



Agenda

Ordinary Meeting

Tuesday, 24 January 2023

Time: 9.15 am
Location: Council Chambers
82 Brisbane Street
BEAUDESERT QLD 4285

Scenic Rim Regional Council

Ordinary Meeting

Tuesday, 24 January 2023

Agenda

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1 Opening of Meeting

2 Attendance and requests for leave of absence

3 Apologies

4 Prayers

Pastor Josh Cocks from Beaudesert Baptist Church 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 - 6 December 2022

9 Business Arising from Previous Minutes

10 Consideration of Business of Meeting**Executive****10.1 The Council of Mayors (SEQ) North America Business Mission****Executive Officer:** Chief Executive Officer**Item Author:** Executive Personal Assistant**Attachments:** Nil

Executive Summary

The Council of Mayors (SEQ) (COMSEQ) has arranged a business mission to North America in February 2023, visiting San Francisco, Vancouver, and Los Angeles.

All 11 member Councils of COMSEQ will be represented. Ten Mayors, as Board Directors, one proxy and some senior Council officers are confirmed as participating.

Recommendation

That:

1. Council note the participation of the Mayor, Cr Greg Christensen, in The Council of Mayors (SEQ) North America Mission scheduled for 2 to 11 February 2023;
2. Council note that, including return travel, Cr Christensen will be absent from the region from Thursday, 2 February 2023 to Monday, 13 February 2023 inclusive;
3. Council grant Cr Christensen leave of absence from the Ordinary Meeting scheduled for Tuesday, 7 February 2023, should telecommunications connectivity not prove reliable enough to allow him to participate remotely in that meeting; and
4. Council grant Cr Christensen leave of absence from the Councillor and Executive Workshop scheduled for Wednesday, 8 February 2023.

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 24 May 2022, Council undertook its annual review of representation and internal and external committees and forums for the period May 2022 to May 2023. The Mayor's attendance at meetings, delegations and other events related to the activities of COMSEQ was noted on Table B.

Report / Background

The purpose of the mission is multi-faceted but includes visits to:

- San Francisco, 2-4 February 2023, to explore advanced air mobility opportunities for South East Queensland with Wisk Aero at their headquarters;
- Vancouver, 4 - 7 February 2023, to foster a cooperative partnership between COMSEQ and Metro Vancouver, a group of Councils that have been running effective collaboration processes to deliver utilities including waste management, the circular economy and needed infrastructure in a rapidly growing region; and
- Los Angeles, 7-11 February 2023, to learn about preparations for delivering the 2028 Olympics in the new model.

These three core agendas are all important for the Scenic Rim:

- The Wisk drone-based transport technology opens a window of opportunity for a distributed region such as ours to have improved connectivity and to leap frog the impossible lag for any traditional public transport solutions to properly serve our region;
- As the identified home of rowing for the 2032 Olympic and Paralympic Games, our region will have both an opportunity and a responsibility to showcase our "Richest Place on Earth" on a world stage; and
- Both as Mayor and as Chair of the COMSEQ Waste Working Group, Cr Christensen has a strong interest in discovering the very best learnings to inform our journey to zero avoidable waste to landfill in South East Queensland, and in particular the Scenic Rim.

Planning for this mission commenced well before the member councils had set their meeting schedules for 2023. It is now evident that Cr Christensen will be travelling at the time of Council's Ordinary Meeting scheduled for Tuesday, 7 February and the Councillor and Executive Workshop scheduled for Wednesday, 8 February.

However, given the relative time zones, it should be possible for Cr Christensen to participate via remote connection, which is allowable within legislation, in the Ordinary Meeting on 7 February 2023. Should this not prove successful due to communication challenges, Cr Christensen would be seeking a leave of absence for that meeting, and also for the Councillor and Executive Workshop on 8 February 2023.

Budget / Financial Implications

COMSEQ will cover return economy air fares, all accommodation and meals from within its existing budget. Provision has been made in Council's 2022-2023 Budget for any incidental expenses incurred when the Mayor is participating in business travel associated with his roles as a Board Director and as Chair of the Waste Working Group.

It is noted that any upgrades from economy air fares are for the consideration of each delegate. While the Council Policy: Councillor Expenses and Reimbursement would support an upgrade to business class for long-haul flights, Cr Christensen is not seeking that support. Given the financial challenges facing Council, Cr Christensen has advised that he is prepared to fund such upgrades at his own expense.

Strategic Implications

Operational Plan

Theme: 6. Accessible and Serviced Region

Key Area of Focus: Progression towards 'zero avoidable waste to landfill' as an economically viable operation, through collaboration and innovation

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.

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.

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
Reputation, Community & Civic Leadership Risk of breaching Council policy through unauthorised attendance.	3 Moderate	Possible	Medium	Formally appoint elected members to represent Council on internal and external committees and forums.	Low
Governance, Risk & Complianceal Failure to notify Council of an expected absence would be a breach of legislative responsibilities.	4 Major	Almost certain	High	Councillor takes reasonable steps to advise Council of an expected absence prior to the Council meeting.	Low

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Political Risk that Council appears disinterested in cooperation and collaboration with its peers.	3 Moderate	Almost certain	High	Participate in regional organisation of councils.	Low

Consultation

Cr Christensen and the office of the Chief Executive Officer of COMSEQ have been consulted during the preparation of this report.

Conclusion

As a group, the member councils of COMSEQ represent approximately one in seven Australians.

Engagement by this Council in COMSEQ's collective advocacy and learning opportunities has the potential to benefit the Scenic Rim community, as described above.

It is recommended that Cr Christensen be granted a leave of absence due to his participation in this mission.

10.2 Notice of Motion by Cr Swanborough proposing the relocation of the Doughty Park Information Centre, Tamborine Mountain**Executive Officer:** Chief Executive Officer**Item Author:** Business Support Officer - Office of the Mayor and Chief Executive Officer**Attachments:** Nil

Executive Summary

The Chief Executive Officer has received a written Notice of Motion from Cr Derek Swanborough, advising of his intention to propose a motion in relation to the Doughty Park Information Centre on Tamborine Mountain.

Recommendation

That Council consider Cr Swanborough's Notice of Motion proposing the relocation of the Doughty Park Information Centre on Tamborine Mountain.

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 10 May 2022 (Item 11.2), Council resolved to purchase land situated at 122-128 Long Road, Tamborine Mountain. Council has since settled the purchase of that property.

Report / Background

Cr Derek Swanborough has given written notice of his intention to propose the following motion:

"That in view of the Council's recent purchase of land with considerable road frontage to Gallery Walk, that as a matter of priority, Council consider the opportunities to relocate the Doughty Park Information Centre on Tamborine Mountain into one of the purchased buildings, or alternatively set aside land for the future construction of a purpose built facility, in view of the considerable economic benefits to the Scenic Rim Regional economy, identified in Council's consultant reports."

Budget / Financial Implications

Not applicable.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

Legal / Statutory Implications

Not applicable.

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 Lack of open and transparent communication.	3 Moderate	Likely	High	Due consideration of requests from Elected Members relating to the proposal of motions at Ordinary Meetings.	Low

Consultation

Chief Executive Officer
General Manager Council Sustainability
Principal Specialist Governance and Assurance

Conclusion

The Chief Executive Officer recommends that Council give consideration to Cr Derek Swanborough's motion

10.3 Notice of Motion by Cr Swanborough re online Disclosure Log

Executive Officer: Chief Executive Officer

Item Author: Business Support Officer - Office of the Mayor and Chief Executive Officer

Attachments: Nil

Executive Summary

The Chief Executive Officer has received a written Notice of Motion from Cr Derek Swanborough, advising of his intention to propose a motion in relation to the implementation of an online Disclosure Log.

Recommendation

That Council consider Cr Swanborough's Notice of Motion proposing the implementation of an online Disclosure Log.

Previous Council Considerations / Resolutions

Not applicable.

Report / Background

Cr Derek Swanborough has given written notice of his intention to propose a motion, "*in accordance with Council's Customer Charter adopted in 2020, that reads inter alia:*

We'll be open and honest always - we won't hide facts from you, or keep you in the dark ... we will always tell you the truth",

that as a matter of urgency, Council implement an on-line Disclosure log under section 78A of the Right To Information Act 2009, and that all previous accessed and released 'confidential information' 'in the public interest', be uploaded to the Disclosure Log so that the public including the media are aware of the information and can immediately and readily access it."

Budget / Financial Implications

Not applicable.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

Legal / Statutory Implications

Not applicable.

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 Lack of open and transparent communication.	3 Moderate	Likely	High	Due consideration of requests from Elected Members relating to the proposal of motions at Ordinary Meetings.	Low

Consultation

Chief Executive Officer

Conclusion

The Chief Executive Officer recommends that Council give consideration to Cr Derek Swanborough's motion

10.4 Notice of Motion by Cr Swanborough - Request for review of Council Policy: Providing Draft Conditions for Development Assessments

Executive Officer: Chief Executive Officer

Item Author: Business Support Officer - Office of the Mayor and Chief Executive Officer

Attachments: Nil

Executive Summary

The Chief Executive Officer has received a written Notice of Motion from Cr Derek Swanborough, advising of his intention to propose a motion requesting a review of Council Policy: Providing Draft Conditions for Development Assessments.

Recommendation

That Council consider Cr Swanborough's Notice of Motion requesting a review of Council Policy: Providing Draft Conditions for Development Assessments.

Previous Council Considerations / Resolutions

Not applicable.

Report / Background

Cr Derek Swanborough has given written notice of his intention to propose the following motion:

"That Policy RF04.02GL.01 'Providing Draft Conditions for Development Assessments' be reviewed as a priority following community concerns that this policy, despite its disclaimers, potentially sends a signal to developers of the likely approval of development applications and may make it more difficult for assessment officers to support changes or refusals, prior to councillors considering and deciding the applications."

Budget / Financial Implications

Not applicable.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

Legal / Statutory Implications

Not applicable.

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 Lack of open and transparent communication.	3 Moderate	Likely	High	Due consideration of requests from Elected Members relating to the proposal of motions at Ordinary Meetings.	Low

Consultation

Chief Executive Officer

Conclusion



The Chief Executive Officer recommends that Council give consideration to Cr Derek Swanborough's motion.

10.5 Audit and Risk Committee Meeting 17 November 2022

Executive Officer: General Manager Council Sustainability

Item Author: Principal Specialist Internal Audit and Improvement

Attachments:

1. Report to Council - Audit and Risk Committee 17 Nov 2022  

Executive Summary

The Audit and Risk Committee (ARC) meets regularly in accordance with the established Annual Meeting Planner. As per the *Local Government Regulation 2012*, there is a requirement for the Chief Executive Officer (CEO) to provide a report to Council following each ARC meeting. This report provides the report to Council of the ARC Meeting held on 17 November 2022.

Recommendation

That Council note the report provided on the Audit and Risk Committee Meeting held on 17 November 2022.

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 6 December 2022 (Item 10.2), Council resolved "*That Council note the report provided on the Audit and Risk Committee Meeting held on 29 September 2022*".

Report / BackgroundBackground

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. The ARC is not a decision making body. Any recommendation by the ARC that requires a decision will be presented separately to an Ordinary Meeting for consideration and resolution.

The Report to Council contains an executive summary of each matter considered by the ARC and a summary of discussion on the matter. This is intended to comprehensively address the legislative requirements and should provide sufficient assurance to the community on the effective operation of the ARC. The Report to Council of the ARC Meeting held on 17 November 2022 is provided as Attachment 1.

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: Ongoing integrity of Council's practice and processes

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 at the meeting.

The report of the ARC Meeting has been confirmed as acceptable by the ARC Chair.

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. This report provides information on the matters reviewed, a summary of discussion and the Committee's recommendations from the ARC Meeting held on 17 November 2022.

REPORT TO COUNCIL



Audit and Risk Committee Meeting

Date	Thursday, 17 November 2022 commencing at 9:30 am
Chair	Stephen Coates
Committee Members in Attendance	Melissa Jacobs, External Representative Mayor Greg Christensen Cr Jeff McConnell
Other Attendees	Representatives of External Audit, the Acting CEO, a number of members of the Executive Leadership Team and other staff were also in attendance.

Matters reviewed at the Meeting, summary of discussion and the Committee's recommendations:

5.1 Action List Status Update

Executive Summary:

The report provides an update on the status of actions requested by the Committee.

Summary of Discussion:

The actions recorded as completed were accepted. It was noted that other items are progressing, with no further queries.

Recommendation:

That the Audit and Risk Committee note this update on the status of actions requested by the Committee and provide feedback, if required.

5.2 Climate Change Statement of Intent

Executive Summary:

The report provided an update regarding the outcomes of the Climate Change Community Engagement survey. It included an overview of the community survey results, insights and review of survey material in the development of the final Climate Change Statement of Intent and future strategies to reduce greenhouse emissions.

Summary of Discussion:

The Chair noted the balance being struck within the Statement. General discussion highlighted there are some differing views amongst the Councillors, however, the Statement reflects a degree of consensus.

It was discussed that Council will now move on developing the strategy, will remain conscious of the feedback already received, the opportunities this presents and the need to continue community consultation.

Recommendation:

That the Audit and Risk Committee receive and note this report on the Scenic Rim Climate Change Statement of Intent.

5.3 Scenic Rim Regional Council Carbon Footprint

Executive Summary:

This report presented the key insights and findings from the Carbon Footprint/Baseline Inventory project undertaken by Council's Biodiversity and Climate Change team. It provides a summary of Council's carbon footprint as well as a roadmap towards carbon neutrality by 2050.

Summary of Discussion:

There was wide ranging discussion regarding the report findings and potential actions within the roadmap. All ARC members commented on different aspects and offered differing perspectives on the potential next steps. The emissions from landfill stand out in the report and present a key challenge.

Recommendation:

That the Audit and Risk Committee receive and note this report on the Scenic Rim Regional Council Carbon Footprint.

6.1 Audit and Risk Committee Annual Work Plan

Executive Summary:

The report presents an acquittal of the items planned for the meeting in the ARC Annual Meeting Planner against the items included in the Agenda.

Summary of Discussion:

The Chair raised concern about the three deferred items that did not make the Agenda and whether the Committee thought they should be added to a future meeting for consideration. In relation to the item to report on Major Projects and Initiatives, the ARC members clarified their expectations and an alternative approach was agreed.

Recommendation:

That the Audit and Risk Committee note the information on the status of Agenda items.

6.2 Review of Audit and Risk Committee Terms of Reference and Annual Meeting Planner

Executive Summary:

On an annual basis the ARC Policy and Terms of Reference are reviewed in conjunction with considering update to the ARC Annual Meeting Planner. The report presented the relevant documents and the results of the internal review for the ARC to consider and discuss.

Summary of Discussion:

It was noted that the documents were reviewed and updated extensively in a process that finished in July 2022. The two opportunities to improve the documents, identified in the internal review, were generally

AUDIT AND RISK COMMITTEE MEETING REPORT TO COUNCIL

THURSDAY, 17 NOVEMBER 2022

supported; however, it was agreed these were minor changes and should be deferred until the next review cycle.

A change in approach to how strategic risks would be presented to the committee was considered and endorsed.

Examples of the approach to an audit committee planning session from other organisations were discussed. Differences between those organisations and Council were recognised.

Recommendation:

That the Audit and Risk Committee:

1. Endorse the changes to the Audit and Risk Committee Annual Meeting Planner;
2. Confirm that no changes are recommended at this time to the Audit and Risk Committee Policy and the Audit and Risk Committee Terms of Reference; and
3. Confirm that the establishment of an annual Audit and Risk Committee Planning Session is not currently warranted.

6.3 Governance Update

Executive Summary:

The update provides high level comments under the following headings: Governance Vacancies, Fraud and Corruption Update, Training, Risk Reference Group, Strategic Risk Register Review and Governance Projects Update.

Summary of Discussion:

The efforts of the team in regards to fraud and corruption management and training were discussed and noted. Feedback was provided on the project to improve Complaints Handling and Management.

Recommendation:

That the Audit and Risk Committee note the information contained in the Governance update report.

6.4 Business Continuity Planning Update

Executive Summary:

The report summarised the approach being following to update the organisation's business continuity plans and the current status of that work.

Summary of Discussion:

The ARC noted the information presented and look forward to the results being presented in a future meeting.

Recommendation:

That the Audit and Risk Committee note the update on the roll-out of the review and update of the Business Continuity Plan.

6.5 Fraud and Corruption Risk Management

Executive Summary:

An overview was provided of continuing work to develop the Fraud and Corruption Risk Register.

Summary of Discussion:

It was recognised as important that the organisation understand its fraud risks and the controls to mitigate those. The draft risk register provides valuable assurance regarding that.

Feedback was provided on the importance of recognising a range of risks, particularly those associated with actions that may impact community trust of Council.

The establishment of a whistle blower hotline was queried and continuing to work on this was encouraged given the significant benefits many organisations have realised from this.

Recommendation:

That the Audit and Risk Committee note the progress on the development of the Fraud and Corruption Risk Register.

6.6 Physical Building Security

Executive Summary:

The report provides an overview of the continuing review of physical security and control measures across the various facilities spread throughout the region and the status of current improvement initiatives.

Summary of Discussion:

It was confirmed that Council has been successful in recruiting a key position that will contribute to these activities.

There was discussion amongst the ARC members and the GM AES regarding where physical security risks have been realised and actions being taken. Further reporting on this was requested.

Recommendation:

That the Audit and Risk Committee note for information the report regarding building security.

6.7 Internal Audit Report - IT Security Management

Executive Summary:

An internal audit review has been completed examining the area of IT Security Management. Information Security risks or Cyber Security risks are regularly recognised as among the highest risks facing councils and other organisations. The report presents the results of an assessment against relevant standards and makes a number of recommendations on areas to be improved.

Summary of Discussion:

Discussion on this item was merged with discussion on the two following related Agenda items (6.8 and 6.9).

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The Chair noted that this report requires urgent action and requested an update on specific aspects at the next ARC meeting.

The CEO committed to a strong management response and emphasised that they are supporting the Manager and the team to develop and deliver on the strategy.

Recommendations:

1. The Audit and Risk Committee receive the report on IT Security Management;
2. The Audit and Risk Committee request an update at the next meeting from the Manager Information Services and Technology on how risks are being managed on the key findings; and
3. The Manager Information Services and Technology's report be presented to Council following the Audit and Risk Committee Meeting, at the Chief Executive Officer's discretion.

6.8 Cyber Security Update

Executive Summary:

This report addressed the planned annual update to the ARC on key cyber security risks and controls. It also provided information on a number of current improvement projects and related activities.

Summary of Discussion:

Numerous questions were asked by all ARC members to ensure better understanding of the risks and work in progress. Feedback was provided on areas that need to be considered a priority. The ARC emphasised the importance of having interim controls to mitigate risks while stronger solutions are developed and implemented.

The Manager Information Systems and Technology and the CEO commented on the factors influencing the current risks and recognised the efforts required to manage these.

The external audit representative noted that cybersecurity is an issue everyone is grappling with and there is assistance available from the Queensland Audit Office.

Recommendation:

That the Audit and Risk Committee note the contents of this cyber security update.

6.9 Information Security Management Enhancement Plan

Executive Summary:

The report provided additional information on the Information security related findings in the Queensland Audit Office 2022 Final Management Letter. It also outlined a draft of the program of work for an Information Security Management Enhancement Plan.

Summary of Discussion:

The timeframe for development of improved policies was queried, with confirmation that this will be done by 30 June 2023.

Contributory controls to manage administrative accounts were queried. The Manager explained the current controls and work in progress to strengthen these.

Questions were asked regarding the current size and capabilities of the team. The Chair emphasised the importance of these resources in implementing the IT strategy.

Recommendation:

That the Audit and Risk Committee note the update on audit issues identified in the Queensland Audit Office 2022 Final Management Letter.

6.10 Disaster Management Prevention, Preparedness, Response and Recovery

Executive Summary:

This overview of Council's disaster management activities covered numerous aspects including: disaster management groups and committees, disaster management plans and sub-plans, application of the Queensland Emergency Risk Management Framework, supporting information systems, the Get Ready Queensland Program, lessons learnt, training and exercises, community disaster volunteers and the Scenic Rim SES.

Summary of Discussion:

There were no questions asked regarding the report. The External Representative noted that it does provide assurance and found the report to be informative. The Mayor noted the challenges for staff when performing their disaster roles while their 'day job' continues. The Mayor also recognised that the organisation has been in some aspect of disaster response or recovery for several years now.

Recommendation:

That the Audit and Risk Committee are assured by the activities undertaken by Council, and through the management of the Local Disaster Management Group, of continually managing realistic natural and man-made risks to the Scenic Rim region, organisation and community by delivering its well established and fully functioning disaster management program.

6.11 External Audit Update

Executive Summary:

At each meeting the Queensland Audit Office and the contracted audit providers (Bentleys) present on the status of the external audit and other relevant reports and activities.

Summary of Discussion:

The external auditors provided an overview of the Final Management Letter, noting the change made to the description of long service leave balances reflecting discussion in the last meeting.

The External Representative queried whether External Audit was comfortable with the Manager Information Services and Technology's responses in relation to the IT issues discussed in the earlier report. External Audit noted that the progress in recent months is very encouraging as it has been a high risk for the past year or two and acknowledged it often can not be rectified overnight.

Recommendation:

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

6.12 External Audit Feedback

Executive Summary:

The purpose of this report is to enable the ARC to consider the external audit process for the year and provide feedback where appropriate.

Summary of Discussion:

No points of feedback or discussion were raised in the meeting. It was agreed that ARC members would give this further consideration and provide feedback out of session.

Recommendation:

That the Audit and Risk Committee provide feedback on the External Audit process, out of session.

6.13 Council Monthly Financial Report for September 2022

Executive Summary:

The report provided the Financial Performance and Position Progress Report September 2022.

Summary of Discussion:

The Chair noted Council is tracking well against budget.

Recommendation:

That the Audit and Risk Committee note, for information, the Council Monthly Financial Report for September 2022.

6.14 Review of Useful Life of Unsealed Pavements

Executive Summary:

The report presents a discussion regarding the useful life currently applied for the pavement on unsealed roads and a proposal to change the useful life to infinite and reasons for making the change.

Summary of Discussion:

The ARC appreciated the visibility of the proposal and asked some questions on the implications and outlined additional information that would assist with their understanding. The views of external audit are also needed. This can be considered further as the next set of financial statements are developed.

Recommendation:

The Audit and Risk Committee note the report relating to the use of an infinite life for the unsealed pavement assets in Council's Fixed Asset Register.

6.15 Carry Forward Budget Review

Executive Summary:

This report provided the most recent budget review and update, specifically the Financial Performance and Position Carry Forward Review Budget 2022-2023 approved by Council in September 2022 is attached. A brief summary of the changes is also provided.

AUDIT AND RISK COMMITTEE MEETING REPORT TO COUNCIL

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Summary of Discussion:

The report was noted with the Chair commenting that inclusion of key points from the discussion in the Council meeting is appreciated.

Recommendation:

That the Audit and Risk Committee note, for information, the report Financial Performance and Position Carry Forward Review Budget 2022-2023.

6.16 Internal Audit Update

Executive Summary:

This report outlines the status of the Annual Internal Audit Plan and other activities of Internal Audit.

Summary of Discussion:

Discussion focused on two confidential reports on specific matters that internal audit had investigated. The External Representative questioned the impact of these and other tasks on the overall distribution of time spent by Internal Audit on different aspects of their role. The Chair also queried whether there were other ways these matters could have been addressed. The Principal Specialist Internal Audit and Improvement (PSIAI) explained the somewhat unique circumstances associated with these matters and why the approach had been adopted. These circumstances are unlikely to arise again and momentum is building on the core internal audit work.

Recommendation:

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

6.17 Continuous Assurance Update

Executive Summary:

This update provided the report from the Continuous Assurance testing performed covering the period July to December 2021.

Summary of Discussion:

The Chair queried how issues identified in this work are tracked. The PSIAI explained that initially concerns are raised with appropriate staff to investigate and are tracked through the working papers. If there is a broader issue identified that needs process improvement this will be raised and tracked as an agreed audit action.

Recommendation:

That the Audit and Risk Committee receive this update on the progress of continuous assurance testing.

6.18 Internal Audit Self-Assessment

Executive Summary:

It is good practice for internal audit functions to at least annually perform a self-assessment of their operation and compliance with the standards of the Institute of Internal Auditors (IIA). This forms a part of the Quality Assurance and Improvement Program that the IIA standards require be established. This report provides a summary of the results of the completed self-assessment.

AUDIT AND RISK COMMITTEE MEETING REPORT TO COUNCIL

THURSDAY, 17 NOVEMBER 2022

Summary of Discussion:

The approach to this review was discussed noting the limitations of a self-assessment. The Chair confirmed that under the standards for the professional practice of internal audit, self-assessment is conducted annually and then every five years an external assessment is undertaken

Recommendation:

That the Audit and Risk Committee receive the results of the annual Internal Audit Self-Assessment.

