

Agenda

Ordinary Meeting

Tuesday, 3 August 2021

Time: 9.15am
Location: Former Boonah Council Chambers
70 High Street
BOONAH QLD 4310

Please note: In accordance with Section 277E of the *Local Government Regulation 2012*, this meeting will be closed to the public due to health and safety reasons associated with the public health emergency involving COVID-19.

An audio recording will be broadcast on Council's website.

Scenic Rim Regional Council

Ordinary Meeting

Tuesday, 3 August 2021

Agenda

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1 Opening of Meeting

2 Attendance and requests for leave of absence

3 Apologies

4 Prayers

Reverend George Tully from the Uniting Church Harrisville will offer prayers

5 Declarations of Prescribed or Declarable Conflict of Interest by Members

6 Announcements / Mayoral Minutes

7 Reception of Deputations by Appointment / Presentation of Petitions

8 Confirmation of Minutes

Ordinary Meeting - 20 July 2021

9 Business Arising from Previous Minutes

10 Consideration of Business of Meeting

Customer & Regional Prosperity

10.1 Register of Active Grants and Subsidies

Executive Officer: General Manager Customer and Regional Prosperity

Item Author: Special Projects Officer

Attachments:

1. Register of active grants and subsidies as at 23 July 2021  

Executive Summary

This report provides an overview of the newly created register of Council's active grants and subsidies. In keeping with being an open and transparent organisation, it is intended for this grant register to be reported on a six-monthly basis to Council, published on Council's website and updated as required. This first iteration is at 23 July 2021.

Recommendation

That:

1. Council adopt its first register of Active Grants and Subsidies, current as at 23 July 2021, that lists programs funded by Queensland Government, jointly funded by the Queensland and Australian Governments, and funded by the Australian Government;
2. Council publish the register of Active Grants and Subsidies on Council's website and note the register will be updated and presented to Council on a six-monthly basis, and updated on the Council's website, as required; and
3. Council acknowledge the preparation and publishing of the register supports Council's deliberate strategy and ongoing commitment to being open and transparent, and ensures the community has clarity and an understanding of current grant and subsidy funded programs.

Previous Council Considerations / Resolutions

- At the Ordinary Meeting held on 22 June 2021, the Scenic Rim Corporate Plan 2026 was adopted.
- At the Ordinary Meeting held on 11 May 2021, the Scenic Rim Regional Council Customer Experience Strategy 2021-2023 was adopted.
- At the Ordinary Meeting held on 23 November 2020, the Scenic Rim Communication Strategy 2020-2023 was adopted.

These Strategies have a strong focus on providing our communities with open and transparent information to provide clarity and certainty around Council operations.

Report / Background

A key strategic commitment of the Executive Leadership Team and Council, is to continue on a path of an open and transparent organisation. This commitment is codified in Council's corporate and strategic documents such as the Corporate Plan Scenic Rim 2026, Scenic Rim Regional Council Communication Strategy 2020-2023 and the Scenic Rim Regional Council Customer Experience Strategy 2021-2023.

Reporting on Council's active grant and subsidies funding is another initiative demonstrating Council's commitment to clear communication, which is confirmed by research revealing that other Councils do not report on externally funded grants, i.e. there were no other Councils found that reported on grants and subsidies at this level of transparency.

There is a regulatory requirement for grants to be reported on as revenue in the financial statements of Council's Annual Report. This reporting is at very high level only providing totals of funding received from Australian and Queensland Government only.

The Register of active grants and subsidies (refer Attachment 1), provides a list of active grants and subsidies at a program level and lists projects sitting within each particular program. The register also shows the total funding approved per program (including Council contributions) and the forecasted total program cost. It should be noted that only approved grant applications will be included on this register and not those that have been applied for and are still in the assessment phase or finalisation of funding agreements. Approved means when Council has an executed funding agreement and received permission, in writing, from the funding body to release the information, despite announcements having been made by others.

The information in this register enables the community to see the level of funding being delivered throughout the region to achieve the best possible infrastructure, social and economic outcomes for residents, businesses and ratepayers. The level of funding being provided through these grants and subsidies enables Council to deliver important infrastructure and services that would otherwise struggle to be delivered through Council's standard revenue streams.

Budget / Financial Implications

Some projects listed in the register require Council co-contributions and some projects may have ongoing operational expenses, which are taken into consideration for external grant applications to achieve sustainable outcomes and ongoing budget management and fiscal responsibilities.

Details of the grant funding and Council's co-contributions are contained in the attachments and therefore not duplicated in this section.

Strategic Implications*Operational Plan*

Theme: 3. Open and Responsive Government

Key Area of Focus: 3.1.1 Plan, develop and implement high-quality customer-focused services

Legal / Statutory Implications

Not applicable.

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR51 Ineffective, inaccurate and/or inappropriate communication and relationship/stakeholder management impacting Council's ability to fulfil its strategic objectives.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Reputation, Community & Civic Leadership That the level of information regarding grants and subsidies is below the public's expectations	4 Major	Possible	Medium	That information in the register provided is at a level that meets the expectations of the public.	Low

Consultation

Consultation to develop this report occurred with the Executive Leadership Team, General Manager Customer and Regional Prosperity, General Manager Assets and Environmental Sustainability, Manager Community and Culture, Manager Regional Prosperity and Communications, Coordinator Project Delivery, Contractor Engineering and Grants Officer.

Conclusion

Council's active grant and subsidies register (refer Attachment 1), includes programs for the community and provides a better understanding of the level of funding Council is in receipt of. It is also evident this funding enables vital projects and programs to be delivered for the betterment of its ratepayers, businesses and residents. This register is seen to support Council's commitment of being an open and transparent organisation.

Post adoption the register will be published on Council's website for the public to view and will be updated on a six-monthly basis, as required.

<div>  SCENIC RIM REGIONAL COUNCIL </div> Register of active grants and subsidies as at 23 July 2021								
Funding body	Funding program	Project/s	Type of funding	Total funded amount (excl GST)	Total Council contribution (declared in application) (excl GST)	Third party contributions (excl GST)	Forecast Total Program Cost (excl GST)	Forecast completion date
Total Funding Queensland Government				\$20,238,981	\$7,699,336	\$21,120	\$27,959,437	
Queensland	South East Queensland Community Stimulus Program	Scenic Rim Community Stimulus - - Community and Council facilities upgrades - Waste facilities upgrade - Air conditioning upgrade/replacements at Boonah Cultural Centre and Vonda Youngman Community Centre - Carpark upgrades at Beaudesert's Selwyn Park and Boonah's Coronation Park - Enterprise Drive pavement works. Bromelton Transfer Station recycling bay construction Community and Cultural Centres - Air conditioning upgrade Carpark and access driveways upgrades at Selwyn Park and Coronation Park Beaudesert Enterprise Precinct pavement rehabilitation Projects are subject to final approval	Competitive	\$3,990,000	\$0	\$0	\$3,990,000	30/06/2024
	Building our Regions Round 5	Beaudesert Town Centre Revitalisation Gallery Walk Pedestrian Boulevard and Amenity Improvements Project Business Case	Competitive	\$3,900,000	\$535,165	\$0	\$4,435,165	1/09/2023
	Mental Health and Wellbeing Package	Mental Health and Wellbeing one-off grant funding package	Competitive	\$75,000	\$0	\$0	\$75,000	30/06/2023
	Department of Employment Small Business and Training	Go Local, Grow Local partnership program Industry and development program	Allocated	\$200,000	\$0	\$0	\$200,000	30/09/2022
	State Emergency Services Government Subsidy	Subsidy to assist the State Emergency Services across the region.	Subsidy	\$24,000	\$0	\$0	\$24,000	30/09/2022
	ActivKIT	EmpowerHER Hiking Program	Competitive	\$100,000	\$20,000	\$0	\$120,000	31/07/2022
	Skilling Queenslanders for Work - First Start Program	Program will support 7 trainees and out of trade apprentices	Allocated	\$105,000	\$0	\$0	\$105,000	31/07/2022
	Regional Arts Development Fund (RADF)	Regional arts investment through RADF helps maintain support for locally-driven content and activities, which in turn generates business opportunities, enhances cultural tourism, and helps to stimulate economic growth as local creatives are employed.	Competitive	\$39,500	\$0	\$0	\$39,500	31/07/2022
	Get Ready Queensland	Get Ready Queensland Program 2021-22	Allocated	\$20,360	\$0	\$0	\$20,360	30/06/2022

Funding body	Funding program	Project/s	Type of funding	Total funded amount (excl GST)	Total Council contribution (declared in application) (excl GST)	Third party contributions (excl GST)	Forecast Total Program Cost (excl GST)	Forecast completion date
Government	Department of Seniors, Disability Services and Aboriginal Torres Strait Islander Partnerships	Indigenous Language program	Competitive	\$5,000	\$0	\$0	\$5,000	28/01/2022
	Building our Regions Round 4	Beaudesert Enterprise Precinct Expansion	Competitive	\$5,000,000	\$5,722,300	\$0	\$10,722,300	1/11/2021
	2019 - 2020 Cycle Network Local Government Grants Program	Cycle Network Local Government Grants Program	Competitive	\$498,171	\$498,171	\$0	\$996,342	31/10/2021
	COVID19 Works for Queensland	Beaudesert Swimming Pool - lighting Coronation Park Boonah - painting and fencing Boonah Cultural Centre - upgrade control system Lake Moogerah Electrical Safety upgrade DJ Smith Memorial Park, Canungra Jubilee Park, Beaudesert Multiple Transfer Stations - access road upgrade Tamborine Mountain Transfer Station Canungra Transfer Station Central Landfill Tiny Tots Playground, Boonah Tamborine Memorial Park Libraries RFID Infrastructure Installation	Allocated	\$1,180,816	\$0	\$0	\$1,180,816	31/10/2021
	Unite and Recover Community Stimulus Package (Contestable)	Lake Moogerah caravan park facilities upgrade	Competitive	\$2,028,000	\$120,000	\$0	\$2,148,000	31/10/2021
	Unite and Recover Community Stimulus Package	Footpath Connections Public Amenity Upgrades and Replacements	Allocated	\$2,000,000	\$0	\$0	\$2,000,000	31/10/2021
	Queensland Arts Showcase Program	Arts Dinners Live and Online South West Queensland	Competitive	\$59,860	\$10,950	\$21,120	\$91,930	14/09/2021
	First 5 Forever	Yugambeh Language Book for Children under 5 COVID Safe Story telling resources Story Walk	Competitive	\$25,550	\$0	\$0	\$25,550	30/08/2021
	Queensland Destination Events Program - Round 1	Eat Local Week / Winter Harvest Festival (over 3 years)	Competitive	\$150,000	\$0	\$0	\$150,000	30/07/2021
	State Library Grant	Subsidy for Scenic Rim Regional Council libraries	Allocated	\$200,474	\$0	\$0	\$200,474	30/06/2021
	Transport Infrastructure Development Scheme (TIDS)	Christmas Creek Rd Wellington Bundock Drive Koorailbyn Road	Allocated	\$637,250	\$792,750	\$0	\$1,430,000	30/06/2021
Total Funding Queensland Government				\$20,238,981	\$7,699,336	\$21,120	\$27,959,437	
Total Funding Council of Mayors SEQ (COMSEQ)				\$635,650			\$635,650	

Funding body	Funding program	Project/s	Type of funding	Total funded amount (excl GST)	Total Council contribution (declared in application) (excl GST)	Third party contributions (excl GST)	Forecast Total Program Cost (excl GST)	Forecast completion date
Council of Mayors SEQ (COMSEQ)	Resilient Rivers	Resilient Rivers Program - Bremner	Allocated	\$135,000	\$0	\$0	\$135,000	31/12/2022
	Resilient Rivers	Logan Stabilisation Phase 2 Mid Logan River Stage 3	Allocated	\$500,650	\$0	\$0	\$500,650	31/12/2021
Total Funded Co-funded Queensland Government & Australian Government				\$3,890,022	\$214,450	\$47,000	\$9,151,472	
Co-funded Queensland Government & Australian Government	Local Economic Recovery Program	Upgrades to Vonda Youngman Community Centre Boonah Cinema Upgrade Upgrades to community facilities (halls) as places of refuge Upgrades to Binna Burra Lodge Teahouse, Campground and Amenities (auspice) Refurbish Tamborine Mountain Library Scenic Rim Supply Chain Capability Program Scenic Rim Entrepreneurial Hub Online Program	Competitive	\$3,695,096	Not confirmed at this stage	\$47,000	\$3,742,096 (Does not include Council Contribution)	30/06/2023
	Bushfire Recovery Exceptional Assistance	Moriarty Car Park Repairs (Completed) Fire Hazard Management Workshop Bushfire Resilience Officer (2 years) Community Education weed infestation /Beechmont and Binna Burra areas Small Business Support Upgrade Local Halls Eat Local Week Winter Harvest Festival Eat Local Week 10th Anniversary Celebration Creative Recovery Project - Beechmont Farm2Plate Exchange Conference Creative Recovery Project - Beechmont	Allocated	\$1,275,000	\$0	\$0	\$1,275,000	31/12/2021
	Resilience and Risk Reduction Fund	Implement Queensland Emergency Risk Management Framework Mahoney Crossing No. 2 Floodway Upgrade Calibration of BOM Flood Gauge	Competitive	\$554,550	\$119,450	\$0	\$674,000	30/06/2022
	Disaster Recovery Funding Arrangements	February 2020 Heavy Rain Event Bushfires - Head Road (claim approved funds not received to date) December 2020 Heavy Rain Event (claim not finalised) March 2021 Heavy Rain Event (claim not finalised)	Reimbursement for reconstruction of essential assets	\$1,165,376	\$0	\$0	\$1,165,376	30/06/2022
	Tourism Recovery Fund for Local Government Category C	Tactical Marketing Campaign Appointment of Tourism Recovery Officer Resilience Building Program Industry Capacity and Capability Development Program Refresh of www.visitscenicrim.qld.gov.au website Rationalisation of destination marketing structure Business Case for Canungra Visitor Information Centre Tactical Business Development	Allocated	\$1,500,000	\$0	\$0	\$1,500,000	31/12/2021

Funding body	Funding program	Project/s	Type of funding	Total funded amount (excl GST)	Total Council contribution (declared in application) (excl GST)	Third party contributions (excl GST)	Forecast Total Program Cost (excl GST)	Forecast completion date
	Category C - Queensland Bushfires Community Development Program	Community Development Officer	Competitive	\$600,000	\$0	\$0	\$600,000	30/06/2022
	Flexible Funding Grants Program	Agri-Food and Agritourism Industry Development Program	Competitive	\$100,000	\$95,000	\$0	\$195,000	30/07/2021
Total Funded Co-funded Queensland Government & Australian Government				\$3,890,022	\$214,450	\$47,000	\$9,151,472	
Total Funding Australian Government				\$26,049,132	\$18,553,439		\$44,602,571	
	Building Better Regions Fund Round 4	Beaudesert Town Centre Revitalisation Scenic Rim Smart Region Strategy	Competitive	\$4,229,093	\$4,247,907	\$0	\$8,477,000	9/06/2023
	Local Roads and Community Infrastructure Program	Phase 1 Projects Cossart St Boonah (Walter Street to Melbourne Street) footpath Cunningham Highway (Adam Drive access road reserve to Charlwood Road) Holt Road (Hartley Road to High School) footpath McLauchlan Street east (Cheltenham Street to McLauchlan Street) footpath Melbourne Street (Cossart Street to Church Street) footpath	Allocated	\$1,089,000	\$0	\$0	\$1,089,000	31/12/2021
		Phase 2 Projects Eaglesfield Street drainage interconnection Alpine Terrace (White Road to existing footpath) Beechmont Road Stage 1 footpath (McInnes Court to School -partial) Beechmont Road Stage 2 footpath (Windabout Road to school) Boonah-Rathdowney Road footpath (Old Mount Alford Road to Mt French Road)	Allocated	\$1,859,603	\$0	\$0	\$1,859,603	Not Confirmed
		Phase 3 Projects Projects not due to be finalised until January 2022	Allocated	\$2,178,106	\$0	\$0	\$2,178,106	Not Confirmed
	Bridges Renewal Program Round 5	Hinchcliff Bridge Flying Fox Creek Bridge Kengoon Bridge	Competitive	\$4,775,095	\$4,779,095	\$0	\$9,554,190	1/12/2022
	Heavy Vehicle Safety and Productivity Program Round 7	Kerry Road Upgrade #1 Kerry Road Upgrade #2	Competitive	\$4,000,000	\$4,461,462	\$0	\$8,461,462	30/09/2022
	Inland Rail Interface Program	Inland Interface Project - Project delivered by Ernst and Young undertake		Funding managed by Australian Government				Project Phased and assessed by Government if to progress to next phase.

Funding body	Funding program	Project/s	Type of funding	Total funded amount (excl GST)	Total Council contribution (declared in application) (excl GST)	Third party contributions (excl GST)	Forecast Total Program Cost (excl GST)	Forecast completion date
Australian Government	Bridges Renewal Program Round 4	Spring Creek Bridge Keaveny Bridge	Competitive	\$1,400,000	\$4,987,475	\$0	\$6,387,475	30/06/2022
	Roads to Recovery Program 2019-2024	Scenic Rim Regional Council Life of program allocation \$5,445,263	Allocated					
	Roads to Recovery 2021/2022	Allocation for 2021/2022	Allocated	\$1,089,053	0	0	\$1,089,053	30/06/2022
	Financial Assistance Grants to Individual local government bodies 2020-2021	Identified Road Component General Purpose Component	Subsidy	\$1,938,406 First payment for 2021/2022	\$0	\$0	\$1,938,406	30/06/2022
	Regional Tourism Bushfire Recovery	Name change from Popera in the Paddock to The Long Sunset, also change in location and date of event. Tamborine Mountain Festival Unplugged	Competitive	\$175,000	\$0	\$0	\$175,000	31/05/2022
	Drought Communities Programme Extension	The Long Sunset Development of an Adverse Event Plan Drought and Resilience Coordinator Industry Cluster Group Program Land Management Workshops Mental Health First Aid Training Targeting Waterway Weeds Install or upgrade water tanks at rural Community Halls Upskilling within the Agricultural Sector Mt Alford Playground	Allocated	\$1,000,000	\$0	\$0	\$1,000,000	31/03/2022
	Driver Reviver Site Upgrade Program - Round 2	Rathdowney Driver Reviver Sinage	Competitive	\$35,223	\$0	\$0	\$35,223	30/11/2021
	Queensland Disaster Resilience Fund (Prepared Communities Fund)	Engage Resilience Project Officer	Competitive	\$162,000	\$30,000	\$0	\$192,000	31/12/2021
	Building Better Regions Fund Round 3	Adventure/Eco Tourism Strategy and Capability Development	Competitive	\$47,500	\$47,500	\$0	\$95,000	30/09/2021
	Blackspot funding	Beechmont Road	Competitive	\$982,000	\$0	\$0	\$982,000	30/06/2021
	Roads to Recovery 2020/2021	Allocation for 2020/2021	Allocated	\$1,089,053	0	0	\$1,089,053	30/06/2021
Total Funding Australian Government				\$26,049,132	\$18,553,439		\$44,602,571	

10.2 MCU20/050 Development Permit for a Material Change of Use (Tourist Cabins) for 11 Tourist Cabins at 1-11 Eagles Retreat Place, Tamborine Mountain described as Lot 4 on RP82621

Executive Officer: General Manager Customer and Regional Prosperity

Item Author: Principal Specialist Development Assessment and Engineering

Attachments:

1. Referral Agency Response - State Assessment and Referral Agency (SARA) [!\[\]\(4e333a6106fc298d0ae6dff272a736ef_img.jpg\)](#) [!\[\]\(97089f8e07e24e31baa67366e358a709_img.jpg\)](#)
2. Submitter List [!\[\]\(9496824b8cff3a19f59b81b37b57d8b6_img.jpg\)](#) [!\[\]\(ec8d0f7e486e2280c113cd85015a8548_img.jpg\)](#)

Executive Summary

Council is in receipt of application for a Development Permit for Material Change of Use for 11 Tourist Cabins at 1-11 Eagles Retreat Place, Tamborine Mountain described as Lot 4 on RP82621, lodged 7 May 2020.

Pursuant to the Beaudesert Shire Planning Scheme 2007 (Planning Scheme), an Impact Assessable application is required as the site is located in the Escarpment Protection Precinct of the Tamborine Mountain Zone. The intended use conflicts with the Tamborine Mountain Zone Code and specific outcomes of the Tourist Cabin Code and is affected by the Development Constraints Overlay Code (Bushfire Hazard and Steep Slopes).

Council officers note particular attention be drawn to the Needs Assessment prepared by Foresight Partners Pty Ltd dated December 2020, and the design of the Tourist Cabins. The applicant supplied the Needs Assessment as justification for disabled respite care to provide Tourist Cabins with a focus on catering for members of the disabled community. However, the use applied for was not for a 'Community Care Centre' under the Beaudesert Shire Planning Scheme 2007, which better suits this use. Tourist cabins is a broader definition, which includes "accommodating persons away from their normal place of residence".

The land subject of the application is steep and is heavily vegetated in the south east portion with State protected flora and fauna.

The application was publicly notified from 18 September 2020 – 12 October 2020. Two hundred and thirty-two properly made submissions were received during the notification period. All were against the proposed development. Thirteen submissions were not properly made.

The assessment has found that the proposed development has not demonstrated compliance with key provisions of the planning scheme and that compliance cannot be achieved through the imposition of reasonable or relevant conditions. As a result, it is recommended the application be refused.

Recommendation

1. That Council resolve to refuse the development in respect to the following property:

Real Property Description:	Lot 4 RP82621
Address of property:	1-11 Eagles Retreat Place
	Tamborine Mountain
Site area:	19,959m ²
Proposal:	Tourist park - Tourist Cabins

2. **Reasons for Refusal**

The reasons for refusal are as follows:

No.	Reason
1.	The proposed development does not comply with Strategic Framework – Local Strategies for the Tamborine Mountain Zone 1, 3, 6 and 9 of the <i>Beaudesert Shire Planning Scheme 2007</i> .
2.	The proposed development does not comply with Overall Outcomes OO1, OO2, OO4, OO6, OO7, OO25, OO29, OO52 and OO58, and Specific Outcomes SO8, SO11 of the Tamborine Mountain Zone Code and SO1, SO2, SO4 and SO5 of the Escarpment Protection Precinct.
3.	The proposed development does not comply with Overall Outcome OO(b) and Specific Outcomes SO1, SO2, SO3, SO4 and SO6 of the Tourist Cabin Code.
4.	The proposed development does not comply with Overall Outcomes OO(a)(i), OO(a)(ii), OO(a)(v), and OO(d) and Specific Outcomes SO12 and SO28 of the Parking and Servicing Code.
5.	There are no relevant matters to support an approval of the proposed development.

3. **Referral Agency Conditions**

Refer to concurrence agency response dated 22 March 2021 (refer Attachment 1).

4. **That the Submitter/s be advised of the following:**

SUBMITTER ADVICE - REFUSAL - Council has considered all matters relevant to this application, including your submission, and has resolved to refuse the application for the reasons stated.

5. **Administrative Action:**

That Decision Notices be issued in accordance with section 63 of the *Planning Act 2016* to the Applicant, submitter/s and referral agencies.

Previous Council Considerations / Resolutions

Not applicable

Report/ Background

Applicable Planning Scheme	<i>Beaudesert Shire Planning Scheme 2007</i>
Applicant	SDA Property Nominees Pty Ltd ATF SDA Property Trust
Owner(s)	Sovereign Fiduciaries Pty Ltd ATF AlphaTrust
Site Address	1-11 Eagles Retreat Place TAMBORINE MOUNTAIN
Real Property Description	Lot 4 RP82621
Site Area	19,959m ²
Relevant Zone and Precinct	Tamborine Mountain Zone – Escarpment Protection Precinct
Proposal	Tourist Cabins
Assessment Level	Impact (Consistent)
Approval Type	Development Permit for a Material Change of Use
Public Notification	15 days
Submissions Received	232 properly made submissions, 13 not properly made submissions
Date Application Deemed Accepted	21 May 2020

Development History

The site is subject to an existing approval decided by the historical development tribunal (appeal 04-18) for a residential dwelling house. This supersedes Council's refusal of MCU17/538, for a Development Permit for Material Change of Use (Dwelling House).

Regarding the proposal of cabins at the subject site, several pre-lodgement meetings have been held with Council Officers. These meetings took place on July 2017 (Prelodge17/0006), May 2019 (Prelodge19/0011) and December 2019 (Prelodge19/0048).

A pertinent issue to raise is the discussion held under Prelodge19/0048, where the applicant requested a Prelodgement meeting with Council to discuss a proposed Residential Care Facility. The design, siting, bulk and scale of the development under Prelodge19/0048 are identical to the current application for tourist cabins. The applicant intended the length of stay to range between 28 days (short-term), 90 days (medium-term) to permanent resident (long-term).

Council officers expressed significant concerns in relation to the level of earthworks, the amount of vegetation clearing and the development footprint, and how the proposal would achieve the objectives set out for the Escarpment Precinct.

On 5 February 2020, the applicant lodged a Minor Change to an existing approval (04-18 development tribunal), to establish a Tennis Court and gazebo structures. On 20 March 2020, Council approved MCU20/014 for a Minor Change to an existing approval (04-18 development tribunal) for a Tennis Court and gazebo structures. Subsequent to this approval, on 24 April 2020, Council approved a development permit for operational works involving vegetation clearing (ancillary to MCU20/014), for the purpose of establishing a tennis court and gazebo structures.

On 7 February 2020, during the assessment of MCU20/014, Queensland Government commenced the 'new' koala conservation planning framework, which outlined three habitat categories, these being: Koala Priority Area, Core Koala Habitat Area and Locally Refined Koala Habitat Area.

On 24 March 2020, Council received a request to assess an application under a superseded planning scheme (*Beautesert Shire Planning Scheme 2007*). Under the *Scenic Rim Planning Scheme 2020*, the proposal would have been deemed Nature-Based Tourism attracting Impact (Inconsistent) assessment, whereas under the *Beautesert Shire Planning Scheme 2007* the application would attract Impact (Consistent) assessment.

On 29 April 2020, Council approved a request to apply under a superseded planning scheme (*Beautesert Shire Planning Scheme 2007*). This approval formed the basis of the current application for Tourist Cabins and ancillary structures.

Proposal

The proposed development includes a total of 11 cabins comprising five different designs. The applicant asserts that the designs assist to provide variation in the built form when viewed from within the site and external properties and provides a variety of cabin options for guests.

All cabins have been designed to ensure at least one bedroom and bathroom and the main living space is accessible by Persons with Disabilities (PWD). Those rooms not PWD accessible are intended to be occupied by carers or family members.

A communal recreation facility exclusively for the use of guests is located toward the centre of the site and is to be constructed into the hillside, with the natural topography and subsequent landscaping/green roofs. The communal facilities include a wellness centre comprising sauna, steam room and massage suites; a gym; horizon edge pool; games room and a mix of indoor and outdoor breakout and barbeque spaces.

The proposed cabins are all two - three storeys in height in accordance with the planning scheme definition for building height due to the positioning of an enclosed services/water tank storage room beneath each cabin.

