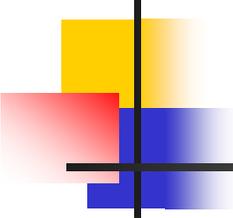


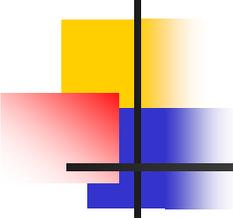
Governance arrangements for the Maleny Community Precinct

As agreed at the
Stakeholder meeting
18 May 2010



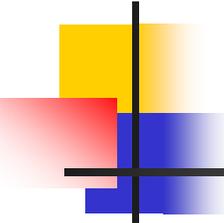
Process

- A paper on 'Governance arrangements for the MCP' by Alan Rogers was circulated to all stakeholders prior to the meeting
- On the 18th May stakeholders met and discussed the key issues making amendments by consensus
- At the conclusion of the meeting the group unanimously endorsed the arrangements as amended



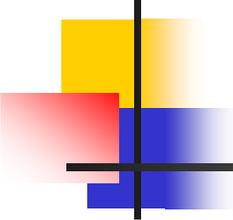
Principles

1. The precinct will be developed **substantially** in accordance with the adopted Master Plan;
2. Development of the precinct will be a long term partnership between Council, the community, groups located on the precinct, State Government agencies, local businesses and the broader Maleny community;
3. The development of the precinct will be a staged process over a number of years as per the agreed Master Plan; and
4. Individual community groups will be responsible for the management, governance and viability of their own businesses/activities.



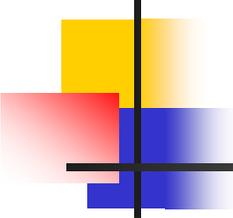
Ownership of the land

- Council is the owner in freehold of the land on which the Maleny Community Precinct will be developed.



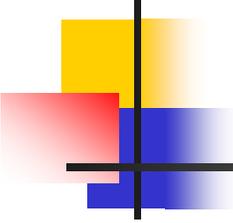
Council's role

- Council will be responsible for the future development and ongoing maintenance of the Ecological Parkland, the precinct's internal roads, infrastructure, walkways and pathways, environmental areas along Obi Obi creek and public facilities.
- Given the postponement of the residential component of the precinct, Council will review its previous commitments to the future funding of the precinct infrastructure and the development of individual areas. Included in this review will be the possibility or otherwise of spending advances against the profit from future residential sales.
- Council reserves the right to put in place commercial arrangements, licences and/or carbon credits to assist in offsetting the cost of developing and maintaining the precinct provided that these arrangements complement the adopted Master Plan [and receive in principle support from the Precinct Advisory group.](#)
- Council will put in place the necessary and appropriate land occupancy arrangements to formalise access to the precinct for the community groups.
- A Council representative will be nominated to the Precinct Advisory Group.



Advisory Group

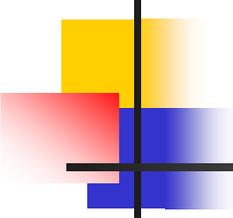
- It is recommended that a Maleny Community Precinct Advisory Group be established to:
 - Facilitate communication and develop positive working relationships between community groups on the precinct;
 - Consider collaborative solutions to issues and development challenges;
 - Provide a forum to settle neighbourhood/internal disputes as they arise on the precinct; and
 - Provide advice to Council on the progress of development of the precinct.
- It is envisaged that this group will not be incorporated and will have no formal responsibility for management of the precinct, or specific projects on the precinct.
- The Precinct Advisory Group will operate under a charter drawn up by the Group and approved by Council.



Advisory Group membership

Initially the Advisory group will consist of:

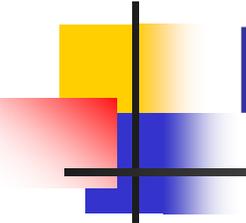
- 2 independent representatives (1 chair)
 - Sunshine Coast Regional Council;
 - Barung Landcare;
 - Maleny District Green Hills Fund ;
 - Maleny Golf Club;
 - Maleny History Preservation and Restoration Society / Friends of Pattermore House; and
 - Maleny District Sport and Recreation Club Inc.
 - Local Councillor (ex officio)
- Council will invite each stakeholder to nominate their representative to the Advisory group
- The Precinct Advisory Group may choose to invite representation or seek advice from other organisations and individuals to discuss emergent issues at the discretion and consensus of the group.



Pattemore House

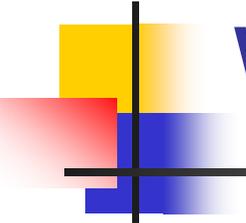
- Subject to a satisfactory Memorandum of Understanding being developed between the Maleny Historical Society and Friends of Pattemore House, a licence to use Pattemore House, **the adjoining land and associated community facilities** will be granted to one or both of these groups.
- This licence to use will recognised that Barung and Maleny Golf have a right to use the Pattemore House **community facilities**.
- This licence to use will only come into effect once necessary safety and structural work on the House has been completed by Council.

Function Centre/Shared Club House

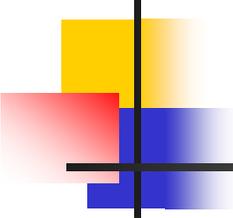


- Council will retain the land identified as the future function centre/shared club house.
- Council reserves the right to undertake this development at a time and with a partner of its choosing.
- The development of this facility will include a pro shop and facilities for a shared club house;
- The development of the facility will be in consultation with the Precinct Advisory Group.