6.19 Implementation of Audit Recommendations

Executive Summary:

The Committee receives a report at each main meeting on the status of all agreed audit recommendations.

Summary of Discussion:

The ARC members queried a number of specific actions and their status. One action was queried where the identified next step was for a date prior to the meeting. The relevant General Manager explained that this was a low risk item and other priorities had meant this action was not yet complete. On another, comments that indicated the action was complete were questioned. The PSIAI accepted that although the business unit had not flagged the item as complete this should have been picked up on review. The preferred process for recording actions as complete was outlined by the Chair.

Recommendation:

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

6.20 Internal Audit Report - Procurement via Tenders

Executive Summary:

An internal audit review has been completed examining the area of Procurement conducted via Tenders.

Summary of Discussion:

The Chair noted this is a high risk fraud area for organisations and his recommendation is that issues be addressed in the next 60 days to mitigate the chance of an incident occurring. The acting General Manager advised that progress is being made on addressing the actions with the position of Principal Specialist Procurement Management being advertised and a consultant engaged to work on updating the procurement framework.

Recommendation:

That the Audit and Risk Committee receive this report on Procurement via Tenders.

6.21 External Procurement Review

Executive Summary:

Council engaged an external consultant to undertake an external review of Council's Procurement Framework and Processes to ensure compliance with legislation and identify necessary actions to transition to a fit-for-purpose (contemporary and strategic) procurement model. Reports from the first two stages of this engagement were provided.

AUDIT AND RISK COMMITTEE MEETING REPORT TO COUNCIL

THURSDAY, 17 NOVEMBER 2022

Summary of Discussion:

The Chair requested that the 42 recommendations be entered into the tracking system for monitoring. The External Representative requested that before they are added, all of the recommendations should be reviewed to ensure they are achievable actions. The Chair also requested that each item be risk rated as 'High', 'Medium' or 'Low'.

Recommendation:

That the Audit and Risk Committee note, for information, the update on the External Procurement Review.

7.1 Mutual Obligations Health and Safety Management System Audit Report - 06-2022

Executive Summary:

Between 6 June and 9 June 2022, a Work Health and Safety (WHS) Management Systems Audit was conducted to fulfil Council's requirement as part of the LGW Mutual Risk Obligation Program. An overview of the process, the audit report and an action plan responding to the report recommendations were all provided.

Summary of Discussion:

The External Representative and the Mayor both commented positively on the result and the assurance that the audit and the report provide.

The Chair agreed, while emphasising the importance of the Action Plan and working to address the areas of non-compliance.

The Chair stated that the ARC did not need detailed ongoing tracking of the actions; however, an update was requested once the majority of actions are complete in the middle of 2023.

Recommendation:

That the Audit and Risk Committee note the 2022 Work Health and Safety Management Systems Audit Report and related Action Plan.

Committee Members' Business

There were no items of Committee Members' Business for this meeting.

Customer & Regional Prosperity

10.6 Scenic Rim Tourism Strategy 2017-2021 - Final Report

Executive Officer: General Manager Customer and Regional Prosperity

Item Author: Tourism Recovery Officer

Attachments:

1. Scenic Rim Tourism Strategy 2017-2021 [!\[\]\(67ff022fd78f943b679992c2874bbfd1_img.jpg\)](#) [!\[\]\(042ea11c58a77088d3dd7150909adec0_img.jpg\)](#)
2. Scenic Rim Tourism Strategy 2017-2021 Summary of Outcomes delivered against Action Plan [!\[\]\(5890ff4c38007932c846fa9d39ba1fe6_img.jpg\)](#) [!\[\]\(0951d374ca92713a262635cd1d2251b2_img.jpg\)](#)

Executive Summary

This report provides a summary of the key initiatives undertaken and the outcomes achieved through the implementation of the Scenic Rim Tourism Strategy 2017-2021 (the Strategy).

Recognising the value of tourism as an economic driver for the region, Scenic Rim Regional Council developed the Strategy in 2016. The Strategy provided a framework to guide the region's tourism development and destination management during this five year period.

The Strategy outlined Council's commitment to foster opportunities that supported the sustainable growth of tourism in the region, provided a positive contribution to the region's economy, environment and community, and helped ensure the long-term viability and sustainability of this vital sector.

The Strategy was adopted by Council on 27 January 2017 and incorporated feedback from community, visitors, tourism operators, Scenic Rim Regional Council and key stakeholders. Information was gathered via a range of consultation methods including workshops, small group meetings and visitor surveys.

The Strategy outlined a five-year vision to "grow the value of tourism to \$300 million by 2021" (from an estimated \$150 million in 2016) and a mission to, "develop vibrant and sustainable tourism and genuine visitor experiences that celebrate the region's unique and world-class natural assets, rural and small town character and community values".

By December 2019, the region was on track to reach this target, with visitor expenditure of \$215 million recorded for that year, however, due to travel restrictions and the border closures imposed in Queensland and Australia during the COVID-19 pandemic, visitor expenditure in the Scenic Rim was reduced in 2020 and 2021, which hindered reaching the target of \$300 million by 2021.

The Strategy has provided an effective catalyst and focus through which foundational and impactful tourism initiatives have been delivered in the region. These have resulted in significant growth in customer and brand awareness of the region, consolidated industry working relationships and increased the business capacity and capability of local tourism operators.

Recommendation

That:

1. Council note the conclusion of the Scenic Rim Tourism Strategy 2017-2021 and acknowledge the initiatives undertaken and outcomes delivered to the benefit of the Scenic Rim region; and
2. Council acknowledge, in lieu of producing a new broad-based tourism strategy, key tourism actions are contained within the Scenic Rim Regional Prosperity Strategy 2020-2025, with a focus on developing relevant sub-strategies, such as Scenic Rim Agri-tourism and Agribusiness 10-Year Roadmap 2022 - 2032, and the Scenic Rim Nature-based Tourism Strategy scheduled for adoption early in 2023.

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 14 December 2020 (Item 11.4), Council noted the progress made in the implementation of the Strategy and acknowledged the activities and initiatives being undertaken and outcomes being delivered to benefit the Scenic Rim region's visitor economy.

In March 2020, Council adopted the Scenic Rim Regional Prosperity Strategy 2020-2025. While the Tourism Strategy provided the road map for growing the tourism industry in the region, the Regional Prosperity Strategy provides the detailed specific growth plan for all business and industry sectors in the region.

On 27 January 2017, Council adopted the Strategy.

Councillors have been apprised of the progress of the implementation of the Strategy through the Tourism Advisory Committee (TAC) minutes presented to Council. The progress was included as a summary of activity.

Updates on the outcomes of tourism development have also been included in regular Regional Prosperity updates.

Report / Background

Recognising the value of tourism as an economic driver for the region, in 2016 Council developed the Strategy (refer Attachment 1).

The Strategy outlined a five-year vision to, "grow the value of tourism to \$300 million by 2021", and a mission to, "develop vibrant and sustainable tourism and genuine visitor experiences that celebrate the region's unique and world-class natural assets, rural and small town character and community values".

To achieve the Strategy's vision by 2021, the Scenic Rim needed to double the value of tourism from \$150 million in 2016 to \$300 million in visitor expenditure by 2021.

By December 2019, the region was on track to reach this target, with a visitor expenditure of \$215 million recorded for the Scenic Rim by Tourism Research Australia, however, due to travel restrictions and the border closures imposed in Queensland and Australia during the COVID-19 pandemic, visitor expenditure in the Scenic Rim in 2020 and 2021 reduced to \$204 million and \$188 million respectively.

The Scenic Rim was not unique in the impact of these travel restrictions, with the state of Queensland also experiencing a 48% reduction in overnight visitor expenditure due to the COVID-19 pandemic.

To achieve the forecasted growth in visitor expenditure, delivery of the Strategy focused on increasing the number of visitors to the region, the number of nights they spent in the region, and their spend while in the region.

Domestic Day Trippers were forecast to increase their spend from \$64 in 2016 to \$76 by year end 2021, and the spend of Domestic Overnight Visitors was forecast to increase from \$146 to \$166 per night. Delivery of the Strategy has outstripped these forecasts, delivering a Domestic Day Trippers spend of \$79 and a Domestic Overnight spend of \$286.



The Strategy's framework was based on sustainable tourism best practice principles and addressed the three pillars of sustainable tourism:

- destination development,
- destination marketing, and
- destination management.

Of the 30 actions contained within the Strategy (refer Attachment 2):

- 14 have been fully delivered,
- 10 have been partly delivered or delivered in an amended form,
- 6 have not been delivered; largely due to the changing environment as a result of the COVID-19 pandemic (influenced by factors such as a decline in the international visitor market) and border closures and lock downs.

Overall, this is considered a very good result, especially given the external impacts and the tourism industry recovery that has been achieved by capitalising on Black Summer Bushfire Grant Funding programs and the award-winning marketing campaigns that have ensured the visitor economy is on a growth trajectory.

Actions in the Strategy have had to be delivered on top of 'business as usual' activities, including liaising with and assisting the region's tourism operators, delivering networking and collaboration opportunities and working with other tourism agencies. These include Tourism Australia, Tourism and Events Queensland, Brisbane Economic Development Agency and Destination Gold Coast, as well as working with the Local Tourism Organisation/s.

It should be noted Council has a very small tourism team, with only one designated Economic Development Officer - Tourism whose focus is wholly on tourism. The Economic Development Officer - Tourism role was also considered the executive officer supporting the Scenic Rim Tourism Advisory Committee until it was disbanded when the newly formed Destination Scenic Rim was established. This role is also responsible for liaising with the region's five Visitor Information Centres and managing Council's funding arrangements.

Council officers advocated strongly to multiple government agencies for financial support for destination marketing and development in the wake of the Black Summer Bushfires of 2019-2020. This resulted in the receipt of over \$1.5 million under the Tourism Recovery Fund for Local Government to deliver nine separate projects, all with a long-term view of building capacity and capability, along with recovery and resilience. These, aligned with the Strategy, and were delivered over 18 months up to 30 June 2022, and have resulted in tremendous gains for the tourism sector and region.

Operating with one dedicated officer had not changed since the introduction of the Strategy in 2017, with the exception of an additional Black Summer Bushfire grant-funded Tourism Recovery Officer, who commenced in 2020, (for an 18-month term), however, that role was required to focus on the significant number of grant-funded projects identified in the Funding Agreement.

To support the implementation of the Strategy, five catalyst projects were identified, and the key outcomes are outlined below:

Destination Development

Catalyst Project 1: Increase the funds for marketing through new funding options for tourism and events development.

Outcomes:

- In 2019 - 2020, Council approved a 39 per cent increase in its Tourism Operational Budget for destination marketing, to meet the funding bodies' expectations of co-contribution.
- In order to present the region enticingly and consistently to potential visitors, the marketing of local tourism operators must be professional, contemporary and aligned to the region's brand. In 2020, Council allocated \$200,000 of the Tourism Recovery Fund for Local Government funding to improve local tourism businesses' capacity and capability in reaching new customers and showcasing the experiences they offer.

This was achieved by attracting 53 local businesses to participate in an intensive digital marketing training program, and by managing the procurement and production of 19 short promotional videos, 21 photography sessions and copywriting to enhance the marketing promotions of 27 businesses and 40 destinations within the region.

The success of the capacity and capability program was measured by:

- The number of operators Council became aware of and added to their database (up by 180% to 440, and since then has grown to 500).
- The number of businesses communicated to about the program (430)
- The number of businesses assisted to raise the profile of their business and increase consumer awareness of their offering (53)
- The number of businesses which received tailored digital marketing coaching and training from Tourism Tribe, one of Australia's leading tourism digital marketing training providers (49 of the 53)

- To improve local tourism operators' ability to prepare for and respond to natural disasters and the impact of other major changes, in 2020 Council allocated \$80,000 of the Tourism Recovery Fund for Local Government funding to develop and deliver a Business Resilience program.

A 'resilience building program' involving education for tourism operators in business development, crisis preparedness and continuity skills, as well as resources for ongoing reference and support.

This was achieved through a series of business continuity planning workshops, 24 operators from 22 businesses registered for these workshops and reported afterwards, via a survey of participants, they were better informed and understood the processes involved in preparing for and recovering from a crisis. Following the workshops, all participants had a business continuity plan in place and go-kits were prepared. Scenic Rim was hailed by Earth Check (one of the world's foremost risk advisory groups for the tourism sector) as a leader in assisting local tourism operators to recover from natural disasters.

A Scenic Rim tailored CrisisReady app was developed as part of this program, providing operators with a Disaster HQ in the palm of their hand.

An online industry portal was also created for local tourism operators on the Visit Scenic Rim website (<https://industry.visitscenicrim.com.au>), providing online resources and information regarding business development and promotion, crisis preparedness and continuity.

- Acknowledging the important role Visitor Information Centres (VICs) play in welcoming, informing and dispersing visitors in the region, in 2020 Council allocated \$50,000 of the Tourism Recovery Fund for Local Government funding to audit the services and requirements of the five VICs in the region and develop a business case for the Canungra VIC, where visitor numbers have grown by 10% year-on-year.

The business case enables Council to confidently investigate further state and federal grant funding opportunities to deliver on its recommendations.

- Recognising the importance of the key tourism experience pillars of nature and agriculture to the region, and to support key actions for the tourism industry contained within the Scenic Rim Regional Prosperity Strategy 2020-2025, rather than developing a new broad-based tourism strategy, Council produced the Scenic Rim Agribusiness and Agritourism 10-Year Roadmap 2022-2032 and Scenic Rim Agribusiness and Agritourism 3-Year Action Plan 2022 - 2025, adopted on 20 September 2022, and the Scenic Rim Nature-based Tourism Strategy scheduled for adoption early in 2023.

Catalyst Project 2: Maintain and continue to grow a Regional Events Grants Program to support the growth and development of events that attract at least 30% of their attendees from outside the region and actively contribute to building the region's brand.

Outcomes:

- To support the growth and development of regional events, in 2019, the existing part-time resource devoted to the delivery of Scenic Rim Eat Local Week was reclassified and adjusted to become a full-time Principal Specialist Regional Events, with a focus on development and delivery of both existing and new destination events to the region.
- The Regional Events Program is administered by the Principal Specialist Regional Events, via a grants program, available to events that are able to demonstrate their likely economic return to the region.

Events supported under this Regional Events Grants Program include, but are not limited to, the Scenic Rim Clydesdale Spectacular, Summerland Camels' Buy from the Bush, the Kalbar Sunshine and Sunflower Festival, Springtime on the Mountain, the Moogerah Passion Play and Carralbyn. The collective return on investment has seen significant economic benefit to the region, which has been reported during regular Regional Events Grants Program updates.

- Additional recovery funds (totalling \$270,000) were secured through grants, for the development and delivery of new events in 2022 including The Long Sunset, a boutique music and camping festival, and ESCAPE in the Scenic Rim, an adventure festival. The economic impact of these events has been reported separately.

An additional \$200,000 has also been secured for a 2023 version of The Long Sunset.

Destination Marketing

Catalyst Project 3: Increase marketing efforts in partnership with Brisbane Marketing and Destination Gold Coast targeting the 200km drive market and emerging fly-drive interstate markets (Sydney and Melbourne).

Outcomes:

- Council has established a Memorandum of Understanding with the Brisbane Economic Development Agency (BEDA) to work together towards mutual goals for tourism in the region.
- Council is a member of Destination Gold Coast (DGC) and continues to work collaboratively with DGC to provide Gold Coast visitors with attractive hinterland experiences that enhance their beach holiday.
- To raise awareness and convert interest into visitation, a major destination brand refresh and a series of high profile marketing campaigns were delivered, informed by market research.

Development of a destination marketing campaign - 'Welcome to the Scenic Rim, the Richest Place on Earth in Australia', drove growth in visitation, 'off the charts' growth in awareness, the development of best-in-class creative assets, tremendous growth in leads to operators from campaign activity and a vastly improved online presence for operators better equipped to manage their own destinies - have all resulted. The region is now particularly well placed to continue on this impressive trajectory.

These campaigns generated a combined reach of over 22 million across all media activity, a 124% year-on-year increase in visits to the Visit Scenic Rim website and a 360% year-on-year increase in customer leads to local tourism operators' websites and booking platforms.

Not only that, but the campaign has delivered economic impact of over \$38.77 million, a return on investment of \$55 for every dollar invested. The region is now the name on everyone's lips.

- To provide customers with a diversity of experiences online and convert their increased awareness of the region into bookings for local tourism operators, the Visit Scenic Rim website www.visitscenicrim.com.au was significantly upgraded, with an allocation of \$250,000 of the Tourism Recovery Fund for Local Government funding, to include refreshed copy and imagery, a more sophisticated and brand-aligned offering, and overviews of products and services in each of the sub-regions.
- Council continues to promote the region's experiences and tourism businesses through 'always-on' destination marketing activities including the Visit Scenic Rim social media platforms, strategically targeted publicity and media familiarisation visits, and working closely with the region's five Visitor Information Centres and industry-led local tourism organisation, Destination Scenic Rim.
- In October 2021, marketing the region resulted in the region being named by Lonely Planet as the only Australian destination in its Top Ten Regions for 2022.
- The newly developed destination brand, 'Welcome to the Richest Place on Earth, in Australia' and marketing campaign for the region won Gold in the Destination Marketing category at the 2021 Queensland Tourism Awards, while Tamborine Mountain was named as 'Top Tourism Town' in Queensland in 2022.

Catalyst Project 4: Invest in ongoing research and partner with a university to collect and monitor primary visitor data.

Outcomes:

- Council has ongoing contracts to source quarterly research from Tourism Research Australia and data analysis and modelling from Lucid Economics to track trends and benchmark the Scenic Rim against competitor LGAs.
- Council has also worked with Griffith University and Queensland University of Technology on research projects and commissioned bespoke market research from Roy Morgan to inform the development of the major destination marketing campaigns.
- Council receives quarterly reports from Roy Morgan on visitation to the region via Council's partnership with BEDA. This research uses mobile data analysed against behavioural and attitudinal profiles, to provide insights into the numbers and types of people visiting the Scenic Rim. This information continues to inform visitor targeting decisions for destination marketing.

Destination Management

Catalyst Project 5: Align the efforts of the three local tourism organisations to create a seamless customer message pre-trip and enroute.

Outcomes:

- The region's two (originally three) local tourism organisations (LTO) were united in 2021 to create a single unified LTO for the region, Destination Scenic Rim (DSR). This was achieved by reaching agreement amongst all former LTOs to form one organisation, the appointment of a Board, independent Chair, suitably qualified Executive Officer (funded year one from an allocation of \$150,000 of the Tourism Recovery Fund for Local Government funding), and the development and delivery of a partnership agreement with Council (including funding support) and agreed business plan. This business plan delineates the role of DSR and ensures there is not duplicated effort with the projects and programs facilitated and delivered by Council and vice versa.
- The creation of one unified LTO for the region ensures operators can collaborate and work together effectively, reduce duplication of marketing efforts and provides a far less confusing offer for potential visitors.
- Destination Scenic Rim now plays an increasing role in attracting visitors to the region and supporting their members, through initiatives such as the production of the Scenic Rim Drive Guide (member and advertising funded) and tactical activity to grow awareness of the region's agritourism offering via regular Farm Gate Trail events or attending travel shows.

Budget / Financial Implications

Costs associated with tourism destination development, marketing and management related to the implementation of the Strategy were contained within the operational budget of the Regional Prosperity team.

Additional funding of \$1.5 million for tourism initiatives has been achieved through 2019 Black Summer Bushfire Recovery Grant Funding from the Tourism Recovery Fund for Local Government and required to be delivered by June 2022 and which was successfully acquitted.

Strategic Implications

Operational Plan

Theme: 2. Sustainable and Prosperous Economy

Key Area of Focus: 2.1.2 Develop and maximise the value derived from vibrant and sustainable tourism and genuine visitor experience

Legal / Statutory Implications

Council was bound by the Tourism Recovery Fund for Local Government Funding Agreement and the milestones. Council has successfully acquitted this grant.

Risks

Strategic Risks

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

SR53 Inadequate sustainable economic growth plans in place to appropriately maximise opportunities, resulting in increased pressures on Council and State infrastructure and social environmental cohesiveness.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Financial/Economic The strategy is the roadmap for growing the tourism industry in the region, which improves community prosperity and grows jobs for locals.	4 Major	Possible	Medium	Continue to work through actions in the Regional Prosperity Strategy, Nature-based Tourism Strategy and with Destination Scenic Rim Business Plan and advocate for program funding	Low

Consultation

Consultation was undertaken with the Scenic Rim Tourism Advisory Committee (since disbanded and replaced by Destination Scenic Rim), Brisbane Economic Development Agency, Tourism and Events Queensland, Economic Development Officer - Tourism, Tourism Recovery Officer, General Manager Customer and Regional Prosperity, Destination Scenic Rim Board, Chair and Chief Executive Officer, and Tamborine Mountain Chamber of Commerce and Industry - Tourism Sub-committee.

Councillors and the Executive Leadership Team have received regular progress briefings on the implementation of the Scenic Rim Tourism Strategy and the various projects being delivered under the Tourism Recovery Fund and the Regional Events Grants Program.

Conclusion

The Scenic Rim Tourism Strategy 2017-2021, adopted by Council on 27 January 2017, provided a framework to guide the region's tourism development and destination management over a five year period.

The Strategy has provided an effective catalyst and focus through which foundational and impactful tourism initiatives have been delivered in the region. These have resulted in significant growth in customer awareness of the region, consolidated industry working relationships and increased business capacity and capability of local tourism operators.

In March 2020, Council adopted the Scenic Rim Regional Prosperity Strategy 2020-2025. This comprehensive, overarching strategy provides a detailed growth plan for all business and industry sectors in the region, including tourism. Implementation of the Scenic Rim Regional Prosperity Strategy 2020-2025, with a focus on developing relevant sub-strategies such as the newly adopted Scenic Rim Agri-tourism and Agribusiness 10-Year Roadmap 2022 - 2032 and the Scenic Rim Nature-based Tourism Strategy scheduled for adoption early in 2023, removes the need for producing a new broad-based tourism strategy.

Despite the interruptions from bushfires, flooding and COVID-19, the resilience of the Scenic Rim tourism industry and the Council's tenacity to keep forging ahead with some bold (and grant-funded) initiatives, it is considered the implementation of the Scenic Rim Tourism Strategy 2021-2021 has been successful and served its purpose and achieving the vision of helping to ensure the long-term viability and sustainability of this vital sector by significantly growing the value of tourism to the local economy.



SCENIC RIM TOURISM STRATEGY 2017-2021

Final Strategy
January 2017

Prepared by EarthCheck for



DISCLAIMER

The information and recommendations provided in this document are made on the basis of information available at the time of preparation and the assumptions outlined throughout the document. While all care has been taken to check and validate material presented in this report, independent research should be undertaken before any action or decision is taken on the basis of material contained in this report. This report does not seek to provide any assurance of project viability and EarthCheck accepts no liability for decisions made or the information provided in this report.

Images courtesy of Tourism and Events Queensland, Scenic Rim Regional Council and Tamborine Mountain Chamber of Commerce & Industry.



EXECUTIVE SUMMARY

Recognising the importance of tourism as an economic driver for the region, Scenic Rim Regional Council has identified the need to develop a Tourism Strategy for 2016 to 2021, following on from the achievements of the 2011-2016 Tourism Strategy. The purpose of this Strategy is to serve as a guide for tourism development and destination management for the next five years, to help ensure the long-term viability and sustainability of this vital sector.

2021 VISION

Grow the value of tourism to \$300 million by 2021

MISSION

Develop vibrant and sustainable tourism and genuine visitor experiences that celebrate the region's unique and world-class natural assets, rural and small town character and community values

GOALS

1. Increase the value of tourism
2. Increase market share of key segments
3. Dispersal of seasonal visitors
4. Dispersal of visitors

CATALYST PROJECTS

1. Increase the funds for marketing through new funding options for Tourism and Events development
2. Increase marketing efforts in partnership with Brisbane Marketing and Gold Coast Tourism targeting the 200km drive market and emerging fly-drive interstate markets (Sydney and Melbourne).
3. Maintain and continue to grow a Tourism Events Fund to support the growth and development of events that attract at least 30% of their attendees from outside the region and actively contribute to building the region's brand.
4. Align the efforts of the three local tourism organisations to create a seamless message pre-trip and en route.
5. Invest in ongoing research and partner with a university to collect and monitor primary visitor data

ENABLERS OF SUCCESS

1. Industry-led Clusters
2. Accessibility
3. Iconic Attraction
4. Investment Attractions
5. Unity



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1. SETTING THE SCENE

1.1 Role of the Tourism Strategy

The Scenic Rim region is a thriving rural area set in the foothills of the Great Dividing Range. Home to nearly 38,000 residents, the region covers approximately 4,200 square kilometres and is located one hour south of Brisbane and half an hour inland from the Gold Coast.