Figure 1: Proposed building heights

Cabin No.	Cabin Type	Height (storeys)	Overall Height (metres above NGL)	Overall Height (metres above future GL)
1	B	2	8.7m	8.7m
2	B	2	8.4m	8.4m
3	B	2	9.0m	9.0m
4	B	3	11.1m	9.6m
5	D	3	9.3m	9.3m
6	F	2	9.5m	8.4m
7	F	2	10.4m	9.4m
8	C	2	10.5m	10.5m
9	E	2	9.4m	8.8m
10	D	3	11.9m	10.5m
11	C	2	8.99m	8.99m

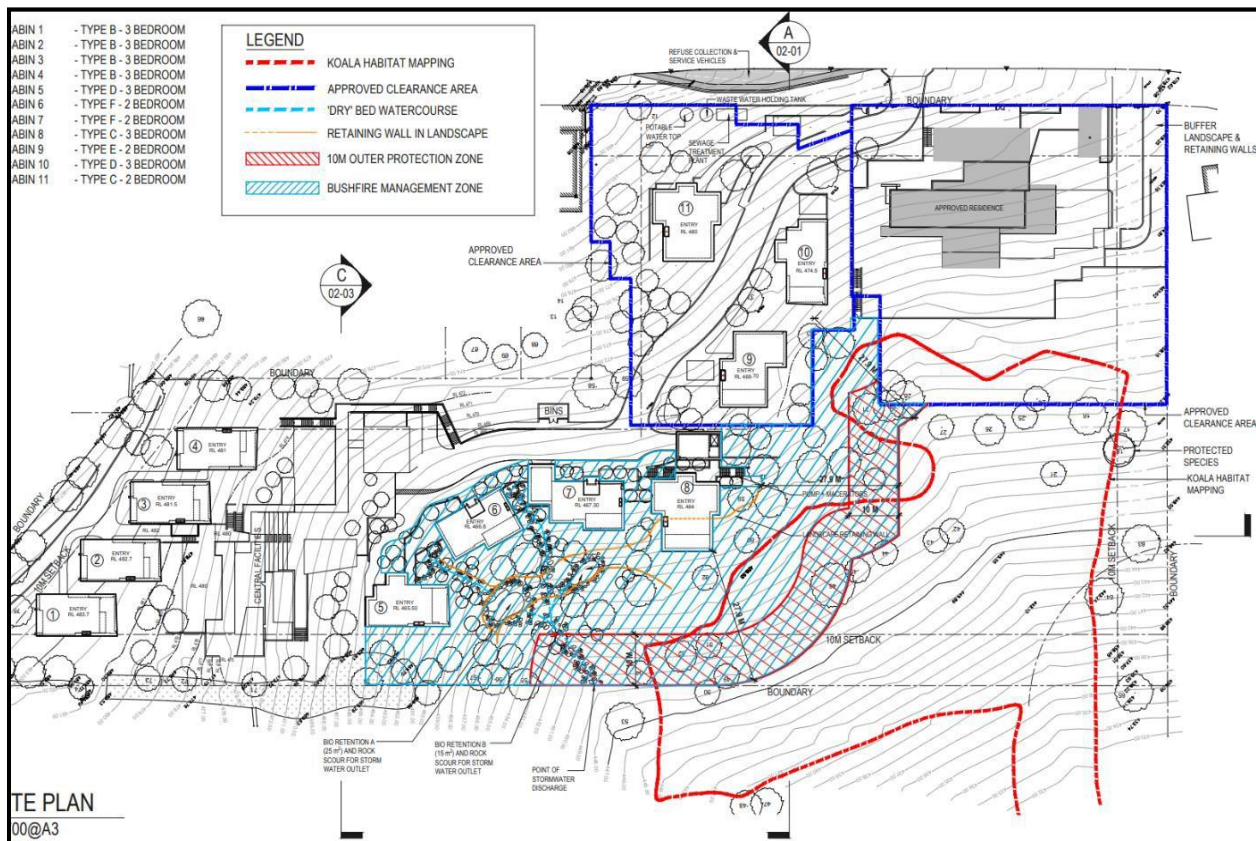


Figure 2: Proposed site plan

SITE COVER					GFA				
S.NO.	NAME	SITE COVER (m ²)	NO. OF UNITS	TOTAL SITE COVER (m ²)	S.NO.	NAME	GFA (m ²)	NO. OF UNITS	TOTAL GFA (m ²)
1.	TYPE B (CABINS 1,2,3 & 4)	131.96	4	527.84	1.	TYPE B (CABINS 1,2,3 & 4)	188.92	4	755.68
2.	TYPE C (CABIN 8 - 3 BEDROOM)	170.53	1	170.53	2.	TYPE C (CABIN 8 - 3 BEDROOM)	196.76	1	196.76
3.	TYPE C (CABIN 11 - 2 BEDROOM)	170.53	1	170.53	3.	TYPE C (CABIN 11 - 2 BEDROOM)	190.80	1	190.80
4.	TYPE D (CABINS 5 & 10)	143.29	2	286.58	4.	TYPE D (CABINS 5 & 10)	192.94	2	385.88
5.	TYPE E (CABIN 9)	154.00	1	154.00	5.	TYPE E (CABIN 9)	159.53	1	159.53
6.	TYPE F (CABINS 6 & 7)	137.36	2	274.72	6.	TYPE F (CABINS 6 & 7)	148.72	2	297.44
CABINS TOTAL			11	1,584.2	CABINS TOTAL			11	1986.09
7.	CENTRAL FACILITIES	761.23	1	761.23	7.	CENTRAL FACILITIES			
TOTAL SITE COVER				2,345.43	CAR PARK				109.20
SITE AREA				19,961.95	MASSAGE ROOM				57.23
TOTAL SITE COVER %				11.75 %	WELLNESS CENTRE				61.56
8.	APPROVED HOUSE	771.2	1	771.2	GYM				37.87
TOTAL SITE COVER INCLUDING HOUSE				3,116.63	CLUB HOUSE				96.50
TOTAL SITE COVER % INCLUDING HOUSE				15.61 %	CENTRAL FACILITIES TOTAL				362.36
					8.	APPROVED HOUSE	1190.45	1	1190.45
					TOTAL GFA INCLUDING HOUSE				3,538.90

Figure 3: Proposed site coverage

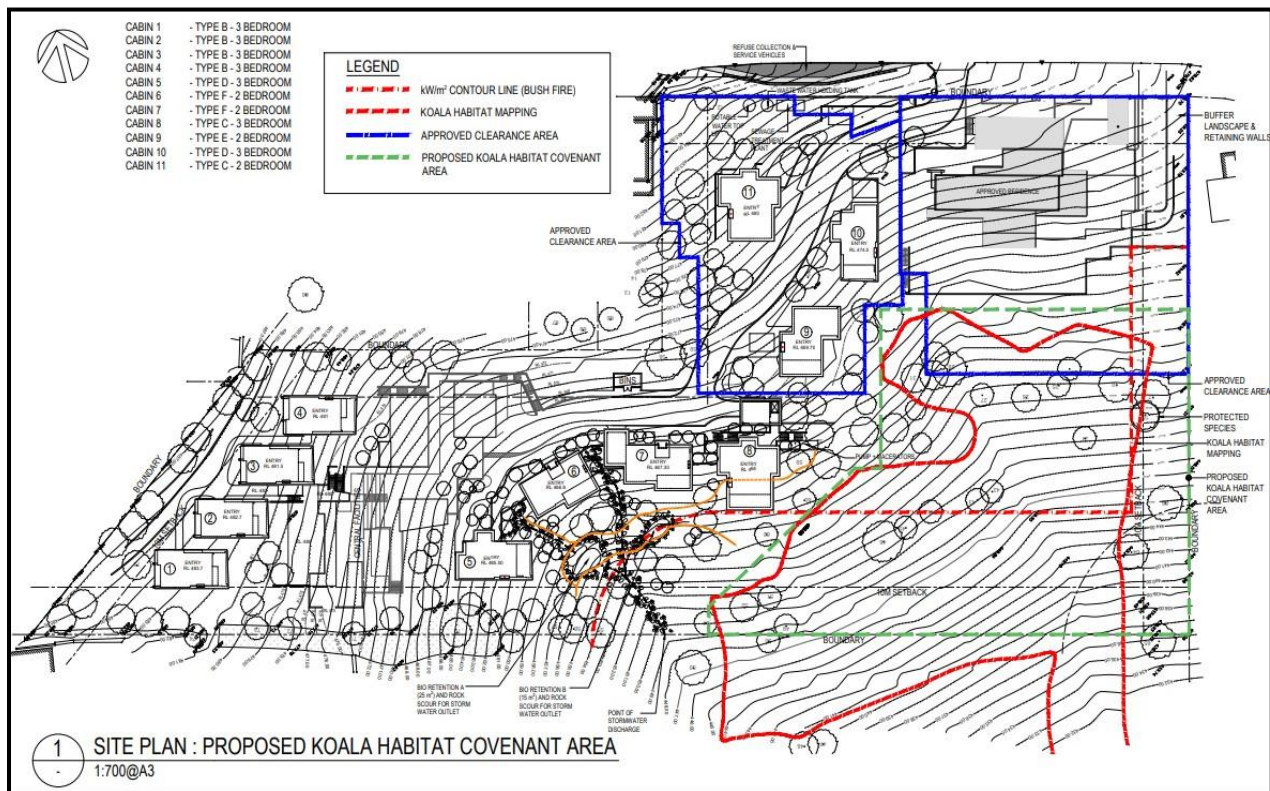


Figure 4: Proposed Koala habitat covenant

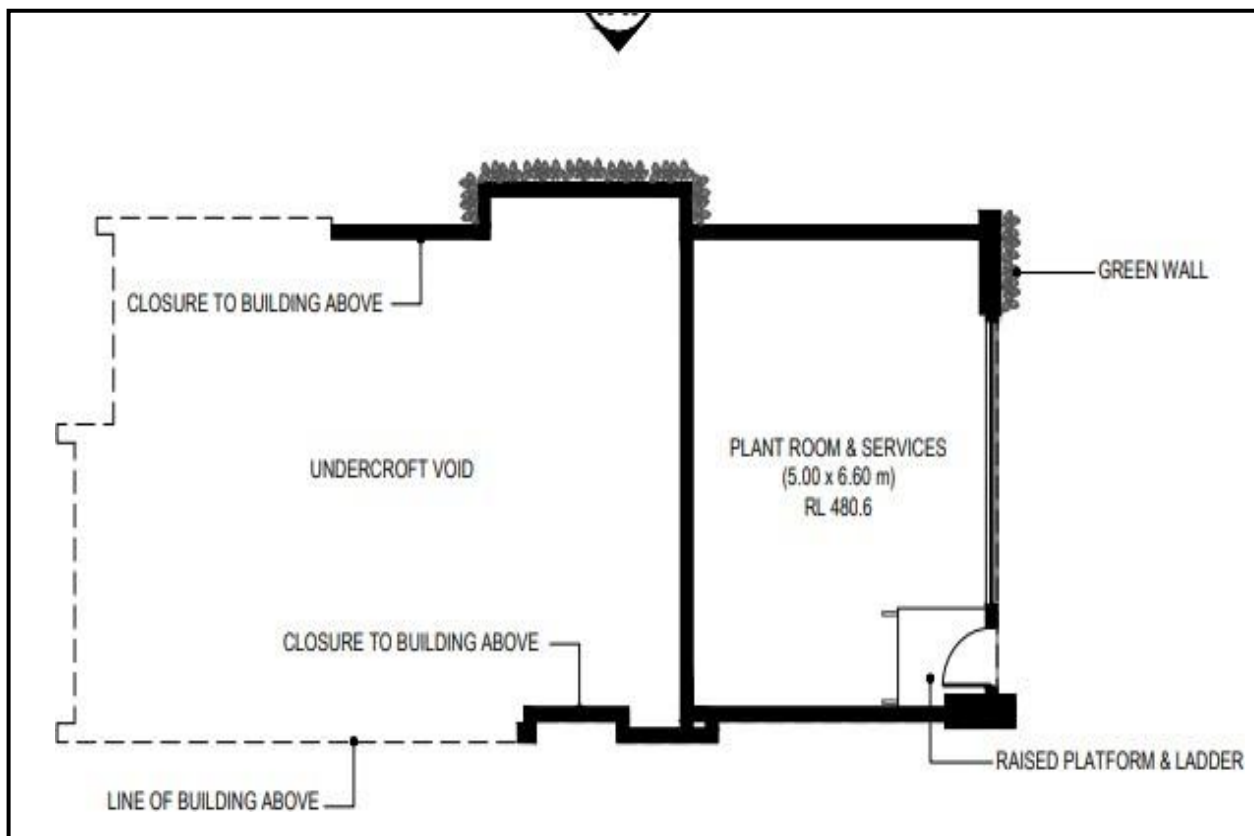


Figure 5: Proposed Cabin 1 design – Undercroft space

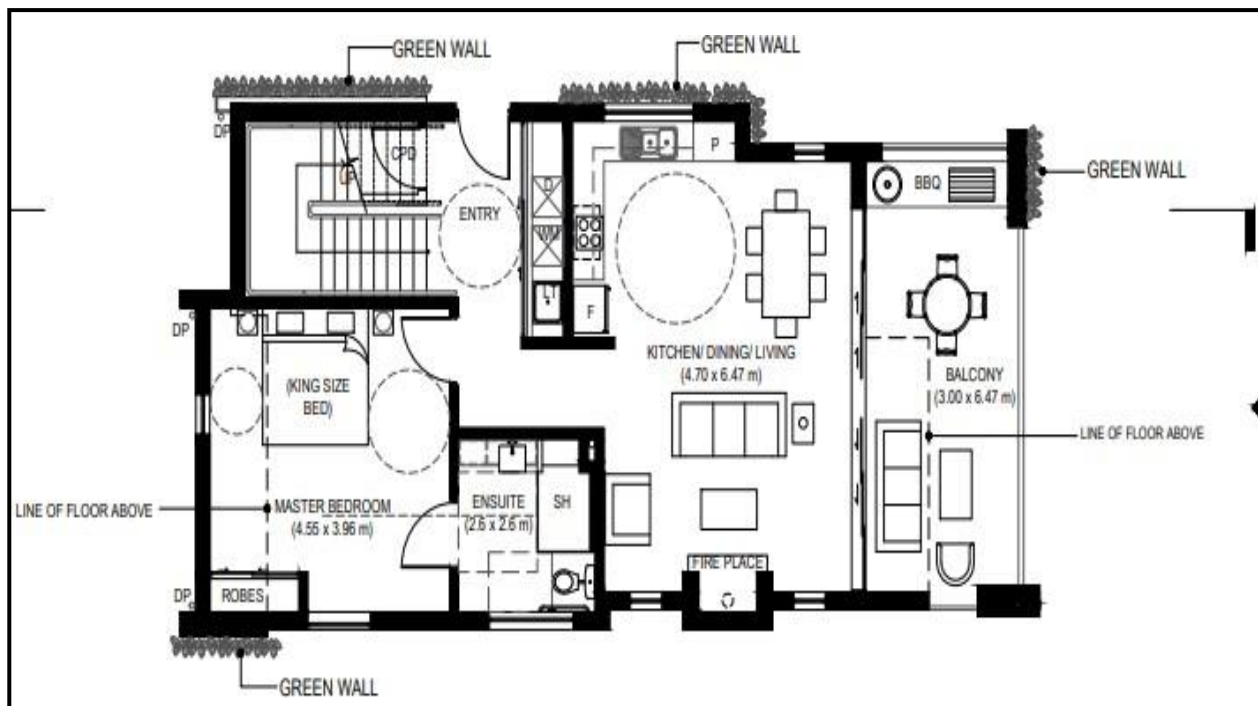


Figure 6: Proposed Cabin 1 design – Ground floor plan

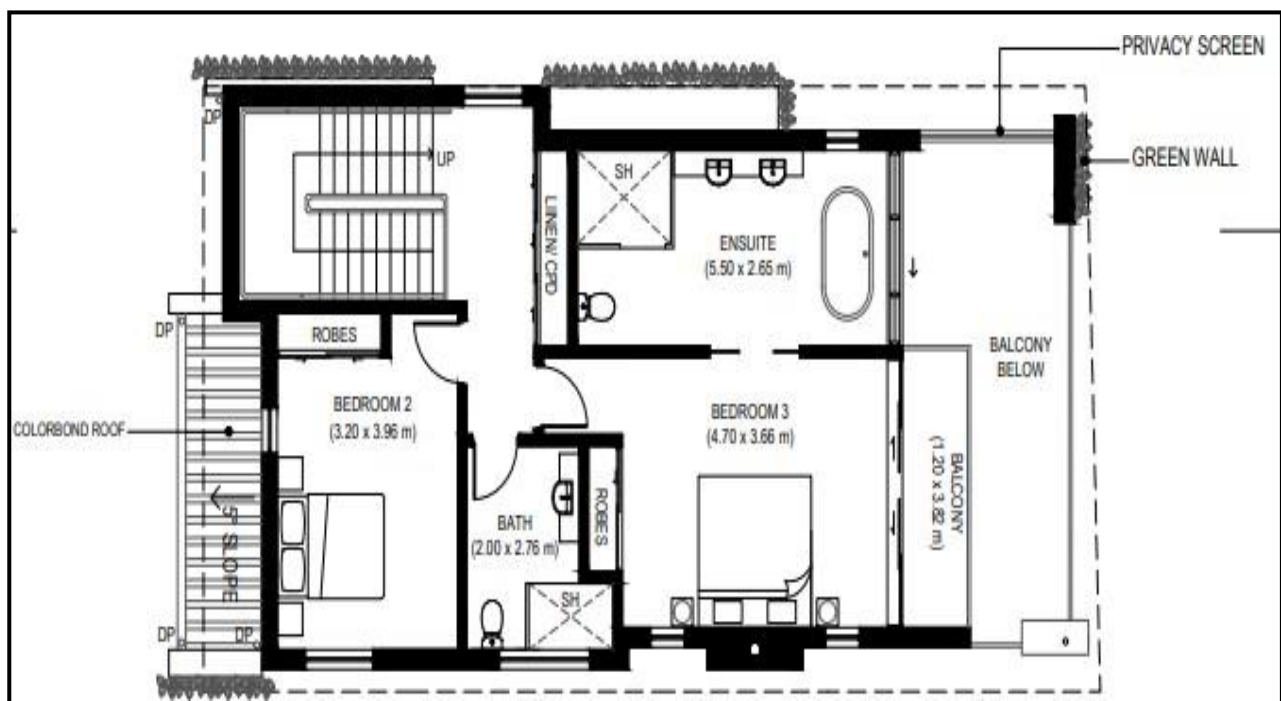


Figure 7: Proposed Cabin 1 design – First floor plan

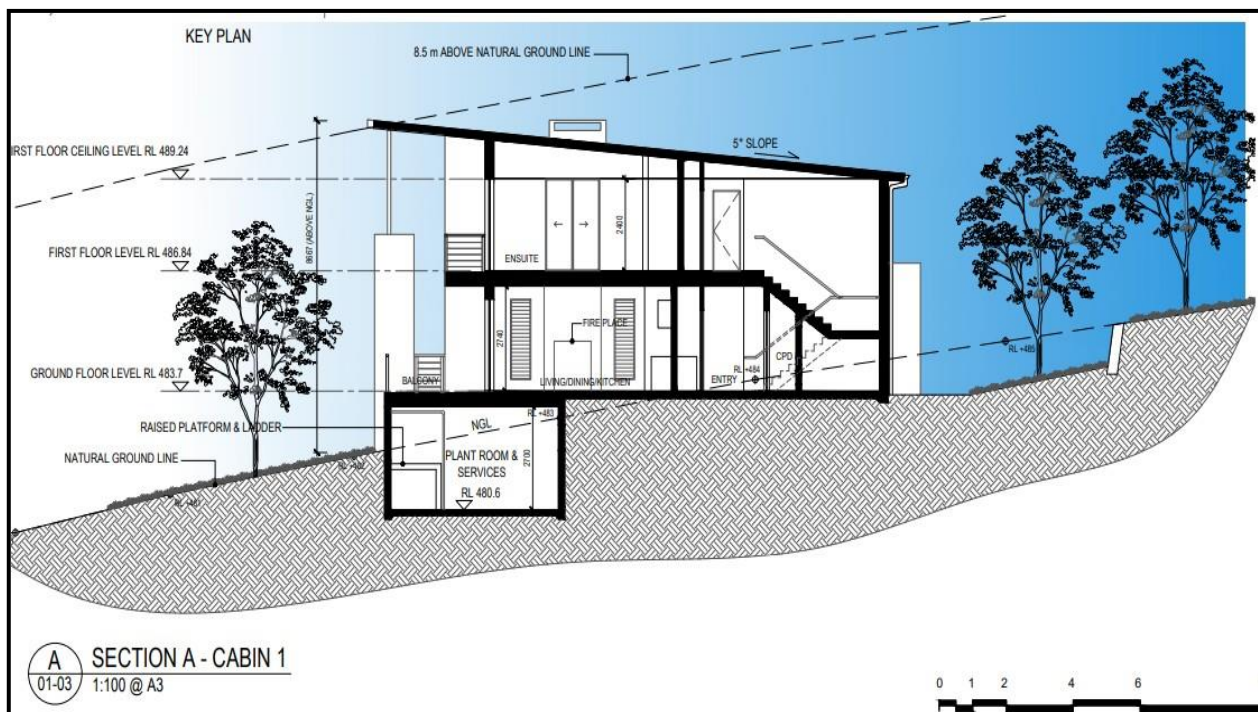


Figure 8: Proposed Cabin 1 design – Section

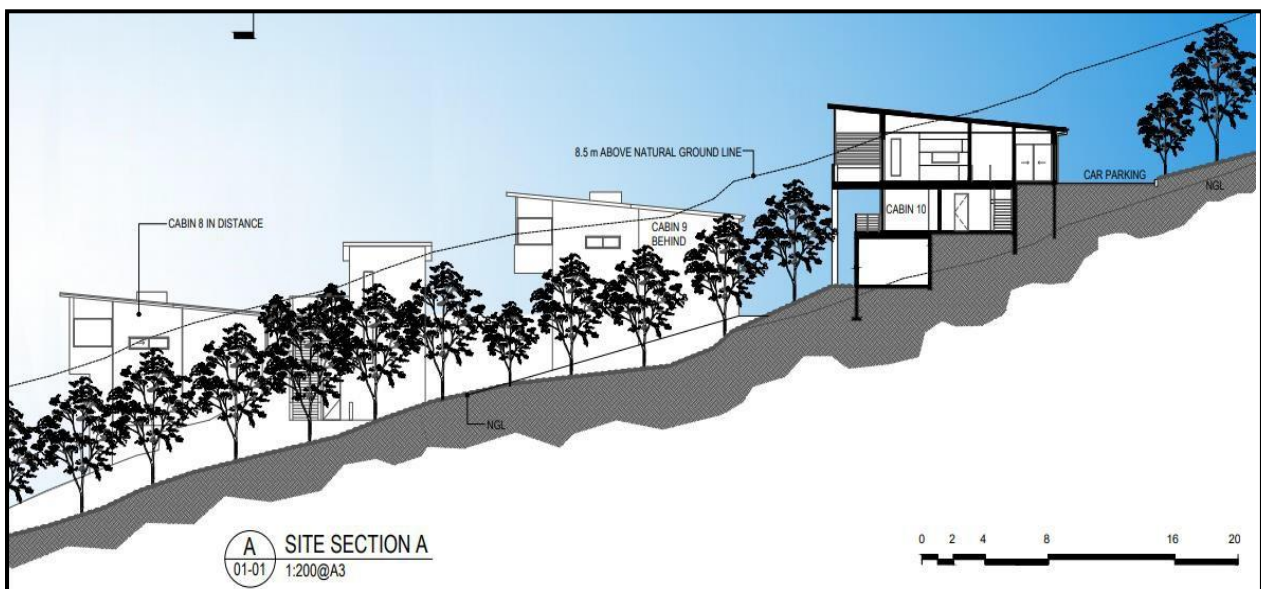
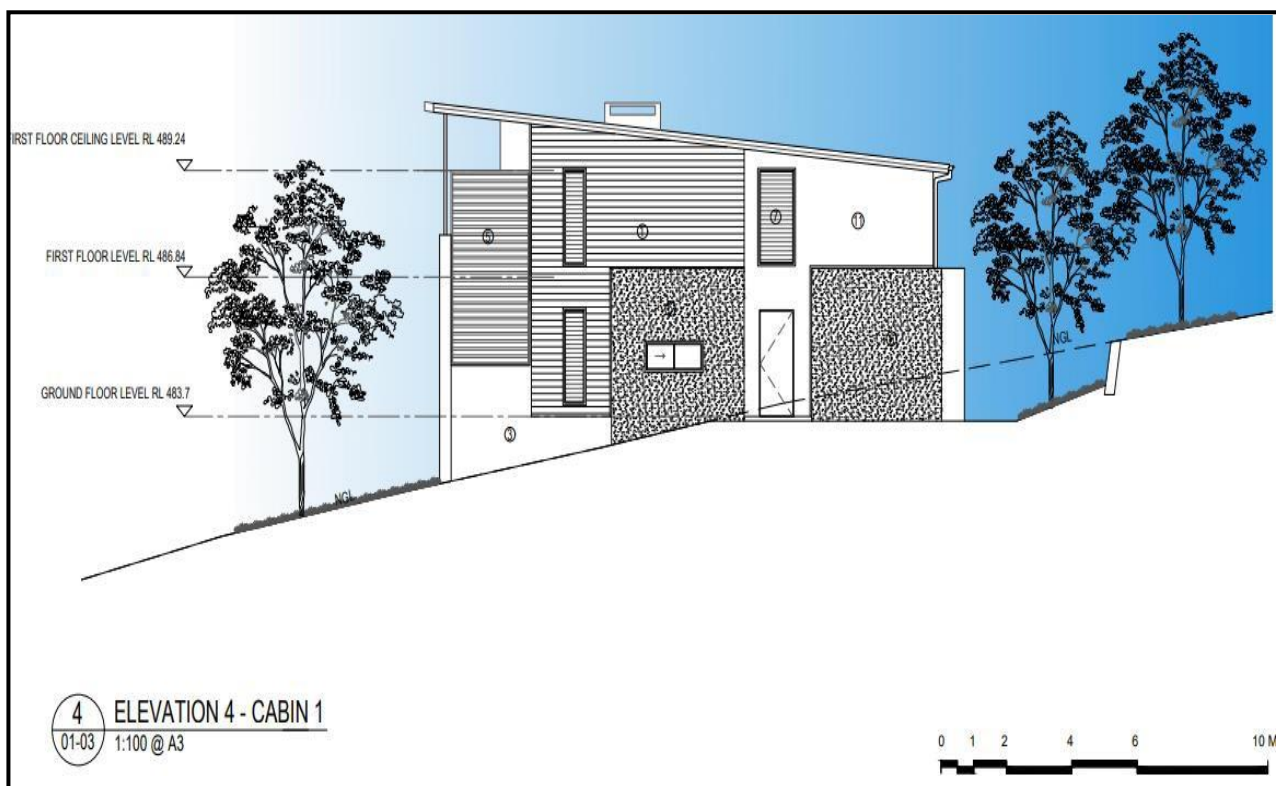
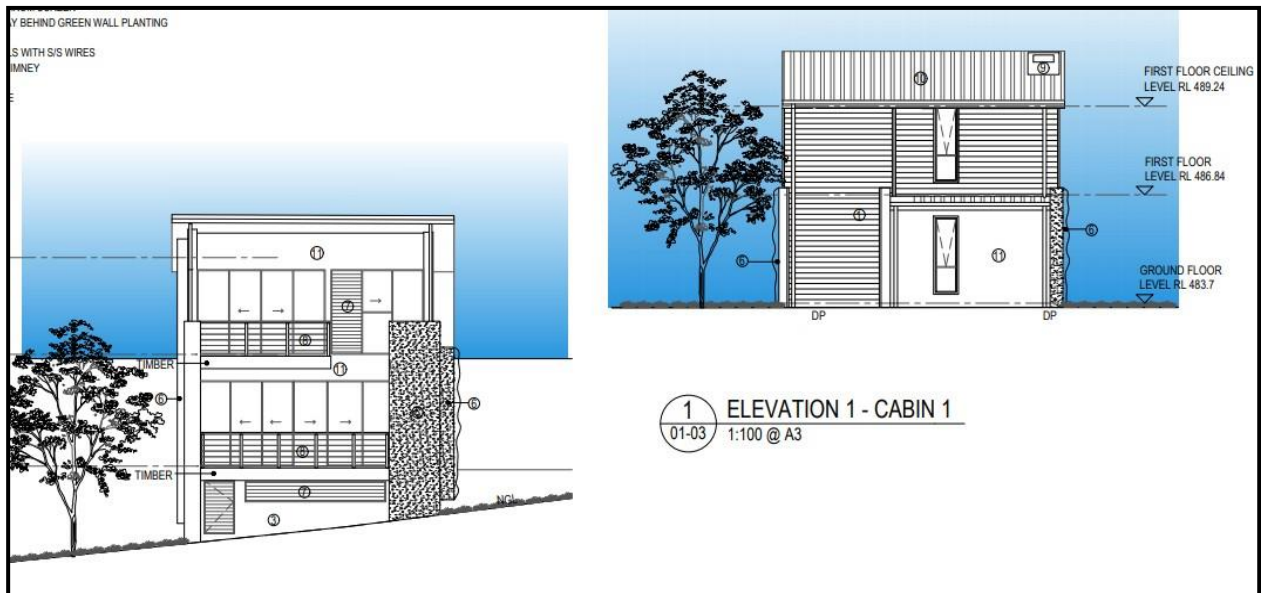


Figure 9: Proposed Cabin 1 design – Section with Natural Ground Level (NGL)



Please refer to architectural plans prepared by BXL Design dated December 2020 to see each variation of cabin design.

