023. The Caloundra Cemetery concept plan is progressing to understand future opportunities for burials and ash interments.</p> <p>Nominations for a Community Reference Group (CRG) were open from 3-15 October 2023. The nominations received are currently under consideration and the formation of the CRG is expected to convene in early 2024 for its first meeting.</p> <p>Cemetery services continues to work towards the improvement of online access to information for customers and Funeral Directors regarding our cemeteries and services.</p>
1.2.4	Progress a whole of region initiative to investigate, design and construct outcomes targeted specifically towards accessibility improvements in the public realm, which includes mobility mapping.	01/07/2023	30/06/2024	50%			<p>The Accessibility Improvements Funding Project Plan has now been completed for the 2023/24 financial year ready for implementation with a total value of \$298,550. Key items to note that are scheduled for delivery:</p> <ul style="list-style-type: none"> <li>- Kevin Asmus Park new play space fence</li> <li>- Mooloolaba Surf Club accessibility equipment renewal</li> <li>- Glenbrook Downs Park Nambour Disability Discrimination Act compliant table</li> <li>- 4-wheel drive wheelchair at Mary Cairncross</li> <li>- Matthew Street Nambour People with disabilities compliant carpark and footpath</li> <li>- Biometrix Mapping Tourist Destination Cooloom, Beerwah and Montville</li> <li>- Sunshine Coast Safety Map Investigation, and</li> <li>- Turner Park Beerwah Disability Discrimination Act compliant connection pathway.</li> </ul>
1.2.5	Coordinate the delivery of Council's Transport Levy policy and projects including encouraging sustainable travel choices through travel behaviour change programs and connecting our local communities by supporting transport services such as Council Link, Flexilink and Kenilworth Community Transport Service.	01/07/2023	30/06/2024	50%			<p>The Transport Levy 2022/23 Annual Report was presented and endorsed at Council's Ordinary Meeting in November 2023. Transport Levy funded projects have commenced for the 2023/24 financial year with significant funds committed for delivery.</p>

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
1.2.6	Expand the trial and implementation of regulated parking technology to provide a safer work environment while encouraging vehicle turnover to provide fair and equitable access to the town centres, destinations and tourism locations.	01/07/2023	30/06/2024	50%			<p>Implementation of the ParkSmart Program continues and focuses on reducing the exposure to risk, making patrols more efficient, broadening employment opportunities, and allowing the team to absorb the growth in demand without increasing resources.</p> <p>During Quarter 2, Council has:</p> <ul style="list-style-type: none"> <li>- introduced ParkSmart vehicle patrols to investigate and respond to regulated parking complaints; and</li> <li>- completed the static camera trial at Buderim Mountain State School for the 2023 school year. While the technology has proven to be beneficial, the trial is in its assessment phase to understand how the activity can be scaled in a sustainable way to allow Council to provide similar services in other locations.</li> </ul>
1.2.7	Facilitate and progress the Nambour centre activation project including advancing the planning and feasibility required for re-purposing the Nambour administration precinct buildings.	01/07/2023	30/06/2024	40%			Detailed feasibility and engineering / certification analysis has advanced to guide repurposing of the Eddie De Vere and library buildings in Nambour to provide enhanced library, community and Council corporate office outcomes. Efforts are focused on overlaying asset condition replacements to guide potential methodologies and sequencing of works to be delivered over multiple financial years. Interim improvements have been completed to create activity based working environments through the repurposing of furniture and technology.
1.2.8	Commence construction of the repurposing of the Caloundra administration building to incorporate library and community facilities, ensuring functional readiness through an operational management plan.	01/07/2023	30/06/2024	50%			The Caloundra Administration building refurbishment was awarded to Hutchinson Builders in Quarter 2 following a comprehensive procurement process. This is a significant step forward for the project which now enters the construction phase with internal work underway in December 2023. The project commencement has been communicated to the community and relevant stakeholders. A preliminary Operational Management Plan for the building has been completed and is undertaking further development, review and refinement ahead of building reopening. Completion of the building's transformation into a library and community facility with corporate office spaces is forecast for mid-2025 subject to onsite progress.















*An inclusive community, with opportunities for everyone*



Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
1.3.1	Develop and commence implementation of the Sunshine Coast Stretch Reconciliation Action Plan that is focused on longer-term strategies, and working towards defined measurable targets and goals.	01/07/2023	30/06/2024	40%			Development of the Sunshine Coast Stretch Reconciliation Action plan is underway. Consultation sessions were held with key stakeholders across Council and the community.
1.3.2	Deliver a 'Youth Council' program that fosters youth leadership and empowers young people to advocate and implement youth-led initiatives.	01/07/2023	30/06/2024	50%			An Expression of Interest (EOI) for the Young Leaders Academy was developed and released in October 2023 with 15 submissions received. After the closure of the EOI period, each applicant was contacted and offered an interview with two Council officers responsible for developing the Academy. The interviews helped confirm eight successful candidates. Each of these applicants have accepted the offer to join the inaugural Young Leaders Academy that will start in February 2024. On 21 October 2023, the youth led mental health festival, "Rewired" was held. There were over 180 registrations for the event with a diverse array of workshops, activities, music and a youth services market. The young leadership group provided a 66% positive or very positive rating in terms of the experience of being part of organising the festival. The festival was a partnership between Council, the Thompson Institute and Country to Coast Health Network. One young organiser said, "I am more capable than I used to believe, knowing the work that I can provide to help organise something like this event".

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
1.3.3	Work collaboratively to deliver initiatives and outcomes that foster social inclusion and diversity, with a focus on multicultural communities and improving accessibility and inclusion for people with disability.	01/07/2023	30/06/2024	50%			The All Abilities Action Plan was endorsed by Council at the Ordinary Meeting in November 2023. This was the culmination of a year long process and included a working reference group of people with lived experience of disability. A number of their stories are shared in the Plan, which provides clear actions for Council to achieve over the next five years and is aimed at improving inclusion and accessibility for people with disability. Disability Action Week took place from 25 November to 2 December 2023 with a strong calendar of events curated across the region including a Reverse Inclusion Basketball game hosted by the Suncoast Spinners Wheelchair Basketball club and the All Access Day at the Beach event at Mooloolaba. Another season of the Accessible Beaches program is underway. In November 2023, the celebration of the Diverse Queensland Workforce and Migrant Work Ready programs occurred. This year, through the partnership, 50% of program participants have found employment on the Sunshine Coast. Further to this, work has begun internally determining areas of Council where efforts can be concentrated on improving inclusion and diversity outcomes for multicultural communities that align with the Welcoming Cities Standard.
1.3.4	Implement the Community Engagement Policy and Excellence in Engagement Framework to support the delivery of best practice engagement.	01/07/2023	30/06/2024	50%			Training, information sharing and reflective learnings for continuous improvement were a key focus for this quarter to continue to extend efforts in delivering best practice community engagement. A learning session on closing the loop in engagement processes was delivered for Council staff, alongside an update to leadership on Excellence in Engagement progress, highlighting achievements of the past six months, key learnings and forward priorities. Seven projects closed to community feedback this quarter, including the Young Leaders Academy, proposed amendments to Local Laws at Point Cartwright and Maleny Skate Park Renewal.
1.3.5	Develop and implement a Housing and Homelessness Action Plan to support Council activities to achieve affordable living outcomes for the Sunshine Coast community.	01/07/2023	30/06/2024	50%			Council continues to implement the actions identified in the endorsed Housing and Homelessness Action Plan, particularly in relation to opportunities to utilise Council owned properties to investigate options for the establishment of affordable housing outcomes.



*Connected, resilient communities, with the capacity to respond to local issues*

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
1.4.1	Provide support to the community and other not-for-profit organisations in the delivery of resources, facilities and services that meet the needs of communities through the community grants program.	01/07/2023	30/06/2024	55%			A total of 428 grants were approved during this quarter allocating \$1,359,596 in funding for a range of community projects and activities. A total of 5927 community volunteers will be engaged in the funded projects. Allocations included \$629,231 to 99 community organisations through major grants and \$133,749 to 80 groups through Minor Grants. An additional \$147,403 was allocated to 96 community groups through the Councillor Discretionary Funding program, \$88,616 through 14 Regional Arts Development Fund Grants and \$45,000 through Creative Industry Investment Program. Grant outcomes of previously funded projects were shared internally and externally through various case studies, snippets, and media releases. Capacity building activities during this period included a grant writing workshop designed to meet the needs of multicultural community groups held at the Nambour Community Centre, presentations to the local divisional meeting of the Country Women's Association and the Youth Connect Network.
1.4.2	Undertake a review of the Community Strategy Action Plan 2019-2024 to develop a renewed set of actions for the next five years, working with the community towards our shared goal of a strong community for the Sunshine Coast region.	01/07/2023	30/06/2024	50%			This quarter saw the continued delivery of internal consultation and advancement into targeted community stakeholder consultation meetings to conclude the 2023 program of engagement in the review and renewal of the Community Strategy Action Plan. The feedback received from the program of engagement activities to date has helped to direct and refine priorities and actions in the action plan renewal process. The Community Strategy Annual Report 2022/23 was endorsed at the Ordinary Meeting in October 2023. It highlights how Council, our community and our partners have collaborated and worked together to deliver on the five outcome areas of the Community Strategy to progress our goal of being a strong community.
1.4.3	Undertake a review and develop the next version of the Active Transport Plan that sees walking and cycling playing an essential part in an integrated transport system to provide improved mobility, safer streets, healthier residents and a reduced impact on the global climate.	01/07/2023	30/06/2024	50%			A range of consultants were invited to submit a proposal for the preparation of a new Active Transport Plan for the Sunshine Coast. The Sunshine Coast Active Transport Plan 2024 is anticipated to be completed next financial year.





Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
1.4.4	Advance the Caloundra Transport Corridor Upgrade project in collaboration with Council's funding partners to provide safer and more direct access to Caloundra for motorists, with a strong focus on active transport.	01/07/2023	30/06/2024	40%			Design has progressed to 70% complete with progress on detailing all major features of the corridor including transitions to adjacent infrastructure, lighting and traffic signals, service relocations, drainage and landscaping. Design optimisation continues with a sustainability focus to reduce project impacts and enhance user connectivity, safety and efficiency. The Australian Government announced a withdrawal of its \$7,000,000 contribution to the section of the project between Arthur Street and the Nicklin Way (Section Two) in November 2023. Alternate funding is being sought by the State Government to secure delivery of this link to the Nicklin Way. Early works began on Section One in November 2023, with a number of properties being demolished along Oval Avenue to make way for the new transport corridor. The fifth Stakeholder Interest Group (SIG) meeting was held in December 2023 where Council, Department of Transport and Main Roads (DTMR) and SIG members discussed project environmental impacts, mitigation measures and offset delivery strategies. Coordination between Council and DTMR is continuing and included an update to the community and stakeholders in December 2023, confirming the ongoing commitment to delivering this new transport corridor.
1.4.5	Progress a detailed business case with the State Government for Sunshine Coast Public Transport project to maintain the liveability and connectivity for the Sunshine Coast.	01/07/2023	30/06/2024	65%			To inform the business case, substantial work has been completed by Council to assist the Department of Transport and Main Roads (DTMR) to refine options, prepare concept reference designs for the shortlisted options, and to finalise various technical reports. The second of three community engagement periods has also been undertaken by DTMR.
1.4.6	Review the Road Safety Plan and implement initiatives that support liveable neighbourhoods and limiting the number of road related injuries, protecting our most vulnerable road users, including pedestrians, cyclists and motorcyclists, and ensuring all three tiers of government work towards a common goal of reducing the impact of road trauma through a 'One Network' approach to road management.	01/07/2023	30/06/2024	30%			The Road Safety Plan was a carry-over action from the previous financial year. This will now reset to a Network Safety Plan. Comments from Sunshine Coast Active Transport Advisory Committee (SCATAC) members have been received and included in the revised draft of the Network Safety Plan. Work has commenced on the graphic design component of the plan.

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
1.4.7	Work collaboratively to raise awareness and support initiatives for key social issues with a focus on homelessness and domestic and family violence prevention.	01/07/2023	30/06/2024	50%			A calendar of events for the 16 Days of Activism against Gender Based Violence, was developed with community partners in the prevention of domestic and family violence. Activities included the Seeds of Hope tree planting event on 6 December 2023 which saw 50 community and Council members gather to remember women and children impacted by Domestic Violence by planting 500 trees in the dune system. Discussions are ongoing with a group of men representing a range of community organisations that are exploring how men and boys can play a role in prevention work. Workshops were held with Councillors and staff in November 2023 to explore how local government can play a proactive role in ending homelessness. These were facilitated by Leanne Mitchell who authored a report on this work that explores best practice from across the world. Council is continuing to explore new and innovative ways to respond to homelessness, particularly in public spaces and are partnering strongly with other services and internally. This is supporting better outcomes for people needing support and improving access to public space.

*Creative and innovative approaches to building a strong community*









Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
1.5.1	Deliver the Sunshine Coast's premier multi-arts Horizon Festival to celebrate place, encourage community participation and provide opportunities to present and build capacity for our local arts sector.	01/07/2023	30/06/2024	50%			Data for the 2023 Horizon Festival was collated and reviewed, revealing there were 25,567 attendees with 17,372 unique visitors and 94% of respondents rated their experience as good to excellent. A total of 2981 of the attendees were from outside the region and visited specifically to attend the Festival, generating an economic impact of \$814,941. The Festival experienced 22 sold out performances. The 2023 Horizon Festival's media campaign achieved 311 media placements valued at over \$510,000 and reached over 4.1 million people. Planning is underway for the 2024 Horizon Festival including an Artist Call Out inviting locally based artists to connect with the Festival for consideration in the 2024 program. The additional costs incurred for the 2023 event will have implications for the 2024 event.





















Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
1.5.2	Plan and coordinate Council's Arts Levy Program to deliver an annual program of developmental opportunities for the creative sector and, in line with the Sunshine Coast Arts Plan 2018-2038 coordinate the delivery of the Regional Arts Development Fund, and deliver an engaging Regional Gallery program of exhibitions and events including the Sunshine Coast Art Prize.	01/07/2023	30/06/2024	50%			This quarter the Creative Industries Investment Program allocated \$175,000 to develop and grow 10 creative events and programs. Project 24 supported 12 local artists to be mentored by industry leaders, with three public showings featuring six new works attracting an audience of 80 people. Council is a major investor in the highly successful Refinery Creative Incubator Program and is represented on the program development committee. A total of 35 requests for funding were received for the Regional Arts Development Fund, with 14 successful projects receiving \$88,615 to engage 70 artists, 24 arts workers and provide developmental opportunities to 127 people.
1.5.3	Develop the annual Heritage Levy program to support the implementation of priority activities and projects identified in the Sunshine Coast Heritage Plan 2021-2031 including: next stage planning for the Sunshine Coast Regional Collection Store, delivery of activation events for Bankfoot House and the Landsborough Museum, building the capacity of the region's network of heritage community organisations, and support to First Nations priority projects.	01/07/2023	30/06/2024	50%			The annual Historian in Residence program started with historians selected to focus on two areas of research, Sunshine Coast Cemeteries and Bankfoot House personalities. The region's heritage facilities continue to be activated through programs such as heritage talks, Halloween Night and educational programs for schools. This quarter Bankfoot House had 729 visitors and Landsborough Museum had 1206 visitors, which are both consistent with the same period last year. Ongoing support for regional heritage groups and museums is provided through professional workshops, marketing campaigns and collateral and a total of \$163,858 was awarded through Council's grants program this quarter.

## Corporate Plan Goal : Our environment and liveability







### *A resilient region shaped by clever planning and good design*

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
2.1.1	Progress the drafting of the new planning scheme informed by the preliminary community consultation outcomes and the State Interest Review, prior to undertaking formal community consultation on the proposed planning scheme that will shape future settlement patterns across the region.	01/07/2023	30/06/2024	50%			Based on the directions from Council and informed by preliminary consultation feedback, a draft version of the new planning scheme was completed this quarter and formally submitted to the State Government for a State Interest Review. Progression to this stage is a significant milestone in the plan-making process.
2.1.2	Continue to negotiate with parties of the Palmview Infrastructure Agreement to ensure delivery of all infrastructure obligations under the agreement.	01/07/2023	30/06/2024	50%			Substantial progress has been made this quarter with finalising the amendments to the Palmview Infrastructure Agreement.
2.1.3	Advocate Council's policy positions to the State Government to inform the review of the South East Queensland Regional Plan.	01/07/2023	30/06/2024	100%			The updated South East Queensland (SEQ) Regional Plan, ShapingSEQ 2023 was released and took effect during this quarter. Council has been actively engaging with the State Government through the Local Government Working Group, Regional Planning Committee and one on one consultations. A formal submission to the draft SEQ Regional Plan, outlining Council's key positions, was submitted during the statutory consultation period and is available to view on Council's website. Initial assessments indicate that there is a strong level of alignment between the updated Regional Plan and many of the positions reflected in Council's Corporate Plan and regional strategies. A number of matters raised in Council's submission also appear to have been considered in the preparation of the final plan. Council will continue to participate in the process of advocating Council policy positions through the SEQ Regional Plan Implementation program once it commences.
2.1.4	Continue to work with the State Government to progress the preparation of planning for the Beerwah East Major Development Area.	01/07/2023	30/06/2024	50%			Council is continuing to work in collaboration with the State Government to progress the planning for Beerwah East Major Development Area, which is now known as the Beerwah East SEQ Development Area under the SEQ Regional Plan (ShapingSEQ 2023). The Regional Plan also strengthens commitment to the development of Beerwah East and acknowledges the importance of Beerwah East to accommodating the region's future growth.

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
2.1.5	Plan for the protection of the Regional Inter-urban Break in perpetuity to secure the environmental, production and recreation values through: advocating for its retention at current extent, identifying and acquiring strategic land and implementing the Inter-urban Break Outdoor Recreation Plan with partners.	01/07/2023	30/06/2024	50%			Advocacy efforts continue for the protection of the Regional Inter-urban Break as defined by Council, including: - a formal Council submission to the 'draft Shaping SEQ 2023' (South East Queensland Regional Plan 2023 Update) - responding to the Commonwealth's Environment and Protection Biodiversity Conservation legislative planning and consultation process in relation to Stockland's Aura South self-contained master-planned community, and - a revision of Council's webpage to reflect advocacy efforts.
2.1.6	Finalise the review of the Environment and Liveability Strategy and continue to embed sustainability into organisational business while responding to climate change by building a more resilient Sunshine Coast region through emissions reduction and climate risk management.	01/07/2023	30/06/2024	85%			Council adopted a refreshed Environment and Liveability Strategy Part A: Strategic Directions and Part B: Implementation Plan at Council's Ordinary Meeting in October 2023, incorporating new information and strengthening the established strategic foundation. The Organisational Sustainability Benchmarking Report 2022/23 was released and the cascading climate risk project relating to the failure of critical public infrastructure and associated impacts on Council service delivery has progressed.
2.1.7	Design improved identification and updating of stormwater assets in Council's asset register to better shape appropriate levels of service in accordance with the Stormwater Management Strategy.	01/07/2023	30/06/2024	50%			The identification and processing of stormwater assets in CONFIRM (Council's asset management system) progressed with approximately 50% completed. A new live dashboard is now in internally use across Council.
2.1.8	Commence preparation of Urban Design Guidelines for Multi-Unit Dwellings to demonstrate and create a better built environment.	01/07/2023	30/06/2024	50%			This quarter, consultation occurred with internal stakeholders regarding a draft Guideline.
2.1.9	Implement the Coastal Hazard Adaptation Strategy through, informing the development of the new planning scheme, undertaking dune protection, enhancement and management in identified areas, progressing the Shoreline Erosion Management Plan and seeking external funding opportunities to establish program partnerships and collaboration.	01/07/2023	30/06/2024	50%			Implementation of the Coastal Hazard Adaptation Strategy has continued, targeting stakeholder engagement for a revised Shoreline Erosion Management Plan and a Healthy Coast Management Plan. A case study options analysis for coastal hazard adaptation infrastructure at a number of prioritised sites is progressing.







Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
2.1.10	Provide effective, timely and coordinated planning, preparedness, response and recovery for the region in response to disaster events and undertake a review of Council's Local Disaster Management Plan.	01/07/2023	30/06/2024	50%			The review of the Local Disaster Management Plan is complete and has been published to Council's website and distributed as required. Local Disaster Coordination Centre staff have been trained and participated in exercises to support the community during events if required. The Community Engagement Plan is on track for the financial year with resilience activities including library workshops across the region and Get Ready Schools visits.
2.1.11	Finalise construction of the new hi-tech material recovery facility at the Nambour waste precinct to improve the quality of processed recyclable material and mobilise the operations contract.	01/07/2023	30/06/2024	100%			Dry and wet commissioning of the Materials Recovery Facility (MRF) was completed during October and November 2023. The MRF became fully operational on 1 December 2023, including an official opening event on 11 December 2023.
2.1.12	Develop and commence implementation of a refreshed Sunshine Coast Waste Strategy to guide service provision, emissions reduction, diversion of waste from landfill and continued modernisation of Council's waste management facilities and practices.	01/07/2023	30/06/2024	100%			The Resource Recovery Strategy 2023 was adopted by Council at the Ordinary Meeting in November 2023 and will now be used to support and guide implementing activities.
2.1.13	Coordinate the delivery of Council's Environment Levy including the strategic land acquisition program and environment levy partnerships and grants.	01/07/2023	30/06/2024	50%			Implementation of the Environment Levy Program has continued and the released 2022/23 Annual Report in November 2023 showcased Environment Levy highlights including: - \$1.40 million protecting and enhancing land acquired through the Environment Levy - more than \$1 million invested in coastal dune rehabilitation and shoreline erosion management - \$610,000 supporting local environment-focused community groups through our partnership programs - \$475,143 invested into building our knowledge through a range of research management and monitoring projects - \$327,088 awarded to 83 private landholders through Landholder Environment Grants to support their conservation efforts, and - \$211,500 invested into erosion and sediment control for waterways improvement and protection.



*Protection and enhancement of our natural assets and distinctive landscapes*

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
2.2.1	Finalise the Point Cartwright masterplan including management of consultation activities and any other formal processes required for implementation.	01/07/2023	30/06/2024	100%			The final masterplan was endorsed at Council's Ordinary Meeting in August 2023. A separate consultation process has been conducted for the Local Law amendments regarding Animal Management which was endorsed at Council's Ordinary Meeting in December 2023.
2.2.2	Coordination of weed management activities, demonstration sites, and exploring new technology and methodologies to improve industry and community understanding of weed management practices.	01/07/2023	30/06/2024	50%			Works continue at the Maleny demonstration site. Community requested changes have been implemented to relevant zones, with monitoring and privet control along the creekbank continuing. A trial drone mapping exercise was also undertaken for Sagittaria (aquatic weed) distribution within the Obi Obi creek catchment. Planting at the Witta demonstration site is nearly completed, having planted 16,500 native plants within the 9 hectare treatment area. Hydromulching has also been completed, with the millet cover crop becoming established. The drainage lines have had erosion and sediment works completed, with coir mesh and native plant coverage. Updated aerial mapping has recently been captured. Ground monitoring data collection is scheduled. The Broad Leaf Pepper distribution and AI Proof of Concept Trial Technical Report is in its final stages of review. The report information will be submitted as a scientific journal article in early 2024.
2.2.3	Finalise community consultation and seek endorsement for implementation of wildlife conservation plans for Marine Turtles and Macropods, which will deliver identified actions to support the recovery and conservation of these populations on the Sunshine Coast by reducing threats, improving habitat quality, and strengthening community-based management.	01/07/2023	30/06/2024	100%			The wildlife conservation plans for Marine Turtles and Macropods were endorsed by Council at the Ordinary Meeting in August 2023 and are now being implemented.









*Responsive, accessible and well managed assets and infrastructure*

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
2.3.1	Implement Blue Heart Sunshine Coast in partnership with Unitywater and the State Government including delivery of the Blue Carbon Pilot project, land acquisitions, land management activities and stakeholder engagement.	01/07/2023	30/06/2024	50%			During Quarter 2 delivery of the Blue Carbon Pilot project progressed with key projects including: - securing 120 hectares of land for conservation purposes through the SEQ City Deal funding - planning for the Commonwealth Government's blue carbon ecosystem restoration project has continued, with documentation submitted for Commonwealth assessment, and - a summary of baseline research outcomes supporting the Blue Carbon project was completed.
2.3.2	Finalise the master plan for the Sunshine Coast Ecological Park on land adjoining the Mary Cairncross Scenic Reserve.	01/07/2023	30/06/2024	100%			The Sunshine Coast Ecological Park Master Plan was endorsed at the Council Ordinary Meeting in July 2023 and the scoping of the implementation phase is being progressed.
2.3.3	Progress projects funded through the Queensland Reconstruction Authority for the reconstruction of essential public assets in our region that have been affected by natural disasters.	01/07/2023	30/06/2024	50%			<p>Landslip Package 2, consisting of nine separate sites, closed in June 2023, with all works awarded to Shadforth's with works commencing in September 2023 and continuing through the quarter.</p> <p>Tender for the Unsealed Roads Package closed in August 2023, with all works awarded to Durack Civil with works commencing in November 2023.</p> <p>Tender for Drainage works closed in October 2023. Separable Port A (South) was awarded to Carruthers Civil and Separable Portion B (North) was awarded to Sunshine Coast Civil with works planned to commence December 2023.</p> <p>Landslip Package 3, closed in September 2023. Submissions were evaluated and successful tenderers shortlisted with site establishment in December 2023 with construction scheduled to commence early January 2024.</p> <p>All three properties under the Voluntary Home Buy-Back program have had demolition and rezoning completed. The Yandina property has recently had the planting completed, with Maroochy River planned to occur next. Works will be occurring shortly at Battery Hill to install a mix of bollards and trees as a vehicle deterrent.</p>





Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
2.3.4	Progress delivery of placemaking initiatives including streetscape improvements for Maroochydore (First Avenue and Ocean Street), Eumundi, Nambour, Maleny and Coolum.	01/07/2023	30/06/2024	60%			<p>Quarter 2 progression on delivery of placemaking initiatives included:</p> <ul style="list-style-type: none"> <li>- Landsborough Cribb Street Stage 2 Construction is due to commence mid-January 2024 including entry improvements with an estimated completion of mid-2024</li> <li>- Eumundi Memorial Drive Streetscape Project construction tender submissions being evaluated, aiming to award and commence construction in early 2024</li> <li>- Nambour Place Plan has progressed to detailed design following community consultation</li> <li>- Maleny Maple Street Streetscape project has progressed to detailed design</li> <li>- Ocean Street Refresh is currently in detailed design and feasibility - with construction of early works to commence in early 2024</li> <li>- Maroola Lorraine Avenue Streetscape Project - final stages of detailed design with construction planned to commence in April 2024</li> <li>- First Avenue Streetscape project - construction contract tender has closed with tender evaluation underway, and</li> <li>- Coolum Connections has commenced concept design phase with community engagement proposed for mid-2024.</li> </ul>

*Transitioning to a sustainable and affordable way of living*

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
2.4.1	Implement the Street Tree Master Plan to protect, enhance and sustain the region's existing and future street tree network through additional planting, better selection, placement and care of these environmental assets across the Sunshine Coast.	01/07/2023	30/06/2024	50%			A review of the Street Tree Master Plan commenced in Quarter 2 with the proposed outcomes including the inclusion of a 51% canopy coverage target to footpaths and cycle ways by 2041 and the incorporation of trees in parks and open space into the plan.





Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
2.4.2	Coordinate the implementation of the Sunshine Coast Biosphere in partnership with our community and investigate other complementary protection mechanisms.	01/07/2023	30/06/2024	50%			Biosphere implementation continued with a focus on communications and engagement, including: - production of videos explaining what it means to live in the Sunshine Coast Biosphere, and - a community celebration for International Day for Biosphere Reserves with the inaugural 'BiospHERO Day' with over 1000 attendees.  Council also commenced a phased community engagement process on a proposal to establish a Sunshine Coast Dark Sky Reserve through the International Dark Sky Places Program.
2.4.3	Implement strategic actions within the Recreation Parks Plan to design and deliver recreation parks that support the health and lifestyle needs of our region's communities that complement the character of the region.	01/07/2023	30/06/2024	50%			A draft Play Opportunities Plan is being developed for consultation with several audits of existing play offerings, shade provision and access opportunities now complete. In addition, the Recreation Parks Plan will be incorporated into the Sunshine Coast Planning Scheme. This is underway with a review of the Planning Scheme Codes and Local Government Infrastructure Plan Desired Standards of Service now complete. A park shade analysis report has been developed and is currently under review. A key action under the Scenic Amenity theme is to develop a water management plan for parks to guide future irrigation needs. A draft plan is now complete and includes guidance for responding to drought to achieve sustainable water use.

#### *A reputation for innovation and sustainability*





Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
2.5.1	Review of energy transition opportunities including the development of a business case and integration studies of additional renewable energy and battery energy storage systems.	01/07/2023	30/06/2024	50%			Consultants were engaged in Quarter 2 to prepare a battery energy storage specification that will be included in the future tender for design and construction of the battery energy storage system.
2.5.2	Award a contract and progress the design and construction of a Food Organics and Garden Organics (FOGO) processing facility which will support achieving landfill diversion targets and improve emissions reductions.	01/07/2023	30/06/2024	50%			The procurement process advanced through Quarter 2 with tender documents completed and are due for release to the market in January 2024.





## Corporate Plan Goal : Our resilient economy

### *Strong economic leadership, collaboration and identity*

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
3.1.1	Undertake a review of the Regional Economic Development Strategy 2013-2033 and associated Implementation Plan to further progress towards the delivery of a resilient economy for the Sunshine Coast region.	01/07/2023	30/06/2024	100%			The review of the Sunshine Coast Regional Economic Development Strategy 2013-2033 and associated Five-Year Implementation Plan was completed with Council endorsing the refreshed document at the Ordinary Meeting in October 2023. Implementation of the refreshed Strategy is now underway.
3.1.2	Provide financial support to 'Visit Sunshine Coast' to underpin its activities to promote the Sunshine Coast as a tourism destination, deliver complementary initiatives and develop and finalise a new performance deed.	01/07/2023	30/06/2024	50%			Visit Sunshine Coast, in collaboration with Council, is reviewing the draft funding deed and key performance indicators. It is anticipated the deed will be executed in early 2024 with revised key performance indicators.





### *New capital investment in the region*

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
3.2.1	Progress the designation of the Sunshine Coast Airport as a Priority Development Area including preparation of an Interim Land Use Plan and Development Scheme.	01/07/2023	30/06/2024	50%			Sunshine Coast Airport and Economic Development Queensland are proceeding with the preparation of the Development Scheme for the airport with the support of Council.
3.2.2	Progress implementation of the Caloundra Centre Master Plan 2017 in alignment with the Caloundra centre activation project, including finalising the business case for the new Caloundra Regional Gallery, and preliminary feasibility and design for the Community and Creative Hub Precinct.	01/07/2023	30/06/2024	50%			Following Council endorsement of the business case for the proposed new Sunshine Coast Regional Gallery in Caloundra in Quarter 1, the conceptual plan for the Community and Creative Hub precinct has been finalised. This has been communicated to the community as part of the final stage of community engagement previously undertaken that contributed to the design outcomes. The next phase in early 2024 is to complete feasibility, staging and implementation planning for the precinct's delivery in future years.



Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
3.2.3	Leverage our digital connectivity to generate new enduring investment, trade and employment opportunities for local business and industry.	01/07/2023	30/06/2024	50%			The Testing Tech in Paradise social media marketing campaign was launched in North America this quarter to promote the Sunshine Coast as the ideal location for United States tech companies to test and trial emerging technology on Council's WiFi 6 network. Trade and Investment Queensland's Commissioner (North America) and the Department of Foreign Affairs and Trade's Deputy State Director both visited the region this quarter and received an update on local investment activities. Working in partnership with Australian company Geospatial Intelligence, Council hosted an ideation session on 12 October 2023 to explore the potential for creating a Centre of Excellence in Geospatial Technology on the Sunshine Coast. Attendees explored a range of use cases that could be enhanced through the application of geospatial intelligence, As a precursor to the inaugural Xplore XR Healthcare Summit held on the Sunshine Coast from 10-11 November 2023, 10 VIP international delegates and summit sponsors received a tour of the Health Precinct (Sunshine Coast University Hospital and Sunshine Coast Health Institute), followed by a health industry, technology and investment-focused presentation by Council and an inspection of NEXTDCs SC1 Data Centre in Maroochydhore.
3.2.4	Progress amendments to the Maroochydhore City Centre Priority Development Area scheme in conjunction with Economic Development Queensland.	01/07/2023	30/06/2024	50%			Council will continue to act as the Minister's delegate for Plan Making for the Maroochydhore City Centre Priority Development Area (PDA) in progressing an amendment to the Maroochydhore City Centre PDA Development Scheme. Community consultation on the amended Development Scheme commenced mid September 2023 and concluded on 23 October 2023.





*Investment and growth in high-value industries, innovation and entrepreneurship*



Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
3.3.1	Progress implementation of Mooloolaba Master Plan, including design finalisation and commencing construction of the foreshore Central Meeting Place and next stages of the Brisbane Road, Mooloolaba four lane road upgrade (Bindaree Court section).	01/07/2023	30/06/2024	40%			Mooloolaba Master Plan work continues with the Central Meeting Place and Southern Parklands Seawall design now complete. Overall construction timing is based on the pressing asset replacement requirements for the Loo with a View structure, construction contract procurement and delivery methodology, grant milestones and conditions, and a constraints overlay of the Mooloolaba precinct (i.e. community and economic factors). The \$7,950,000 Australian Government Disaster Ready Grant implementation plan has been provided based on mid 2024 construction commencement and update meetings have continued with Project Control and Steering Groups. Extensive communications and project updates were provided via a range of media channels and further one on one meetings with key stakeholders occurred during this quarter. Stages 2 and 3 of the Brisbane Road four-lane upgrade (known as the Mooloolaba Transport Corridor Upgrade) is complete with some minor defects rectifications to be finalised. The contract for Stage 4 early works (Tuckers Creek Bridge to Mayes Canal Bridge) has been awarded for demolition of the existing buildings and construction of a noise wall at the rear of two properties. Civil works for the remainder of Stage 4 of the 4-lane road upgrade will occur in future years.
3.3.2	Work with key stakeholders to identify investment and industry development opportunities, undertake marketing activities and support aligned projects across the region's high value industries.	01/07/2023	30/06/2024	50%			Council was awarded two gold International Economic Development Council (IEDC) Awards for the Vitamin SC marketing campaign in the categories of Paid Advertising and Multimedia/Video Promotion. IEDC is a global industry organisation of over 5000 professional economic development members who are tasked with promoting economic wellbeing and quality of life for their communities by creating, retaining and expanding jobs that facilitate growth. Vitamin SC Season 3 saw a total of 151 new leads this quarter, 138 of these from Meta. This first three-month campaign finished on 30 November 2023 and will restart again in early 2024 for another three months. The Testing Tech in Paradise marketing campaign saw a total of 42 new leads this quarter and LinkedIn demographics deep dive showed adverts appear to be getting served to and seen by major global companies.

*Strong local to global connections*



Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
3.4.1	Drive export activity from the Sunshine Coast and support local businesses to expand into national and international markets by providing direction to specialist services, contacts, training and partnering with State and Federal government trade agencies for in-market assistance.	01/07/2023	30/06/2024	50%			The Sunshine Coast was showcased at the Asia Pacific Cities Summit bi-annual event in Brisbane from 11 to 13 October 2023. Over 100 Mayors, delegates from 140 cities, and 130 speakers from across the globe participated in presentations and deep dive sessions. The Mayor spoke at the Cities of Legacy on 'Our Sunshine Coast - Becoming Australia's most sustainable region'. Council sponsored a table at the Premier of Queensland's Export Awards Gala and hosted local businesses, Advanced Aquarium Technologies (finalist for Exporter of the Year), Greaseboss, and Silver Sea Seafoods. The Sunshine Coast Women's Network hosted an export workshop which included Council and Trade and Investment Queensland on the panel, with AI Group facilitating the workshop with 15 local businesses in attendance. Concept Labs shared their exporting journey with the group as a business case.