Obi Obi Parklands and Wetlands

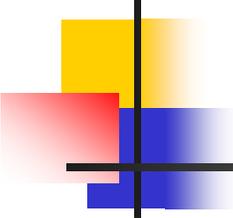


- Council will retain overall management responsibility for the Obi Obi parkland, the wetlands and environmental areas along Obi Obi Creek:
 - including capital works,
 - maintenance,
 - public liability
 - insurance cover for volunteers working on the projects such as tree plantings etc.
- a Memorandum of Understanding be developed between Council and Green Hills allowing Green Hill to assist in the development and maintenance of the Obi Obi parkland, [the wetlands](#) and planting of the environmental areas along Obi Obi Creek.
- This arrangement will allow Green Hills to have input into the design, planning and public works on these areas of the MCP as well as to apply for grant funding to undertake particular projects.
- [Any development of the Obo Obi parkland will be in consultation with the Precinct Advisory Group.](#)



Aquatic Facility

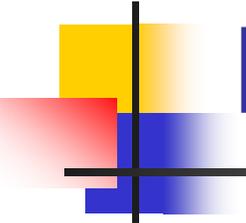
- Council's Community Services Department will be responsible for sourcing future funding for the facility in the context and timing regimes of its regional Aquatic Strategy.
- The Community Services Department will also be responsible for developing appropriate management and governance arrangements for the aquatic facility.
- Council reserves the right to consider arrangements with the [Maleny Swimming Club Inc](#), other community groups, government agencies or private entities to help fund any future aquatic facility development/s.



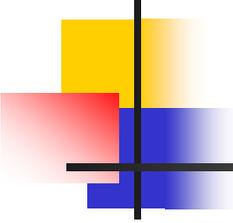
Residential

- Council retains the right to develop the residential component(s) of the precinct at a time and in a manner of its choosing.
- Any profit (net) resulting from this development will be used as follows:
 - To offset any costs incurred in developing the precinct **after the adoption of the Master Plan including** the funding of any unbuilt facilities or infrastructure.

Additional Community Facilities

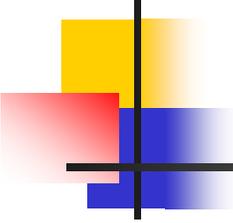


- Once Council has successfully finalised the Residential Sub Division Plan it will make available the land identified for community purposes in the Master Plan.
- Upon making this land available, Council will from time to time call for Expressions of Interest from community groups with an interest in the land.
- These Expressions of Interest will require interested groups to present a business case detailing their potential use of the land.
- These business cases will then be assessed against agreed criteria by Council in consultation with the Precinct Advisory Group, in an open and transparent manner to identify the successful applicant(s).
- Once the land has been allocated, appropriate land tenure arrangements will be entered into with the successful applicants and some or all applicants may be asked to join the Precinct Advisory Committee.



Leases

- Subject to providing Council with a viable business case:
 - Barung Landcare;
 - Maleny Golf Club; and
 - Maleny District Sport and Recreation Club Inc.be offered leases on the MCP
- Tenure arrangements will be for a minimum of five (5) years and a maximum of twenty (20) years as per Council policy.
- Five or ten year leases may contain a single option to renew
- Twenty year leases will contain a guarantee that Council will enter into good faith negotiations regarding renewal of the lease with the existing lessee first.
- N.B A lease over 10 years (including a renewal option) requires an application for reconfiguring a lot under SPA.



Lease conditions

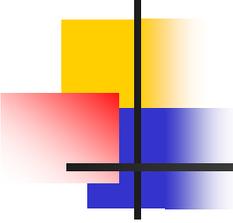
Tenure arrangements for each group will be different, depending upon the nature of their business case, but all will include:

- the requirement to achieve certain development milestones;
- clearly defined lease area boundaries;
- options to renew (including a provision for extension of the lease, subject to the lessee meeting the conditions of the original lease, and any other reasonable conditions that Council may apply);
- a schedule of rental payments;
- a requirement to hold appropriate insurances;
- ongoing maintenance requirements;
- a requirement to act as a good neighbour;
- dispute resolution clauses; and
- penalties for breach/default of tenure.
- At the end of the tenure term, any improvements to the land, buildings etc will revert to Council ownership.

These conditions of lease are subject to the development and adoption of Council's land tenure policy.

Indicative Lease boundaries





Final resolution

At the end of the meeting the following motion was put and unanimously agreed:

We support the proposed Master Plan, as tabled at the meeting of the 18th May, subject to detailed survey and final design; and the governance arrangements tabled at that same meeting, subject to the amendments agreed at the meeting. (N.b Amendments in blue)

Heather Spring,
Gail Denver,
Paul Gilmore Walsh,
Mike Norman,
Stan Collard,

Max Whitten,
Winston Johnston,
Graham Hart,

Barung Landcare;
Friends of Pattermore House;
Maleny District Green Hills;
Maleny District Sport and Recreation;
Maleny History and Preservation and Restoration
Society ;
Maleny Golf;
MALPAN;
Independent Community representative.