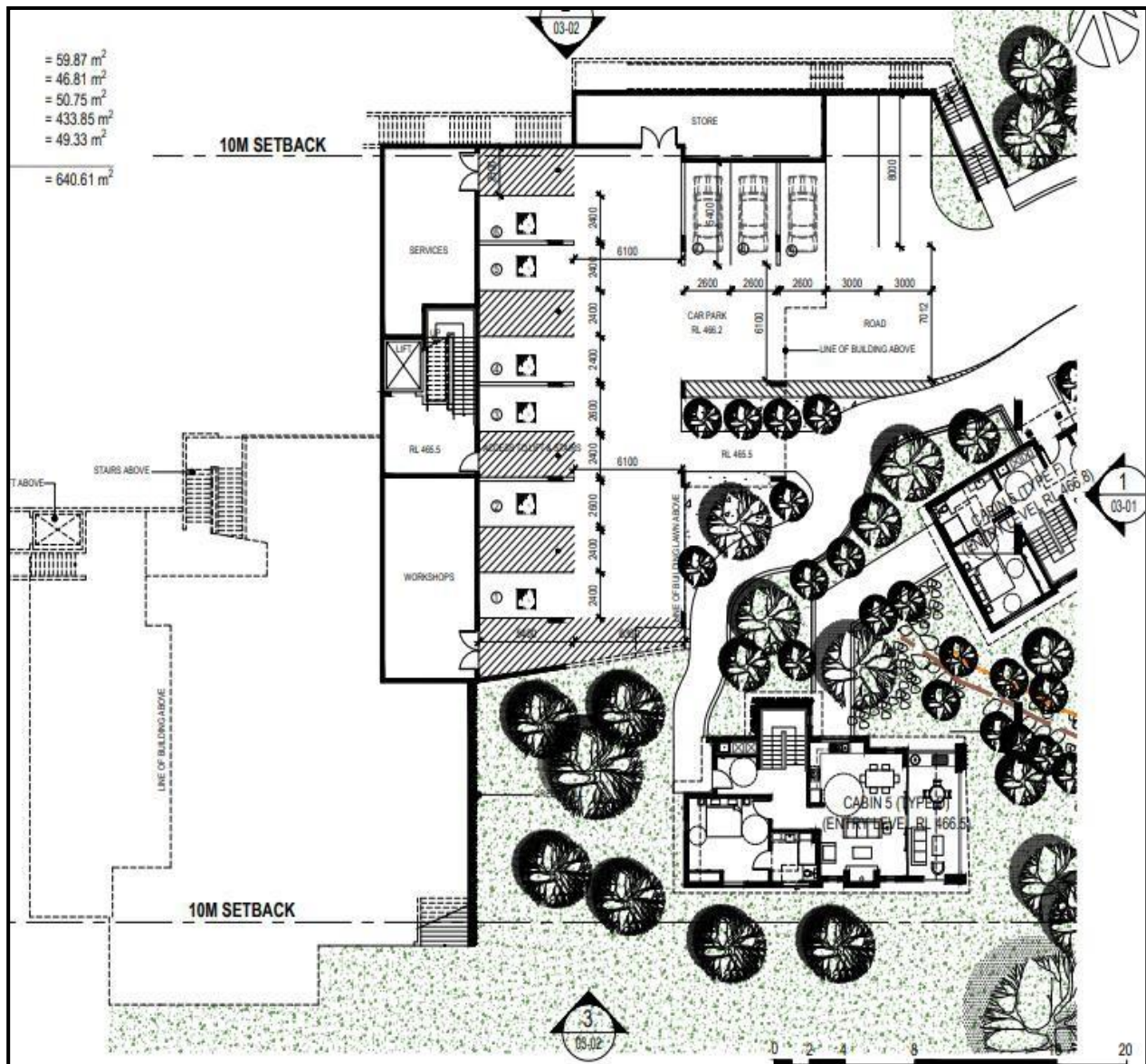


Figure 12: Proposed wellness facility design – Car park level

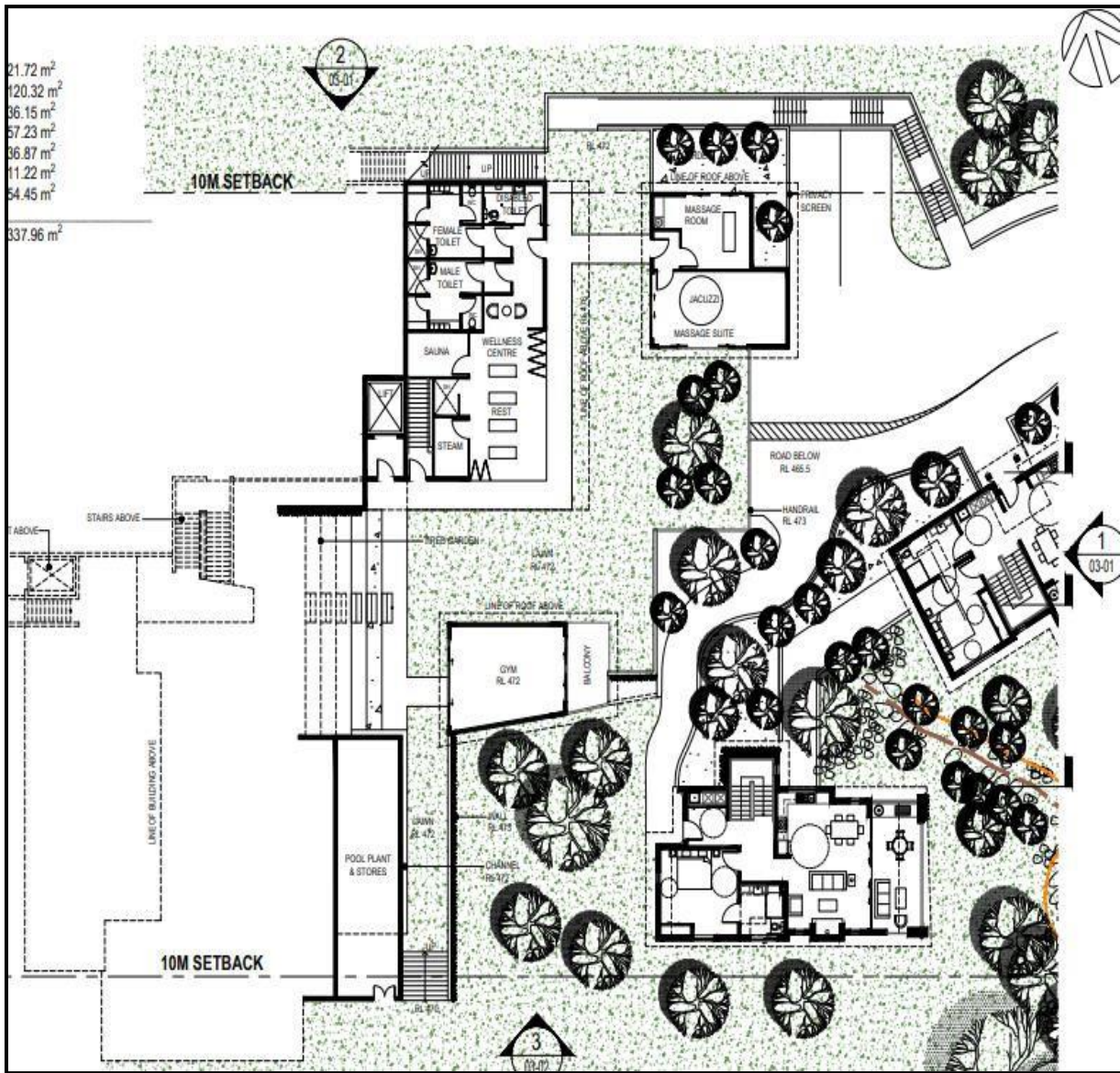


Figure 13: Proposed wellness facility design – Wellness level

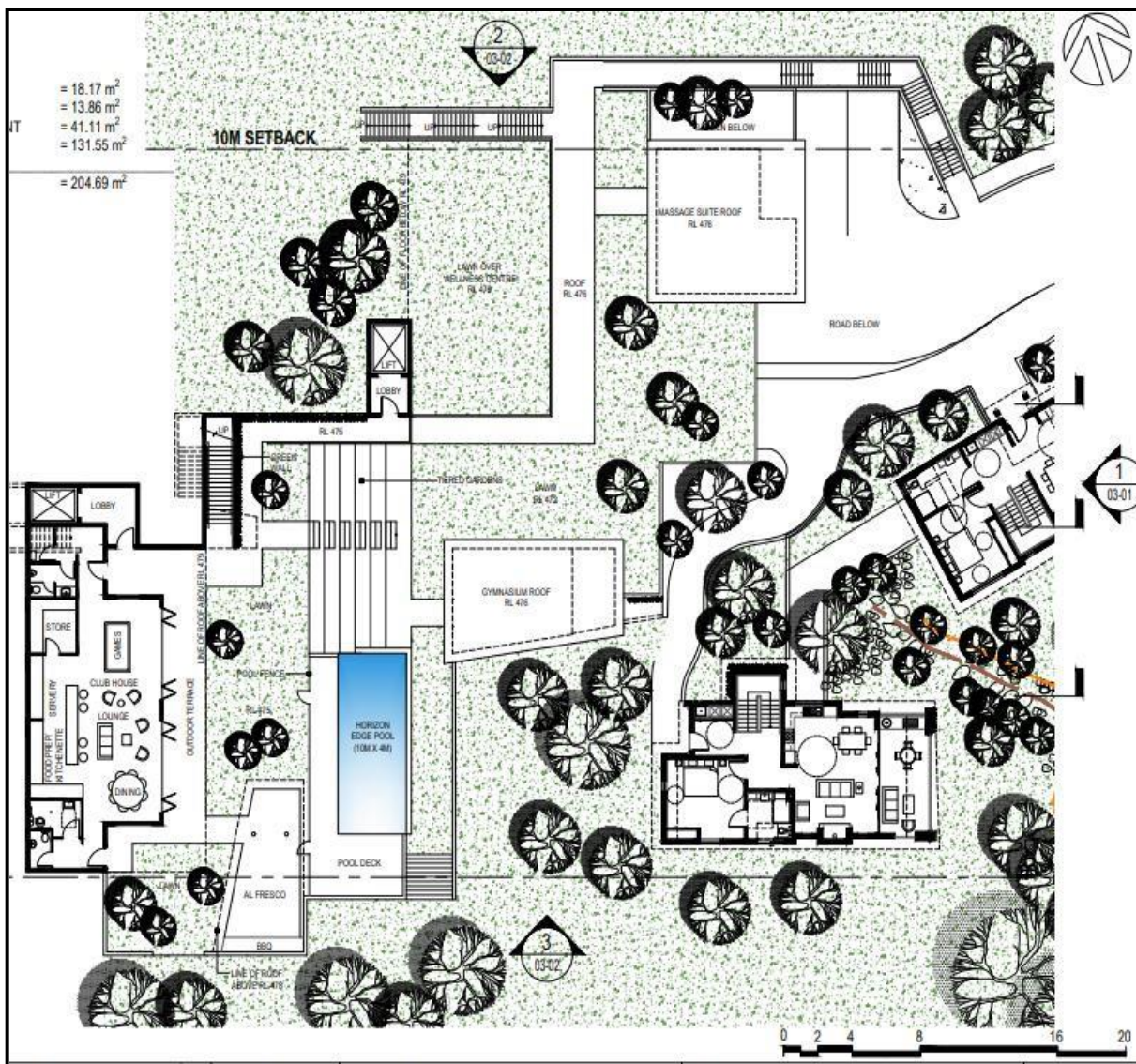


Figure 14: Proposed wellness facility design – Clubhouse level

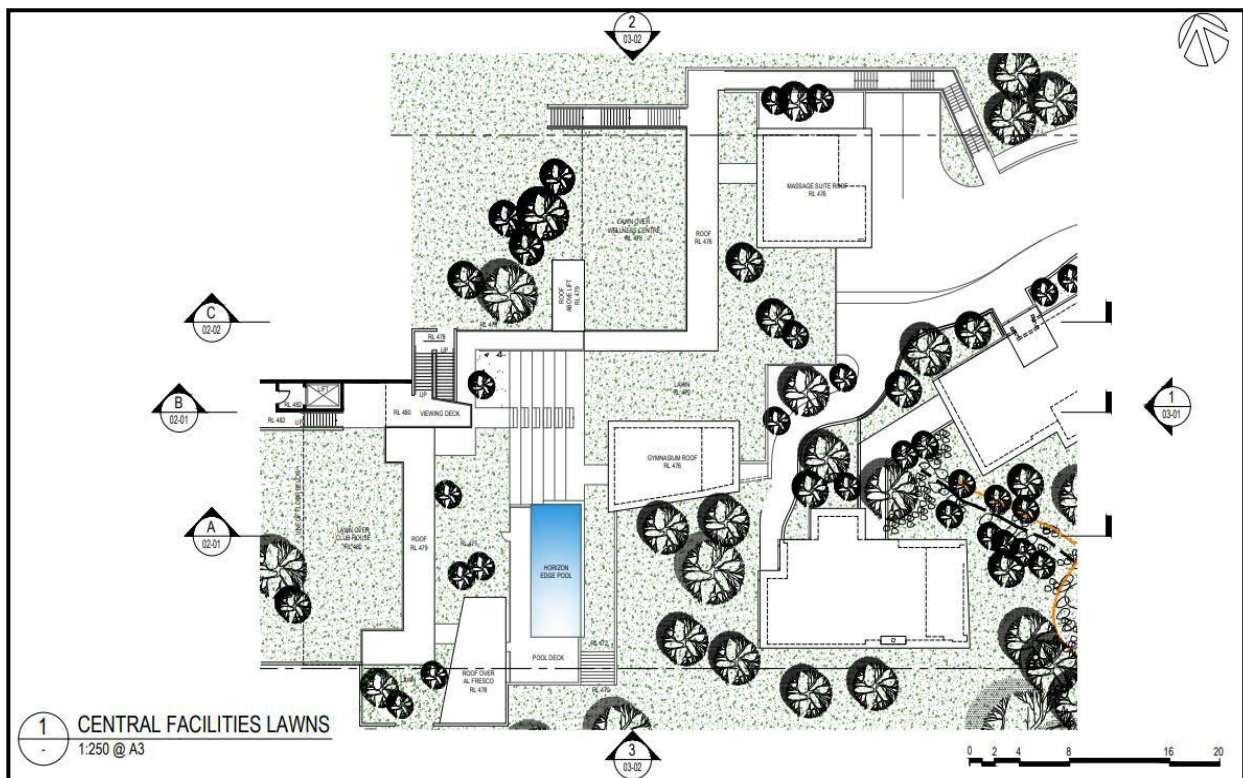


Figure 15: Proposed wellness facility design – Central Facilities lawns and green roof

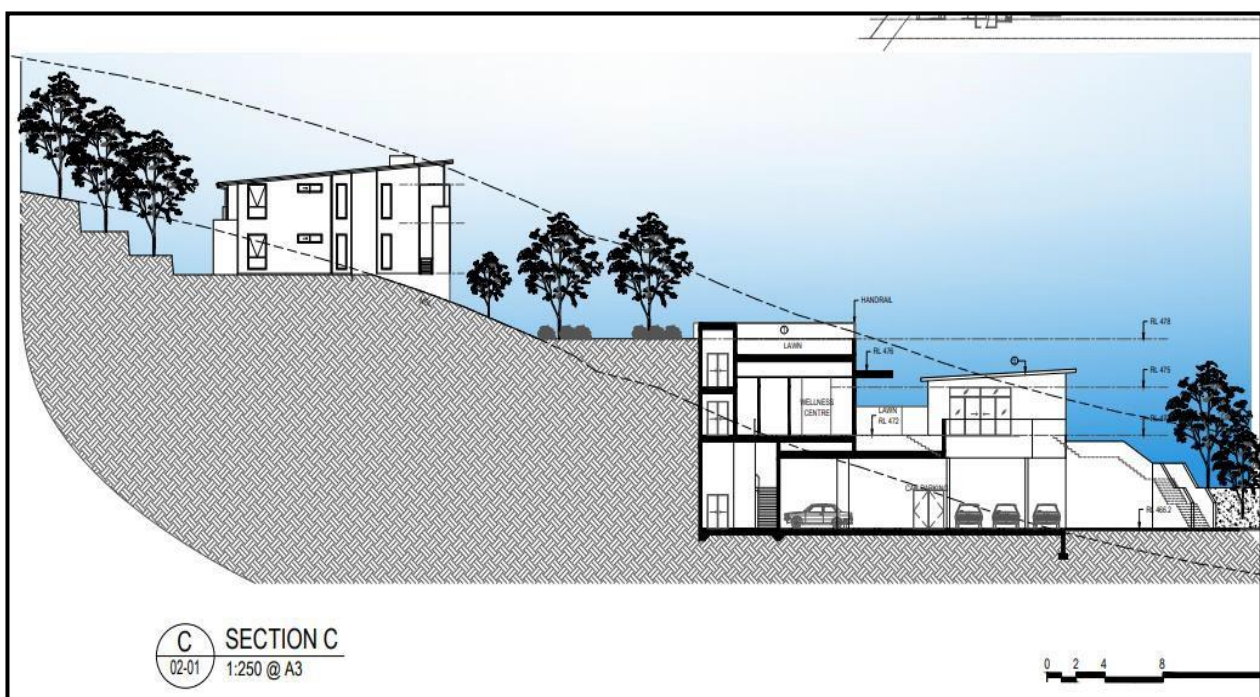


Figure 16: Proposed central facilities – Section with Natural Ground Level (NGL)

A detailed Landscape Plan has been provided including a detailed species list, specifications of the size and type of plants proposed for the site.

In general, the proposed landscape design seeks to create continuity between the subject site and the natural rainforest vegetated corridor, which extends down the Tamborine Mountain escarpment.

The applicant proposes the use of Water Sensitive Urban Design (WSUD) plant species along the established riparian vegetation areas, Koala Habitat trees along the proposed Koala Habitat covenant area, and natural materials for boardwalks and seating. Medium canopied trees and shrubs/groundcovers are proposed across the boundaries of the site reflective of the landscaping palette and style on adjoining residential properties.

See figures 17-20.

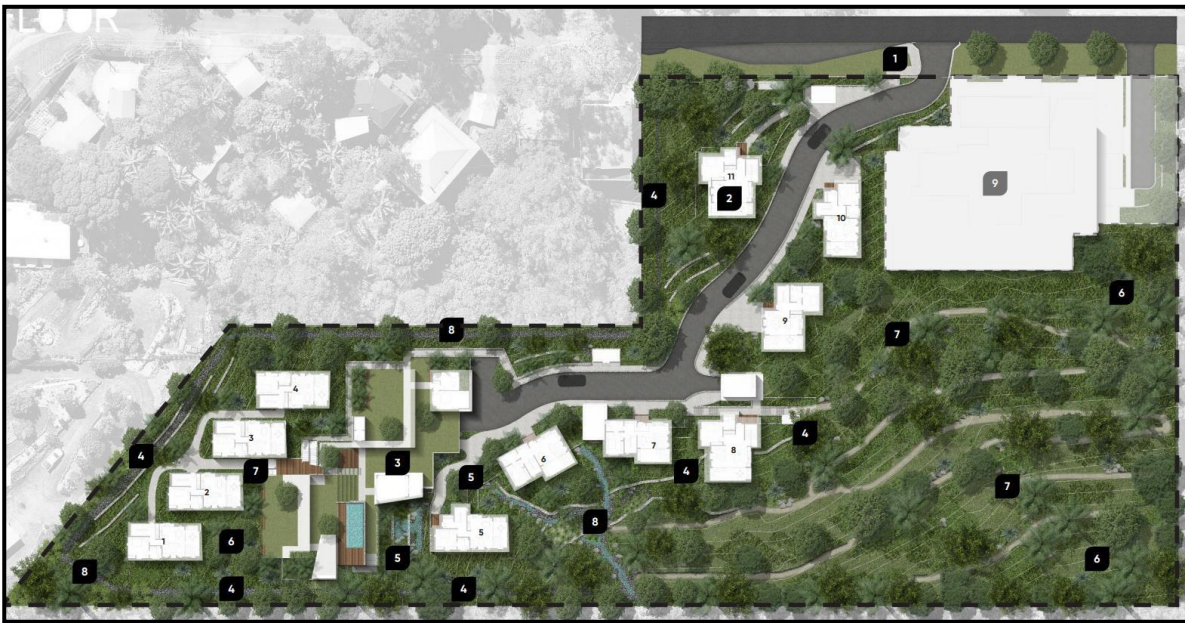


Figure 17: Proposed Landscape Site Plan

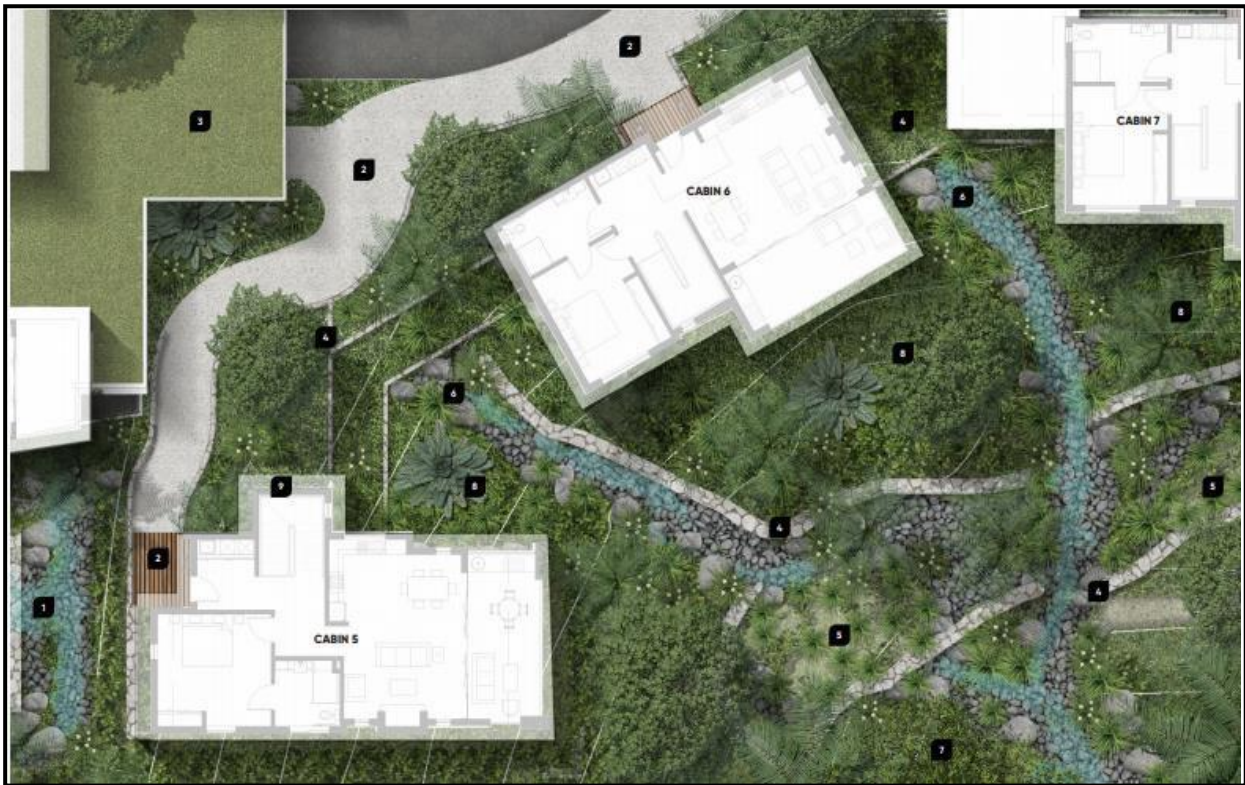


Figure 18: Proposed water features and site stormwater design



Figure 19: Proposed central facilities 'greening'.



Figure 20: Proposed cabins open space section.

Site Visit Evaluation

Two separate site inspections were undertaken during the assessment of the proposal, with on one occasion including the property owner. During site inspections, it was evident that the subject site is very steep, adjoins multiple residential properties and incorporates existing Koala Habitat and waterways towards the Southern boundary.

Site access and waste collection is gained from Eagles Retreat Place.

A site assessment was undertaken to ascertain the perspective view points from adjoining uphill residential properties along the western boundary. Given the slope of the land, the closest adjoining property owners would see a minimum of a 10m drop in slope between the ground level of their homes, and the boundary of 1-11 Eagles Retreat Place. Refer to Figure 21.

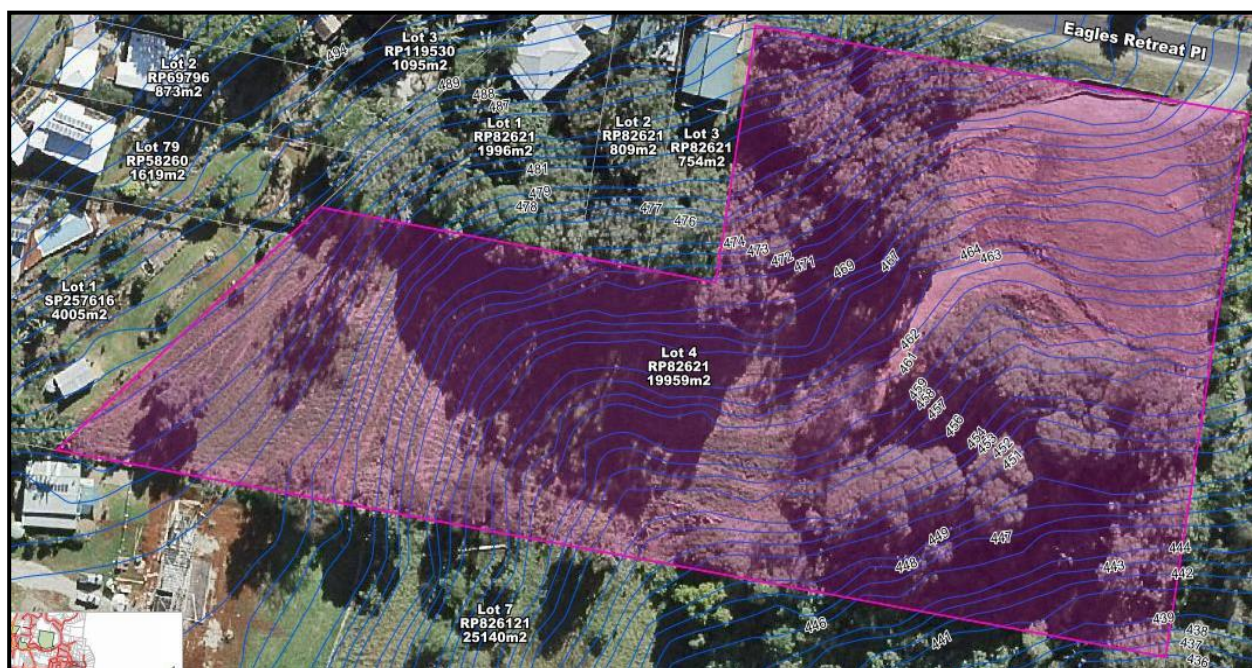


Figure 21: Site contours (1m spacing)

All residential structures along the western boundary utilise stilted construction techniques in response to the steep slope of the land.

It is noted that the rear elevation of all cabins would present as a single storey sitting at a height approximately level to, or up to 1 metre below the existing level at the site boundary based on the proposed roof levels and existing ground levels identified on the site survey. This allows the primary view corridors (ie. views to the east) of the adjoining properties to the west, to remain largely unobstructed. However, it is also noted that cabins 9-11 would face side-on from houses to the west, displaying the full three storey height, ie. large bulk and scale.

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:

- *Planning Regulation 2017*
- Planning Scheme for the local government area
- any Temporary Local Planning Instrument, and
- any Variation Approval

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

Assessment Benchmarks Pertaining to the *Planning Regulation 2017*

The following Assessment Benchmarks from the *Planning Regulation 2017* are applicable to this application:

PLANNING REGULATION 2017 DETAILS	
Assessment Benchmarks:	<p>Development in a Koala Habitat Area (Schedule 11) SDAPSO25</p> <p>And;</p> <p>ShapingSEQ South East Queensland Regional Plan 2017</p> <p>The site is located within the Very High Potential Bushfirearea within the State Government's Interactive Mapping.</p> <p>The applicant has submitted a Bushfire Management Plan prepared by Land and Environment Consultants dated February 2021. The management plan prescribes actions the land owner must make when the threat level exceeds 'Extreme'.</p>
ShapingSEQ South East Queensland Regional Plan 2017 Designation:	Regional Landscape and Rural Production Area

State Planning Policy (SPP)

In the case of the Beaudesert Shire Planning Scheme 2007, only the state interests associated with the former SPP 1/92 and SPP 1/03 have been integrated into the scheme. With the commencement of the *Planning Act 2016* on 3 July 2017 and associated introduction of the July 2017 version of the SPP, the Beaudesert Shire Planning Scheme 2007 had not been updated to reflect the latest state interests.

The relevance of the current State Planning Policy is summarised in the table below, with a more detailed assessment following, where a particular State Interest applies to the application. See table 1 below.

Table 1: State Planning Policy

State Interest	Applicable	Comment
Housing supply and diversity	N/A	This interest does not apply to the proposed development.
Liveable communities	Applies	The proposed development has been designed to encapsulate high quality urban design treatments typical with large scale development. The proposed tourist cabins have been designed to reflect the scale and character of nearby residential dwellings, rather than tourist cabins.
Agriculture	N/A	This interest does not apply to the proposed development.
Development and construction	N/A	This interest does not apply to the proposed development.
Mining and extractive resources	N/A	This site is not in or near a Key Resource Area (KRA), therefore it does not apply.
Tourism	Applies	Council acknowledges that the State Planning Policy in this instance does not provide assessment benchmarks. However, tourism operations on Tamborine Mountain are designed to complement historical cottage tourist facilities, maintaining low impact character.
Biodiversity	Applies	Whilst the SPP does not provide any assessment benchmarks, it is noted the site is heavily constrained by mapped state significant vegetation and Core Koala Habitat. Subsequently, the application was referred to the State Assessment Referral Agency for interfering with Koala Habitat.
Coastal Environment	N/A	The site is not in a coastal environment.
Cultural Heritage	N/A	The site does not adjoin or is not in proximity to a site of cultural heritage significance. Therefore, this interest does not apply.
Water Quality	Applies	Stormwater quality and quantity is addressed in the Stormwater Management Plan accompanying the application
Emissions and hazardous activities	N/A	The development does not involve a use associated with emissions and hazardous activities; therefore, this interest does not apply

State Interest	Applicable	Comment
Natural hazards, risk and resilience	Applies	The SPP mapping identifies the site as being within a very high bushfire hazard area and potential impact buffer, which precedes Council's Bushfire Overlay mapping. As the SPP takes primacy over Council's Planning Scheme, a Bushfire Management Plan addressing the requirements of the SPP has been prepared and accompanies the application.
Energy and water supply	N/A	This interest does not apply to the proposed development.
Infrastructure integration	N/A	This interest does not apply to the proposed development.
Transport infrastructure	N/A	This interest does not apply to the proposed development.
Strategic airports and aviation facilities	N/A	This interest does not apply to the proposed development.
Strategic ports	N/A	This interest does not apply to the proposed development.

ShapingSEQ South East Queensland Regional Plan 2017

The development site is located within the Regional Landscape and Rural Production Area of South East Queensland Regional Plan 2009-2031 (SEQRP). The development is below the threshold set by the SEQRP for referral to the State Government for assessment. The proposed development has a tourism focus and is consistent with the intended scale of development outside of the areas designated as Urban Footprint. The use is consistent with the principles and policies of the SEQRP.

Assessment Benchmarks Pertaining to the Planning Scheme

The applicable planning scheme for the application is *Beautesert Shire Planning Scheme 2007*. The following sections relate to the provisions of the Planning Scheme.

Planning Scheme:	<i>Beautesert Shire Planning Scheme 2007</i>
Zone:	Tamborine Mountain Zone – Escarpment Precinct
Consistent/Inconsistent Use:	Consistent
Assessment Benchmarks:	<ul style="list-style-type: none"> • Desired Environmental Outcomes • Tamborine Mountain Zone Code • Tourist Facility Code • Tourist Cabin Code • Food Establishment/ Reception Centre Code • Infrastructure Overlay Code • Nature Conservation Overlay Code • Development Constraints Overlay Code • Catchment Management, Wetlands and Waterways Overlay Code • Construction and Infrastructure Code • Landscape Code • Parking and Servicing Code

Planning Scheme Codes

The application has been assessed against each of the applicable codes and found to be non-compliant with each. The pertinent issues arising out of assessment against the codes are discussed below:

Local Strategies for the Tamborine Mountain Zone

Local Strategies for the Tamborine Mountain Zone provides that:

- 1) *The scenic and environmental values of the Tamborine Mountain Zone are protected.*
 - The material submitted in support of the application does not demonstrate that the development of the subject property for eleven (11) Tourist Cabins will not compromise the achievement of the above Desired Environmental Outcome. In this regard, the bulk and scale of the proposed development is not consistent with the scenic values of the Tamborine Mountain Zone Code.
- 3) *Development for tourism-related uses is —*
 - a. *consolidated in existing tourism clusters; and*
 - b. *dispersed within the rural residential and rural areas; and*
 - c. *designed and managed to protect and enhance the character, natural environmental values and amenity of the Tamborine Mountain Zone.*
 - While the development will by its nature promote tourism, it has not been located to benefit from existing tourism clusters, and instead introduces commercial impacts to the character of the residential dwellings within the Eagles Retreat Place of Tamborine Mountain.

- 6) *Buildings are located to preserve views and building height is controlled to preserve the landscape character of the Tamborine Mountain Zone.*
- The material submitted in support of the application does not enable a determination to be made that the development of the subject property for eleven (11) Tourist Cabins will not compromise the achievement of the above Desired Environmental Outcome. In this regard, there are concerns that the tourist cabins are designed to maximise views within the view corridor to the east (Gold Coast), with building heights above the described limit typically found within the Tamborine Mountain Zone.
- 9) *Development in the Tamborine Mountain Zone is located, designed and managed to protect areas of conservation significance, avoid steep escarpment and slope stability hazards and have regard to the availability of an adequate water supply and the capacity of land for effective effluent disposal.*
- The development of the subject property for eleven (11) Tourist Cabins will compromise the achievement of the above Desired Environmental Outcome in that the tourist cabins have been located in steep escarpment and slope stability hazard areas.

Overall Outcomes for the Tamborine Mountain Zone

It is considered that the proposed development is in conflict with Overall Outcomes OO1, OO2, OO4, OO6, OO7, OO25, OO29, OO52 and OO58 of the Tamborine Mountain Zone Code. See below:

- OO1** *Development is ecologically sustainable and is designed and located to protect and complement the existing natural environment, semi-rural character and scenic amenity values of Tamborine Mountain*
- Whilst it is acknowledged that significant effort has been made in the design and locations of the cabins, Council considers that the tourist cabins do not protect and complement the semi-rural character and scenic amenity values of Tamborine Mountain given that they range between 2-3 storeys in height with significant bulk and scale.
- OO2** *Development provides that tourist activities are concentrated in recognised tourist areas or otherwise located so as not to adversely impact on the amenity of the area.*
- While the development will by its nature promote tourism, it has not been located to benefit from existing tourism clusters, and instead introduces commercial impacts to the character of the residential dwellings within the Eagles Retreat Place of Tamborine Mountain.
- OO4** *Development promotes a high standard of amenity compatible with the existing character.*
- Whilst it is acknowledged the development may promote an adequate standard of amenity within the curtilage of the site, it is considered not to be compatible with the existing character of the Tamborine Mountain community.
- OO6** *Development maintains and protects identified scenic amenity and semi-rural character values of Tamborine Mountain.*
- Refer to comments on OO1 above.