*A natural, major and regional event destination*

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
3.5.1	Develop and attract events and sporting opportunities at Council venues including Caloundra Indoor Stadium, Maroochydore Multi Sports Complex, Nambour Showgrounds, Sunshine Coast Stadium and Venue 114 and other community spaces.	01/07/2023	30/06/2024	50%			Caloundra Indoor Stadium roof restoration works were completed in early October 2023 and not long after re-opening the Regional Disability Expo occurred on 19 October 2023 followed by the Just Acrobatics Expo in November 2023. Maroochydore Multi Sports Complex hosted the AFL Master's Carnival and AFL Queensland Schools Cup in October 2023 and the Australian Defence Force Careers Expo in November 2023. The Nambour Showgrounds held the Nambour Gemfest and inaugural DogFest in October 2023 followed by Collectorama in November 2023. Sunshine Coast Stadium was host to Stadium Cabaret, the Australian Outrigger Canoe Racing Association National Sprint Titles and Monster Truck Spectacular in November 2023, finishing the year with the STEPS Autism Treehouse Christmas Party and a new event to the Stadium - the Australian Quadball Club Championships. Venue 114 hosted the Rewired Youth Mental Health event, SunnyKids Mayoral Ball, Women's Lifestyle Expo, DMA's and James Johnston live concerts, Youth Recycle Markets and TAFE Queensland Graduation.

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
3.5.2	Undertake a review of the Major Events Strategy 2018-2027 to prioritise a broad and balanced major events calendar for the region and ensure close alignment with legacy opportunities of the Brisbane 2032 Olympic and Paralympic Games.	01/07/2023	30/06/2024	100%			The Sunshine Coast Major Events Board recommended a review and update of Sunshine Coast Major Events Strategy 2018-2027 implementation plan after five years, in order to keep up to date in regional and wider event evolutions. This review has been undertaken, with the 'refreshed' strategy for 2023-2028 endorsed and adopted at the Ordinary Meeting in August 2023.





*Encourage investment in talent and skills*

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
3.6.1	Work with education and training sector and the broader industry to implement 'Study Sunshine Coast' and better prepare and connect young people to education and employment opportunities in the region including through skills development, innovation and employability initiatives.	01/07/2023	30/06/2024	45%			<p>Study Queensland and Migration Queensland, supported by Study Sunshine Coast, held the Diversifying your Talent Pools with Skilled Migrant Talent event on 23 November 2023. Local businesses were invited to learn more about building a diversified talent pool. This session showed how to access skilled migrant talent by de-mystifying the student graduate, and skilled visa process, helping them connect to new talent through local education providers and explore the benefits of diverse teams.</p> <p>Study Sunshine Coast hosted three Trade and Investment Queensland (TIQ) Latin American Business Development Managers for a site visit on 30 November 2023. The visit included tours of our key ELICOS (English Language) and Vocational Education providers as well as a stop at the beach. This was part of a full state site tour arranged by Study Queensland to highlight the educational and tourism offering for students coming to Queensland for study.</p> <p>Study Sunshine Coast held a free First Aid and CPR course for 17 students on 23 November 2023 as part of their Employability Program. Student Ambassadors were treated to a Jetski experience and picnic at Caloundra and Pumicestone Passage with them creating content to share with their networks on tourism experiences available for students in the region.</p>



Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
3.6.2	Strengthen the collective resilience of our business communities through local business support programming and initiatives, and enhance the destination appeal of identified gateway precincts through the development and implementation of activation plans.	01/07/2023	30/06/2024	50%			The Local Business Support Program delivered tailored and specialist advice to 322 businesses across the region. There were 19 events delivered in support of the Regional Economic Development Strategy involving 1,379 participants which included the Sunshine Coast Business Awards, 12 businesses participating in the Build A Better Business Planning Workshops, Growing Queensland Businesses Procurement event, and participation in Chamber of Commerce events. The Place Activation team delivered eight key events in Nambour, Mooloolaba and Caloundra which were attended by more than 45,000 members of the community. This included Christmas in Caloundra, the Mooloolaba Foreshore Festival, and TramFest and Forecourt Live events in Nambour.

## Corporate Plan Goal : Our service excellence



### *Engage with our customers to design inclusive, contemporary and sustainable community services*

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
4.1.1	Commence implementation of a Strategic Asset Management Plan that delivers consistent asset management practices, processes and systems throughout the organisation.	01/07/2023	30/06/2024	50%			The draft Strategic Asset Management Plan is progressing and is on track for internal endorsement in mid-2024.
4.1.2	Deliver the capital works program based on robust scopes, cost and risk assessment with well sequenced delivery schedules aligned to corporate priorities and long-term financial plans.	01/07/2023	30/06/2024	45%			Favourable weather conditions allowed the continuation of ongoing progress on many major project works spanning through 2023. The Nambour Waste Precinct works have seen a major milestone with the completion and opening of the new high tech Material Recovery Facility as well progress on the lining of the new Landfill Expansion, continuation of Resource Recovery Facility and associated civil works. Strategic Land purchases for waste and major road project upgrades have all progressed well with many settlements occurring during the quarter. The new Maroochydhore Multideck carpark was completed and opened to the public in December 2023 as well as commencement on the Caloundra Centre Activation Library project. Other significant community projects include the award of major contracts to commence works at the new Honey Farm Road Sport and Recreation facility, the Stringybark Road Pedestrian and Cycle Bridge as well as upgrades at the Nambour Yandina Soccer Clubhouse and the Kawana Aquatic Centre. The Fourth Avenue Cotton Tree stormwater drainage upgrade is nearing completion and a raft of Queensland Reconstruction Agency funded disaster recovery works have been substantially progressed.

*Deliver consistent services that provide positive experiences for our community*



Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
4.2.1	Develop an approach that embeds customer experience into all of Council's operations and aligns to the International Customer Service Standard.	01/07/2023	30/06/2024	30%			<p>During Quarter 2, continued efforts focused on transforming Council to be more customer centric and supporting organisational alignment to optimising customer experience. This included but was not limited to:</p> <ol style="list-style-type: none"> <li>1. commenced undertaking monthly reviews of service delivery performance and actions underway to drive improvement in experience and responsiveness</li> <li>2. reviews into a number of escalated customer issues to: <ul style="list-style-type: none"> <li>- help understand customer pressure points</li> <li>- inform improvement of policies, procedures, information, and service delivery, and</li> <li>- inform the future Customer Experience roadmap.</li> </ul> </li> <li>3. Training of Council staff in the Service and Experience dashboard, which contains our customer surveys and service performance, assisting to inform key decisions, service delivery and improvements.</li> </ol> <p>Progress is currently at 30% with a substantial component of the work to be carried out in remainder of the 2023/24 year.</p>

*Assess service performance using data driven insights to inform sustainable service delivery*

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
4.3.1	Implement the new Smart City Framework and commence execution of the implementation plan to realise Smart City opportunities and further develop Council's data driven decision making capability.	01/07/2023	30/06/2024	50%			<p>The Smart City Framework Implementation Plan actions are progressing well across all five pathways for this financial year. Actions progressed during Quarter 2:</p> <ul style="list-style-type: none"> <li>- providing Smart Infrastructure Manual input to major Capital Works plans, e.g., balancing the Maroochydore City Centre development</li> <li>- evaluation testing of early bushfire detection using computer vision cameras</li> <li>- completed telecommunications asset mapping and aligned with long-term strategy to inform all major future development</li> <li>- data dashboards for 'Internet of Things' sensors are now widely available, and</li> <li>- progressed evaluations for problem solutions in the innovation pipeline, focusing on high-value and short timeframe to deployment at scale.</li> </ul>









*Optimise our services through operational excellence, digital enablement and agile delivery models*





Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
4.4.1	Develop and implement a new outcomes based model for Council's products and services to inform the planning for the 2024/25 budget and shape future service review priorities, including consideration of the most cost-effective service arrangements reflective of customer needs.	01/07/2023	30/06/2024	50%			Service Output planning is underway across the organisation with a strong focus on 10 key trends that are likely to impact operations over the next 10 years. This program provides a strong focus on the community needs and the desired outcomes from each of Council's 31 service outputs. This information is being considered alongside the long-term financial model and budget parameters to shape the future of Council's services and inform where Council may need to adapt or adjust current service offerings and/or delivery approaches to remain efficient, effective and sustainable.



## Corporate Plan Goal : Our outstanding organisation

*Maintain a sustainable organisation that is well placed to respond to the needs of our growing region*









Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
5.1.1	Review the long-term financial plan based on sound financial modelling that includes improved contributed asset processes, enhanced asset management valuation systems and the delivery of a well informed budget.	01/07/2023	30/06/2024	50%			<p>Council's 2023/24 adopted budget provides a strong financial outlook, maintaining Council's financials within the recommended financial sustainability metrics while also delivering services and key infrastructure for the region. Council's Long Term Financial Model is consistent with the most recent revision of the 2023/24 budget, with a review of forward years required to ensure financial sustainability is maintained.</p> <p>An external review was undertaken to improve the contributed and constructed asset write on process. The review is to be implemented over the coming financial year, with an outcome being to provide improvements in the workflow process.</p>
5.1.2	Implement the information technology management program that provides a focus on cyber security, systems rationalisation, network infrastructure, workplaces technology, enterprise data management platform, customer experience (digital), enterprise service management and information and records management.	01/07/2023	30/06/2024	50%			<p>The 2023/24 program of work is fully underway. The PARKnGO Carpark in Lightning Lane opened in December 2023, with technology supporting paid parking for almost 300 car spaces and electric vehicle charging. Digitisation of paper records at Council's archives centre commenced, providing for more efficient records management and improved accessibility. Zero cybersecurity breaches occurred in Quarter 2, whilst we continued to strengthen our posture with a focus on the security of Council's mobile devices. The PARKnGO and Venue 114 websites were upgraded, providing greater cybersecurity protection.</p>
5.1.3	Undertake a review of Council's approach to procurement to maximise organisational and community outcomes.	01/07/2023	30/06/2024	50%			<p>Work is continuing to identify opportunities to improve Council's approach to procurement. Initial discussions have taken place with Unity Water to investigate possible opportunities to work collaboratively. Meetings with similar organisations will take place between now and the end of the financial year in order to benchmark Council's approach to procurement .</p>





*Embrace a safe, values based workplace culture that attracts and retains high performing and engaged people*

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
5.2.1	Develop and implement a People Plan which seeks to embed a workplace culture that encourages people to work for Council, incorporates employee feedback from surveys and develops capability that contributes to achieving the vision for the region.	01/07/2023	30/06/2024	50%			Further development of the draft People Plan progressed in Quarter 2. The draft vision for the plan is 'a workplace where we attract, retain and engage the people we need to succeed, and where our people enjoy coming to work, can be their best and deliver service excellence to our community'. Four key areas of focus were identified to be the core of the Plan: - Culture - Leadership - Workforce Strategy and Planning - Wellbeing, Health and Safety A number of key activities have been identified under each of the above focus areas, these are to be finalised in the coming quarter.
5.2.2	Implement wellbeing, health and safety initiatives that focus on managing critical risks and continue to improve the safety management system.	01/07/2023	30/06/2024	50%			Consultation on the following organisational procedures was completed during Quarter 2: - Chain of Responsibility Procedure - Respirable Crystalline Silica Management Procedure - Traffic Management Procedure - Plant Management Procedure - Excavation Procedure Actions from the Temporary Traffic Management Audit continue to be delivered. A round of occupational hygienist Dust and Respirable Crystalline Silica (RSC) and Noise exposure assessments have been completed in high-risk work areas across Council and actions continue to be delivered. An accredited third-party auditor conducted an audit of Sunshine Coast Council's Wellbeing, Health and Safety Management System against the requirements of the National Self-Insurer OHS Management System Audit Tool to understand the level of Council's compliance. The identified opportunities for improvements are being formulated into an action plan.





Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
5.2.3	Complete staff relocations between the Maroochydore, Caloundra and Nambour administration centres and progress the review of the depot strategy to guide future investment for all workplaces.	01/07/2023	30/06/2024	50%			Maroochydore relocations were finalised in Quarter 1. Temporary staff movements at Caloundra have been completed and will remain in place until the Caloundra Administration Building repurposing works are completed (forecast mid-2025). Further temporary staff movements within Nambour Administration Buildings were undertaken in Quarter 2 with the creation of additional activity based working spaces through the reuse of furniture and technology ahead of more substantial redevelopment in future years. Refresh of the Depot and Satellite Sites Strategy has advanced with internal stakeholder engagement, data analytics and future service provisions progressing.

*Maintain a contemporary governance framework that inspires trust and confidence in the operations of Council*

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
5.3.1	Deliver the adopted 2023/24 Audit and Assurance Plan and support Council's Audit Committee in the discharge of its responsibilities.	01/07/2023	30/06/2024	40%			Work on the adopted 2023/24 Audit and Assurance Program of Work continues to be progressed. Program progress is to be a focus for improvement for Internal Audit for next quarter. All Internal Audit review scopes/terms of references are being prepared for discussion.
5.3.2	Provide advice on, and support the effective management of, Council's legal risks and statutory compliance activities.	01/07/2023	30/06/2024	50%			Legal services has provided advice on and supported the effective management of Council's legal risk and statutory compliance activities.
5.3.3	Update and maintain a contemporary Strategic Risk Management Framework for Council that assists with the identification, consideration and mitigation of strategic risks across Council's statutory and service delivery responsibilities.	01/07/2023	30/06/2024	50%			The progression of the Strategic Risk review will move forward in Quarter 3 to align with the Strategic Risk Roadmap. The Risk Management Framework has progressed to the next stage for review and approval.
5.3.4	Support the Electoral Commission of Queensland as it discharges its responsibilities to conduct the 2024 local government elections, manage the implementation of the caretaker requirements in advance of the elections and facilitate arrangements to support the commencement of the next term of Council.	01/07/2023	30/06/2024	50%			Information has continued to be provided to the Electoral Commission of Queensland as requested. Preliminary planning continues for the necessary arrangements to be in place to support the commencement of the 2024 Council.

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
5.3.5	Review the organisation's progress to transition to electric vehicles to inform the development of a transition plan that integrates Council's approach to decarbonising our fleet, identifying the future locations for charging infrastructure that support efficient service delivery as well as opportunities for energy demand management and optimisation.	01/07/2023	30/06/2024	50%			Work has progressed on an Electric Vehicle Transition Plan that is analysing several scenarios for Council passenger and light fleet. The analysis will consider the total cost of ownership, both capital and operational, the associated emission reductions, expected market availability as well as the demand for charging infrastructure required to support Council's transition. Further work is also being considered as to the optimal sites for charging Council's fleet to support efficient service delivery as well as potential partnerships that would advance clean and green transport options in the region.
5.3.6	Embed climate change into our operational and asset planning processes to inform our everyday business.	01/07/2023	30/06/2024	50%			<p>Council has continued to strengthen the focus on sustainability by embedding the United Nations Sustainable Development Goals (SDG's) as a standard component of strategies and plans as they are reviewed, updated or developed. This incorporates SDG-13: Climate Action.</p> <p>The adopted Operational Plan 2023/24 incorporates how each of the corporate goals contribute to the SDG's, this is then cascaded into branch, service and asset planning. Work is underway to further embed climate change into prioritisation processes, particularly in relation to the strategic asset management and the development of the capital works program.</p>

*Partner with community, business and other tiers of government to fulfil the needs of our region*

Action Code	Action Name	Start Date	Due Date	Progress	On Time	On Budget	Comments
5.4.1	Manage Council's statutory, governance and contractual responsibilities associated with the Maroochydore City Centre project and Council's relationship with Sunshine Coast Airport Pty Ltd.	01/07/2023	30/06/2024	50%			Council continued to work with SunCentral Maroochydore Pty Ltd and Walker Maroochydore Developments Pty Ltd to further the development of the City Centre. Council has made an application to the Minister for a Ministerial Exemption to facilitate the continuance of the current land disposal model.
5.4.2	Continue to work productively with the other tiers of government, the private and community sectors on prioritising and delivering on the region's infrastructure, services and program needs to advance the liveability, sustainability and productivity of the Sunshine Coast.	01/07/2023	30/06/2024	50%			Council has continued to work with the Sunshine Coast Business Council and the Infrastructure Association of Queensland to review and consolidate feedback from the Infrastructure Summit and the Industry and Youth Round Tables to inform the development of a longer term infrastructure plan for the region.

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## 8.2 JANUARY 2024 FINANCIAL PERFORMANCE REPORT

**File No:** Council Meetings

**Author:** Chief Financial Officer  
Business Performance Group

**Attachments:** Att 1 - January 2024 Financial Performance Report .....81 [↓](#)  
Att 2 - Capital Grant Funded Project Report January 2024 .....83 [↓](#)

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### PURPOSE

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

The matters which are the substance of this report and the recommendations in this report do not constitute a major policy decision as prescribed under section 90B of the *Local Government Act 2009*. Accordingly, Council may proceed to consider and deliberate on this report during the local government caretaker period.

### EXECUTIVE SUMMARY

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

#### Operating Performance

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

	<b>Original Budget \$000</b>	<b>Current Budget \$000</b>
Total Operating Revenue	590,615	594,808
Total Operating Expenses	566,003	572,666
<b>Operating Result</b>	<b>24,612</b>	<b>22,142</b>

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

### OFFICER RECOMMENDATION

That Council receive and note the report titled "January 2024 Financial Performance Report".

### FINANCE AND RESOURCING

This report sets out the details of Council's financial performance and investments for the month ending 31 January 2024, and meets Council's legislative reporting requirements.

### CORPORATE PLAN

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

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

**Operational Activity:** S28 - Financial and procurement services – financial and procurement management and governance, ensuring effective business management and legislative compliance, coordination



and development of Council's budget process, administration of financial systems, sundry debtors, accounts payable, financial and asset accounting, treasury, procurement, contract and supply functions.

## **CONSULTATION**

### **Councillor Consultation**

Consultation has been undertaken with the Portfolio Councillor, E Hungerford.

### **Internal Consultation**

This report has been written in conjunction with advice from:

- Acting Group Executive Business Performance
- Chief Financial Officer

### **External Consultation**

No external consultation is required for this report.

### **Community Engagement**

No community engagement is required for this report.

### **Legal**

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

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

### **Policy**

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

### **Risk**

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

### **Previous Council Resolution**

#### **Ordinary Meeting 14 December 2023 (OM23/149)**

*That Council:*

- (a) *receive and note the report titled "Budget Review 2 2023/2024"*
- (b) *adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's amended budget for 2023/24 financial year incorporating:*
  - (i) *the statement of income and expenditure*
  - (ii) *the statement of financial position*

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

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

*That Council:*

- (a) *receive and note the report titled "Budget Review 1 – 2023/24" and*
- (b) *adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's amended budget for 2023/24 financial year incorporating:*
  - (i) *the statement of income and expenditure*
  - (ii) *the statement of financial position*
  - (iii) *the statement of changes in equity*
  - (iv) *the statement of cash flow*
  - (v) *the relevant measurers of financial sustainability*
  - (vi) *the long-term financial forecast*
  - (vii) *Council's 2023/24 Capital Works Program, endorse the indicative four-year program for a period 2025 to 2028, and note the five-year program for the period 2029 to 2033*
- (c) *note the following documentation applies as adopted 22 June 2023*
  - (i) *the Debt policy*
  - (ii) *the Revenue policy*

- (iii) *the total value of change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
- (iv) *the Revenue statement*
- (v) *the rates and charges to be levied for the 2023/24 financial year and other matters as adopted 22 June 2023*
- (vi) *the Strategic Environment Levy Policy*
- (vii) *the Strategic Arts and Heritage Levy Policy*
- (viii) *the Strategic Transport Levy Policy*
- (ix) *the Derivates Policy and*
- (d) *endorse the Minor Capital Works Program (Appendix B)*

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

*That Council:*

**1. STATEMENT OF ESTIMATED FINANCIAL POSITION**

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

**2. ADOPTION OF BUDGET**

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

- (i) *the statement of income and expenditure*
- (ii) *the statement of financial position*
- (iii) *the statement of changes in equity*
- (iv) *the statement of cash flow*
- (v) *the relevant measures of financial sustainability*
- (vi) *the long-term financial forecast*
- (vii) *the Debt Policy (adopted by Council resolution on 25 May 2023)*
- (viii) *the Revenue Policy (adopted by Council resolution on 25 May 2023)*
- (ix) *the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
- (x) *the Revenue Statement*
- (xi) *Council's 2023/24 Capital Works Program, endorse the indicative four-year program for the period 2025 to 2028, and note the five-year program for the period 2029 to 2033*
- (xii) *the rates and charges to be levied for the 2023/24 financial year and other matters as detailed below in clauses 3 to 10*
- (xiii) *the 2023/24 Minor Capital Works Program*
- (xiv) *the Strategic Environment Levy Policy*
- (xv) *the Strategic Arts and Heritage Levy Policy*
- (xvi) *the Strategic Transport Levy Policy and*
- (xvii) *the Derivates Policy*

**Related Documentation**

2023/24 Adopted Budget

**Critical Dates**

There are no critical dates for this report.

**Implementation**

There are no implementation details to include in this report.



# Placeholder for Attachment

January 2024 Financial Performance Report

January 2024 Financial Performance Report (to be  
provided)













# Placeholder for Attachment

January 2024 Financial Performance Report

Capital Grant Funded Project Report January 2024  
(to be provided)



### 8.3 APPLICATION FOR DEVELOPMENT PERMIT FOR RECONFIGURING A LOT FOR SUBDIVISION (1 INTO 3 LOTS) AND A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR DWELLING HOUSES (2 DWELLINGS) - 215 VALLEY DRIVE, DOONAN

<b>File No:</b>	RAL23/0008 and MCU23/0019
<b>Author:</b>	Development Planner Customer & Planning Services Group
<b>Appendices:</b>	App A - Proposed Conditions of Approval..... 91  
<b>Attachments:</b>	Att 1 - Detailed Assessment Report..... 105  
	Att 2 - Proposal Plans ..... 131  
	Att 3 - Concurrence Agency Response ..... 141  

## PURPOSE

The purpose of this report is to seek Council's determination of a development application for a Development Permit for Reconfiguring a Lot for Subdivision (1 into 3 lots) and a Development Permit for a Material Change of Use for Dwelling Houses (2 dwellings) located at 215 Valley Drive, Doonan.

The application is before Council at the request of the Divisional Councillor M Suarez.

The matters which are the substance of this report and the recommendations in this report do not constitute a major policy decision as prescribed under section 90B of the *Local Government Act 2009*. Accordingly, Council may proceed to consider and deliberate on this report during the local government caretaker period.

## EXECUTIVE SUMMARY

This impact assessable application is for a Development Permit for Reconfiguring a Lot for Subdivision (1 into 3 lots) and Development Permit for a Material Change of Use for Dwelling Houses (2 dwellings). The proposal creates two (2) smaller lots of 7,160m<sup>2</sup> (Lot 1) and 6,000m<sup>2</sup> (Lot 2), with the balance allotment of 226,300m<sup>2</sup> (Lot 17). It is then proposed to locate a Dwelling House on each of the smaller lots, with no other use of the balance allotment proposed with this application. Access for all lots would be directly from the Valley Drive frontage. The proposal plans have been attached to this report (refer to **Attachment 2**).

A detailed assessment of the application has been undertaken and is included in the officer's Detailed Assessment Report in **Attachment 1** to this report. This includes assessment of the pertinent issues being inconsistency of the Dwelling House use with the Sport and Recreation Zone, lot size and compliance with relevant codes for dwelling houses, bushfire, ecologically important areas, steep land, flooding, retaining walls, fencing, frontage works, sewer, and stormwater.

The Dwelling House use is inconsistent in the Sport and Recreation zone and is a departure from the planning scheme. As such, the *Planning Act 2016* requires consideration of whether there are other relevant matters for consideration which warrant the approval or refusal of the application.

On balance, the development complies with the majority of the planning scheme, with the exception of the consistency of the land use. In this circumstance, it is considered that the proposal will not directly compromise or conflict with the use of the balance allotment for future sport and recreation purposes.

The proposal is recommended for approval subject to reasonable and relevant conditions.

**OFFICER RECOMMENDATION**

That Council:

- (a) receive and note the report titled “Application for Development Permit for Reconfiguring a Lot for Subdivision (1 into 3 lots) and a Development Permit for a Material Change of Use for Dwelling Houses (2 dwellings) - 215 Valley Drive, Doonan” and
- (b) approve Application No. RAL23/0008 and MCU23/0019, and grant a Development Permit for Reconfiguring a Lot for Subdivision (1 into 3 lots) and a Development Permit for a Material Change of Use for Dwelling Houses (2 dwellings), subject to conditions in Appendix A.

**FINANCE AND RESOURCING**

In the event of an approval, the Infrastructure Charges are payable in accordance with Council’s Infrastructure Charges Resolution. Council’s Strategic Infrastructure Planning and Policy Branch estimate that Council’s proportion of Infrastructure Charge would be \$35,007 (subject to indexation).

**CORPORATE PLAN**

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

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

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

**CONSULTATION****Councillor Consultation**

Due to this application being impact assessable, all Councillors were informed at the beginning of the decision period for this application, outlining a summary of the application and the details of public notification (refer to Community Engagement section below).

The Divisional Councillor M Suarez has been consulted during the application process.

**Internal Consultation**

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

- Principal Development Engineer, Development Services Branch, Customer and Planning Services
- Principal Biodiversity Officer, Development Services Branch, Customer and Planning Services
- Interim Coordinator Planning Scheme Amendments, Strategic Planning Branch, Customer and Planning Services and,
- Manager Environment and Sustainability Policy, Liveability and Natural Asset.

### External Consultation

The application was referred to the Department of State Development and Infrastructure, (SARA) as a concurrence agency, in accordance with the *Planning Act 2016* and the *Planning Regulation 2017* in relation to clearing vegetation and koala habitat areas.

The department responded by letter dated 30 May 2023 imposing conditions that must attach to any development approval (refer to **Attachment 3**).

### Community Engagement

The application was publicly notified for 15 business days between 3 July 2023 and 24 July 2023 in accordance with the requirements of the *Planning Act 2016*. A total of 24 submissions were received, consisting of 7 properly made submissions (17 not properly made submissions in accordance with the legislative requirements). Of the 7 properly made submissions, there were 4 submissions in support and 3 submissions against the proposal. Of the total 24 submissions (properly made and not properly made), there were 5 submissions in support and 19 submissions against the proposal.

A summary of the issues raised by submitters together with a response is provided in the Detailed Assessment Report (**Attachment 1**).

### PROPOSAL

This impact assessable application is for a Development Permit for Reconfiguring a Lot for Subdivision (1 into 3 lots) and Development Permit for a Material Change of Use for Dwelling Houses (2 dwellings).

The subject site is located in the Sport and Recreation Zone and was previously used as a disused golf course (which has since ceased). The proposal creates two (2) smaller lots of 7,160m<sup>2</sup> (Lot 1) and 6,000m<sup>2</sup> (Lot 2), with the balance allotment of 226,300m<sup>2</sup> (Lot 17). It is then proposed to locate a Dwelling House on each of the smaller lots, with no other use of the balance allotment proposed with this application. Access for all lots would be directly from the Valley Drive frontage. The proposal plans have been attached to this report (refer to **Attachment 2**).

A detailed assessment of the application has been undertaken and is included in the officer's Detailed Assessment Report in **Attachment 1** to this report. This includes assessment of the pertinent issues being inconsistency of the Dwelling House use with the Sport and Recreation Zone, lot size and compliance with relevant codes for dwelling houses, bushfire, ecologically important areas, steep land, flooding, retaining walls, fencing, frontage works, sewer, and stormwater.

The application is assessable against the whole of the *Sunshine Coast Planning Scheme 2014*, including the Strategic Framework and relevant codes.

The Dwelling House use is inconsistent in the Sport and Recreation zone and is a departure from the planning scheme. As such, the *Planning Act 2016* requires consideration of whether there are other relevant matters for consideration which warrant the approval or refusal of the application.

The exercise of any discretion regarding other relevant matters involves a balancing exercise of matters that warrant an approval or a refusal.

There are several matters that are in favour of the development, which include:

- the balance allotment will be sufficiently sized and shaped to accommodate the expansion of the Noosa Valley Country Club golf course from the western side of Valley Drive without the two (2) allotments proposed to be subdivided and used for Dwelling Houses

- the owners intend to maintain the balance allotment as is, and are willing to consider sale of the allotment to the Noosa Valley Country Club to facilitate expansion of the golf course
- the subject site has been in private ownership and has not been purchased by Council or the State, nor have the current owners been approached by either entity and
- part of the proposed smaller allotments, and most of the balance allotment, are subject to flood and therefore it is unlikely any further development could occur beyond a park or other Sport and Recreation use.

In converse, there are a few matters that may warrant refusal, including:

- The intrusion of incompatible land use that may compromise or conflict with the primary use of the sport and recreation open space for organised sport and recreation activities and,
- The fact that the subject land mapped within the Rural Residential Area and the Rural Residential Growth Management Boundary on Strategic Framework Map SFM1. Strategic Framework Map SFM1 includes a note which outlines that not all land included in the Rural Residential Growth Management Boundary may not be suitable to be developed for rural residential purposes.

On balance, the development complies with the majority of the planning scheme, with the exception of the consistency of the land use. In this circumstance, it is considered that the proposal will not directly compromise or conflict with the use of the balance allotment for future sport and recreation purposes, such as the expansion of the Noosa Valley Country Club golf course.

In this instance, the land use and subdivision of the land is recommended to be supported.

### Legal

There are currently no legal implications relevant to this report, however this matter can be appealed to the Planning and Environment Court by the applicant and submitters. Council will proceed with any required actions resulting from any legal action.

### Policy

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

### Risk

This matter can be appealed to the Planning and Environment Court by the applicant or submitters. Council will proceed with any required actions resulting from any legal action.

### Previous Council Resolution

There are no previous Council resolutions 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. The detailed assessment report contains all the specific assessment details under the planning scheme considered in Council's assessment of this application.

A copy of the proposal plans of the development are provided as **Attachment 2** to this report.

A copy of the concurrence agency response is provided as **Attachment 3** of this report.



**Critical Dates**

There are no critical dates relevant to this report. Under the *Development Assessment Rules* and the *Planning Act 2016*, Council's decision for this impact assessable application was due on 22 November 2023. Given a decision has not been made by this date, the applicant may elect to take a 'deemed refusal' of the application.

**Implementation**

Should the recommendation be accepted by Council, it is noted that Council officers will communicate the outcome of Council's resolutions to the applicant and submitters as appropriate.



#### APPLICATION DETAILS

Application No: RAL23/0008 and MCU23/0019  
Street Address: 215 Valley Drive, Doonan  
Real Property Description: Lot 17 SP 283706  
Planning Scheme: Sunshine Coast Planning Scheme 2014 (16 May 2022)

#### APPROVAL DETAILS

Nature of Approval: Approval with conditions  
Type of Approval: Development Permit to Reconfigure a Lot for Subdivision  
(1 Lot into 3 Lots); and,  
Development Permit for Material Change of Use for  
Dwelling Houses (2 dwellings)

#### 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

#### DEVELOPMENT PERMIT TO RECONFIGURE A LOT FOR SUBDIVISION (1 INTO 3 LOTS) – RAL23/0008

#### PLANNING

##### When Conditions Must Be Complied With

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

##### Approved Plans

2. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans listed within this development approval.  
\*(Refer to Advisory Note)
3. All lot numbering on the plan of subdivision to be submitted to Council must remain as shown on the Approved Plans.

**Plan of Development**

4. Any future buildings and associated works within any approved lot, including filling and excavation works, effluent disposal areas and all other ancillary infrastructure and structures, including driveways, pools, sports courts, services, water tanks, or the like, must be sited clear of the building exclusion zone shown on the Approved Plan titled '*Plan of Development & General Arrangement*'.
5. A copy of the Approved Plan titled "*Plan of Development & General Arrangement*" must be included in any contract of sale for the approved lots, together with a clause which requires future buildings and associated works, including filling and excavation works, effluent disposal areas and all other ancillary infrastructure and structures, including driveways, pools, sports courts, services, water tanks, or the like, to be sited clear of the building exclusion zone.

**Fencing**

6. Any fencing along the Valley Drive frontage is to be a minimum of 50 percent visually and climatically permeable, a maximum height of 1.5 metres, unless otherwise varied by Council.

**Boundary Encroachments**

7. Certification must be submitted to Council from a cadastral surveyor which certifies that:
  - (a) All constructed access and roadworks (including associated fill batters and retaining walls) are fully contained within a dedicated reserve or registered easement;
  - (b) All existing and proposed utility services and connections (e.g. electricity, telecommunications, water, sewerage) are wholly located within the lot they serve, or alternatively included within an easement where location within the lot is not possible;
  - (c) All dams (including ponded water, dam walls and associated spillway structures) are wholly located within the boundaries of a single lot;
  - (d) All retaining walls and structures are fully contained within the lot they retain; and,
  - (e) any fill, including fill batters, are wholly contained within the subject site and not on adjacent properties.

**ENGINEERING****Property Access and Driveways**

8. The existing informal property access must be removed and the kerb, footpath and verge area reinstated to match the balance of the site frontage, including the provision of topsoil and turf where the existing verge is grassed.
9. A residential driveway must be constructed to each new lot, in accordance with standard drawing RS-056. The works must be undertaken in accordance with an Operational Works approval and at locations generally as shown in Appendix C of the Engineering Report listed in this development approval.

10. Vehicle access to each lot is limited to the constructed driveway only. A clause must be included in the contract of sale for Lots 1 and 2 which requires vehicle access to be from the constructed driveway only, and which prohibits the driveway from being relocated without Council agreement in writing.

#### **Utility Services**

11. Reticulated electricity must be provided to each lot in accordance with the requirements of the service provider. The applicant must either provide a Certificate for Electrical Supply or apply for a further Operational Works approval, where Contestable Works are required.
12. An underground telecommunications service\* must be provided to each lot in accordance with the requirements of the service provider, unless written confirmation from the service provider stating that the development will be serviced by fixed wireless that includes voice communications is supplied to Council.  
*\*(Refer to Advisory Note)*
13. 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.

#### **Geotechnical Stability – Subdivisional Requirements**

14. All subdivisional works must be carried out in accordance with the recommendations contained in Section 4 of the Slope Stability Assessment listed within this development approval.

#### **Geotechnical Stability – Future Dwelling Requirements**

15. Any dwellings on the approved lots must be sited and/or constructed in accordance with the recommendations contained in Section 4 of the Slope Stability Assessment listed within this development approval, unless varied by a site specific investigation for a particular house lot.

#### **Earthworks and Retaining Walls**

16. All fill and associated batters and subdivisional works retaining walls must be undertaken in accordance with an Operational Works approval, and contained entirely within the subject site unless written permission from the respective landowner(s) is provided to Council.
17. Earthworks are to be generally in accordance with the Proposed Earthworks drawing listed as a referenced document in this development approval, excepting that no works may be undertaken within any existing Council drainage easement without prior written consent from Council's Stormwater Services team.
18. All retaining walls must be designed and constructed in accordance with the planning scheme and must be certified by a Registered Professional Engineer of Queensland (RPEQ) where exceeding 1 metre in height.

19. Unless otherwise agreed by Council in writing, all retaining walls located within, immediately above or visible from public land, road reserves, drainage easements and/or external properties must consist of grouted rock, rock tiled or sandstone boulder walls.
20. 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 residential boundary retaining walls greater than 1 metre high, a 'full infill' barrier (1 metre minimum height) or equivalent performance boundary fence (e.g. 1.8 metre high timber); and,
  - (b) All barriers must be certified to the appropriate load conditions from AS 1170 - *Structural Design Actions* by either the manufacturer or engineering calculations.

#### **Stormwater Drainage**

21. 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.
22. Stormwater runoff from the development must be disposed of on-site without causing scour or damage to the subject site or any adjoining property.

#### **Stormwater Quality Management**

23. Stormwater quality treatment must be provided for the development. The works must be undertaken in accordance with an Operational Works approval and must incorporate the 'Alternative Management Measures for Stormwater Quality Management' specified in Council's Planning scheme policy for development works and specifically include the following:
  - (a) Provide a rainwater harvesting and re-use system with a minimum of 50% percent of roof area from the primary dwelling on each lot connected to a rainwater tank;
  - (b) The tank capacity must be not less than 1kL per 25 square metres of communal landscape area. The tank is to supply external uses only;
  - (c) Grade all impervious runoff to landscaped areas or pit baskets prior to discharge; and,
  - (d) Locate all areas subject to flooding during the 1%AEP flood event within drainage easement and revegetate the area of the drainage easement.