Known for its breathtaking scenery and boasting a wide selection of National Parks and nature-based opportunities, the region is also home to charming rural communities. Recognising the importance of tourism as an economic driver for the region, Scenic Rim Regional Council has identified the need to develop a Tourism Strategy for 2016 to 2021, following on from the achievements of the 2011-2016 Tourism Strategy. This Tourism Strategy is a progression from the 2011-2016 Tourism Strategy, and as such builds off the previous strategy with some key elements remaining throughout this document.

Scenic Rim Regional Council appointed EarthCheck Consulting to set the five year direction for tourism in the Scenic Rim.

The purpose of this Strategy is to serve as a guide for tourism development and destination management for the next five years (from 2017).

This Tourism Strategy for the Scenic Rim provides:

- a) An overview of the importance of tourism to the region;
- b) A review of key plans and strategies of the major tourism stakeholder organisations that impact the Scenic Rim;
- c) A brief destination analysis in terms of visitor trends, projections and SWOT analysis;
- d) An outline of the region's mission, vision and goals for the next five years;
- e) A detailed action plan to help achieve the goals;
- f) Measureable Key Performance Indicators;
- g) Detailed visitor profiles; and
- h) Destination benchmarks and case studies.

This Tourism Strategy incorporates the feedback from community, visitors, tourism operators, Scenic Rim Regional Council and stakeholders. Information was gathered via a range of consultation methods including workshops, small group meetings and a visitor surveys.

1.2 Process in Developing the Strategy

Key actions in preparing the strategy include:

PHASE 1: RESEARCH

- Comprehensive **Policy and Strategy Review**;
- **Visitor Market Review** - detailed analysis of Scenic Rim's current visitor market/ demand drivers, identifying current and potential future priority market;
- Supply-side **product and experience audit**;
- Review of **governance and partnership opportunities**;
- **Visitor volume/value/market mix projections**, forecasted out within the timeframe of the Strategy;
- **Competitor analysis** and benchmarking; and
- Review of **current tourism service delivery**;

PHASE 2: CONSULTATION

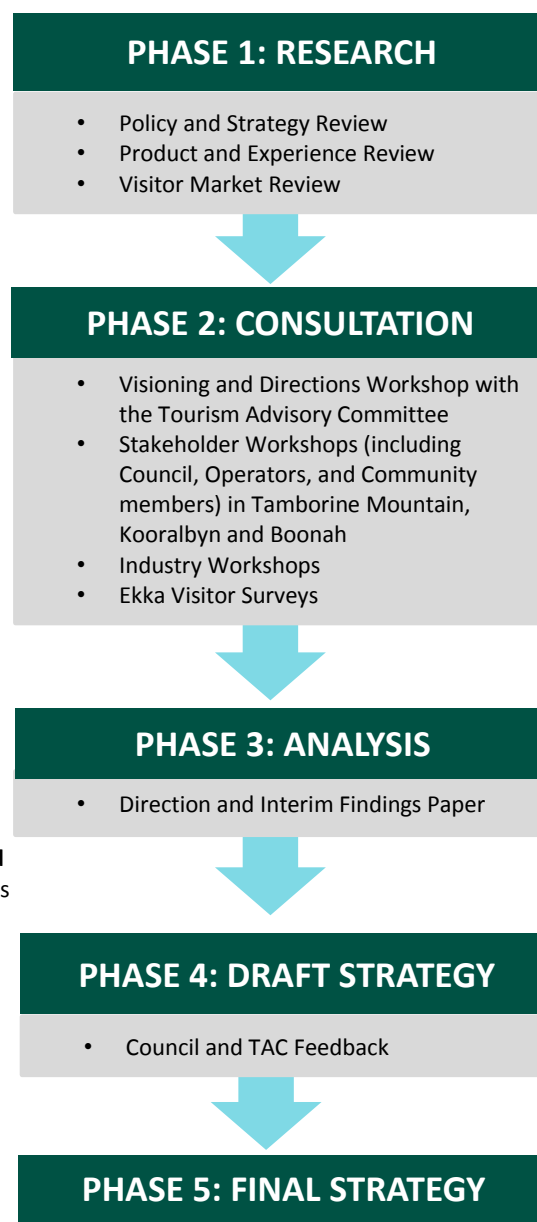
- **Visioning workshop** with Strategy Steering Group;
- Preparation of **directions paper** as the basis for consultation program;
- **Industry and Stakeholder consultation**; and
- Analysis of consultation and research findings & presentation of **interim findings**.

PHASE 3: DEVELOPING

- Development of the **Draft Strategy** with the established **vision, objectives** and **prioritised program of actions**, drawing together the results of consultation and analysis.

PHASE 4: FINALISING

- Preparation of an **evaluation and monitoring framework**; and
- Preparation of the **Final Strategy**, incorporating feedback on the Draft Strategy



1.3 The Destination

Located in close proximity to Brisbane and Gold Coast, the Scenic Rim has become a popular and well-established destination for domestic day trippers seeking an escape from the city. Home to six National Parks, World Heritage listed rainforests and three dams, the Scenic Rim offers a wide range of outdoor activities and walking trails in remarkable natural settings.

Apart from the picturesque natural environment, the Scenic Rim is also renowned for its high quality local produce and its vibrant artistic community. The region is home to 17 wineries and offers a number of outstanding gourmet experiences, providing an opportunity for the visitors to indulge in divine food and wine in great rural settings.



Generating a combined contribution of more than \$400 million to the local economy, agriculture and tourism are established income sources for the region. These attributes have encouraged regional partners to invest in celebrating the area's rural production and farming heritage through the Eat Local Week, an annually held regional festival. The event attracted in excess of 22,000 visitors in 2015.

The Scenic Rim consists of seven precincts with main towns being Tamborine Mountain, Beaudesert, Kooralbyn, Boonah, Rathdowney and Canungra. Each precinct has its own unique characteristics and set of experiences available to visitors. While the Scenic Rim's southern region is famous for its wide range of available outdoor adventures and farms, the western precinct is mainly known for its unique rural charm. The area's two dams are also a popular destination for lovers of watersports and fishing. Home to Tamborine Mountain and Lamington National Park, the eastern part of the region is a tourism hub. Precincts such as Tamborine Mountain have a wide range of tourism infrastructure available, and the precinct is well known for its enticing variety of charming cafes and restaurants as well as the Gallery Walk and scenic view that the precinct offers. The northern part of the Scenic Rim is well known for its vibrant horticultural areas local built heritage, whilst the central precinct of the region has a strong rural town vibe. Eastern part of the region is home to the Lamington National Park.



1.4 Tourism in the Scenic Rim Region

The seven precincts of the Scenic Rim align into the three major tourism regions of the Scenic Rim; Tamborine, Boonah-Rathdowney and Beaudesert.

Tamborine Mountain is a focal point for tourism in the region. It hosts a wide range of cafes and restaurants that meet demand from significant visitor volumes. Tamborine Mountain presents visitors with stunning views and a quaint village atmosphere. Gallery Walk is the main node of commercial visitor activity, characterised by a concentration of visitor-oriented shops, galleries and eating establishments. Tamborine Mountain also offers visitors a range of accommodation options, although stock is variable in terms of quality and price. The commercial node of North Tamborine has a greater focus on servicing the needs of local residents. It includes a number of community facilities and a range of eating establishments and shops. Tamborine Mountain is home to some of the region's most significant built attractions from Thunderbird Park and Skywalk to internationally renowned wineries and conference facilities.

The Boonah-Rathdowney subregion extends geographically from the township of Boonah, west to Cunningham's gap, north to the locales of Harrisville, Mutdapilly and Peak Crossing, and south to the NSW border. The main townships in the area include Boonah, Kalbar, Rathdowney and Aratula. The area has a vast array of natural attractions, and is equally well stocked with a range of accommodation options to suit all types of budgets. Arts and culture are a key strength of the area and adventure and outdoor activities take advantage of the surrounding lakes and mountains. However, there are few tour options or packaged experiences available and eating options are limited. Limited opening hours also restrict tourism activities and yield.

The Beaudesert subregion includes the World Heritage Gondwana Rainforests and the Lost World Valley. Although not a natural tourism destination itself, the commercial hub of Beaudesert provides the gateway to explore this subregion. Weekends are very quiet and on Sundays, in particular, retail and cafes in the main street are mostly closed.



1.5 Holistic Approach to Destination Management

Tourism is a sector of the economy where local government's direct investment in tourism marketing, products and services is targeted primarily at non-residents – the end economic, social and environmental benefits to communities largely being derived from the resulting visitor spending.

The move towards describing tourism strategies in a 'destination' context is an important one. Individual tourism products and experiences often grab the headlines, but in a holistic sense, planning at destination level is essential. Destination planning is a step forward from traditional destination marketing roles and provides a more holistic and integrated approach to understanding the visitor economy potential of each destination, and the best methods of maximising that potential.

The visitor economy is much more than the traditional focus on holidays – it includes all leisure travel, and travel associated with business, events, visiting friends and relatives, and travel associated with health and education.

In leading destinations, tourism infrastructure planning has also shifted towards a demand-led rather than supply-led approach. In the past, local governments have relied heavily on public infrastructure to attract visitors; however, the mentality of 'build it and they will come' no longer is enough to compete. **To attract visitors, destinations must understand their wants and needs.**

Local governments' role now has greater emphasis on facilitation and planning for tourism. This requires collaboration with tourism organisations and the private sector to streamline processes. **A clear, strategic understanding of what products and experiences attract visitors and what type of investment is needed to sustain or enhance that appeal is critical to destination success.**

Figure 1 (right) shows the wide range of infrastructure and services touched on in a typical visitor journey, which collectively help to create a strong sense of place within visitor destinations.

In developing a picture of what Scenic Rim's strengths and opportunities are in relation to its product and experience strengths, experience-based planning is the best approach to tourism destination planning as it takes into account all elements of a visitor's interactions with place and people.

Scenic Rim Regional Council is ideally placed to perform the all-important 'destination management' role to ensure that all these elements are brought together to offer seamless and compelling experiences for visitors.

Figure 1: Tourism Destination Assets



1.6 Local and Regional Policy Context

The contribution of tourism in the Scenic Rim region is well-recognised and thus has been incorporated into a wide number of strategies and plans at local, regional and state levels to direct planning, economic and social outcomes. The below provides a brief summary of selected key strategies that play an important role in tourism:

Local Context:

Scenic Rim Tourism Signage Strategy 2013-2015

The Signage Strategy was prepared as a response to recognition of the immediate growth opportunity provided by the drive tourism market and the need for a co-ordinated approach to managing and delivering the region's drive experiences.

The Signage Strategy intended to deliver the "essence" of the region's tourism experience via pre-trip and en route planning tools to grow the region's share of the Queensland drive market. The document recognises the region's signage infrastructure already in place, and places the core focus on the development of tourism signage that informs, directs and disperses visitors throughout the Scenic Rim. Management strategies and actions recommended throughout the document aim to maximise the value of signage in the region, so to attract increased visitor numbers to the region and to provide flow-on effects to the local tourism industry.



The overall goals of the Signage Strategy were to:

- Keep the visitors safe;
- Grow the market share;
- Increase repeat visitors;
- Encourage dispersal;
- Increase visitor spend.

In order to achieve these goals, the Strategy identified five priorities that included:

- Consistent approach to signage;
- Give visitors something to brag about;
- Create a sense of arrival;
- Showcase the region's experiences;
- Link precincts and attractions.

With signage being one of the most commonly mentioned topics during stakeholder consultation, a review of the signage strategy is urgently recommended.

Regional Context:

Brisbane Destination Tourism Plan 2014 – 2020

The Brisbane Destination Tourism Plan aims to position the Brisbane Region as a world-class tourism destination that is:

- A rising new world city in Asia Pacific offering a compelling and inclusive blend of quality of life, lifestyle and culture;
- Friendly, safe, engaging and accessible;
- A fascinating and accessible mix of river's edge, urban precincts, bayside villages, islands, urban bushland, hinterland environs and expansive inland waterways and fertile countryside
- An innovative lead in tourism experiences and high-quality service delivery
- A getaway to Australia's natural advantages in terms of its natural assets.



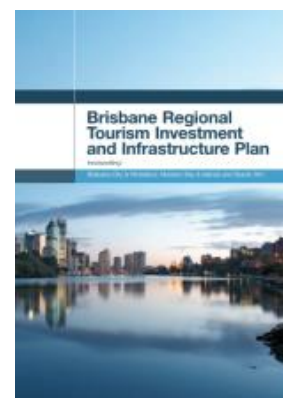
With the goal of increasing the value of visitor economy to \$8.4 billion by 2020, the plan established a clear vision of getting Brisbane recognised as a serious player in Asia Pacific by 2020, being Australia's most welcoming, spirited and energised subtropical capital city that offers world-class major events, coastal, island and countryside experiences. In order to achieve this goal, the document sets clear priorities as follows:

- Build on strong economic foundation through delivering increased investment and tourism demand;
- Leverage the destination advantage and deliver improved visitor experience;
- Embrace Brisbane's natural advantage through delivering competitive advantage.

It is important that Scenic Rim plans its strategic tourism framework within the context of the region's DTP – Scenic Rim provides important parts of the region's overall set of visitor experiences and both areas are sources of trade / visitation for one another.

Brisbane Regional Tourism Investment and Infrastructure Plan 2008-2018

This report aimed to provide direction for the sustainable development of tourism in the Brisbane Region to 2018. Ten catalyst projects for the region were identified. One of these catalyst projects is in the Scenic Rim: "Developing a major walk with associated huts and high quality lodge accommodation infrastructure in the Scenic Rim." This project has recently been given approval by the Queensland Parks and Wildlife Service (QPWS) as a new nature-based tourism project that offers a six-day walk through the Scenic Rim. The project includes the establishment of two new eco-camps, 18 kilometres of new bushwalking track and a number of new mountain bike tracks. Although published in 2008, the report continues to provide a useful investment context.



Gold Coast and Hinterland Tourism Opportunity Plan (TOP) 2009-2018

The Gold Coast and Hinterland Tourism Opportunity Plan 2012-2018 (TOP) was developed to provide direction for the sustainable development of tourism in the Gold Coast region and identifies a significant number of catalyst, investment and capacity building projects. A large part of the Gold Coast Hinterland, including the Gold Coast food and wine trail is located in the Scenic Rim Regional Council area, creating a need for cross border communication and collaboration.

**Gold Coast Destination Tourism Management Plan 2014-2020**

In this report Hinterland and Scenic Rim linkages are identified as an opportunity. The Gold Coast Hinterland experiences complement Gold Coast product as it provides a high quality visitor experience which includes World Heritage-listed sub-tropical rainforests, national parks, scenic lookouts, picnic areas, walking trails and waterfalls. As Gold Coast hinterland is often closely associated with the Scenic Rim, the tourism outcomes for the region can therefore be maximised by collaborating closely with the Gold Coast tourism and aligning the target markets, strategy values, actions and priorities with the Gold Coast City Council's Tourism Strategy.

**Potential Structural Changes**

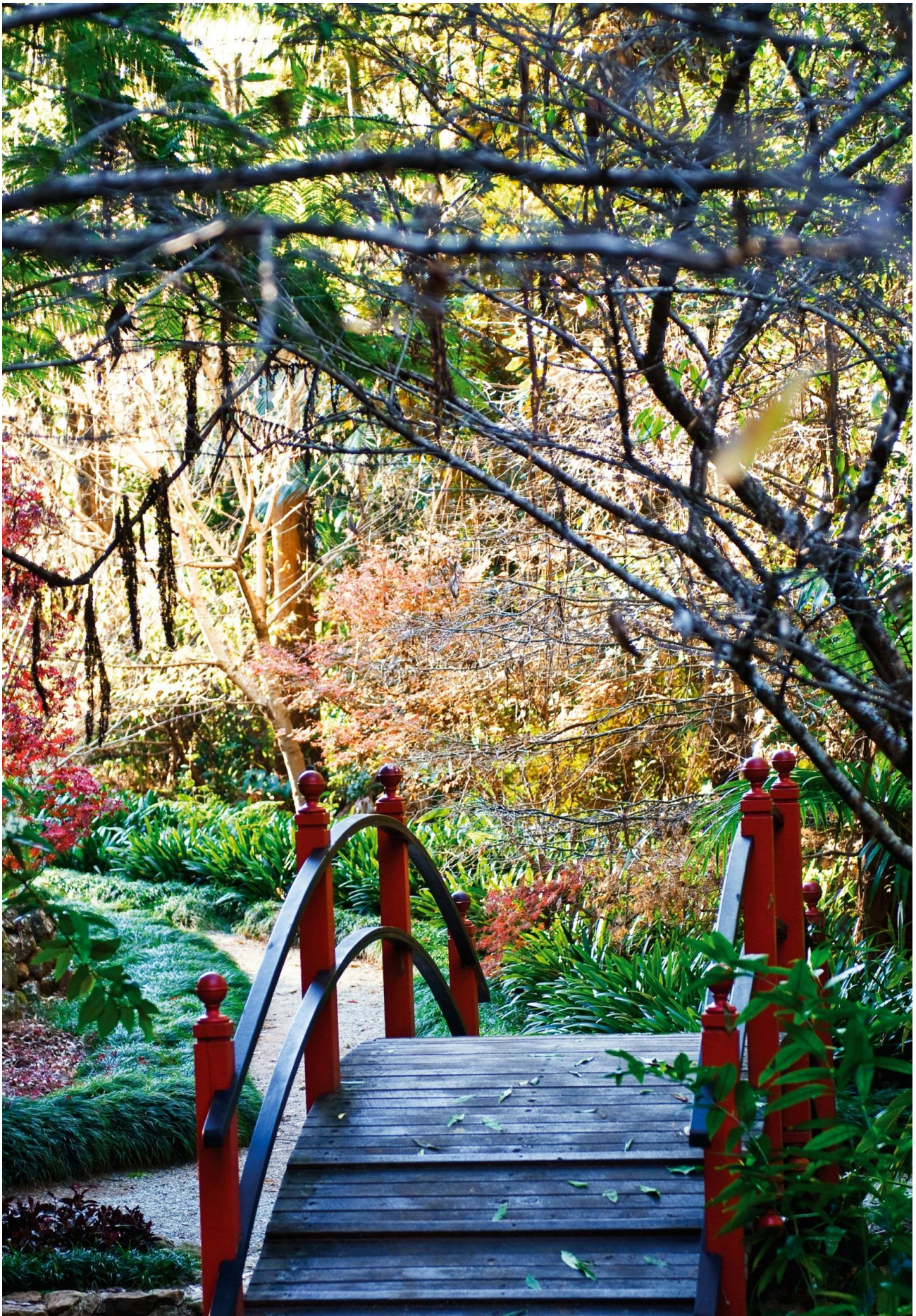
Globally, economic benefits derived from the visitor economy are widely recognised, as is the need for investment to deliver sustained growth. However, there is an increasing trend away from reliance on public sector support as the sole means of providing support. In an increasingly competitive global visitor economy, there is recognition that public sector investment on its own can no longer generate the investment needed to deliver growth.

Queensland tourism partners have long recognised that the State has faced a number of tourism challenges – while visitation has been rising in line with national trends, it has been consistently losing market share to Victoria and NSW.

Despite its best efforts, Queensland's tourism industry has been unable to remedy its structural inefficiencies and funding uncertainty.

Throughout Australia, the limits of public sector funding of the tourism industry are acknowledged. Alternative funding options are actively being considered at state, regional and local levels across all States. In Queensland, discussions with industry and government have led to the conclusion that reform of this nature needs to be 'driven' by industry, supported by strong industry consensus and presented for potential government support.

Queensland Tourism Industry Council (QTIC) has recently published a draft business case setting out a potential solution to the challenges facing the industry. The far-reaching proposals advocate structural change at State and regional levels, with funding support delivered via a new State-wide visitor levy (rental of accommodation units) and a single State-wide membership fee which would be utilised to support local tourism organisations.



2. DESTINATION ANALYSIS

2.2 Tourism Megatrends - Influences on the Scenic Rim

Megatrends are long-term trends affecting social, economic, environmental and political dimensions of society. Megatrends that are likely to influence the way that tourism develops generally within the Australian economy and that might influence consumer behaviour include:

Table 1: Key Megatrends Likely to Influence Tourism in Australia

Economic:	Social:
<ul style="list-style-type: none"> • Macro-economic conditions and associated impacts on consumer confidence, will affect Australia's capacity to attract inbound tourism markets. • International conditions will influence the national 'economic mood' and impact upon consumer confidence even though the GFC has not been as pronounced in Australia. • A strong Australian dollar and increases in capacity on certain international routes will continue to generate strong outbound tourism demand. • Human capital will become more valued in tourism (e.g. skills and training will become more important). • Continued emphasis on value for money. 	<ul style="list-style-type: none"> • An aging and increasingly affluent domestic population will increase travel demand. • Australians will stay in the workforce longer; semi-retirement and flexible work patterns will influence travel choices and opportunities. • Increasing interest in health and well-being will influence travel patterns and stimulate health and medical tourism. • Terrorism, health alerts and security issues will continue to influence global travel patterns; Australia will continue to be seen as a 'safe' destination for inbound tourists. • The emergence of China and India as global powers will generate growth of the 'middle class' in these countries and will stimulate outbound travel from those countries; the ability of Australia to attract these markets will be influenced by its capacity to offer products and services of interest to these markets. • Unique, meaningful and emotionally fulfilling tourism experiences will receive emphasis over products; branding and marketing needs to address this aspirational component of consumer

	<p>decision making.</p> <ul style="list-style-type: none"> • Tourism will increasingly become an 'investment in the self'; purchase decisions are motivated by a need to 'invest' in personal growth and fulfilment.
<p>Environment:</p> <ul style="list-style-type: none"> • Awareness of environmental issues will continue to influence consumer choice, although price will remain a key factor in consumer decision-making. • Oil scarcity and rising oil prices will impact upon travel patterns. • Environmental groups will become more organised and more influential in planning and policy making. • Increased environmental awareness and social responsibility will continue to influence purchase decisions 	<p>Technology:</p> <ul style="list-style-type: none"> • Consumer uptake of new mobile technologies will continue to increase, and change the way people search for information, book and pay for their travel. • Social media tools and interactive technologies will become increasingly important in consumer purchase decisions. • Online technologies will reduce costs, increase reach and add value to consumers purchase decisions. • Consumers will seek out 'facilitated' travel decision-making (e.g. websites that offer suggestions, bundle and have easy payment functionality).

These megatrends have a number of potential implications for travel to and within the Scenic Rim region:

- South East Queensland (SEQ) will continue to consolidate its position as an economically diverse and dynamic region with an increasingly affluent population;
- Demand for short break leisure travel, business, event, recreation and conference travel will increase particularly from Brisbane and SEQ more generally, but travel will increasingly be for multiple purposes (e.g. events and leisure; business and recreation);
- SEQ will continue to be an attractive location for serious recreation, leisure and sport events. Scenic Rim can become a destination of choice for such events;
- The two international airports that service the SEQ region (Brisbane and Gold Coast) will continue to be the major gateways into the region;
- Regional internet and communication services will continue to influence operators' capacity to harness online technologies and social media;
- Public concern for environmental issues will continue to increase and this will influence consumer choice;
- Work patterns will become increasingly more flexible; mid-week breaks will become increasingly part of the offer and can be used to address weekly peaks and troughs in demand;
- Growing interest in health and well-being as a purpose of travel will generate new opportunities for tourism development, and can be used to add value to existing products;
- Business and conference travel is becoming increasingly blurred with leisure travel;
- Australians have one of the highest uptakes of new technologies in the world and this trend is likely to continue, influencing how people investigate, make decisions and purchase products in the Scenic Rim and around the globe.

Long Term Tourism Outlook & Trends:

The 2030 Traveller:

Growing Global Outbound Tourism



3.3%p.a. increase in international arrivals globally until 2030, equating to an additional 43 million international arrivals each year



Strongest growth annually from Asia-Pacific region, reaching over half a billion visitors travelling to the Asia Pacific by 2030 and increasing their global share by 8%



Outbound **tourism expenditure from China has grown by double digits** every year since 2004

By 2030...



The world will be predominantly urban, with **over 5 billion consumers living in cities**.



Connectivity will become standard, with travellers **expecting available Wi-Fi anywhere on the globe**.



With **Over a billion extra people travelling in 2035**, responsible tourism is more likely to become increasingly predominant.

National Tourism Trends



Tourism Research Australia (TRA) has forecasted **domestic and international visitors to grow by 2.7% and 4.1% per annum respectively by 2026**.



The National Tourism 2020 goal is to achieve **more than \$115 billion in overnight spend by 2020** (up from \$70 billion in 2009), with linear trend growth estimated at \$97 billion at the time.