OO07 *Development provides for the establishment, conservation and enhancement of local character and the promotion of distinctive local identity and sense of place*

- The development does not promote the distinctive local identity and sense of place found within Tamborine Mountain, nor does it enhance the semi-rural local character.

OO25 *Development ensures that only compatible land use activity occurs in proximity to existing, proposed and future infrastructure facilities.*

- Refer to comments on OO2 above.

OO29 *Development has a positive impact on the landscape, scenic amenity and streetscape of Precincts within the Tamborine Mountain Zone and serves to reinforce community identity and cohesion.*

- The proposed development does not comply with OO29 because it is of a height, bulk and scale that unreasonably exceeds that contemplated by the planning scheme, the built form in the immediate area and the reasonable expectations of the community.

OO52 *Development within the **Escarpment Protection Precinct** is typified by low impact uses which protect and maintain the nature conservation, scenic amenity and landscape character values associated with the Tamborine Mountain escarpment.*

- Refer to comments on OO1 above.

OO58 *Development is at a scale, form and intensity which is intended for development in the Zone and is consistent with the reasonable expectations of residents of the Zone.*

- The development is far beyond the scale, form and intensity expected for Tourist Cabins within the Tamborine Mountain Zone. Structures range from 8.4m - 11.9m above Natural Ground Level, designed between 2 - 3 storeys. The Tamborine Mountain Zone seeks development that is 'low rise'.

The proposal does not comply with the following Acceptable Solutions and Performance Criteria of the Tamborine Mountain Zone Code:

Tamborine Mountain Zone Code			
Specific outcomes	Acceptable Solution	Compliance with Acceptable Solution	Compliance with Specific Outcomes
SO8 Development is low rise and has a visual bulk and architectural scale consistent with development on nearby land.	S8.1 Development ensures that the maximum height of buildings and structures is 8.5 metres above natural ground level.	No	No – refer below

SO11 Development ensures that a tourist accommodation use or a tourist retail use outside of the Business Precinct or Cottage Tourist Precinct protects and enhances the character of the area.	S11.1 Development ensures that a tourist accommodation use or a tourist retail use is separated by a distance of 200 metres from another lot containing an existing or approved tourist accommodation use or tourist retail use.	No	No – refer below
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Applicant's responses:

SO8

Some of the proposed tourist cabins exceed the designated building height of 8.5m above natural ground. It is important to mention that while the Planning Scheme seeks development within the Escarpment Precinct to be of a slope sensitive design, the Scheme makes no dispensation for the height requirements that typically go with such a design rationale (whether it be a stepped, cantilevered or a 'pole home' design). The Planning Scheme also does not offer a definition for 'low rise' built form.

As per the building height summary, the greatest height reached by any of the proposed cabins is 11.9m above natural ground level (cabin 10). The average height of all cabins above natural ground level is 9.9m.

Critical to this is the design of the tourist cabins, sitting below the street level to maintain the appearance of a low-intensity residential environment with only the previously approved house being directly visible from the street. Further, the proposed fencing treatment to the site will be a continuation of that previously approved for the house, with a mix of patterned blockwork, feature callouts and indented landscaping strips to provide a 'domestic' interface with the street, giving the appearance of a residential dwelling being located on the site.



Figure 22: Local built form from street view



Figure 23: Local built form from subject site

We note that Cabin 11 is positioned near the eastern boundary of the subject site; however, is setback by approximately 20m from the boundary and 37m downhill of the existing dwelling on the adjoining property to the east. Subsequently, the extensive landscape buffer provided between the cabin and boundary will assist to screen the built form. We also note that the primary view corridor of the adjoining dwelling is to the east over the coastline, with minimal views to the west or south-west. Additionally, any limited view of the proposed cabin from

This dwelling will not have a full appreciation of the overall height of the cabin, viewing it from the north-east where it will present as a one storey structure, sitting below the approved dwelling on the subject site.

Officer's assessment

SO8 *Development is low rise and has a visual bulk and architectural scale consistent with development on nearby land.*

- This particular non-compliance has been noted in submissions due to the perception of the visual bulk and scale of the proposed cabins, which has been assessed during the site visit evaluation. It is important to understand the distinction of slope sensitive design and building height when measured from natural ground level.
 - Given the steep sloping nature of the subject site, structures are likely to appear larger from ground level than they do from above.
 - Perception of visual bulk and scale is therefore subjective depending on from where it is viewed.
- However, the intent of the planning scheme is quite clear regarding the dispensation of low-rise construction in that it should respond to the natural environment whilst not detracting from the architectural scale of development (residential dwellings) on nearby land.
- Whilst it can be agreed that the tourist cabins mimic nearby development, Council cannot agree that there is a need or suitable justification for Tourist Cabins that range from 8.4 – 11.9m above Natural Ground Level.
 - In many cases, the proposed tourist cabins are larger than the surrounding residential dwellings.

- Council notes that the applicant's justification for 'larger cabins' stems from the *Liveable Housing Australia guideline for disability accommodation design* as justified in the Needs Assessment prepared by Foresight Partners Pty Ltd dated December 2020.
 - Despite all cabins being designed for people with disabilities, the Needs Assessment states that the primary use of the cabins is for 'respite care', and not Tourist Cabins.
 - Given that the applicant applied for Tourist Cabins, the justification for larger cabins appears flawed.
- Under the Building Code of Australia, Tourist Cabin developments require one in every four cabins to be designed against *Liveable Housing Australia guideline for disability accommodation design*.
 - Council could accept that several of the cabins are to be of a slightly larger visual bulk and scale than standardised cabins (*no disability requirements*) where built in accordance with *Liveable Housing Australia guideline for disability accommodation design*.
 - However, given that all cabins are of a significant bulk and architectural scale, and that the applicant has failed to demonstrate adequate justification, compliance with SO8 cannot be achieved.

Therefore, it is considered that the applicant has failed to adequately demonstrate that the development (tourist cabins) is low rise and has a visual bulk and architectural scale consistent with development on nearby land.

S11.1

The subject site is located within 200m of one existing tourist operation, namely the Tamborine Mountain B&B directly opposite the site, resulting in a noncompliance with both S11.1 and S23.1 of the Zone Code (see Figure 24). The proposed development is considered to have not achieved compliance with the corresponding Specific Outcomes as detailed below.

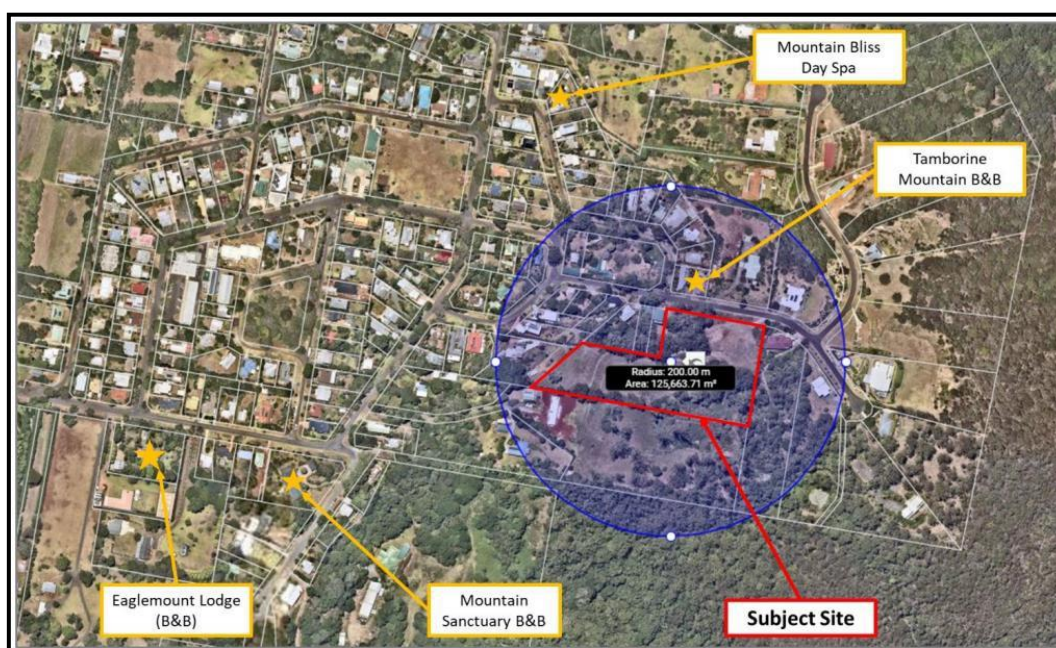


Figure 24: Surrounding tourist developments

Character

As discussed in detail, the proposed Tourist Cabin development is considered to reflect the established character of the locale by proposing a range of detached cabin typologies which integrate elements of the existing built form character. These elements include skillion roof forms, stone cladding, timber, rendered block work, and neutral colours.

Further, as the view of the proposed development from the street will be limited due to a combination of the proposed setbacks, landscaping and frontage fencing, it will not result in a dominant or overly visible development outcome from the public realm. The substantial setbacks to the property boundaries and design of the cabins also allow for the privacy of the adjoining properties to be maintained. It is noted that an acoustic report has been prepared and accompanies this submission and confirms that the development will not result in any noise impacts that would detract from the existing amenity of the area. Therefore, the proposed development is not anticipated to significantly detract from the established character of the area.

Officer's assessment

SO11 *Development ensures that a tourist accommodation use or a tourist retail use outside of the Business Precinct or Cottage Tourist Precinct protects and enhances the character of the area.*

- The proposed development is seen to introduce a bulk and scale that is not consistent with the semi-rural, residential amenity that residents of Eagle Retreats Place are accustomed too. The proposal has not demonstrated that the tourism use intends to protect and enhance the character of the area.

Specific Assessment Criteria for the Escarpment Protection Precinct of the Tamborine Mountain Zone

The proposal does not comply with the following Acceptable Solutions and Performance Criteria of the Escarpment Precinct - Tamborine Mountain Zone Code:

Tamborine Mountain Zone Code			
Specific outcomes	Acceptable Solution	Compliance with Acceptable Solution	Compliance with Specific Outcomes
SO1 Development must demonstrate that it is low impact and can protect and maintain the nature conservation, scenic amenity and landscape character values associated with the Tamborine Mountain escarpment.	S1.1 No Solution is prescribed.	No	No – refer below

SO2 Development maintains and protects the existing undeveloped landscape character comprising heavily forested areas and a mixed farming environment by— (a) retaining existing vegetation and forested areas; and (b) rehabilitating degraded or cleared areas using locally occurring native species.	S2.1 No Solution is prescribed.	No	No – refer below
SO4 Development provides for a limited range of non-residential uses where it can be demonstrated that the scenic amenity can be maintained.	S4.1 No Solution is prescribed.	No	No – refer below
SO5 Development ensures a building height, bulk and setback consistent with the character of the Escarpment Protection area.	S5.1 Development in the Escarpment Protection area provides a minimum building setback distance of 10 metres from— (a) Tamborine Oxenford Road; and (b) Main Western Road; and (c) Henri Robert Drive.	No	No – refer below

Officer's assessment

SO1 *Development must demonstrate that it is low impact and can protect and maintain the nature conservation, scenic amenity and landscape character values associated with the Tamborine Mountain escarpment.*

- The proposed development is seen to introduce a bulk and scale that is not consistent with the semi-rural, residential amenity that the Planning Scheme envisages. The applicant has not reasonably demonstrated that the development is of a low impact and maintains the *nature conservation, scenic amenity and landscape character values associated with the Tamborine Mountain escarpment*.

SO2 *Development maintains and protects the existing undeveloped landscape character comprising heavily forested areas and a mixed farming environment by–*
 (a) *retaining existing vegetation and forested areas; and*
 (b) *rehabilitating degraded or cleared areas using locally occur*

- The proposed development seeks to remove a substantive quantity of undeveloped landscape character and replace with low maintenance native landscaping. The development does not retain the existing vegetation and forested areas; or rehabilitated areas outside of Core Koala habitat.

SO4 *Development provides for a limited range of non-residential uses where it can be demonstrated that the scenic amenity can be maintained.*

- The applicant has not demonstrated that the proposed development maintains the scenic amenity contemplated by the Planning Scheme or Eagles Retreat Residents. It is seen that the proposed tourist cabins unreasonably exceed what is contemplated by the planning scheme in relation to the built form in the immediate area and the reasonable expectations of the community.

SO5 *Development ensures a building height, bulk and setback consistent with the character of the Escarpment Protection area.*

- The proposed development does not comply with SO5 because it is of a height, bulk and scale that unreasonably exceeds that contemplated by the planning scheme, the built form in the immediate area and the reasonable expectations of the community.

Tourist Cabin Code

Overall Outcomes for a Tourist Cabin

A Tourist Cabin —

(b) is of a scale that does not produce an undesirable amenity impact and is consistent with the character of the surrounding area.

Officer's comments:

OO(b) - The proposed tourist cabins are proposed to exceed the maximum height above natural ground level by 4m and exceed the maximum gross floor area (GFA) by a measure of 48m² to 96m² above the 100m² contemplated by the Planning Scheme.

The application has been assessed against each of the applicable codes and found to be non-compliant with the codes discussed below:

Tourist Cabin Code			
Specific outcomes	Acceptable Solution	Compliance with Acceptable Solution	Compliance With Specific Outcomes
SO1 Development does not result in a built form that is visually intrusive.	S1.1 Development has a maximum site coverage of 10%.	No	No – refer below

Tourist Cabin Code			
Specific outcomes	Acceptable Solution	Compliance with Acceptable Solution	Compliance With Specific Outcomes
SO2 Development has a sufficient area to accommodate the development while retaining the predominantly natural character and amenity of the site and surrounding area.	S2.2 Development provides that each cabin has a maximum gross floor area excluding verandas of 100 m ² .	No	No – refer below
SO3 Development does not adversely impact on— (a) the privacy and amenity of surrounding areas; and (b) existing Agriculture or Animal Husbandry uses in surrounding areas.	S3.1 Development— (a) in the Tamborine Mountain Zone has a minimum setback of 10 metres from a property boundary; and (b) in a Zone other than the Tamborine Mountain Zone is setback a minimum of 40 metres from a property boundary. S3.2 Development involving 2 or more cabins or their equivalent does not overlook the living areas of adjoining premises. S3.3 Development provides that illumination levels 1.5 metres outside the site do not exceed 8 lux. S3.4 Development provides Aesthetic Landscaping and Screen Landscaping if any use area is located within 50 metres of a residence on an adjoining Lot.	No	No – refer below

Tourist Cabin Code			
Specific outcomes	Acceptable Solution	Compliance with Acceptable Solution	Compliance With Specific Outcomes
SO4 Development complements the style, scale and character of existing uses in the street and surrounding local area and contributes positively to the Streetscape.	S4.1 Development that involves units in an attached formation provides that there are not more than two (2) attached units in any grouping.	No	No – refer below
SO6 Development which involves more than 2 Tourist Cabins provides that the Tourist Cabins are sited such that they are not visually prominent or intrusive.	S6.1 Development which involves more than 2 Tourist Cabins provides that the Tourist Cabins are not located on ridge lines that are highly visible from public roads or surrounding areas.	No	No – refer below

Applicant's response:

S1.1 – Site Coverage

The proposed Tourist Cabin development has a site coverage of 11.75%, slightly exceeding that anticipated under S1.1 above. Nevertheless, the proposed development is considered to achieve compliance with SO1 based on the development not resulting in a built form that is visually intrusive.

Ultimately, an assessment of whether a development is visually intrusive requires determination of the viewpoints from which it will be visible. As outlined in response to building height herein, due to the local topography, there are limited viewpoints within the public realm where the development will be visible. These limited viewpoints are largely due to the existing vegetation cover on many of the surrounding sites and the topography of the site.

It is acknowledged that the site will be visible from the adjoining properties, particularly those to the west (see Figure 25); however, as discussed herein in relation to building height, the topography of the subject site allows for the cabins to mostly sit equal with or slightly above the existing ground level at the property boundary. Due to the topography to the west continuing to increase to the crest running along Cliff Way (approximately), all of the adjoining properties to the west sit approximately 10m above the western boundary of the subject site.



Figure 25: Approximate view corridors

When the proposed development footprint of the cabins is compared to that of the surrounding built form, we note that the development outcome is not inconsistent with that of the surrounding area, providing a mix of smaller cabins scattered throughout the hillside with interwoven vegetation. This is enhanced through the detached nature of the proposed cabins, which reflects the prevailing character of the locale.

While it is acknowledged that the communal facilities building has the largest footprint of any component of the proposal, we note that such is minimised by cutting the facility into the hillside and providing a tiered built form that follows the natural contours of the site. This results in much of the built form being partially 'buried' within the hillside. The extent of the footprint is further masked through the use of grass and landscaping to cover much of the roof space, allowing it to blend with the surrounding landscape treatment.

Officer's assessment

SO1 *Development does not result in a built form that is visually intrusive.*

- Whilst it is acknowledged that the applicant has undertaken substantial work to communicate the built form and associated landscaping, it is considered that residential dwellings to the west of the subject site would view many of the proposed tourist cabins 'side on'.
- Tourist Cabins are proposed to range from 2 – 3 storeys in heights with significant bulk and scale (larger than residential dwellings in area).
- Whilst the view corridor to the east (Gold Coast) will remain largely unobstructed, the development results in a built form that is visually intrusive.

S2.2 – Gross Floor Area

The proposed development results in all cabin typologies having a gross floor area (GFA) exceeding the 100m² anticipated under Probable Solution 2.2 above. It is noted that all of the cabins have been designed to achieve compliance with the Liveable Housing Australia guideline for disability accommodation design.

The GFA's of the cabins are the result of the need to ensure they are accessible for people with disabilities, in accordance with the aforementioned guideline. The spatial requirements of this level of access dictate the need to increase certain areas of the cabins to provide appropriate circulation space. Subsequently, the cabins have a GFA ranging from 148.72m² (Type F) to 196.76m² (Type B).

Despite the non-compliance with the Probable Solution, the proposed cabin sizes are not considered to result in an over-intensification of the site in accordance with Specific Outcome 2 above. This is achieved by ensuring all cabins are designed to provide a detached dwelling outcome, consistent with the established character of the broader neighbourhood and making allowance for the establishment of landscaping throughout the site to maintain the semi- bushland environment of the locale.

Officers' assessment

SO2 *Development has a sufficient area to accommodate the development while retaining the predominantly natural character and amenity of the site and surrounding area.*

- The *Beaude Desert Shire Planning Scheme 2007* includes outcomes ensuring tourist cabins are designed to retain the natural character and amenity of the site and surrounding area by imposing a limit to gross floor area (GFA) of 100m² within the Acceptable Outcome.
 - *S2.2 Development provides that each cabin has a maximum gross floor area excluding verandas of 100m².*
- The applicant is proposing cabins with GFA ranging between 148.72m² to 196.76m².
 - The applicant states that the non-compliance with the Acceptable Outcome of the Tourist Cabin code is justified as *"the cabins have been designed to achieve compliance with the Liveable Housing Australia guideline for disability accommodation design"*.
- The applicant did not apply for 'Community Care Centre' under the *Beaude Desert Shire Planning Scheme 2007* which would justify the Liveable Housing Australia guideline for disability accommodation design as a reasonable justification.
- The applicant supplied the Needs Assessment (prepared by Foresight Partners Pty Ltd dated December 2020) as justification to provide Tourist Cabins with the focus of catering for members of the disabled community. However, the applicant did not apply for 'Community Care Centre' under the *Beaude Desert Shire Planning Scheme 2007*, the use of the cabins is for "accommodating persons away from their normal place of residence".

The applicant has not provided a suitable argument to demonstrate compliance with SO2 of the Tourist Cabin Code.

SO3 *Development does not adversely impact on— (a) the privacy and amenity of surrounding areas; and (b) existing Agriculture or Animal Husbandry uses in surrounding areas.*

- The proposed development is seen to introduce an impact on the amenity and privacy of the Eagles Retreat residents through Tourist Cabins which are of a height, bulk and scale that unreasonably exceeds that contemplated by the planning scheme.

SO4 *Development complements the style, scale and character of existing uses in the street and surrounding local area and contributes positively to the Streetscape.*

- *The proposed development seeks to introduce a commercial operation which exceeds the scale and character of existing uses in the street and surrounding local area.*

SO6 Development which involves more than two Tourist Cabins provides that the Tourist Cabins are sited such that they are not visually prominent or intrusive.

- The proposed development proposes 11 Tourist Cabins and a central wellness facility in full view of several properties to the West. At least a third of the Tourist Cabins will be sited that they will be visually intrusive and prominent in the natural landscape.

Development Constraints Overlay Code – Landslide Hazard

The proposal complies with all of the Development Constraints Overlay Code's Acceptable Solutions and Performance Criteria (Landslide Hazard), except where follows:

Development Constraints Overlay Code – Landslide Hazard			
Specific outcomes	Acceptable Solution	Compliance with Acceptable Solution	Compliance With Specific Outcomes
SO6 Development in a High Landslide Hazard Area does not result in a higher risk of landslide and does not compromise the safety of people and property.		No	Yes – refer below
SO8 Development provides that the building style and method of construction in a High Landslide Hazard Area, Medium Landslide Hazard Area or a Landslide Hazard Investigation Area is designed to - (a) minimise slope instability and erosion; and (b) be responsive to the slope of the land.	S8.1 Development- (a) is of light frame construction (such as a pole frame house which sits over the site contours); and (b) is split level and stepped down the slope; and (c) does not involve a single concrete slab on the one plane; and (d) does not exceed 8.5 metres in height above natural ground at any point; and (e) involves less than 50m ² of Excavation or Filling; and (f) Disposes of stormwater by pipe to a lawful point of discharge	No	Yes – refer below

Applicants response:

S06 The Geotechnical Report has identified that, based on a field assessment and monitoring works, the site has a stability rating of 'low or better'. Recommendations specific to the development and maintaining a low hazard risk are contained within the report and it is envisaged that Council will condition compliance with same.

S08 Development provides that the building style and method of construction in a High Landslide Hazard Area, Medium Landslide Hazard Area or a Landslide Hazard Investigation Area is designed to – (a) Minimise slope instability and erosion; and (b) Be responsive to the slope of the land.

Officer's comments:

The Geotechnical Report (Slope Stability) prepared by EarthSolve dated February 2020 satisfies the requirements of the Development Constraints Overlay Code.

Development Constraints Overlay Code – Bushfire Hazard

The proposal complies with all of the Development Constraints Overlay Code's Acceptable Solutions and Performance Criteria (Bushfire Hazard).

Officer's comment: The site is mapped as Very High Bushfire Hazard under the *Beaudesert Shire Planning Scheme 2007*. The applicant submitted a Bushfire Management Plan prepared by Land and Environment Consultants dated February 2021, which includes a bushfire management zone with landscaping to minimise the potential of fire to the tourist cabins and the evacuation route. See figure 26 below.

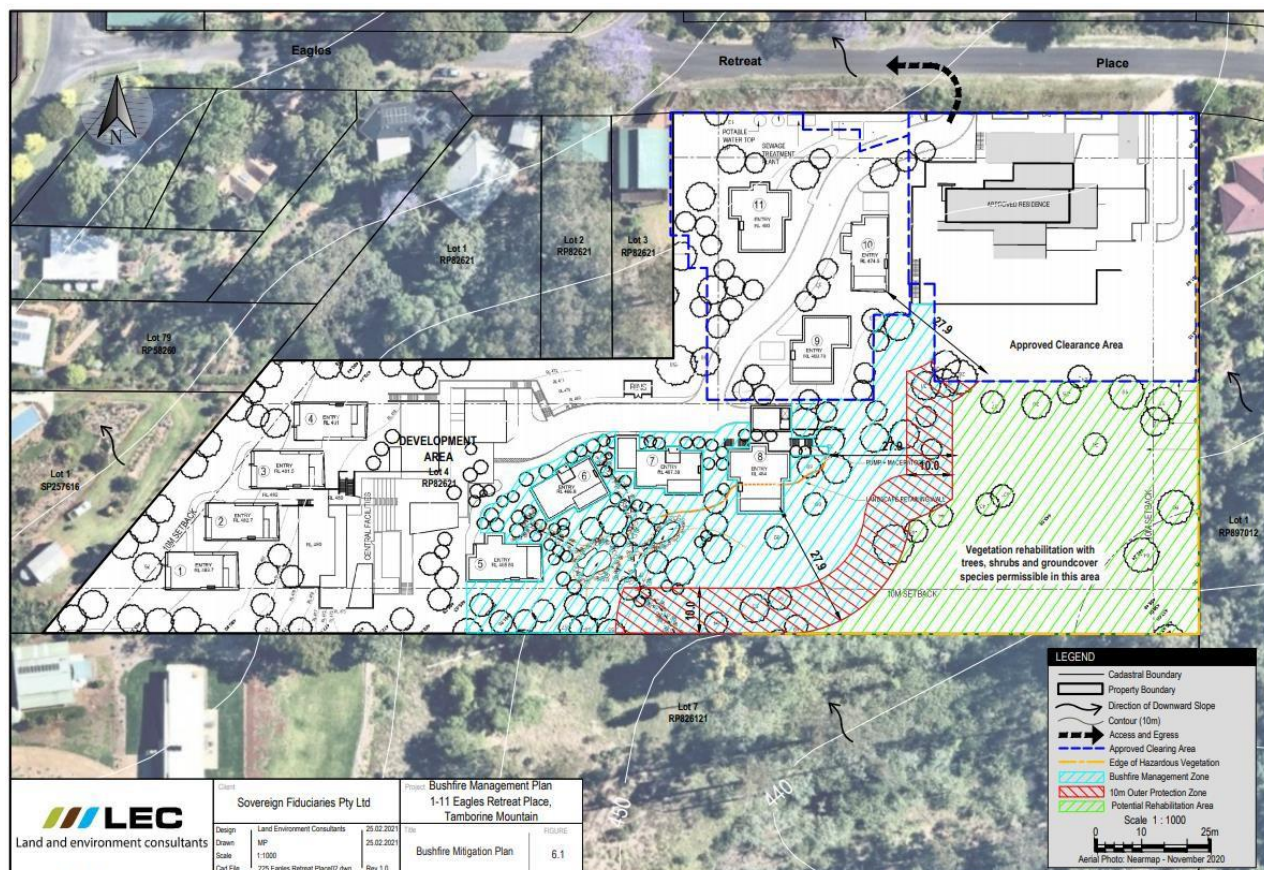


Figure 26: Outer Protection Zone

The Bushfire Management Plan prepared by Land and Environment Consultants dated February 2021 satisfies the requirements of the Development Constraints Overlay Code.

Nature Conservation Overlay Code

The proposal complies with all of the Nature Conservation Overlay Code's Acceptable Solutions and Performance Criteria. The applicant submitted a Bushfire Management Plan prepared by Land and Environment Consultants dated February 2021, a Landscape Statement of Intent prepared by Zone Architecture dated December 2020, Architectural Plans prepared by BXL Architects dated December 2020, and an Ecological Assessment prepared by Biome Water and Environment Consulting dated March 2020.

Officer's comments:

Where inconsistencies exist between the Nature Conservation Overlay Code and a proposed development, Council would usually seek the establishment of a conservation envelope to protect and enhance significant trees that contribute to scenic amenity and character of the area, and to mitigate against potential impacts upon Ecologically Significant Areas or nature conservation values including Biodiversity or habitat for significant Flora and Fauna.

However, the applicant through multiple rounds of consultation with the Department of Environment and Science lowered the development yield from 14 cabins to 11 cabins and reconfigured the parking arrangements to avoid impacts to Core Koala Habitat. The applicant has suggested the application of an environmental 'Koala' covenant over the South-Eastern portion of the site. The covenant will allow for the existing mature vegetation to be maintained whilst also making provision for bushfire management (management of the understorey vegetation per the submitted Bushfire Management Plan) and effluent disposal within the covenant area (subject to an Environmentally Relevant Activity (ERA-63) license for waste water disposal. Refer to Figure 27: Proposed Koala habitat covenant.

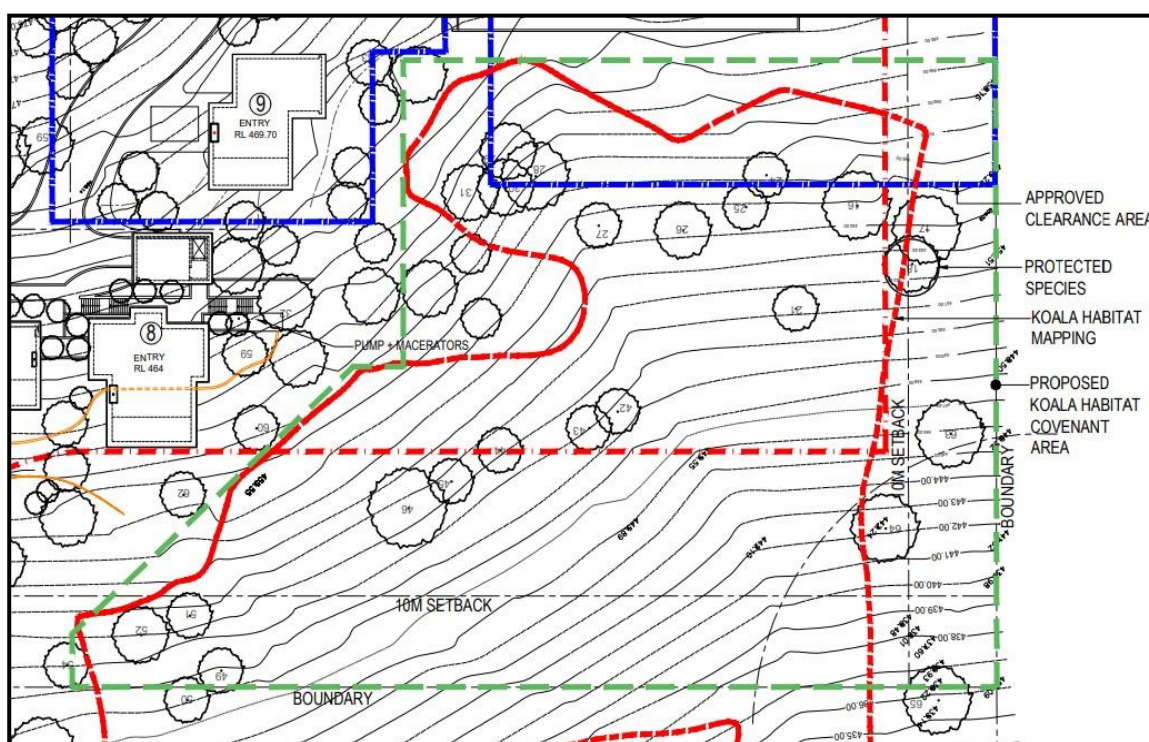


Figure 27: Proposed Koala habitat covenant (Green dash line)

In this scenario, the imposition of an environmental covenant is considered a more restrictive approach than a conservation envelope. As such, the applicant has demonstrated general compliance with the Development Constraints Overlay Code.