#### **Flood Immunity**

24. A table listing the applicable flood levels for the Defined Flood Event (DFE) or Defined Storm Tide Event (DSTE) applicable to each lot must be provided for Council's records. The table must be accompanied by certification from a qualified person\* which certifies that the levels are based on the latest study referenced by Council's relevant development permits and incorporates all amendments.

\*(Refer to Advisory Note)

25. All future dwellings on the approved lots must be sited the flood free part of each lot as shown on the Approved Plans.
26. The minimum floor level of all dwellings must be provided in accordance with the requirements of the *Flood Hazard Overlay Code*.

**Easements**

27. 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.
28. All easements must be designed in accordance with the planning scheme and granted at no cost to the Grantee. Where the Grantee is Council or a service authority, the easement documentation must be in accordance with the Grantee's standard easement terms. Draft easement documentation must be submitted to Council for endorsement.
29. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.

**ECOLOGY****Bushfire Management**

30. The development must be managed and maintained in accordance with the recommendations in the Bushfire Hazard Assessment and Management Plan referenced in this development approval.
31. A copy of the Bushfire Hazard Assessment and Management Plan for the development must be provided to the nearest Sunshine Coast Area Office of the Rural Fire Service.

**Bushfire Management – Future Dwelling Requirements**

32. A clause must be included in the contract of sale for Lots 1 and 2 which requires future dwellings to be sited in accordance with the Bushfire Hazard Assessment and Management Plan referenced within this development approval.
33. The asset protection zone in Lot 1 must be established and managed as a low fuel area in accordance with Section 5.2 of the Bushfire Hazard Assessment and Management Plan referenced within this development approval.
34. The fire break trail in Lot 1 must be established and maintained in accordance with Section 5.4 of the Bushfire Hazard Assessment and Management Plan referenced within this development approval.
35. Prior to plan sealing, a qualified person\* must submit to Council certification that the requirements of the bushfire conditions in this development approval have been satisfied.



## **DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR DWELLING HOUSES (2 DWELLINGS) – MCU23/0019**

### **PLANNING**

#### **Reconfiguring a Lot to be Completed Prior to Dwelling House Occupation**

36. Development approved by this permit cannot be undertaken until the approved lots (as authorised by this development approval – RAL23/0008) have been registered and created on title.

#### **When Conditions Must Be Complied With**

37. 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

#### **Approved Plans**

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

#### **Building Height**

39. The maximum height of the development must not exceed 8.5 metres above natural ground level.
40. Certification must be submitted to council from a cadastral surveyor which certifies that the buildings do not exceed the maximum height requirement of this development approval.

#### **Parking**

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

#### **Water Supply**

43. The approved dwellings must each be serviced with a rainwater tank having a minimum storage capacity of no less than 45,000 litres.

#### **Flood Immunity**

44. All future dwellings on the approved lots must be sited the flood free part of each lot as shown on the Approved Plans.

45. The minimum floor level of all dwellings must be provided in accordance with the requirements of the *Flood Hazard Overlay Code*.

#### **Stormwater Quality Management**

46. Stormwater quality treatment must be provided for the development. The works must be undertaken in accordance with an Operational Works approval and must incorporate the 'Alternative Management Measures for Stormwater Quality Management' specified in Council's Planning scheme policy for development works and specifically include the following:
- (a) Provide a rainwater harvesting and re-use system with a minimum of 50% percent of roof area from the primary dwelling on each lot connected to a rainwater tank;
  - (b) The tank capacity must be not less than 1kL per 25 square metres of communal landscape area. The tank is to supply external uses only;
  - (c) Grade all impervious runoff to landscaped areas or pit baskets prior to discharge; and,
  - (d) Locate all areas subject to flooding during the 1%AEP flood event within drainage easement and revegetate the area of the drainage easement.

#### **ECOLOGY**

##### **Bushfire**

47. The future dwellings on Lots 1 and 2 must have a dedicated on-site fire-fighting water supply in accordance Section 5.5 of the Bushfire Hazard Assessment and Management Plan referenced within this development approval.
48. Landscaping associated with each new dwelling must be consistent with recommendations in section 5.6 of the Bushfire Hazard Assessment and Management Plan referenced within this development approval.
49. Prior to commencement of use a qualified person\* must submit to Council certification that the requirements of the bushfire conditions in this development approval have been satisfied.

## REFERRAL AGENCIES

The referral agencies applicable to this application are:

Referral Status	Referral Agency and Address	Referral Trigger	Response
Concurrence	SARA at DSDILGP South East Qld (North) Regional Office PO Box 1129 Maroochydore Qld 4558	Schedule 10, Part 10, Division 3, Subdivision 3, Table 1, Item 1 ( <i>Planning Regulation 2017</i> ) – Development interfering with koala habitat in koala habitat area outside koala priority area.  Schedule 10, Part 3, Division 4, Subdivision 2, Table 1 ( <i>Planning Regulation 2017</i> ) – Clearing vegetation on prescribed land.	The agency provided its response on 30 May 2023 (reference No. 2022-81).

## DEVELOPMENT PLANS

The following development plans are Approved Plans for the development:

### Approved Plans

Plan No.	Rev.	Plan Name	Date
22530-SK001	C	<i>Locality Plan</i> , prepared by TOD Consulting Engineers	26 April 2023
22530-SK002	F	<i>Plan of Development &amp; General Arrangement</i> , prepared by TOD Consulting Engineers	7 September 2023
12023	-	<i>Site Plan (Lot 1)</i> , prepared by Suncoast Building Design	21 June 2023 (received)
12023	-	<i>Dimension Plan (Lot 1)</i> prepared by Suncoast Building Design	21 June 2023 (received)
12023	-	<i>Southern and Eastern Elevations (Lot 1)</i> prepared by Suncoast Building Designs	21 June 2023 (received)
12023	-	<i>Northern and Western Elevations (Lot 1)</i> , prepared by Suncoast Building Designs	21 June 2023 (received)

12023	-	Site Plan (Lot 2), prepared by Suncoast Building Designs	21 June 2023 (received)
12023	-	Dimension Plan (Lot 2), prepared by Suncoast Building Designs	21 June 2023 (received)
12023	-	Southern and Eastern Elevations (Lot 2), prepared by Suncoast Building Designs	21 June 2023 (received)
12023	-	Northern and Western Elevations (Lot 2), prepared by Suncoast Building Designs	21 June 2023 (received)

#### REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

#### Referenced Documents

Document No.	Rev.	Document Name	Date
22530_RP1	B	Engineering Report in Support of Development Application, prepared by TOD Consulting Engineers	31 January 2023
23181-001	0	Slope Stability Assessment for Proposed Subdivision, prepared by Tectonic Geotechnical Pty Ltd	14 June 2023
22530-SK0023	F	Proposed Earthworks, prepared by TOD Consulting Engineers	7 September 2023
J001089	1	Bushfire Hazard Assessment & Management Plan, prepared by North Coast Environmental Services	1 September 2022

#### ADVISORY NOTES

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

#### Property Driveway and Vehicle Crossover

- The planning scheme declares Operational Work for the construction of a driveway and vehicle crossover to the property to be accepted development, assessable against Acceptable Outcome A09 of the *Dwelling House Code*. If the proposed driveway and vehicle crossover does not comply with the Acceptable Outcome of the Code, a Development Permit for the work is required to be obtained from Council.

#### Aboriginal Cultural Heritage Act 2003

- There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*. The ACH Act establishes a cultural heritage duty of care which provides that:

“A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.” It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land Court, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Unit on 07 3247 6212 to discuss any obligations under the ACH Act.

#### **Equitable Access and Facilities**

3. 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*.

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

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

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

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

#### **Effluent Disposal**

6. The establishment of a waste-water treatment and disposal system for the site requires a compliance permit to be obtained from Council under the *Plumbing and Drainage Act 2002*. The system must be designed in accordance with the Queensland Plumbing and Wastewater Code (Department of State Development and Infrastructure & Planning, 2007) and AS1547 - On-site Domestic Wastewater Management.

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

7. 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**

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

#### **Use of Premises for Short Term Accommodation**

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

#### **Qualified Person**

10. For the purpose of certifying flood levels for the development, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ) experienced in hydraulics and hydrology.
11. Certifying compliance with the bushfire requirements of this decision notice, a qualified person is a technical specialist with a minimum of five (5) years current experience in the field of bushfire assessment and management.

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

12. Council offers a free 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")**

13. 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**

14. 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.

**Telecommunications**

15. Requirements (with some exemptions in particular for non-urban areas) for supplying fibre-ready facilities are placed on developments under the *Telecommunications Act 1997*. Meeting the obligations of this Act is the responsibility of the developer, and this approval does not relieve the developer of any responsibility to meet provisions of this or other applicable Federal or State Act.

**Preparation of a Preliminary Construction Management Plan**

16. 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; and,
    - (iv) 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 and adjoining owners to advise of agreed construction times, impacts on traffic, services and other relevant issues; and,
  - (e) Identification of complaint management procedures including:
    - (i) Contact details for the on-site manager; and,
    - (ii) Dispute resolution procedures.

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.



### Environmental

17. The *Environmental Protection Act 1994* states 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. Environmental harm includes environmental nuisance. In this regard persons and entities involved in the civil, earthworks, construction and landscaping phases of this development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm.

### Environmental Health

18. **Clean earth** means earth that has trace elements and contaminant levels within the interim ecologically-based investigation levels for urban land use under the document titled *Schedule B(1) - Guideline on Investigation Levels for Soil and Groundwater*, forming part of the *National Environment Protection (Assessment of Site Contamination) Measure 1999, as varied 2011*, made by the National Environment Protection Council under the *National Environment Protection Council Act 1994* (Commonwealth), section 14(1).

### PROPERTY NOTES

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

#### RAL23/0008 – Plan of Development

1. The following notation applies to Lots 1 and 2:

*To ensure the protection of people and property, vegetation, drainage corridors, and koala habitat, any future buildings and associated works, including filling and excavation works, effluent disposal areas and all other ancillary infrastructure and structures, including driveways, fences, pools, sports courts, services, and water tanks must be sited clear of building exclusion zones in accordance with the conditions of Council approval RAL23/0008.*

#### RAL23/0008 - Property Access Driveway

2. The following notation applies to approved Lots 1 and 2:

*To ensure that maximum sight distances can be achieved, vehicle access to this lot must be from the constructed driveway only unless otherwise approved by Council (refer to Council approval RAL23/0008).*

#### RAL23/0008 - Geotechnical Stability

3. The following notation applies to approved Lots 1 and 2:

*To ensure the geotechnical stability of this lot is maintained, all buildings and structures must be sited and constructed in accordance with the geotechnical*

*conditions of Council approval RAL23/0008 and associated Operational Work approvals.*

**RAL23/0008 and MCU23/0019 - Bushfire Management**

4. The following notation applies to approved Lot 1 and 2:

*To ensure the safety of people and property on this lot is maintained, all buildings and structures must be sited and vegetation managed in accordance with the bushfire management conditions of council approval RAL23/0008 and MCU23/0019.*

**VARIATION APPROVAL**

Not applicable.

**FURTHER DEVELOPMENT PERMITS REQUIRED**

- Development Permit for Operational Work for Landscaping and Engineering Work (Earthworks, Stormwater, Roadworks, Driveways); and,
- Development Permit for Building Work (Building Act)

**SUBMISSIONS**

There were seven (7) 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 OFFICER REPORT

### APPLICATION FOR DEVELOPMENT APPROVAL

#### Link to Development.i:

<https://developmenti.sunshinecoast.qld.gov.au/Home/FilterDirect?filters=DANumber=RAL23/0008>

<b>APPLICATION SUMMARY</b>	
<b>Division:</b>	9
<b>Applicant:</b>	AK Paterson Tte and BJ Paterson Tte
<b>Consultant:</b>	Danya Cook Town Planning
<b>Owner:</b>	BJ Paterson Tte and AK Paterson Tte
<b>Proposal:</b>	Development Permit to Reconfigure a Lot for Subdivision (1 Lot into 3 Lots); and,  Development Permit for Material Change of Use for Dwelling Houses (2 dwellings)
<b>Properly Made Date:</b>	14 March 2023
<b>Street Address:</b>	215 Valley Drive, Doonan
<b>RP Description:</b>	Lot 17 SP 283706
<b>Assessment Type:</b>	Impact
<b>Number of Properly Made Submissions:</b>	Seven (7)
<b>State Referral Agencies:</b>	Concurrence <ul style="list-style-type: none"> <li>• SARA at DSDI</li> </ul>
<b>Referred Internal Specialists:</b>	<ul style="list-style-type: none"> <li>• Development Engineer; and,</li> <li>• Ecology Specialist.</li> </ul>

#### PROPOSAL:

The application seeks approval for Development Permit to Reconfigure a Lot for Subdivision (1 Lot into 3 Lots), and a Development Permit for Material Change of Use for Dwelling Houses (2 dwellings) on proposed Lots 1 and 2.

The subject site is located in the Sport and Recreation Zone. The proposal will result in three (3) lots as follows: Lot 1: 7,160m<sup>2</sup>; Lot 2: 6,000m<sup>2</sup>; and, Lot 17: 213,200m<sup>2</sup>. Lots 1 and 2 are proposed to have single storey Dwelling Houses constructed on each lot and will gain access directly to Valley Drive.

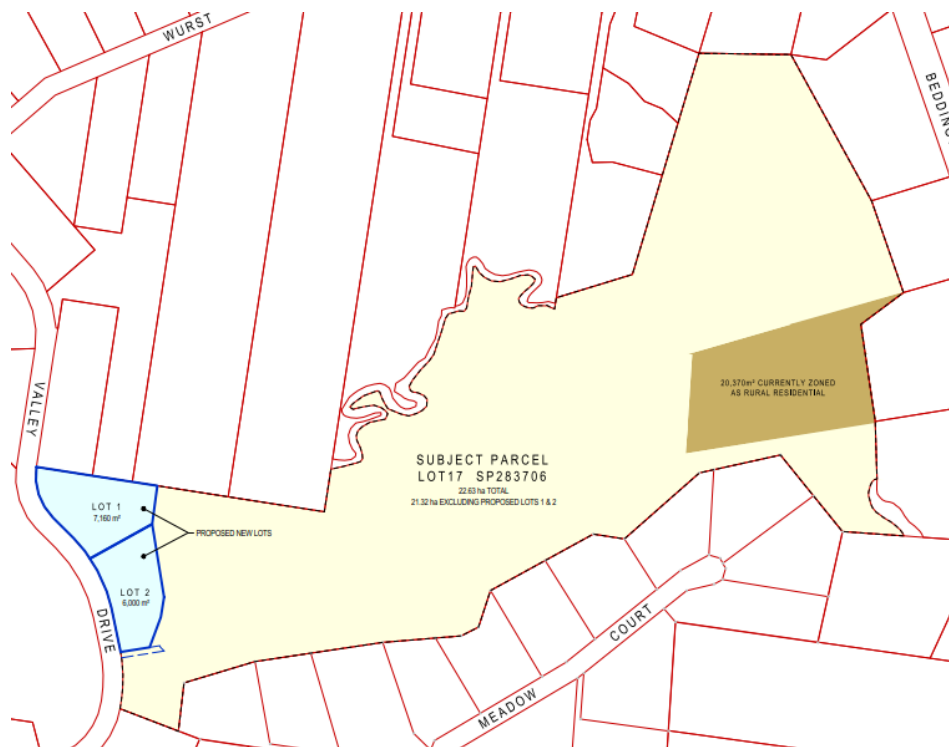


Figure 1: Proposed subdivision plan

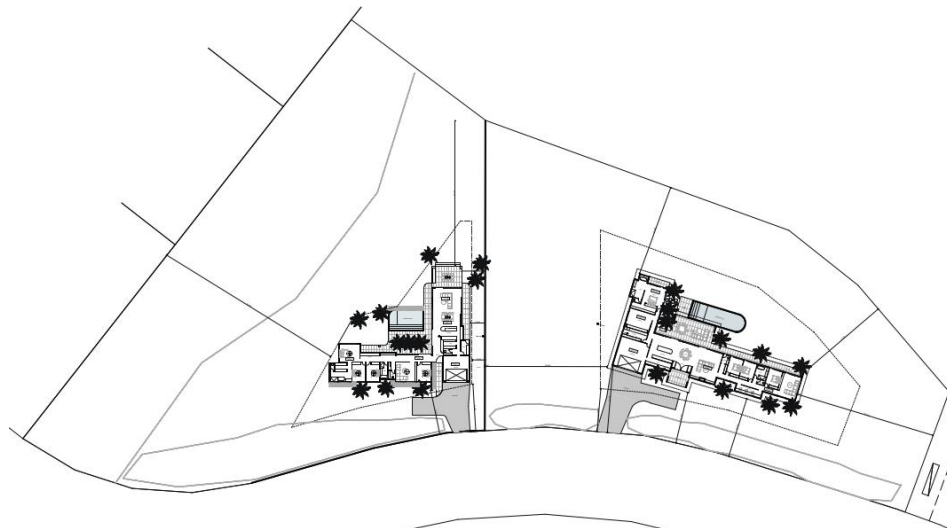


Figure 2: Proposed Dwelling Houses

The following table describes the key development parameters for the proposal for the reconfiguration of a lot.

<b>RECONFIGURING A LOT</b>	<b>DEVELOPMENT PARAMETERS</b>
<b>Number of Proposed Lots</b>	Three (3)
<b>Size of Proposed Lots</b>	Lot 1: 7,160m <sup>2</sup> ; Lot 2: 6,000m <sup>2</sup> ; and, Lot 17: 213,200m <sup>2</sup> .
<b>Proposed Easements</b>	Existing drainage easement to remain unchanged, and a new drainage easement to be included.
<b>Proposed Covenants</b>	Not applicable.

The following table describes the key development parameters for the proposal for the material change of use for the two dwellings.

<b>MATERIAL CHANGE OF USE</b>	<b>DEVELOPMENT PARAMETERS</b>	
	<b>Required</b>	<b>Proposed</b>
<b>Building Height/Storeys</b>	8.5 metres maximum	8.136 metres
<b>Setbacks</b>	Minimum Front: 10 metres; and,  Side and rear: 3 metres	Front: 10.611 metres; and,  Side and rear: 3.05 metres.
<b>Site Cover</b>	Maximum 50 percent	11.16 percent
<b>Parking</b>	Minimum two (2) car parking spaces with one (1) capable of being covered	Two (2) car parking spaces with one (1) capable of being covered

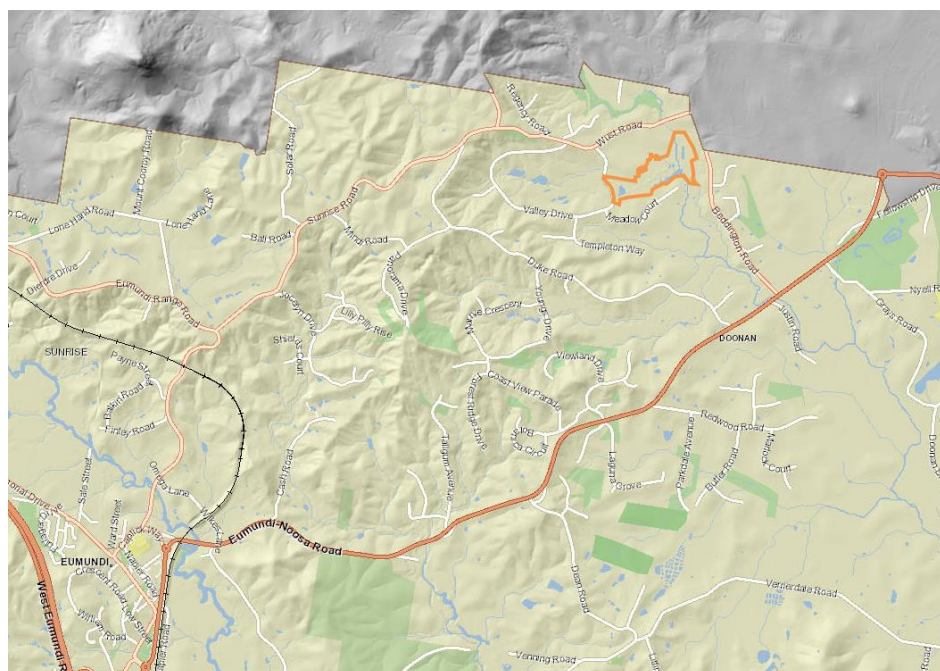
## SITE DETAILS:

### Site Features and Location

<b>SITE AND LOCALITY DESCRIPTION</b>	
<b>Land Area:</b>	225,700m <sup>2</sup>
<b>Existing Use of Land:</b>	Historically, Outdoor Sport and Recreation (golf course) which has since been abandoned.
<b>Road Frontage:</b>	Approximately 270 metres to Valley Drive
<b>Significant Site Features:</b>	Existing dams, grassed earth mounds, and areas of vegetation.
<b>Topography:</b>	The site gently slopes from the north-west to the south-east, with variations in topography in areas of grassed earth mounds and dams.
<b>Surrounding Land Uses:</b>	North: Dwelling Houses and Domestic Outbuildings on large vegetated allotments (Rural Residential Zone);  East: Dwelling Houses and Domestic Outbuildings on large vegetated allotments (Rural Residential Zone);

	<p>South: Dwelling Houses and Domestic Outbuildings on large vegetated allotments (Rural Residential Zone); and,</p> <p>West: Outdoor Sport and Recreation (Golf Course) (Sport and Recreation Zone).</p>
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The location of the subject site in relation to its surrounds is shown below:



**Figure 3: Locality map**





**Figure 4: Aerial image**

#### Development History of Site

APPLICATION NO.	DECISION AND DATE
REC13/0041	<p><i>Negotiated Decision issued 27 April 2015</i></p> <p>Development Permit to Reconfigure a Lot – Rural Residential (8 Lots into 19 Lots)</p> <p>Other minor changes have been considered and approved over individual lots, but are not relevant to the subject site.</p>

#### ASSESSMENT:

##### Framework for Assessment

##### Categorising Instruments for Statutory Assessment

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

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

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



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

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

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

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

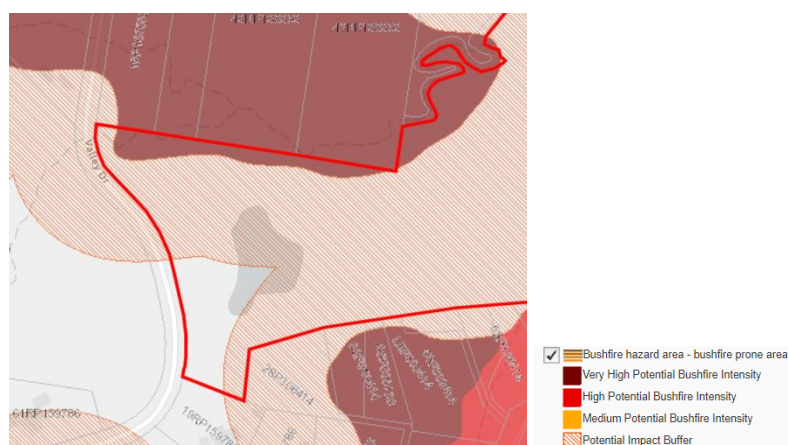
#### State Planning Policy (SPP), Part E

The following assessment benchmarks of the SPP Part E are applicable to the development proposal and vary the effect of the Planning Scheme:

The 'State Planning Policy (SPP) Assessment Benchmark Mapping – Natural Hazards Risk and Resilience, Bushfire Prone Area' is currently set as the default mapping system to determine whether an application must demonstrate compliance with the *Sunshine Coast Planning Scheme 2014, Bushfire hazard overlay code* and/or the SPP assessment benchmarks relevant to an application. Council is currently using the SPP bushfire hazard mapping as the default because:

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

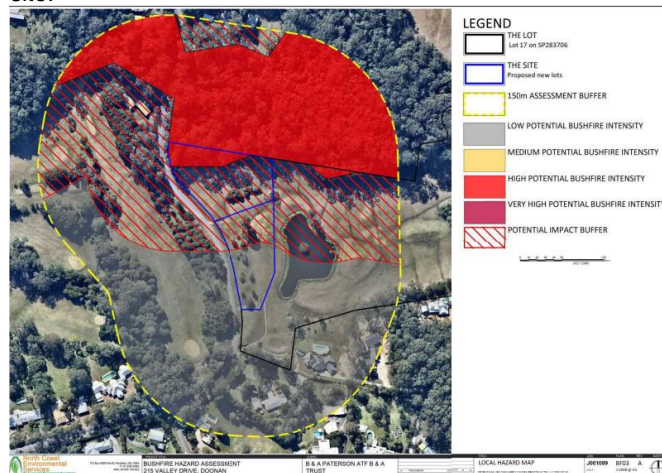
The SPP Bushfire Prone Area mapping identifies the site as being in a Bushfire Prone Area (see below excerpt).



**Figure 5: SPP BPA mapping for the subject site**

As required for a site located in a Bushfire Prone Area, a site-specific bushfire hazard assessment completed in accordance with the SPP's 'Bushfire Resilient Communities' (QFES 2019) guidance document was undertaken.

Ground-truthed vegetation hazard class mapping and associated fire line intensity modelling produced the following Local Hazard Map, which shows hazardous vegetation with a high potential bushfire intensity within and adjacent to the northern portion of the site.



**Figure 6: Local Hazard Map from the submitted Bushfire Hazard Assessment Management Plan**

Asset protection zone calculations provided in the Bushfire Hazard Assessment Management Plan (BHAMP) demonstrate that the building envelope in proposed Lot 1 must be setback from hazardous vegetation by 25.6m to achieve the required 29 kW/m<sup>2</sup>. This has been shown as a building exclusion zone on the proposal plans.

#### Assessment against relevant SPP Benchmarks

- **Assessment Benchmark 4** – achieved. The BHAMP provides recommendations for on-site fire-fighting water supply and building envelopes in each lot achieve the required 29 kW/m<sup>2</sup> RHF setback.
- **Assessment Benchmark 5** – achieved. The building envelopes in each new lot are positioned on slopes of <15%.
- **Assessment Benchmark 7** – achieved. The BHAMP provides recommendations for landscaping and vegetation management.

#### Assessment Benchmarks Related to the Planning Scheme

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

<b>PLANNING SCHEME DETAILS</b>	
<b>Planning Scheme:</b>	Sunshine Coast Planning Scheme 2014 (16 May 2022)
<b>Strategic Framework Land Use Category:</b>	Rural Residential Area and the Rural Residential Growth Management Boundary
<b>Zone:</b>	Sport and Recreation Zone and Rural Residential Zone

Consistent/Inconsistent Use:	Inconsistent
Applicable Assessment Benchmarks:	<p>The <i>Sunshine Coast Planning Scheme 2014</i> as a whole, including:</p> <ul style="list-style-type: none"> <li>• Strategic Framework;</li> <li>• <i>Biodiversity, Waterways and Wetlands Overlay Code</i>;</li> <li>• <i>Bushfire Hazard Overlay Code</i>;</li> <li>• <i>Flood Hazard Overlay Code</i>;</li> <li>• <i>Landslide Hazard and Steep Land Overlay Code</i>;</li> <li>• <i>Sport and Recreation Zone</i>;</li> <li>• <i>Dwelling House Code</i>;</li> <li>• <i>Reconfiguring a Lot Code</i>; and,</li> <li>• <i>Prescribed Other Development Codes</i>; <ul style="list-style-type: none"> <li>• <i>Landscape Code</i>;</li> <li>• <i>Nuisance Code</i>;</li> <li>• <i>Safety and Security Code</i>;</li> <li>• <i>Stormwater Management Code</i>;</li> <li>• <i>Sustainable Design Code</i>;</li> <li>• <i>Transport and Parking Code</i>;</li> <li>• <i>Waste Management Code</i>;</li> <li>• <i>Works, Services and Infrastructure Code</i>.</li> </ul> </li> </ul>

#### Land use

The proposal seeks to establish two (2) Dwelling Houses within the Sport and Recreation Zone, one (1) on both proposed Lot 1 and 2. In the Sport and Recreation Zone, a Dwelling House is an inconsistent use.

An inconsistent use is not intended to occur within the Sport and Recreation Zone and results in a conflict with the planning scheme. As such, further assessment against the Strategic Framework, Purpose, and Overall Outcomes of the *Sport and Recreation Zone Code* is required.

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

The Strategic Framework considers the following matters:

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

The application has been assessed against each of the matters above and the generally compliant with the Strategic Framework. However, the primary consideration of this matter relates to the appropriateness of the land use in this zone.

Under Theme 1 – Settlement Pattern, Element 2 – Growth management boundaries and land use categories, the relevant Specific Outcomes include:

- (a) *Local growth management boundaries and land use categories are identified for the region.*
- (b) *Urban development is limited to land within the urban growth management boundary identified conceptually on Strategic Framework Map SFM 1 (Land use elements) and in further detail on the zoning maps.*
- (c) *Rural residential development is limited to land within the rural residential growth management boundary identified conceptually on Strategic Framework Map SFM 1 (Land use elements) and in further detail on the zoning maps*
- (d) *The physical extent of urban development and rural residential development is contained within defined local growth management boundaries so as to:-*
  - (i) *protect biophysical values including those within habitat areas, ecological linkages and natural waterways, wetlands and water bodies;*
  - (ii) *protect natural resources including agricultural land class A and class B1, strategic cropping land and potential strategic cropping land, rural land in general and extractive resources;*
  - (iii) *avoid natural hazards, including an allowance for the predicted impacts of climate change that may worsen these hazards;*
  - (iv) *maintain the largest possible area of land for rural, landscape and environmental protection purposes into the future;*
  - (v) *protect the discrete identities of individual places and communities; and*
  - (vi) *maximise opportunities for the efficient delivery of infrastructure and services.*
- (e) *The pattern, form and structure of settlement are consistent with the land use categories identified conceptually on Strategic Framework Map SFM 1 (Land use elements). These land use categories comprise urban areas, rural residential areas, rural enterprise and landscape areas, major sport and recreation open space and major conservation areas.*

Under Theme 2 – Economic Development, Element 1 – Natural (competitive) advantage and key economic sectors, the relevant Specific Outcomes include:

- (c) *New investments and re-investment in high value industries including health and well-being, education, research and knowledge based industries and professional services, tourism, sport and leisure, agribusiness, aviation and aerospace and clean technologies are supported through the following:-*
- (v) *protection of existing tourism, sport and leisure facilities and encouragement of the establishment of new facilities that contribute to active, healthy living and community wellbeing;*

Under Theme 4 – Infrastructure and Services, Element 8 - Open space infrastructure, the relevant Specific Outcomes include:

- (a) *All communities are provided with equitable access to sport and recreation opportunities within the context of the planned open space infrastructure network.*
- (b) *Development provides and/or contributes to the provision of land and/or embellishments for public open space that meets the needs of the community and is consistent with the planned open space infrastructure network.*
- (c) *Parks, open space and sport and recreational facilities are appropriately located and designed to:-*
  - (i) *provide for a diverse range of open space values, functions, experiences and settings;*

- (ii) *maximise integration with the broader open space network, community facilities, activity centres and residential areas to provide high levels of accessibility, proximity and connectivity for all users;*
- (iii) *provide for the shared use of facilities where appropriate and practicable;*
- (iv) *provide opportunities for markets, community gardens and community assembly and meeting places where appropriate and practicable; and*
- (v) *enhance the character, lifestyle and environment attributes of the Sunshine Coast as a whole.*
- (d) *The open space and sport and recreation resources of the Sunshine Coast Region are protected from encroachment by incompatible land uses and other adverse impacts of development.*
- (e) *Development within major development areas contributes to establishing, maintaining and protecting green corridors of open space within urban areas to provide connectivity with the natural environment and landscape of the broader open space network of the Sunshine Coast Region.*
- (f) *Public park infrastructure and associated open space and sport and recreation facilities are designed and managed in accordance with best practice sustainability principles so as to:-*
  - (i) *maintain, protect and enhance the values and attributes of open space and ecologically important areas;*
  - (ii) *be compatible with the long term management of the values and other uses of the park;*
  - (iii) *maintain and protect the amenity of surrounding areas and land uses;*
  - (iv) *be safe for public use and maximise outdoor comfort for users; and*
  - (v) *minimise opportunities for crime and vandalism.*

The Purpose of the *Sport and Recreation Zone Code* is to provide for a range of organised sport and recreation activities and those uses and support facilities which are associated with those activities.

The Purpose of the Code is achieved through the following Overall Outcomes:

- (a) *development provides for a range of sport and recreation activities that meet the active recreation needs of residents and visitors including indoor sport and recreation, outdoor sport and recreation and park uses;*
- (b) *the zone predominantly accommodates formalised recreation activities that support organised team and individual sports and recreation pursuits including sporting fields, golf courses, outdoor courts, indoor sports centres, public swimming pools, equestrian facilities, and active leisure facilities;*
- (c) *ancillary uses and facilities that support the predominant recreation activities including caretaker's accommodation, clubs, certain community activities, function facilities, amenities blocks, kiosks, shelters, spectator stands and lighting infrastructure may be established in the zone where they support the ongoing safe, comfortable and efficient operation of sport and recreation activities;*
- (d) *sport and recreation open space may also be used for temporary or periodic uses, such as markets or outdoor entertainment events, where these uses are of a scale that can reasonably be accommodated by the existing open space facilities and do not unduly impact on the amenity and character of the surrounding area;*
- (e) *the co-location and multiple use of sport and recreation fields and facilities by complementary recreation activities is encouraged;*
- (f) *premises used for showgrounds in Eumundi, Kenilworth, Maleny and Nambour may provide accommodation in the form of a small scale camping ground or caravan park*

- for short-term stays, which remains ancillary to the primary use of the showgrounds for sport and recreation purposes;*
- (g) areas used for recreation activities complement, and where practicable, are connected to other parts of the broader regional open space network including land in the Open space zone and the Environmental management and conservation zone;*
  - (h) existing and planned recreation activities are protected from the intrusion of incompatible land uses that may compromise or conflict with the primary use of the sport and recreation open space for organised sport and recreation activities;*
  - (i) development provides a high level of amenity and mitigates the potential for land use conflicts with existing and planned development in the locality;*
  - (j) the scale, intensity and built form of development is compatible with the existing and intended scale and character of the streetscape and surrounding area;*
  - (k) sport and recreation activities and other activities established in the zone make a positive contribution to the image of the Sunshine Coast by incorporating a high quality of built form and landscape design;*
  - (l) development is located, designed and operated to be responsive to the Sunshine Coast's sub-tropical climate and minimises the consumption of energy and water;*
  - (m) development protects and enhances the open space character and amenity of sport and recreation areas;*
  - (n) development avoids as far as practicable, or where avoidance is not practicable, minimises and otherwise mitigates, adverse impacts on ecologically important areas, including creeks, gullies, waterways, wetlands, coastal areas, habitats and vegetation through location, design, operation and management;*
  - (o) development is designed and sited to sensitively respond to the physical characteristics and constraints of land, including flooding, steep land, landslide hazard and bushfire hazard, where applicable;*
  - (p) development encourages public and active transport accessibility and use and provides for pedestrian, cycle and vehicular movement networks that maximise connectivity, permeability and ease of movement within and to sport and recreation open space areas;*
  - (q) development provides for infrastructure and services that are commensurate with the location and setting of the sport and recreation open space and the nature and scale of development that is intended to occur in the zone;*
  - (r) development does not adversely impact on the continued operation, viability and maintenance of existing infrastructure or compromise the future provision of planned infrastructure; and*

Noting the above statements in the planning scheme, the development avoids and mitigates impacts to values and constraints, and proposes lots akin to rural residential lots consistent with the Rural Residential Strategic Framework Land Use Category and Rural Residential growth management boundary identified conceptually on Strategic Framework Map SFM 1 (Land use elements). Therefore, the key consideration for this application relates to the compatibility of the use in the Sport and Recreation Zone, and the protection of the Sport and Recreation Zoned land from incompatible uses that compromise the ability of the land to operate as intended.

While the Dwelling House is inconsistent in the zone and could be considered a departure from the planning scheme, the *Planning Act 2016* requires consideration of whether there are other relevant matters for consideration which warrant the approval or refusal of the application.

While this “other relevant matters” test is still developing, the Planning and Environment Court have accepted the below matters with some frequency:

- planning, economic and community need;
- the absence of any unacceptable impacts; and
- whether conditions could be imposed to address areas of non-compliance.