As of September 2015, **overnight visitor spend reached \$97.1 billion, up by 8.6%p.a.**

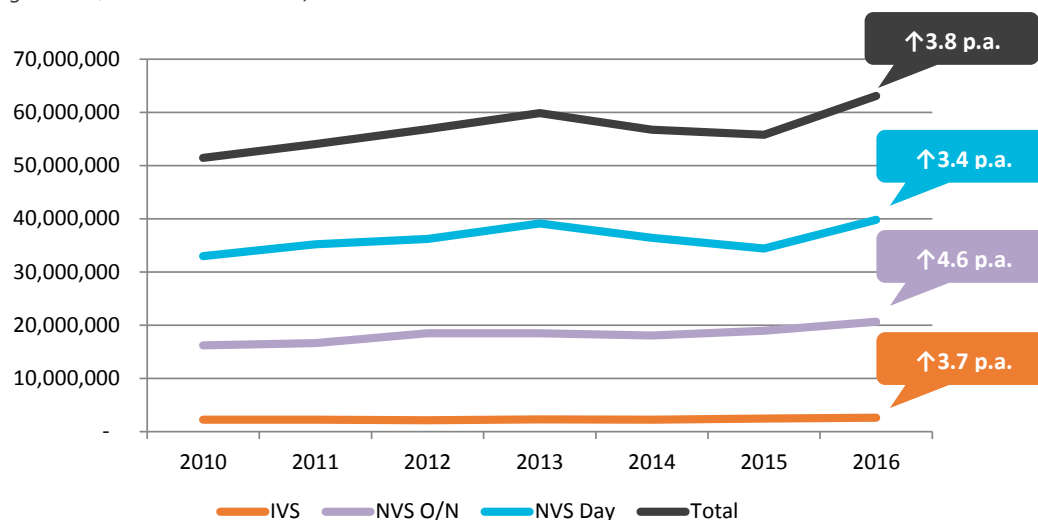


In 2020, **the top inbound markets to Australia by expenditure will be China**, followed by the United Kingdom, United States of America, New Zealand and Japan.

Queensland Tourism Trends

Since 2010, Queensland's total visitation number has seen a significant increase, reaching a record 62.5 million visitors as a result of 3.8% per annum growth (See Figure 2). Domestic overnight visitation numbers have greatly contributed to this increase, growing by 4.6% per annum and reaching 20.3 million people. Overall international tourism has also grown, increasing by 10% in total since 2010 and reaching 2.4 million visitors.

Figure 2: Queensland Visitation, 2010-2016



Scenic Rim Assumptions

The data provided in this section of the report is drawn from the National and International Visitor Surveys conducted for Tourism Research Australia using an intercept and phone survey sample methodology. The data used in this report are for those visitors that listed a location within the Scenic Rim which is made up of three smaller local areas (SA2) being Tamborine-Canungra, Boonah and Beaudesert.

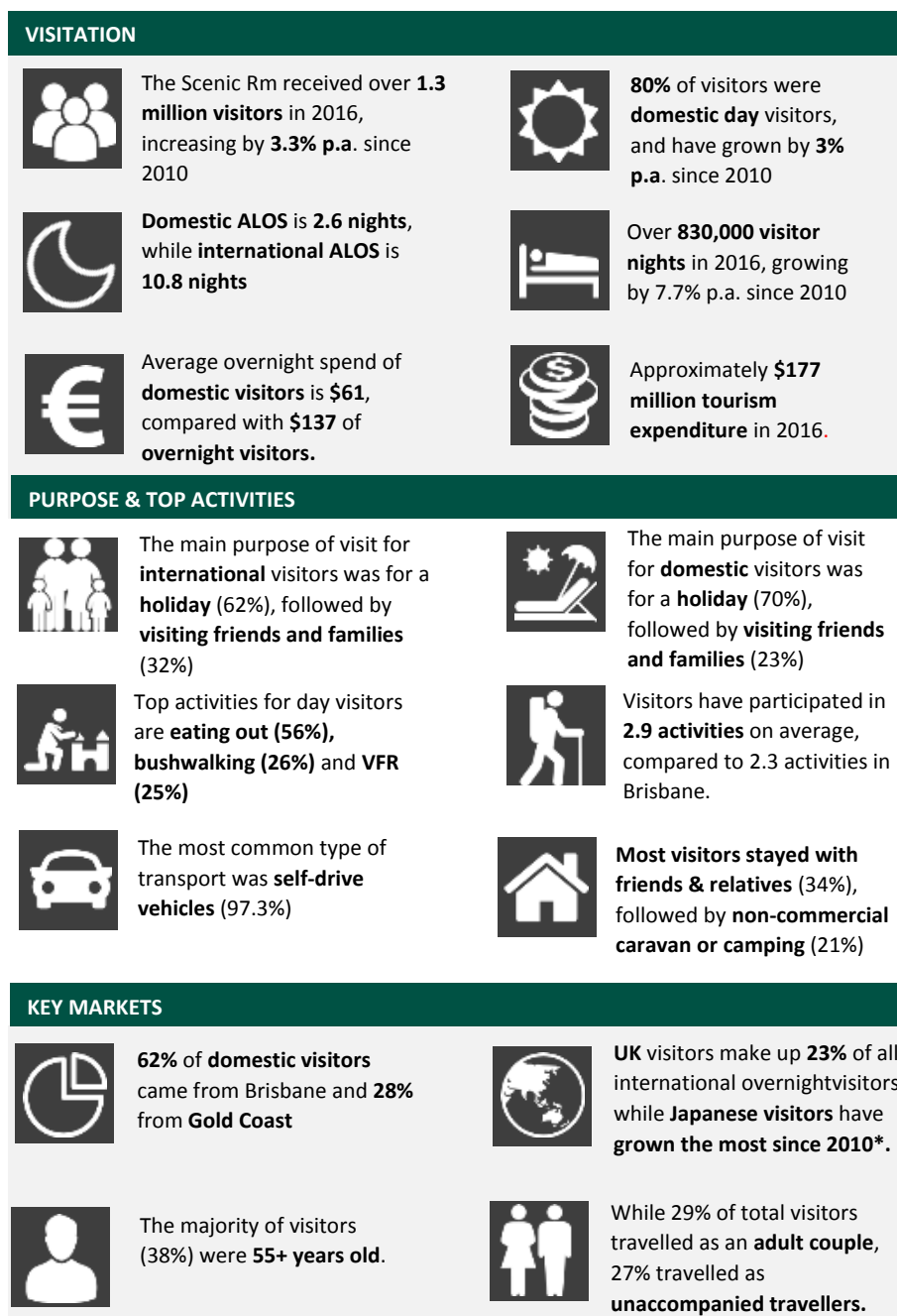
The data is aggregated and averaged over five years for detailed analysis (such as seasonality and international markets) due to small sample sizes. This report acknowledges the following limitations to the data:

- International day visitors are not measured through this methodology and are therefore underrepresented in the data provided;
- Due to the small sample size, some international markets and those travelling for a purpose (events, weddings, conferences, etc.) do not accurately portray the visitor numbers experienced by operators. This data is considered incomplete (but not incorrect).
- Expenditure data is collected at a national level and apportioned to regions by Tourism Research Australia every 2-3 years. The regional apportionment provided for Scenic Rim visitors are used in this report.

2.3 Visitor Market Analysis

The following data (see Figure 3) summarizes key visitor trends and profiles for the Scenic Rim for the Year Ending March 2016. For a more detailed visitor analysis, see Appendix A.

Figure 3: Scenic Rim Visitation Summary

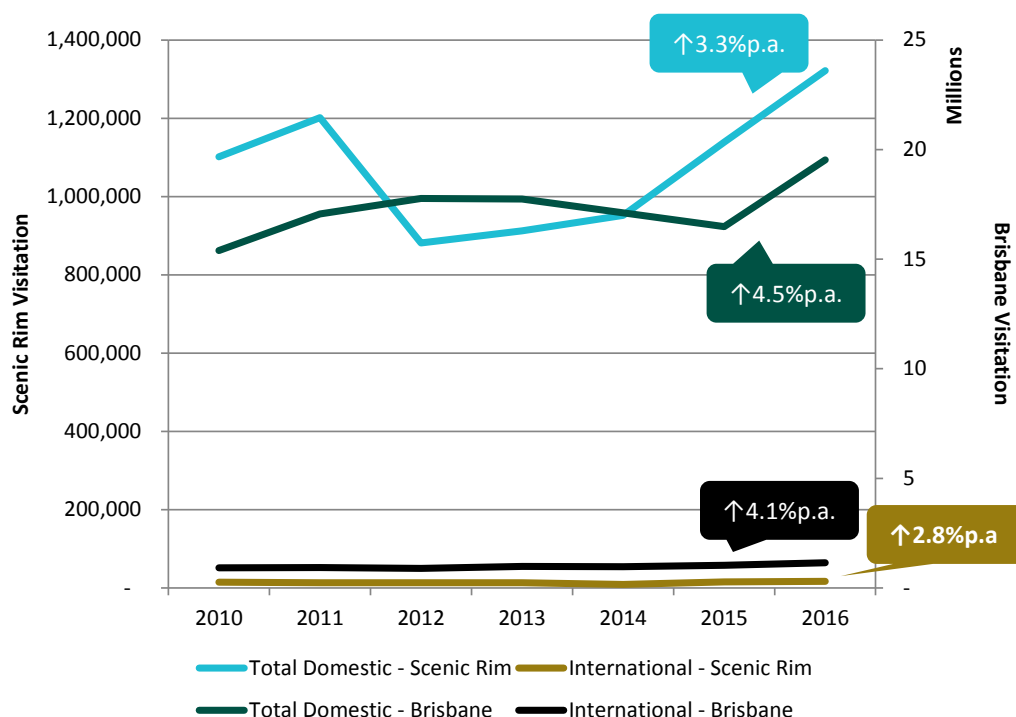


*These figures are based on those staying overnight in the Scenic Rim, excluding international day visits. Primary research is needed to more accurately define the size and mix of the international market.

Visitation

In the Year Ending March 2016, the Scenic Rim received over 1.3 million visitors, of which the large majority (80%) were domestic day visitors, 19% were domestic overnight visitors and 1% were international visitors. The Scenic Rim region received 6.5% of the Brisbane Region's total visitation during 2015/16. Both domestic and international visitation increased over the five year period since 2010, however average growth took place at a slower pace than for the Brisbane region as a whole (See Figure 4).

Figure 4: Scenic Rim and Brisbane Visitation (2010-2016)



It is important to note that the data provided through the National and International Visitor Survey is both a sample survey based on population assumptions and limited by the relatively small sample size. It excludes visitors under the age of 15 and trips of less than 40km from home, and trips for reasons of personal business. It also relies on visitor recall of the destinations visited, and excludes international day trips taken from the Gold Coast and Brisbane.

Further research is needed to give an accurate picture of total visitation. Analysis of the traffic count data provided by the Department of Main Roads by the Tamborine Mountain Chamber of Commerce shows a very different story. Based on extensive local surveys, car park observations and discussions with bus companies and locals it suggests visitor numbers driving up to the Mountain could be more than double that estimated by the NVS / IVS data reported here. This analysis shows visitor numbers to Tamborine Mountain would be likely closer to 1.1M – 1.3M visitors on a conservative estimate.

Visitor Nights

Scenic Rim received approximately 836,000 visitor nights (2% of the Brisbane Region's visitor night share), which has grown on average by 7.7%p.a. since 2010. Approximately 78% of visitor nights are from domestic visitors, while approximately 43% of Brisbane's visitor nights are from domestic visitors. International visitors to Scenic Rim stay for an average of 10.8 nights (20.8 nights in the Brisbane region), while domestic visitors stay for an average of 2.6 nights (3.1 in the Brisbane region).

International Visitor Origins

Due to the small sample size for visitation to the Scenic Rim, analysis of the International market is limited to those staying overnight in the Scenic Rim. As a result, the primary data presented here is the Brisbane region data with commentary added on the observed Scenic Rim trends.

The top five international visitor country origins for the Brisbane regions in 2016 were:

Brisbane Region:

1. China (18%)
2. New Zealand (16%)
3. United Kingdom (11%)
4. USA (7%)
5. Germany (5%)

The data for those staying overnight in the Scenic Rim suggests that traditional 'western' markets such as the UK, USA and New Zealand are most likely to stay in the region. Anecdotal evidence from local operators suggests a strong growth in Asian markets including China, Singapore and Korea as well as emerging SE Asian markets including Malaysia are travelling to the Scenic Rim for both day trips and overnight stays.

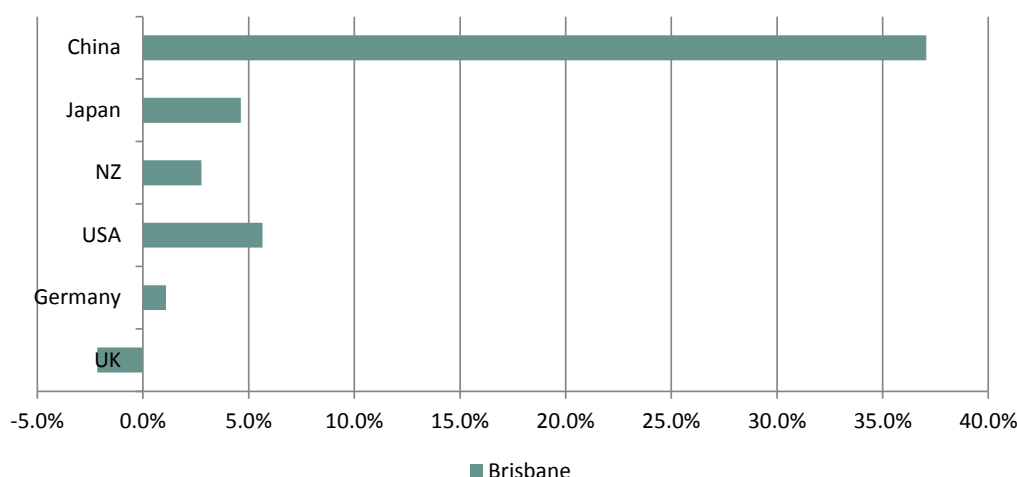
Figure 5 shows the relative importance of the New Zealand market and the China market to Greater Brisbane, with most staying in the Brisbane CBD and close to the Brisbane Airport. The Scenic Rim is currently more likely to attract overnight stays from the UK, German and USA international markets, with growth potential from Asia. China has been Brisbane's strongest growth market since 2010 with European visitors having little change or even decreasing since 2010.

Figure 5: Brisbane Top 5 International Visitor Origins, 2016



In terms of growth from international visitor markets, Figure 6 shows that the Brisbane region has had its strongest growth from China with traditional markets such as the UK and Germany either declining or showing little growth. The opportunity for the Scenic Rim is to work more closely with both Brisbane and the Gold Coast to grow its share of the international overnight market who are more likely to travel mid-week and off-peak when the destination has capacity and can better manage peak demand.

Figure 6: Brisbane Average % Change per annum International Visitor Origins (2010-2016)

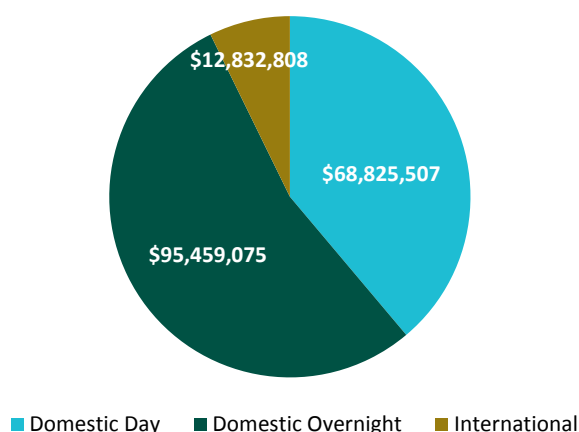


Expenditure

On average, domestic day visitors to the Scenic Rim spent \$61 on their trip, while international visitors spent \$56 per night, and domestic overnight visitors spent \$137 per night, contributing a total of \$177 million in visitor expenditure to the region (3% of all visitor expenditure in the Brisbane Region).

- While domestic day visitors make up 80% of all visitation to Scenic Rim, they contribute approximately 39% of visitor expenditure
- International visitors make up 1% of all visitors to the region, but contribute 7% of expenditure
- Domestic overnight visitors contribute the largest proportion of overall visitor expenditure (54%)

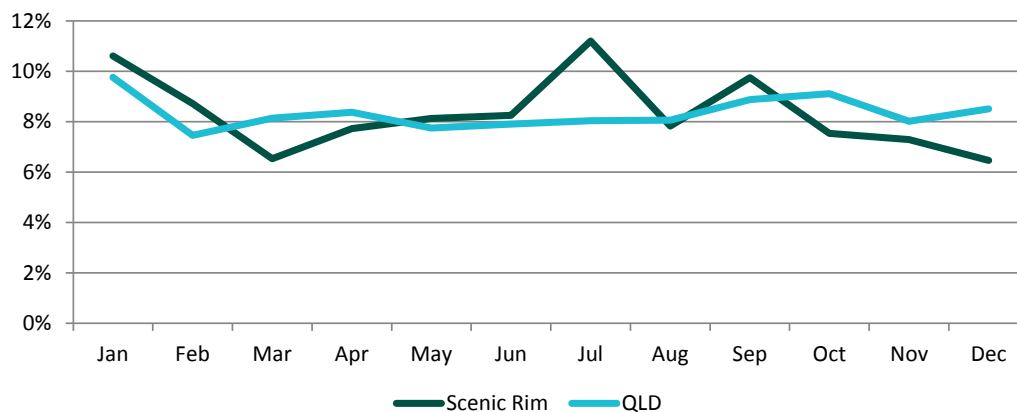
Figure 7: Visitor Expenditure, 2016



Seasonality

Domestic overnight and day visitation to the Scenic Rim generally peaks in July, with key off-peak months being December and March (See Figure 8), reflecting seasonal weather patterns and key events such as Eat Local Week (held in July). The figure below does not include international overnight and day seasonality trends.

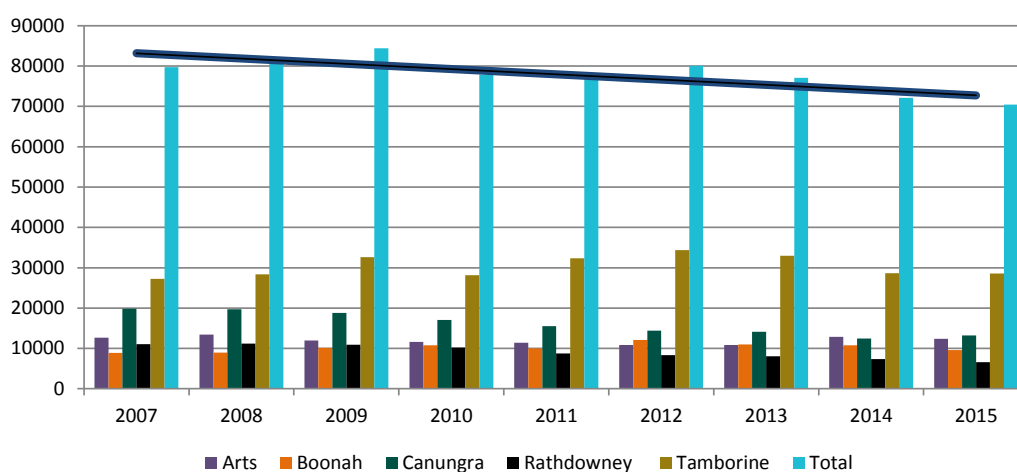
Figure 8: Domestic Visitor Seasonality Trends of Scenic Rim and Qld, 2016



Visitor Information Centres

In addition to the research conducted by Tourism Research Australia, Visitor Information Centres (VICs) also collect data on visitors to the individual centres. Scenic Rim Regional Council operates five VICs – Beaudesert Community Arts and Information Centre, Boonah VIC, Canungra VIC, Rathdowney Information Centre and Historical Museum and Tamborine Mountain VIC. Visitation to these VICs overall has dropped slightly, with visitation decreasing by 1%p.a. since 2007.

Figure 9: VICs Visitation, 2007 - 2015

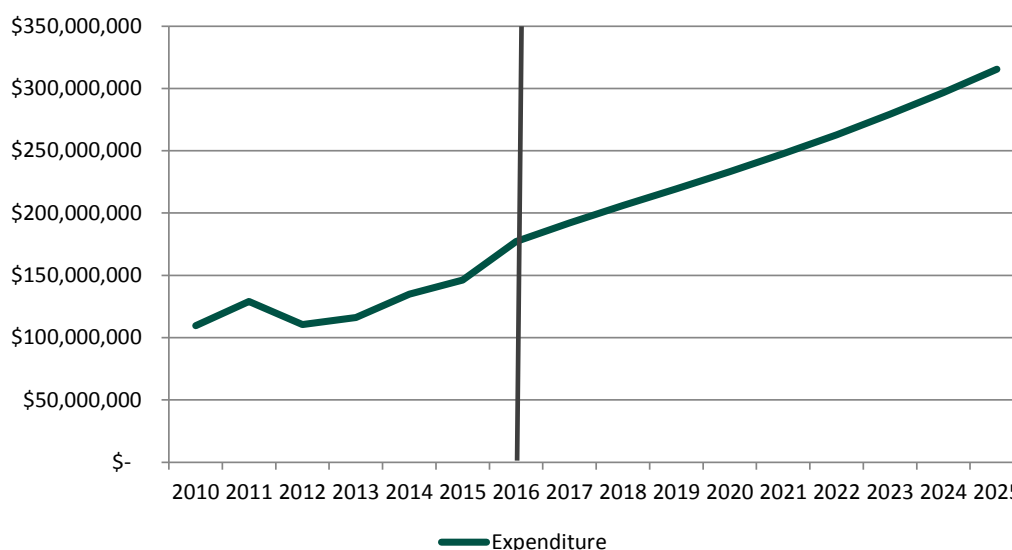


2.4 Future Visitor Market Growth

Growing at an estimated 4.1% per annum, the Scenic Rim is predicted to reach over 1.6 million visitors with a total tourism expenditure of over \$247 million by 2021.

These estimates are based on the latest growth rate for domestic and international tourism by Tourism Research Australia's Tourism Forecasting Committee, drawing on a range of factors that include the health of the source market economy, access and competitive forces. These however are only estimates, and should be treated as conservative forecast estimates or as 'natural growth'.

Figure 10: Visitor Expenditure Projections



Reaching these forecast projections would mean that in 2021, the Scenic Rim would see:



An additional **275,000 visitors**



An additional **162,000 visitor nights**



An additional **\$70.5 million** in total tourism expenditure

2.5 Destination SWOT Analysis

<p>Strengths:</p> <ul style="list-style-type: none"> • The Scenic Rim has a range of natural and environmental assets, small town character and cultural elements that contribute to a unique hinterland destination experience. • The location of the Scenic Rim relative to the Gold Coast and Brisbane provide good access to important intrastate and interstate markets. • Strong opportunities for food and wine, nature-based and ecotourism experiences, arts and cultural heritage tourism and recreational aviation are emerging. • Community events are a unique expression of the Scenic Rim community and represent an opportunity to grow community-based tourism. • Scenic Rim branding initiatives have effectively positioned the Scenic Rim as a key hinterland destination within the broader Brisbane region. • There is a relatively high level of participation in the LTOs and active engagement by many members. • Regional stakeholders are positive and supportive of developing tourism in the Scenic Rim. 	<p>Weaknesses:</p> <ul style="list-style-type: none"> • Tourism visitation is characterised by weekend peaks and very low visitation / accommodation occupancies mid-week. • Dispersal of visitors outside key tourist activity centres is limited. • Basic infrastructure needs to be better aligned with tourism objectives. • Visitors have misconceptions about the size of the region, things to do, and feasible travel routes. • Public transport in the region is lacking. Some small but high yield visitors find it difficult to get around. • There is a lack of good quality and effective signage – place signs, directional signs and interpretative signs. • Mobile phone and GPS coverage is very poor in areas. Visitors are increasingly dependent upon mobiles and GPS. • The Scenic Rim is relatively new as a regional brand. Market awareness of the 'Scenic Rim' in the Brisbane region alone has been very limited, and beyond this immediate region almost negligible. • Only some industry stakeholders are aware of the ideas underpinning the branding strategy and the time and financial resources it takes to establish and retain market awareness. • Levels of industry support for banding and other marketing activities have been varied, probably due to a combination of factors including time pressures and lack of consultation opportunities. Financial sustainability of small businesses needs to be secured before many in the industry can think about new initiatives such as creative product packaging, new distribution channels and partnering. • Awareness of the Scenic Rim and what the brand stands for
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<p>Opportunities:</p> <ul style="list-style-type: none"> • Dispersal of visitors away from key tourist activity centres can reduce the concentration of negative social and environmental impacts and distribute the benefits of tourism more widely. • Innovative product packaging based on unique natural assets, landscape and small town character is possible. • Industry is generally active, passionate and interested in exploring new opportunities. • Signage (place signs, directional signs and interpretive signs) would help to disperse visitors and convey the uniqueness of the area. • There are opportunities to add value to existing events, building capacity to manage, fund and promote events. • VICs can be used more effectively to facilitate industry communication, product awareness and networking. • New tourism businesses also represent opportunities for the community, e.g. new restaurants, services should be patronised by locals too. • Secure a number of iconic events to create a 'year-round' events program 	<p>Threats:</p> <ul style="list-style-type: none"> • Development Assessment processes are complex and have the potential to impede investment and business attraction. • Industry needs to take advantage of branding initiatives; otherwise conversion of destination product awareness into offers and sales will be limited. This could potentially splinter support for current branding initiatives. • The effectiveness of the branding initiatives need to be valued over time on a number of measures to ensure ongoing support. Evaluating this effectiveness requires a co-ordinated approach across industry, LTOs and Council to collect data and other forms of evidence. • Congestion on Tamborine Mountain is a threat to the visitor experience; pedestrian safety is of concern. Congestion leads to community resentment of tourism.
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3. DESTINATION DIRECTION

3.1 Vision & Mission

Vision: Grow the value of tourism to \$300 million by 2021

This target is set based on doubling the value of tourism between 2015/16 and 2021.