Catchment Management, Wetlands and Waterways Overlay Code

The proposal complies with all of the Catchment Management, Wetlands and Waterways Overlay Code's Acceptable Solutions and Performance Criteria.

Officer's comment:

The applicant submitted a Stormwater Management Plan prepared by Michael Bale & Associates dated December 2020.

The Stormwater Management Plan has addressed the management of stormwater quantity and quality by recommending the following infrastructure items:

- A total of Eleven (11) 10kL rainwater tanks with 4kL for reuse to provide stormwater treatment for the roofed catchment areas.
- 6kL of each rainwater tank to provide stormwater detention for the development, for a total of 90m³, and
- A single 34m² bio-retention basin to treat stormwater flows from the eastern & western portion of road and impervious ground areas as specified on the MUSIC catchment plan.

The Stormwater Management Plan prepared by Michael Bale & Associates dated December 2020 is seen to satisfy the requirements of the Catchment Management, Wetlands and Waterways Overlay Code.

Compliance with the Parking and Servicing Code

Overall Outcomes for Parking and Servicing

Parking and Servicing is to—

(a) ensure that development provides for vehicle access and parking which—

(a)(i) is adequate to meet the demand likely to be generated by the development

(a)(ii) protects the amenity of nearby uses

(a)(v) maintains or improves the function and safety of the transport network external to the site

(d) provide adequate access and parking for emergency and other essential service vehicles.

Officer's comments:

The proposed development does not comply with Overall Outcomes (a)(i), (a)(ii), (a)(v), and (d) of the Parking and Servicing Code because it is not able to provide vehicular access for water and sewerage service providers within the site, resulting in unacceptable impacts on the local road network.

The application has been assessed against each of the applicable codes and found to be non-compliant with the codes discussed below:

Parking and Servicing Code			
Specific outcomes	Acceptable Solution	Compliance with Acceptable Solution	Compliance with Specific Outcomes
<p>SO12 Development provides for the loading, unloading, manoeuvring, and access by service vehicles on-site in a manner that —</p> <p>(a) is sufficient for the service vehicles to gain ready access to loading or unloading facilities associated with the uses on site; and</p> <p>(b) is safe and efficient; and</p>	<p>S12.1 Development provides for service parking in accordance with Table 5.3.15A (Car and Service Vehicle Parking).</p> <p>S12.2 Development provides for service bays and access driveways in accordance with the provisions of AS2890.2 – 1989 – Off Street Parking – Commercial Vehicle Facilities.</p>	No	No – refer below

Parking and Servicing Code			
Specific outcomes	Acceptable Solution	Compliance with Acceptable Solution	Compliance with Specific Outcomes
<p>(c) does not impede vehicular and pedestrian circulation within or external to the site; and</p> <p>(d) does not detract from the amenity of the locality and in particular adjoining properties.</p>	<p>S12.3 Development provides that service vehicles can enter and exit the site in a forward direction.</p> <p>S12.4 Development provides that Service vehicle Loading and unloading areas are screened from view from adjacent incompatible uses.</p>		

Parking and Servicing Code			
Specific outcomes	Acceptable Solution	Compliance with Acceptable Solution	Compliance with Specific Outcomes
SO28 Development provides that all parking areas are operated solely for the use of the tenants, customers, and staff of the development.	S28.1 Development provides that the parking area is to be used solely by the users of the development site on which it is located, and no parking spaces are to be leased or sold to other persons.	No	No – refer below

Officer's assessment

SO12 *Development provides for the loading, unloading, manoeuvring, and access by service vehicles on-site in a manner that -*

- a) *is sufficient for the service vehicles to gain ready access to loading or unloading facilities associated with the uses on site; and*
 - b) *is safe and efficient; and*
 - c) *does not impede vehicular and pedestrian circulation within or external to the site; and*
 - d) *does not detract from the amenity of the locality and in particular adjoining properties.*
- The applicant proposes to construct a service bay to cater for wastewater collection and water delivery to the site within Council's road reserve; it is viewed that servicing the development outside the curtilage of the site fails to comply with the intent of the Parking and Servicing Code.
 - Council's Asset, Environment and Sustainability (AES) (Engineering) portfolio had the following comments:
 - *"The proponent should have enough land to support their operations, particularly water/wastewater servicing, and not rely on Council's controlled land (similar to fuel tankers utilising the service station land to fill the tanks)".*
 - *"AES view is the proposal in its current form (service bay) is not appropriate".*

SO28 *Development provides that all parking areas are operated solely for the use of the tenants, customers, and staff of the development.*

- As the service bay is proposed to be constructed within Council road reserve, the applicant is unable to operate/enforce that the service bay is utilised solely for the purpose of the development.

The applicant has demonstrated compliance with the Food Establishment/ Reception Centre Code, Infrastructure Overlay Code, Nature Conservation Overlay Code, Development Constraints Overlay Code, Catchment Management, Wetlands and Waterways Overlay Code, Construction and Infrastructure Code, and Landscape Code.

Table 2: Supporting specialist reports

Architectural Plans prepared by BXL Architects dated December 2020.
Statement of Landscape Intent prepared by Zone Landscape Architecture dated February 2021.
Stormwater Management Plan prepared by Michael Bale & Associates dated December 2020
Geotechnical Report prepared by EarthSolve dated March 2020.
Bushfire Management Plan prepared by Land and Environment Consultants dated February 2021.
Ecological Assessment prepared by Biome water and environment consulting dated March 2020.
Traffic Impact Assessment prepared by Geleon dated January 2020, and an updated Traffic Impact Statement prepared by Geleon dated November 2020.
Acoustic Report prepared by Acoustic Works dated December 2020.
Wastewater Assessment prepared by Precise Environmental dated November 2019.
Town Planning Report Prepared by Zone Planning dated March 2020.

The applicant has submitted the following supporting documentation to satisfy the assessment criteria under the *Beautesert Shire Planning Scheme 2007* as listed above.

Relevant Matters

Impact assessment may be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.

The applicant has not identified any relevant matters that support an approval of the proposal.

Advertising

The applicant has submitted a written notice stating that public notice of the proposal has been completed in accordance with the requirements of the *Planning Act 2016*.

Submissions

The application was publicly notified from 18 September 2020 – 12 October 2020.

Two hundred and thirty-two properly made submissions were received during the notification period. Thirteen submission were not properly made. Of the 232 properly made submissions, all were against the proposed development. The issues raised in these submissions together with a response to the issues raised is provided below.

Table 3: Public submission responses

No.	Issue	Response
1.	The nature of the land use is undefined under the Historic <i>Beautesert Shire Planning Scheme 2007</i> and is for short term accommodation under the <i>Planning Regulations 2017</i> .	The proposed eleven (11) cabins are standalone and are to be used for members of the traveling public. The central wellness facility is considered an ancillary activity as it is only accessible by paying guests of the site. The proposed development meets the criteria for Tourist Cabins as per Schedule 1: Dictionary of the <i>Historic Beautesert Shire Planning Scheme 2007</i> .

No.	Issue	Response
2.	The development is not consistent with the “outcomes” sought for the Tamborine Mountain zone of the <i>Beaudesert Shire Planning Scheme 2007</i> .	The proposed development is considered not to comply with aspects of the Tamborine Mountain Zone Codes Overall Outcomes, as stipulated under the <i>Beaudesert Shire Planning Scheme 2007</i> .
3.	<p>The proposed site is an inappropriate location for the proposed development.</p> <p>Local Infrastructure, in this location, does not support a proposal for non-residential purposes.</p>	<p>Under the Tamborine Mountain Zone Code, Tourist Cabins where not exceeding Twenty (20) cabins is considered ‘Consistent’ development. However, it is considered that the proposed development is inappropriate for the location due to the proposed bulk and scale, and impact on surrounding amenity.</p> <p>The existing infrastructure consists of electricity and road access to the site. Like many properties on Tamborine Mountain, this site is not serviced by reticulated water or sewer, however, the applicant proposed to undertake an ERA-63 wastewater licence to facilitate effluent disposal.</p>
4.	The sheer volume of cut and fill required on the site for the development is expected to alter overland flow and hydrological conditions to such degree that the development requires significant stormwater management infrastructure to be introduced to mitigate runoff from extensive new hardstand and impervious surfaces.	<p>It is noted that cut and fill is required for internal roadways, footpaths, central wellness facility and detention basin construction. In response, the applicant has provided a Stormwater Management Plan (SMP) prepared by Michael Bale & Associates dated December 2020.</p> <p>It is seen that the SMP adequately mitigates worsening or concentration of overland flow and ensures a steady release to the Lawful Point of Discharge (watercourse).</p>
5.	It is considered that the extent of bulk earthworks will impact on the landscape character and scenic amenity of Tamborine Mountain. Further, a bulk earthworks plan is recommended by the Applicant’s geotechnical engineer and has not been provided.	It is noted that cut and fill is required for internal roadways, footpaths, central wellness facility and detention basin construction. In response, the applicant notes that further approval is required for a Development Permit for Operational Works (Excavation and Filling).

No.	Issue	Response
6.	<p>A visual amenity assessment has not been undertaken from the perspective of the adjoining residence. An appropriate assessment needs to be undertaken as Dwelling units 1 and 5 are the closest dwelling units to the existing house and are proposed to be three (3) storeys.</p> <p>The Central Facilities is four (4) storeys in total and is located in part 5m from the common boundary.</p>	<p>It is acknowledged that the applicant has provided 3D perspective views of each cabin, and views from/ along Eagles Retreat Place in the architectural plans prepared by BXL Architects dated November 2020.</p> <p>However, it is considered that the impacts of the proposed tourist cabins have not been fully explored/appreciated by the applicant with regards to visual bulk and scale from adjoining property owners.</p>
7.	<p>The Tambourine Mountain zone code ensures that development has a maximum height of buildings and structures of 8.5m above natural ground level. The proposal seeks building heights consistently above the maximum building height; between 12 – 17m above natural ground level. The proposal is not supported by the assessment benchmarks and is considered to impact the local residential amenity of Eagles Retreat Place.</p>	<p>It is considered that the proposed tourist cabins are of a bulk and scale that is not envisaged by the Tamborine Mountain Zone Code.</p>
8.	<p>The roads around Old Eagle Heights will become busy thoroughfares and be dangerous to walk on. Local residents and visitors will no longer be able to enjoy their village lifestyle.</p>	<p><u>Road thoroughfare</u></p> <p>The Traffic Impact Assessment prepared by Geleon dated January 2020, and an updated Traffic Impact Statement prepared by Geleon dated November 2020 demonstrates a low proportion of traffic generated by the proposed development.</p> <p>Geleon estimates a total peak hour traffic generation of 11 movements per hour. This roughly equates to 1 vehicle every 5.45 minutes.</p> <p><u>Pedestrian safety</u></p> <p>It is acknowledged that Eagles Retreat Place currently has no provision for separated pedestrian footpath infrastructure.</p> <p>With the proposed crossover located approximately half way down a steep section of road, it is unlikely that the proposed traffic generated from the development will contribute to a dangerous pedestrian environment.</p>

No.	Issue	Response
9.	The built form intends to create a very high proportional area of hard surface that is excessive for a constrained, steep site and for a semi-rural locality.	It is acknowledged that the proposed development requires areas of hardstand to service tourist cabins (internal roads), however the applicant has provided a Stormwater Management Plan, Statement of Landscape Intent and Geotechnical Report which demonstrate several methods of water catchment and redistribution. Furthermore, it is noted that the overall site coverage accounts for 11.75%.
10.	With sewerage, grey water and refuse there is increased potential for smell and pollution.	It is acknowledged that waste generation has the potential to attribute to odour beyond the boundary of the site. However, risks have been proposed to be mitigated through the imposition of the applicant requiring an ERA-63 license which comes with strict emission requirements.
11.	The local topography is a natural amphitheatre sloping down to the southeast. This natural amphitheatre, combined with a prevailing wind/breeze that comes from the south-east, will result in any noise generated within the development site will be pushed up the slope towards the surrounding houses.	An Acoustic Report prepared by Acoustic Works dated November 2020 demonstrates no evidence of the land contributing to a 'natural amphitheatre' like environment.
12.	<p>Large amount of extra traffic. No provision of footpaths. Unclear to how traffic enters and exits the proposed development.</p> <p>There has been inadequate assessment of traffic and parking impacts that the proposed development will have on surrounding streets, and on surrounding properties.</p>	<p><u>Road thoroughfare</u></p> <p>The Traffic Impact Assessment prepared by Geleon dated January 2020, and an updated Traffic Impact Statement prepared by Geleon dated November 2020 demonstrates a low proportion of traffic generated by the proposed development.</p> <p>Geleon estimates a total peak hour traffic generation of 11 movements per hour. This roughly equates to 1 vehicle every 5.45 minutes.</p> <p><u>Pedestrian safety</u></p> <p>It is acknowledged that Eagles Retreat Place currently has no provision for separated pedestrian footpath infrastructure.</p> <p>With the proposed crossover located approximately half way down a steep section of road, it is unlikely that the proposed traffic generated from the development will contribute to a dangerous pedestrian environment.</p> <p><u>Car Parking</u></p> <p>As indicated in the architectural plans prepared by BXL Architects dated December 2020, all car parking is contained within the curtilage of the site.</p>

No.	Issue	Response
13.	The proposal seeks to provide a servicing bay within the road reserve which will provide an unsafe pedestrian environment.	<p>It is agreed that Eagles Retreat Place currently has no provision for separated pedestrian footpath infrastructure.</p> <p>With the proposed crossover and servicing bay located approximately half way down a steep section of road, it is unlikely that the proposed traffic generated from the development will contribute to a dangerous pedestrian environment.</p> <p>However, Council does recognise that the service bay is proposed in an inappropriate location.</p>
14.	The proposed development does not meet the requirements of and the public expectations of compliance to <i>Planning Regulation 2017</i> Parts 5 (Environmentally Relevant Activities) and Part 10 (Koala Habitat in SEQ Region).	<p>The State Assessment Referral Agency (SARA) on behalf of the Department of Environment and Science (DES) approved the proposed development as it demonstrated compliance with State Code 25: Development in South East Queensland Koala Habitat areas.</p> <p>Refer to concurrence agency response dated 22 March 2021, Attachment 1.</p>
15.	The existing house that has been approved at this address does not feature within the Proposed Development and so the data and reports provided mask the total impact of the full property development.	<p>The tribunal approval for a House (04-18) does not form part of the current application for a development permit for a material change of use (tourist cabins).</p> <p>However, the applicant has included the design of the house in the 3D perspective views and site coverage calculations within the architectural plans prepared by BXL Architects dated December 2020.</p>
16.	Maximum Gross Floor Area (GFA) in Planning Scheme is 100m ² and building height should not exceed 8.5m above Natural Ground Level (NGL).	It is considered that the applicant has proposed tourist cabins which conflict with the intent of the Tamborine Mountain Zone Code and Tourist Cabin Code where the 100m ² GFA limit and 8.5m above Natural Ground Level (NGL) building height are stipulated.
17.	The Tourist Cabins and amenities are far beyond the scale and size of what one would expect from a tourist cabin development.	<p>The <i>Historic Beaudesert Shire Planning Scheme 2007</i> does not prescribe the size of ancillary activities for Tourist Cabin developments.</p> <p>However, the proposed tourist cabins and associated structures do not positively contribute to the amenity expected from the Tamborine Mountain Zone.</p>
18.	Cabins appear to have been designed to potentially cater for longer-term residents, potentially through a strata titling method.	<p>Council is in receipt of a development permit for a material change of use involving Tourist Cabins.</p> <p>Council cannot speculate the future ownership details of the proposal based on the design.</p>

No.	Issue	Response
19.	<p>The proposed development would necessitate a significant amount of lighting at night due to the steep topography would necessitate lighting of paths and roads.</p> <p>Directing light downwards may still be reflected from the ground surfaces and may create a light halo over the development which would not be ameliorated by boundary screen planting.</p>	<p>The development requires lighting for cabins, central wellness facility, roads, pathways, and landscaping.</p> <p>Therefore, Council could condition any approval on the basis that <i>"Light sources at the premises must be positioned and shielded to prevent direct light spillage outside the boundaries of the premises"</i>.</p>
20.	<p>Having a significant boundary planting of large trees would also increase the fire risk for adjoining properties.</p>	<p>The Bushfire Management Plan (BMP) prepared by Land and Environment Consultants dated February 2021 has been prepared alongside the Statement of Landscape Intent prepared by Zone Landscape Architecture dated February 2021.</p> <p>The BMP identifies a Bushfire Mitigation Plan which includes the provision of a landscaping criteria for garden design and plant selection. This landscaping criteria is appropriately reflected in the Statement of Landscaping Intent.</p>
21.	<p>The applicant has not demonstrated how water tanks will be re-filled or the frequency to which this would happen.</p> <p>Given number of amenities and facilities provided to tourists this is concerning.</p>	<p>The <i>Beaude Desert Shire Planning Scheme 2007</i> does not require applicant to demonstrate the frequency of refilling water tanks, only the provision of water supply.</p> <p>Water supply would be in line with the recommendations of the Bushfire Management Plan and Stormwater Management Plan.</p>
22.	<p>The inability to service the development within the bounds of the site creates an unsafe road environment for pedestrians and provides further evidence that the proposal is an inappropriate and overbearing development of the site.</p>	<p>The applicant has proposed to construct a service bay along Eagles Retreat Place to prevent refuse and large service vehicles from entering the site.</p> <p>This is not considered an appropriate solution given the constrained nature of the site or the existing road network.</p> <p>Council agrees that the Service Bay is not located in an appropriate location and the development must be able to service from within the curtilage of the site.</p>
23.	<p>There is no demonstrated need for "short term disability accommodation in this steep and hilly location.</p>	<p>The Needs Assessment prepared by Foresight Partners Pty Ltd dated December 2020 does not establish a genuine need for the development given the applicant did not apply for 'Community Care Centre'.</p>

No.	Issue	Response
24.	Cabins 1 to 4 will be in direct view from resident balconies. Screening vegetation should be limited to 8m in order for view to be unimpeded.	Section B of the Statement of Landscape Intent prepared by Zone Landscape Architecture dated February 2021 demonstrates a suitable landscape screening proposed to visually buffer cabins 1-4 and the length of the western boundary. Given the steep topography of the land, it is unlikely that the screening vegetation will obstruct views from the above residential properties when looking to the East.
25.	The site is identified as a Very high potential bushfire zone and is inappropriate for vulnerable use such as those with a disability.	A Bushfire Management Plan prepared by Land and Environment Consultants dated February 2021 demonstrates compliance with the Development Constraints Overlay Code. It should be noted that the presence of Very High Potential Bushfire Hazard is not a limiting factor to those of the disabled community. The applicant has provided adequate Bushfire Mitigation to cater for the proposed development.
26.	Smoke from Fireplaces to interfere with Air quality of surrounding neighbours.	This is not a planning consideration.
27.	The difficult topography of the site, extremely steep slope and excessive stormwater management requirements make the development inappropriate at this location in this instance.	The development has been assessed against the Development Constraints Overlay Code and Catchment Management, Wetlands and Waterway Overlay Code, and the applicant has demonstrated compliance.

Submissions

During the assessment of the public submissions, it is important to note that 245 submissions (some not properly made) were the result of a standardised pro-forma. These submissions represented 92.34% of all submissions received. Assessment of the application took these concerns, plus 18 unique submissions (some not properly made) into account when assessing the proposed development. These unique responses accounted for 7.66% of submissions received.

Public submissions received by Council against the proposed development have targeted the bulk and scale of the cabins, visual amenity, light pollution, noise pollution and air pollution, compatibility of the Tourist Cabins within the escarpment precinct of Tamborine Mountain, need for tourist accommodation, pressure on water supply, bushfire hazard, steep topography, pedestrian safety, traffic impacts on the local road network, inadequate servicing and loss of Koala Habitat.

The applicant has argued that they wish to cater for the disabled community and have responded through designing the tourist cabins using the Liveable Housing Australia guideline for disability accommodation design. However, Council and the community recognise that Tourist Cabins are able to be used by any member of the travelling public, as the definition of 'Tourist Cabin' under the *Beaudesert Shire Planning Scheme 2007* does not place a restriction on the type of patronage.

The Needs Assessment prepared by Foresight Partners Pty Ltd dated December 2020, does support the applicants position on catering for the disabled community, but under the guise of 'respite care', which is defined as 'community care centre' under the relevant planning scheme. The Tamborine Mountain community recognise these inconsistencies in the applicants Needs Assessment and have demonstrated opposition within submissions received.

Whilst Council acknowledges the concern of the community on the likely impacts to Core Koala Habitat, the applicant gained approval by the Department of Environment and Science (DES) for demonstrating compliance with State Code 25: Development in South-East Queensland koala habitat areas.

The applicant did achieve compliance with the Food Establishment/Reception Centre Code, Infrastructure Overlay Code, Nature Conservation Overlay Code, Development Constraints Overlay Code, Catchment Management, Wetlands and Waterways Overlay Code, Construction and Infrastructure Code, and Landscape Code.

However, the applicant has been unable to demonstrate compliance with Desired Environmental Outcomes, Tamborine Mountain Zone Code, Tourist Cabin Code and Parking and Servicing Code. This is mostly attributed to the large bulk and scale, height of structures, undetermined 'need' of the proposed development and inability for development to service within the curtilage of the premises. Council's Strategic Planning Team also question the validity of applying for Tourist Cabins when Community Care Centre aligns better with the need's assessment.

As such, the application is not supported, and refusal is recommended on various grounds.

Properly Made Submissions

Submitter List is listed in the spreadsheet (refer to Attachment 2).

Not Properly Made Submissions

Thirteen submissions were not properly made.

Statement of Reasons

Council is in receipt of application for a Development Permit for Material Change of Use for 11 Tourist Cabins at 1-11 Eagles Retreat Place, Tamborine Mountain described as Lot 4 on RP82621, lodged 7 May 2020.

The application was assessed under the superseded *Beauresort Shire Planning Scheme 2007* (Planning Scheme). Impact Assessment was required as the site is located in the Escarpment Protection Precinct of the Tamborine Mountain Zone (Table of Assessment triggered Impact assessment). The proposal does not comply with the Strategic Framework, Tamborine Mountain Zone Code, Tourist Cabin Code and the Parking and Servicing Code, and is affected by the Development Constraints Overlay Code (Bushfire Hazard and Steep Slopes).

The application required referral to the State Assessment and Referral Agency, with the responsible agency being the Department of Environment and Science (DES) for interfering with Core Koala Habitat. DES responded by letter dated 22 March 2021 granting approval and stating that vegetation is not to be cleared for any purpose within the area identified as Area A and if necessary, boundary fences transecting Area A to be constructed and maintained as Koala friendly fencing.

The application was publicly notified from 18 September 2020 – 12 October 2020.

Two hundred and thirty-two properly made submissions were received during the notification period. Thirteen submissions were not properly made. Of the 232 properly made submissions, all were against the proposed development.

The assessment has found that the proposed development has not demonstrated compliance with the relevant provisions of the Planning Scheme and that compliance cannot be achieved through the imposition of conditions. There are no relevant matters that support an approval.

No.	Reason
1.	The proposed development does not comply with Strategic Framework – Local Strategies for the Tamborine Mountain Zone 1, 3, 6 and 9 of the <i>Beaudesert Shire Planning Scheme 2007</i> .
2.	The proposed development does not comply with Overall Outcomes OO1, OO2, OO4, OO6, OO7, OO25, OO29, OO52 and OO58, and Specific Outcomes SO8, SO11 of the Tamborine Mountain Zone Code and SO1, SO2, SO4 and SO5 of the Escarpment Protection Precinct.
3.	The proposed development does not comply with Overall Outcome OO(b) and Specific Outcomes SO1, SO2, SO3, SO4 and SO6 of the Tourist Cabin Code.
4.	The proposed development does not comply with Overall Outcomes OO(a)(i), OO(a)(ii), OO(a)(v), and OO(d) and Specific Outcomes SO12 and SO28 of the Parking and Servicing Code.
5.	There are no relevant matters to support an approval of the proposed development.

As a result, it is recommended the application be refused.

Budget / Financial Implications

Not applicable.

Applicable Infrastructure Charges

Refer to Infrastructure Charges Notice generated by Council's Infrastructure Charges Review Team.

Strategic Implications

Operational Plan

Theme: 4. Relaxed Living and Rural Lifestyle

Key Area of Focus: 4.1.1 Maintain a clear and comprehensive planning vision for the region

Legal / Statutory Implications

Legal and statutory implications will be managed in line with Council's Risk Management framework and a separate report submitted if required.

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

- SR43 Inadequate or ineffective planning, delivery and maintenance of infrastructure resulting in risk to public and staff safety and potential financial implications.
- SR50 Failure to manage Environmental Sustainability (including climate change) through inappropriate and/or inadequate planning and operational considerations of impacts to the natural environment.
- SR59 Non-compliance with legislation and/or procurement policies and procedures resulting in successful claim against Council beyond limit insured for.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Environmental Impacts on environment as a result of development activity	3 Moderate	Unlikely	Medium	Environmental impacts considered and documented during assessment	Medium
Governance, Risk & Compliance Failure to ensure application is assessed in accordance with IDAS process	2 Minor	Possible	Medium	Documented assessment process	Low
Governance, Risk & Compliance Opportunity for applicant or third party appeal against Council decision	2 Minor	Possible	Medium	Ensure reasonable and relevant test applicable to assessment processes Model Litigant processes followed in court cases. Minimise opportunities for appeals	Low
Reputation, Community & Civic Leadership Negative perception from community or development proponents	2 Minor	Unlikely	Low	Transparent reporting of assessment Communications	Low

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 Environment and Science (DES)

The Department is a referral agency for interfering with Core Koala Habitat. The Department responded by letter dated 22 March 2021 (refer Attachment 1), stating that vegetation is not to be cleared for any purpose within the area identified as Area A and if necessary, boundary fences transecting Area A to be constructed and maintained as Koala friendly fencing.

Internal Referrals

Development Assessment - Strategic Planning

Council's Development Assessment (Strategic Planning) section has assessed the proposed development have concerns regarding non-compliance with the Tamborine Mountain Zone Code and Tourist Cabin Code, and land-use definition applied for.

Assets and Environmental Sustainability portfolio - Engineering

Council's Assets and Environmental Sustainability portfolio – engineering section has assessed the proposed development and has concerns regarding the serviceability of water delivery and wastewater collection.

- The proposed service bay on road reserve will only service this development and not anyone else. The proponent should have enough land to support their operations, particularly water/wastewater servicing, and not rely on Council's controlled land (similar to fuel tankers utilising the service station land to fill the tanks)
- Assets and Environmental Sustainability is not aware of any dedicated service bays on Council's road corridor network

It is the view of Assets and Environmental Sustainability portfolio that the proposal in its current form (service bay) is not appropriate.

Conclusion

The proposed development does not comply with the requirements of the Planning Scheme and raises significant issues, which cannot be addressed by reasonable and relevant conditions.

There are no relevant matters that support an approval. The application is therefore recommended for refusal.

From:
Sent: Tue, 23 Mar 2021 08:22:34 +1000
To: "srrc@connect.t1cloud.com" <srrc@connect.t1cloud.com>
Subject: 2005-16950 SRA application correspondence
Attachments: 2005-16950 SRA Approved plans.pdf, GE83-N Representations about a referral agency response.pdf, 2005-16950 SRA Response with conditions.pdf

#ECMBODY
 #QAP ALL STAFF DEFAULT
 #NOREG
 #SILENT

From: No Reply <mydas-notifications-prod2@qld.gov.au>
Sent: Monday, 22 March 2021 4:41 PM
To: dash.dbrant@dsdmip.qld.gov.au; Scenic Rim Regional Council Mail <mail@scenicrim.qld.gov.au>
Cc: efflett@zoneplanning.com.au
Subject: 2005-16950 SRA application correspondence

Please find attached a notice regarding application [2005-16950 SRA](#)

If you require any further information in relation to the application, please contact the State Assessment and Referral Agency on the details provided in the notice.

This is a system-generated message. Do not respond to this email.

RA6-N

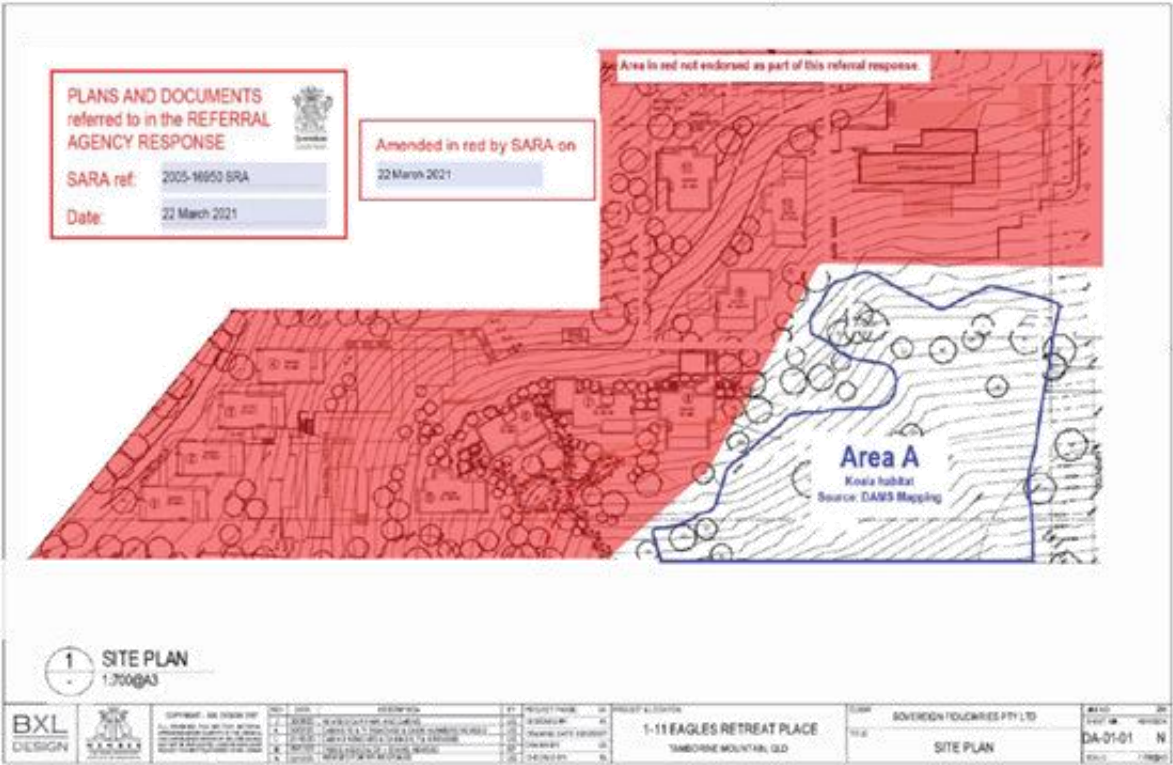


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 Version: 1, Version Date: 23/03/2021



Document Set ID: 11218144

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. 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.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

RA6-N



SARA reference: 2005-16950 SRA
Council reference: MCU20/050
Applicant reference: Z17012

22 March 2021

Chief Executive Officer
Scenic Rim Regional Council
PO Box 25
Beaudesert Qld 4285
mail@scenicrm.qld.gov.au

Attention: Mr. Kobi Lane

Dear Mr. Lane,

SARA response—1-11 Eagles Retreat Place, Tamborine Mountain

(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 on 22 May 2020.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	22 March 2021
Conditions:	The conditions in Attachment 1 must be attached to any development approval.
Advice:	Advice to the applicant is in Attachment 2 .
Reasons:	The reasons for the referral agency response are in Attachment 3 .