The exercise of any discretion regarding other relevant matters involves a balancing exercise of matters that warrant an approval or a refusal.

The applicant has provided the following in support of their application about why the use should be supported:

*Provision of Sufficient Sport and Recreation Zoned Land*

*From a Sport and Recreation Zone designation perspective, the obvious use of the land is a continuation / expansion of Noosa Valley Country Club, situated to the west of the site on the opposite side of Valley Drive. This is evident considering the existing culvert under Valley Drive that connects the subject site to the Golf Club for golf buggies and grounds maintenance equipment without the need to traverse across the road pavement of Valley Drive.*

*When the applicants, Brendan and Allieca Paterson, decided to apply to subdivide the two (2) lots off the land, a plan of a nine (9) hole golf course was sketched following consultation from the current owner of the Noosa Valley Country Club and other golf professionals, a copy of which is included at Appendix A. While the sketch is only broad brush, it provides a functional layout, is realistic in terms of land area required, and ultimately has a nine (9) hole par of 36 (maximum size for nine (9) holes of golf). As Council will note from the plan, a nine (9) hole golf course can be accommodated at the subject site when the portion of land proposed to be subdivided into rural residential allotments is taken out of the equation. As such, it is evident that the proposed rural residential lots do not impact the ability of the land to be utilised for this activity (the generally accepted most practical and historically expected) sport and recreation use - golf.*

*In the future, there is possibility that Noosa Valley Country Club may purchase the balance of Sport and Recreation zoned land to facilitate the expansion of the Golf Club. In support of this statement, please refer to the letter of support supplied by Noosa Valley Country Club, included at Appendix B.*

*The Intended Use of the Balance of the Sport and Recreation Zoned Land and Details of Ownership*

*The intended use of the balance of the Sport and Recreation zoned land will be retained under the current ownership by the applicants, Brendan and Allieca Paterson, who will continue to maintain the property as a wildlife sanctuary in consideration of the kangaroos, goanna, pelicans, ibis, swans, herons, black and white cockatoos, honeyeaters, bee-eaters, swallows, peewees, currawongs, swamp hens, jabiru etc., that visit the site. The property is quite picturesque with the birdlife and wildlife roaming free and provides great enjoyment to the Paterson's and all their 25 neighbours as the land currently rests.*

*The Paterson's believe the property lends itself perfectly to golf, as this activity can co-exist with the wildlife as is currently experienced at Noosa Valley Country Club and many other golf courses around the country, and indeed the world. The purchase in fact was to ensure this ultimate use and prevent the potential for other, considered incompatible and undesirable uses, such as motor cross bikes or BMX bikes, or the like which would most certainly see a disappearance of the beautiful natural wildlife corridor.*

*If at such time in the future, Noosa Country Club wishes to purchase the balance of the Sport and Recreation zoned land, the Paterson's would welcome the offer to purchase assuming reasonable conditions and welcome the development of such a compatible use, which allows the retention of the vegetation and wildlife corridor.*

*The Paterson's are committed to the sustained use of the land as a wildlife sanctuary and / or a nine (9) hole golf course, which we presume is Council's preferred use of the balance portion of land also.*

*Potential Impacts of Removing the Proposed Residential Lots from the Broader Allotment*

*As demonstrated by the nine (9) hole golf course layout plan included at Appendix A, removing the proposed rural residential lots from the broader allotment does not impact the ability of the land to be utilised for sport and recreation (golf) purposes.*

*It is important to highlight, when the property was last advertised for sale, a social media campaign, admittedly low key, was circulated by the local community for Council to purchase the land for the purpose of park land; at no time did Council present an offer to purchase.*

*The subject site has always been in private ownership, having never been owned by The Crown, nor has Government approached the current owners to purchase or lease the land for sport and recreation purposes (park land or otherwise). Considering the land has always been held in private ownership, it is evident that the land is not "needed" for sport and recreation, and as such, it is reasonable to assume that any future sport and recreation activity (most obvious being the expansion of the Noosa Valley Country Club), would be privately developed.*

*The Current Values and Constraints on the Land*

*The portion of land currently included within the Rural Residential Zone is not suitable for housing due to the flooding constraints of the land. The area of land that fronts Valley Drive is located outside of the flood affected balance portion of land, which is optimal to accommodate rural residential housing, described as proposed Lot 1 and Lot 2.*

*Considering the alternative development perspective, if the site were to be developed for sport and recreation purposes in its current configuration, to include the Rural Residential zoned portion of land, in accordance with Part 5 – Tables of Assessment, Section 5.5 - Categories of Development and Categories of Assessment – Material Change of Use, Table 5.5.20 – Rural Residential Zone of the Sunshine Coast Planning Scheme 2014, the development would likewise be Impact Assessable, subject to public notification, as the development of Sport and*



*Recreation in the Rural Residential Zone is an inconsistent, Impact Assessable use, other than a park. In accordance with Schedule 1 – Definitions of the Sunshine Coast Planning Scheme 2014, park is defined as follows:*

*Park: - premises accessible to the public generally for free sport, recreation, and leisure, and may be used for community events or other community activities. Facilities may include children's playground equipment, informal sports fields and ancillary vehicle parking and other public conveniences.*

*As Government has not offered to purchase the land when publicly advertised for sale, it is evident that Government do not "need" or desire the land for park purposes.*

*As noted in the original Planning Report, the Paterson's currently invest approximately \$80,000.00 per annum (and growing with current fuel prices) to keep the property to a well-maintained standard, with no financial return on the cost of the upkeep. The proposed development renders ownership of the land more feasible, as the development of two (2) rural residential housing lots for either sustained ownership by the Paterson's and leasing of the dwellings, or the on-sale of the two (2) rural residential lots, will assist to fund the upkeep of the balance of Sport and Recreation zoned land.*

*Lastly, following issue of a successful Decision Notice from Council, at such time that the new draft Sunshine Coast Planning Scheme is publicly advertised, we will be making a submission for the rural residential lots to be included within the Rural Residential Zone, and the existing flood affected Rural Residential*

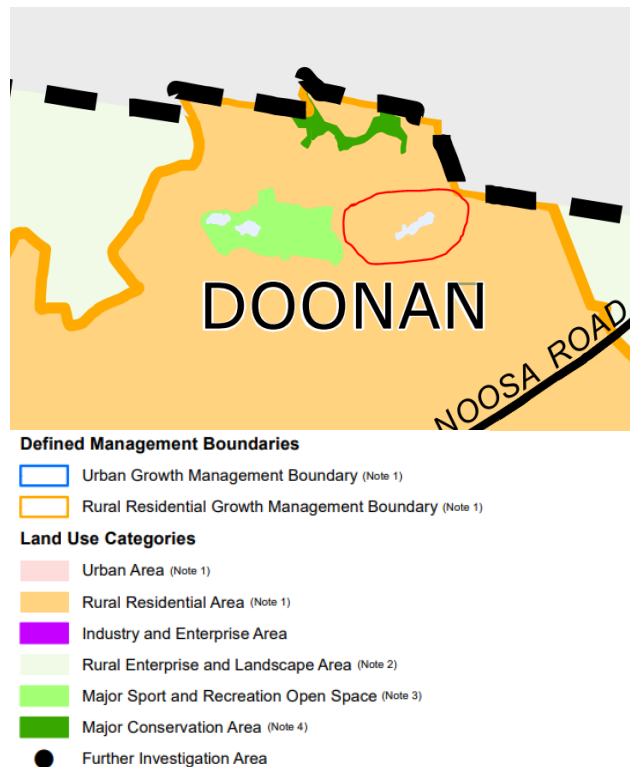
The above identifies several matters that are in favour of the development, which include:

- The balance allotment will be sufficiently sized and shaped to accommodate the expansion of the Noosa Valley Country Club golf course from the western side of Valley Drive without the two (2) allotments proposed to be subdivided and used for Dwelling Houses;
- The owners intend to maintain the balance allotment as is, and are willing to consider sale of the allotment to the Noosa Valley Country Club to facilitate expansion of the golf course;
- The subject site has been in private ownership and has not been purchased by Council or the State, nor have the current owners been approached by either entity;
- Part of the proposed smaller allotments, and most of the balance allotment, are subject to flood and therefore it is unlikely any further development could occur beyond a park or other Sport and Recreation use; and,
- The owners intend to make a submission to Council for the new planning scheme to include the two (2) smaller proposed allotments (13,160m<sup>2</sup> total) within the Rural Residential Zone, and the landlocked area of Rural Residential zoned land (20,370m<sup>2</sup>) within the balance lot to be included within the Sport and Recreation Zone, effectively resulting in a net increase in Sport and Recreation zoned land.

In converse, there are a few matters that may warrant refusal, including:

- The intrusion of incompatible land use that may compromise or conflict with the primary use of the sport and recreation open space for organised sport and recreation activities; and,
- The fact that the subject land mapped within the Rural Residential Area and the Rural Residential Growth Management Boundary on Strategic Framework Map

SFM1. Strategic Framework Map SFM1 includes a note which outlines that not all land included in the Rural Residential Growth Management Boundary may not be suitable to be developed for rural residential purposes.



**Figure 7: Site approximately circled on Strategic Framework Map SFM1 extract**

Advice from Council's Strategic Planning team states that the Rural Residential Area designation on Strategic Framework Map SFM1 generally reflects the Rural Living Area designation under the Shaping SEQ South East Queensland Regional Plan 2017 (SEQ Regional Plan). The inclusion of the subject site within the Sport and Recreation Zone reflected the intent of this land to be used as an extension to the existing and adjoining Noosa Valley Country Club golf course, and for drainage purposes, noting that much of the lot is encumbered by a drainage easement, in addition to being flood prone.

The subject site has two (2) different zones being Sport and Recreation Zone (205,330m<sup>2</sup>) and Rural Residential (20,370m<sup>2</sup>). The Rural Residential Zoned land is land locked at the eastern most area of the site (resulting from the previous subdivision) and would need to use the Sport and Recreation zoned land impacted by flood for approximately 610 metres to gain access to Valley Drive (and any application for a dwelling house on this site would be inconsistent with the planning scheme). The development proposes 13,160m<sup>2</sup> (being the two (2) new allotments) to be used as Rural Residential allotments, which is less than the current rural residential zoned land.

On balance, the development complies with the majority of the planning scheme, with the exception of the consistency of the use. In this circumstance, the matters that may warrant refusal are not as compelling as those in favour of the development as the use will not directly compromise or conflict with the use of the balance allotment for sport and recreation purposes, and the balance allotment can ensure sufficient land to accommodate future sport and recreation uses, such as the expansion of the Noosa Valley Country Club golf course. In this instance, the land use is considered suitable for the *Sport and Recreation Zone* and is recommended to be supported.

It is noted that as per the above discussion, the proposed new allotments and Dwelling Houses will be Rural Residential in nature despite being in the Sport and Recreation Zone. As the other relevant matters support this, the proposed development will be considered in this manner.

#### Lot size

Table 9.4.4.3.2 of the Code provides minimum lot sizes, minimum squares or rectangles within the lots, and minimum frontages, however there is nothing specified for each of these criteria for the *Sport and Recreation Zone*. The minimum lot sizes for the two (2) smaller allotments proposed for Dwelling Houses is 6,000m<sup>2</sup>, similar to that required for Rural Residential lots. It is noted that the application includes a Material Change of Use for Dwelling Houses (one (1) on each resultant smaller allotment) which shows that a house could be constructed on each allotment whilst avoiding and mitigating impacts on the various values and constraints, and providing required services and infrastructure. The proposal plans also show a building area for proposed Dwelling Houses, in addition to the reconfiguring a lot plan clearly showing building exclusion zones where values or constraints are mapped.

It is acknowledged that the new boundary will traverse an ecologically important area. Assessment against Performance Outcome 3 is required and is as follows:

*Development provides for the size, dimensions and orientation of lots to:-*

- (a) *be appropriate for their intended use in accordance with the intent of the applicable zone code;*
- (b) *be consistent with the prevailing urban fabric (where applicable) and the preferred character of the local area;*
- (c) *where for residential lots, provide sufficient area for a suitable building envelope, vehicle access and useable private open space, without the need for major earthworks and retaining walls;*
- (d) *where for commercial and industrial lots, provide sufficient area to accommodate a wide range of industry and commercial use types;*
- (e) *where not located in a sewered area, provide sufficient area for the safe and sustainable on-site treatment and disposal of effluent;*
- (f) *take account of and respond appropriately to natural values and site constraints; and*
- (g) *in the case of land included in the Rural zone, prevent the fragmentation of rural land.*

As detailed above, the proposed smaller allotments are intended to be used for Dwelling Houses. The resultant lots are mapped with various values and constraints which have been addressed through building exclusion zones and supporting reports by relevant specialists.

The prevailing urban fabric includes allotments of various sizes ranging from 6,000m<sup>2</sup> to 256,300m<sup>2</sup>. The area is generally comprised of smaller Rural Residential allotments and larger Sport and Recreation allotments, both of which the proposed allotments will integrate with in terms of size and dimension. The proposal plans include a Dwelling House on each of the smaller allotments and show that Dwelling Houses including effluent disposal areas could be established within the resultant lots whilst complying with the *Dwelling House Code* and the Queensland Development Code, and avoiding or mitigating impacts to values and constraints.

It is noted that the large balance allotment will be 22.63 ha and therefore will be sufficient to accommodate uses listed in the *Sport and Recreation Zone Code*. Specifically, as discussed in the other relevant matters for the proposed land use, the balance allotment could accommodate an extension to the Noosa Valley Country Club golf course on the western side of Valley Drive, including an existing underpass connecting the two lots under Valley Drive.

In this regard, the development provides for the size, dimensions and orientation of lots to be appropriate for their intended use in accordance with the intent of the applicable zone code, be consistent with the prevailing urban fabric and the preferred character of the local area, provide for sufficient area for suitable building envelope, vehicle access, usable private open space, and effluent disposal, without the need for major earthworks and retaining walls, and to take account of and respond appropriately to natural values and site constraints. The proposal complies with the intent of the Performance Outcome.

#### *Dwelling House Code / Queensland Development Code*

The Dwelling House Code generally refers to 'residential zone', 'Rural Zone', 'Rural Residential Zone', and the 'Limited Development (Landscape Residential) Zone', and as the site is located in the Sport and Recreation Zone, many of the provisions of the Code are not applicable. For the purpose of this application and noting the proposed lot sizes are akin to those in the rural residential zone, the requirements for Dwelling Houses in the Rural Residential Zone will be considered.

The proposal complies with provisions which are applicable to the proposal including building height, setbacks, services, and car parking.

Where the *Dwelling House Code* is silent, the relevant provisions of the *Queensland Development Code* are applicable. The proposal complies with and far exceeds the minimums sought by the relevant provisions of the Queensland Development Code MP1.2, specifically site cover.

#### *Biodiversity, Waterways and Wetlands Overlay Code*

The submitted assessment indicates that the vegetation in the north of the site has a height of 26-39 metres, with an average of 32.25 metres. The proposed layout includes a building exclusion zone of 25.6 metres from the edge of native vegetation in proposed Lot 1. Assessment against Performance Outcome 2 is required and is replicated below:

#### **PO2**

*Development on or adjacent to land containing an ecologically important area is designed and constructed to:-*

- (a) *prevent any direct or indirect impacts on the ecologically important area;*

- (b) *enhance and restore the ecologically important area;*
- (c) *retain, enhance and restore known populations and supporting habitat of significant flora and fauna species; and*
- (d) *minimise the impacts of construction and ongoing use on native fauna.*

The proposed 25.6 metres setback between the building envelope and native vegetation is considered sufficient to prevent indirect impacts on retained native vegetation given the degree of disturbance associated with a residential lot is relatively low. The native vegetation area will be protected by a covenant and rehabilitated (as required by SARA). In this regard, the proposal complies with the intent of the Performance Outcome in this instance.

The *Biodiversity, Waterways and Wetlands Overlay Code* seeks to ensure that development and the clearing of native vegetation do not occur within an identified riparian protection area or 10 metres of each high bank of an identified waterway, and that development provides for rehabilitation of land within an identified riparian protection area, or 10 metres of each high bank of an identified waterway.

The new boundary line for proposed Lot 2 is located 10 metres away from the high-bank of the adjacent constructed waterbody that contained a mapped stream order 1-2 waterway. Given the nature of the waterbody and associated waterway (i.e. a golf course), rehabilitation of the setback is not considered to be reasonable. Additionally, the proposed development includes establishment of building envelopes in mapped riparian protection areas. Assessment against the corresponding Performance Outcome PO9 of the Code is required and is as follows:

#### **PO9**

*Development provides and maintains adequate vegetated buffers and setbacks to protect and enhance the environmental values and integrity of natural waterways and wetlands, having particular regard to:-*

- (a) *fauna habitats;*
- (b) *wildlife corridors and connectivity;*
- (c) *adjacent land use impacts;*
- (d) *stream integrity;*
- (e) *water quality;*
- (f) *sediment trapping;*
- (g) *resilience to flood and storm tide inundation events and consequent erosion, including the safety of people and risk of damage to property on the site;*
- (h) *overland and groundwater flows; and*
- (i) *recreational amenity*

As discussed above, the mapped riparian protection area may not be accurate given the:

- wetland vegetation does not appear to be present in the northern portion of the site; and
- the waterway in northern portion of the site is more accurately identified as a stream order 1-2 waterway.

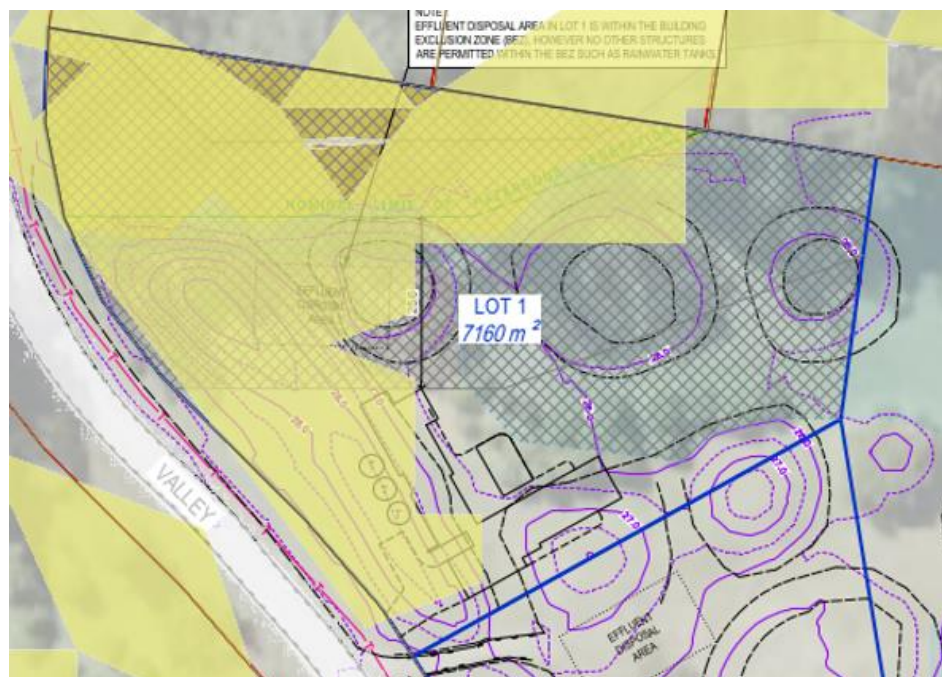
Notwithstanding the above, the proposed building envelope in Lot 1 is setback more than 10 metres from the high-bank of the stream order 1-2 waterway in the northern portion. There is already a vegetated buffer provided, which will be protected with a covenant and rehabilitated in line with SARA's conditions of approval. In this regard, the proposal complies with the intent of the Performance Outcome in this instance.

### Steep Land

The proposal will result in approximately half of proposed Lot 1 being mapped within the Landslide Hazard and as such it could be considered that the development does not provide for a lot layout that avoids land subject to natural hazards, as stated in Performance Outcome PO1 of the Code. It is noted that the proposed building area on Lot 1 is located mostly outside of the mapped landslide hazard and so whilst the development generally avoids the hazard, assessment should be undertaken against the relevant Overall Outcomes for natural hazard as follows:

- (2) (a) *development provides for lots that are of a size and have dimensions that are appropriate for their intended use and responsive to local character and site constraints;*
- (c) *development provides for subdivisions that result in the creation of safe and healthy communities by:-*
  - (iv) *avoiding or mitigating the risk to people and property from natural hazards;*

Lot 1 is proposed to have an area of 7,160m<sup>2</sup>. The proposed subdivision is combined with an application for a Dwelling House on the resultant allotment which locates the dwelling to avoid the hazard as much as possible, as shown in Figure 8 below.



**Figure 8: Landslide hazard (yellow) overlayed onto the proposal plans showing proposed Lot 1 and the proposed Dwelling House**

A geotechnical report has been provided by the applicant and reviewed by Council and has been determined to demonstrate compliance with the planning scheme including

relevant provisions of the *Landslide Hazard and Steep Land Overlay Code*. Should the application be approved, it is recommended that a condition be included requiring any dwellings on future lots (including Lot 1) to be sited and constructed in accordance with the recommendations of the geotechnical report, unless varied by a site specific investigation for a particular house lot. It is also recommended that the report be included as a referenced document.

#### Flooding

It is noted that the proposal is subject to flood. However, an easement is already established over the extent of most of the mapped flood hazard and the proposal provides areas mostly outside of the mapped hazard suitable for buildings, including the proposed Dwelling Houses.

Should the application be approved, it is recommended that the minimum floor levels of all dwellings be in accordance with the requirements of the Flood Hazard Overlay Code.

In this regard, the development will provide for lots that are of a size and have dimensions that are appropriate for their intended use and responsive to local character and site constraints. The development will provide for a subdivision that results in the creation of safe communities by avoiding or mitigating the risk to people and property from natural hazards. The proposal complies with the relevant Overall Outcomes.

#### Retaining walls

The proposal includes 1.3 metre high retaining walls on Lot 1 in lieu of the maximum 1 metre high retaining walls sought by Acceptable Outcome AO11 of the *Works, Services and Infrastructure Code*. Assessment against the corresponding Performance Outcome PO11 of the Code is required and is as follows:

#### **PO11**

*Filling or excavation:-*

- (a) *does not cause environmental harm;*
- (b) *does not impact adversely on visual amenity or privacy;*
- (c) *maintains natural landforms as far as possible;*
- (d) *provides for remediated soil conditions to support the successful establishment of landscapes; and*
- (e) *is stable in both the short and long term.*

The proposed 1.3 metre high retaining walls will be located behind the proposed Dwelling House on Lot 1 facing to the east (balance allotment) and will not be visible from the Valley Drive frontage. The retaining walls will be located approximately a minimum of 23 metres from the eastern side boundary, and approximately 41 metres from the proposed Dwelling House on resultant Lot 2. The earthworks and retaining walls are required due to the slope of the site. Should the application be approved it is recommended that standard Advice Notes be included with regards to environmental health. It is also recommended that conditions requiring the works to be done in accordance with the Operational Work approval be required, in addition to the walls being certified by a Registered Professional Engineer of Queensland where exceeding 1 metre in height.

The proposal complies with the intent of the Performance Outcome.

### Fencing

The *Safety and Security Code* nominates a maximum fence height of 1.5 metres for fencing adjacent to street frontages. Further, the *Landscape Code* seeks to ensure that fences to the street frontage are a minimum of 50 percent visually and climatically permeable, and do not extend further than 6 linear metres without articulation and vegetative screening.

A review of the surrounding streets shows that in the instances where fences are included along frontages, they are typically not more than 1.5 metres, and are rural style timber or wire therefore more than 50 percent permeable. In some instances, hedges are used instead of fencing. The surrounding character does not include fencing which is articulated every 6 metres and screened by vegetation.

Should the application be approved, it is recommended that a fencing condition be included requiring any front fences to be a minimum of 50 percent visually and climatically permeable and a maximum of 1.5 metres high, unless otherwise approved by Council.

In this regard, the fencing will demonstrate compliance with the intent of corresponding Performance Outcome PO5 of the *Safety and Security Code*, and Performance Outcome PO34 of the *Landscape Code*.

### Frontage works

In order to demonstrate compliance with the relevant outcomes of the planning scheme, the applicant has proposed to upgrade Valley Drive for the length of its frontage with kerb and channelling, and underground stormwater drainage to the development side only.

The *Transport and Parking Code* requires that street and road drainage is designed and constructed in accordance with the *Planning scheme policy for the transport and parking code* which allows the drainage to be managed either by kerb and channel or swale. Considering the rural residential nature of the surrounding area and the existing drainage solution for the area being swales, it would be more appropriate to use a swale rather than constructed kerb and channel.

Should the application be approved, it is recommended that a swale be required and conditioned along the Valley Drive frontage.

### Sewer

The site is not serviced by reticulated sewer. The application material has included sufficient area on each new allotment for an effluent disposal area compliant with the planning scheme requirements, as shown on the plans.

### Stormwater

In order to ensure that a lawful point of discharge is achieved for stormwater associated with the new allotments, should the application be approved it is recommended that a condition be included requiring the allotments to provide a stormwater drainage system connected to a lawful point of discharge. This condition will ensure that the proposal complies with the planning scheme.



### **Assessment Benchmarks Related to a Variation Approval**

Not applicable.

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

Not applicable.

### **Other Assessment Matters**

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

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

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

The development is located within the Rural Living Area of the SEQRP. Having regard to the SEQRP, the development is consistent with the outcomes expressed and sought to be achieved by the SEQRP.

#### State Planning Policy (SPP)

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

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

### **CONSULTATION:**

#### **Referral Agencies**

The application was referred to the following referral agencies in accordance with the *Planning Act 2016* and the *Planning Regulation 2017*:

#### Department of State Development and Infrastructure (SARA)

The department is a concurrence agency for development interfering with koala habitat in koala habitat area outside koala priority area, and clearing native vegetation. The department responded by letter dated 30 May 2023 stating that it does not object to the proposal subject to conditions.

#### **Other External Referrals**

The application did not require any other external referrals.

#### **Public Notification**

The application was publicly notified for 15 days between 3 July 2023 and 24 July 2023 in accordance with the requirements of the *Planning Act 2016*. A total of 24 submissions were received, of which seven (7) were determined to be 'properly made' in accordance with the *Planning Act 2016*, with five (5) submissions for the development and 19 against.

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>For</b>	
This represents a better use of land	Comment is noted.
This proposal responds to demand for residential land	Comment is noted.
Improvement to road drainage will improve amenity and accessibility during heavy rain periods	Should the application be approved, it is recommended that a condition be included requiring Valley Drive to be upgraded for the length of its frontage using a swale (to reflect the existing character of the area) to the development side only.
Protection of vegetation of existing creek line will protect and enhance amenity of the locality	The proposed new boundaries do not traverse vegetation adjoining the existing creek line.
Current split zoning does not align with characteristics and ability of the land to be utilised for its intended purpose, primary due to flooding constraints	Comment is noted.
Lots located to avoid flood	The proposed lots, including the balance lot, are mapped with flood hazard however the proposal plans provided show that the new smaller lots can accommodate a Dwelling House and associated services and infrastructure whilst avoiding flood. Lot 17 will be the balance lot which could accommodate a future sport and recreation use despite the mapped flood hazard. Should the application be approved it is recommended that conditions be required with regards to flood immunity.
The proposal does not hinder the land from being used for sport and recreation	As detailed in this report, Lot 17 (the balance lot) could be used for future expansion of the Noosa Valley Country Club golf course, or another sport and recreation use, or a park.
Owners are environmentally conscious and maintain the property to a high	Comment is noted.

standard, whilst allowing wildlife to continue living on the site	
Design of homes is consistent with Rural Residential character of Doonan	The proposed Dwelling Houses comply with the relevant provisions of the <i>Dwelling House Code</i> and the QDC, and are akin to other Rural Residential lots and houses in the area.
The proposal will result in a greater portion of land allocated for sport and recreation purposes	The proposal will result in part of the Sport and Recreation zoned land being used for residential therefore reducing the overall land available for sport and recreation use. However, there are other relevant matters that warrant approval of the application.
The area contains no trees or vegetation and is mown lawn	The site does contain an area of Core Koala Habitat Area and native vegetation in the north-western corner, in addition to other areas of vegetation throughout the site. However, this is included in the building exclusion area for future buildings.
<b>Against</b>	
Will result in further development / housing	It is noted that the part of the justification for recommending approval for the proposed smaller allotments and Dwelling Houses is that they are similar to Rural Residential lots and dwellings in the area and as such further development of the smaller allotments for housing would be unlikely as it would be difficult to justify that it integrates with the housing in the surrounding area.
Negative impact on environment including wildlife, waterways, and tree clearing	Much of the existing allotment is cleared as it was previously used as a golf course associated with the Noosa Valley Country Club. The area of Core Koala Habitat and native vegetation in the north-western corner of the site has been conditioned to be protected by a vegetation covenant imposed by the State should the application be approved. A few sparse areas of vegetation in the location of proposed Lots 1 and 2 may be required to be cleared (except that protected by the covenant) however this vegetation has been determined by Council's Biodiversity Officer to not result in a negative impact on the environment. No additional vegetation clearing exemptions will occur as a result of the proposed new boundaries. The balance allotment is proposed to remain unchanged.

Negative impact on visual amenity	<p>The proposal will result in two (2) new allotments addressing the Valley Drive frontage with a minimum lot size of 6,000m<sup>2</sup>, no smaller than the existing lot sizes in the surrounding area. The proposed Dwelling Houses are proposed as single storey with a maximum height of 6.897 metres from natural ground level due to the roof pitch when viewed from the site frontage (maximum height of 8.136 metres at the rear of the houses due to slope), setback a minimum of 10.611 metres from the site frontage, and 31.596 metres from each other, resulting in an open, low rise development expected in a Rural Residential area, including that of the surrounding area.</p> <p>Further, a building for Sport and Recreation uses could occur up to 8.5 metres, and comply with the planning scheme in this regard.</p>
Light and noise pollution	<p>The proposal would result in two (2) single storey four (4) bedroom Dwelling Houses setback approximately 115 metres from the nearest Dwelling House. It is unlikely that light and noise from the new Dwelling Houses will have any impacts on the existing nearby residents.</p>
Stormwater and sewerage impacts on existing housing	<p>The area is not serviced by reticulated sewer and as such the new Dwelling Houses will be required to install their own effluent disposal systems which the new smaller lots can accommodate.</p> <p>Should the application be approved, it is recommended that conditions be included requiring the sites to be provided with a stormwater drainage system connecting to a lawful point of discharge in addition to other specific requirements for the stormwater. Stormwater discharging onto another property without that owner's written consent and an easement is <u>not</u> a lawful point of discharge and therefore would not be accepted or compliant with this condition.</p>
Flood impacts	<p>The proposed Dwelling Houses are located outside of the mapped Flood Hazard, in addition to all earthworks. As such, it is not</p>

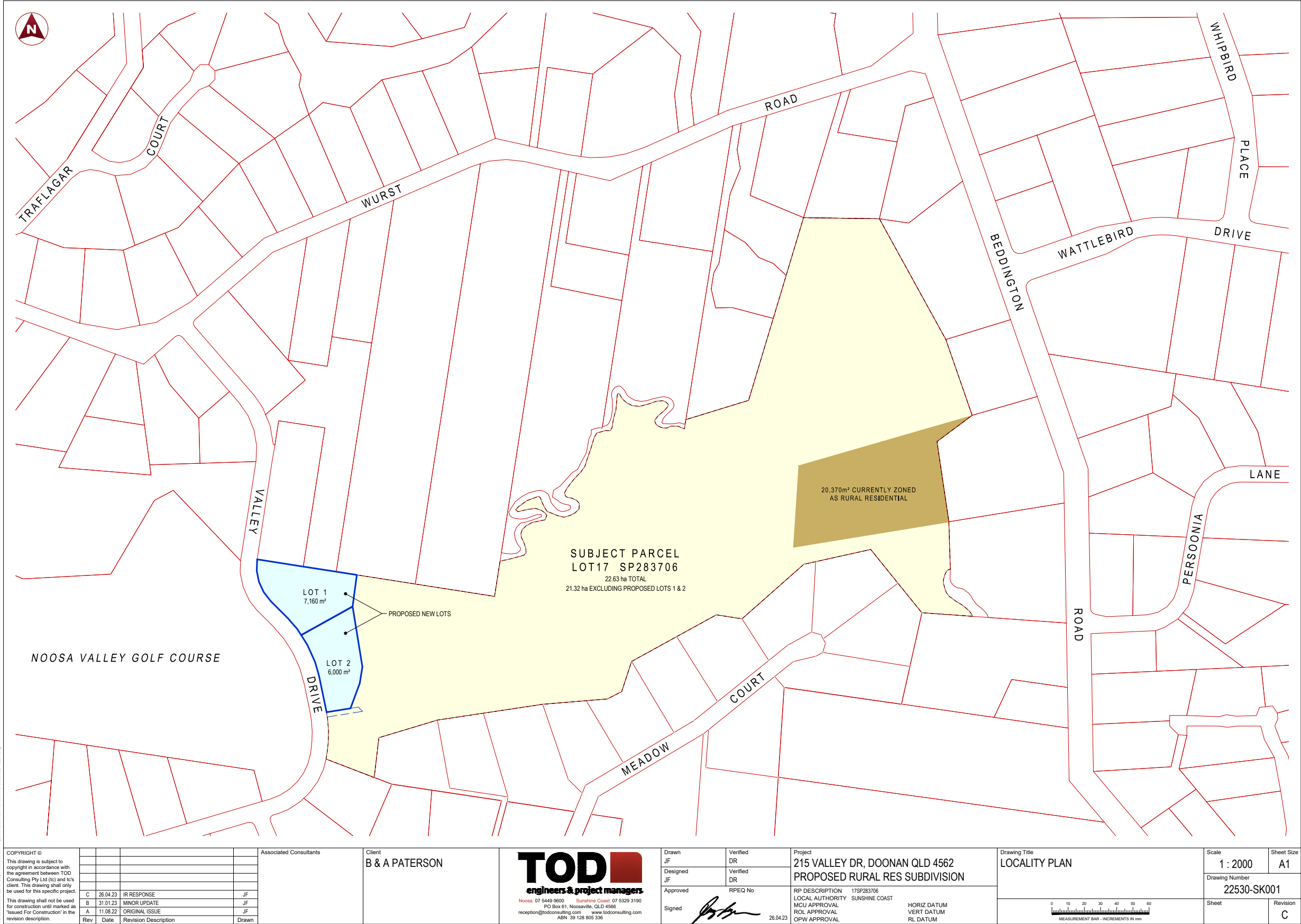
	anticipated that flood impacts will increase as a result of the proposal.
Development for financial gain	Financial matters cannot be considered in the assessment of an application under the <i>Planning Act 2016</i> .
No community, economic, housing or environmental gain	Council has considered the application against the <i>Sunshine Coast Planning Scheme 2014</i> , and note that there are other relevant matters that warrant approval of the application.
Building within Council's no building zone	The site is not encumbered by a 'no building zone'. The proposal does not seek to locate buildings or structures, or conduct any works such as earthworks within the easement. Should this be proposed, Council approval would be required.
Land should be available to the public for recreation and sport as per zoning	The site is privately owned and would be subject to any application regarding its future use.

## CONCLUSION:

The proposed development sufficiently complies with the requirements of the Planning Scheme and does not raise any significant issues that cannot be addressed by reasonable and relevant conditions. However, the proposed land use of Dwelling House is not typically intended in this zone, but there are other relevant matters that warrant approval of the application, including:

- The balance allotment could accommodate Sport and Recreation uses in the future;
- The owners are willing to consider sale of the allotment to the Noosa Valley Country Club on the western side of Valley Drive for expansion of the golf course;
- The smaller allotments and proposed Dwelling Houses are akin to the Rural Residential lots and dwellings in the surrounding area;
- The subject site has been in private ownership and has not been purchased by Council or the State; and
- Values and constraints on the subject site limit further development beyond a park or sport and recreation uses.

The application is therefore recommended for approval.