In order to achieve the vision of reaching \$300 million in visitor expenditure in 2021, the Scenic Rim would need to attract an additional \$52.4 million in visitor expenditure in 2021 above the predicted Tourism Forecasting Committee (TFC) estimates. Achieving this 'stretch' forecast will therefore require new action which disrupts and grows the market beyond the levels that normal (TFC) 'business as usual' anticipated market growth would deliver.

The Scenic Rim is ideally positioned to grow both in volume and in value of tourism over the next five years. With a strong commitment to environmental and social sustainability, the Tourism Strategy has a clear mission to:

Mission: 'Develop vibrant and sustainable tourism and genuine visitor experiences that celebrate the region's unique and world-class natural assets, rural and small town character and community values.'

In order to achieve this mission, the following strategy objectives have been outlined:

- Positioning of the Scenic Rim based on small town/rural country charm and natural environment;
- The need for the type and scale of tourism to reflect local character and community values;
- Emphasis on action to maximise community benefit;
- Arrangement of facilitation role for Council to help pull together a diverse visitor economy;
- More collaboration to aid implementation of the strategy;
- Improve connectivity between businesses and increase participation in tourism activities;
- Prioritise product and industry development for the region; and
- Further emphasis on storytelling.

The aspiration for the region is to deliver this mission and achieve a new vision of above average growth in visitor expenditure.

3.2 Destination Goals

The stretch target and vision of growing the value of tourism to \$300 million by 2021 relies on the following goals being achieved:



Goal 1: Increasing the **value** of tourism



Goal 2: Increasing **market share** in key segments



Goal 3: Growing **off-peak** visitation



Goal 4: **Dispersing** visitors across the region



Goal 1: Increase the Value of Tourism

The vision of doubling the value of tourism by 2021 is not only based on increasing the number of visitors and nights to the region, but also increasing the value of tourism through higher spend from visitors. The goals for visitor spend per night for domestic day, overnight and international visitors follow Tourism Forecasting Committee's (TFC) forecasted growth rates¹.

Following TFC's visitor spend growth rates, in 2021 domestic day visitors to the Scenic Rim would spend an average of \$76 per trip (up from \$64 in 2015-16), domestic overnight visitors would spend on average \$166 per night (up from \$146 in 2015-16), and international visitors would spend on average \$96 per night (up from \$70 in 2015-16) (See Table 2).

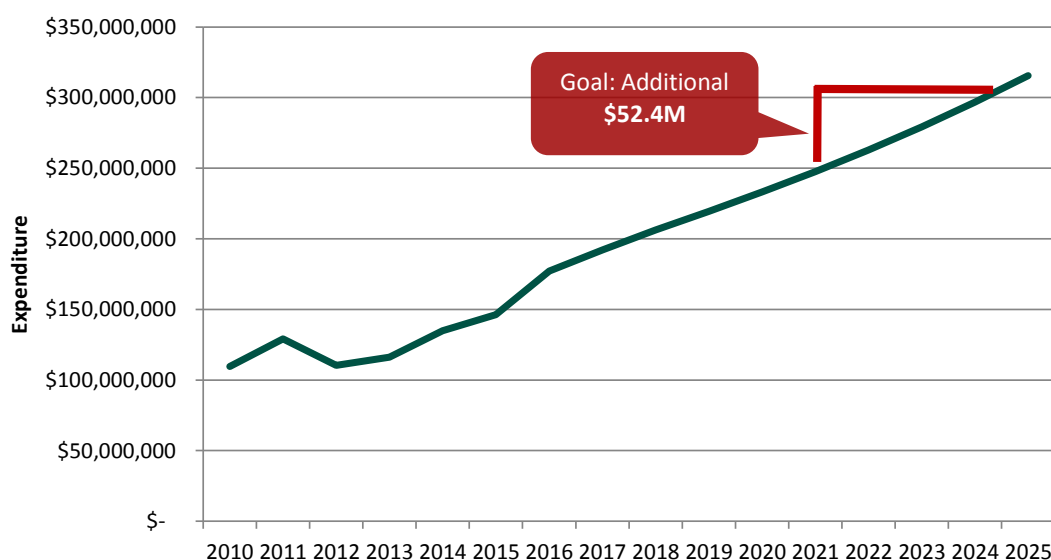
Table 2: Increasing Visitor Spend Goals

Visitor Spend	2015-2016		2021	
	Spend/Night	Expenditure	Spend/Night	Expenditure
Domestic Day	\$64	\$58 million	\$76	\$119 million
Domestic Overnight	\$146	\$81 million	\$166	\$153 million
International	\$70	\$11 million	\$96	\$28 million
TOTAL		\$150 million		\$300 million²



Key Performance Indicator #1: Grow the spend per night by an average of 4.6% per annum across all visitor markets to 2021, to generate an extra \$52 million per annum based on the higher spend and market share.

Figure 11: Scenic Rim TFC Forecast



¹ TFC forecasts are estimated national growth rates

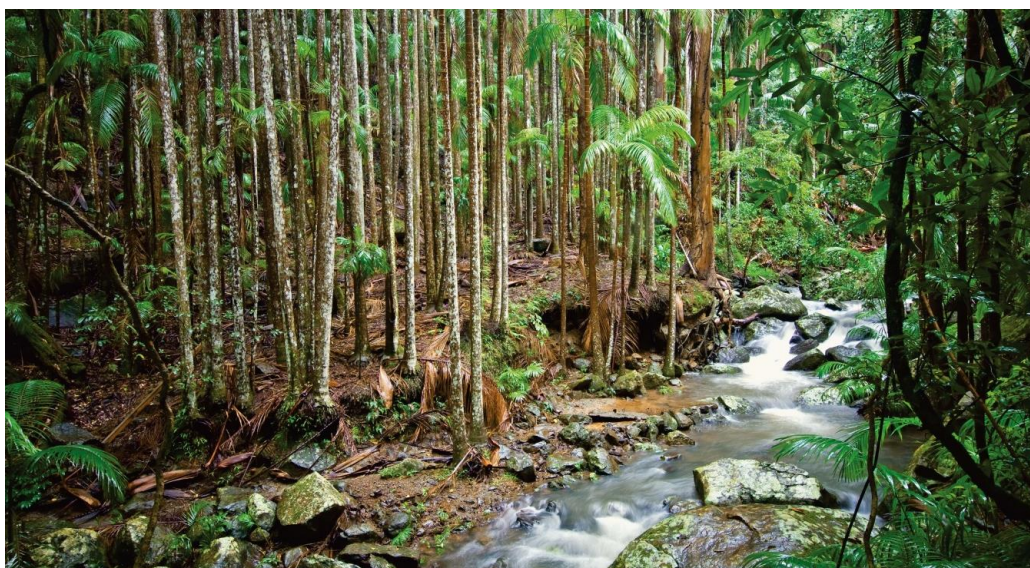
² Includes growth in visitors & nights as well as spend

Catalyst Project #1: Increase the funds for marketing and event development from a new funding model.

Identify the most appropriate funding mechanism to increase the marketing budget by at least \$200,000 to be matched with industry and partner funds to create campaigns that generate in excess of \$1 million in media value (combined media and marketing value).

Goal 1: Supporting Actions

- Undertake a **Tourism Investment Prospectus** for accommodation, adventure infrastructure and event locations. The investment prospectus should highlight an interest in adventure-based events and activities (ziplines, mountain bike trails, iconic walks and cycle trails)
- **Target growth from emerging higher value segments** including Business Tourism (Conferences and Events) through appropriate marketing support and investment in conference spaces and value-adding complementary activities (e.g. team building, connect with nature)
- Develop an in-house support program to ensure Scenic Rim operators are **China-ready** in terms of customer service, cultural awareness, signs and communications, food and retail offerings, as well as specific produce and itinerary development, to access a greater share of this important growth market for South East Queensland
- Mentor local businesses to become more **active in the international market** through specialised marketing aimed at key Asian and long-haul markets
- Implement the tourism specific recommendations of the **Vibrant and Active Towns**. These recommendations include pathways connecting the villages, revamping of town centres (as destination features), and developing eco-rated community facilities that appeal to visitors such as a major art gallery on Tamborine Mountain.
- Encourage Scenic Rim businesses to add value to their experience to increase spend per day through **business support programs**
- Prepare a **Regional Events Plan** to guide the Events Program and include KPIs for the management of the program and funds to support an Events Program and marketing to drive off-peak visitation, nights and spend



Goal 2: Increase Market Share of Key Segments

In order to reach the desired target of \$300 million of visitor expenditure into the region in 2021 (\$52.4 million above TFC forecasts), the region will not only need to increase average visitor spend (Goal 1), but also target the following markets by increasing their market share of visitors and nights (and thus spend) in:

- Nature-based/Ecotourism
- Agri-tourism/Culinary
- Cultural Tourism
- Regional Events

Table 3: Increasing Visitor Spend Goals

Primary Target Markets	Current (2016)	2021 TFC Forecasts	Current Share of Visitor Market	Shift Share Goal	2021 Additional Value
Nature-based/ Ecotourism	\$27.5 million	\$39.4 million	19%	0.5%	\$6.2 million
Agri-tourism/ Culinary	\$5.2 million	\$7.9 million	26.7%	0.5%	\$24.9 million
Cultural Tourism	\$9.0 million	\$14.1 million	6.2%	0.5%	\$18.2 million
Regional Events	\$3.0 million	\$5.1 million	4%	0.5%	\$9.2million
				TOTAL	\$58.5 million



Key Performance Indicator #2: Increase our market share of visitors travelling within a two-hour radius (excluding the coast) for agri-tourism, nature-based tourism, cultural tourism and regional events by 0.5% above forecast growth.

Primary Target Markets³

Nature-based/Ecotourism Market

No longer a niche market, ecotourism is now one of Queensland's greatest competitive advantages. Seeking more active and adventurous experiences, and more richer and connected moments within nature, visitors are showing more interest in nature-based activities in Australia compared with the more traditional protected area activities such as walking and gardens. Currently worth approximately \$27.5 million in visitor expenditure, if Scenic Rim could increase its share of the nature-based visitor market by just 0.5% in 2021, the region would see an additional \$6.2 million in expenditure above TFC forecasts.

Agri-Tourism/Culinary Market

Whilst Australia's nature and lifestyle are among the key motivating factors for travel, more and more people are discovering its food and wine offering, causing gourmet tourism to grow. Australia's food and wine have become one of its greatest assets, offering a large range and high-quality produce. Research conducted across 15 of Australia's key tourism markets Tourism Australia, shows that 'great food, wine, and local cuisine' is now a major factor in holiday decision making, ranking third (at 38%), ahead of world class beauty and natural environments (at 37%)⁴.

³ Please Note: All market segments (by activity) have been realigned to avoid overlaps and double counting i.e. one visitor participating in multiple activities

⁴ Tourism Australia Food and Wine Factsheet

According to a 2016 survey of over 2,600 Australians by lastminute.com.au, the Scenic Rim ranked 9th of Australia's favourite wine regions, offering wine trails including Witches Falls Winery, Cedar Creek Estate and Albert River Wines as well as magnificent views over the Great Dividing Range and accommodation surrounding national parks.

Currently worth approximately \$5.2 million in visitor expenditure, if Scenic Rim could increase its share of the agri-tourism and culinary visitor market by just 0.5% in 2021, the region would see an additional \$24.9 million in expenditure above TFC forecasts.

Cultural Tourism Market

The cultural visitor market is a broad market which includes built and natural heritage environments, public art, indigenous heritage, arts and cultural venues, as well as exhibitions, displays and shows. Positive trends at regional, state and national levels indicate a strong and long-lasting interest in cultural tourism.

Currently worth approximately \$9.0 million in visitor expenditure, if Scenic Rim could increase its share of the cultural visitor market by just 0.5% in 2021, the region would see an additional \$18.2 million in expenditure above TFC forecasts.

Regional Events Market

Events play an important role in increasing the appeal and publicity of destinations for new and repeat visitors. Creating an enticing program of events creates specific reasons to visit as well as offers the destination the potential to help tackle seasonality and generate additional tourism in the off-season. Positioning the Scenic Rim as an events destination will not only help to establish a revitalised public image of the region, but also help to develop a proud social fabric within the community. Regional events include sporting events (e.g. Rowing on Wyaralong and adventure racing), weddings and special interest events (e.g. music, arts, etc.).

Currently worth approximately \$3.0 million in visitor expenditure, if Scenic Rim could increase its share of the regional events market by just 0.5% in 2021, the region would see an additional \$9.2 million in expenditure above TFC forecasts.

Overview of Primary Target Markets

If Scenic Rim were to achieve an increase of 0.5% in market share from the Brisbane region by 2021 in each of the four primary target markets (nature-based, agri-tourism/culinary, cultural and regional event markets), the region is forecasted to receive an additional \$58.5 million in visitor expenditure above TFC growth rates. This would mean that the Scenic Rim region would be likely to meet their vision of reaching \$300 million in visitor expenditure in 2021 (\$52.4 million above TFC) if growth followed TFC natural forecast rates.

Secondary Target Markets

The secondary target markets are those that have high potential for growth in the region, and have been identified as:

- Visiting Friends and Relatives (VFR)
- Conference & Business Events
- Asian Visitors
- New Zealand Visitors

While not clearly supported in the official visitor trends, a number of markets have significant growth potential and the likelihood of impacting on the type of tourism experienced in the Scenic Rim. Anecdotal evidence from operators and other information sources support the fact that a number of secondary markets have been growing to the region. In particular the growth in weddings and

conferences to precincts such as Tamborine Mountain, the growth of markets from Asia (particularly China) and the emergence of visitors from New Zealand.

VFR Market

As the local resident population grows and the economy improves, the VFR market is becoming an increasingly important market, especially as a main purpose of visit for visitors to the Scenic Rim region.

Scenic Rim's VFR market seen the largest average per annum growth since 2010 (13.4%p.a.) of all main purposes of visit, and there continues to be an opportunity to grow this market as:

Scenic Rim is predicted to have the second fastest (behind Ipswich) population growth rate in Queensland, with an average annual population change of 3.5% to 2021. While all other LGAs in Queensland are expected to see an increase in median age, Scenic Rim's median age is expected to fall from 40 to 28 years due to an influx of young families to new residential developments.⁵

Currently worth approximately \$49 million in visitor expenditure, if Scenic Rim could increase its share of the VFR market by just 0.5% in 2021, the region would see an additional \$8.5 million in expenditure above TFC forecasts.

Conferences, Weddings & Business Events Market

The Scenic Rim is attracting a growing number of conferences, weddings and business events. The opportunity exists to target high spend, high average length of stay and growing business and special event visitor market by boosting Scenic Rim's profile as a conference, events and meeting destination through a broader range of facilities and compelling leisure experiences are fundamental in growing this market.

In the absence of reliable data from the national and international visitors surveys the strategy needs to rely on evidence from industry providers. Through the Tamborine Mountain Chamber of Commerce a survey of wedding providers was undertaken that showed as many as 1,200 weddings are held per annum on Tamborine Mountain alone, with an average of 50 wedding guests. Expanding that across the Scenic Rim, the Weddings Market could be up to 70,000 visitors per annum, based on current spend per person that could be as much as \$19M in visitor expenditure (excluding the cost of the event costs such as fit-out). Further visitation and expenditure growth is possible through the business events, conference and special interest markets such as education.

The business events and conference market is also an important 'mid-week' market with potential to grow. While the Scenic Rim's conference, weddings and business event market cannot be directly compared with the rest of Greater Brisbane, however there are a number of very successful venues that give the region a competitive advantage. Building on the existing venues, if the region could increase its share by 1% in 2021, an additional \$2 million in additional expenditure could be generated by visitors in region above TFC forecasts.

Asian Market

Asia is the fastest growing visitor origin region in the world, and as it is positioned on Australia's doorstep, is exceptionally important to Australia. Positioned between Brisbane City and the Gold Coast (both with direct access to Asia), Scenic Rim has a significant opportunity to target Asian visitors from these regions and increase their market share.

Asian visitors currently make up approximately 41% of all international visitors to Brisbane, with China, India and Hong Kong having the highest percentage growth per annum of all international country origins since 2010 (37%p.a., 16%p.a. and 14.5%p.a. respectively). The Gold Coast attracts an even higher

⁵ Queensland Government population projects to 2031, Local Government Areas, 2011 edition, OESR

percentage of Asian visitors (54%), with visitors from China, India, Hong Kong and Singapore growing an average of 27%, 21%, 10.5% and 10% per annum respectively since 2010.

With the significance of the Asian market to Brisbane and the Gold Coast in both market size and growth, Scenic Rim has an opportunity to further target this market through marketing, product opportunities and working with Brisbane Marketing and the Gold Coast Tourism to develop tailored itineraries.

Currently worth approximately \$230,000 in visitor expenditure, if Scenic Rim could increase its share of the Asian market by just 0.6% (total of 1% share) in 2021, the region would see an additional \$1.1 million in expenditure above TFC forecasts.

New Zealand Market

The New Zealand market is Australia's largest inbound market for visitor arrivals, fourth largest market for total visitor expenditure, and the third largest market for visitor nights⁶. With direct aviation routes between New Zealand and Brisbane and the Gold Coast, Scenic Rim has the potential to increase its market share of visitors from New Zealand to 2021. Approximately 43% of international visitors to Brisbane and 20% of international visitors to the Gold Coast are from New Zealand, with New Zealand visitors growing by an average of 2.8%p.a. since 2010, there is potential for Scenic Rim to increase their market share of New Zealand visitors.

Currently worth almost \$400,000 in visitor expenditure, if Scenic Rim could increase its share of the New Zealand market by 0.8% in 2021, the region would see an additional \$340,000 in expenditure above TFC forecasts.

Table 4: Overview of Primary and Secondary Target Markets

Markets	Current (2016)	2021 TFC Forecasts	Current Share of Visitor Market	Shift Share Goal	2021 Additional Value ⁷
Primary Target Markets					
Nature-based	\$27.5 million	\$39.4 million	19%	0.5%	\$6.2 million
Regional Events	\$3.0 million	\$5.1 million	4%	0.5%	\$9.2 million
Agri-Tourism/Culinary	\$5.2 million	\$7.9 million	26.7%	0.5%	\$24.9 million
Cultural	\$9.0 million	\$14.1 million	6.2%	0.5%	\$18.2 million
				TOTAL	\$58.5 million
Secondary Target Markets					
Conference & Business Events	Not Available	Not Available	Not Available	1.0%	\$2 million
VFR	\$49 million	\$77.8 million	4%	0.5%	\$8.5 million
Asia	\$230,000	\$2 million	0.4%	0.6%	\$1.1 million
New Zealand	\$400,000	\$866,000	1.2%	0.8%	\$343,000

⁶ New Zealand Market Profile 2015, Tourism Australia

⁷ Please note: As secondary markets overlap with the primary markets (i.e. visitors who come to Scenic Rim by purpose and origin may also participate in activities), their values have been excluded from the overall expenditure goal.

Catalyst Project #2: Increase marketing efforts in partnership with Brisbane Marketing and Gold Coast Tourism targeting the 200km drive market and emerging fly-drive interstate markets (Sydney and Melbourne).

Goal 2 Supporting Actions

- Develop an **agri-tourism cluster** (see enablers) that develops linkages with the agricultural sector and provides industry mentoring on diversification of agricultural businesses into tourism.
- Leverage the development of **outdoor recreation opportunities** such as those associated with the Wyaralong Dam, rail trails and Boonah airfield; ensure these do not conflict with the nature-based tourism aspirations of the region.
- Provide support services to aid land managers in business and development and educate producers about tourism through **‘how-to’ guides** to help them diversify into tourism.
- Develop and promote **iconic trails** (food, walking/hiking, horse-riding) to raise the profile of Scenic Rim’s nature-based offering.
- Strengthen Scenic Rim’s nature-based offering and promotion by **developing iconic experiences** associated with the region’s natural beauty.
- Support the development of **new conference facilities** to increase options and pax sizes, opening up opportunities to growth business tourism.
- Encourage investment in **high-end, branded accommodation** to drive growth and spend from high-end markets such as Asia.
- Strengthen the **formal partnership** between the Scenic Rim and both Brisbane Marketing and Gold Coast Tourism.
- Develop a **cluster to target key Asian markets** through collective approach with Brisbane Marketing.
- Support the development of **packages for heritage and cultural attractions** to raise awareness of the experiences available.
- Work with industry associations and education providers to attract visitors from Asia for **study tours and education**. This can be enhanced by the development of a Student Ambassador Program encouraging students to become tourism ambassadors for the region.
- Highlight the region’s unique flavour through its **Events Calendar** (in addition to Eat Local Week) to ensure that the position of the region is reinforced and build awareness of the culinary sector.
- Obtain **GI status for the Scenic Rim as an official wine producing region** to improve promotion and increase awareness of the local products, which simultaneously strengthen the region’s brand.
- Support existing events extend their reach into emerging markets through industry capacity building and establishment of a **cluster group for events**.

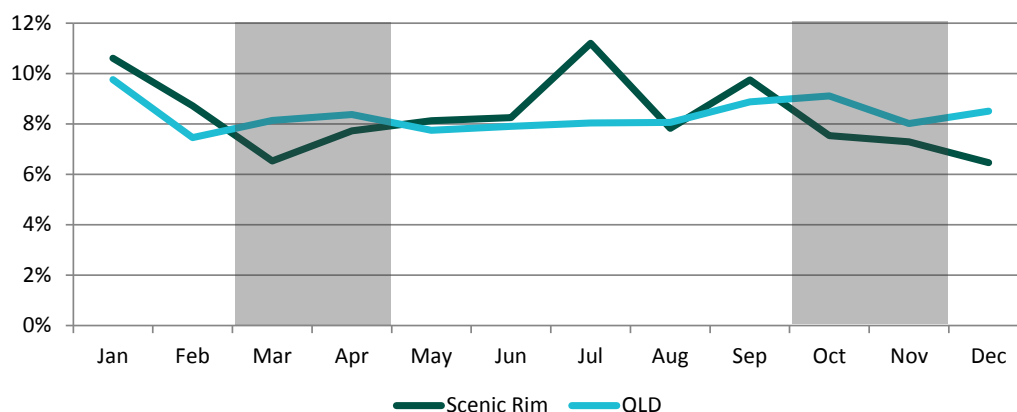
In partnership with the Commonwealth Government, investigate the **feasibility** of establishing a **site masterplan for the Killarney Glen waterhole** to secure future access to this potentially iconic site.

Goal 3: Dispersal of Seasonal Visitors

A high level of seasonality in visitation is a common characteristic of many destinations, especially when holidays are a large proportion of the visitor market. These peaks and troughs in visitation can have significant impacts on the economy, community and environment, highlighting the need for generating optimum levels of year-round visitation.

Scenic Rim generally follows Queensland seasonality trends, however dips below the Queensland average in March and October (as well as in November and December when visitors generally go to coastal destinations) (See Figure 11).

Figure 11: Visitor Seasonality Trends of Scenic Rim⁸ and QLD, 2016



Events are an effective way of drawing in visitors and encouraging overnight stays during off-peak times of the year. The Scenic Rim already boasts an array of events, with the key ones listed below (Table 5):

Table 5: List of Key Events that Impact the Scenic Rim and Month of Occurrence

Key Events that Impact the Scenic Rim	Month
Studios of the Scenic Rim	May
Arts in the Olives	May
Scenic Rim Clydesdale Spectacular	June
Eat Local Week	June/July
Winter Harvest Festival	July
Richie's IGA Boonah Arts Festival	September
Springtime on the Mountain	September
Hinterland Sports Festival	November

There is a significant opportunity to host and support major events during Scenic Rim's key off-peak visitor months (March and October) to encourage diversity in the timing of visitors and lesson the peaks and troughs of visitation to the region.