Development details

Description:	Development permit	Material Change of Use for Tourist Cabins (Short-Term Disability Accommodation)
SARA role:	Referral Agency	
SARA trigger:	Schedule 10, Part 10, Division 3, Subdivision 3, Table 1, Item 1 (Planning Regulation 2017)	

Page 1 of 7

South East Queensland (West) regional office
Level 4, 117 Brisbane Street, Ipswich
PO Box 2390, North Ipswich QLD 4305

Document Set ID: 11219144
Version: 1 Version Date: 23/03/2021

2005-16950 SRA

Interference with koala habitat.

SARA reference: 2005-16950 SRA

Assessment Manager: Scenic Rim Regional Council

Street address: 1-11 Eagles Retreat Place, Tamborine Mountain

Real property description: Lot 4 on RP82621

Applicant name: SDA Property Nominees Pty Ltd ATF SDA Holdings Trust
C/- Zone Planning Pty Ltd

Applicant contact details: PO Box 3805
Burleigh Town QLD 4220
eflett@zoneplanning.com.au

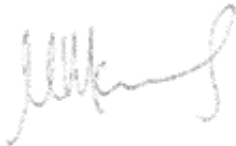
Representations

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 Dash D'Brant, Planning Officer, on 3432 2423 or via email IpswichSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Ursula McInnes
Planning Manager

cc SDA Property Nominees Pty Ltd ATF SDA Holdings Trust, eflett@zoneplanning.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations provisions
Attachment 5 - Approved plans and specifications

2005-16950 SRA

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 plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Material change of use – Tourist Cabins		
Schedule 10, Part 10, Division 3, Subdivision 3, Table 1, Item 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.	Vegetation is not to be cleared for any purpose within the area identified as Area A as shown on the attached Site Plan, prepared by BXL Design, dated 02 December 2020, reference 265 DA-01-01, revision N, amended in red by SARA on 22 March 2021 unless: <ul style="list-style-type: none"> • The clearing is in accordance with a previous approval; • The clearing is to manage non-native or declared pest plant species; • The clearing is no more than five (5) metres wide to construct or maintain fencing on any property boundary. 	At all times.
2.	If necessary, boundary fences transecting Area A are to be constructed and maintained as koala-friendly fencing in accordance with Table 1 of the Koala Sensitive Design Guideline (Version 2), prepared by the Department of Environment and Science and dated 1 February 2020.	At all times.

2005-16950 SRA

Attachment 2—Advice to the applicant**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) v2.6. If a word remains undefined it has its ordinary meaning. |
|----|---|

2005-16950 SRA

Attachment 3—Reasons for referral agency response*(Given under section 56(7) of the Planning Act 2016)***The reasons for the department's decision are:**

- The development is a material change of use that proposes interference with mapped koala habitat. Therefore, the development is assessable against State Code 25: Development in South East Queensland koala habitat of the State Development Assessment Provisions v2.6.
- Conditions are required to ensure the development does not result in a net loss of or contribute to the fragmentation of koala habitat.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- *Planning Regulation 2017*
- *The State Development Assessment Provisions* (version 2.6), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system

2005-16950 SRA

Attachment 4—Change representation provisions

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2005-16950 SRA

Attachment 5—Approved plans and specifications

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Summitters				
Surname	Given Name	Address	Suburb	State
Aagaard	Penelope	23 - 29 Kidd Street	TAMBORINE MOUNTAIN	QLD
Allen	Craig	55 Wagonwheel Road	TAMBORINE MOUNTAIN	QLD
Andersen	Kirsten	13 - 17 Munro Court	TAMBORINE MOUNTAIN	QLD
Andersen	Thor	8 Griffith Street	TAMBORINE MOUNTAIN	QLD
Andersen	Marilyn	31 Huyber Lane	TAMBORINE MOUNTAIN	QLD
Arthur	Duncan	446 Long Road	TAMBORINE MOUNTAIN	QLD
Baker	Merrin	26 Cliff Way	TAMBORINE MOUNTAIN	QLD
Ball	Jean	Eaglebrook 36/5-15 Cook Road	TAMBORINE MOUNTAIN	QLD
Baquis	Jill	82 coomera Gorge Drive	TAMBORINE MOUNTAIN	QLD
Bariga	Alejandro	11 Rainer Drive	TAMBORINE MOUNTAIN	QLD
Barnes	Colin	36 Kinabalu Drive	TAMBORINE MOUNTAIN	QLD
Beggs	Jennifer	13 Kalmia Court	TAMBORINE MOUNTAIN	QLD
Bengtson	Chris	19 York Street	BEENLEIGH	QLD
Bjornsson	Jon	2-4 Corypha Court	TAMBORINE MOUNTAIN	QLD
Blair	Douglas	44/27 Capo Lane	TAMBORINE MOUNTAIN	QLD
Blowers	Gillian	55 Prospect Street	TAMBORINE MOUNTAIN	QLD
Bohman	Suzanne	38 Siganto Street	TAMBORINE MOUNTAIN	QLD
Bonshek	Jean	32 Eagles Retreat Place	TAMBORINE MOUNTAIN	QLD
Booth	Maureen	2 Kinabalu Drive	TAMBORINE MOUNTAIN	QLD
Brandis	Pamela	23-25 Licuala Drive	TAMBORINE MOUNTAIN	QLD
Brown	Robert	5 Witherby Crescent	TAMBORINE MOUNTAIN	QLD
Brown	Debra	5 Witherby Crescent	TAMBORINE MOUNTAIN	QLD
Brown	Kathi	82A Coomera Gorge Drive	TAMBORINE MOUNTAIN	QLD
Buckle	Gary	11 Cliff Way	TAMBORINE MOUNTAIN	QLD
Buckle	Helen	11 Cliff Way	TAMBORINE MOUNTAIN	QLD
Bull	Betty	27-39 Caryota Court	TAMBORINE MOUNTAIN	QLD
Bull	Richard	27-39 Caryota Court	TAMBORINE MOUNTAIN	QLD
Cail	David	18 Elbert Court	TAMBORINE MOUNTAIN	QLD
Carter	David	45-47 Licuala Drive	TAMBORINE MOUNTAIN	QLD
Chatel	Barry	16 Cliff Way	TAMBORINE MOUNTAIN	QLD
Comiskey	Mary	25 Witherby Crescent	TAMBORINE MOUNTAIN	QLD
Coulter	Diana	39 Cliff Way	TAMBORINE MOUNTAIN	QLD
Coulter	Frank & Mary	39 Cliff Way	TAMBORINE MOUNTAIN	QLD
Cowls	Jean	12/219 Long Road	TAMBORINE MOUNTAIN	QLD
Crook	June	171 Beacon Road	TAMBORINE MOUNTAIN	QLD
Crook	Peter	171 Beacon Road	TAMBORINE MOUNTAIN	QLD
Davidson	Andrew	31 Cliff Way	TAMBORINE MOUNTAIN	QLD
Day	Terrence	109 the shelf Road	TAMBORINE MOUNTAIN	QLD
De Villers	Ella	17 Wasatch Court	TAMBORINE MOUNTAIN	QLD
Debnam	Madison	6 Howard Court	TAMBORINE MOUNTAIN	QLD
Di Pietro	Della	35 Siganto Street	TAMBORINE MOUNTAIN	QLD
Di Pietro	Sam	35 Siganto Street	TAMBORINE MOUNTAIN	QLD
Dirks	Warwick	10-12 Corypha Court	TAMBORINE MOUNTAIN	QLD
Doering	Brigitte	53-57 Knoll Rd	TAMBORINE MOUNTAIN	QLD
Drennan	Lyndal	56 Wongawallan Road	TAMBORINE MOUNTAIN	QLD
Duffy	Kim	28 Eagles Retreat Place	TAMBORINE MOUNTAIN	QLD
Duffy	Kerry	22-30 Eagles Retreat Place	TAMBORINE MOUNTAIN	QLD
Eberhard	Robyn	92 Pacific Parade	TAMBORINE MOUNTAIN	QLD
Eberhard	Richard	92 Pacific Parade	TAMBORINE MOUNTAIN	QLD
Ellard	Derek	171 - 183 Wongawallan Road	TAMBORINE MOUNTAIN	QLD
Evans	Kevin	13-17 Munro Court	TAMBORINE MOUNTAIN	QLD
Firmin	John & Gillian	9 Timor Court	TAMBORINE MOUNTAIN	QLD
Fraser	Kay	5 Cliff Way	TAMBORINE MOUNTAIN	QLD
Freeman	Samantha	80 Lahey Road	TAMBORINE MOUNTAIN	QLD
Galli	Steffen	7/163 Curtis Road	TAMBORINE MOUNTAIN	QLD
Gardner	Paul	39 Hartley road	TAMBORINE MOUNTAIN	QLD
Gadzow	Andrew	23 - 29 Kidd Street	TAMBORINE MOUNTAIN	QLD
Given	Margaret	24 Long Road	TAMBORINE MOUNTAIN	QLD
Glenn	Colleen	Unit 2 - 14/18 Yuulong Road	TAMBORINE MOUNTAIN	QLD
Gowan	Nicholas	38 Alpine Terrace	TAMBORINE MOUNTAIN	QLD
Gray	Jason	89- 103 Kaiser Road	TAMBORINE MOUNTAIN	QLD

Green	Pamela	13 Tambora Court	TAMBORINE MOUNTAIN	QLD
Gregory	Gabrielle	106 Coomera Gorge Drive	TAMBORINE MOUNTAIN	QLD
Guthrie	Julie	254-256 Long Road	TAMBORINE MOUNTAIN	QLD
Guthrie	Gregory	254-256 Long Road	TAMBORINE MOUNTAIN	QLD
Guy	Kerrie	35 Witherby Crescent	TAMBORINE MOUNTAIN	QLD
Hall	Simon	611 Main Western Road	TAMBORINE MOUNTAIN	QLD
Hanigan	Kaylene	2/7 Leach Road	TAMBORINE MOUNTAIN	QLD
Hannon	Ally	7 Kinabalu Drive	TAMBORINE MOUNTAIN	QLD
Hansen	David	8/163 Curtis Road	TAMBORINE MOUNTAIN	QLD
Haraldsd Hamar	Anna	7 Witherby Crescent	TAMBORINE MOUNTAIN	QLD
Hardy	Rose	52 Jenyns Road	TAMBORINE MOUNTAIN	QLD
Hardy	William	52 Jenyns Road	TAMBORINE MOUNTAIN	QLD
Hay	Amanda	13-15 Chalmette Drive	TAMBORINE MOUNTAIN	QLD
Haynes	Martyn	20 Carey Parade	TAMBORINE MOUNTAIN	QLD
Henderson	Trevor	174-184 Larch Road	TAMBORINE MOUNTAIN	QLD
Henderson	Jeanine	2/15 Huyber Lane	TAMBORINE MOUNTAIN	QLD
Henderson	Matt	174-184 Larch Road	TAMBORINE MOUNTAIN	QLD
Herbst	Elsa	17 Wasatch Court	TAMBORINE MOUNTAIN	QLD
Hermannusson	Janet	14 -16 Kidd Street	TAMBORINE MOUNTAIN	QLD
Hermannusson	Trygvi	14 -16 Kidd Street	TAMBORINE MOUNTAIN	QLD
Herold	Kelly	Ashwood Drive	CEDAR VALE	QLD
Heydon	Carmel	27 Witherby Court	TAMBORINE MOUNTAIN	QLD
Hockey	Gillian & Brian	47 Southport Avenue	TAMBORINE MOUNTAIN	QLD
Hodges	Jeremy	14 Maipu Court	TAMBORINE MOUNTAIN	QLD
Hodgson	Doris	28 Magnetic Drive	TAMBORINE MOUNTAIN	QLD
Hofmeier	Maree	50 Jenyns Road	TAMBORINE MOUNTAIN	QLD
Holkema	Catherine	44/27 Capo Lane	TAMBORINE MOUNTAIN	QLD
Hollis	Annette	171 - 183 Wongawallien Road	TAMBORINE MOUNTAIN	QLD
Holmes	Kenneth	14 Cayambe Court	TAMBORINE MOUNTAIN	QLD
Holmes	Sandra	14 Cayambe Court	TAMBORINE MOUNTAIN	QLD
Inglis	James	262 Beacon Road	TAMBORINE MOUNTAIN	QLD
Inglis	Rosalind	262 Beacon Road	TAMBORINE MOUNTAIN	QLD
James	Dianne	15- 19 Knoll Road	TAMBORINE MOUNTAIN	QLD
James	Patricia	12 Mayon Court	TAMBORINE MOUNTAIN	QLD
Jarrett	Susan	15 Eagles Close	TAMBORINE MOUNTAIN	QLD
Johnson	Bill	25 Caryota Court	TAMBORINE MOUNTAIN	QLD
Johnson	Arlene	26 Geissmann Street	TAMBORINE MOUNTAIN	QLD
Johnson	Alison	5 Manika Court	TAMBORINE MOUNTAIN	QLD
Johnson	Ian	5 Manika Court	TAMBORINE MOUNTAIN	QLD
Johnston	Sean	38 Kinabalu Drive	TAMBORINE MOUNTAIN	QLD
Jones	Michael	29 Eagles Retreat Place	TAMBORINE MOUNTAIN	QLD
Joy	Courtney	10 Mayon Court	TAMBORINE MOUNTAIN	QLD
Kavanagh	Elwynn	119 Coomera Gorge Drive	TAMBORINE MOUNTAIN	QLD
Kennedy	Jean	8 Mayon Court	TAMBORINE MOUNTAIN	QLD
Kennedy	Jack	8 Mayon Court	TAMBORINE MOUNTAIN	QLD
Kinkert	Silvan	167-169 Beacon Road	TAMBORINE MOUNTAIN	QLD
Kogel	Barry	25 Witherby Crescent	TAMBORINE MOUNTAIN	QLD
Kruger	Ruan	U1A 12 Sexton Street	HIGHGATE HILL	QLD
Lambert	Pamela	19- 23 Witherby Crescent	TAMBORINE MOUNTAIN	QLD
Lambert	Anthony	19-23 Witherby Crescent	TAMBORINE MOUNTAIN	QLD
Lamprecht	Caroline	10 Southport Avenue	EAGLE HEIGHTS	QLD
Langdon	Cherelyn	50 Normandie Court	TAMBORINE MOUNTAIN	QLD
Larkings	Simon	604/3 Orchid Avenue	SURFERS PARADISE	QLD
Larkings	Jacqueline	604/3 Orchid Avenue	SURFERS PARADISE	QLD
Law	Claire	12 Central Avenue	TAMBORINE MOUNTAIN	QLD
Law	Robyn	6 Mayon Court	TAMBORINE MOUNTAIN	QLD
Lewis	Susan	23 Kidd street	TAMBORINE MOUNTAIN	QLD
Lindenmayer	Roland	7 Magnetic Drive	TAMBORINE MOUNTAIN	QLD
Lockey	Jeanette	578 Main Western Road	TAMBORINE MOUNTAIN	QLD
Lovegrove	David	9 Cliff Way	TAMBORINE MOUNTAIN	QLD
Lowman	Carole	19 Driscoll Lane	TAMBORINE MOUNTAIN	QLD
Lowman	Robert	19 Driscoll Lane	TAMBORINE MOUNTAIN	QLD
Luby	Leanne	12 Flores Court	TAMBORINE MOUNTAIN	QLD

Luby	Wayne	12 Flores Court	TAMBORINE MOUNTAIN	QLD
Ludwig	Brian	22 William Humphrey's Drive	MUNDOOLUN	QLD
Macnelli	Malcolm	78-90 Palomino Road	TAMBORINE MOUNTAIN	QLD
Mahoney	Tarquin	57 Central Avenue	TAMBORINE MOUNTAIN	QLD
Markham	Tessa	181 Larch Road	TAMBORINE MOUNTAIN	QLD
Markham-Vegter	Joanita	181-187 Larch Road	TAMBORINE MOUNTAIN	QLD
May	Anthony	45 Jenyns Road	TAMBORINE MOUNTAIN	QLD
McDonald	Athol	79-81 Bateke Road	TAMBORINE MOUNTAIN	QLD
McDonald	Sandra	79-81 Bateke Road	TAMBORINE MOUNTAIN	QLD
McDonald	James	79-81 Bateke Road	TAMBORINE MOUNTAIN	QLD
McLaughlin	Mark	29 Witherby Crescent	TAMBORINE MOUNTAIN	QLD
McLaughlin	Hayley	29 Witherby Crescent	TAMBORINE MOUNTAIN	QLD
McPaul	Terry	127 Larch Road	TAMBORINE MOUNTAIN	QLD
Meredith	Linda	16 Tambora Court	TAMBORINE MOUNTAIN	QLD
Miles	Leanne	2 Mayon Court	TAMBORINE MOUNTAIN	QLD
Milnes	Kenneth	1-3 Elbert Court	TAMBORINE MOUNTAIN	QLD
Moore	Geoffrey	10-14 Roslyn Court	TAMBORINE MOUNTAIN	QLD
Morrow	John and Alison	26 Eagles Close	TAMBORINE MOUNTAIN	QLD
Mostyn	Pamela	3/14 Yuulong Rd	TAMBORINE MOUNTAIN	QLD
Murphy	James	31 Huyber Lane	TAMBORINE MOUNTAIN	QLD
Nilsen	Dorothy	65 Benowa Street	TAMBORINE MOUNTAIN	QLD
Olyslagers	Kerry	62 Southport Avenue	TAMBORINE MOUNTAIN	QLD
Orth	Judith	39/27 Capo Lane	TAMBORINE MOUNTAIN	QLD
Parker	Judith	10 Capo Lane	TAMBORINE MOUNTAIN	QLD
Payne	Maurice	119 Coomera Gorge Drive	TAMBORINE MOUNTAIN	QLD
Pearson	Russell	84-92 Verbena Road	TAMBORINE MOUNTAIN	QLD
Peat	Jennifer	78 - 80 Geissmann Drive	TAMBORINE MOUNTAIN	QLD
Pettitt	Merlyn & Simon	7 Cliff Way	TAMBORINE MOUNTAIN	QLD
Phillips	Mark	303-305 Macdonnell Road	TAMBORINE MOUNTAIN	QLD
Piersma	Herman	31 Witherby Crescent	TAMBORINE MOUNTAIN	QLD
Piper	Louise	14 Southport Avenue	TAMBORINE MOUNTAIN	QLD
Porteous	Fiona	1 Central Avenue	TAMBORINE MOUNTAIN	QLD
Porter	Mal	20 Central Avenue	TAMBORINE MOUNTAIN	QLD
Powell	Ben	30-34 Yuulong Road	TAMBORINE MOUNTAIN	QLD
Powell	Rosie	30/34 Yuulong Road	TAMBORINE MOUNTAIN	QLD
Quill-Barnes	Cat	36 Kinabalu Drive	TAMBORINE MOUNTAIN	QLD
Read	Eli	318 Tamborine Mountain Road	TAMBORINE MOUNTAIN	QLD
Reedy	Manjula	222 Beacon Road	TAMBORINE MOUNTAIN	QLD
Ruglen	Harvey	31 Ocean View Parade	TAMBORINE MOUNTAIN	QLD
Russell	Elizabeth	30/27 Capo Lane	TAMBORINE MOUNTAIN	QLD
Russell	Michael	30/27 Capo Lane	TAMBORINE MOUNTAIN	QLD
Sandholt	Thorir	7 Witherby Crescent	TAMBORINE MOUNTAIN	QLD
Sandiford	David	74-84 Kaiser Road	TAMBORINE MOUNTAIN	QLD
Sandiford	David	74-84 Kaiser Road	TAMBORINE MOUNTAIN	QLD
Santiuste	Toni	32-36 Staghorn Road	TAMBORINE MOUNTAIN	QLD
Sellar	Ian	131 Guanaba Road	TAMBORINE MOUNTAIN	QLD
Sewell	Sandra	47 Knoll Road	TAMBORINE MOUNTAIN	QLD
Shephard	Ian & Muriel	94 Bartle Road	TAMBORINE MOUNTAIN	QLD
Simister	Linda	16 Cliff Way	TAMBORINE MOUNTAIN	QLD
Simpson	Julie	95-97 Bateke road	TAMBORINE MOUNTAIN	QLD
Simpson	John	95-97 Bateke road	TAMBORINE MOUNTAIN	QLD
Sinclair	Shelley	121 contour Road	TAMBORINE MOUNTAIN	QLD
Sinclair	Peter	121 contour Road	TAMBORINE MOUNTAIN	QLD
Sinclair	June	5 Kinabalu Drive	TAMBORINE MOUNTAIN	QLD
Smith	Kelvin	30 Magnetic Drive	TAMBORINE MOUNTAIN	QLD
Smith	Lisa	30 Magnetic Drive	TAMBORINE MOUNTAIN	QLD
Steele	Brian	82A Coomera Gorge Drive	TAMBORINE MOUNTAIN	QLD
Stephens	Helen	87 Curtis Road	TAMBORINE MOUNTAIN	QLD
Stephens	Rosemary	440-444 Henri Robert Drive	TAMBORINE MOUNTAIN	QLD
Symon	Mieke	45 Jenyns Road	TAMBORINE MOUNTAIN	QLD
Taylor	Michele	12-14 Licuala Drive	TAMBORINE MOUNTAIN	QLD
Taylor	Mark & Eunjeong	1 Dapsang Drive	TAMBORINE MOUNTAIN	QLD
Theakstone	Georgia	186 Larch Road	TAMBORINE MOUNTAIN	QLD

Theakstone	Robert	186 Larch Road	TAMBORINE MOUNTAIN	QLD
Thompson	Winefred	13-17 Eagles Retreat Place	TAMBORINE MOUNTAIN	QLD
Thorburn	Kay	6 Cliff Way	TAMBORINE MOUNTAIN	QLD
Turner	Edmund	13 Kalmia Court	TAMBORINE MOUNTAIN	QLD
Turner	Clive	6 Jura Court	TAMBORINE MOUNTAIN	QLD
Vadasz	Peter	12 Tambora Court	TAMBORINE MOUNTAIN	QLD
Vallance	Sharon	24 Wongawallon Road	TAMBORINE MOUNTAIN	QLD
Van Os	Alexander	57 Central Avenue	TAMBORINE MOUNTAIN	QLD
Vaughan	Jon & Jan	7 Alpine Terrace	TAMBORINE MOUNTAIN	QLD
Vicary	Kenneth	41-43 Cliff Way	TAMBORINE MOUNTAIN	QLD
Vicary	Anne	41-43 Cliff Way	TAMBORINE MOUNTAIN	QLD
Vogt	Sharne	10-14 Roslyn Court	TAMBORINE MOUNTAIN	QLD
Wanless	Gai	110 - 112 Eagle Heights Road	TAMBORINE MOUNTAIN	QLD
Warrell	Pam	86-88 Cliff Road	TAMBORINE MOUNTAIN	QLD
Watkins	Terry	54 Munsterdale Road	TAMBORINE MOUNTAIN	QLD
Watt	Peter	9 Cliff Way	TAMBORINE MOUNTAIN	QLD
Watt	Anne	11 Witherby Crescent	TAMBORINE MOUNTAIN	QLD
Webb	Terry	14 Eagles Retreat Place	TAMBORINE MOUNTAIN	QLD
Weber	Gordon	130D curtis Road	TAMBORINE MOUNTAIN	QLD
Weber	Jill	130D Curtis Road	TAMBORINE MOUNTAIN	QLD
Weisfelt	Roeland & Julie	1 Moreton Bay Avenue	TAMBORINE MOUNTAIN	QLD
Werner	Curt	11 Maipu court	TAMBORINE MOUNTAIN	QLD
Werner	June	11 Maipu court	TAMBORINE MOUNTAIN	QLD
Werner	Lisa	11 Maipu court	TAMBORINE MOUNTAIN	QLD
West	Judy	Kilmore Drive	TAMBORINE MOUNTAIN	QLD
West	Belinda	149-151 Kilmore Drive	TAMBORINE MOUNTAIN	QLD
Wheeler	Leisha	20 Elbert Court	TAMBORINE MOUNTAIN	QLD
Wheeler	John	20 Elbert Court	TAMBORINE MOUNTAIN	QLD
Whitehead	Rory	12 Driscoll Lane	TAMBORINE MOUNTAIN	QLD
Wilkinson	Julie	12-18 Hartley road	TAMBORINE MOUNTAIN	QLD
Williams	Evette	147 Flying Fox road	TAMBORINE MOUNTAIN	QLD
Williams	Toby	32 Carlie Court	TAMBORINE MOUNTAIN	QLD
Wills	Richard	14 Tambora Court	TAMBORINE MOUNTAIN	QLD
Wilson	Alan	35-37 Justin Ave	TAMBORINE MOUNTAIN	QLD
Wilson	Beverley	35-37 Justin Ave	TAMBORINE MOUNTAIN	QLD
Wilstow	Richard	15 Beechmont Avenue	TAMBORINE MOUNTAIN	QLD
Winkle	Beth	79 Broadway Street	WOOLLOONGABBA	QLD
Wistow	Cheryl	15 Beechmont Avenue	TAMBORINE MOUNTAIN	QLD
Wood	Diane	51 Macdonnell Road	TAMBORINE MOUNTAIN	QLD
Woodmansey	Glenn	173-179 Larch Road	TAMBORINE MOUNTAIN	QLD
Woodmansey	Jeanette	173 Larch Road	TAMBORINE MOUNTAIN	QLD
Woods	Phillip	11 Kootenai Drive	TAMBORINE MOUNTAIN	QLD
Wooldridge	Lynette	210 Beacon Road	TAMBORINE MOUNTAIN	QLD
Wooldridge	Robert	210 Beacon Road	TAMBORINE MOUNTAIN	QLD
Wright	Stuart	13-15 Chalmette Drive	TAMBORINE MOUNTAIN	QLD

Asset & Environmental Sustainability**10.3 Road Numbering - Chinghee Creek Road and Mount Gipps Road, Chinghee Creek****Executive Officer:** General Manager Asset and Environmental Sustainability**Item Author:** Manager Maintenance & Operations**Attachments:**

1. Aerial Image - Mount Gipps Road [↓](#) 

Executive Summary

Rural road numbering along Chinghee Creek Road and Mount Gipps Road, Chinghee Creek is currently incorrect and not in alignment with current road naming and numbering conventions. Council has completed the advertising of the proposed renaming of a portion of Mount Gipps Road, Chinghee Creek to Chinghee Creek Road, Chinghee Creek, to rectify this error.

Recommendation

That:

1. Council approve the renaming of a portion of Mount Gipps Road to Chinghee Creek Road, Chinghee Creek;
2. Existing signage be replaced to indicate the road name change; and
3. Council's Road Name Register be updated accordingly.

Previous Council Considerations / Resolutions

Nil.

Report / Background

Council officers have identified an error in the road numbering impacting residents along Chinghee Creek Road and Mount Gipps Road, Chinghee Creek. Residents along the first portion of Mount Gipps Road have been allocated rural numbers and addresses as part of Chinghee Creek Road. Mount Gipps Road is then also currently numbered incorrectly due to the numbering starting at the incorrect location. It is identified that there are eight affected properties within the area.

Previously, rural road numbering was undertaken by community groups on a volunteer basis and it was at this time that the error has occurred. Council currently manages rural road numbering internally through the Road Corridor Management team.

It is proposed to rename the incorrectly numbered portion of Mount Gipps Road to Chinghee Creek Road (refer highlighted section of road on Attachment 1), therefore all current numbers and addresses would remain and be correct, minimising the impact on affected residents. Council is required to relocate the existing Mount Gipps Road sign to the new location (relocate signage from Point A to Point B on Attachment 1). Council asset data will also require updating to acknowledge the road naming change to Chinghee Creek Road.

In accordance with the Naming of Roads and Places Policy, Council advertised the proposed name change for public consultation for a period of four weeks. The public consultation included advertisement in the local newspapers. The affected property owners were also contacted individually by Council to discuss the proposed road renaming. Council received no submissions objecting to the road renaming.

Budget / Financial Implications

Advertising costs associated with renaming proposal are funded through the Road Corridor Management operational budget.

Strategic Implications

Operational Plan

Theme: 6. Accessible and Serviced Regions

Key Area of Focus: 6.1.3 Ensure accessibility of Council-controlled infrastructure networks, while enhancing resilience

Legal / Statutory Implications

Not applicable.

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR43 Inadequate or ineffective planning, delivery and maintenance of infrastructure resulting in risk to public and staff safety and potential financial implications.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Infrastructure, Assets & Service Delivery Adverse impacts to the community due to Infrastructure Planning and delivery fails to meet appropriate standards of service	4 Major	Possible	High	Design and Construction Manual; Planning Scheme	Medium

Consultation

Council's Insurance, Asset Management and Geographic Information System areas were all consulted with regard to the road renaming and numbering proposal.

Community consultation occurred individually with the affected property owners on Chinghee Creek Road and Mount Gipps Road and through advertisements within local newspapers.

Conclusion

Renaming a portion of Mount Gipps Road, Chinghee Creek to Chinghee Creek Road, Chinghee Creek, will resolve rural road numbering issues. Council advertised the proposed change in road name as per Council's Naming of Roads and Places Policy.