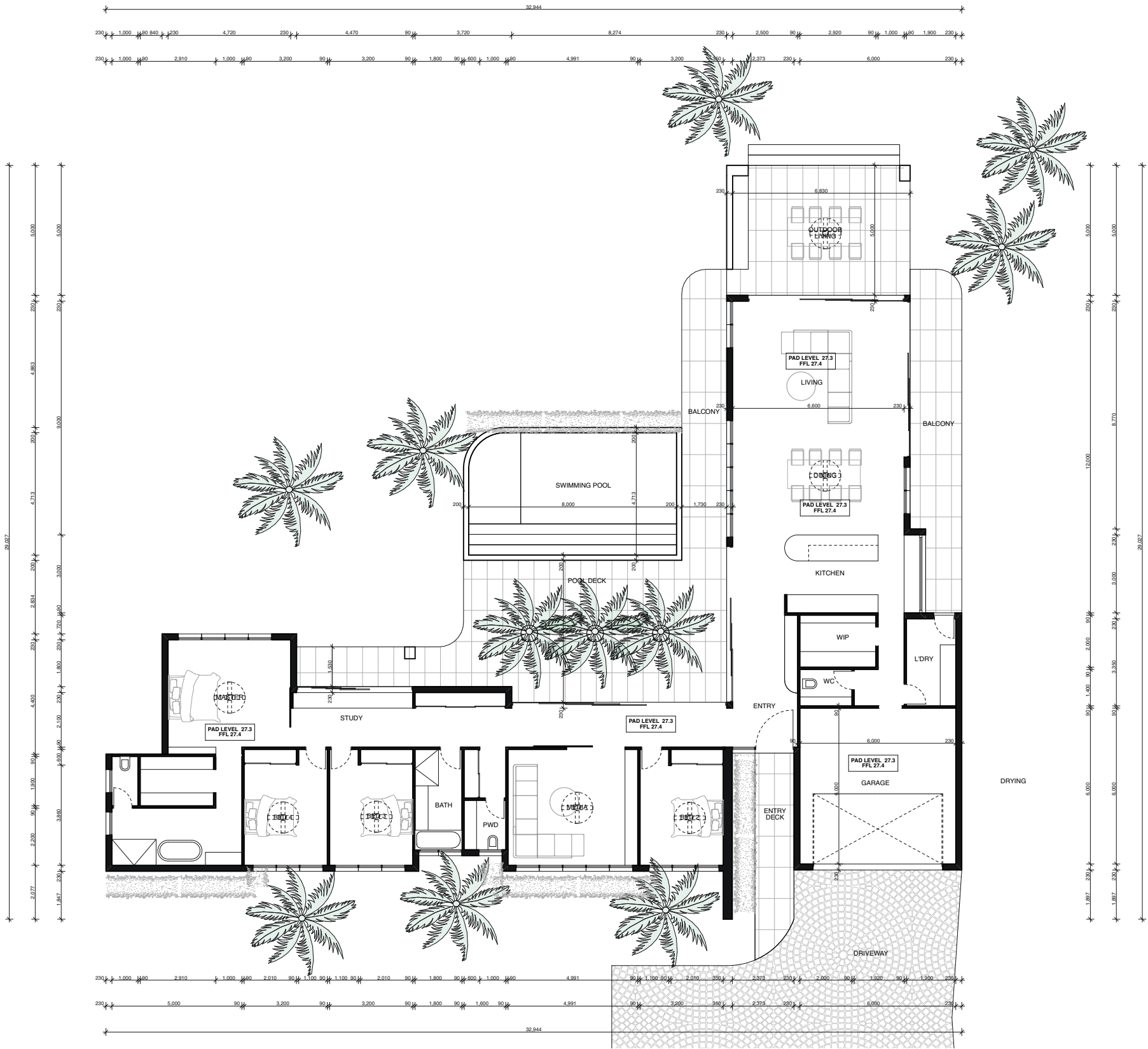






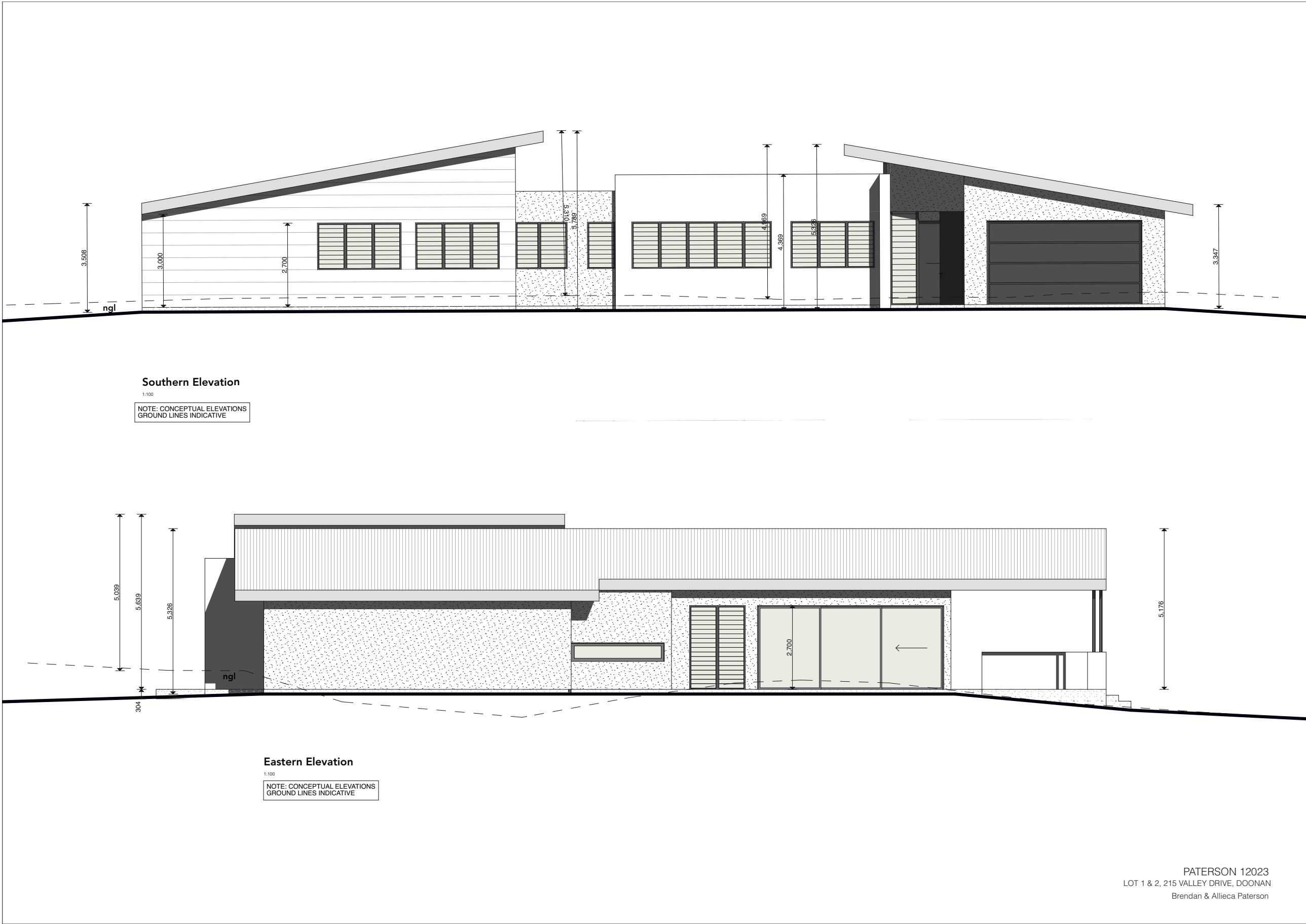


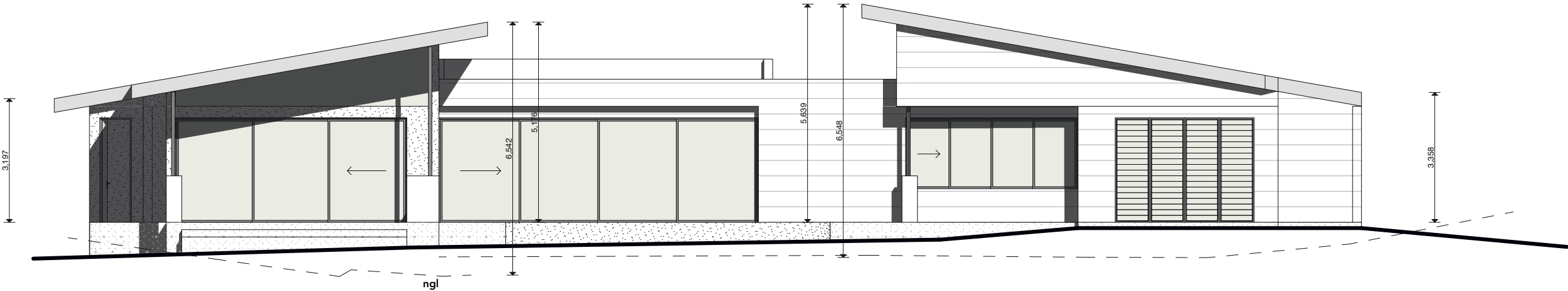




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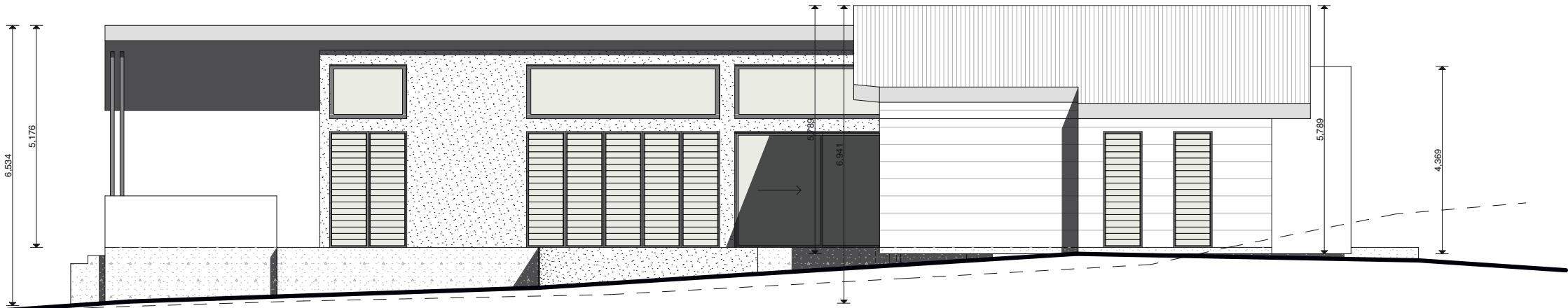
PATERSON 12023  
LOT 1 & 2, 215 VALLEY DRIVE, DOONAN  
Brendan & Allieca Paterson





Northern Elevation  
1:100

NOTE: CONCEPTUAL ELEVATIONS  
GROUND LINES INDICATIVE

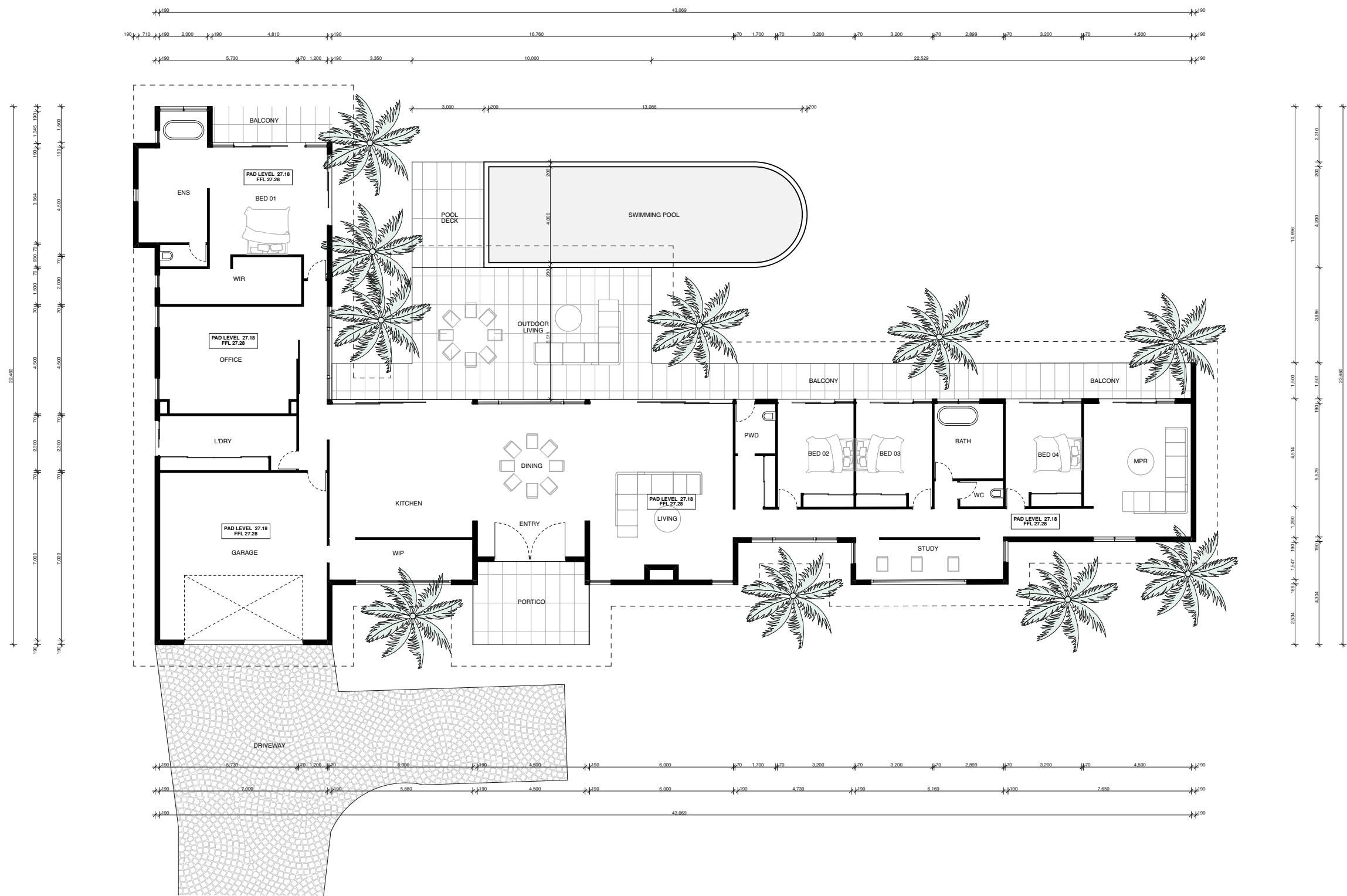


Western Elevation  
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NOTE: CONCEPTUAL ELEVATIONS  
GROUND LINES INDICATIVE

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LOT 1 & 2, 215 VALLEY DRIVE, DOONAN  
Brendan & Allieca Paterson

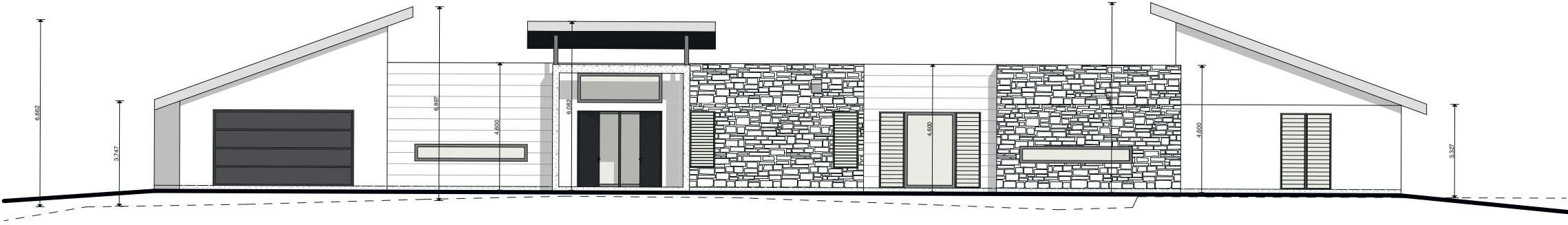




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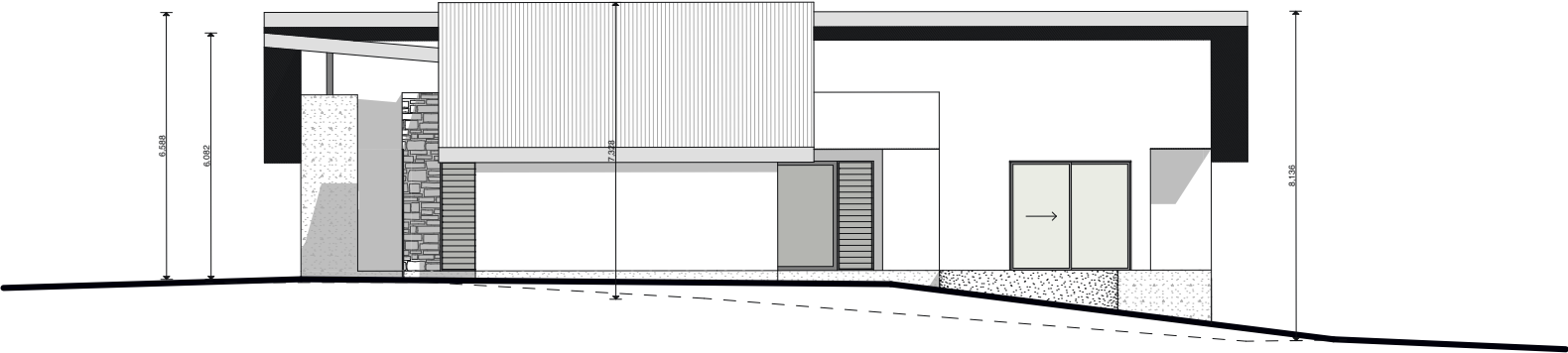
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Brendan & Allieca Paterson





Southern Elevation  
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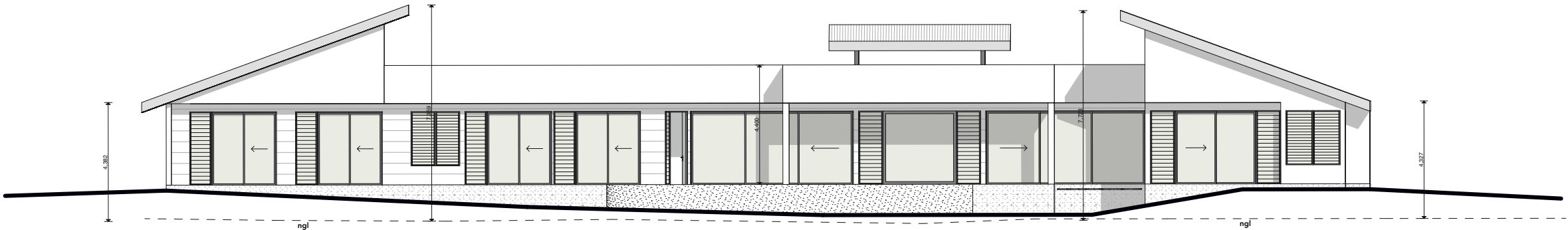
NOTE: CONCEPTUAL ELEVATIONS  
GROUND LINES INDICATIVE



Eastern Elevation  
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NOTE: CONCEPTUAL ELEVATIONS  
GROUND LINES INDICATIVE

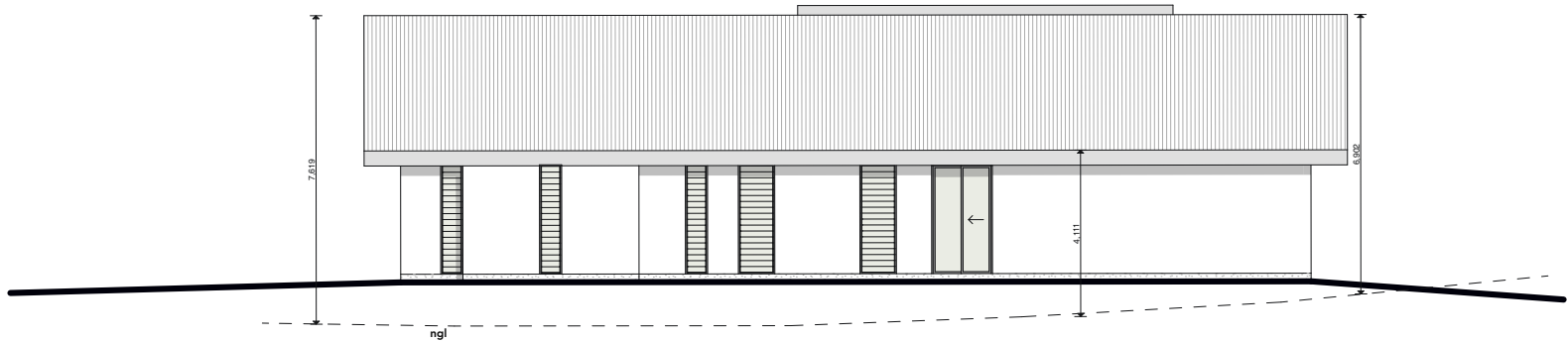
PATERSON 12023  
LOT 1 & 2, 215 VALLEY DRIVE, DOONAN  
Brendan & Allieca Paterson



Northern Elevation

1:100

NOTE: CONCEPTUAL ELEVATIONS  
GROUND LINES INDICATIVE



Western Elevation

1:100

NOTE: CONCEPTUAL ELEVATIONS  
GROUND LINES INDICATIVE

PATERSON 12023  
LOT 1 & 2, 215 VALLEY DRIVE, DOONAN  
Brendan & Allieca Paterson

RA6-N



SARA reference: 2303-33868 SRA  
Council reference: RAL23/0008, MCU23/0019  
Applicant reference: 2022-81

30 May 2023

Sunshine Coast Regional Council  
Locked Bag 72  
Sunshine Coast Mail Centre QLD 4560  
mail@sunshinecoast.qld.gov.au

Attention: Alida Maric

Dear Maric

## SARA referral agency response—215 Valley Drive, Doonan

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 26 April 2023.

### Response

Outcome:	Referral agency response – with conditions
Date of response:	30 May 2023
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval
Advice:	Advice to the applicant is in <b>Attachment 2</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b>

### Development details

Description:	Development permit	Reconfiguration of a lot by subdivision (1 lot into 3 lots) and establish two (2) dwelling houses
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SARA role: Referral agency

SARA trigger: Schedule 10, Part 10, Division 3, Subdivision 3, Table 1, Item 1



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(Planning Regulation 2017) – Assessable development – development interfering with koala habitat in koala habitat area outside koala priority area.

Schedule 10, Part 3, Division 4, Subdivision 2, Table 1 (Planning Regulation 2017) – Assessable development – clearing native vegetation on prescribed land.

SARA reference: 2303-33868 SRA  
Assessment manager: Sunshine Coast Regional Council  
Street address: 215 Valley Drive, Doonan  
Real property description: Lot 17 SP283706  
Applicant name: B.J. Paterson and A.K. Paterson atf B & A Trust  
Applicant contact details: C/- Danya Cook Town Planning  
PO Box 9410  
Pacific Paradise QLD 4564  
danyacook@danyacooktownplanning.com.au

*Human Rights Act 2019* considerations: Section 58 of the *Human Rights Act 2019* specifies required conduct for public entities when acting or making a decision. Sections 15 – 37 of the *Human Rights Act 2019* identifies the human rights a public entity must consider in making a decision. It has been determined that this decision does not limit human rights

## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Sean Elvines, Senior Planning Officer, on 07 5352 9719 or via email SEQNorthSARA@dsdilp.qld.gov.au who will be pleased to assist.

Yours sincerely



Garth Nolan  
Manager (Planning)

cc B.J. Paterson and A.K. Paterson atf B & A Trust C/- Danya Cook Town Planning,  
danyacook@danyacooktownplanning.com.au

enc Attachment 1 - Referral agency conditions  
Attachment 2 - Advice to the applicant  
Attachment 3 - Reasons for referral agency response

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Attachment 4 - Representations about a referral agency response provisions  
Attachment 5 - Documents referenced in conditions

## Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the documents referenced below are found at Attachment 5)

No.	Conditions	Condition timing
<b>Koala habitat area</b>		
10.10.3.3.1.1 – The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Environment and Science to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	The development must be carried out generally in accordance with the following plan: (a) Plan of development and general arrangement, prepared by TOD Engineers & Project Managers dated 26.04.23, reference 22530-SK002, Revision C as amended in red by SARA.	At all times
2.	To mitigate impacts on koala habitat values and ensure connectivity is maintained: (a) Enter into an environmental covenant in accordance with Section 97A of the Land Title Act 1994 for the area identified as 'Covenant Location' on the plan identified as 'Plan of development and general arrangement', prepared by TOD Engineers & Project Managers dated 26.04.23, reference 22530-SK002, Revision C as amended in red by SARA, for the purpose of protecting koala habitat and matters of State environmental significance in perpetuity. The covenant must detail the purpose, responsibilities, liabilities, measures, remedies and intents as necessary to ensure the management of the Covenant Area and must address the following: i. the owner(s) must comply with the covenant. ii. the owner(s) must take reasonable measures to ensure the native vegetation and environmental values of the covenant area will be maintained and protected. iii. the owner(s) must take all reasonable measures to ensure the covenant area is only used in a manner that maintains and protects the native vegetation and habitat values within the covenant area. iv. the owner(s) is responsible for taking reasonable action to rectify any adverse impacts to the covenant area. v. the following are prohibited within the covenant area: a. all buildings and structures including but not limited to swimming pools, tennis courts, retaining walls, stormwater infrastructure, wastewater infrastructure, fences (other than koala-friendly fencing) b. firebreaks c. earthworks d. effluent and wastewater treatment and disposal e. placing or storing of soil, rock, rubbish, garbage, waste or similar materials f. vehicle access and maneuvering g. parking h. landscaping with species that are not endemic to the	(a) Prior to sealing the plan of subdivision with the local government and to be maintained at all times  (b) Within 6 months of the local government's notation of the plan of subdivision  (c) Within 2 weeks of the registration of the covenant  (d) At all times

2303-33868 SRA

	<p>regional ecosystem</p> <p>i. keeping or permitting the entry of domestic animals or any other animals that are not indigenous to the covenant area; and</p> <p>j. any other act which may have an adverse impact on the values of the covenant area.</p> <p>vi. powers of entry.</p> <p>vii. a copy of the development approval that established the covenant.</p> <p>(b) Lodge the endorsed Covenant Form 31 with the Registrar of Titles for the relevant Queensland state government authority.</p> <p>(c) Submit a copy of the registered covenant to the Department of Environment and Science at: <a href="mailto:Koala.Compliance@des.qld.gov.au">Koala.Compliance@des.qld.gov.au</a> or GPO Box 2454 Brisbane Queensland 4001.</p> <p>(d) Comply with the covenant.</p>	
3.	<p>Provide the following koala friendly measures in accordance with the koala sensitive design guideline, prepared by the Department of Environment and Science and dated December 2022:</p> <p>(a) All building location envelopes must include fauna exclusion fencing for containment of domestic pets.</p>	<p>Prior to completion of each dwelling</p>
4.	<p>An appropriately qualified ecologist must prepare a covenant and rehabilitation plan. The rehabilitation plan must:</p> <p>(a) Identify the areas to be rehabilitated.</p> <p>(b) Detail the rehabilitation objectives:</p> <ol style="list-style-type: none"> <li>to restore or maintain connectivity within the broader landscape</li> <li>to suppress and, where possible, eradicate listed and environmental weeds</li> <li>to create and/or protect habitat for local fauna, including threatened species</li> <li>facilitate the safe movement of fauna across the site and the broader landscape</li> <li>to provide food and other essential resources for fauna.</li> <li>to protect and enhance koala habitat</li> <li>to maintain and enhance ecological processes across the site.</li> </ol> <p>(c) Detail how the rehabilitation work will be maintained.</p> <p>(d) Submit the covenant and rehabilitation plan to <a href="mailto:koala.assessment@des.qld.gov.au">koala.assessment@des.qld.gov.au</a></p> <p>(e) Carry out the rehabilitation of the development in accordance with the rehabilitation plan.</p> <p>(f) Maintain any vegetation planted as a result of the rehabilitation work.</p> <p>(g) Submit confirmation by an appropriately qualified ecologist that all elements of this condition have been complied with to <a href="mailto:koala.assessment@des.qld.gov.au">koala.assessment@des.qld.gov.au</a>.</p>	<p>(a), (b) and (c) Prior to commencement of interfering with koala habitat.</p> <p>(d) Prior to submitting the Plan of Survey to the local government for approval.</p> <p>(e) At all times.</p> <p>(f) For 24 months after completion of the rehabilitation works.</p> <p>(g) 20 business days after completion of the works.</p>
<b>Clearing of native vegetation</b>		
<p>10.3.4.2.1.1 - - The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of Department of Resources to be the enforcement authority for the development to which this</p>		

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development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
5.	The development must be carried out generally in accordance with the following plans: (a) Plan of development and general arrangement, prepared by TOD Engineers & Project Managers dated 26.04.23, reference 22530-SK002, Revision C as amended in red by SARA.	At all times

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## Attachment 2—Advice to the applicant

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General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.0). If a word remains undefined it has its ordinary meaning.

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### **Attachment 3—Reasons for referral agency response**

(Given under section 56(7) of the *Planning Act 2016*)

**The reasons for the SARA's decision are:**

- The proposal is for a development permit for reconfiguring a lot (1 lot into 3 lots) and establish 2 residential dwellings.
- The proposal will result in assessable development for clearing of native vegetation and interfering with koala habitat in an area that is a koala habitat area.
- The applicant, as part of the application, proposes to place a protective vegetation covenant over mapped koala habitat areas and mapped regulated native vegetation areas.
- SARA assessed the development application against State code 16 and State code 25 and has determined that with the inclusion of conditions requiring a protective vegetation covenant, the development will not result in a loss or significant residual impact on core koala habitat areas or regulated native vegetation. The development achieves compliance with the performance outcomes of the relevant state codes.

**Material used in the assessment of the application:**

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.0), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*

### **Attachment 4—Representations about a referral agency response provisions**

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## **Attachment 5—Documents referenced in conditions**

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## 8.4 SUNSHINE COAST COUNCIL STANDING ORDERS 2024

**File No:** Council Meetings

**Author:** Manager Governance and Executive Services  
Civic Governance

**Appendices:** App A - Sunshine Coast Council Standing Orders 2024... 157  

**Attachments:** Att 1 - Sunshine Coast Council Standing Orders - Tracked  
Changes..... 189  

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### PURPOSE

This report presents for Council's consideration, an updated Sunshine Coast Council Standing Orders 2024, to accommodate recent amendments to the *Local Government Act 2009* and the model meeting procedures.

The matters which are the substance of this report and the recommendations in this report do not constitute a major policy decision as prescribed under section 90B of the *Local Government Act 2009*. Accordingly, Council may proceed to consider and deliberate on this report during the local government caretaker period.

### EXECUTIVE SUMMARY

The *Local Government (Councillor Conduct) and Other Legislation Amendment Act 2023* was passed by the Queensland Legislative Assembly on 15 November 2023 and received assent and commenced on 22 November 2023. Upon assent, modifications were made to governance arrangements for the management of Councillor conduct complaints.

As a consequence of these changes, the Department of Housing, Local Government, Planning and Public Works (the department) updated its model meeting procedures for local governments, specifically to address the amendments relating to the management of Councillor conduct and conduct complaints referred back to Council. Council is required to incorporate these changes to the model meeting procedures into its Standing Orders.

The changes that have been incorporated into the Standing Orders include:

- the process for how the chairperson of a local government meeting may deal with unsuitable meeting conduct by a Councillor
- the process for how the Councillors at a local government meeting may deal with the unsuitable meeting conduct by the Chairperson
- the process for how a suspected conduct breach by a Councillor, that is referred to the local government by the Independent Assessor, must be dealt with at a local government meeting
- the processes for dealing with a conflict of interest arising during a local government meeting and recording the conflict of interest in the minutes of the meeting\*
- the process for dealing with a loss of quorum due to the number of Councillors with a conflict of interest\* and
- procedures for closing local government meetings to the public\*.

\*Relating to the consideration of Councillor conduct matters.

The Sunshine Coast Council Standing Orders have also been updated to address the foreshadowing of motions to aid procedural clarity during the course of debate.

**OFFICER RECOMMENDATION**

That Council:

- (a) receive and note the report titled “Sunshine Coast Council Standing Orders 2024” and
- (b) adopt the Sunshine Coast Council Standing Orders 2024 (Appendix A).

**FINANCE AND RESOURCING**

The administrative cost to amend the Standing Orders has been absorbed within the operational budget of the Civic Governance Group.

**CORPORATE PLAN**

<b>Corporate Plan Goal:</b>	<b><i>Our outstanding organisation</i></b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	S30 - Governance – providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported.

**CONSULTATION****Councillor Consultation**

Councillors have been consulted on the recommended changes to the Standing Orders.

**Internal Consultation**

The Meeting Management Team has been briefed and consulted on the changes to the Model Meeting Procedures as issued by the Department.

**External Consultation**

No external consultation was necessary for the development of this report, given it principally responds to a statutory obligation to ensure Council’s Standing Orders are not inconsistent with the department’s model meeting procedures.

**Community Engagement**

Community engagement was not required for the amendment of the Sunshine Coast Standing Orders as this exercise ensures legislative compliance.

**PROPOSAL**

Many of the current aspects of the Councillor conduct complaints system were first introduced in December 2018 with the intent to provide a simpler, more streamlined Councillor conduct complaints management system. As part of these reforms the Office of the Independent Assessor (OIA) was established to investigate all complaints and information about Councillor conduct before deciding how complaints should be dealt with.

On 25 October 2021, the then Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympics Infrastructure, wrote to the Legislative Assembly’s State Development and Regional Industries Committee (SDRIC) requesting it conduct a review into the functions of the Office of the Independent Assessor in accordance with SDRIC’s general oversight responsibilities for the Office of the Independent Assessor.

On 14 October 2022, the State Development and Regional Industries Committee tabled its Report No. 28 of the 57th Parliament - *Inquiry into the Independent Assessor and Councillor Conduct Complaints System* (the Councillor Conduct Report) in the Legislative Assembly.

The Councillor Conduct Report made 40 recommendations to improve the Councillor conduct complaints system.

On 12 January 2023, the Government's response to the Councillor Conduct Report was tabled in the Legislative Assembly, supporting or supporting in-principle all 40 recommendations.

The *Local Government (Councillor Conduct) and Other Legislation Amendment Act 2023* (the Act) implements those State Development and Regional Industries Committee's recommendations that required a legislative response, including several reforms to the Councillor conduct complaints system including:

- introducing a preliminary assessment process that the Office of the Independent Assessor must undertake for all complaints, notices and referrals to establish clear statutory parameters for when the Office of the Independent Assessor should take further action for conduct matters. This process is intended to enhance the scope for insubstantial conduct matters to be 'closed out' as early as possible
- establishing statutory limitation periods for when complaints, notices or referrals must be made to the Office of the Independent Assessor
- replacing the term 'inappropriate conduct' with 'conduct breach' (see further information below in relation to a new approach for dealing with a 'conduct breach')
- limiting the application of the complaints system to a Councillor's conduct in their official capacity, and to sitting (ie. currently serving) Councillors (except where the conduct is suspected corrupt conduct)
- introducing a scheme to declare persons vexatious complainants
- clarifying Councillor conflict of interest arrangements
- amendments to the constitution and membership of the Councillor Conduct Tribunal
- increasing mandatory reporting by the Office of the Independent Assessor and councils and requiring the publication of Councils' investigation reports for conduct matters.

Further, the Act introduces a scheme for mandatory training for Councillors. Councillors that do not complete mandatory training may be suspended without pay or dismissed from office.

In relation to dealing with a suspected conduct breach, under chapter 5A, part 3, division 3A of the *Local Government Act 2009*, the Independent Assessor must make a preliminary assessment and consider dismissing a complaint, notice or information before taking other action. If the Independent Assessor assesses that a matter is a suspected conduct breach, it must refer the matter to the Council.

In relation to matters referred by the Independent Assessor to the local government, the local government may decide not to start or to discontinue an investigation if:

- the complainant withdraws the complaint, or consents to the investigation not starting or discontinuing or
- the complainant does not provide extra information when requested or
- there is insufficient information to investigate the complaint or
- the Councillor vacates or has vacated their office as a Councillor.