Key Performance Indicator #3: Support the development of a year-round events calendar to encourage greater dispersal of seasonal visitors.

⁸ Based on 5 year average due to small sample sizes

Catalyst Project #3: Maintain and continue to grow a Tourism Events Fund to support the growth and development of events that attract at least 30% of their attendees from outside the region and actively contribute to building the region's brand.

To fund and support event growth and attraction, it is recommended that Council allocation additional funds to an Events Program and additional marketing. Similar programs have been established in destinations such as the Sunshine Coast, Gold Coast and the Surf Coast.

The Events Program would be overseen by Council managing an external events specialist (under contract), where investment would be guided by a Regional Events Plan that would have established set KPIs for the program and criteria for investment of funds. It is recommended that any funds for marketing be for tourism related events that drive off-peak visitation and overnight stays. In keeping with Scenic Rim's strong commitment to environmental and social sustainability, events funded under the program could be required to meet the International Standard for Sustainable Events, ISO20121 established for the London Olympics and now applied to small, large and major events across the world.

Goal 3 Supporting Actions:

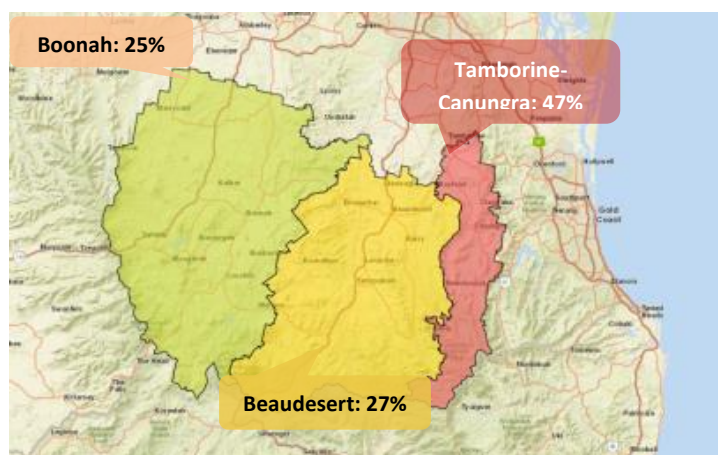
- Leverage the **2018 Commonwealth Games** to showcase local food, aboriginal culture, and nature-based experiences through Commonwealth Games sanctioned events, in the Games village and through influencing the media attention generated by the Games to showcase the Scenic Rim.
- Continue to support and grow the **Eat Local event** as a signature experience for the region.
- Grow the **domestic education market** who travel mid-week and off-peak through the development of curriculum links with key products / attractions.
- Promote the region's existing sporting and cultural facilities for events through a **facilities guide**.
- Invest in **seasonal campaign activity** to encourage visitation during off-peak travel periods
- Identify **three strategic events** with potential to be brand builders, seasonality stretchers and visitor attractions
- Work with Brisbane Marketing and Gold Coast Tourism to promote the region for **conference and business events**
- Create an **online photo library** with royalty free images for industry and events.



Goal 4: Dispersal of Visitors

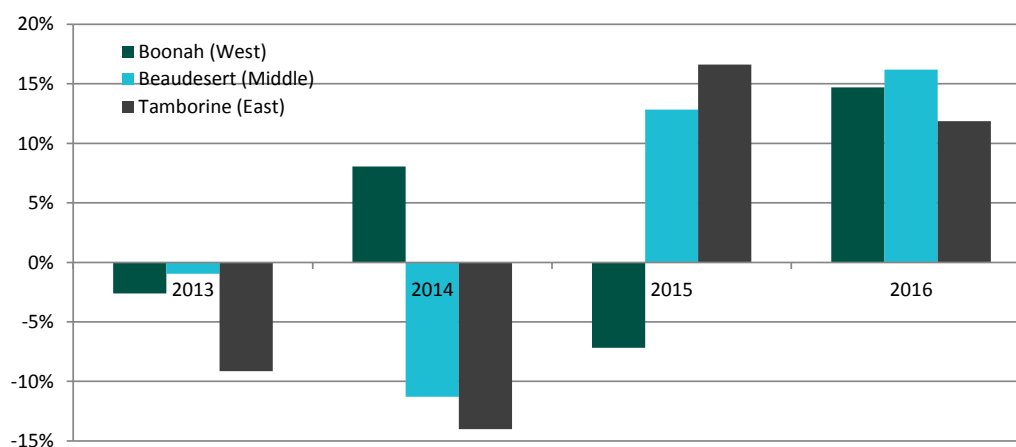
Currently, almost half of Scenic Rim's visitation occurs towards the eastern part (Tamborine-Cunungra), with the middle and west parts (Beaudesert and Boonah) each receiving approximately a third of visitors (See Figure 12). This geographical disparity in visitation highlights the need for greater dispersal of visitors from the eastern precincts to the western precincts through greater marketing, signage and collaboration.

Figure 12: Proportion of Scenic Rim Visitors by Tourism Precincts, 2016



However, visitation has grown in the west and middle tourism precincts of Scenic Rim, with visitation growing by 15% and 16% in Boonah and Beaudesert respectively, while visitation to the east grew by 12% since 2015 (See Figure 13).

Figure 13: Percent (%) Change of Scenic Rim Visitation by Tourism Precincts⁹



Key Performance Indicator #4: Collaborate across the region to encourage visitors to disperse around the region supported by targeted marketing, and coordinated pre-trip planning, signage and collateral.

⁹ Based on 3-year rolling averages due to small sample sizes

Catalyst Project #4: Align the efforts of the three local tourism organisations to create a seamless message pre-trip and en-route.

Goal 4 Supporting Actions:

- Undertake primary research with the LTOs. Chambers of Commerce, Visitor Information Centres and University partners to **estimate peak-demand visitor numbers** and its impact on infrastructure and investment requirements as well as the best approach to marketing for dispersal.
- Prepare an **MOU across the three organisations** (Tamborine Mountain Chamber of Commerce and Industry (TMCCI), Scenic Rim Tourism and Scenic Rim Escapes) to align marketing efforts under a single plan (See A3.2 below).
- Support the implementation of the **Digital Strategy** with a part-time resource within Council to coordinate LTO digital activities, implement agreed strategies and report on achievements
- Work with the LTOs to design an **agreed Digital Marketing program with one call to action** (one website) that disperses visitors to the appropriate information (or websites) as agreed by the LTOs.
- Seek partner funding to develop a **mobile application** (or utilise an existing platform) that works both online and offline to **push content** (potentially using iBeacon technology) to passing visitors and those touring in the region.
- Work with industry, LTOs, Chambers of Commerce, Brisbane Marketing and TEQ to design and prepare a **high-quality touring map** that can either be stand-alone or inserted in existing publications to showcase touring itineraries including activities, events, best lookouts and experiences.
- Encourage Chambers of Commerce to work with the LTOs to bring the greatest number of **businesses engaged in the joint campaigns**.
- Prepare a **Tourism Signage Action Plan** with key dates drawing on visitor forecasts and the potential identified for the touring market. This plan would provide guidance on the messaging and pre-trip planning information required to encourage dispersal.
- Revitalisation of the Visitor Information Centres as '**Visitor Inspiration Centres**' with volunteer training in customer engagement, new interpretation and fit-out to reflect modern information needs as well as creation of a mobile visitor inspiration stand for events.
- Reinvigorate the **Visitor Centre volunteers' role as storytellers** through a training program, in order to encourage extended stays.
- Work together as communities to identify **alternate routes for travellers**. Consider suitability of purpose in the analysis and prioritise upgrading projects. Ensure that directional signage is adequate and that there are appropriate rest stops.
- Create a **Tourism Planning Policy** that defines desirable uses and activities by precinct.
- Council **asset management plans** should consider how community and recreation assets contribute to destination identity and character. Asset management decisions should incorporate tourism forecasts into infrastructure planning (e.g. carparks).

3.3 Enablers of Success

Lead Enabler: Clusters

Development of industry-led clusters to drive growth in emerging sectors for tourism in the region. The three identified clusters are:

- Adventure tourism
- Agri-tourism
- Asia-ready business
- Events (Weddings, Conferences and Business Events).

These clusters aim to build capability and capacity to attract visitors and investment in these sectors. The keys to success are three-fold:

- The cluster groups are industry-led
- Supported by Council
- Supported by a cluster facilitator to establish 'foundations' leading to prioritisation of infrastructure, events, and skills development programs.

Accessibility:

Lobbying for strategic road improvements based on the development of a Tourism Priority Roads study including modelling of future use of key natural sites to guide infrastructure investment.

Icon Attractions:

Develop an adventure tourism infrastructure plan to prioritise and facilitate bringing projects to market.

Investment Attraction:

Extend the Jobs Jumpstart Program to create a 'Significant Tourism Accommodation Investment' incentive with reduced headworks and Council fees for appropriately sized and located accommodation developments.

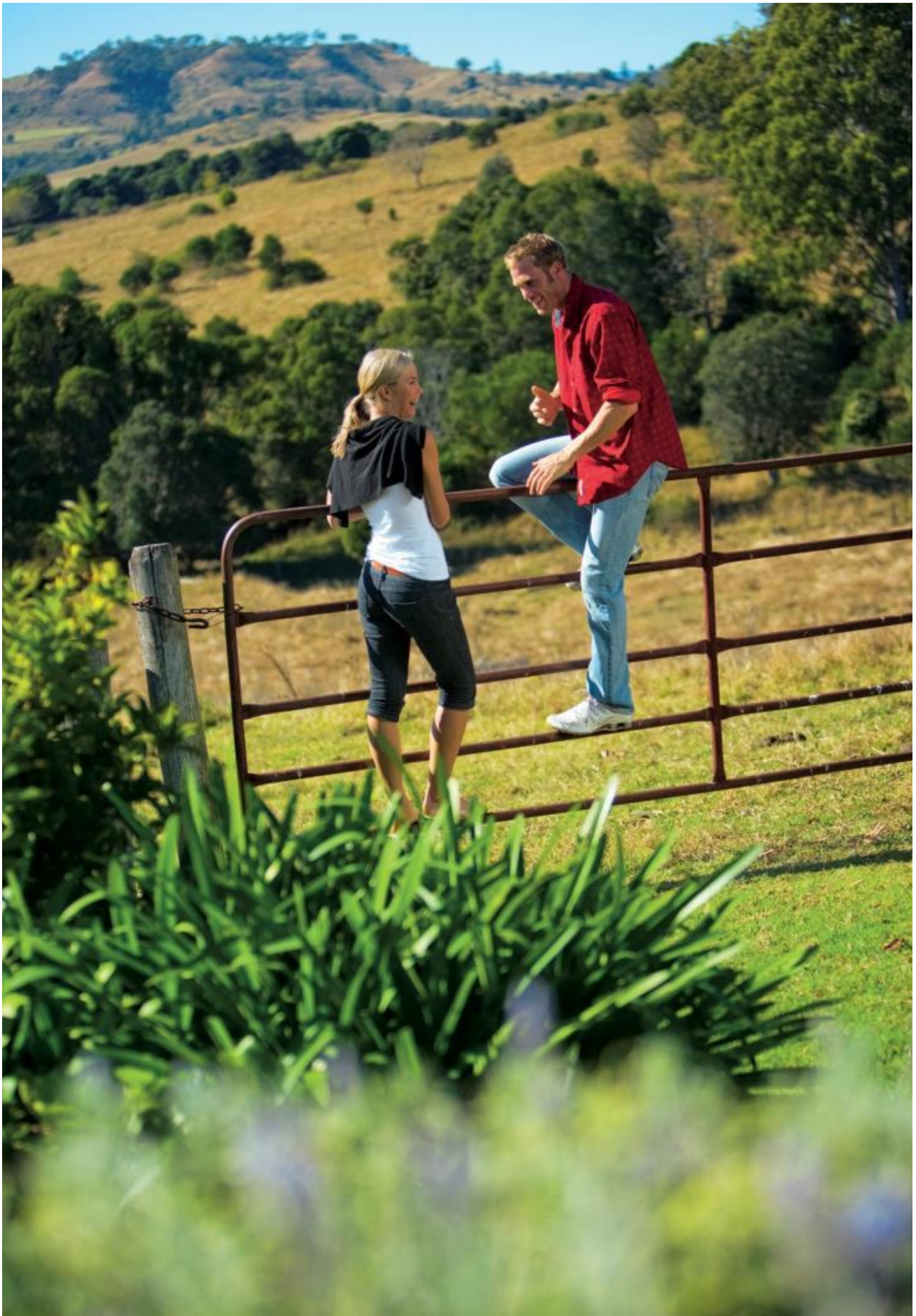
Unity: Create a single LTO operating model to reduce duplication and overlap and establishment of seamless online marketing and purchase process.

Tourism Workforce: Undertake a Tourism Workforce Needs Analysis Survey of local businesses on workforce needs (training, skills and staff) and prepare a Tourism Workforce Plan to guide partnerships with education providers, training partners and employment organisations.

Public Transport: Ensure tourism figures (from the visitor survey) are included in plans for public transport in the region.

Catalyst Project #5: Primary Research Program

Due to the limitations of the sample size and methodology limitations of the secondary data sources used in this report, the Scenic Rim needs to invest in ongoing research to collect primary data. A partnership with a university partner should be established to design, implement and monitor the results of the local research project to monitor visitor numbers, nights, spend, dispersal, awareness, activities and key influencers of travel. Data needs to be collected in localities across the region at various times of the year to provide an accurate sample, and be comparable with other national data sets to allow for benchmarking of results.



4. ACTION PLAN

Destination Development

Action		Responsibility	Timing
A1.1	Undertake primary research with the LTOs. Chambers of Commerce, Visitor Information Centres and University partners to estimate peak-demand visitor numbers and its impact on infrastructure and investment requirements as well as the best approach to marketing for dispersal	SRRC Research Partners LTOs	Short-term
A1.2	Undertake a Tourism Investment Prospectus for accommodation, adventure infrastructure and event locations. The investment prospectus should highlight an interest in adventure-based events, activities (ziplines, mountain bike trails, iconic walks and cycle trails)	SRRC DSD	Short-term
A1.3	Develop an agri-tourism cluster (see enablers) that develops linkages with the agricultural sector and provides industry mentoring on diversification of agricultural businesses into tourism.	Industry SRRC	Short-term
A1.4	Leverage the development of outdoor recreation opportunities such as those associated with the Wyaralong Dam, rail trails and Boonah airfield; ensure these do not conflict with the nature-based tourism aspirations of the region.	Industry SRRC	Short-term
A1.5	Provide support services to aid land managers in business and development and educate producers about tourism through 'how-to' guides to help them diversify into tourism.	SRRC	Medium Term
A1.6	Extend the Jobs Jumpstart Program to create a 'Significant Tourism Accommodation Investment' incentive with reduced headworks and Council fees for appropriately sized and located accommodation developments.	SRRC	Medium Term
A1.7	Develop and promote iconic trails (food, walking/hiking, horse-riding) to raise the profile of Scenic Rim's nature-based offering.	SRRC Industry	Long Term
A1.8	Strengthen Scenic Rim's nature-based offering and promotion by developing iconic experiences associated with the region's natural beauty.	SRRC Industry	Long Term
A1.9	Support the development of new conference facilities to increase options and pax sizes, opening up opportunities to growth business tourism.	SRRC Industry	Long Term
A1.10	Encourage investment in high-end, branded accommodation to drive growth and spend from high-end markets such as Asia.	SRRC Industry	Long Term

Destination Marketing

Action	Responsibility	Timing
A2.1	Identify the most appropriate funding mechanism to increase the marketing budget by at least \$200,000 to be matched with industry and partner funds to create campaigns that generate in excess of \$1 million in media value (combined media and marketing value). <ul style="list-style-type: none"> • Consolidate Scenic Rim branding, giving it depth and substance, and strengthening market awareness • Invest in seasonal campaign activity to encourage visitation during off-peak travel periods • Create an online photo library with royalty free images for industry. 	SRRC Immediate Short Term Medium Term
A2.2	Increase marketing efforts in partnership with Brisbane Marketing and Gold Coast Tourism targeting the 200km drive market and emerging fly-drive interstate markets (Sydney and Melbourne).	SRRC Immediate
A2.3	Strengthen the formal partnership between the Scenic Rim and both Brisbane Marketing and Gold Coast Tourism	SRRC BM / GCT Short Term
A2.4	Target growth from emerging higher value segments including Business Tourism (Conferences and Events)	SRRC BM / GCT Medium Term
A2.5	Maintain and continue to grow a Tourism Events Fund to support the growth and development of events that attract at least 30% of their attendees from outside the region and actively contribute to building the region's brand: <ul style="list-style-type: none"> • Prepare a Regional Events Plan to guide the Events Program and include KPIs for the management of the program and funds invested • Highlight the region's unique flavour through its Events Calendar (in addition to Eat Local Week) to ensure that the position of the region is reinforced and build awareness of the culinary sector • Continue to support and grow the Eat Local event as a signature experience for the region. • Identify three strategic events with potential to be brand builders, seasonality stretchers and visitor attractions • Promote the region's existing sporting and cultural facilities for events through a facilities guide. • Work with Brisbane Marketing and Gold Coast Tourism to promote the region for conference and business events • Support existing events extend their reach into emerging markets through industry capacity building and establishment of a cluster group for events. 	SRRC Short Term Short Term Short Term Medium Term Medium Term Long Term Long Term
A2.6	Leverage the 2018 Commonwealth Games to showcase local food, aboriginal culture, and nature-based experiences through Commonwealth Games sanctioned events, in the Games village and through influencing the media attention generated by the Games to showcase the Scenic Rim.	Industry SRRC Short Term
A2.7	Develop a cluster to target key Asian markets through collective approach with Brisbane Marketing	Industry SRRC Short Term
A2.8	Support the development of packages for heritage and cultural attractions to raise awareness of the experiences available	SRRC Medium Term
A2.9	Work with industry associations and education providers to: <ul style="list-style-type: none"> • Attract visitors from Asia for study tours and education. This can be enhanced by the development of a Student Ambassador Program encouraging students to become tourism ambassadors for the region • Grow the domestic education market who travel mid-week and off-peak through the development of curriculum links with key products / attractions. 	SRRC Medium Term Long Term

Destination Management

Action	Responsibility	Timing
<p>A3.1 Align the efforts of the three local tourism organisations to create a seamless message pre-trip and en-route:</p> <ul style="list-style-type: none"> Prepare an MOU across the three organisations (TMCCI, Scenic Rim Tourism and Scenic Rim Escapes) to align marketing efforts. Prepare a digital marketing strategy for the Scenic Rim to align activities of the three organisations. Support the implementation of the Digital Strategy with a part-time resource within Council to coordinate LTO digital activities, implement agreed strategies and report on achievements Work with the LTOs to design an agreed Digital Marketing program with one call to action (one website) that disperses visitors to the appropriate information (or websites) as agreed by the LTOs. Seek partner funding to develop a mobile application (or utilise an existing platform) that works both online and offline to push content (potentially using iBeacon technology) to passing visitors and those touring in the region. Work with industry, LTOs, Chambers of Commerce, Brisbane Marketing and TEQ to design and prepare a high-quality touring map that can either be stand-alone or inserted in existing publications to showcase touring itineraries including activities, events, best lookouts and experiences. Encourage Chambers of Commerce to work with the LTOs to bring the greatest number of businesses engaged in the joint campaigns. 	<p>LTOs TAC SRRC</p>	<p>Immediate Short Term Medium Term</p>
<p>A3.2 Develop an in-house support program to ensure Scenic Rim operators are China-ready in terms of customer service, cultural awareness, signs and communications, food and retail offerings, as well as specific produce and itinerary development, to access a greater share of this important growth market for South East Queensland.</p>	<p>SRRC</p>	<p>Short Term</p>
<p>A3.3 Mentor local businesses to become more active in the international market through specialised marketing aimed at Asian markets</p>	<p>SRRC</p>	<p>Short Term</p>
<p>A3.4 Implement the tourism specific recommendations of the Vibrant and Active Towns. These recommendations include pathways connecting the villages, revamping of town centres (as destination features), and developing eco-rated community facilities that appeal to visitors such as a major art gallery on Tamborine Mountain.</p> <ul style="list-style-type: none"> Prepare a Tourism Signage Action Plan with key dates drawing on visitor forecasts and trends of the drive market. This plan would provide guidance on the messaging and pre-trip planning information required to encourage dispersal. Revitalisation of the Visitor Information Centres as 'Visitor Inspiration Centres' with volunteer training in customer engagement, new interpretation and fit-out to reflect modern information needs as well as creation of a mobile visitor inspiration stand for events. Reinvigorate the Visitor Centre volunteers' role as storytellers through a training program, in order to encourage extended stays. Work together with communities to identify alternate routes for travellers. Consider suitability of purpose in the analysis and prioritise upgrading projects. Ensure that directional signage is adequate and that there are appropriate rest stops. 	<p>SRRC Chambers of Commerce</p>	<p>Short Term Medium Term Medium Term Long Term</p>
<p>A3.5 Encourage Scenic Rim businesses to add value to their experience to increase spend per day through business support programs.</p>	<p>SRRC TEQ</p>	<p>Short Term</p>
<p>A3.6 Obtain GI status for the Scenic Rim as an official wine producing region to</p>	<p>SRRC</p>	<p>Medium Term</p>

	improve promotion and increase awareness of the local products, which simultaneously strengthen the region's brand.		
A3.7	In partnership with the Commonwealth Government, investigate the feasibility of establishing a site masterplan for the Killarney Glen waterhole to secure future access to this potentially iconic site.	SRRC Commonwealth	Long Term
A3.8	Create a Tourism Planning Policy that defines desirable uses and activities by precinct.	SRRC	Long Term
A3.9	Lobbying for strategic road improvements based on the development of a Tourism Priority Roads study including modelling of future use of key natural sites to guide infrastructure investment	SRRC	Long Term
A3.10	Develop an adventure tourism infrastructure plan to prioritise projects	SRRC	Long Term
A3.11	Council asset management plans should consider how community and recreation assets contribute to destination identity and character. Asset management decisions should incorporate tourism forecasts into infrastructure planning (e.g. carparks)	SRRC	Long Term



5. KEY PERFORMANCE INDICATORS

The mission of the Scenic Rim Tourism Strategy is to achieve vibrant and sustainable tourism and genuine visitor experiences that celebrate the region's unique and world-class natural assets, rural and small town character and community values, while also achieving the vision of reaching \$300 million in tourism value by 2021.



Goal 1: Grow the **spend per night** of visitors **by 2.5% per annum** to 2021 to generate an extra \$54 million per annum based on the higher spend and market share;



Goal 2: **Increase our market share** of visitors travelling within a 2-hour radius (excluding the coast) for agritourism, nature-based tourism and cultural tourism by **0.5% above forecast growth**;



Goal 3: Support the development of a **year-round events calendar** to encourage **greater dispersal of seasonal visitors**; and



Goal 4: Collaborate across the region to encourage visitors to **disperse around the region** supposed by a targeted marketing, and coordinated pre-trip planning, signage and collateral.



6. APPENDICES

6.1 Appendix A: Scenic Rim Tourism Profile

The following section provides an overview of the latest available key visitor trends in the region, sourced from the National and International Visitor Survey data (for the year ending March 2016) from Tourism Research Australia.

For the purposes of this Paper, visitation data and trends have been derived for the Scenic Rim Regional Council area, which includes the Statistical Areas (level 2) of Boonah, Tamborine-Canungra and Beaudesert (See Figure A).

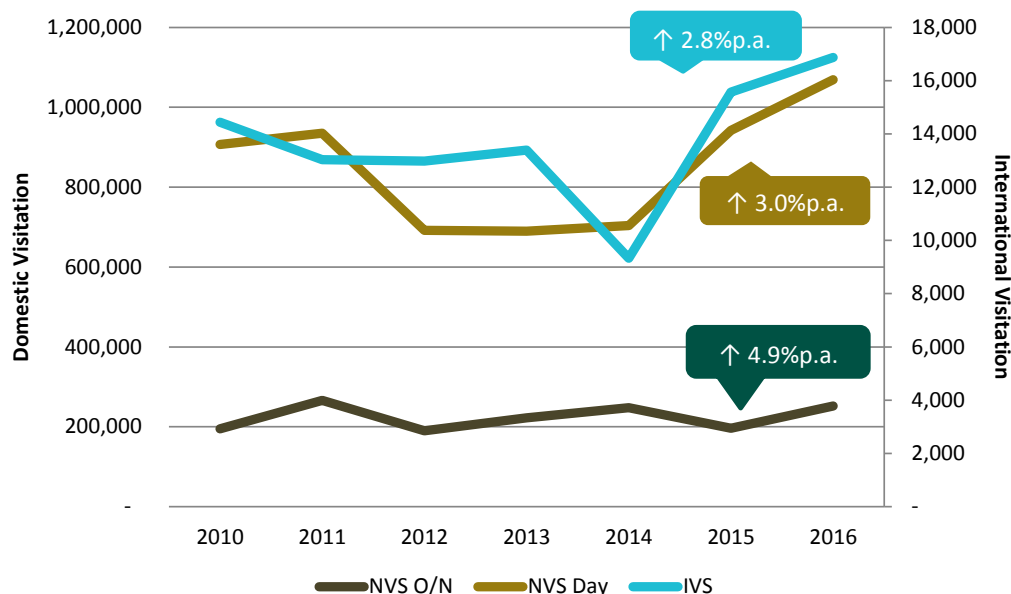
Figure A: Tourism Research Australia Statistical Areas Level 2 for the Scenic Rim Region (left to right – Boonah, Beaudesert and Tamborine-Canungra)



Visitation Growth and Market Share:

In 2016, the Scenic Rim received approximately 1.3 million visitors, of which 80% were domestic day visitors, 18.8% were domestic overnight visitors and 1.3% were international visitors. These domestic day (NVS Day) visitors have grown by an average of 3.0% per annum (p.a.) since 2010, while domestic overnight visitors (NVS O/N) and international (IVS) visitors have grown by an average of 4.9%p.a. and 2.8%p.a. since 2010 respectively (See Figure B).