10.4 Black Spot Funding Program 2021-2022 Update**Executive Officer:** General Manager Asset and Environmental Sustainability**Item Author:** Principal Specialist Capital Works Engineer / Acting Manager Capital Works and Asset Management**Attachments:**

1. Concept Design - Beechmont Road east of Rhoades Road Ch6170-Ch8060 [!\[\]\(b1b781be830eb908d845c527ab08d5f8_img.jpg\)](#) [!\[\]\(2176a4ba510fa27404d783166e891577_img.jpg\)](#)
2. Concept Design - Munbilla Road and Ellis & Jackson Road intersection [!\[\]\(a3b1c8d49688274496e55f2751cb8993_img.jpg\)](#) [!\[\]\(428d7e9195be7f8a26074c24b6c91839_img.jpg\)](#)
3. Concept Design - Birnam Street intersection James Street and Alice Street [!\[\]\(ed97b77223b22ee5f7630fce8232c643_img.jpg\)](#) [!\[\]\(09fbf882b1c74e1d905570cb87137f75_img.jpg\)](#)

Executive Summary

Applications for seven separate eligible transport infrastructure projects were submitted for funding under the Australian Government Black Spot Program 2021-2022, with five projects receiving approval for funding totalling \$1.755 million.

Recommendation

That Council acknowledge formal notification from the Department of Transport and Main Roads of Council's submission under the Australian Government Black Spot Program 2021-2022; with the following five projects approved for funding:

Project	Approved Funding
Beechmont Road, east of Rhoades Road, Witheren (Ch6170 to Ch8060)	\$191,000
Munbilla Road and Ellis & Jackson Road intersection, Milora	\$664,000
Birnam Street and James Street intersection, Beaudesert	\$198,000
Beechmont Road, 500m section north of Farm Grove Road, Beechmont (Ch9600 to Ch10100)	\$209,000
Birnam Street and Alice Street intersection, Beaudesert	\$493,000
Total Approved Funding	\$1,755,000

Previous Council Considerations / Resolutions

Not applicable.

Report/ Background

Council officers monitor crash locations within the Scenic Rim region as part of the ongoing capital works program development, for potential Black Spot funding nominations and to respond to requests from the community for infrastructure upgrades.

In past Black Spot funding applications, single standout road safety issues typically emerged from analysis of crash data, which were readily prioritised as road upgrade project for nomination for funding.

In the assessment of crash statistics for the current round of Black Spot funding, seven nominations were allocated similar priority due to the number/severity of crashes and the involvement of vulnerable road users, such as school children. Due in part to the success of the Black Spot Program in addressing driver safety issues on roads in the regional network, the scale and consequence of crash statistics are becoming lower and less severe, respectively.

The following five projects were successful for the 2021-2022 Black Spot Program:

Project	Approved Funding
Beechmont Road, east of Rhoades Road, Witheren (Ch6170 to Ch8060)	\$191,000
Munbilla Road and Ellis & Jackson Road intersection, Milora	\$664,000
Birnam Street and James Street intersection, Beaudesert	\$198,000
Beechmont Road, 500m section north of Farm Grove Road, Beechmont (Ch9600 to Ch10100)	\$209,000
Birnam Street and Alice Street intersection, Beaudesert	\$493,000
Total Approved Funding	\$1,755,000

Further summary details of each successful submission are as follows:

Beechmont Road east of Rhoades Road, Witheren (Ch6170 to Ch8060)

This section of Beechmont Road contains a series of curves and straights with low visibility during wet/foggy conditions. Four crashes have been recorded at this location from 2015 to 2019.

The scope of the nominated project, which is depicted in Attachment 1, involves:

- Remove vegetation (outside/additional normal maintenance regime);
- Install audio tactile line marking (ATLM) edge and centreline;
- Install guideposts with reflectors;
- Install curve alignment markers (CAMs) on outside of curve; and
- Install new seal on poor surface (below intervention threshold).

Munbilla Road and Ellis & Jackson Road intersection, Milora

Ellis & Jackson Road intersects on the outside of a substandard curve/road geometry on Munbilla Road. Munbilla Road is a part of Local Roads of Regional Significance (LRRS) with relatively high traffic volumes are observed at this location. Three crashes have been recorded at this location (one hospitalisation and two medical treatment).

The scope of the nominated project, which is depicted in Attachment 2, involves:

- Change horizontal alignment;
- Install shoulder from existing 0.0m to 0.25m shoulder to 1.0m shoulder;
- Install curve alignment markers (CAMs) on outside of curve;
- Flatten slope to 1:6 or better (for at least the distance of the speed limit divided by 10);
- Eliminate sub-optimal vertical geometry (correct superelevation); and
- Install warning signs.

Birnam Street and James Street intersection, Beaudesert

The Birnam and James Street intersection in Beaudesert experiences relatively high traffic volumes and high recorded vehicle speeds. This intersection also has poor sight distance from James Street to oncoming traffic from Birnam Street. Therefore, this intersection was selected for black spot funding to lower the approach speed and reduce conflict points.

The scope of the nominated project, which is depicted in Attachment 3, involves installing traffic calming devices such as precast concreted island and line marking on both streets to control the speed and manage the traffic effectively.

Beechmont Road section north of Farm Grove Road, Beechmont (Ch9600 to Ch10100)

This section of Beechmont Road contains a series of curves and straights with low visibility during wet/foggy conditions. One fatal crash has been recorded at this location.

The scope of the nominated project involves:

- Remove vegetation (outside/additional normal maintenance regime);
- Install guideposts with reflectors;
- Install curve alignment markers (CAMs) on outside of curve;
- Install new seal on poor surface (below intervention threshold); and
- Install w-beam guardrail on road side.

Birnam and Alice Street, Beaudesert

The Birnam and Alice Street intersection in Beaudesert experiences relatively high traffic volumes and high recorded vehicle speeds. It is also a location used predominately by children. Two crashes requiring medical treatment have been recorded at this location.

The scope of the nominated project, which is depicted in Attachment 3, involves:

- Installation of a single lane roundabout to reduce approach speeds and manage the traffic effectively through the intersection at Birnam and Alice Streets; and
- Installation of a compliant kerb ramp and pedestrian refuge.

Please note the preceding descriptions and attached drawings are concept only and may be varied as part of the final design or due to construction site requirements.

Budget / Financial Implications

The projects listed in this report nominated for Black Spot Funding are fully funded under this program.

Strategic Implications

Operational Plan

Theme: 6. Accessible and Serviced Regions
 Key Area of Focus: 6.1.3 Ensure accessibility of Council-controlled infrastructure networks, while enhancing resilience

Legal / Statutory Implications

The *Queensland Professional Engineers Act 2002* require decisions made by Council engineers to:

- a) protect the public by ensuring professional engineering services are provided by a registered professional engineer in a professional and competent way; and
- b) to maintain public confidence in the standard of services provided by registered professional engineers; and
- c) to uphold the standards of practice of registered professional engineers.

The considerations described in this report meet these obligations.

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR43 Inadequate or ineffective planning, delivery and maintenance of infrastructure resulting in risk to public and staff safety and potential financial implications.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Infrastructure, Assets & Service Delivery Lack of or inadequate infrastructure planning	4 Major	Possible	High	10 Year Capital Works Program; Asset Management Framework (Plans, Policies and Procedures)	High

Consultation

The nominated projects were compiled through liaison between officers from the Asset Management, Design, Road Maintenance and Capital Works teams.

Consultation with community stakeholders will form part of the delivery of the projects prior to and during works.

Black Spot funded projects are opportunities to develop media releases and other communications to raise public awareness of this important investment in community safety for all road users.

Conclusion.

Council submitted seven separate eligible transport infrastructure projects for funding under the Australian Government 2021-2022 Black Spot Program; with five projects receiving approval for funding, totalling \$1.755 million.








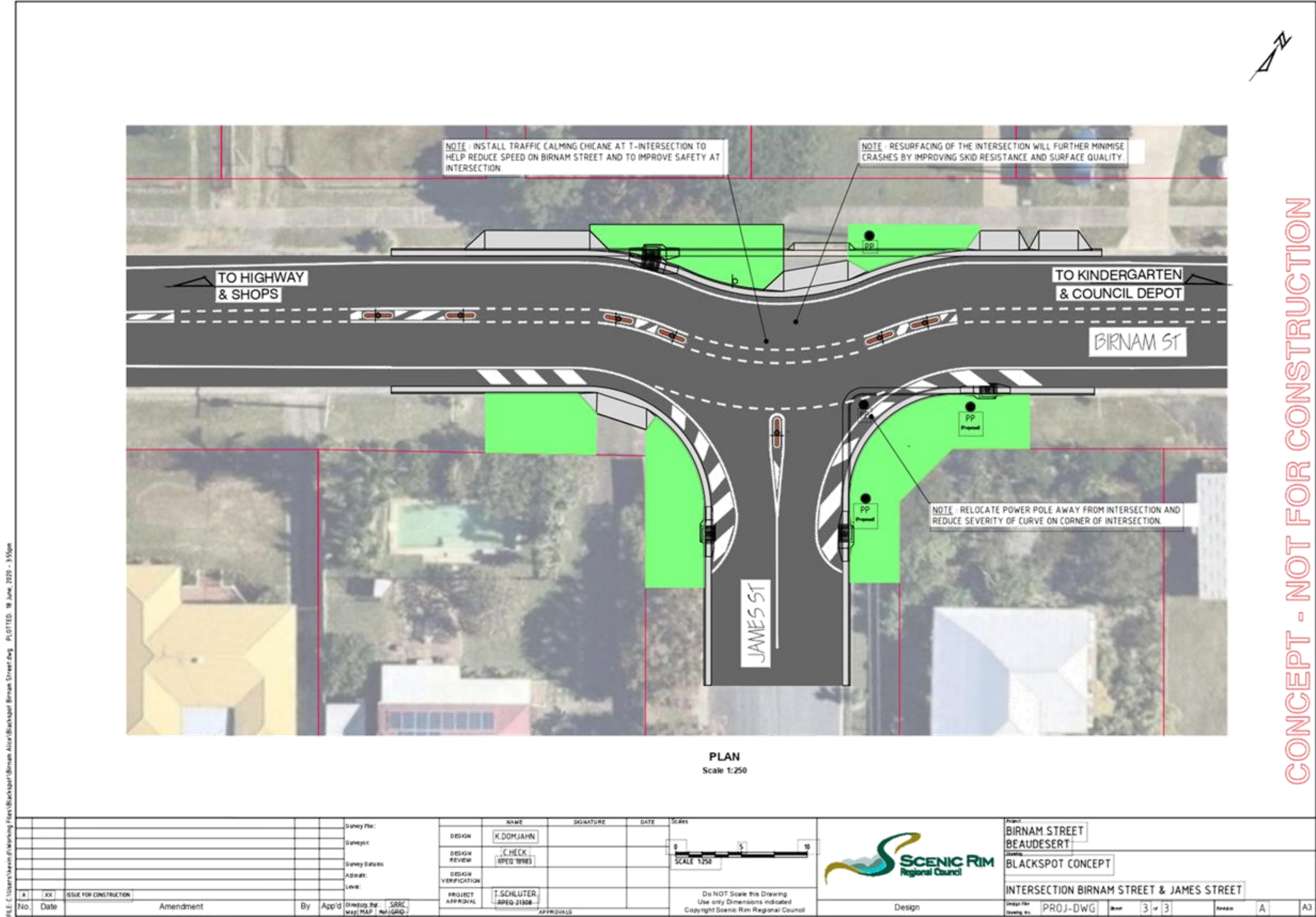
- Install centreline and edge lines to entire length of Birnam Street.
- Install T intersection traffic calming at the intersection of Birnam Street and James Street.
- Install Roundabout at the intersection of Birnam Street and Alice Street.

[illegible]



PLAN
Scale 1:250

		Survey File:		NAME		SIGNATURE		DATE		SCORES				Project: BIRNAM STREET BEAUDESERT	
		Surveyor:		DESIGN K. DOMJAHN						0 5 10 SCALE 1:250				Location: BLACKSPOT CONCEPT	
		Survey Station:		DESIGN REVIEW J. CHECK RPEQ 18983											
		Address:		DESIGN VERIFICATION											
		Level:		PROJECT APPROVAL T. SCHLUTER RPEQ 21308											
A XX ISSUE FOR CONSTRUCTION				By		App'd		Drawing File: SRRC WAG MAP 1411500		Do NOT Scale this Drawing Use only Dimensions indicated Copyright Scenic Rim Regional Council		Design		Drawing File: PROJ-DWG	
No. Date		Amendment										Sheet 2 of 3		Revision A	



Council Sustainability

10.5 Procurement Exceptions 2021-2022

Executive Officer: General Manager Council Sustainability

Item Author: General Manager Council Sustainability

Attachments: Nil

Executive Summary

This report seeks Council's approval for engagement of suppliers under section 235 of the *Local Government Regulation 2012* (the Regulation) during the 2021-2022 financial year.

Recommendation

That Council resolve to engage the following suppliers under section 235 of the *Local Government Regulation 2012* during the 2021-2022 financial year.

Supplier	Services	Exception	Expiry
Plant Assessor	Plant safety risk assessment services	235(b)	30/06/2022
CWASH Pty Ltd	Rental of land	235(a)	30/06/2022
OnTheNet	Broadband and network services	235(b)	31/12/2021

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 6 July 2020, Council resolved to engage the following suppliers under section 235 of the *Local Government Regulation 2012* from 1 July 2020 to 30 June 2021:

Supplier	Services	Exception	Expiry
Plant Assessor	Plant safety risk assessment services	235(b)	30/06/2021
CWASH Pty Ltd	Rental of land	235(a)	30/06/2021
OnTheNet	Broadband and network services	235(b)	30/06/2021
Brother and Co	Advertising creative concept design and production.	235(b)	30/06/2021

At the Ordinary Meeting held on 23 February 2021, Council resolved to engage the following suppliers under section 235 of the *Local Government Regulation 2012* through until 30 December 2021:

Supplier	Services	Exception	Expiry
Feral Arts	Livestream Production Services	235(a)	30/12/2021

At the Ordinary Meeting held on 11 May 2021, Council resolved to engage the following suppliers under section 235 of the *Local Government Regulation 2012* through until 30 June 2021:

Supplier	Service	Exception	Expiry
Josh Lopez	Coordination and delivery of the 'A Decade of Delicious @ Rosewood Estate' - Eat Local Week 2021 - 10 th Anniversary celebratory event	235(a)	30 June 2021
Krystal Lopez	Design and event theming including staffing and inventory matters related to 'A Decade of Delicious' - Eat Local Week 2021 - 10 th Anniversary celebratory event	235(a)	30 June 2021
Rick Price Management	Provision of entertainment	235(a)	30 June 2021

Report/ Background

In accordance with section 235 of the Regulation, Council may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if:

- (a) the local government resolves it is satisfied that there is only one supplier who is reasonably available; or
- (b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders; or
- (c) a genuine emergency exists; or
- (d) the contract is for the purchase of goods and is made by auction; or
- (e) the contract is for the purchase of second-hand goods; or
- (f) the contract is made with, or under an arrangement with, a government agency.

The exceptions under section 235(a) and (b) of the Regulation require Council to "resolve" these exceptions and the submission of reports to Council to obtain exceptions under these Regulation provisions is commonplace in Queensland councils.

Plant Assessor

Plant Assessor is an online safety system and has been providing plant safety risk assessment services to Council plant and equipment since 2010. Plant Assessor is make and model specific, and provides risk assessments to the latest Australian Standards, Legislation and State Codes of Practice. Plant Assessor also provides a corrective action management regime, for Council to ensure plant is brought up to standard, and that a safe system of work is developed for each item of plant on fleet.

A yearly assessment is undertaken by Plant Assessor, on a variety of Council owned plant and equipment, including newly purchased items.

CWASH Pty Ltd

CWASH Pty Ltd is the registered owner of land situated at 157-169 Helen Street, Beaudesert. Council has operated a stockpile from this site since the late 1990s. The site is beneficial to Council due to its proximity to the Helen Street Works Depot and centrally located to the greater Beaudesert/eastern works area.

In the time Council has been using the site, it has been improved to create a hardstand area, thereby increasing its usefulness to Council as an all-weather facility. Improvements by Council have rendered the site generally immune to riverine flooding. Furthermore, in a high intensity, short duration rainfall event, the hardstand area remains relatively free from water that flows down Helen Street and lies in the lower area of the property.

Given its location, Council's use of the site receives little to no negative feedback from members of the community. Previous stockpile sites have been forced to close due to adverse public feedback relating to its perceived unsightly nature and noise issues.

OnTheNet

Provide Council broadband and network infrastructure and support services that allow Council to be connected to the various sites and provides for its network and telephony services.

Council recently conducted an overall architectural review of its networks and a site-by-site review of its connectivity. Council undertook a tender process that aimed to

- Deliver a network designed to support Council's increased use of public cloud systems; and
- Deliver network carriage services at a reduced cost reflecting current market prices and NBN roll-out progress.

The tender process is in the final stages of design and negotiation and is expected to be awarded in the first quarter of 2021-2022. The awarding of the contract will formalise the broadband and network services activities of Council without needing to seek further exceptions. The exception sought for OnTheNet allows for continued delivery of these essential services to allow the finalisation of awarding the tender and/or allow for the review and migration of services to the winning tenderer.

Budget / Financial Implications

Costs associated with engaging these suppliers are contained in the relevant budgets. Estimated expenditure in the 2021-2022 financial year:

- Plant Assessor: \$ 10,000
- CWASH Pty Ltd: \$ 15,000
- OnTheNet \$125,000*

** estimated expended through until 31 December 2021, based on existing services and support levels allowing for the tender process finalisation (and implementation).*

Strategic Implications*Operational Plan*

Theme: 3. Open and Responsive Government

Key Area of Focus: 3.1.1 Plan, develop and implement high-quality customer-focused services

*Legal / Statutory Implications*Section 235 - Other exceptions

A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if:

- (a) the local government resolves it is satisfied that there is only one supplier who is reasonably available; or
 - (b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders; or
 - (c) a genuine emergency exists; or
 - (d) the contract is for the purchase of goods and is made by auction; or
 - (e) the contract is for the purchase of second-hand goods; or
- the contract is made with, or under an arrangement with, a government agency.

RisksStrategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR47 Inadequate or lack of an appropriate Financial Management Framework (including systems, policies, procedures and controls) in place to adequately minimise risk of fraudulent action and to maximise financial sustainability. SR59 Non-compliance with legislation and/or procurement policies and procedures resulting in successful claim against Council beyond limit insured for.

SR59 Non-compliance with legislation and/or procurement policies and procedures resulting in successful claim against Council beyond limit insured for.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Governance, Risk & Compliance Failure to develop and adhere to approved procurement policy and processes	3 Moderate	Possible	Medium	Procurement Policy and guidelines have been developed and are reviewed annually	Low

Consultation

Various Managers

Conclusion

Council is requested to consider, based on the merits contained against each supplier in order resolve to engage the following suppliers under section 235 of the Regulation for the period 1 July 2021 to 30 June 2022 (with OnTheNet exception through until 31 December 2021):

Supplier	Services	Exception	Expiry
Plant Assessor	Plant safety risk assessment services	235(b)	30/06/2022
CWASH Pty Ltd	Rental of land	235(a)	30/06/2022
OnTheNet	Broadband and network services	235(b)	31/12/2021

10.6 Local Government Association of Queensland Annual Conference 2021 - Motions

Executive Officer: General Manager Council Sustainability

Item Author: Principal Specialist Governance and Assurance

Attachments:

1. Motion 1 - Rail Interface Agreements [!\[\]\(4e333a6106fc298d0ae6dff272a736ef_img.jpg\)](#) [!\[\]\(97089f8e07e24e31baa67366e358a709_img.jpg\)](#)
2. Motion 2 - SEQ Regional Plan and State Planning Policy - Large Environmental Precincts [!\[\]\(9496824b8cff3a19f59b81b37b57d8b6_img.jpg\)](#) [!\[\]\(ec8d0f7e486e2280c113cd85015a8548_img.jpg\)](#)
3. Motion 3 - SEQ Regional Plan and State Planning Policy - Subdivisions for Rural Land [!\[\]\(fad66fecb73aae330937d501057cafc9_img.jpg\)](#) [!\[\]\(a94e0943f5ecd6c1adc5223fd7677110_img.jpg\)](#)
4. Motion 4 - SEQ Regional Plan and State Planning Policy - Preserving Transport Corridors [!\[\]\(f14ef06774200ee2342297364295aa0f_img.jpg\)](#) [!\[\]\(fc5b69083c6c7efc78abd54fb1c8e530_img.jpg\)](#)
5. Motion 5 - Bushfire Hazard Compliance - Cost Recovery for Remedial Work [!\[\]\(44329a5be70d7da178c176f4dc400266_img.jpg\)](#) [!\[\]\(e8acad03efc4e1e51e61f51e08abcfab_img.jpg\)](#)
6. Motion 6 - Proactive Planning & Operations to Mitigate the Threat of Bushfire on Queensland Government Controlled Land [!\[\]\(b080594840f2c960d0486e13bbc20b6f_img.jpg\)](#) [!\[\]\(23f890d44f916d45bc3635ac2828412b_img.jpg\)](#)

Executive Summary

This report provides for Council's consideration, motions proposed to be presented to the Annual Conference Motions Committee for inclusion in the 2021 Local Government Association Queensland (LGAQ) Annual Conference.

Recommendation

That Council adopt the proposed motions, for submission to the Local Government Association Queensland Annual Conference 2021:

1. Queensland Government review of Rail Interface Agreements:

That the Local Government Association of Queensland lobby the Queensland Government to:

- a) *Review and amend s251 of the Transport Infrastructure Act 1994 to more properly clarify that the "Rail Infrastructure Manager" retains responsibility for the area defined as the "Danger Zone" at all times and particularly where such zone intersects a Road Corridor; and*
- b) *Review and update the "Agreement for Management of Rail/Road Interface Risks between Rail Infrastructure Managers (such as Qld Rail Ltd) and Specific Councils (as Road Managers) based on a) above. Such Review and Update process, in considering both operation and effectiveness of such agreements, should achieve an outcome that properly reflects contemporary work practices, responsible delineation of risk scope and management responsibility, and legal implications.*

2. SEQ Regional Plan and State Planning Policy - Financial burden on Councils to manage Large Environmental Precincts and Corridors:

That the Local Government Association of Queensland lobby the Queensland Government to recognise the shared responsibility for preservation, maintenance and management of environmental precincts and corridors that are recognised as vital to mitigating Climate Change and preserving biodiversity, through the provision of recurring funding to Councils where they are typically carrying this burden at rate payer expense.

3. SEQ Regional Plan and State Planning Policy - Review the limitations on minimum subdivisions for Rural Land:

That the Local Government Association of Queensland lobby Queensland Government to review the limitations on minimum subdivisions for "Rural land" to better reflect true merit of specific areas to be preserved as Highest Beneficial Use as Rural Land or converted to other Land use offering more sustainable futures.

4. SEQ Regional Plan and State Planning Policy – Strategically preserve future transport corridors in potential growth areas:

That the Local Government Association of Queensland lobby the Queensland Government to support the Queensland Government's Strategic Sustainable Growth Requirements, by identifying, preserving and maintaining Strategic Land Corridors for purposes including Transport System future needs.

5. Bushfire Hazard Compliance - Cost Recovery for Remedial Work:

That the Local Government Association of Queensland lobby the Queensland Government to

- a) *Amend the Fire and Emergency Services Act 1990 to recognise Notices to Reduce Fire Risks as remedial notices under the Local Government Act 2009 where unpaid costs for remedial work for non-compliance undertaken by Queensland Fire and Emergency Services (QFES) become a rates debt over the property; and*
- b) *Amend the Local Government Act 2009 to facilitate a partnership arrangement between the Queensland Fire and Emergency Services and Local Governments where the rates debt for the unpaid cost of remedial work can be recovered by Local Governments on behalf of the QFES.*

6. Proactive Planning and Operations to Mitigate the Threat of Bushfire on Queensland Government Controlled Land:

That the Local Government Association of Queensland lobby the Queensland Government to immediately improve proactive planning and operations, including the allocation of appropriate and necessary resources, in mitigating the threat of bushfire on Queensland Government-controlled land that threatens local communities.

These motions will be supported by detailed background information and submitted through the Local Government Association of Queensland online portal.

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 3 August 2020, Council adopted the following recommendation

"That Council adopt the proposed motions, for submission to the Local Government Association Queensland Annual Conference 2020:

1) Financial Assistance Grants - Review of Calculation Methodology:

That the Local Government Association of Queensland requests the Queensland Local Government Grants Commission (QLGGC), prior to the allocation of grants for the 2021-2022 financial year, consider an alternative calculation method for the distribution of Financial Assistance Grants.

2) Works for Queensland - continuation of all councils in the funding allocations:

That the Local Government Association of Queensland extend appreciation to the State Government for the provision of the 2020-2021 COVID Works for Queensland Program and lobby to continue inclusion of the previously ineligible Councils towards future rounds of the program.

- 3) *Pest Management - State Government Co-contribution towards Rabbit Proof Fence:*
That the Local Government Association of Queensland lobby State Government to provide matching contribution towards the funding of the Darling Downs Moreton Rabbit Board in recognition of the broader State benefit that can be attributed to the rabbit fence.
- 4) *Exceptions to undertake annual valuation be limited to two years:*
That the Local Government Association of Queensland make representations to have Chapter 2, Part 4, of the Land Valuation Act 2010 amended to provide at least biennial valuations where exception to annual valuations has been decided."

Report / Background

The LGAQ is the peak body for local government in Queensland, representing all 77 councils. They advocate on behalf of member councils to both state and federal government. The LGAQ Annual Conference will be held in Mackay from 25 to 27 October 2021. The conference provides an opportunity for member councils to consider strategic priorities that can be best progressed in a unified fashion by the LGAQ.

On 9 June 2021, the LGAQ wrote to the Chief Executive Officers of member councils inviting them to submit motions for consideration during the conference. All received motions are assessed by the Agenda Committee for inclusion into a preliminary agenda for the conference. The deadline this year for submitting motions is 16 August 2021.

On 7 July 2021, Councillors received a briefing on the requirements for the submission of motions to the 2021 LGAQ Annual Conference. On 21 July 2021, Councillors and executive officers discussed the proposed motions at a workshop as part of the pre-decisional thinking process.

Governance have now drafted the proposed motions for Council to consider and determine if suitable for submission to the 2021 LGAQ Annual Conference. The proposed motions are as follows:

1. **Queensland Government review of Rail Interface Agreements:**

That the Local Government Association of Queensland lobby the Queensland Government to

- a) *Review and amend s251 of the Transport Infrastructure Act 1994 to more properly clarify that the "Rail Infrastructure Manager" retains responsibility for the area defined as the "Danger Zone" at all times and particularly where such zone intersects a Road Corridor; and*
- b) *Review and update the "Agreement for Management of Rail/Road Interface Risks between Rail Infrastructure Managers (such as Qld Rail Ltd) and Specific Councils (as Road Managers) based on a) above. Such Review and Update process, in considering both operation and effectiveness of such agreements, should achieve an outcome that properly reflects contemporary work practices, responsible delineation of risk scope and management responsibility, and legal implications.*

2. **SEQ Regional Plan and State Planning Policy - Financial burden on Councils to manage Large Environmental Precincts and Corridors:**

That the Local Government Association of Queensland lobby the Queensland Government to recognise the shared responsibility for preservation, maintenance and management of environmental precincts and corridors that are recognised as vital to mitigating Climate Change and preserving biodiversity, through the provision of recurring funding to Councils where they are typically carrying this burden at rate payer expense.

3. SEQ Regional Plan and State Planning Policy - Review the limitations on minimum subdivisions for Rural Land:

That the Local Government Association of Queensland lobby Queensland Government to review the limitations on minimum subdivisions for "Rural land" to better reflect true merit of specific areas to be preserved as Highest Beneficial Use as Rural Land or converted to other Land use offering more sustainable futures.

4. SEQ Regional Plan and State Planning Policy – Strategically preserve future transport corridors in potential growth areas:

That the Local Government Association of Queensland lobby the Queensland Government to support the Queensland Government's Strategic Sustainable Growth Requirements, by identifying, preserving and maintaining Strategic Land Corridors for purposes including Transport System future needs.

5. Bushfire Hazard Compliance - Cost Recovery for Remedial Work:

That the Local Government Association of Queensland lobby the Queensland Government to

- a) *Amend the Fire and Emergency Services Act 1990 to recognise Notices to Reduce Fire Risks as remedial notices under the Local Government Act 2009 where unpaid costs for remedial work for non-compliance undertaken by Queensland Fire and Emergency Services (QFES) become a rates debt over the property; and*
- b) *Amend the Local Government Act 2009 to facilitate a partnership arrangement between the Queensland Fire and Emergency Services and Local Governments where the rates debt for the unpaid cost of remedial work can be recovered by Local Governments on behalf of the QFES*

6. Proactive Planning and Operations to Mitigate the Threat of Bushfire on Queensland Government Controlled Land:

That the Local Government Association of Queensland lobby the Queensland Government to immediately improve proactive planning and operations, including the allocation of appropriate and necessary resources, in mitigating the threat of bushfire on Queensland Government-controlled land that threatens local communities.

Motions approved by Council for submission to the LGAQ Annual Conference will be submitted through the LGAQ online portal.

Budget / Financial Implications

Not applicable.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: 3.1.2 Provide streamlined and practical regulatory services that deliver improved access for the community

Legal / Statutory Implications

Not applicable.

Risks**Strategic Risks**

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR54 Ineffectively managing the political and government departmental relationships/partnerships, resulting in Council not achieving its major strategic objectives.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Political Missed opportunity to make submissions on strategic policy issues relevant to the region	2 Minor	Likely	Medium	Council makes submissions on important strategic issues to be discussed at the LGAQ conference.	Low

Consultation

The LGAQ motions database has been considered as part of this report.

Conclusion

It is recommended that Council adopt the proposed motions for presentation to the Annual Conference Motions Committee, for tabling at the 2021 LGAQ Annual Conference.



2021 Annual Conference - Motion 1

Please note that this template should assist you with the preparation of the motion.

Submission of the motion can be done via a submission form* on [LG Online](#).

*Unfortunately we cannot accept images, tables or documents - this document is for preparation purposes only.

Submitting Council (required)	Scenic Rim Regional Council
Supporting ROC (if applicable)	
Category (required)	Infrastructure, Economics and Regional Development
Council resolution # (required)	
Date of council resolution (required)	3/08/2021
Title of motion (required)	Queensland Government review of Rail Interface Agreements
Motion (required)	<p>That the Local Government Association of Queensland lobby the Queensland Government to</p> <ul style="list-style-type: none"> a) Review and amend s251 of the Transport Infrastructure Act 1994 to more properly clarify that the "Rail Infrastructure Manager" retains responsibility for the area defined as the "Danger Zone" at all times and particularly where such zone intersects a Road Corridor; and b) Review and update the "Agreement for Management of Rail/Road Interface Risks between Rail Infrastructure Managers (such as Qld Rail Ltd) and Specific Councils (as Road Managers) based on a) above. Such Review and Update process, in considering both operation and effectiveness of such agreements, should achieve an outcome that properly reflects contemporary work practices, responsible delineation of risk scope and management responsibility, and legal implications.