The local government investigation must be conducted in a way that is consistent with the local government's investigation policy. At this stage the Department is undertaking a review of the model Investigations Policy to incorporate necessary changes to align to the legislation. The model Investigations policy is expected to be finalised in coming weeks and as required will form the basis for a further report to Council to update its Investigation Policy as required.

**Implications for Council's Standing Orders**

Section 150G of the *Local Government Act 2009* provides that councils must adopt the model meeting procedures developed by the department or incorporate them into existing standing orders for meeting procedures. As with all councils, the Sunshine Coast Council Standing Orders are required to be consistent with the model meeting procedures.

The model meeting procedures document has recently been updated by the department to accommodate the amendments to the *Local Government Act 2009* that came into effect on 22 November 2023. The model meeting procedures – which are proposed to be inserted into the Sunshine Coast Council Standing Orders - incorporate the following amendments.

- introduction of new provisions in relation to local government investigations into conduct breach matters referred to local governments by the Office of the Independent Assessor. These changes establish new meeting procedures for deciding the outcome of an investigation at a Council meeting.
- a provision has been included to allow a Council meeting to be closed to the public during a debate about an investigation report in relation to a conduct breach matter.
- when a decision is made about a conduct breach matter at a local government meeting that is inconsistent with the recommendations provided in the investigation report, a statement addressing the inconsistency must be included in the minutes of the meeting and a copy of the investigation report must be made publicly available within 10 business days of the decision (certain redactions of complainants and witnesses' details must be made to the report before publication unless they are Councillors).
- a notice must be provided to the Office of the Independent Assessor, the Councillor and the complainant by the local government when a decision is made about a conduct breach matter, including providing the details of the decision. The notice must have the reasons for the decision and any orders that were made.
- procedures have been included to deal with the loss of a quorum in a Council meeting (due to the number of Councillors with a conflict of interest), where the Council is required to consider a report into the investigation of a conduct breach. The provisions include that a Council may decide, by resolution, not to decide the matter and take no further action in relation to the matter, unless the *Local Government Act 2009* or another Act provides that the local government must decide the matter. Conduct matters must be decided either when a quorum is available or where Ministerial approval is provided for conflicted Councillors to vote on the matter.
- procedures have been introduced to deal with unsuitable meeting conduct by a chairperson at a Council meeting. If a Councillor reasonably believes that the chairperson has engaged in unsuitable meeting conduct during a meeting, the Councillors present at the meeting, other than the chairperson, must decide by resolution if that is the case and if so, can make an order reprimanding the chairperson.
- if the conduct of a Councillor, including a chairperson, at the meeting becomes a conduct breach as a result of three instances of unsuitable conduct in one year, the local government is not required to notify the assessor about the conduct and it may be dealt with at the next Council meeting.

*Foreshadowed motions*

Given the need to amend Council's Standing Orders to accommodate the recent amendments to the *Local Government Act 2009* and the model meeting procedures, the opportunity is being taken to insert in the Standing Orders an additional section to provide greater clarity on the allowance and use of foreshadowed motions during Council debate. The proposed clauses make clear that a Councillor may foreshadow during debate on a motion, an alternative motion on the subject matter before Council if the vote on the current

motion is lost. The foreshadowing of an alternative motion does not require a seconder (at the time of foreshadowing) and is only to be considered if the original motion is lost.

### Legal

This report outlines the recent legislative amendments that have been made to both the *Local Government Act 2009* and *Local Government Regulation 2012* as they apply to Council's statutory meetings.

Section 150G of the *Local Government Act 2009* sets out that a local government must either adopt the model meeting procedures (as developed by the Department of Housing, Local Government, Planning and Public Works) or prepare and adopt other procedures for the conduct of its meetings. If the local government prepares and adopts its own procedures, these cannot be inconsistent with the model procedures and in the case of an inconsistency, the local government is taken to have adopted the model procedures to the extent of the inconsistency.

The proposed Sunshine Coast Council Standing Orders 2024, which are the subject of this report, are not inconsistent with the model procedures.

### *Human Rights Act 2019*

The then Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympic and Paralympic Games Infrastructure, included a statement of compatibility in accordance with Part 3 of the *Human Rights Act 2019* in the supporting documentation for the *Local Government (Councillor Conduct) and Other Legislation Amendment Bill 2023* when it was introduced in the Legislative Assembly. On this basis – and given the proposed Sunshine Coast Council Standing Orders 2024 are consistent with the provisions of that Bill (as passed and enacted), it is considered that no further human rights compatibility assessment is required to support the recommendations in this report.

### Policy

Upon adoption, Council's Standing Orders will be included in the Policy Register and distributed, as appropriate, to Councillors and Officers. The updated Standing Orders will also be published on Council's website.

### Risk

Should the proposed Sunshine Coast Council Standing Orders 2024 not be adopted, Council risks that its meeting procedures are not compliant with the Act or the model meeting procedures. Further, this will make it difficult for Council to consider and deal with any referred Councillor conduct breach complaints in a way that is consistent with the Act and the model meeting procedures – which in turn poses a risk that decision making by Council on such matters may be open to legal challenge due to non-compliance with statutory requirements.

### Previous Council Resolution

#### Ordinary Meeting 15 October 2020 (OM20/105)

*That Council:*

- (a) *receive and note the report titled “**Councillor Governance Matters: Sunshine Coast Council Standing Orders 2020**”*
- (b) *adopt the Sunshine Coast Council Standing Orders 2020 (Appendix A) and*
- (c) *delegate to the Chief Executive Officer the authority to make minor amendments to the Standing Orders to comply with any updated models or guidelines issued by the Department of Local Government, Racing and Multicultural Affairs.*

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

*That Council:*

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

**Ordinary Meeting 15 October 2015 (OM15/185)**

*That Council:*

- (a) *receive and note the report titled "Proposed Amendments to Standing Orders Sunshine Coast Council 2015"*
- (b) *adopt the Standing Orders Sunshine Coast Council 2015 (Appendix A)*
- (c) *note Strategic Policy 2011 Standing Orders is no longer required and delete same from the Strategic Policy Register and*
- (d) *authorise the Chief Executive Officer to make minor administrative amendments to the Standing Orders Sunshine Coast Council 2015 (Appendix A) to ensure the Standing Orders remain consistent with the Local Government Act and Local Government Regulations.*

**Related Documentation**

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Local Government (Councillor Conduct) and Other Legislation Amendment Act 2023*

**Critical Dates**

Early adoption of the proposed Sunshine Coast Regional Council Standing Orders 2024 to reflect legislative changes that took effect from 22 November 2023, is considered to be a prudent course for Council to consider.

**Implementation**

Should the recommendation be accepted by Council, the Chief Executive Officer will:

- *update the Policy Register and distributed as appropriate to Councillors and Officers and*
- *publish the Sunshine Coast Council Standing Orders 2024 on Council's website.*

## Standing Orders Sunshine Coast Council 2024





Current February 2024

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involved in the development of this document.

**Disclaimer**

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## Part 1 Preliminary

### 1 Short title

These standing orders may be cited as the Standing Orders Sunshine Coast Council 2024.

### 2 Purpose

The purpose of these standing orders is to set out the procedures that govern the conduct of business and proceedings at Council meetings and committee meetings.

### 3 Application of standing orders

- (1) The standing orders provide rules for the conduct of:
  - (a) local government meetings and
  - (b) local government committee meetings.
- (2) Any provision of these standing orders may be suspended by resolution at any local government meeting.
- (3) A resolution is required for any such suspension of a provision of the standing orders and must specify the purpose of each suspension.

## Part 2 Local government meetings

### 4 Time of ordinary meetings

- (1) The local government must fix the day and times for its ordinary meetings.<sup>1</sup>
- (2) If there is no resolution fixing the day and time for an ordinary meeting, the Chief Executive Officer must fix the day and time for the meeting.
- (3) Before the Chief Executive Officer fixes the day and time for an ordinary meeting, the Chief Executive Officer must, if practicable, consult with the Mayor about the proposed day and time for the meeting.

### 5 Time of special meetings

- (1) The Chief Executive Officer must call a special meeting of the local government if:
  - (a) the special meeting is required by a resolution of the local government or
  - (b) a written request for the special meeting is lodged with the Chief Executive Officer under subsection (2).
- (2) A written request for a special meeting of the local government must:
  - (a) be signed by the Mayor or six or more Councillors and
  - (b) specify the subject of the special meeting and
  - (c) may propose a day and time for the holding of the special meeting.

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<sup>1</sup> A Local Government must meet at least once in each month (S257 (1) *Local Government Regulation 2012*).

- (3) The Chief Executive Officer calls a special meeting by giving written notice of the day and the time of the meeting, and the business to be conducted at the meeting, to each Councillor.<sup>2</sup>
- (4) The Chief Executive Officer may call a special meeting to discuss any matter the Chief Executive Officer considers should be brought before Council.

## 6 Agenda for ordinary meetings

- (1) The agenda must include:
  - (a) items required under the standing orders to be included on the agenda
  - (b) items that are, by resolution of the local government to be included on the agenda and
  - (c) items whose inclusion on the agenda is requested by a Councillor in accordance with section 16 (Notified motions).
- (2) A Councillor who wants an item of business included on the agenda for a particular meeting must give written notice of the nature of the business to the Chief Executive Officer at least fourteen days before the date nominated for the meeting.
- (3) The Chief Executive Officer may include in the agenda any matter the Chief Executive Officer considers should be brought before the meeting.
- (4) The order of business may be altered for a particular meeting where the members, at that meeting, pass a motion to that effect in accordance with section 23(3)(f) (Procedural motions) of these standing orders.
- (5) Unless otherwise altered, the general order of business shall be as follows:
  - (a) Acknowledgements and/or commencement greetings
  - (b) Confirmation of minutes of previous meeting/s
  - (c) Mayoral minute
  - (d) Presentations
  - (e) Officers' reports
  - (f) Reports from committees (as required)
  - (g) Notified motions
  - (h) Petitions and
  - (i) Confidential business.
- (6) Business not on the agenda shall not be considered at any local government meeting unless the Council at such meeting resolves to admit such business.

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<sup>2</sup> Notice of each meeting or adjourned meeting of a Local Government must be given to each Councillor at least 2 days before the day of the meeting unless it is impracticable to give the notice (S254C (1)(b) *Local Government Regulation 2012*). A special meeting is a meeting at which the only business that may be conducted is the business stated in the notice of meeting (S254C (4) *Local Government Regulation 2012*).

## 7 Notice of meeting and agenda circulation

- (1) Notice of each meeting or adjourned meeting of the local government must be given to each Councillor at least 2 days before the meeting unless it is impractical to give the notice.
- (2) The notice must state –
  - (a) the day and time of the meeting and
  - (b) for a special meeting – the business to be conducted at the meeting.
- (3) The Chief Executive Officer shall prepare an agenda for each local government meeting.
  - (a) Agendas shall be made available to members, if practicable, seven days prior to such meetings.
  - (b) Agendas will be made publically available in accordance with the requirements of the *Local Government Regulation 2012*.

## 8 Commencement of business

- (1) The local government shall commence business at the time appointed for holding the meeting, or as soon (but before the expiration of 15 minutes) thereafter as a sufficient number of members is present to constitute a quorum<sup>3</sup>.
- (2) Business shall not be conducted at a meeting unless a quorum is present.

## 9 Adjournment of meeting

- (1) The members present at a meeting may at any time adjourn the meeting by procedural resolution.
- (2) Notwithstanding subsection (1) above, the Chairperson may adjourn the meeting without resolution in accordance with section 40 (Disorder), or for any matter as deemed appropriate by the Chairperson.
- (3) If at a meeting a quorum is not present within 15 minutes after the time appointed for that meeting, the meeting may be adjourned to a later hour of the same day or to any time not later than 14 days from the date of the adjournment by:
  - (a) the majority of the members present or
  - (b) only one member if that member is the only member present or
  - (c) the Chief Executive Officer if no member is present<sup>4</sup>.
- (4) If there is not a quorum of members present at the meeting, then such circumstances, together with the names of the members then present, shall be recorded in the minutes of the meeting.
- (5) If at any time following commencement of business a quorum is not present, the Chairperson shall:
  - (a) suspend the proceedings of the meeting for a period of 15 minutes
  - (b) record in the minutes of the meeting the names of those who are present if a quorum is not present at the end of the period of 15 minutes and

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<sup>3</sup> S261 (2) *Local Government Regulation 2012*

<sup>4</sup> S259 *Local Government Regulation 2012*

7 Sunshine Coast Council Standing Orders 2024

- (c) adjourn the meeting to a later hour of the same day or to any time not later than 14 days from the date of such adjournment.

#### **10 Attendance at meeting**

The members present at each meeting shall be recorded in the minutes of the meeting.

#### **11 Admission of non-members to debate**

- (1) The local government may allow a non-member to participate in the discussion of a particular item of business before the local government on conditions decided by the local government.
- (2) The local government may, as a mark of distinction, admit a non-member to a part of the local government chamber normally reserved for Councillors during the conduct of local government business.

#### **12 Confirmation of minutes of meeting**

- (1) The minutes of preceding meeting(s) not previously confirmed shall be included on the agenda of every meeting as required in order that such minutes may be confirmed.
- (2) No discussion shall be permitted except in respect to the accuracy of the minutes as a record of the proceedings.

#### **13 Mayoral minute**

- (1) The Mayor may, by a signed minute, introduce a matter within the jurisdiction or official cognisance of the local government which is not on the agenda.
- (2) A mayoral minute shall take precedence over all business before the local government, except confirmation of the minutes.
- (3) A mayoral minute may be moved by the Mayor from the Chair without being seconded.
- (4) A motion proposed by mayoral minute and adopted by the local government is a resolution of the local government.

#### **14 Presentations**

The Chairperson may allow the local government to receive or provide acknowledgements, certificates, awards, appreciation from the community, business or industry.

#### **15 Committee reports**

- (1) If, in a report of a committee, distinct recommendations are made, the decision of the local government may be taken separately on each recommendation.
- (2) A recommendation of a committee, or portion thereof, may be amended by the local government in any manner it may think fit, or may be referred back to the committee for further consideration.
- (3) A recommendation of a committee adopted by the local government is a resolution of the local government.

## 16 Notified motions

- (1) Subject to subsection (2), a member may bring forward to a meeting a motion on any matter within the jurisdiction or official cognisance of the local government by giving notice in writing, in the approved form, to the Chief Executive Officer either at the previous meeting or not less than seven days before the commencement of the meeting at which the motion is to be discussed.
- (2) A notified motion –
  - (a) must be of an urgent nature that requires consideration by Council prior to the next Ordinary Meeting, noting that a Councillor may under section 6 (2) request the Chief Executive Officer to include an item of business on the agenda for a particular meeting
  - (b) must not seek to involve Council in an action or conduct that is contrary to law or approved Council policy
  - (c) must not involve a redirection of financial resources of the Council or give rise to a potential additional cost to Council that is not accommodated in Council's adopted budget
  - (d) must not propose an amendment to a planning scheme, local law, or Council policy or strategy unless the amendment is considered urgent on the basis of a risk to public health or safety and/or could result in a significant cost or reputational exposure for Council if not considered prior to the next Ordinary Meeting and/or
  - (e) must not seek to override or alter a decision lawfully made by the Council on a development application under the *Planning Act 2016*.
- (3) The Chairperson shall rule out of order a motion which does not comply with subsection (1) or (2).
- (4) Notified motions shall be dated and recorded by the Chief Executive Officer as received and circulated to Councillors as required. The Chief Executive Officer must also certify whether, in the Chief Executive Officer's opinion, the notified motion complies with subsections (1) and (2).
- (5) Subject to subsection (1), every motion shall:
  - (a) lapse if the member who gave notice, or some other member authorised by that member, is not present to move the motion when called on and
  - (b) not again be reintroduced without a subsequent notice of motion duly given as provided in subsection (1).
- (6) If the member as per subsection (1), or authorised member (as per subsection (4)), fails to move the motion when called on to do so, another member may move said motion notwithstanding the member and/or authorised member are present.
- (7) The member as per subsection (1) having given notice of the motion in writing to the Chief Executive Officer may not seek to amend the motion at the meeting at which the motion is to be discussed.
- (8) Where a notified motion is lost, a notified motion of the same or like effect shall not be moved until at least three (3) months after the date on which the first mentioned notified motion was lost.



## 17 Petitions

- (1) A member may present a petition where the petition is legible, the purpose of the petition is on the top of each page, contains a minimum of 10 signatories and is worded in appropriate language.
- (2) On presentation of a petition to the local government the only motion which may be moved is that:
  - (a) the petition not be received or
  - (b) the petition be received and referred to the Chief Executive Officer to determine appropriate action or
  - (c) the petition be received and referred to the Chief Executive Officer or a committee for consideration and report back to the local government.
- (3) No debate on a petition shall be allowed except the member presenting the petition may speak to the petition for a period of not more than one minute.

## Part 3 Procedures for making decisions/resolutions

### 18 Motions

- (1) A motion brought before a local government meeting in accordance with these standing orders shall be received and put to the meeting by the Chairperson.
- (2) The Chairperson may require a motion or amendment to a motion to be stated in full or be in writing before it is received.
- (3) When a motion has been moved and seconded, it shall become subject to the control of the local government and shall not be withdrawn by the mover and seconder without the consent of the local government.
- (4) The Chairperson shall call the motions in the order in which they appear on the agenda and, where no objection is taken to a motion being taken as a formal motion, the Chairperson may put the motion to the vote without discussion.

### 19 Motion to be seconded

A motion or an amendment to a motion shall not be debated at a local government meeting unless or until the motion or the amendment is seconded, with the exception of mayoral minutes. Where no member seconds a motion, the motion will lapse.

### 20 Amendment of motion

- (1) An amendment to a motion shall be in terms that retain the identity of the original motion and does not negate the motion.
- (2) No more than one motion or one proposed amendment to a motion may be put before a local government meeting for consideration at any one time.
- (3) Where an amendment to a motion is before a local government meeting, no other amendment to the motion shall be considered until after the first amendment has been determined.
- (4) A member who moves or seconds a motion may not propose or second an amendment to that motion.
- (5) Any amendment to a motion must be proposed before the mover of the motion has exercised their right of reply.

- (6) Where an amendment to a motion becomes the motion before the local government, the original motion in its entirety cannot become a further amendment.

## 21 Speaking to motions and amendments

- (1) A member may request further information from or through the Chairperson before or after the motion or amendment is seconded.
- (2) Following the seconding of a motion or amendment, the Chair shall first call for a speaker to speak in favour of the motion or amendment and each subsequent speaker alternatively against or in favour of the motion or amendment, unless the Chairperson rules otherwise.
- (3) A right of reply may be exercised by the mover of a motion or the mover of an amendment if an amendment is moved.
- (4) Each member shall speak no more than once to the same motion or same amendment except as a right of reply.
- (5) Once the right of reply has been exercised, the debate is closed.
- (6) Each speaker shall be restricted to not more than five (5) minutes unless an extension of time is granted.
- (7) Where two or more members indicate they wish to speak at the same time, the Chairperson shall determine who is entitled to priority. The Chairperson may determine the order of speakers by accepting the raising of a hand, a member rising to speak, or by other means outlined by the Chairperson. The Chairperson will outline their preference and apply it consistently.

## 22 Foreshadowed motions

- (1) A Councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before Council, during debate on the original motion.
- (2) A foreshadowed motion does not require a seconder.
- (3) A foreshadowed motion is only to be considered if the original motion is lost and the foreshadowed motion is subsequently moved and seconded for debate and vote.
- (4) Should the original motion be carried, the foreshadowed motion cannot be and will not be recorded in the minutes.
- (5) A foreshadowed motion cannot be proposed as an amendment to a motion.

## 23 Procedural motions

- (1) A member at a meeting of the local government may, during the debate of a motion at the meeting, move a procedural motion, unless the member is the mover, seconder or has spoken to the original motion or a subsequent amendment:
- (2) A procedural motion is required to be seconded.
- (3) Procedural Motions
  - (a) That the motion **be put**
    - (i) at any time to finalise debate of a motion before the local government
    - (ii) if the procedural motion is carried, the Chairperson shall immediately put the motion or amendment to that motion under consideration
    - (iii) if lost, debate on the motion or amendment to the motion shall continue.

- (b) That debate on the motion or amendment now before the meeting **be deferred**
  - (i) specifying a time or date when the debate on this item will be reconvened or
  - (ii) where no date or time is specified the motion shall be included in the agenda for the next meeting.
- (c) That the motion lies on the table
  - (i) where a member requires additional information on the motion (or the result of some other action of the local government or person is required) before the matter may be concluded at the same meeting and
  - (ii) if carried, the local government shall proceed with the next item on the agenda.
- (d) The motion be taken from the table
  - (i) at the meeting at which a procedural motion was carried to have the motion lie on the table
- (e) That the Chairperson's **ruling be dissented** from
  - (i) suspending further consideration of any matter until after this procedural motion is determined
  - (ii) spoken to firstly by the mover of the procedural motion then the Chairperson; no other members may speak to this procedural motion
  - (iii) if carried, the motion to which the ruling of the Chairperson was made shall proceed as though that ruling had not been made or
  - (iv) if lost, the ruling of the Chairperson shall stand and cannot be challenged by a subsequent Procedural motion.
- (f) That the operation of the standing orders or any provision thereof be **suspended**
  - (i) by any member to permit some action that otherwise would be prevented by procedural rule and
  - (ii) specifying the purpose of the suspension.
- (g) That the meeting of the local government be **closed or open** to the public (in accordance with the provisions of the *Local Government Regulation 2012* (the Regulation))
  - (i) by way of a motion specifying which of the provisions of the *Local Government Regulation 2012* are being invoked and why
  - (ii) if carried, all members of the public shall leave and not re-enter the room where the meeting is being held until a procedural motion that the local government meeting be open to the public, is carried and
  - (iii) all debate/discussion in the course of a closed meeting shall be confidential.
- (h) That the meeting stand **adjourned**.

## 24 Points of order

- (1) A member who is speaking shall not be interrupted, except by the Chairperson or upon a point of order, in which event the member shall resume the member's seat and remain silent until the Chairperson has ceased speaking or the point of order has been disposed of, whereupon the member so interrupted may, if permitted, proceed.

- (2) Any member may ask the Chairperson to decide on a point of order where it is believed that:
  - (a) another member has failed to comply with proper meeting procedure
    - (i) a matter before the local government is in contravention of the standing orders, or the Act or the Regulation or
    - (ii) a matter before the local government is beyond the local government's jurisdiction or power.
- (3) Where a point of order is raised, consideration of the matter to which the motion was moved shall be suspended and the Chairperson shall determine whether the point of order is upheld.

## **25 Method of taking vote**

- (1) Before any matter is put to the vote, the Chairperson may direct the motion or amendment to be read again by the Chief Executive Officer or other Council officer.
- (2) The Chairperson shall, in taking the vote on a motion or amendment, put the question first in the affirmative and then in the negative and may do so as often as necessary to form and declare an opinion as to whether the affirmative or the negative has the majority vote.
- (3) The local government shall vote by a show of hands or as directed by the Chairperson.
- (4) The Chief Executive Officer shall record the names of the members voting in the affirmative and of those voting in the negative and this record of the vote shall be published in the minutes of the meeting.
- (5) The Chairperson shall declare the result of a vote as soon as it has been determined.

## **26 Repeal or amendment of resolutions**

- (1) A resolution of the local government may be repealed or amended only if notice of intention to propose the repeal or amendment is given to each Councillor at least 5 days before the meeting at which the proposal is to be made.
- (2) Where a motion to repeal or alter a resolution is lost, a motion of the same or like effect shall not be moved until at least three (3) months after the date on which the first-mentioned motion to repeal or alter was lost, unless a notice of the motion shall be signed by the majority of the members of the local government.

## **27 Questions**

- (1) A member may, at a local government meeting, ask a question for reply by another member or by the Chief Executive Officer (or other Council officer as determined by the Chief Executive Officer) regarding any matter under consideration at the meeting of the local government.
- (2) Questions relating to general work or procedure of the local government or any matter under the jurisdiction of the local government but not related to any matter under consideration at that meeting are not allowed.
- (3) The question may be required by the Chairperson to be reduced to writing and provided to the relevant member or the Chief Executive Officer.
- (4) The question shall be asked categorically and without argument, and no discussion shall be permitted at the meeting of the local government in relation to a reply or a refusal to reply to the question.

- (5) A member or the Chief Executive Officer to whom a question is asked without notice may request that the question be taken on notice for response at, or prior to the next meeting.
- (6) A member who asks a question at a meeting, whether or not upon notice, shall be deemed not to have spoken to the debate of the motion to which the question relates.
- (7) The Chairperson may disallow a question which the Chairperson considers is inconsistent with good order.

## **Part 4 Maintenance of good order**

### **28 Conduct during meetings**

- (1) After a meeting of the local government has been formally constituted and the business commenced, a member shall not enter or leave from such meeting without first acknowledging the Chairperson.
- (2) Unless exempted by the Chairperson, members shall stand and address the Chairperson while:
  - (a) moving any motion or amendment
  - (b) seconding any motion or amendment
  - (c) taking part in any discussion
  - (d) replying to any question or
  - (e) addressing the local government for any other purpose.
- (3) Members shall during a meeting of the local government address:
  - (a) other members by their respective titles, "Mayor"; "Councillor"; "Chairperson" or "member" and
  - (b) officers by designating them their respective official or departmental title or full name (eg Mr Smith).
- (4) Members shall during a meeting of the local government confine their remarks to matters then under consideration.
- (5) Members shall remain seated and silent while a vote is being taken.
- (6) Members shall act with due decorum during meetings in order that the meeting is conducted in an efficient and effective manner.
- (7) No member or Council officer shall make personal reflections on or impute improper motives to any other member or Council officer.
- (8) No member who is speaking shall be interrupted except upon a point of order being raised either by the Chairperson or by a member.
- (9) When the Chairperson stands during a debate, the member then speaking or offering to speak shall immediately be seated and the Chairperson shall be heard without interruption.
- (10) The Chairperson may:
  - (a) call the attention of the meeting to continued irrelevance or tedious repetition on the part of any member and
  - (b) direct the member to discontinue a speech.

## **29 No digression**

A member shall not speak otherwise than upon, nor digress from, the matter or question then before the local government.

## **30 Disturbance by members**

A member shall not make a noise or disturbance nor converse aloud while another person is addressing the local government.

## **31 Process for dealing with unsuitable meeting conduct by a Councillor in a meeting**

The conduct of a Councillor is unsuitable meeting conduct if the conduct happens during a Council meeting and contravenes a behavioural standard of the Code of Conduct for Councillors.

When dealing with an instance of unsuitable meeting conduct by a Councillor in a meeting, the following procedures must be followed:

- (1) The Chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a Councillor at a meeting.
- (2) If the Chairperson decides that unsuitable meeting conduct has occurred, the Chairperson may consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the Chairperson decides the conduct is of a serious nature or another warning is unwarranted, refer to 30 (7) for the steps to be taken.
- (3) If the Chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the Chairperson may request the Councillor take remedial actions such as:
  - (a) ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct
  - (b) apologising for their conduct and or
  - (c) withdrawing their comments.
- (4) If the Councillor complies with the Chairperson's request for remedial action, no further action is required.
- (5) If the Councillor fails to comply with the Chairperson's request for remedial action, the Chairperson may warn the Councillor that failing to comply with the request may result in an order being issued.
- (6) If the Councillor complies with the Chairperson's warning and request for remedial action, no further action is required.
- (7) If the Councillor continues to fail to comply with the Chairperson's request for remedial action or the Chairperson decides a warning is not appropriate, the Chairperson may make one or more of the orders below:
  - (a) an order reprimanding the Councillor for the conduct
  - (b) an order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.
- (8) If the Councillor fails to comply with an order to leave and stay away from the meeting, the Chairperson can issue an order that the Councillor be removed from the meeting. The meeting must be adjourned whilst the Councillor is being removed.

- (9) Following the completion of the meeting, the Chairperson must ensure:
  - (a) details of any order issued is recorded in the minutes of the meeting
  - (b) if it is the third (3rd) or more order within a 12month period made against a Councillor or the Councillor has refused to leave following an order issued to leave the meeting, these matters are to be dealt with at the next meeting of the local government and treated as inappropriate conduct pursuant to the Act.
  - (c) the local government's Chief Executive Officer is advised to ensure details of any order made must be updated in the local governments Councillor Conduct Register pursuant to the Act.
- (10) Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for parts (1), (7) and (8) above.

### **32 Process for Dealing with Unsuitable Meeting Conduct by a Chairperson in a Meeting**

- (1) If a Councillor at the meeting reasonably believes that the conduct of the Chairperson during the meeting is unsuitable meeting conduct, the Councillor can raise the matter in the meeting by point of order.
- (2) Should the Chairperson not correct their unsuitable meeting conduct, the Councillor may move a motion that the Chairperson has engaged in unsuitable meeting conduct (a seconder for the motion is required). Councillors present, excluding the Chairperson, must decide by resolution if the conduct is unsuitable meeting conduct.
- (3) The Chairperson has a declarable conflict of interest in the matter and must leave the place where the meeting is being held, including any area set aside for the public, during the debate and vote on the matter. If the Chairperson wishes to remain in the meeting, the eligible Councillors must make a decision and follow the procedures set out in Section 35 & below.
- (4) For the vote on the motion, a Councillor other than the Councillor that moved the motion, is to act as the Chairperson.
- (5) Should the original Chairperson remain in the meeting, on the condition that they will not vote on the matter as determined by the eligible Councillors, they can put forward their reasoning about their conduct, and respond to questions through the Chairperson from the eligible Councillors.
- (6) The acting Chairperson of the meeting will preside over the meeting while the Councillors present at the meeting vote on whether the Chairperson has engaged in unsuitable meeting conduct (the acting Chairperson will have a casting vote on the matter if required).
- (7) If it is decided that the Chairperson has engaged in unsuitable meeting conduct the Councillors may make an order reprimanding the Chairperson for the conduct.
- (8) Once the Councillors make a decision, the Chairperson returns to the meeting (unless they have been permitted to remain in the meeting) and is informed of the decision by the acting Chairperson.
- (9) The Chairperson then resumes the role of Chairperson, and the meeting continues.

### **33 Meeting process for dealing with a suspected conduct breach which has been referred to a local government by the Independent Assessor**

Under chapter 5A, part 3, division 3A of the *Local Government Act (2009)*, the Independent Assessor must make a preliminary assessment and consider dismissing a complaint, notice or information before taking other action if satisfied that particular circumstances apply. If the

Independent Assessor assesses that a matter is a suspected conduct breach it must refer the matter to the Council. The assessor refers the Councillor's suspected conduct breach to the Council by giving a referral notice.

A Conduct breach is conduct that contravenes a behavioural standard of the code of conduct for Councillors, or a policy, procedure or resolution of the Council; or the conduct contravenes an order of the Chairperson of a Council meeting for the Councillor to leave and stay away from the place at which the meeting is being held.

- (1) In relation to matters referred by the Independent Assessor to the Council, the Council may decide not to start or discontinue an investigation if the complainant withdraws the complaint, or consents to the investigation not starting or discontinuing, or the complainant does not provide extra information when requested, or there is insufficient information to investigate the complaint, or the councillor vacates or has vacated their office as a Councillor.

The Council investigation must be conducted in a way that is consistent with Council's investigation policy. An investigation report must be prepared to assist the Councillors in making a decision on the outcome under section 150AG of the Act. Before debating a matter relating to making a decision, a summary investigation report (with redactions) must be prepared and made publicly available under section 150AFA of the Act on or before the day and time prescribed by regulation.

- (2) Council must decide whether the Councillor has engaged in a conduct breach. Unless in accordance with section 150AG of the Act, it has delegated responsibility for this decision to the Mayor under section 257(2)(a), or to a standing committee section 257(2)(b) of the Act.
- (3) When dealing with an instance of a suspected conduct breach which has been referred to a local government by the Independent Assessor:
  - (a) Council must be consistent with the principle of transparent and accountable decision making in the public interest by deciding the outcome of an investigation of a suspected conduct breach in an open meeting of Council. However, where the matter requires debate Council may close all or part of a meeting to the public, if considered necessary, to discuss an investigation report.<sup>5</sup>
  - (b) No resolution for a decision can be made in the closed session. The matter must be decided in an open session of the meeting or at a later meeting.
  - (c) Where Council makes a decision about a conduct breach matter at a Council meeting that is inconsistent with a recommendation made about that matter in an investigation report, a statement of the reasons for the inconsistency must be included in the minutes of the meeting.<sup>i</sup>
  - (d) The subject Councillor has a declarable conflict of interest in the matter but may remain in the closed meeting (unless Council decides otherwise), during the debate about the investigation report and answer questions put to the subject Councillor through the chairperson in relation to the evidence or written submission provided by the Councillor to Council.
  - (e) The subject Councillor who has a declarable conflict must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have engaged in a conduct breach and what, if any, penalty to impose if the councillor is found to have engaged in a conduct breach.

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<sup>5</sup>S254J *Local Government Regulation 2012*



- (f) If the complainant is a Councillor, that Councillor has a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in Section 35. If the complainant Councillor who has a conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other eligible Councillors (who do not have a conflict of interest in the matter) must decide how to deal with the conflict of interest under Section 35. The complainant Councillor can be ordered to leave the meeting place or conditions may be applied to allow that Councillor to participate in either the debate, the vote, or the decision on any disciplinary action to be applied.
  - (g) After making a decision under section 150AG of the Act, Council must make the full investigation report, publicly available within 10 business days, with redactions of the name of the complainant and any witnesses but including the name of a Councillor or the Chief Executive Officer of Council if they were complainants, or any Councillor who declared a conflict of interest in the matter.
- (4) If Council has lost quorum due to the number of conflicted councillors or another reason, the local government must do one of the following:
  - (a) Delegate deciding the matter under section 257 of the Act to the Mayor or a standing committee, or
  - (b) Decide, by resolution, to defer the matter to a later meeting or
  - (c) Decide, by resolution, not to decide the matter and take no further action in relation to the matter unless the Act or another Act provides that the local government must decide the matter.
- (5) If a decision is reached that the subject Councillor has engaged in a conduct breach, then the Councillors must decide what penalty or penalties from the orders detailed in Section 33(6), if any, to impose on the Councillor. In deciding what penalty to impose Council may consider any previous inappropriate conduct of the Councillor and any allegation made in the investigation that was admitted, or not challenged, and that the Council is reasonably satisfied is true.
- (6) Council may order that no action be taken against the Councillor or make one or more of the following:
  - (a) An order that the Councillor make a public apology, in the way decided by Council,
  - (b) an order reprimanding the Councillor for the conduct breach
  - (c) an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense
  - (d) an order that the Councillor be excluded from a stated local government meeting
  - (e) an order that the Councillor is removed, or must resign, from a position representing the local government, other than the office of Councillor, for example, the Councillor is ordered to resign from an appointment representing the local government on a State board or committee
  - (f) an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct
  - (g) an order that the Councillor reimburse Council for all or some of the costs arising from the Councillor's conduct breach.

- (7) The subject Councillor and where relevant the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made and the Chairperson must advise them of the details of the decision and if relevant any orders made by resolution.
- (8) The Chairperson must ensure the meeting minutes reflect the resolution and any orders made. A notice must be given to the Independent Assessor as soon as practicable about the decision and the reasons for the decision and if an order is made under section 150AH the details of the order.

### **34 Prescribed conflicts of interest**

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a Council meeting, standing or advisory committee meeting (other than ordinary business matters). When dealing with a prescribed conflict of interest, the following procedures apply:

- (1) A Councillor who has notified the Chief Executive Officer of a prescribed conflict of interest in a matter to be discussed in a council meeting must also give notice during the meeting.
- (2) Should a Councillor first become aware that the Councillor has a prescribed conflict of interest in the matter at a Council meeting, the Councillor must immediately inform the meeting of the interest including, at a minimum, the particulars stated in subsection (3) below.
- (3) A Councillor with a prescribed conflict of interest must inform the meeting of the local government of the prescribed conflict of interest and set out the following particulars:
  - (a) for a gift, loan or contract – the value of the gift loan or contract
  - (b) for an application for which a submission has been made – the matters the subject of the application and submission
  - (c) the name of any entity, other than the Councillor, that has an interest in the matter
  - (d) the nature of the Councillor's relationship with the entity (other than the Councillor) that has an interest in the matter and
  - (e) details of the Councillor's and any other entity's interest in the matter.
- (4) Should a Councillor give notice at or inform the meeting of a prescribed conflict of interest in a matter the Councillor 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 discussed and voted on, unless the subject Councillor has written notice from the Minister to participate in the matter
- (5) Once the Councillor with the prescribed conflict of interest has left the place at which the meeting is being held, including any area set aside for the public, Council can continue discussing and deciding on the matter.