Figure B: Visitation to the Scenic Rim, 2010-2016



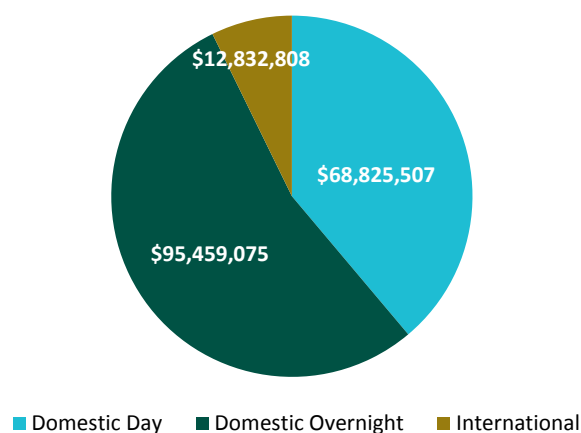
Visitor Nights:

Visitors spent over 836,000 nights in the region in 2016, growing by an average of 7.7%p.a. since 2010. Although international visitors comprise 1.3% of the region's visitor market, they contribute 29.1% of visitor nights, and stay on average for 10.8 nights in region, compared to domestic visitors who spend an average of 2.6 nights.

Expenditure:

On average, domestic day visitors to the Scenic Rim spent \$61 on their trip, while international visitors spent \$56 per night, and domestic overnight visitors spent \$137 per night, contributing a total of \$177 million in visitor expenditure to the region (3% of all visitor expenditure in the Brisbane Region). While domestic day visitors make up 80% of all visitation to Scenic Rim, they contribute approximately 39% of visitor expenditure due to their comparatively low spend, and while international visitors make up 1% of all visitors to the region, they contribute 7% because of their high average length of stay. Domestic overnight visitors contribute the most to overall visitor expenditure (54%) because of their high spend per nights over shorter time periods.

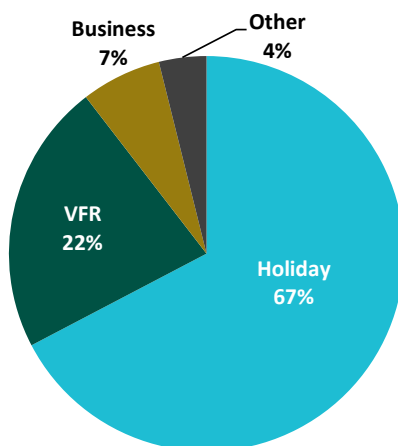
Figure C: Visitor Expenditure, 2016



Purpose of Visit:

The main purpose of visit to Scenic Rim by international visitors in 2016 was for a holiday (62%), followed by visiting friends and relatives (VFR) (32%). A holiday was also the main purpose of visit for domestic visitors (70.1%), followed by visiting friends and relatives (23%). The purpose with the largest total growth across all visitors was VFR at 13.4% change p.a. since 2010, compared to holiday at 1.4% and business at 3.6%.

Figure D: Main Purpose of Visit to Scenic Rim by international and domestic visitors combined, 2016



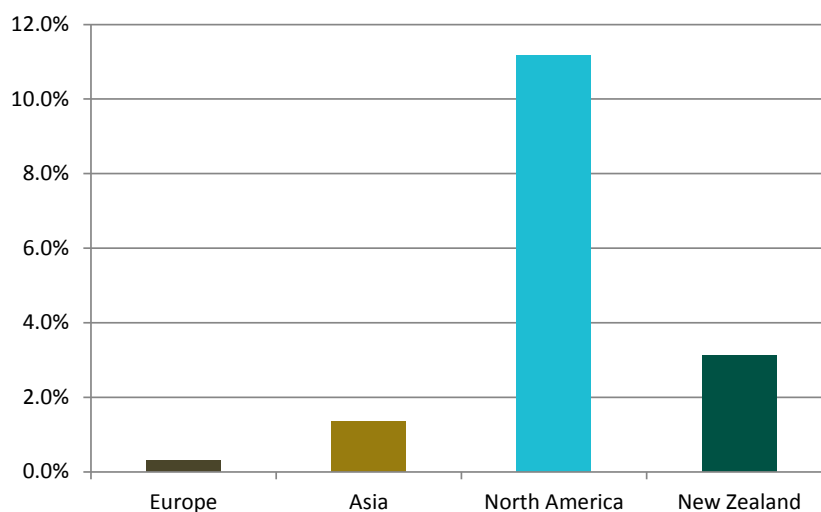
Visitor Origins:

Whilst the majority of international visitors are from the United Kingdom (23%) and the USA (15%), visitation from Europe has fallen on average by 0.3%p.a. since 2010 (See Figure D). Whilst the UK is the highest international country origin, generally visitation from Europe has increased by only 0.3%p.a. since 2010. In comparison, visitors from Asia have grown slightly higher (1.4%p.a.) and visitors from North America have increased the most (11.2%p.a.) since 2010.

In 2016 the top five visitor origins by country were:

1. United Kingdom (23%)
2. USA (15%)
3. New Zealand (13.2%)
4. Germany (12.6%)
5. Japan (7%)

Figure E: Scenic Rim International Visitor Origin, 2010-2016

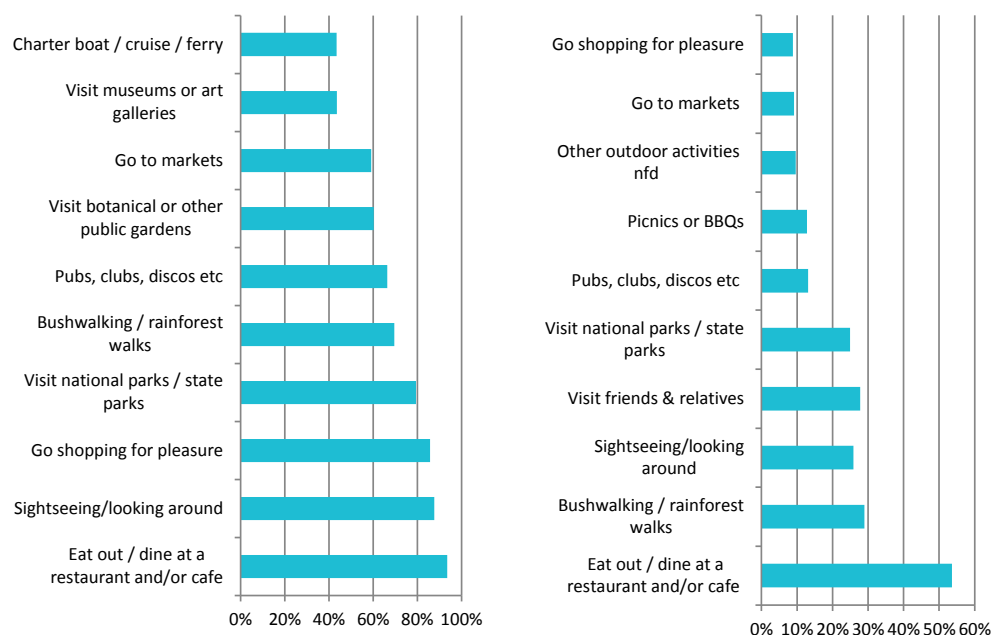


Domestic visitors mainly come from the Brisbane Region (62%), followed by visitors who come from the Gold Coast who make up 12% of the total visitation.

Activities:

Whilst in the Scenic Rim, most popular activities across international and domestic visitors include eating out and sightseeing/looking around (See Figure F). Apart from these similarities, international visitors are far more likely to participate in going shopping, whereas domestic visitors are more likely to participate in bush walking and visiting friends and relatives.

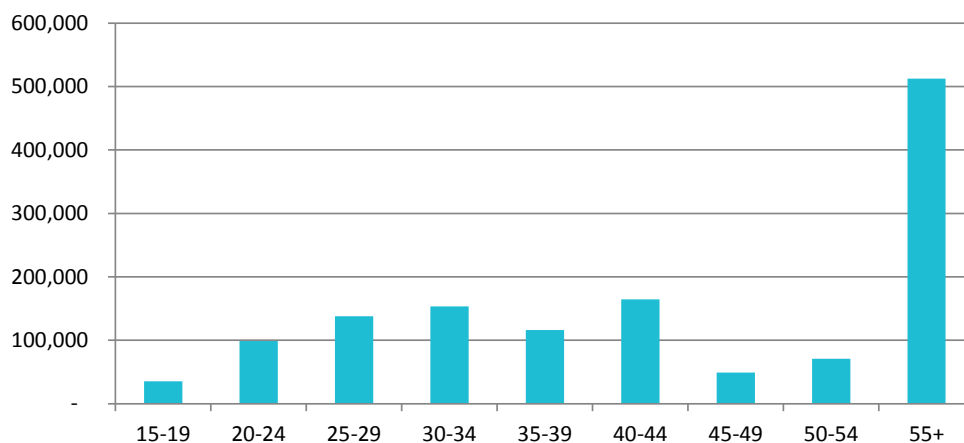
Figure F: Top 10 activities by participation rate by international visitors (left) and domestic visitors (right), 2016



Age:

The majority of visitors to Scenic Rim in 2016 were aged 55 years and older (38%), followed by travellers who were aged between 40-44 years (12%) and 30-34 years who made up 11% of visitors to the Scenic Rim (See Figure G).

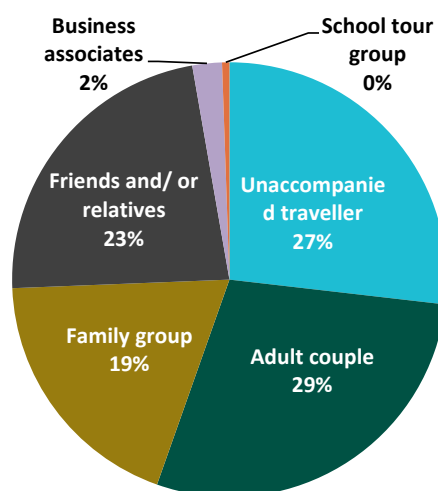
Figure G: Age Profile of Scenic Rim Visitors, 2016



Travel Party:

The majority of overnight visitors to the Scenic Rim in 2016 were adult couples (38%), followed by unaccompanied travellers (32%) and the third most often recorded travel party was family groups (18%) (Figure H).

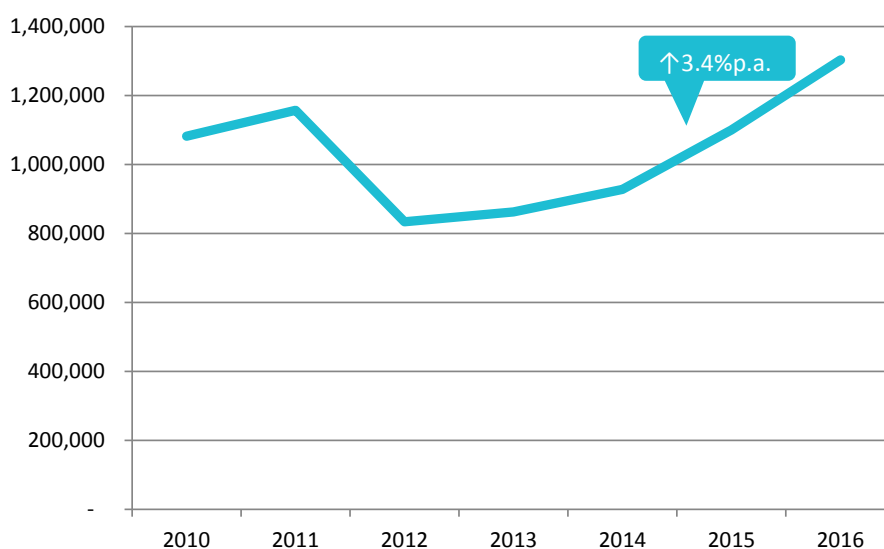
Figure H: Travel Party Profile of Scenic Rim Visitors, 2016



Transport:

In 2016, the dominant mode of transport used to travel to, and around, the Scenic Rim was by self-drive vehicles at 97.3%, and has grown by 3.4% since 2010.

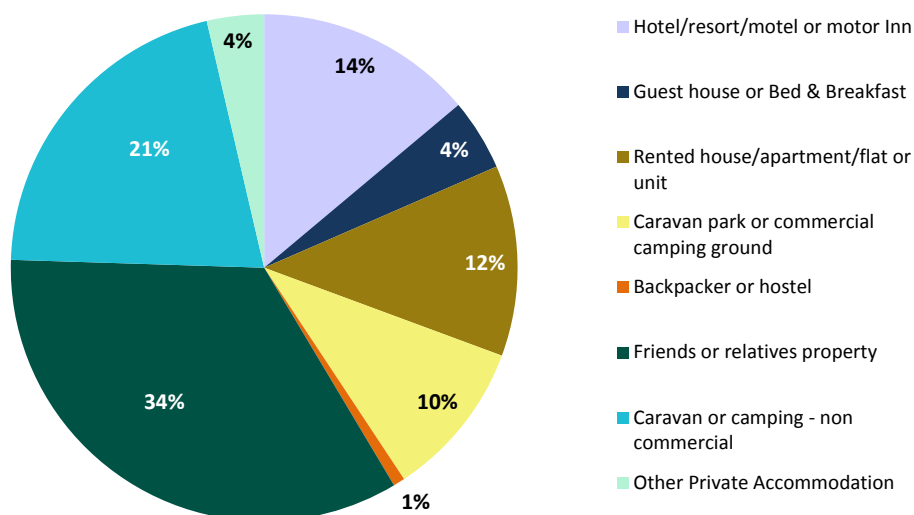
Figure I: Transport Profile of Scenic Rim Self-drive Visitors, 2010-2016



Accommodation:

While in Scenic Rim approximately 34% of visitors stay on a friends or relatives property, 21% stay in caravans or camping and 14% stay in hotels resorts and motels.

Figure J: Accommodation Profile of Scenic Rim Visitors, 2016



6.2 Appendix B: Destination Benchmarks

The Scenic Rim has been benchmarked against Swan Valley, Hills Hawkesbury and Sunshine Coast Hinterland in order to assist further growth of the region, focusing on its products, infrastructure and transport. The destinations used for benchmarking have been chosen due to their similarity in their characteristics, in terms of their geographic location, population, and product offering and type.

Infrastructure and Amenities

The Australian Tourism Data Warehouse (ATDW) is Australia's national platform for digital tourism information. With more than 40,000 listings, it includes product and destination information and data from all Australian States and Territories. This content is electronically accessible by tourism business owners, wholesalers, retailers and distributors for use in their websites and booking systems. Table A below outlines the number of products listed for each of the comparator regions, however does not represent the total number of tourist attractions in the destinations as it only counts those listed within the ATDW. The products and infrastructure listed provide a greater indication of the destinations' unique characteristics and potential strengths to focus on.

Table A: ATDW Listings for Comparator Regions

ATDW Listed Product	Scenic Rim	Swan Valley	Hills Hawkesbury	Sunshine Coast Hinterland
Accommodation	42	44	60	10
Events	7	4	25	0
Tours	6	14	14	1
Attractions	6	22	18	0
Food & Wine	25	49	11	0
Nature-based	18	13	6	5
Family-friendly	3	6	1	0
Outdoor Adventure	6	4	7	0
Marine-based	0	1	6	0
Arts, Culture and Heritage	4	9	14	0
Aboriginal	0	4	1	0

Scenic Rim:

As exhibited in Table A, the Scenic Rim's main offerings include food and wine and nature-based products. The number of nature-based products available in the region is the highest among its comparators, indicating that nature-based tourism is the region's greatest strength. The ongoing progression and expansion of the region's natural assets as a tourism product therefore suggest an avenue to establish a unique brand for the destination.

The Scenic Rim is situated approximately an hour away from both the Gold Coast and Brisbane City, demonstrating ease of access for visitors through use of the Pacific Motorway. The Scenic Rim is primarily suited to access via self-drive vehicles due to the limited public transport options available for visitors.

The region is located within an 80 minute drive from two of the major airports – Brisbane Airport and Gold Coast airport. Both airports welcome flights from across Australia, along with a number of international destinations such as Asia, Fiji and New Zealand. It offers a wide range of functions, conference centres and activities, including the popular O'Reilly's Rainforest Retreat located near the Lamington National Park and catering up to 300 delegates. Featuring multiple venues with picturesque views and a wide range of accommodation options, the retreat fits to any budget.



Swan Valley:

Located only 25 minutes away from Perth City in Western Australia, Swan Valley is a popular tourism destination amongst travellers. As one of Western Australia's oldest wine regions, the valley features more than 150 attractions including world-class wineries, restaurants, cafes and breweries, making it a leading food and wine destination¹⁰. The district has also recently welcomed one of Australia's top 100 gourmet experiences, Margaret River Providore, as a food experience within the valley. The business offers a one-stop sales and tasting centre and has previously hosted an episode on the television series "My Kitchen Rules". Having generated an increase in tourism visitation in the valley, the business provides a successful example of expanding and capitalising on the primary assets existing in region.

Similarly, Mandoon Estate, Western Australia's most awarded boutique winery, has also established a new large-scale venture using an existing vineyard as a new attraction for visitors. The facility features a fine dining restaurant, microbrewery, function centre, wine tasting cellar and an art gallery, and is a popular spot for various functions and events. The Vines Resort and Country Club is another popular function venue. With a capacity of 260 people, the club holds various events and conferences, including weddings and other celebratory events.

Both the Perth domestic and international airport terminals are situated within a short drive away from the valley, situated only 6 and 14 kilometres respectively.

¹⁰ http://www.swanvalley.com.au/About_Swan_Valley/Must_See_and_Do/Swan_Valley_Food_and_Wine_Trail

Swan Valley is mainly suited to access via self-drive vehicles with very limited public transport available. Swan Valley provides a shuttle service, however access to it is limited and prior booking is highly recommended. As an alternative to the use of private vehicles, the valley also encourages the visitors to use bicycles to travel around the valley, offering a number of opportunities for bike hires and establishing the Swan Valley Heritage Cycle Trail. The Swan Valley is also accessible by train from Perth City. The journey to Guildford station, the closest station to the Swan Valley Food and Wine Trail, takes approximately 25 minutes from the city. The closest winery is located within 7 kilometres return away from the station. The Swan Valley Food and Wine Trail lasts for about 32 kilometres.



Hills Hawkesbury

Located one hour away from Sydney, Hills Hawkesbury boasts a variety of tourism attractions. With 70% of the area covered by national parks, the region offers a number of nature and adventure based activities including bushwalking, horse riding, river cruises, water skiing and swimming. The region consists of 17 small towns and villages and 5 rivers, featuring a wide range of unique arts, culture and history related facilities.

Compared to its comparators, Hawkesbury offers a number of accommodation options and organises numerous events. The destination also features tours and attractions that provide visitors with a variety of options during their stay to suit all visitor profiles and budgets.

The Good Az Gold Tours and Transfers offers mini-bus and coach transport for various occasions, specialising in Corporate Transfers and Specialised Day tours along with other group transfers including airport transfers and weddings. The area also provides a well-developed rail and vehicular ferry services. The Hawkesbury ferry network allows visitors from the city to cross the Hawkesbury River and simultaneously serves as one of its attractions. Ferries run 24 hours a day 7 days a week, making the network very accessible.

The Richmond Club serves as Hills Hawkesbury's Entertainment Centre. The club provides a vast amount of options for both visitors and the local community, aiming to encourage a healthy and active lifestyle and foster community engagement. The club features services such as a fitness and leisure club, beauty/hair salons, function centre, childcare facilities as well as the travellers' park with a number of necessary travel facilities provided. The venue has been previously voted as Australia's premier supporter of local sporting and community groups.



Sunshine Coast Hinterland

The Sunshine Coast hinterland is situated an hour north of Brisbane and only 30 minutes away from the Sunshine Coast. The region attracts a number of day trippers with its cool climate and charming rural setting. The towns and villages of Maleny, Montville and surrounding areas within the region contribute to its unique rural charm and feature a number of skilled artists, innovative professionals and vibrant businesses. With a variety of natural walking trails, art gallery trails and unique boutique shops, the region offers a range of opportunities for a relaxed getaway for all tourist groups.

An easy reach from Brisbane, the Sunshine Coast Hinterland is located only one hour's drive from the Brisbane International Airport. With direct flights to 28 international and 42 domestic destinations, the airport had over 21.8 million passengers travelling through the airport in the year of 2013/14. The Sunshine Coast Airport is a 35-45 minutes away with regular flights to all major Australian cities through Virgin Blue and Jetstar.

Hinterland Connect Bus Service is a service that connects different towns within the region, including Maleny, Montville, Flaxton, Mapleton & Nambour. The service also provides transport from Maleny to Landsborough Railway Station, which provides daily rail services into the Brisbane city. The journey takes approximately one hour and 20 minutes. The Mystic Mountain Tours also offer tours and coach services that feature wine and gourmet foods, parks and walks and shopping tours.

Tranquil Park, Mountain Resort is one of the biggest conference and function venues in the Sunshine Coast Hinterland. Located in Maleny, the resort includes three different conference rooms with the capacity to cater for up to 200 people, featuring a scenic view of the Glasshouse Mountains from all.



6.3 Appendix C: Destination & Business Case Studies

The case studies explored below demonstrate examples of businesses and precincts that have successfully diversified their products and services to accommodate for and capitalise on tourism growth in region. They further indicate opportunities available for the Scenic Rim in terms of product and service development.

Business – Rayners Orchard, Yarra Valley

Rayner's Orchard is a small farm located in Yarra Valley, Victoria. Having struggled with returns from their traditional peach and cherry farm for years, the owner of the farm, Len Rayner, renewed his business by expanding it into a tourism operation. The farm now offers picking and tasting of a variety of fruits along with an onsite café and shop. Growing over 450 varieties of fruit throughout the year, the farm has successfully overcome the threat of tourism seasonality. This change in perspective has increased turnover by six times in a period of five years.



The main markets include Singapore and Malaysia, where countryside is rare and available fruits for citizens are scarcely fresh.

Rayner's is a unique example of how existing business can lift their returns and promote their product by intentionally diversifying their service and products.

Tourism Precinct – Sassafras, Victoria

Located 43km east from Melbourne's central business district and home to just over 1100 people, Sassafras is a small distinct tourism precinct. The small town retains nineteenth century charm, attracting the touring market as well as many Melbourne day visitors seeking to escape the busy city setting.



The precinct has a number of available products including antiques, unique cafes and a number of arts and culture facilities. Sassafras is also home to Dandenong Ranges, which offers a number of walking tracks in a stunning natural setting and a Puffing Billy Steam Railway. The Burrinja Cultural Centre is also located within the Ranges, a vibrant community cultural centre that intends to "build community through art"¹¹. The centre features several gallery spaces, artists' studios, a world-class

¹¹ <http://www.burrinja.org.au/about/about-burrinja>

collection of Indigenous and oceanic art, community cultural development projects and a 400 seat theatre, along with other facilities to fulfil all visitors' needs.

Although the destination offers similar products to the Scenic Rim (Tambourine Mountain in particular), it provides a more upmarket experience through better quality of services and products offered. This attracts more high-yield visitors and simultaneously establishes an upmarket branding for the destination.

Tourism Precinct – Montville, Sunshine Coast

Montville is a small tourism precinct located in the Sunshine Coast hinterland with a population of approximately 900 people. The unique charm of the town and its exciting precinct mix has ensured a consistent flow of day trippers from Brisbane and the Gold Coast since the early 1990's.



The town has a unique small village charm and is famous for its variety of architectural styles from various cultures, including Irish, Swiss and English. The town is also renowned for its wide collection of unique shops that sell both local and international products, and is part of the Sunshine Coast Hinterland Gallery Trail. The trail showcases various local arts and crafts and offers a number of opportunities for the visitors to experience local culture. The precinct also offers an abundant range of dining options for the visitors.