Background (required) 350 character limit	The Transport Infrastructure Act 1994 requires the Railway Manager to maintain the surface of a road only to a distance of 0.6m from the outer rail. Any work which could impact on the Rail Danger Zone which is up to 3m from the outer rail requires Rail Manager approval, Protection Officer in attendance and staff trained in rail safety, resulting in cost and program impacts to Council works.
What is the desired outcome sought? (required) 350 character limit	Road Managers such as Local Governments require the ability to carry out work on their assets under their own control without the requirement to gain approval from an external agency. An updated agreement and legislation would allow LGAs to program, plan and undertake both planned and reactive works at an appropriate time and in a cost effective manner.

July 21
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2021 Annual Conference - Motion 2

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Submission of the motion can be done via a submission form* on [LG Online](#).

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Submitting Council (required)	Scenic Rim Regional Council
Supporting ROC (if applicable)	
Category (required)	Planning and Development
Council resolution # (required)	
Date of council resolution (required)	3/08/2021
Title of motion (required)	SEQ Regional Plan and State Planning Policy - Financial burden on Councils to manage Large Environmental Precincts and Corridors
Motion (required)	That the Local Government Association of Queensland lobby the Queensland Government to recognise the shared responsibility for preservation, maintenance and management of environmental precincts and corridors that are recognised as vital to mitigating Climate Change and preserving biodiversity, through the provision of recurring funding to Councils where they are typically carrying this burden at rate payer expense.
Background (required) 350 character limit	Scenic Rim has large areas of State mandated environmental precincts and wildlife corridors. The responsibility to protect and preserve along with the cost to maintain these areas can be challenging to offset with limited revenue opportunities. Some of these areas require pest and weed management and have limited access for maintenance making property management difficult and expensive.

2



<p>What is the desired outcome sought? (required) 350 character limit</p>	<p>That the Queensland Government provide funding to local governments to offset the costs associated with protecting, preserving and maintaining large environmental precincts and wildlife corridors.</p>
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July 21
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2021 Annual Conference - Motion 3

Please note that this template should assist you with the preparation of the motion.

Submission of the motion can be done via a submission form* on [LG Online](#).

*Unfortunately we cannot accept images, tables or documents - this document is for preparation purposes only.

Submitting Council (required)	Scenic Rim Regional Council
Supporting ROC (if applicable)	
Category (required)	Planning and Development
Council resolution # (required)	
Date of council resolution (required)	3/08/2021
Title of motion (required)	South East Queensland Regional Plan (SEQRP) and State Planning Policy - Review the limitations on minimum subdivisions for Rural Land.
Motion (required)	That the Local Government Association of Queensland lobby Queensland Government to review the limitations on minimum subdivisions for "Rural land" to better reflect true merit of specific areas to be preserved as Highest Beneficial Use as Rural Land or converted to other Land use offering more sustainable futures.
Background (required) 350 character limit	The SEQRP came into effect in 2005 and guides the future settlement pattern by designating land under a Regional Land Use Classification of Urban Footprint, Rural Living Area, & Regional Landscape and Rural Production Area. SR is predominantly the category of Regional Landscape and Rural Production Area which through the provisions of the SEQRP limit subdivision of any new lots to be a minimum size of 100 hectares. This is intended to halt the fragmentation of rural and farming lands and limit the creation of new rural residential developments by directing population and residential expansion to the more urban areas (townships with existing services and infrastructure) such as Beaudesert and Boonah. Scenic Rim in its current planning scheme has been able to retain the former Boonah Shire Rural Precincts of 60hectare and 40 hectare minimum lot sizes in the former Boonah areas but this



	does not apply to the whole of Scenic Rim. As a result, Council is unable to consider alternative methods of increasing revenue through development within these areas. There are many areas that have low environmental or rural value where an approved subdivision would provide a more beneficial use of the land.
What is the desired outcome sought? (required) 350 character limit	That the Queensland Government remove the planning restrictions over rural land parcels to allow for subdivision into smaller acreage residential lots.





2021 Annual Conference - Motion 4

Please note that this template should assist you with the preparation of the motion.

Submission of the motion can be done via a submission form* on [LG Online](#).

*Unfortunately we cannot accept images, tables or documents - this document is for preparation purposes only.

Submitting Council (required)	Scenic Rim Regional Council
Supporting ROC (if applicable)	
Category (required)	Planning and Development
Council resolution # (required)	
Date of council resolution (required)	3/08/2021
Title of motion (required)	SEQ Regional Plan and State Planning Policy – Strategically preserve future transport corridors in potential growth areas.
Motion (required)	That the Local Government Association of Queensland lobby the Queensland Government to support the Queensland Government's Strategic Sustainable Growth Requirements, by identifying, preserving and maintaining Strategic Land Corridors for purposes including Transport System future needs.
Background (required) 350 character limit	Areas within a local government can be planned for growth. These areas can be subject to multiple developments, which result in population expansion over time and the need for the construction of major roads and services. Often, there is no land reserved for State transport corridors. So when the need arises to construct roads in those areas, developed land has to be resumed. This land should be identified and preserved as future State transport corridors as part of long term strategic planning before the area is developed. Strategic planning of these corridors would negate expense and grief caused by the resumption of developed land. Once these corridors have been preserved, DTMR should then be responsible for the maintenance of the corridors. An example within the Scenic Rim which is an ongoing challenge is the Canungra by-pass.



	-
What is the desired outcome sought? (required) 350 character limit	That the Queensland Government identifies transport corridors as part of strategic planning for growth. The State preserves these corridors by acquiring the land and maintaining it until the need arises for construction of roads and other services to meet the needs of the community.





2021 Annual Conference - Motion 5

Please note that this template should assist you with the preparation of the motion.

Submission of the motion can be done via a submission form* on [LG Online](#).

*Unfortunately we cannot accept images, tables or documents - this document is for preparation purposes only.

Submitting Council (required)	Scenic Rim Regional Council
Supporting ROC (if applicable)	
Category (required)	Environment and Health
Council resolution # (required)	
Date of council resolution (required)	3/08/2021
Title of motion (required)	Bushfire Hazard Compliance - Cost Recovery for Remedial Work
Motion (required)	<p>That the Local Government Association of Queensland lobby the Queensland Government to</p> <ul style="list-style-type: none"> a) Amend the Fire and Emergency Services Act 1990 to recognise Notices to Reduce Fire Risks as remedial notices under the Local Government Act 2009 where unpaid costs for remedial work for non-compliance undertaken by Queensland Fire and Emergency Services (QFES) become a rates debt over the property; and b) Amend the Local Government Act 2009 to facilitate a partnership arrangement between the Queensland Fire and Emergency Services and Local Governments where the rates debt for the unpaid cost of remedial work can be recovered by Local Governments on behalf of the QFES.
Background (required) 350 character limit	More and more people across Queensland are enjoying a 'tree change'. This often means urban dwellers are moving into unfamiliar, fire-sensitive landscapes or purchasing parcels of vacant acreage land in those areas. Some of these people are unfamiliar with the bush fire hazards associated with the uncontrolled growth of vegetation on the property. The



	<p>accumulation of such material provides a risk to the community in times of bush fires where excessive vegetation can facilitate the rapid spread of fire. The Queensland Fire and Emergency Services (QFES) can direct property owners to remove hazardous vegetation and materials from their property by issuing notices to reduce fire risks. If they fail to comply with the notice, QFES has the power to enter the property and undertake remedial action. The QFES can take the property owner to court to recover the costs of this remediation, but this process is expensive and lengthy. QFES are reluctant to undertake enforcement and conduct remedial action in these circumstances due to the difficulties with recovering the costs they have incurred.</p>
<p>What is the desired outcome sought? (required) 350 character limit</p>	<p>The QFES are provided with an efficient cost recovery mechanism whereby costs for remedial action taken under the Fire and Emergency Services Act 1990 for non-compliance with fire hazard management can be sought under the provisions of the Local Government Act 2009. Notices issued by QFES need to be recognised as remedial notices under the Local Government Act where non-payment of costs for QFES to remediate the hazards can be applied to the property as a rates debt. In partnership with QFES, the Local Government can then facilitate the recovery of the unpaid remedial costs as a rates recovery exercise.</p>



2021 Annual Conference - Motion 6

Please note that this template should assist you with the preparation of the motion.

Submission of the motion can be done via a submission form* on [LG Online](#).

*Unfortunately we cannot accept images, tables or documents - this document is for preparation purposes only.

Submitting Council (required)	Scenic Rim Regional Council
Supporting ROC (if applicable)	
Category (required)	Environment and Health
Council resolution # (required)	
Date of council resolution (required)	3/08/2021
Title of motion (required)	Proactive Planning and Operations to Mitigate the Threat of Bushfire on Queensland Government Controlled Land
Motion (required)	That the Local Government Association of Queensland lobby the Queensland Government to immediately improve proactive planning and operations, including the allocation of appropriate and necessary resources, in mitigating the threat of bushfire on Queensland Government-controlled land that threatens local communities.
Background (required) 350 character limit	Whilst QFES works in a number of ways to mitigate the threat of Bushfire, in particular Operation COOL BURN and through Regional Fire Management Groups, these programs and groups are largely made up of voluntary membership with no capacity to enforce desired outcomes. The 2020 Bushfires in Queensland, and across Australia, have highlighted the need for greater commitment by multiple landowners, in particular the array of Queensland Government departments who control multiple parcels of land, to ensure it is working in concert with other tenure owners to effectively undertake actions to reduce active fuel loads and lessen the threat of bush fire to the community.

2



<p>What is the desired outcome sought? (required) 350 character limit</p>	<p>To immediately improve planning and operations in the reduction of fuel loads on Queensland Government-controlled land to lessen bush fire impact on local communities through a coordinated mitigation process, in partnership with local government and Local Disaster Management Groups.</p>
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July 21
O Pring



10.7 Audit and Risk Committee Meetings

Executive Officer: General Manager Council Sustainability

Item Author: Principal Specialist Internal Audit and Improvement

Attachments: Nil

Executive Summary

The Audit and Risk Committee (ARC) meets regularly in accordance with the established Annual Meeting Planner. There is a requirement in the *Local Government Regulation 2012* for the Chief Executive Officer to provide a report to Council following each meeting. As a result of legislative change to the methods of release, and the fact that Council previously adopted Reports of ARC Meetings in closed session, this report addresses that requirement for a number of meetings that have not previously been reported to Council.

Recommendation

That Council receive the report provided on the Audit and Risk Committee Meetings held on 26 August 2020, 25 November 2020, 18 February 2021, 10 May 2021 and 17 June 2021.

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 3 August 2020 (Item 13.1), Council resolved that:

1. Council receive the Report of the Audit and Risk Committee Meeting held on 10 June 2020; and
2. Council note the recommendations of the Audit and Risk Committee Meeting contained in the Report.

Report / Background

Background

The ARC operates in accordance with the Audit and Risk Committee Terms of Reference. The Terms of Reference outlines the key objectives of the ARC along with details on membership, meeting processes and detailed responsibilities. The Audit and Risk Committee Annual Meeting Planner outlines the intended agenda topics for each meeting to help ensure that the ARC addresses its objectives and responsibilities.

The ARC has been established to support good governance of Council and provide advice to Council on the matters within its responsibilities. Any recommendation by the ARC that requires a decision will be presented separately to an Ordinary Meeting for consideration and resolution.

The ARC membership consists of an external chairperson, an external member and two Councillor members. A number of external advisors, Executive Officers and selected staff regularly attend the meetings, however, they are not members of the ARC.

ARC Meeting held on 26 August 2020Matters Reviewed at the Meeting and the Committee's Recommendations

5.1 Audit and Risk Committee Workshop

Recommendation: That the Audit and Risk Committee note and acknowledge this update regarding the Audit and Risk Committee Workshop, raising any concerns.

5.2 Risk Management

Recommendation: That the Audit and Risk Committee note and acknowledge the update regarding Risk Management, raising any concerns.

5.3 Unaudited Draft Financial Statements for the year ended 30 June 2020

Recommendation: That the Audit and Risk Committee review and note for information the Unaudited Draft Financial Statements for the Year Ended 30 June 2020.

5.4 Information Services and Technology Cybersecurity Review FY-2019

Recommendation: That the Audit and Risk Committee:

1. Note the contents of this report on the Information Services and Technology Cybersecurity Review FY-2019;
2. In relation to Council's internally hosted systems, note the updated standard, the Australian Signals Directorate (ASD) Essential 8 Cyber Security Maturity Model (Essential 8), published by the Australian Cyber Security Centre and provided in Attachment 1, as the agreed cybersecurity standard for systems managed by Council. This standard updates and replaces the outdated standard contained in Council's ICT Strategic Plan 2018-2020;
3. In relation to Council's internally hosted systems, note the revised target maturity levels in each of the areas of the model for systems managed by Council in the Financial Year 2020-2021 as provided in Attachment 2. This does not require any additional funding and can be achieved within existing operational budget;
4. In relation to Council's internally hosted systems, note that a review of the activities required to achieve these targets in Table 1 of this report be added to the Internal Audit Plan for the Financial Year 2020-2021; and
5. In relation to Council's externally hosted TechnologyOne Enterprise Resource Planning (ERP), note the accompanying System and Organisation Controls for Service Organisations (SOC 2) for TechnologyOne Cloud Hosted Systems (Property and Rating, Finance, Human Resources and Payroll, Supply Chain) for the period 1 July 2018 to 30 June 2019 as per Attachment 3.

5.5 Internal Audit Update

Recommendation: That the Audit and Risk Committee note and acknowledge the Internal Audit update, raising any concerns.

5.6 Vehicle Incident Report

Recommendation: That the Audit and Risk Committee note:

1. The process and actions undertaken by Council to date in relation to the incident;
2. There has been no further correspondence from the Queensland Police Service or Workplace Health and Safety Queensland in relation to the incident;
3. Council's functional alignment within the Asset and Environmental Sustainability portfolio is nearing completion; allowing defined roles and responsibility with regards to fleet management and operations;
4. Council officers continue to review, and update where appropriate, processes associated with the management and operation of Council controlled fleet to identify any gaps and improvements, in particular compliance to legislation; and
5. Council's Management Team continue to highlight the importance of adherence to Council's Incident Management Flowchart.

5.9 Chief Executive Officer's Verbal Update

Recommendation: That the Chief Executive Officer's update be noted.

6.1 External Audit Update

Recommendation: That the Audit and Risk Committee note for information the External Audit update.

Two matters reviewed at the meeting have not been included in this list due to their confidential nature. The recommendations made to the CEO have been addressed.

ARC Meeting held on 25 November 2020

Matters Reviewed at the Meeting and the Committee's Recommendations

5.1 COVID-19 Global Pandemic - Council's Response and Key Learnings

Recommendation: That the Audit and Risk Committee

1. Note Council's response to the COVID-19 global pandemic; and
2. Note the key learnings arising from COVID-19 for incorporation into Council's Disaster Management Plan, a broad range of Sub-Plans and the Business Continuity Plan.

5.2 Fraud and Corruption Update

Recommendation: That the Audit and Risk Committee note this update on fraud and corruption.

5.3 Customer Centricity Project - Customer-led Vision and Customer Charter

Recommendation: That the Audit and Risk Committee:

1. Acknowledge, as part of the Refresh and Refocus journey, the Customer Centricity Project, which was initiated to help develop Council as a contemporary organisation where our customers are at the heart of everything we do;
2. Acknowledge the Customer Centricity Project consisting of Phase 1 - Discovery and Diagnostic, to collect a breadth and depth of insight from both internal and external customers, and Phase 2 - Insight into Strategy and Action, using the intelligence from Phase 1 to deliver a clear, strong vision and future direction to becoming a truly customer-led organisation; and

3. Acknowledge the Scenic Rim Regional Council Customer Charter, which will sit at the heart of our organisation and will drive everything we do, and note the next steps are to finalise the Customer Experience Strategy and Customer Experience Improvements Plan.

6.1 Proposed 2021 Dates for Audit and Risk Committee Meetings

Recommendation: That:

1. The following dates be set for Audit and Risk Committee Meetings in 2021, to ensure availability of all attendees:
 - Thursday, 18 February 2021;
 - Thursday, 17 June 2021;
 - Wednesday, 25 August 2021;
 - Thursday, 18 November 2021; and
2. The Audit and Risk Committee will give consideration to holding an additional meeting in October 2021 - to be determined at the 18 February 2021 Committee Meeting.

6.2 Risk Management Update

Recommendation: That the Audit and Risk Committee note and acknowledge the update regarding risk management, raising any concerns.

6.3 Scenic Rim COVID Economic Impact Update

Recommendation: That the Audit and Risk Committee receive and note the Scenic Rim COVID-19 economic impact update and the attached concise and targeted local economic analysis report.

6.5 2019-2020 Annual Report

Recommendation: That the Audit and Risk Committee note the adopted 2019-2020 Scenic Rim Regional Council Annual Report including the General Purpose Financial Statements for the Year Ended 30 June 2020.

6.6 Mayoral Email Impersonation

Recommendation: That the Audit and Risk Committee note this matter and the following responses by the Information Services and Technology business unit:

1. The list of potential recipients will be contacted advising of this instance and to be vigilant with emails; and
2. Techniques are being investigated for making the email addresses published on Council's website difficult to be harvested electronically.

6.7 Internal Audit Update

Recommendation: That:

1. The Audit and Risk Committee note and acknowledge the Internal Audit update, raising any concerns; and
2. The Audit and Risk Committee endorse the amendment of clause 4.7 of the Committee's Terms of Reference, to read as follows:
 "4.7 Due to the confidential nature of information and the high level of independence of Internal and External Audit, Audit and Risk Committee Meetings will be closed. (Refer Section 254A(2) of the *Local Government Regulations 2012*.)"

7.1 Infrastructure Charges Update

Recommendation: That the Audit and Risk Committee note and acknowledge the Infrastructure Charges update.

7.2 Draft Asset Management Plans Update

Recommendation: That the Audit and Risk Committee note for information the Draft Asset Management Plans update.

7.3 Physical Building Security - Beaudesert Administration Building

Recommendation: That the Audit and Risk Committee note for information the report regarding building security for the Beaudesert Administration building.

7.4 Effectiveness of Audit Committees in State Government Entities

Recommendation: That the Audit and Risk Committee note the attached report, "Effectiveness of Audit Committees in State Government Entities", for reference and information.

7.5 External Audit Update

Recommendation: That the Audit and Risk Committee note for information the External Audit update.

One matter reviewed at the meeting has not been included in this list due to its confidential nature. The recommendation made to the CEO has been addressed.

ARC Meeting held on 18 February 2021

Matters Reviewed at the Meeting and the Committee's Recommendations

5.1 Policy Register Review

Recommendation: That the Audit and Risk Committee:

1. Note the contents of this report; and
2. Note that the attached updates for each Audit issue will be updated as status updates in Audit Findings.

6.1 Revaluation Timetable 2021-2022 to 2023-2024

Recommendation: That the Audit and Risk Committee note the proposed Non-current Asset Revaluation Timetable 2021-2022 to 2023-2024.

6.2 Internal Audit Update

Recommendations: That the Audit and Risk Committee note and acknowledge the Internal Audit update, raising any concerns.

7.1 Infocouncil Data

Recommendation: That the Audit and Risk Committee note this report.

7.2 Legal Update - Potential Emerging Risks

Recommendation: That the Audit and Risk Committee noted this report on potential emerging risks on legal matters.

7.3 Extension to Audit Service Provider Arrangements

Recommendation: That the Audit and Risk Committee note for information the extension to Council's audit services provider arrangements.

7.4 External Audit Update

Recommendation: That the Audit and Risk Committee note for information the External Audit update.

ARC Meeting held on 10 May 2021

Matters Reviewed at the Meeting and the Committee's Recommendations

6.1 Risk Management Update

Recommendation: That the Audit and Risk Committee note for information the Risk Management Update, raising any concerns where appropriate

6.2 Regulator Reviews and Notifiable Incidents

Recommendation: That the Audit and Risk Committee note for information the update regarding Regulator Reviews and Notifiable Incidents.

6.3 2020-2021 December Budget Review and Monthly Financial Report for March 2021

Recommendation: That the Audit and Risk Committee note the contents of the 2020-2021 December Budget Review and the Monthly Financial Report for March 2021, which have both been presented to Council.

6.4 Organisational Performance Report

Recommendation: That the Audit and Risk Committee note for information the Organisational Performance Report.

6.5 Internal Audit Update

Recommendation: That:

1. The Audit and Risk Committee note and acknowledge the Internal Audit update, raising any concerns; and
2. That the Audit and Risk Committee endorse changes to the Annual Audit Plan 2020-2021.

ARC Meeting held on 17 June 2021

Matters Reviewed at the Meeting and the Committee's Recommendations

5.1 Policy Register Update

Recommendation: That the Audit and Risk Committee note the Policy Register update.

5.2 Asset Management Plans

Recommendation: That the Audit and Risk Committee note the Asset Management Plans and report as presented.

6.1 Audit and Risk Committee Annual Work Plan

Recommendation: That the Committee note this information on the status of agenda items.

6.2 Annual Report from the Audit and Risk Committee to Council

Recommendation: That:

1. The Audit and Risk Committee provide feedback on the sections in the Draft Outline Annual Report to Council; and
2. The Audit and Risk Committee produce this report for the first time covering the 2021-2022 financial year, with a draft report presented to the Audit and Risk Committee in June each year.

6.3 Audit and Risk Committee Self-Assessment

Recommendation: That the Audit and Risk Committee provide feedback where appropriate and endorse the approach to the Audit and Risk Committee Self-Assessment.

6.4 Audit and Risk Committee Reports to Council

Recommendation: That the Committee note the current status and provide feedback on the resolution approach.

6.5 Governance Functions and Yearly Planner

Recommendation: That the Audit and Risk Committee note for information the Governance Yearly Planner.

6.6 Complaint Management Report

Recommendation: That the Audit and Risk Committee note for information the Complaint Management Report.

6.7 Risk Management Update

Recommendation: That the Audit and Risk Committee note the information contained in the Risk Management update.

6.8 Capital Works

Recommendation: That the Audit and Risk Committee note the Capital Works report as presented.

6.9 Council Monthly Financial Report for April 2021

Recommendation: That the Audit and Risk Committee note, for information, the Council Monthly Financial Report for April 2021.

6.10 Statement of Financial Controls

Recommendation: That the Committee note the contents of this report and provide feedback on their preferred content and frequency of the agenda item "Statement of Financial Controls".

6.11 2020-2021 March Budget Review

Recommendation: That the Audit and Risk Committee note, for information, the 2020-2021 March Budget Review report.

6.12 Proforma Financial Statements for the year ended 30 June 2021

Recommendation: That the Audit and Risk Committee endorse the Proforma Financial Statements for the Year Ended 30 June 2021.

6.13 Self-Assessment of Financial Statement Preparation Maturity

Recommendation: That the Audit and Risk Committee note the information in relation to Council's self-assessment of Financial Statement Preparation Maturity.

6.14 Auditor-General Report to Parliament Local Government 2020

Recommendation: That the Audit and Risk Committee note, for information, the update on the Auditor-General Report to Parliament Local Government 2020.

6.15 External Audit Update

Recommendation: That the Audit and Risk Committee note for information the External Audit update.

6.16 Continuous Assurance Update

Recommendation: That the Committee note this update on Continuous Assurance Testing.

6.17 Internal Audit Plan

Recommendation: That the Committee provide feedback on any or all aspects of the Draft Annual Audit Plan.

6.18 Internal Audit Update

Recommendation: That:

1. The Audit and Risk Committee note and acknowledge the Internal Audit update, raising any concerns; and
2. That the Audit and Risk Committee endorse the addition to the Annual Audit Plan of reviews on the Network Services Tender and on Complaints Management.

6.19 Implementation of Audit Recommendations

Recommendation: That the Committee note the update on the implementation of audit recommendations and provide feedback as appropriate.

6.20 Natural Resource Management

Recommendation: That the Audit and Risk Committee note the information provided in relation to Council's Natural Resource Management and its obligations, the related risks and the organisational response to those risks.

7.1 Infrastructure Assets Update

Recommendation: That the Audit and Risk Committee note for information the Infrastructure Assets update.

Budget / Financial Implications

There are no budget implications associated with this report.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government
 Key Area of Focus: 3.1.2 Provide streamlined and practical regulatory services that deliver improved access for the community

Legal / Statutory Implications

Section 221 of *Local Government Regulation 2012* requires a report to Council after each meeting of the audit committee. Specifically:

- (1)(c) as soon as practicable after a meeting of the committee, give the local government a written report about the matters reviewed at the meeting and the committee's recommendations about the matters.
- (4) The chief executive officer must present the report mentioned in subsection (1)(c) at the next meeting of the local government.

Risks

Strategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR46 Inadequate or lack of Governance (including procurement) Framework (systems, policies, procedures, delegations and controls) in place to ensure compliance by Council's Councillors and Officers with all relevant State and Federal legislation and regulations.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Governance, Risk & Compliance If this report is not presented to Council, there will be non-compliance with the Regulations.	2 Minor	Unlikely	Low	Present the required report to Council.	Low

Consultation

All relevant stakeholders were present for the meetings.

The Reports of the ARC Meetings have been confirmed as acceptable by the ARC Chair and at subsequent ARC meetings.

Conclusion

This report is provided in accordance with the requirements of Section 221 of the *Local Government Regulation 2012*.

The ARC Meeting Agendas are established based on an agreed Annual Meeting Planner, which provides assurance and coverage of all items required for review by the ARC.

10.8 Annual Internal Audit Plan 2021-2022

Executive Officer: General Manager Council Sustainability

Item Author: Principal Specialist Internal Audit and Improvement

Attachments: Nil

Executive Summary

Each year, the organisation is required to develop an updated Annual Internal Audit Plan (the Plan). The process has been completed for 2021–2022. The Internal Audit Charter states that the Chief Executive Officer (CEO) is to approve the Plan, which occurred on 1 July 2021. A list of review topics in the plan is presented for information and to enable a discussion on the Internal Audit function.

Recommendation

That Council acknowledge the list of Annual Internal Audit Plan 2021-2022 review topics, which has been endorsed by the Audit and Risk Committee and approved by the Chief Executive Officer.

Previous Council Considerations / Resolutions

Not applicable.

Report / Background

The Principal Specialist Internal Audit and Improvement (PSIAI) joined Council on 19 April 2021. In the meeting of the Audit and Risk Committee (ARC) in May 2021, a new approach to audit planning was discussed and endorsed. This new approach was intended to provide a more structured and objective methodology than may have been adopted in recent years.

In normal circumstances, the planning process would commence in March each year. The PSIAI has broadly followed the intended methodology. In future years, it is expected that some steps will be completed with more detail and that additional consultation will occur. The key steps have been:

- A list of potential internal audit topics has been developed using the history of reviews, corporate plan, operational plan, risk registers and auditor experience;
- A description of every review has been developed;
- All reviews have been cross-referenced to relevant strategic and operational risks;
- All reviews have had their other scoring factors completed;
- Reviews were allocated to the next four years;
- Consultation occurred with the Executive Leadership Team;
- The draft list of topics was presented to and discussed with the ARC; and
- The endorsed review topics were developed into a formal document.

The Annual Internal Audit Plan was approved by the CEO on 1 July 2021.

The following is a list of review topics included in the plan for 2021–2022. The column 'Est. Days' is the estimated number of work days that will be spent conducting each review.

Review Topic	Review Objective	Est. Days
Capital Works Review	Evaluation of project management employed, including materials purchasing and inventory management.	20
Business Continuity Planning	Assess Council's business continuity plans against international standards and other guidance. Consider approach to development, consolidation of requirements, advance preparations, testing and plan maintenance.	15
Cyber Security / IT Security Management	Review IT Security Controls through examining security management processes and examination of operating technical controls. Primarily would be against the ISO27000 series standards. Technical controls would be assessed against the Essential 8 with some verification — this is not a substitute for a penetration test.	20
Project Management – Initiation and establishment	New Initiatives process, estimation and planning, project initiation and establishment including governance, risk, resourcing, scheduling.	20
Management of Parks Maintenance	Community Plan indicates that the natural environment and parks are valued highly by the community. Review would look at how parks maintenance is managed including: categorisation, scheduling, monitoring, defect management and risk management.	15
Procurement – Tender Management	Examine processes for developing, issuing, evaluating and finalising tenders. Will consider standard procedures and templates, supported by examination of a sample of completed tenders.	20
Grand Total		110

Budget / Financial Implications

The audit plan has been developed to utilise the capacity of the current internal resource. Section 6.4.2 of the ARC Terms of Reference places a responsibility on the Committee to 'Ensure the Internal Audit resourcing levels are appropriate'. The ARC did not suggest that additional resources are required.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: 3.1.2 Provide streamlined and practical regulatory services that deliver improved access for the community

Legal / Statutory Implications

The *Local Government Regulation (2012)* includes Section 207 "Internal audit":

- (1) For each financial year, a local government must:
 - (a) prepare an internal audit plan; and
 - (b) carry out an internal audit; and
 - (c) prepare a progress report for the internal audit; and
 - (d) assess compliance with the internal audit plan.
- (2) A local government's Internal Audit Plan is a document that includes statements about:
 - (a) the way in which the operational risks have been evaluated; and
 - (b) the most significant operational risks identified from the evaluation; and
 - (c) the control measures that the local government has adopted, or is to adopt, to manage the most significant operational risks.

RisksStrategic Risks

The following Level 1 and Level 2 (strategic) risks are relevant to the matters considered in this report:

SR46 Inadequate or lack of Governance (including procurement) Framework (systems, policies, procedures, delegations and controls) in place to ensure compliance by Council's Councillors and Officers with all relevant State and Federal legislation and regulations.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Governance, Risk & Compliance Council is non-compliant if it does not have an appropriate internal audit plan. No specific penalty is defined.	1 Insignificant	Unlikely	Low	An Internal Audit Plan meeting the legislated requirements has been developed.	Low
Reputation, Community & Civic Leadership If the Audit Plan exists but is not well targeted the community may criticise council as 'just ticking a box'. Organisation risks that internal audit should assist in managing will remain at higher levels and avoidable consequences may be incurred	2 Minor	Possible	Medium	The approach to development of the plan is to go beyond the minimum requirements of the legislation and conduct a thorough and objective process to identify review topics of value to Council.	Low

Consultation

The process for developing the audit plan included consultation with key staff, the Executive Leadership Team and the ARC.

Conclusion

The planning process has delivered a plan that is compliant with the legislation and will include reviews of value.

11 Confidential Matters

Nil