### **35 Declarable conflict of interest**

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at Council meetings, standing or advisory committee meetings that might lead to a decision that is contrary to the public interest (other than ordinary business matters).

A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other Councillors prior to deciding to declare a conflict of interest. If the other

Councillors suspect the personal interest might be a conflict of interest, the Councillor may disclose their suspicion and the processes per section 150EW of the Act apply.

- (1) A Councillor who has notified the Chief Executive Officer of a declarable conflict of interest in a matter to be discussed at a council meeting must also give notice during the meeting.
- (2) Should a Councillor first become aware that the Councillor has a declarable conflict of interest matter at a Council meeting, the Councillor must inform the meeting of the conflict of interest.
- (3) A Councillor with a declarable conflict of interest must inform the meeting of the local government of the interest, providing sufficient detail to allow the other Councillors to make an informed decision about how to best manage the declarable conflict of interest in the public interest. As a minimum, the following details must be provided:
  - (a) The nature of the declarable conflict of interest.
  - (b) If the declarable conflict of interest arises because of the Councillor's relationship with a related party –
    - (i) the name of the related party
    - (ii) the nature of the related party
    - (iii) the nature of the related party's interests in the matter.
  - (c) If the Councillor's or related party's personal interests arise because of a gift or loan from another person –
    - (i) the name of the other person
    - (ii) the nature of the relationship of the other person to the Councillor or the related party
    - (iii) the nature of the other person's interest in the matter and
    - (iv) the value of the gift or loan and the date the gift or land was made.
- (4) After a Councillor has declared a conflict of interest, the Councillor should consider leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.
- (5) If the Councillor with the declarable conflict of interest chooses not to leave the meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision.
- (6) The other Councillors at the meeting, must decide by resolution, whether the Councillor can participate in the decision making in relation to the matter, including by voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the eligible (non-conflicted) Councillors.
- (7) The eligible Councillors may impose conditions on the Councillor under a decision to either participate or leave the meeting; for example, may stay for the debate/discussion but must leave for the vote on the item. The Councillor must comply with any decision or condition imposed by the eligible Councillors. The Councillor must not participate in the decision unless authorised in compliance with section 150ES of the Act or under an approval by the minister for local government under section 150EV of the Act

- (8) In deciding whether a Councillor may participate in a decision about a matter in which the Councillor has a declarable conflict of interest, only Councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of eligible Councillors is less than a majority or less than a quorum for the meeting, per section 150ET of the Act.
- (9) The Councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the Chairperson to assist the other Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision, but may remain in the meeting while the vote on the matter takes place and the decision is declared by the Chairperson on whether the Councillor may remain in the meeting and participate in deciding the matter in which the Councillor has a declarable conflict of interest.
- (10) When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the eligible Councillors should consider the circumstances of the matter including, but not limited to:
  - (a) How does the inclusion of the Councillor in the deliberation affect the public trust
  - (b) How close or remote is the Councillor's relationship to the related party
  - (c) If the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received
  - (d) Will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have major or minor impact on them
  - (e) How does the benefit or detriment the subject Councillor stands to receive compare to others in the community
  - (f) How does this compare with similar matters that Council has decided and have other Councillors with the same or similar interests decided to leave the meeting
  - (g) Whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.
- (11) If the eligible non-conflicted Councillors cannot decide about the declarable conflict of interest of a Councillor, they are taken to have decided that the Councillor must leave and stay away from the meeting while the non-conflicted Councillors discuss and vote on the matter.
- (12) A decision about a Councillor who has a declarable conflict on interest in a matter applies in relation to the Councillor for participating in the decision, and subsequent decisions about the same matter unless there is a change to the Councillor's personal interest and/or the nature of the matter being discussed. If the non-conflicted Councillors decide the Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a council meeting about the same matter eg. Briefing sessions or workshops.
- (13) In making the decision under this section, it is irrelevant how the Councillor with the declarable conflict of interest intended to vote on the issue or any other issue (if known or suspected)
- (14) A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister.

### 36 Reporting a suspected conflict of interest

- (1) If a Councillor at a meeting reasonably believes or suspects that another Councillor has a personal interest in a matter that may be a prescribed or declarable conflict of interest, and that Councillor is participating in a decision on that matter, the Councillor must immediately inform the Chairperson of the meeting of their belief of suspicion, and the facts and circumstances that led to their belief or suspicion.
- (2) The Chairperson should ask the relevant Councillor with the suspected conflict of interest whether they have any prescribed or declarable conflict of interest in the matter. If the Councillor agrees that they have a conflict of interest, the Councillor must follow the relevant process above.
- (3) If the Councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.
- (4) The non-conflicted Councillors must then decide whether the Councillor has a prescribed conflict of interest, a declarable conflict of interest or that the Councillor does not have either. If the meeting decides the Councillor has a conflict of interest, the Councillor must follow the relevant procedures above.
- (5) If the Councillor cannot reach a majority decision then they are taken to have determined that the Councillor has a declarable conflict of interest.
- (6) A decision about a Councillor per this section for a matter applies in relation to the Councillor for participating in the decision and all subsequent decisions, about the matter.
- (7) The Councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the Chairperson to assist the other Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision, but may remain in the meeting while the vote on the matter takes place and the decision is declared by the Chairperson on whether the Councillor may remain in the meeting and participate in deciding the matter in which the Councillor has a declarable conflict of interest.
- (8) If the belief or suspicion of a conflict of interest relates to more than one councillor. Section 35 (1) to (7) of these procedures must be complied with in relation to each Councillor separately.

### 37 Procedure if loss of quorum for deciding matter because of conflict of interests

- (1) Should a matter in which one or more Councillors have a prescribed conflict of interest or declarable conflict of interest need to be decided at a meeting and there is less than a quorum remaining at the meeting after any of the Councillors with a personal interest leave and stay away from the place where the meeting is being held, the Council must resolve to do one of the following:
  - (a) delegate deciding the matter under section 238 of the Act, unless the matter cannot be delegated under that section
  - (b) decide, by resolution, to defer the matter to a later meeting or
  - (c) decide, by resolution, not to decide the matter and take no further action in relation to the matter unless the *Local Government Act 2009* or another Act provides that Council must decide the matter.

- (2) The Council must not delegate deciding the matter to an entity if the entity or a majority of its members have personal interests that are or are equivalent in nature to, a prescribed conflict of interest or declarable conflict of interest in the matter.
- (3) A Councillor does not contravene the Act by participating in a decision or being present while the matter is discussed and voted on for the purpose of delegating the matter or making a decision to defer or not decide the matter per (b) and (c) above.
- (4) If the matter cannot be delegated under an Act, the Council should seek Ministerial approval for the Council to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.

### **38 Recording prescribed and declarable conflicts of interest**

When a Councillor informs a meeting that they or another Councillor has a prescribed or declarable conflict of interest in a matter, the minutes of the meeting must record all of the relevant details of how the interest was dealt with, including –

- (a) The name of any Councillor who may have a prescribed or declarable conflict of interest
- (b) The particulars of the prescribed or declarable conflict of interest provided by the Councillor
- (c) The actions taken by a Councillor after informing the meeting that they have, or they reasonably suspect another Councillor has a prescribed or declarable conflict of interest
- (d) Any decision then made by the eligible Councillors
- (e) Whether the Councillor with the prescribed or declarable conflict of interest participated in or was present for the decision under Ministerial approval
- (f) The Council's decision on what actions the Councillor with the declarable conflict of interest must take and the reasons for the decision
- (g) The name of each Councillor who voted on the matter and how each voted
- (h) If the Councillor has a declarable conflict of interest the following additional information must be recorded in the minutes of the meeting when the meeting is informed of a Councillor's personal interest by someone other than the Councillor –
  - (i) The name of each Councillor who voted in relation to whether the Councillor has a declarable conflict of interest and
  - (ii) How each of the Councillors voted.
- (i) Where a decision has been made that applies conditions to how a Councillor with a declarable conflict of interest may participate in a matter – the minutes must include -
  - (i) The decision
  - (ii) The reasons for the decision
  - (iii) The name of each eligible Councillor who voted and
  - (iv) How each eligible Councillor voted.

### 39 Closed meetings

- (1) Local government and standing committees may resolve that a meeting be closed to the public if its Councillors or members consider it necessary to discuss one or more of the following matters:
  - (a) the appointment, dismissal or discipline of the Chief Executive Officer
  - (b) industrial matters affecting employees
  - (c) the local government's budget, which does not include the monthly financial statements,
  - (d) rating concessions
  - (e) legal advice obtained by the Council or legal proceedings involving the Council including, for example, legal proceedings that may be taken by or against the Council
  - (f) matters that may directly affect the health and safety of an individual or group of individuals
  - (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government
  - (h) negotiations relating to the taking of land by the Council under the *Acquisition of Land Act 1967* or
  - (i) a matter the Council is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.<sup>6</sup>
  - (j) a matter relating to the consideration of an investigation report for an investigation of a conduct breach given to the local government under the *Local Government Act 2009* chapter 5A, part 3, division 5.
- (2) A local government or committee must not make a resolution (other than procedural) in a closed session meeting. If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation.
  - (a) To take an issue into a closed session, the local government must first pass a resolution to do so.
  - (b) A resolution that a Council meeting be closed must –
    - (i) state the matter mentioned in subsection (1) above that is to be discussed and
    - (ii) include an overview of what is to be discussed while the meeting is closed.
  - (c) If the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session and name the topic to be discussed and a brief explanation of why it is deemed necessary to take the issue into closed session.
  - (d) The minutes of a local government must detail the matter discussed and reasoning for discussing the matter in closed session. The local government must also ensure that it complies with the statutory obligations associated with recording of resolutions.

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<sup>6</sup> S254J (3) *Local Government Regulation 2012*

- (3) Council cannot resolve that a meeting be closed where the meeting is informed of a Councillor's personal interest in the matter by another person and the eligible Councillors at the meeting must decide whether the Councillor has a declarable conflict of interest in the matter.
- (4) A meeting must not be closed if a quorum is lost due to the number of conflicted Councillors who leave the meeting and Council must delegate the matter, decide by resolution to defer the matter to a later meeting or decide by resolution to take no further action on the matter unless the *Local Government Act 2009* or another Act provides that Council must decide the matter.

#### **40 Participation via audio or visual link<sup>7</sup>**

- (1) If a Councillor wishes to attend a Council meeting via audio or visual link, the Councillor must apply to the Chairperson to participate by teleconference at least three business days prior to the meeting or as soon as practicable.
- (2) The Chairperson may allow a person to take part in a meeting of the Council by audio link or audio visual link.
- (3) A Councillor or committee member who takes part in a Council meeting by audio or audio visual link is taken to be present at the meeting if the Councillor or member was simultaneously in audio contact with each other person at the meeting.

#### **41 Acts of disorder by non-members**

- (1) A person who is not a member of the local government or a committee must not interrupt or obstruct the proper conduct of a meeting of the local government or a local government committee.
- (2) If a person (other than a member) interrupts or obstructs the proper conduct of a meeting of the local government or a local government committee, the Chairperson may ask the person to withdraw from the meeting place.
- (3) A person asked to withdraw from a meeting place under subsection (2) must immediately withdraw from the place and remain away until the end of the meeting or for a lesser period fixed by the Chairperson.
- (4) If a person contravenes subsection (3), the Chairperson may request the Chief Executive Officer to facilitate the removal of the person and keep the person away from the meeting place.

#### **42 Disorder**

The Chairperson may adjourn a meeting of the local government for not more than 60 minutes and vacate the Chair if an act of disorder arises at the meeting and the meeting cannot properly continue.

#### **43 Business of objectionable nature**

If, at a local government meeting, the Chairperson or a member considers that a matter or motion before a meeting is of an objectionable nature or outside the powers of the local government, the Chairperson may, on the Chairperson's own volition or at the request of another member, declare that the matter not be considered further.

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<sup>7</sup> S254K *Local Government Regulation 2012*



## **Part 5 Attendance of public at local government meetings**

### **44 Attendance of public at local government meeting**

- (1) An area shall be made available at the place where any local government meeting is to take place for members of the public to attend and as many members of the public as reasonably can be accommodated in that area shall be permitted to attend the meeting.
- (2) When the meeting of the local government is closed to the public in accordance with the local government regulation, the public shall be excluded from the meeting.

## **Part 6 Committee meetings**

### **45 Local government committee meetings**

- (1) Local government committees established in accordance with sections 264 and 265 of the Regulation, (that is, standing, special and advisory committees), are subject to the provisions of these standing orders, with the following exclusions:
  - (a) Section 13 Mayoral minute
  - (b) Section 15 Committee reports
  - (c) Section 16 Notified motion
  - (d) Section 17 Petitions.

### **46 Day and times of committee meetings**

- (1) Meetings of a committee are held at the day and times decided by the committee.

### **47 Special committee meetings**

- (1) The Chief Executive Officer must call a special meeting of a committee if:
  - (a) the special meeting is required by a resolution of the local government or
  - (b) a written request for the special meeting is lodged with the Chief Executive Officer under subsection (2).
- (2) A written request for a special meeting of a committee must:
  - (a) be signed by the Chairperson or a majority of members of the committee
  - (b) specify the object of the special meeting and
  - (c) propose a day and time for the holding of the special meeting.

### **48 Notice of committee meetings**

- (1) The Chief Executive Officer must give written notice of a committee meeting setting out the day and time of the meeting, and the business to be conducted at the meeting, to each member of the committee.
- (2) The notice must be given, if practicable, at least two days before the day of the meeting.

#### **49 Chairperson of committee meetings**

The Chairperson of a committee<sup>8</sup> must preside at a meeting of a local government committee.<sup>9</sup>

#### **50 Procedure at committee meetings**

- (1) The procedure of a committee for dealing with business must be in accordance with:
  - (a) procedural directions given to the committee by resolution of the local government or
  - (b) if there is no procedural direction governing a particular matter, the Chairperson's decision.

#### **51 Method of taking vote at committee meetings**

- (1) The Chief Executive Officer shall record the names of the members voting in the affirmative and of those voting in the negative.
- (2) The Chairperson shall declare the result of a vote as soon as it has been determined.

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<sup>8</sup> A Local Government may appoint a Chairperson of each committee (See S267 (1) *Local Government Regulation 2012*).

<sup>9</sup> If the Chairperson is not present at a meeting, the members present may appoint a Chairperson for the meeting (See S267 (3) *Local Government Regulation 2012*).

## Part 7 Record of meetings

### 52 Minutes of meetings

- (1) Minutes of a meeting of the local government must include:
  - (a) a copy of any report adopted by the meeting
  - (b) a copy of any other documentary material necessary for a proper understanding of the proceedings of the meeting and
  - (c) a copy of any information or material which the Chairperson decides should be incorporated into the minutes of the meeting.
- (2) The material to be included in the minutes under this section is in addition to the material required by the *Local Government Regulation 2012*.

### 53 Teleconferencing

- (1) A local government may allow a person to take part in a meeting by teleconferencing.
- (2) A Councillor taking part in a meeting by teleconferencing is taken to have attended the meeting if—
  - (a) the Councillor was simultaneously in audio contact with each other person at the meeting and
  - (b) the local government approved the teleconferencing arrangement.

## Part 8 Procedure not provided for

### 54 Procedure not provided for

If an appropriate or adequate method of dealing with any matter is not provided for in these standing orders, the method of dealing with the matter may be determined by a ruling of the Chairperson or by a resolution of the local government upon a motion which may be put with notice in conformity with these standing orders.

## Definitions

**Chief Executive Officer** means the local government's Chief Executive Officer.

**Chairperson of the local government or a committee** means the person presiding at a meeting of the local government or a committee.

**contractor** of a local government, means a person who provides services under a contract with the local government or a person prescribed under a regulation

**Council** means the Sunshine Coast Regional Council.

**Council employee** means an employee of the local government appointed or engaged under the *Local Government Act 2009*.

**Councillor** means a Councillor of the Sunshine Coast Regional Council and includes the Mayor.

**local government committee** means a standing committee, special or advisory committee appointed by the local government in accordance with section 264 of the *Local Government Regulation 2012*.

**local government committee meeting** means a meeting of a local government committee.

**local government meeting** means an ordinary meeting or a special meeting of the local government.

**Mayor** has the meaning given in the *Local Government Act 2009* and includes any person acting in the position of the Mayor.

**member** means in the case of:

- (a) a local government meeting, Councillors of the local government
- (b) a local government committee meeting, Councillors of the local government appointed to the local government committee by the local government or
- (c) an advisory committee, persons appointed to the advisory committee by the local government.

**non-member** means:

- (a) the Chief Executive Officer
- (b) a Council employee/officer nominated by the Chief Executive Officer
- (c) a Council employee/officer invited to a local government meeting, a local government committee meeting or an advisory meeting by the Chairperson of that meeting
- (d) in the case of a local government meeting, a local government committee meeting or an advisory meeting, a person admitted to the meeting by the respective local government, local government committee or advisory committee or
- (e) in the case of a local government committee meeting or an advisory committee meeting, a Councillor who is not a member of that committee.

**ordinary business matter of local government means:**

- (a) matters that are solely or relate solely to the making or levying of rates and charges, or the fixing of a cost-recovery fee
- (b) matters that are solely or relate solely to making a planning scheme that applies to the whole of the local government area or amending a planning scheme, if the amendment applies to the whole of the local government area
- (c) if the matter solely, or relates solely to a resolution required for the adoption or amendment of a budget for the local government
- (d) if the matter solely, or relates solely to a resolution required for the adoption or amendment of a budget for the local government

- (e) matters that solely relate to the preparation, adoption or amendment of a document prescribed by regulation (eg, the annual operational plan)
- (f) matters that solely or relates solely to the remuneration or reimbursement of expenses of Councillors or members of a committee of the local government or the provision of superannuation entitlement or insurance for Councillors or a matter of interest to the Councillor solely as a candidate for election or appointment as mayor, deputy mayor, Councillor or as a member of a committee of the local government
- (g) matters relating to a corporation or association that arises solely because of a nomination or appointment of the Councillor by the local government to be a member of the board of the corporation or association or
- (h) matters in relation to a Councillor's conflict of interest in a matter if the Councillor or close associate or related party or donor stands to gain a benefit or suffer a loss that is no greater than the benefit or loss that a significant proportion of person in the local government area stand to gain or lose
- (i) matters that relate solely to the making of a donation to a religious, charitable or non-profit institution or organisation, unless a Councillor, or close associate or related party of a Councillor, receives a benefit because of the donation that is more than merely a benefit relating to reputation
- (j) matters that relate solely to a councillor representing Council in an official capacity at an event held by a government agency or an entity that is wholly owned by Council and/or
- (k) matters that relate solely to employment-related or upgraded travel or accommodation undertaken or used by a Councillor, or close associate or related party of a Councillor.

**ordinary meeting of the local government** means:

- (a) a post-election meeting or
- (b) a periodic meeting the local government is required to hold under section 257 of the *Local Government Regulation 2012*.

**point of order** means an interjection during a meeting by a member who does not have the floor, to call to the attention of the Chairperson an alleged violation or breach of the local government's standing orders.

**post-election meeting** means the meeting required by the *Local Government Act 2009*.

**presentation** means the giving or receipt of certificates, memorials, acknowledgements to the local government or from the local government but excludes the presentation of moneys by the local government.

**quorum** means a majority of its Councillors, however if the number of Councillors is an even number, one-half of the number is a quorum.

**standing orders** means the rules and procedures adopted by Council that regulate the meetings of the Sunshine Coast Regional Council.

**teleconferencing** is the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in discussions as they happen per the *Local Government Regulation 2012*.

**the Act** means the *Local Government Act 2009*.

**the Regulation** means the *Local Government Regulation 2012*.

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<sup>i</sup> S254H *Local Government Regulation 20*



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## Standing Orders Sunshine Coast Council 20204





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## Part 1 Preliminary

### 1 Short title

These standing orders may be cited as the Standing Orders Sunshine Coast Council 2024~~40~~.

### 2 Purpose

The purpose of these standing orders is to set out the procedures that govern the conduct of business and proceedings at Council meetings and committee meetings.

### 3 Application of standing orders

- (1) The standing orders provide rules for the conduct of:
  - (a) local government meetings and
  - (b) local government committee meetings.
- (2) Any provision of these standing orders may be suspended by resolution at any local government meeting.
- (3) A resolution is required for any such suspension of a provision of the standing orders and must specify the purpose of each suspension.

## Part 2 Local government meetings

### 4 Time of ordinary meetings

- (1) The local government must fix the day and times for its ordinary meetings.<sup>1</sup>
- (2) If there is no resolution fixing the day and time for an ordinary meeting, the Chief Executive Officer must fix the day and time for the meeting.
- (3) Before the Chief Executive Officer fixes the day and time for an ordinary meeting, the Chief Executive Officer must, if practicable, consult with the Mayor about the proposed day and time for the meeting.

### 5 Time of special meetings

- (1) The Chief Executive Officer must call a special meeting of the local government if:
  - (a) the special meeting is required by a resolution of the local government or
  - (b) a written request for the special meeting is lodged with the Chief Executive Officer under subsection (2).
- (2) A written request for a special meeting of the local government must:
  - (a) be signed by the Mayor or six or more Councillors and
  - (b) specify the subject of the special meeting and
  - (c) may propose a day and time for the holding of the special meeting.

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<sup>1</sup> A Local Government must meet at least once in each month (S257 (1) *Local Government Regulation* 2012).

- (3) The Chief Executive Officer calls a special meeting by giving written notice of the day and the time of the meeting, and the business to be conducted at the meeting, to each Councillor.<sup>2</sup>
- (4) The Chief Executive Officer may call a special meeting to discuss any matter the Chief Executive Officer considers should be brought before Council.

## 6 Agenda for ordinary meetings

- (1) The agenda must include:
  - (a) items required under the standing orders to be included on the agenda
  - (b) items that are, by resolution of the local government to be included on the agenda and
  - (c) items whose inclusion on the agenda is requested by a Councillor in accordance with section 16 (Notified motions).
- (2) A Councillor who wants an item of business included on the agenda for a particular meeting must give written notice of the nature of the business to the Chief Executive Officer at least fourteen days before the date nominated for the meeting.
- (3) The Chief Executive Officer may include in the agenda any matter the Chief Executive Officer considers should be brought before the meeting.
- (4) The order of business may be altered for a particular meeting where the members, at that meeting, pass a motion to that effect in accordance with section 232(3)(f) (Procedural motions) of these standing orders.
- (5) Unless otherwise altered, the general order of business shall be as follows:
  - (a) Acknowledgements and/or commencement greetings
  - (b) Confirmation of minutes of previous meeting/s
  - (c) Mayoral minute
  - (d) Presentations
  - (e) Officers' reports
  - (f) Reports from committees (as required)
  - (g) Notified motions
  - (h) Petitions and
  - (i) Confidential business.
- (6) Business not on the agenda shall not be considered at any local government meeting unless the Council at such meeting resolves to admit such business.

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<sup>2</sup> Notice of each meeting or adjourned meeting of a Local Government must be given to each Councillor at least 2 days before the day of the meeting unless it is impracticable to give the notice (~~S254C (1)(b)~~ ~~S258 (1)~~ *Local Government Regulation 2012*. A special meeting is a meeting at which the only business that may be conducted is the business stated in the notice of meeting (~~S254C (42)~~ *Local Government Regulation 2012*).

## 7 Notice of meeting and agenda circulation

- (1) Notice of each meeting or adjourned meeting of the local government must be given to each Councillor at least 2 days before the meeting unless it is impractical to give the notice.
- (2) The notice must state –
  - (a) the day and time of the meeting and
  - (b) for a special meeting – the business to be conducted at the meeting.
- (3) The Chief Executive Officer shall prepare an agenda for each local government meeting.
  - (a) Agendas shall be made available to members, if practicable, seven days prior to such meetings.
  - (b) Agendas will be made publically available in accordance with the requirements of the *Local Government Regulation 2012*.

## 8 Commencement of business

- (1) The local government shall commence business at the time appointed for holding the meeting, or as soon (but before the expiration of 15 minutes) thereafter as a sufficient number of members is present to constitute a quorum<sup>3</sup>.
- (2) Business shall not be conducted at a meeting unless a quorum is present.

## 9 Adjournment of meeting

- (1) The members present at a meeting may at any time adjourn the meeting by procedural resolution.
- (2) Notwithstanding subsection (1) above, the Chairperson may adjourn the meeting without resolution in accordance with section 40 (Disorder), or for any matter as deemed appropriate by the Chairperson.
- (3) If at a meeting a quorum is not present within 15 minutes after the time appointed for that meeting, the meeting may be adjourned to a later hour of the same day or to any time not later than 14 days from the date of the adjournment by:
  - (a) the majority of the members present or
  - (b) only one member if that member is the only member present or
  - (c) the Chief Executive Officer if no member is present<sup>4</sup>.
- (4) If there is not a quorum of members present at the meeting, then such circumstances, together with the names of the members then present, shall be recorded in the minutes of the meeting.
- (5) If at any time following commencement of business a quorum is not present, the Chairperson shall:
  - (a) suspend the proceedings of the meeting for a period of 15 minutes
  - (b) record in the minutes of the meeting the names of those who are present if a quorum is not present at the end of the period of 15 minutes and

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<sup>3</sup> S261 (2) *Local Government Regulation 2012*

<sup>4</sup> S259 *Local Government Regulation 2012*

- (c) adjourn the meeting to a later hour of the same day or to any time not later than 14 days from the date of such adjournment.

#### **10 Attendance at meeting**

The members present at each meeting shall be recorded in the minutes of the meeting.

#### **11 Admission of non-members to debate**

- (1) The local government may allow a non-member to participate in the discussion of a particular item of business before the local government on conditions decided by the local government.
- (2) The local government may, as a mark of distinction, admit a non-member to a part of the local government chamber normally reserved for Councillors during the conduct of local government business.

#### **12 Confirmation of minutes of meeting**

- (1) The minutes of preceding meeting(s) not previously confirmed shall be included on the agenda of every meeting as required in order that such minutes may be confirmed.
- (2) No discussion shall be permitted except in respect to the accuracy of the minutes as a record of the proceedings.

#### **13 Mayoral minute**

- (1) The Mayor may, by a signed minute, introduce a matter within the jurisdiction or official cognisance of the local government which is not on the agenda.
- (2) A mayoral minute shall take precedence over all business before the local government, except confirmation of the minutes.
- (3) A mayoral minute may be moved by the Mayor from the Chair without being seconded.
- (4) A motion proposed by mayoral minute and adopted by the local government is a resolution of the local government.

#### **14 Presentations**

The Chairperson may allow the local government to receive or provide acknowledgements, certificates, awards, appreciation from the community, business or industry.

#### **15 Committee reports**

- (1) If, in a report of a committee, distinct recommendations are made, the decision of the local government may be taken separately on each recommendation.
- (2) A recommendation of a committee, or portion thereof, may be amended by the local government in any manner it may think fit, or may be referred back to the committee for further consideration.
- (3) A recommendation of a committee adopted by the local government is a resolution of the local government.

## 16 Notified motions

- (1) Subject to subsection (2), a member may bring forward to a meeting a motion on any matter within the jurisdiction or official cognisance of the local government by giving notice in writing, in the approved form, to the Chief Executive Officer either at the previous meeting or not less than seven days before the commencement of the meeting at which the motion is to be discussed.
- (2) A notified motion –
  - (a) must be of an urgent nature that requires consideration by Council prior to the next Ordinary Meeting, noting that a Councillor may under section 6 (2) request the Chief Executive Officer to include an item of business on the agenda for a particular meeting
  - (b) must not seek to involve Council in an action or conduct that is contrary to law or approved Council policy
  - (c) must not involve a redirection of financial resources of the Council or give rise to a potential additional cost to Council that is not accommodated in Council's adopted budget
  - (d) must not propose an amendment to a planning scheme, local law, or Council policy or strategy unless the amendment is considered urgent on the basis of a risk to public health or safety and/or could result in a significant cost or reputational exposure for Council if not considered prior to the next Ordinary Meeting and/or
  - (e) must not seek to override or alter a decision lawfully made by the Council on a development application under the *Planning Act 2016*.
- (3) The Chairperson shall rule out of order a motion which does not comply with subsection (1) or (2).
- (4) Notified motions shall be dated and recorded by the Chief Executive Officer as received and circulated to Councillors as required. The Chief Executive Officer must also certify whether, in the Chief Executive Officer's opinion, the notified motion complies with subsections (1) and (2).
- (5) Subject to subsection (1), every motion shall:
  - (a) lapse if the member who gave notice, or some other member authorised by that member, is not present to move the motion when called on and
  - (b) not again be reintroduced without a subsequent notice of motion duly given as provided in subsection (1).
- (6) If the member as per subsection (1), or authorised member (as per subsection (4)), fails to move the motion when called on to do so, another member may move said motion notwithstanding the member and/or authorised member are present.
- (7) The member as per subsection (1) having given notice of the motion in writing to the Chief Executive Officer may not seek to amend the motion at the meeting at which the motion is to be discussed.
- (8) Where a notified motion is lost, a notified motion of the same or like effect shall not be moved until at least three (3) months after the date on which the first mentioned notified motion was lost.



## 17 Petitions

- (1) A member may present a petition where the petition is legible, the purpose of the petition is on the top of each page, contains a minimum of 10 signatories and is worded in appropriate language.
- (2) On presentation of a petition to the local government the only motion which may be moved is that:
  - (a) the petition not be received or
  - (b) the petition be received and referred to the Chief Executive Officer to determine appropriate action or
  - (c) the petition be received and referred to the Chief Executive Officer or a committee for consideration and report back to the local government.
- (3) No debate on a petition shall be allowed except the member presenting the petition may speak to the petition for a period of not more than one minute.

## Part 3 Procedures for making decisions/resolutions

### 18 Motions

- (1) A motion brought before a local government meeting in accordance with these standing orders shall be received and put to the meeting by the Chairperson.
- (2) The Chairperson may require a motion or amendment to a motion to be stated in full or be in writing before it is received.
- (3) When a motion has been moved and seconded, it shall become subject to the control of the local government and shall not be withdrawn by the mover and seconder without the consent of the local government.
- (4) The Chairperson shall call the motions in the order in which they appear on the agenda and, where no objection is taken to a motion being taken as a formal motion, the Chairperson may put the motion to the vote without discussion.

### 19 Motion to be seconded

A motion or an amendment to a motion shall not be debated at a local government meeting unless or until the motion or the amendment is seconded, with the exception of mayoral minutes. Where no member seconds a motion, the motion will lapse.

### 20 Amendment of motion

- (1) An amendment to a motion shall be in terms that retain the identity of the original motion and does not negate the motion.
- (2) No more than one motion or one proposed amendment to a motion may be put before a local government meeting for consideration at any one time.
- (3) Where an amendment to a motion is before a local government meeting, no other amendment to the motion shall be considered until after the first amendment has been determined.
- (4) A member who moves or seconds a motion may not propose or second an amendment to that motion.
- (5) Any amendment to a motion must be proposed before the mover of the motion has exercised their right of reply.

- (6) Where an amendment to a motion becomes the motion before the local government, the original motion in its entirety cannot become a further amendment.

## 21 Speaking to motions and amendments

- (1) A member may request further information from or through the Chairperson before or after the motion or amendment is seconded.
- (2) Following the seconding of a motion or amendment, the Chair shall first call for a speaker to speak in favour of the motion or amendment and each subsequent speaker alternatively against or in favour of the motion or amendment, unless the Chairperson rules otherwise.
- (3) A right of reply may be exercised by the mover of a motion or the mover of an amendment if an amendment is moved.
- (4) Each member shall speak no more than once to the same motion or same amendment except as a right of reply.
- (5) Once the right of reply has been exercised, the debate is closed.
- (6) Each speaker shall be restricted to not more than five (5) minutes unless an extension of time is granted.
- (7) Where two or more members indicate they wish to speak at the same time, the Chairperson shall determine who is entitled to priority. The Chairperson may determine the order of speakers by accepting the raising of a hand, a member rising to speak, or by other means outlined by the Chairperson. The Chairperson will outline their preference and apply it consistently.

## 22 Foreshadowed motions

- (1) A Councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before Council, during debate on the original motion.
- (2) A foreshadowed motion does not require a seconder.
- (3) A foreshadowed motion is only to be considered if the original motion is lost and the foreshadowed motion is subsequently moved and seconded for debate and vote.
- (4) Should the original motion be carried, the foreshadowed motion cannot be and will not be recorded in the minutes.
- (5) A foreshadowed motion cannot be proposed as an amendment to a motion.

## 2223 Procedural motions

- (1) A member at a meeting of the local government may, during the debate of a motion at the meeting, move a procedural motion, unless the member is the mover, seconder or has spoken to the original motion or a subsequent amendment:
- (2) A procedural motion is required to be seconded.
- (3) Procedural Motions
  - (a) That the motion **be put**
    - (i) at any time to finalise debate of a motion before the local government
    - (ii) if the procedural motion is carried, the Chairperson shall immediately put the motion or amendment to that motion under consideration
    - (iii) if lost, debate on the motion or amendment to the motion shall continue.

- (b) That debate on the motion or amendment now before the meeting **be deferred**
  - (i) specifying a time or date when the debate on this item will be reconvened or
  - (ii) where no date or time is specified the motion shall be included in the agenda for the next meeting.
- (c) That the motion lies on the table
  - (i) where a member requires additional information on the motion (or the result of some other action of the local government or person is required) before the matter may be concluded at the same meeting and
  - (ii) if carried, the local government shall proceed with the next item on the agenda.
- (d) The motion be taken from the table
  - (i) at the meeting at which a procedural motion was carried to have the motion lie on the table
- (e) That the Chairperson's **ruling be dissented** from
  - (i) suspending further consideration of any matter until after this procedural motion is determined
  - (ii) spoken to firstly by the mover of the procedural motion then the Chairperson; no other members may speak to this procedural motion
  - (iii) if carried, the motion to which the ruling of the Chairperson was made shall proceed as though that ruling had not been made or
  - (iv) if lost, the ruling of the Chairperson shall stand and cannot be challenged by a subsequent Procedural motion.
- (f) That the operation of the standing orders or any provision thereof be **suspended**
  - (i) by any member to permit some action that otherwise would be prevented by procedural rule and
  - (ii) specifying the purpose of the suspension.
- (g) That the meeting of the local government be **closed or open** to the public (in accordance with the provisions of the *Local Government Regulation 2012* (the Regulation))
  - (i) by way of a motion specifying which of the provisions of the *Local Government Regulation 2012* are being invoked and why
  - (ii) if carried, all members of the public shall leave and not re-enter the room where the meeting is being held until a procedural motion that the local government meeting be open to the public, is carried and
  - (iii) all debate/discussion in the course of a closed meeting shall be confidential.
- (h) That the meeting stand **adjourned**.

#### **2324** Points of order

- (1) A member who is speaking shall not be interrupted, except by the Chairperson or upon a point of order, in which event the member shall resume the member's seat and remain silent until the Chairperson has ceased speaking or the point of order has been disposed of, whereupon the member so interrupted may, if permitted, proceed.

- (2) Any member may ask the Chairperson to decide on a point of order where it is believed that:
  - (a) another member has failed to comply with proper meeting procedure
    - (i) a matter before the local government is in contravention of the standing orders, or the Act or the Regulation or
    - (ii) a matter before the local government is beyond the local government's jurisdiction or power.
- (3) Where a point of order is raised, consideration of the matter to which the motion was moved shall be suspended and the Chairperson shall determine whether the point of order is upheld.

#### **2425 Method of taking vote**

- (1) Before any matter is put to the vote, the Chairperson may direct the motion or amendment to be read again by the Chief Executive Officer or other Council officer.
- (2) The Chairperson shall, in taking the vote on a motion or amendment, put the question first in the affirmative and then in the negative and may do so as often as necessary to form and declare an opinion as to whether the affirmative or the negative has the majority vote.
- (3) The local government shall vote by a show of hands or as directed by the Chairperson.
- (4) The Chief Executive Officer shall record the names of the members voting in the affirmative and of those voting in the negative and this record of the vote shall be published in the minutes of the meeting.
- (5) The Chairperson shall declare the result of a vote as soon as it has been determined.

#### **2526 Repeal or amendment of resolutions**

- (1) A resolution of the local government may be repealed or amended only if notice of intention to propose the repeal or amendment is given to each Councillor at least 5 days before the meeting at which the proposal is to be made.
- (2) Where a motion to repeal or alter a resolution is lost, a motion of the same or like effect shall not be moved until at least three (3) months after the date on which the first-mentioned motion to repeal or alter was lost, unless a notice of the motion shall be signed by the majority of the members of the local government.

#### **2627 Questions**

- (1) A member may, at a local government meeting, ask a question for reply by another member or by the Chief Executive Officer (or other Council officer as determined by the Chief Executive Officer) regarding any matter under consideration at the meeting of the local government.
- (2) Questions relating to general work or procedure of the local government or any matter under the jurisdiction of the local government but not related to any matter under consideration at that meeting are not allowed.
- (3) The question may be required by the Chairperson to be reduced to writing and provided to the relevant member or the Chief Executive Officer.
- (4) The question shall be asked categorically and without argument, and no discussion shall be permitted at the meeting of the local government in relation to a reply or a refusal to reply to the question.

- (5) A member or the Chief Executive Officer to whom a question is asked without notice may request that the question be taken on notice for response at, or prior to the next meeting.
- (6) A member who asks a question at a meeting, whether or not upon notice, shall be deemed not to have spoken to the debate of the motion to which the question relates.
- (7) The Chairperson may disallow a question which the Chairperson considers is inconsistent with good order.

## Part 4 Maintenance of good order

### **2728** Conduct during meetings

- (1) After a meeting of the local government has been formally constituted and the business commenced, a member shall not enter or leave from such meeting without first acknowledging the Chairperson.
- (2) Unless exempted by the Chairperson, members shall stand and address the Chairperson while:
  - (a) moving any motion or amendment
  - (b) seconding any motion or amendment
  - (c) taking part in any discussion
  - (d) replying to any question or
  - (e) addressing the local government for any other purpose.
- (3) Members shall during a meeting of the local government address:
  - (a) other members by their respective titles, "Mayor"; "Councillor"; "Chairperson" or "member" and
  - (b) officers by designating them their respective official or departmental title or full name (eg Mr Smith).
- (4) Members shall during a meeting of the local government confine their remarks to matters then under consideration.
- (5) Members shall remain seated and silent while a vote is being taken.
- (6) Members shall act with due decorum during meetings in order that the meeting is conducted in an efficient and effective manner.
- (7) No member or Council officer shall make personal reflections on or impute improper motives to any other member or Council officer.
- (8) No member who is speaking shall be interrupted except upon a point of order being raised either by the Chairperson or by a member.
- (9) When the Chairperson stands during a debate, the member then speaking or offering to speak shall immediately be seated and the Chairperson shall be heard without interruption.
- (10) The Chairperson may:
  - (a) call the attention of the meeting to continued irrelevance or tedious repetition on the part of any member and
  - (b) direct the member to discontinue a speech.

**2829 No digression**

A member shall not speak otherwise than upon, nor digress from, the matter or question then before the local government.

**2930 Disturbance by members**

A member shall not make a noise or disturbance nor converse aloud while another person is addressing the local government.

**3031 Process for dealing with unsuitable meeting conduct by a Councillor in a meeting**

The conduct of a Councillor is unsuitable meeting conduct if the conduct happens during a Council meeting and contravenes a behavioural standard of the Code of Conduct for Councillors.

When dealing with an instance of unsuitable meeting conduct by a Councillor in a meeting, the following procedures must be followed:

- (1) The Chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a Councillor at a meeting.
- (2) If the Chairperson decides that unsuitable meeting conduct has occurred, the Chairperson may consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the Chairperson decides the conduct is of a serious nature or another warning is unwarranted, refer to 30 (7) for the steps to be taken.
- (3) If the Chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the Chairperson may request the Councillor take remedial actions such as:
  - (a) ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct
  - (b) apologising for their conduct and or
  - (c) withdrawing their comments.
- (4) If the Councillor complies with the Chairperson's request for remedial action, no further action is required.
- (5) If the Councillor fails to comply with the Chairperson's request for remedial action, the Chairperson may warn the Councillor that failing to comply with the request may result in an order being issued.
- (6) If the Councillor complies with the Chairperson's warning and request for remedial action, no further action is required.
- (7) If the Councillor continues to fail to comply with the Chairperson's request for remedial action or the Chairperson decides a warning is not appropriate, the Chairperson may make one or more of the orders below:
  - (a) an order reprimanding the Councillor for the conduct
  - (b) an order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.
- (8) If the Councillor fails to comply with an order to leave and stay away from the meeting, the Chairperson can issue an order that the Councillor be removed from the meeting. The meeting must be adjourned whilst the Councillor is being removed.

- (9) Following the completion of the meeting, the Chairperson must ensure:
  - (a) details of any order issued is recorded in the minutes of the meeting
  - (b) if it is the third (3rd) or more order within a 12month period made against a Councillor or the Councillor has refused to leave following an order issued to leave the meeting, these matters are to be dealt with at the next meeting of the local government and treated as inappropriate conduct pursuant to the Act.
  - (c) the local government's Chief Executive Officer is advised to ensure details of any order made must be updated in the local governments Councillor Conduct Register pursuant to the Act.
- (10) Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for parts (1), (7) and (8) above.

### **32 Process for Dealing with Unsuitable Meeting Conduct by a Chairperson in a Meeting**

- (1) If a Councillor at the meeting reasonably believes that the conduct of the Chairperson during the meeting is unsuitable meeting conduct, the Councillor can raise the matter in the meeting by point of order.
- (2) Should the Chairperson not correct their unsuitable meeting conduct, the Councillor may move a motion that the Chairperson has engaged in unsuitable meeting conduct (a seconder for the motion is required). Councillors present, excluding the Chairperson, must decide by resolution if the conduct is unsuitable meeting conduct.
- (3) The Chairperson has a declarable conflict of interest in the matter and must leave the place where the meeting is being held, including any area set aside for the public, during the debate and vote on the matter. If the Chairperson wishes to remain in the meeting, the eligible Councillors must make a decision and follow the procedures set out in Section 35 34 below.
- (4) For the vote on the motion, a Councillor other than the Councillor that moved the motion, is to act as the Chairperson.
- (5) Should the original Chairperson remain in the meeting, on the condition that they will not vote on the matter as determined by the eligible Councillors, they can put forward their reasoning about their conduct, and respond to questions through the Chairperson from the eligible Councillors.
- (6) The acting Chairperson of the meeting will preside over the meeting while the Councillors present at the meeting vote on whether the Chairperson has engaged in unsuitable meeting conduct (the acting Chairperson will have a casting vote on the matter if required).
- (7) If it is decided that the Chairperson has engaged in unsuitable meeting conduct the Councillors may make an order reprimanding the Chairperson for the conduct.
- (8) Once the Councillors make a decision, the Chairperson returns to the meeting (unless they have been permitted to remain in the meeting) and is informed of the decision by the acting Chairperson.
- (9) The Chairperson then resumes the role of Chairperson, and the meeting continues.

### **3433 Meeting process for dealing with a suspected inappropriate conduct breach which has been referred to a local government by the Independent Assessor**

Under chapter 5A, part 3, division 3A of the Local Government Act (2009), the Independent

Assessor must make a preliminary assessment and consider dismissing a complaint, notice or information before taking other action if satisfied that particular circumstances apply. If the Independent Assessor assesses that a matter is a suspected conduct breach it must refer the matter to the Council. The assessor refers the Councillor's suspected conduct breach to the Council by giving a referral notice.

A Conduct breach is conduct that contravenes a behavioural standard of the code of conduct for Councillors, or a policy, procedure or resolution of the Council; or the conduct contravenes an order of the Chairperson of a Council meeting for the Councillor to leave and stay away from the place at which the meeting is being held.

- ~~Pursuant to the *Local Government Act 2009* (the Act), after receiving a referral by the Independent Assessor or under paragraph 30 (9) (b) of this document of an instance of suspected inappropriate conduct, the local government must complete an investigation into the alleged conduct.~~
- ~~After the completion of the investigation, the local government must decide whether the Councillor has engaged in inappropriate conduct in a Council meeting, unless it has delegated responsibility for this decision under section 257 of the Act.~~

- (1) In relation to matters referred by the Independent Assessor to the Council, the Council may decide not to start or discontinue an investigation if the complainant withdraws the complaint, or consents to the investigation not starting or discontinuing, or the complainant does not provide extra information when requested, or there is insufficient information to investigate the complaint, or the councillor vacates or has vacated their office as a Councillor.

The Council investigation must be conducted in a way that is consistent with Council's investigation policy. An investigation report must be prepared to assist the Councillors in making a decision on the outcome under section 150AG of the Act. Before debating a matter relating to making a decision, a summary investigation report (with redactions) must be prepared and made publicly available under section 150AFA of the Act on or before the day and time prescribed by regulation.

- (2) Council must decide whether the Councillor has engaged in a conduct breach. Unless in accordance with section 150AG of the Act, it has delegated responsibility for this decision to the Mayor under section 257(2)(a), or to a standing committee section 257(2)(b) of the Act. When dealing with an instance of suspected inappropriate conduct which has been referred to Council by the Independent Assessor the local government must be consistent with the local government principle of transparent and accountable decision making in the public interest, by dealing with suspected inappropriate conduct in an open meeting of the Council. However, where the matter may directly affect the health and/or safety of an individual due to the nature of the complaint, the Council may resolve to go into closed session under section 254J of the *Local Government Regulation 2012* (the Regulation) to discuss the allegation.

- (3) When dealing with an instance of a suspected conduct breach which has been referred to a local government by the Independent Assessor:

- (a) Council must be consistent with the principle of transparent and accountable decision making in the public interest by deciding the outcome of an investigation of a suspected conduct breach in an open meeting of Council. However, where the matter requires debate Council may close all or part of a meeting to the public, if considered necessary, to discuss an investigation report.<sup>5</sup>

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<sup>5</sup>S254J *Local Government Regulation 2012*



- (b) No resolution for a decision can be made in the closed session. The matter must be decided in an open session of the meeting or at a later meeting.
- (c) Where Council makes a decision about a conduct breach matter at a Council meeting that is inconsistent with a recommendation made about that matter in an investigation report, a statement of the reasons for the inconsistency must be included in the minutes of the meeting.<sup>1</sup>
- (d) The subject Councillor has a declarable conflict of interest in the matter but may remain in the closed meeting (unless Council decides otherwise), during the debate about the investigation report and answer questions put to the subject Councillor through the chairperson in relation to the evidence or written submission provided by the Councillor to Council.
- (e) The subject Councillor who has a declarable conflict must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have engaged in a conduct breach and what, if any, penalty to impose if the councillor is found to have engaged in a conduct breach.
- (f) If the complainant is a Councillor, that Councillor has a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in Section 35. If the complainant Councillor who has a conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other eligible Councillors (who do not have a conflict of interest in the matter) must decide how to deal with the conflict of interest under Section 35. The complainant Councillor can be ordered to leave the meeting place or conditions may be applied to allow that Councillor to participate in either the debate, the vote, or the decision on any disciplinary action to be applied.
- ~~(a)~~(g) After making a decision under section 150AG of the Act, Council must make the full investigation report, publicly available within 10 business days, with redactions of the name of the complainant and any witnesses but including the name of a Councillor or the Chief Executive Officer of Council if they were complainants, or any Councillor who declared a conflict of interest in the matter.
- ~~(2) The subject Councillor has a declarable conflict of interest in the matter and is permitted by the Council to remain in the meeting during the debate about whether the Councillor engaged in the inappropriate conduct and answer questions through the Chairperson to assist the other Councillors in making a decision. The permission to remain in the meeting for the debate is on the condition that the subject Councillor must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have committed inappropriate conduct and what, if any, penalty to impose if the Councillor is found to have committed inappropriate conduct.~~

Should the complainant be a Councillor, that Councillor may have a declarable conflict of interest in the matter and if so, must follow the procedure for same. If the complainant Councillor who has a conflict of interest wishes to remain in the meeting during the debate and vote on the matter, the other Councillors must decide how to deal with the conflict of interest. The complainant Councillor can be ordered to leave the meeting place or conditions may be applied to allow that Councillor to participate in either the debate, the vote or the decision on any disciplinary action to be applied.
- (4) The local government must debate the issue and decide whether the subject Councillor engaged in inappropriate conduct. If the Council has lost quorum due to the number of conflicted Councillors or another reason, the matter must be delegated consistent with section 257 of the Act, or deferred to another date when a quorum will be present. If Council has lost quorum due to the number of conflicted councillors or another reason, the local government must do one of the following:

- ~~(a)~~ Delegate deciding the matter under section 257 of the Act to the Mayor or a standing committee, or
- ~~(b)~~ Decide, by resolution, to defer the matter to a later meeting or
- ~~(a)(c)~~ Decide, by resolution, not to decide the matter and take no further action in relation to the matter unless the Act or another Act provides that the local government must decide the matter.
- ~~(5)~~ If a decision is reached that the subject Councillor has engaged in a conduct breach, then the Councillors must decide what penalty or penalties from the orders detailed in Section 33(6), if any, to impose on the Councillor. In deciding what penalty to impose Council may consider any previous inappropriate conduct of the Councillor and any allegation made in the investigation that was admitted, or not challenged, and that the Council is reasonably satisfied is true.
- ~~(3)(6)~~ If a decision is reached that the subject Councillor has engaged in inappropriate conduct, then the Councillors must decide what penalty or penalties from the following orders, if any, to impose on the subject Councillor. Council may order that no action be taken against the Councillor or make one or more of the following:
  - ~~(a)~~ An order that the Councillor make a public apology, in the way decided by Council, an order that the Councillor make a public admission that the Councillor has engaged in inappropriate conduct
  - (b) an order reprimanding the Councillor for the conduct breach
  - (c) an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense
  - (d) an order that the Councillor be excluded from a stated local government meeting
  - (e) an order that the Councillor is removed, or must resign, from a position representing the local government, other than the office of Councillor, for example, the Councillor is ordered to resign from an appointment representing the local government on a State board or committee
  - (f) an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct
  - (g) an order that the Councillor reimburse ~~the local government~~ Council for all or some of the costs arising from the Councillor's ~~inappropriate~~ conduct breach.
- ~~(4)~~ When making an order, the Council may consider any previous inappropriate conduct of the Councillor, and any allegation made in the investigation that was admitted, or not challenged and that the local government is reasonably satisfied is true.
- ~~(5)~~ A local government may not make an order under section 31(5)(c), (d), (e) or (f) in relation to a person who is no longer a Councillor.
- ~~(6)(7)~~ The subject Councillor and where relevant the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made and the Chairperson must advise them of the details of the decision and if relevant any orders made by resolution.
- ~~(7)(8)~~ The Chairperson must ensure the meeting minutes reflect the resolution and any orders made. A notice must be given to the Independent Assessor as soon as practicable about the decision and the reasons for the decision and if an order is made under section 150AH the details of the order.

### **3234 Prescribed conflicts of interest**

Councillors are ultimately responsible for informing of any prescribed conflict of interest on

matters to be discussed at a Council meeting, standing or advisory committee meeting (other than ordinary business matters). When dealing with a prescribed conflict of interest, the following procedures apply:

- (1) A Councillor who has notified the Chief Executive Officer of a prescribed conflict of interest in a matter to be discussed in a council meeting must also give notice during the meeting.
- (2) Should a Councillor first become aware that the Councillor has a prescribed conflict of interest in the matter at a Council meeting, the Councillor must immediately inform the meeting of the interest including, at a minimum, the particulars stated in subsection (3) below.
- (3) A Councillor with a prescribed conflict of interest must inform the meeting of the local government of the prescribed conflict of interest and set out the following particulars:
  - (a) for a gift, loan or contract – the value of the gift loan or contract
  - (b) for an application for which a submission has been made – the matters the subject of the application and submission
  - (c) the name of any entity, other than the Councillor, that has an interest in the matter
  - (d) the nature of the Councillor's relationship with the entity (other than the Councillor) that has an interest in the matter and
  - (e) details of the Councillor's and any other entity's interest in the matter.
- (4) Should a Councillor give notice at or inform the meeting of a prescribed conflict of interest in a matter the Councillor 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 discussed and voted on, unless the subject Councillor has written notice from the Minister to participate in the matter
- (5) Once the Councillor with the prescribed conflict of interest has left the place at which the meeting is being held, including any area set aside for the public, Council can continue discussing and deciding on the matter.

### **3335 Declarable conflict of interest**

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at Council meetings, standing or advisory committee meetings that might lead to a decision that is contrary to the public interest (other than ordinary business matters).

A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other Councillors prior to deciding to declare a conflict of interest. If the other Councillors suspect the personal interest might be a conflict of interest, the Councillor may disclose their suspicion and the processes per section 150EW of the Act apply.

- (1) A Councillor who has notified the Chief Executive Officer of a declarable conflict of interest in a matter to be discussed at a council meeting must also give notice during the meeting.
- (2) Should a Councillor first become aware that the Councillor has a declarable conflict of interest matter at a Council meeting, the Councillor must inform the meeting of the conflict of interest.
- (3) A Councillor with a declarable conflict of interest must inform the meeting of the local government of the interest, providing sufficient detail to allow the other Councillors to make an informed decision about how to best manage the declarable conflict of interest in the public interest. As a minimum, the following details must be provided:

- (a) The nature of the declarable conflict of interest.
- (b) If the declarable conflict of interest arises because of the Councillor's relationship with a related party –
  - (i) the name of the related party
  - (ii) the nature of the related party
  - (iii) the nature of the related party's interests in the matter.
- (c) If the Councillor's or related party's personal interests arise because of a gift or loan from another person –
  - (i) the name of the other person
  - (ii) the nature of the relationship of the other person to the Councillor or the related party
  - (iii) the nature of the other person's interest in the matter and
  - (iv) the value of the gift or loan and the date the gift or land was made.
- (4) After a Councillor has declared a conflict of interest, the Councillor should consider leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.
- (5) If the Councillor with the declarable conflict of interest chooses not to leave the meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision.
- (6) The other Councillors at the meeting, must decide by resolution, whether the Councillor can participate in the decision making in relation to the matter, including by voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the eligible (non-conflicted) Councillors.
- (7) The eligible Councillors may impose conditions on the Councillor under a decision to either participate or leave the meeting; for example, may stay for the debate/discussion but must leave for the vote on the item. The Councillor must comply with any decision or condition imposed by the ~~non-conflicted~~ eligible Councillors. The Councillor must not participate in the decision unless authorised in compliance with section 150ES of the Act or under an approval by the minister for local government under section 150EV of the Act
- (8) In deciding whether a Councillor may participate in a decision about a matter in which the Councillor has a declarable conflict of interest, only Councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of eligible Councillors is less than a majority or less than a quorum for the meeting, per section 150ET of the Act.
- (9) The Councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the Chairperson to assist the other Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision, but may remain in the meeting while the vote on the matter takes place and the decision is declared by the Chairperson on whether the Councillor may remain in the meeting and participate in deciding the matter in which the Councillor has a declarable conflict of interest.
- (10) When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the eligible Councillors should consider the circumstances of the matter including, but not limited to:

- (a) How does the inclusion of the Councillor in the deliberation affect the public trust
  - (b) How close or remote is the Councillor's relationship to the related party
  - (c) If the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received
  - (d) Will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have major or minor impact on them
  - (e) How does the benefit or detriment the subject Councillor stands to receive compare to others in the community
  - (f) How does this compare with similar matters that Council has decided and have other Councillors with the same or similar interests decided to leave the meeting
  - (g) Whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.
- (11) If the eligible non-conflicted Councillors cannot decide about the declarable conflict of interest of a Councillor, they are taken to have decided that the Councillor must leave and stay away from the meeting while the non-conflicted Councillors discuss and vote on the matter.
- (12) A decision about a Councillor who has a declarable conflict on interest in a matter applies in relation to the Councillor for participating in the decision, and subsequent decisions about the same matter unless there is a change to the Councillor's personal interest and/or the nature of the matter being discussed. If the non-conflicted Councillors decide the Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a council meeting about the same matter eg. Briefing sessions or workshops.
- (13) In making the decision under this section, it is irrelevant how the Councillor with the declarable conflict of interest intended to vote on the issue or any other issue (if known or suspected)
- (14) A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister.

### **3436 Reporting a suspected conflict of interest**

- (1) If a Councillor at a meeting reasonably believes or suspects that another Councillor has a personal interest in a matter that may be a prescribed or declarable conflict of interest, and that Councillor is participating in a decision on that matter, the Councillor must immediately inform the Chairperson of the meeting of their belief of suspicion, and the facts and circumstances that led to their belief or suspicion.
- (2) The Chairperson should ask the relevant Councillor with the suspected conflict of interest whether they have any prescribed or declarable conflict of interest in the matter. If the Councillor agrees that they have a conflict of interest, the Councillor must follow the relevant process above.
- (3) If the Councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.
- (4) The non-conflicted Councillors must then decide whether the Councillor has a prescribed conflict of interest, a declarable conflict of interest or that the Councillor does not have either. If the meeting decides the Councillor has a conflict of interest, the Councillor must follow the relevant procedures above.
- (5) If the Councillor cannot reach a majority decision then they are taken to have determined that the Councillor has a declarable conflict of interest.

- (6) A decision about a Councillor per this section for a matter applies in relation to the Councillor for participating in the decision and all subsequent decisions, about the matter.
- ~~(7)~~ The Councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the Chairperson to assist the other Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision, but may remain in the meeting while the vote on the matter takes place and the decision is declared by the Chairperson on whether the Councillor may remain in the meeting and participate in deciding the matter in which the Councillor has a declarable conflict of interest.
- ~~(7)(8)~~ If the belief or suspicion of a conflict of interest relates to more than one councillor. Section 35 (1) to (7) of these procedures must be complied with in relation to each Councillor separately.

### **3537 Procedure if loss of quorum for deciding matter because of conflict of interests**

- (1) Should a matter in which one or more Councillors have a prescribed conflict of interest or declarable conflict of interest need to be decided at a meeting and there is less than a quorum remaining at the meeting after any of the Councillors with a personal interest leave and stay away from the place where the meeting is being held, the Council must resolve to do one of the following:
- (a) delegate deciding the matter under section 238 of the Act, unless the matter cannot be delegated under that section
  - (b) decide, by resolution, to defer the matter to a later meeting or
  - (c) decide, by resolution, not to decide the matter and take no further action in relation to the matter unless the Local Government Act 2009 or another Act provides that Council must decide the matter.
- (2) The Council must not delegate deciding the matter to an entity if the entity or a majority of its members have personal interests that are or are equivalent in nature to, a prescribed conflict of interest or declarable conflict of interest in the matter.
- (3) A Councillor does not contravene the Act by participating in a decision or being present while the matter is discussed and voted on for the purpose of delegating the matter or making a decision to defer or not decide the matter per (b) and (c) above.
- (4) If the matter cannot be delegated under an Act, the Council should seek Ministerial approval for the Council to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.

### **3638 Recording prescribed and declarable conflicts of interest**

When a Councillor informs a meeting that they or another Councillor has a prescribed or declarable conflict of interest in a matter, the minutes of the meeting must record all of the relevant details of how the interest was dealt with, including –

- (a) The name of any Councillor who may have a prescribed or declarable conflict of interest
- (b) The particulars of the prescribed or declarable conflict of interest provided by the Councillor

- (c) The actions taken by a Councillor after informing the meeting that they have, or they reasonably suspect another Councillor has a prescribed or declarable conflict of interest
- (d) Any decision then made by the eligible Councillors
- (e) Whether the Councillor with the prescribed or declarable conflict of interest participated in or was present for the decision under Ministerial approval
- (f) The Council's decision on what actions the Councillor with the declarable conflict of interest must take and the reasons for the decision
- (g) The name of each Councillor who voted on the matter and how each voted
- (h) If the Councillor has a declarable conflict of interest the following additional information must be recorded in the minutes of the meeting when the meeting is informed of a Councillor's personal interest by someone other than the Councillor –
  - (i) The name of each Councillor who voted in relation to whether the Councillor has a declarable conflict of interest and
  - (ii) How each of the Councillors voted.
- (i) Where a decision has been made that applies conditions to how a Councillor with a declarable conflict of interest may participate in a matter – the minutes must include –
  - (i) The decision
  - (ii) The reasons for the decision
  - (iii) The name of each eligible Councillor who voted and
  - (iv) How each eligible Councillor voted.

### **3739** Closed meetings

- (1) Local government and standing committees may resolve that a meeting be closed to the public if its Councillors or members consider it necessary to discuss one or more of the following matters:
  - (a) the appointment, dismissal or discipline of the Chief Executive Officer
  - (b) industrial matters affecting employees
  - (c) the local government's budget, which does not include the monthly financial statements,
  - (d) rating concessions
  - (e) legal advice obtained by the Council or legal proceedings involving the Council including, for example, legal proceedings that may be taken by or against the Council
  - (f) matters that may directly affect the health and safety of an individual or group of individuals
  - (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government
  - (h) negotiations relating to the taking of land by the Council under the *Acquisition of Land Act 1967* or

- (i) a matter the Council is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.<sup>6</sup>
- ~~(i)(j)~~ a matter relating to the consideration of an investigation report for an investigation of a conduct breach given to the local government under the *Local Government Act 2009* chapter 5A, part 3, division 5.
- (2) A local government or committee must not make a resolution (other than procedural) in a closed session meeting. If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation.
- (a) To take an issue into a closed session, the local government must first pass a resolution to do so.
- (b) A resolution that a Council meeting be closed must –
- (i) state the matter mentioned in subsection (1) above that is to be discussed and
- (ii) include an overview of what is to be discussed while the meeting is closed.
- (c) If the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session and name the topic to be discussed and a brief explanation of why it is deemed necessary to take the issue into closed session.
- (d) The minutes of a local government must detail the matter discussed and reasoning for discussing the matter in closed session. The local government must also ensure that it complies with the statutory obligations associated with recording of resolutions.
- (3) Council cannot resolve that a meeting be closed where the meeting is informed of a Councillor's personal interest in the matter by another person and the eligible Councillors at the meeting must decide whether the Councillor has a declarable conflict of interest in the matter.
- (4) A meeting must not be closed if a quorum is lost due to the number of conflicted Councillors who leave the meeting and Council must delegate the matter, decide by resolution to defer the matter to a later meeting or decide by resolution to take no further action on the matter unless the *Local Government Act 2009* or another Act provides that Council must decide the matter.

### **3840 Participation via audio or visual link<sup>7</sup>**

- (1) If a Councillor wishes to attend a Council meeting via audio or visual link, the Councillor must apply to the Chairperson to participate by teleconference at least three business days prior to the meeting or as soon as practicable.
- (2) The Chairperson may allow a person to take part in a meeting of the Council by audio link or audio visual link.
- (3) A Councillor or committee member who takes part in a Council meeting by audio or audio visual link is taken to be present at the meeting if the Councillor or member was simultaneously in audio contact with each other person at the meeting.

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<sup>6</sup> S254J (3) *Local Government Regulation 2012*

<sup>7</sup> S254K *Local Government Regulation 2012*



#### **3941 Acts of disorder by non-members**

- (1) A person who is not a member of the local government or a committee must not interrupt or obstruct the proper conduct of a meeting of the local government or a local government committee.
- (2) If a person (other than a member) interrupts or obstructs the proper conduct of a meeting of the local government or a local government committee, the Chairperson may ask the person to withdraw from the meeting place.
- (3) A person asked to withdraw from a meeting place under subsection (2) must immediately withdraw from the place and remain away until the end of the meeting or for a lesser period fixed by the Chairperson.
- (4) If a person contravenes subsection (3), the Chairperson may request the Chief Executive Officer to facilitate the removal of the person and keep the person away from the meeting place.

#### **4042 Disorder**

The Chairperson may adjourn a meeting of the local government for not more than 60 minutes and vacate the Chair if an act of disorder arises at the meeting and the meeting cannot properly continue.

#### **4443 Business of objectionable nature**

If, at a local government meeting, the Chairperson or a member considers that a matter or motion before a meeting is of an objectionable nature or outside the powers of the local government, the Chairperson may, on the Chairperson's own volition or at the request of another member, declare that the matter not be considered further.

## Part 5 Attendance of public at local government meetings

### **4244** Attendance of public at local government meeting

- (1) An area shall be made available at the place where any local government meeting is to take place for members of the public to attend and as many members of the public as reasonably can be accommodated in that area shall be permitted to attend the meeting.
- (2) When the meeting of the local government is closed to the public in accordance with the local government regulation, the public shall be excluded from the meeting.

## Part 6 Committee meetings

### **4345** Local government committee meetings

- (1) Local government committees established in accordance with sections 264 and 265 of the Regulation, (that is, standing, special and advisory committees), are subject to the provisions of these standing orders, with the following exclusions:
  - (a) Section 13 Mayoral minute
  - (b) Section 15 Committee reports
  - (c) Section 16 Notified motion
  - (d) Section 17 Petitions.

### **4446** Day and times of committee meetings

- (1) Meetings of a committee are held at the day and times decided by the committee.

### **4547** Special committee meetings

- (1) The Chief Executive Officer must call a special meeting of a committee if:
  - (a) the special meeting is required by a resolution of the local government or
  - (b) a written request for the special meeting is lodged with the Chief Executive Officer under subsection (2).
- (2) A written request for a special meeting of a committee must:
  - (a) be signed by the Chairperson or a majority of members of the committee
  - (b) specify the object of the special meeting and
  - (c) propose a day and time for the holding of the special meeting.

### **4648** Notice of committee meetings

- (1) The Chief Executive Officer must give written notice of a committee meeting setting out the day and time of the meeting, and the business to be conducted at the meeting, to each member of the committee.
- (2) The notice must be given, if practicable, at least two days before the day of the meeting.

#### **4749 Chairperson of committee meetings**

The Chairperson of a committee<sup>8</sup> must preside at a meeting of a local government committee.<sup>9</sup>

#### **4850 Procedure at committee meetings**

- (1) The procedure of a committee for dealing with business must be in accordance with:
  - (a) procedural directions given to the committee by resolution of the local government or
  - (b) if there is no procedural direction governing a particular matter, the Chairperson's decision.

#### **4951 Method of taking vote at committee meetings**

- (1) The Chief Executive Officer shall record the names of the members voting in the affirmative and of those voting in the negative.
- (2) The Chairperson shall declare the result of a vote as soon as it has been determined.

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<sup>8</sup> A Local Government may appoint a Chairperson of each committee (See S267 (1) *Local Government Regulation 2012*).

<sup>9</sup> If the Chairperson is not present at a meeting, the members present may appoint a Chairperson for the meeting (See S267 (3) *Local Government Regulation 2012*).

## Part 7 Record of meetings

### **5052** Minutes of meetings

- (1) Minutes of a meeting of the local government must include:
  - (a) a copy of any report adopted by the meeting
  - (b) a copy of any other documentary material necessary for a proper understanding of the proceedings of the meeting and
  - (c) a copy of any information or material which the Chairperson decides should be incorporated into the minutes of the meeting.
- (2) The material to be included in the minutes under this section is in addition to the material required by the *Local Government Regulation 2012*.

### **5453** Teleconferencing

- (1) A local government may allow a person to take part in a meeting by teleconferencing.
- (2) A Councillor taking part in a meeting by teleconferencing is taken to have attended the meeting if—
  - (a) the Councillor was simultaneously in audio contact with each other person at the meeting and
  - (b) the local government approved the teleconferencing arrangement.

## Part 8 Procedure not provided for

### **5254** Procedure not provided for

If an appropriate or adequate method of dealing with any matter is not provided for in these standing orders, the method of dealing with the matter may be determined by a ruling of the Chairperson or by a resolution of the local government upon a motion which may be put with notice in conformity with these standing orders.

## Definitions

**Chief Executive Officer** means the local government's Chief Executive Officer.

**Chairperson of the local government or a committee** means the person presiding at a meeting of the local government or a committee.

**contractor** of a local government, means a person who provides services under a contract with the local government or a person prescribed under a regulation

**Council** means the Sunshine Coast Regional Council.

**Council employee** means an employee of the local government appointed or engaged under the *Local Government Act 2009*.

**Councillor** means a Councillor of the Sunshine Coast Regional Council and includes the Mayor.

**local government committee** means a standing committee, special or advisory committee appointed by the local government in accordance with section 264 of the *Local Government Regulation 2012*.

**local government committee meeting** means a meeting of a local government committee.

**local government meeting** means an ordinary meeting or a special meeting of the local government.

**Mayor** has the meaning given in the *Local Government Act 2009* and includes any person acting in the position of the Mayor.

**member** means in the case of:

- (a) a local government meeting, Councillors of the local government
- (b) a local government committee meeting, Councillors of the local government appointed to the local government committee by the local government or
- (c) an advisory committee, persons appointed to the advisory committee by the local government.

**non-member** means:

- (a) the Chief Executive Officer
- (b) a Council employee/officer nominated by the Chief Executive Officer
- (c) a Council employee/officer invited to a local government meeting, a local government committee meeting or an advisory meeting by the Chairperson of that meeting
- (d) in the case of a local government meeting, a local government committee meeting or an advisory meeting, a person admitted to the meeting by the respective local government, local government committee or advisory committee or
- (e) in the case of a local government committee meeting or an advisory committee meeting, a Councillor who is not a member of that committee.

**ordinary business matter of local government means:**

- (a) matters that are solely or relate solely to the making or levying of rates and charges, or the fixing of a cost-recovery fee
- (b) matters that are solely or relate solely to making a planning scheme that applies to the whole of the local government area or amending a planning scheme, if the amendment applies to the whole of the local government area
- (c) if the matter solely, or relates solely to a resolution required for the adoption or amendment of a budget for the local government
- (d) if the matter solely, or relates solely to a resolution required for the adoption or amendment of a budget for the local government

- ~~(e)~~ matters that solely relate to the preparation, adoption or amendment of a document prescribed by regulation (eg, the annual operational plan)
- ~~(d)(f)~~ matters that solely or relates solely to the remuneration or reimbursement of expenses of Councillors or members of a committee of the local government or the provision of superannuation entitlement or insurance for Councillors or a matter of interest to the Councillor solely as a candidate for election or appointment as mayor, deputy mayor, Councillor or as a member of a committee of the local government
- ~~(e)(g)~~ matters relating to a corporation or association that arises solely because of a nomination or appointment of the Councillor by the local government to be a member of the board of the corporation or association or
- ~~(h)~~ matters in relation to a Councillor's conflict of interest in a matter if the Councillor or close associate or related party or donor stands to gain a benefit or suffer a loss that is no greater than the benefit or loss that a significant proportion of person in the local government area stand to gain or lose
- ~~(i)~~ matters that relate solely to the making of a donation to a religious, charitable or non-profit institution or organisation, unless a Councillor, or close associate or related party of a Councillor, receives a benefit because of the donation that is more than merely a benefit relating to reputation
- ~~(j)~~ matters that relate solely to a councillor representing Council in an official capacity at an event held by a government agency or an entity that is wholly owned by Council and/or
- ~~(f)(k)~~ matters that relate solely to employment-related or upgraded travel or accommodation undertaken or used by a Councillor, or close associate or related party of a Councillor.

**ordinary meeting of the local government** means:

- (a) a post-election meeting or
- (b) a periodic meeting the local government is required to hold under section 257 of the *Local Government Regulation 2012*.

**point of order** means an interjection during a meeting by a member who does not have the floor, to call to the attention of the Chairperson an alleged violation or breach of the local government's standing orders.

**post-election meeting** means the meeting required by the *Local Government Act 2009*.

**presentation** means the giving or receipt of certificates, memorials, acknowledgements to the local government or from the local government but excludes the presentation of moneys by the local government.

**quorum** means a majority of its Councillors, however if the number of Councillors is an even number, one-half of the number is a quorum.

**standing orders** means the rules and procedures adopted by Council that regulate the meetings of the Sunshine Coast Regional Council.

**teleconferencing** is the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in discussions as they happen per the *Local Government Regulation 2012*.

**the Act** means the *Local Government Act 2009*.

**the Regulation** means the *Local Government Regulation 2012*.

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<sup>i</sup> [S254H Local Government Regulation 2012](#)



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**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 7 March 2024.

**13 MEETING CLOSURE**