Similar to the Sassafras region, Montville provides a high-end rural experience, attracting high-yield visitors through the provision of quality service and products.





Scenic Rim Tourism Strategy 2017 - 2021







Summary of Outcomes against Action Plan










October 2022










SCENIC RIM






REGIONAL COUNCIL





Pillar		Action	Timing	Update	Delivered
Destination Development	A1.1	Undertake primary research with the Local Tourism Organisations, Chambers of Commerce, Visitor Information Centres and University partners to estimate peak demand visitor numbers and its impact on infrastructure and investment requirements as well as best approach to marketing for dispersal.	Short-term	Council has ongoing arrangements to source quarterly research from Tourism Research Australia and data analysis and modelling from Lucid Economics to track trends and benchmark the Scenic Rim against other destinations. We have also worked with Griffith University and QUT on research projects and commissioned bespoke market research from Roy Morgan Australia to inform major destination marketing campaigns. We receive quarterly reports from Roy Morgan on visitation to the region via our partnership with BEDA. This research utilises mobile data, analysed against behavioural and attitudinal profiles, to provide insights into the numbers and types of people visiting the region. This information continues to inform visitor targeting decisions for destination marketing.	
	A1.2	Undertake a Tourism Investment Prospectus for accommodation, adventure and event locations. Should highlight an interest in adventure-based events and activities	Short-term	Prospectus focused solely on tourism has not been delivered. However, advocacy and support for proposals has been undertaken that has resulted in significant (i.e. \$1 million+) funding support for each of Binna Burra's Via Ferrata, Wander at the Overflow, Hazelwood Estate and North Stores/Picnic Real Food Bar. Tourism will also be a focus industry in a broader investment prospectus currently being prepared for the region. Adventure-based events and activities are being highlighted in the Scenic Rim Nature-based Tourism Strategy (due for adoption in early 2023).	
	A1.3	Develop an agri-tourism cluster that develops linkages with the agricultural sector and provides industry mentoring on diversification of agricultural businesses into tourism	Short-term	Council secured grant funding that enabled the delivery of a program in conjunction with agritourism specialists Regionality. This included the development of a member-led Industry Steering Group and the delivery of a personalised business mentoring program. The final draft version of the Scenic Rim Agribusiness and Agritourism 10-Year Roadmap 2022-2032 (the Roadmap) and Scenic Rim Agribusiness and Agritourism Three-Year Action Plan 2022-2025 (the Action Plan) was adopted in September 2022. The long-term strategy roadmap document will guide and drive growth and innovation within the Agribusiness and Agritourism sectors, while the three-year plan includes actions which will be implemented to achieve the strategy goal.	
	A1.4	Leverage the development of outdoor recreation opportunities such as those associated with the Wyaralong Dam, rail trails and Boonah airfield; ensure these do not conflict with the nature-based tourism aspirations of the region.	Short-term	Nature-based tourism reference group was formed and has been consulted. The Nature-based Tourism Strategy will be adopted in early 2023, and addresses the actions listed. Funding for this initiative was obtained via a Building Better Regions Fund grant. Advocacy from Council helped secure Lake Wyaralong as the venue for the rowing and sprint kayaking events at the 2032	








				Olympics, which will result in further infrastructure development at the lake.	
	A1.5	Provide support services to aid land managers in business and development and educate producers about tourism through 'how-to' guides to help them diversify into tourism.	Medium term	Ongoing. Regional Prosperity officers operate in a 'case management' style to support and serve managers and producers. We are seeing real benefits and outcomes from this approach, unlocking obstacles and receiving extremely positive feedback. The agritourism/agribusiness program outlined above will also assist in delivering against this action. The business development program delivered in partnership with Regionality also has assisted in the delivery of this action.	
	A1.6	Extend the Jobs Jump Start program to create a 'Significant Tourism Accommodation Investment' Incentive with a reduce headworks and Council fees for appropriately sized and located accommodation developments.	Medium Term	Specific tourism investment incentive not recommended nor adopted. However developed with Planning team the approach that led to development of Investment Incentive Policy and potential for infrastructure charges deferral. Work in this space is part of the Nature-based Tourism Strategy. Potential opportunities also being explored as part of the Investment Attraction Project, yet to be presented to Council for consideration.	
	A1.7	Develop and promote iconic trails (food, walking/hiking, horse-riding) to raise the profile of Scenic Rim's nature-based offering.	Long term	Specific iconic trail has not been developed. However have worked hard to develop blog content that profiles the Scenic Rim's nature based offering and share via social media platforms and via bloggers. Extensive coverage has ensured as a result (10 Best Walks in the Scenic Rim, Best Walks in Queensland, etc), with excellent levels of engagement. The yet to be endorsed Community and Culture Strategy identifies a Trails Strategy as a key objective. The event Escape in the Scenic Rim, developed in 2021 and delivered in May 2022, also highlighted many of these offerings.	
	A1.8	Strengthen Scenic Rim's nature-based offering and promotion by developing iconic experiences associated with the region's natural beauty.	Long term	About to be endorsed Nature-based Tourism Strategy. Also secured support from Eco Tourism Australia for Scenic Rim to pursue the process of gaining destination eco-certification.	
	A1.9	Support the development of new conference facilities to increase options and pax sizes, opening up opportunities to growth business tourism.	Long term	Ongoing. Support provided for advocacy for Hazelwood Estate and assistance and modelling for the development of grant applications for Cedar Creek Lodges and The Overflow Estate. The intention is to develop a compendium detailing in full regional options.	
	A1.10	Encourage investment in high end, branded accommodation to drive growth and spend from high-end markets such as Asia	Long term	Supported funding applications and provided economic modelling for accommodation at The Overflow Estate 1895, which was successful in securing Growing Tourism Infrastructure funding support. Also for Hazelwood Estate. Support also provided for additional accommodation for Cedar Creek Lodges, which was not initially successful but was considered meritorious and will be pursued further. Other opportunities to be explored as part of the Investment Attraction project.	






Destination Marketing	A2.1	Identify the most appropriate funding mechanism to increase the marketing budget by at least \$200,000 to be matched with industry and partner funds to create campaigns that generate in excess of \$1 million in media value <ul style="list-style-type: none"> Consolidate Scenic Rim branding, giving it depth and substance and strengthening market awareness Invest in seasonal campaign activity to encourage visitation during off peak travel periods Create an online photo library with royalty free images for industry 	Immediate	Advocated strongly with the Queensland Reconstruction Authority and Department of Tourism post 2019 bushfires to secure total funding of over \$1.5 million for tourism recovery. This included \$400,000 to go towards destination marketing campaign activity.	
			Short term	Developed new destination brand identity for the Scenic Rim, as the 'Richest Place on Earth. In Australia'	
			Medium term	Invested in campaign activity - television, outdoor (billboard), print, radio, digital	
				Online image library created through the 'Canto' platform. Now operational.	
	A2.2	Increase marketing efforts in partnership with Brisbane Marketing and Destination Gold Coast targeting the 200km drive market and emerging drive interstate markets	Immediate	Maximised support of BEDA marketing efforts with co-contribution to campaign and industry development with Best of Queensland program, with seven Scenic rim businesses participating in the program. Worked with BEDA to maximise the use and impact of data obtained from Roy Morgan research. Supported Destination Scenic Rim new Drive brochure and supplement campaign. Continued discussions with Destination Gold Coast to explore potential for collaborative campaign activity. Met quarterly with Cross Boarder Tourism Group to discuss/support The Green Way.	
	A2.3	Strengthen the formal partnership between the Scenic Rim and both Brisbane Marketing and Destination Gold Coast.	Short term	Signed a Memorandum of Understanding with Brisbane Marketing (now Brisbane Economic Development Agency). Investigating potential to sign a tripartite partnership/arrangement with both parties. Though early days, very positive discussions with DGC thus far, following a meeting held with their Chair and senior Executives in October 2020. Already share a positive working relationship re social media platforms/activity.	
	A2.4	Target growth from emerging higher value segments including Business Tourism (conferences and events)	Medium term	This sector very hard hit due to COVID-19, and has not been a focus in the last two year term of the Strategy. Supporting businesses in this industry is part of the Regional Prosperity Strategy.	
	A2.5	Maintain and continue to grow a Tourism Events Fund to support the growth and development of events that attract at least 30% of their attendees from outside the region and actively contribute to building the region's brand:	Short term	This has been actioned. The fund is called the 'Regional Events Fund' and is administered by Council's Principal Specialist Regional Events. \$60,000 is available annually for the support of regional events which attract visitation to the region and delivery economic return. Council is routinely updated on these events and outcomes.	
			Short term	The Principal Specialist is in the process of preparing a regional events strategy to guide the events program.	

		<ul style="list-style-type: none"> • Prepare a Regional Events Plan to guide the Events Program and include KPIs for the management of the program and funds invested • Highlight the region's unique flavour through its Events Calendar (in addition to Eat Local Week) to ensure that the position of the region is reinforced and build awareness of the culinary sector • Continue to support and grow the Eat Local Week event as a signature experience for the region • Identify three strategic events with potential to be brand builders, seasonality stretchers and visitor attractions • Promote the region's existing sporting and cultural facilities for events through a facilities guide • Work with Brisbane Marketing and Destination Gold Coast to promote the region for conference and business events • Support existing events extend their reach into emerging markets through industry capacity building and establishment of a cluster group for events 	<p>Short term</p> <p>Medium term</p> <p>Medium term</p> <p>Long term</p> <p>Long term</p>	<p>We added to the Scenic Rim's calendar of events by the securing of funding to deliver a major destination event, The Long Sunset, presented in May 2022, in partnership with Queensland Music Festival. Other events have also received support from Council's Regional Events Fund.</p> <p>Council also became the host partner of the Farm2Plate Exchange conference event held in the Scenic Rim in mid 2021; this event served to highlight and reinforce the region's strong food and agri credentials.</p> <p>Eat Local Week was delivered in 2017, 2018, 2019, 2021 (partially) and 2022. It was cancelled in 2020 due to COVID restrictions.</p> <p>3 strategic events – Eat Local Week/Month, Clydesdale Spectacular, The Long Sunset, Escape in the Scenic Rim (or alternative)</p> <p>The facilities guide has not yet been produced. However Council has conducted a facilities audit and this data will be able to be incorporated and considered in this project.</p> <p>We routinely work with BEDA and DGC on promoting the region to the business events market.</p> <p>A number of different capacity building workshops and event mentoring workshops were executed throughout 2021 and 2022 for operators.</p>	     
	A2.6	Leverage the 2018 Commonwealth Games.	Short term	Delivered with a focus on torch relay activation on Tamborine Mountain.	
	A2.7	Develop a cluster to target key Asian markets through collective approach with Brisbane Marketing	Short term	A full-day 'Asia-ready' workshop was conducted for interested operators in 2018. Since the advent of COVID-19 the priority attached to this segment of the market has lessened.	
	A2.8	Support the development of packages for heritage and cultural attractions to raise awareness of the experiences available	Medium term	This activity has not been delivered. Regional Prosperity supported Cultural Services in delivering their story Trails Project in June 2022 by providing exposure on the Visit Scenic Rim platform. The culture trail and incorporation of heritage	

				and cultural attraction events in the region is a focus of the Story Trails project and will continue to grow.	
	A2.9	<p>Work with industry associations and education providers to:</p> <ul style="list-style-type: none"> Attract visitors from Asia for study tours and education. This can be enhanced by the development of a Student Ambassador Program encouraging students to become tourism ambassadors for the region Grow the domestic education market who travel mid-week and off peak through the development of curriculum links with key products/attractions 	<p>Medium term</p> <p>Long term</p>	<p>This activity has not been delivered. International visitors have not been a priority due to COVID travel restrictions. However that is starting to improve now. Nevertheless this segment of the market is still very small for the Scenic Rim and strategically our focus remains on the 2 hour drive market.</p>	 
Destination Management	A3.1	<p>Align the efforts of the three local tourism organisations to create a seamless message pre-trip and en route:</p> <ul style="list-style-type: none"> Prepare an MOU across three organisations (TMCCI, Scenic Rim Tourism and Scenic Rim Escapes) to align marketing efforts Prepare a digital marketing strategy for the Scenic Rim to align activities of the three organisations Support the implementation of the Digital Strategy with a part-time resource within Council to coordinate LTO digital activities, implement agreed strategies and report on achievements Work with the LTOs to design an agreed Digital Marketing program with one call to action (one website) that disperses visitors to the appropriate information (or websites) as agreed by the LTOs 	<p>Immediate</p> <p>Short term</p>	<p>Completed.</p> <p>The region's two (originally three) local tourism organisations were united in 2021 to create a single LTO for the region. This was achieved by reaching agreement amongst all former LTOs to form one organisation, the appointment of a Board, independent Chair, suitably qualified Executive Officer and the development and delivery of a partnership agreement with Council and agreed business plan.</p> <p>The creation of one LTO for the region ensures that operators can collaborate and work together effectively, reduces duplication of marketing efforts and provides a far less confusing offer for potential visitors.</p> <p>Digital strategy continues to be successful for Council, with growth in reach and engagement on our platforms, Facebook and Instagram, and our blogs, driving visitors to the website as the single source of truth. We do not have a specific in house resource devoted to this, but outsource to a specialist digital agency.</p> <p>Recognition of the digital strategy was included in the feedback received from the Queensland Tourism Awards in 2021, at which Council won gold for destination marketing.</p>	  

		<ul style="list-style-type: none"> Seek partner funding to develop a mobile application (or utilise an existing platform) that works both online and offline to push content to passing visitors and those touring the region Work with industry, LTOs, Chambers of Commerce, Brisbane Marketing and TEQ to design and prepare a high quality touring map that can either be stand alone or inserted into existing publications to showcase touring itineraries including activities, events, best lookouts and experiences Encourage Chambers of Commerce to work with the LTOs to bring the greatest number of businesses engaged in the joint campaigns 	Medium term	<p>A mobile application has not been delivered at this time.</p> <p>The existing touring map is well received. Another Farm Gate Trail map, produced by Destination Scenic Rim, has also met with strong support from visitors.</p>	 
	A3.2	Develop an in-house support program to ensure Scenic Rim operators are China-ready in terms of customer service, cultural awareness, signs and communications, food and retail offerings, as well as specific produce and itinerary development, to access a greater share of this important growth market for south east Queensland	Short term	A full-day 'Asia-ready' workshop was conducted for interested operators in 2018. Since the advent of COVID-19 the priority attached to this segment of the market has lessened. Council has partnered with Brisbane EDA to provide operators interested in this market with access to audits and feedback from specialists in the field to determine readiness, gain access to familiarisations and market visits.	
	A3.3	Mentor local businesses to become more active in the international market through specialised marketing aimed at Asian markets	Short term	A full-day 'Asia-ready' workshop was conducted for interested operators in 2018. Since the advent of COVID-19 the priority attached to this segment of the market has lessened. Council has partnered with Brisbane EDA to provide operators interested in this market with access to audits and feedback from specialists in the field to determine readiness, gain access to familiarisations and market visits. Additional 'trade ready' workshops and mentoring sessions have also been conducted for businesses wishing to pursue this market.	
	A3.4	Implement the tourism-specific recommendations of the Vibrant and Active Towns and Villages program. These recommendations include			

		<p>pathways connecting the villages, revamping of town centres (as destination features), and developing eco-rated community facilities that appeal to visitors such as a major art gallery on Tamborine Mountain.</p> <ul style="list-style-type: none"> • Prepare a Tourism Signage Action Plan with key dates drawing on visitor forecasts and trends of the drive market. • Revitalisation of the VICs as 'Visitor Inspiration Centres' with volunteer training in customer engagement, new interpretation and fit-out to reflect modern information needs as well as creation of a mobile visitor inspiration stand for events • Reinvigorate the VIC volunteers' role as storytellers through a training program, in order to encourage extended stays • Work together with communities to identify alternate routes for travellers. Consider suitability of purpose in the analysis and priorities upgrading projects. Ensure that directional signage is adequate and that there are appropriate rest stops. 	<p>Short term</p> <p>Medium term</p> <p>Medium term</p> <p>Long term</p>	<p>A Tourism Signage Action Plan has not yet been prepared.</p> <p>A strategic audit and review of the region's five Visitor Information Centres was conducted in 2021. There are a range of recommendations contained within this review. Council will need to identify and source funding to allow these to be delivered.</p> <p>A mobile visitor inspiration stand for events has not been produced.</p> <p>A training program for VIC volunteers has not been delivered.</p> <p>Work on identifying alternate routes for travellers has not been undertaken.</p>	    
	A3.5	Encourage Scenic Rim businesses to add value to their experience to increase spend per day through business support programs.	Short term	Capability development programs have been conducted with a range of operators over the past four years. One 'value add' example is the encouragement of tourism operators to include a Scenic Rim Farm Box in their rooms for guests on arrival.	
	A3.6	Obtain GI status for the Scenic Rim as an official wine producing region to improve promotion and increase awareness of the local products, which simultaneously strengthens the region's brand.	Medium term	We have not pursued GI status for the Scenic Rim as an official wine producing region. However, we advocated for and have had appointed a Wine Tourism Recovery Officer, shared with Southern Downs Regional Council, to work with the region's wine (and craft beer and distilled spirits producers) to assist in their recovery from the bushfires of 2019 but also to aid general business development.	

	A3.7	In partnership with the Australian Government, investigate the feasibility of establishing a site masterplan for the Killarney Glen waterhole to secure future access to this potentially iconic site.	Long term	Council has had a number of discussions over the last few years with the Commandant of the Land Warfare Centre at Kokoda Barracks (Australian Army) who are the owners of the land on which the waterhole is located. It is a complex issue, including serious security and safety concerns (following a death on site) that has not progressed.	
	A3.8	Create a Tourism Planning Policy that defines desirable uses and activities by precinct.	Long term	A Tourism Planning Policy has not been developed. However, Council's new Planning Scheme has incorporated many aspects out of recognition of the perceived desirable uses and activities of our tourism sector.	
	A3.9	Lobbying for strategic road improvements based on the development of a Tourism Priority Roads study including modelling of future use of key natural sites to guide infrastructure investment.	Long term	A Tourism Priority Roads Study has not been undertaken. Lobbying for strategic road improvements is being undertaken by Council and some of these do include recognition of key tourism precincts, i.e. Gallery Walk.	
	A3.10	Develop an adventure tourism infrastructure plan to prioritise projects.	Long term	The adventure and nature-based tourism strategy that is about to adopted include reference to appropriate, targeted infrastructure.	
	A3.11	Council asset management plans should consider how community and recreation assets contribute to destination identity and character. Asset management decisions should incorporate tourism forecasts into infrastructure planning (i.e. carparks).	Long term	Asset management planning does take into consideration tourism trends and forecasts.	

10.7 2022-2023 Scenic Rim Regional Arts Development Fund Program - Grant Round 1**Executive Officer:** General Manager Customer and Regional Prosperity**Item Author:** Cultural Officer Heritage, Regional Arts Development Fund and Public Art**Attachments:** Nil

Executive Summary

This report is to advise Council of the applications made to the 2022-2023 Scenic Rim Regional Arts Development Fund Program (RADF) - Grant Round 1, which have been assessed by the Scenic Rim Arts Reference Group (ARG) and their recommendations for the distribution of the funds are submitted to Council for consideration.

Recommendation

That Council approve the allocation under the 2022-2023 Scenic Rim Regional Arts Development Fund Program - Grant Round 1, as recommended by the Scenic Rim Arts Reference Group, for a total of \$25,000 in grant funding towards four projects totalling \$303,823, as outlined in the table below:

Individual/Group	Project	Amount Allocated
Amy Parry	A Lifetime of Impossible Days	\$10,250
Bronwyn Davies	If Trees Could Talk	\$6,121
Tamborine Mountain Orchestral and Choral Society	Queensland Symphony Orchestra Education and Community Program	\$7,048
Gary Moloney	The Scenic Rim Experience: A Lifetime Perspective	\$1,581
Total		\$25,000

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 24 May 2022 it was resolved that Council:

1. Council appoint Councillors as Councillor representatives on internal and external committees and forums for the period May 2022 to May 2023, as shown on Table A;
2. Council note the attendance of the Mayor, Deputy Mayor and divisional Councillors to various committees and forums for the period May 2022 to May 2023, as shown on Table B;
3. Council acknowledge that these appointments will continue to be reviewed annually; and
4. Council advise the organisations of the respective appointed Councillor representatives, as appropriate.

At the Ordinary Meeting held on it was resolved that Council approve the allocation of grants under the 2021-2022 Scenic Rim Regional Arts Development Fund Program Grant Round 2, as recommended by the Scenic Rim Arts Reference Group, for a total of \$32,135 for three projects.

At the Ordinary Meeting held on 7 December 2021, it was resolved that Council approve the allocation of grants under the 2020-2021 Scenic Rim Regional Arts Development Fund Program Grant Round 1, as recommended by the Scenic Rim Arts Reference Group, for a total of \$18,500 for two projects.

At the Ordinary Meeting held on 8 June 2021, it was resolved that Council approve the allocation of grants under the 2020-2021 Scenic Rim Regional Arts Development Fund Program Grant Round 2, as recommended by the Scenic Rim Arts Reference Group, for a total of \$40,020 for seven projects.

At the Ordinary Meeting held on 14 December 2020, it was resolved that Council approve the allocation of grants under the Scenic Rim Regional Arts Development Fund Program 2020/2021 Grant Round 1, as recommended by the Scenic Rim Arts Reference Group, for a total of \$10,000 for one project.

At the Ordinary Meeting held on 6 July 2020, it was resolved that Council approve the allocation of grants under the Scenic Rim Regional Arts Development Fund Program 2019-2020 Grant Round 2, as recommended by the Scenic Rim Arts Reference Group, for a total of \$30,998 for three projects.

Report / Background

The RADF supports the professional development and employment of arts and cultural workers in regional Queensland. RADF is a partnership between Queensland Government, through Arts Queensland and Scenic Rim Regional Council. The program provides funding for one-off, short-term projects that offer professional arts, cultural and heritage opportunities.

For 2022-2023, local artists and cultural workers can apply to RADF under the curatorial theme of 'Reimagine'. RADF - Grant Round 1 was seeking projects that explored the 'reimagining of arts and culture' in the Scenic Rim after the past few years of COVID hibernation and local disaster impacts.

RADF - Grant Round 1 was also seeking creative ideas that help rebuild our creative industries, support our artists and cultural workers and provide opportunities for our audience to emerge, reconnect and reimagine.

Applications are assessed by the ARG against criteria based on Scenic Rim Regional Council's RADF Guidelines, Corporate Plan Scenic Rim 2026, and Arts Queensland's Key Performance Outcomes.

Outlined below is the process conducted for Grant Round 1:

- A two-stage application process was implemented successfully for projects that commence, once approved, after 1 March 2023.
- The Cultural Officer - Heritage, RADF and Public Art provided assistance and information to potential applicants, through one-on-one sessions, prior to the closing date of Grant Round 1.
- Stage 1 - Snapshot Applications - 10 Stage 1 snapshot applications were received with the grants requested totalling \$68,478.
- These were reviewed by the ARG with eight applicants shortlisted for Stage 2 - Full Applications.
- Stage 2 - Full Applications:
 - Six full applications were received by the due date:
 - Two full applications were received after the due date and were therefore deemed ineligible for assessment under the Stage 2 process.

- One applicant withdrew her full application to be resubmitted in Grant Round 2 to better meet the timeframes of the proposed project.
- The remaining five full applications were assessed on 23 November 2022.
- The Stage 2 assessment process was completed by the ARG with recommendations for distribution of the grants provided to Council for a final decision.

The applications deemed successful during the Stage 2 assessment process and recommended for approval are outlined in the table below.

If approved, the \$25,000 in grant funding towards four projects totalling \$303,823, represents an excellent investment in the creative industries and artisans within the Scenic Rim, and a great return on investment for the community, Council and Arts Queensland.

Individual/ Group	Project	Strategic Theme	Artform	Total Project Value	Amount Requested	Amount Allocated
Amy Parry	The grant will be used towards the costs of adapting the award-winning novel, 'A Lifetime of Impossible Days' into a feature film	Reimagine	Writing /Film	\$41,147	\$12,182	\$10,250
Bronwyn Davies	The grant will be used towards, 'If the Trees could Talk', a collaboration with Shelley Pisani (Bundaberg) and Joolie Gibbs (Gympie) that involves Arts Residencies whereby artists are able to come together, learn new skills, make individual and collaborative work that will lead to a touring exhibition looking at the stories connected to significant trees.	Reimagine	Visual Art	\$234,175	\$6,448	\$6,121
Tamborine Mountain Orchestral and Choral Society	The grant will be used towards the composition of an original piece of music, as well as members of the Queensland Symphony Orchestra coming to Tamborine Mountain to hold workshops and play in a combined concert with Tamborine Mountain Orchestral and Choral Society and	Reimagine	Music	\$40,781	\$7,048	\$7,048

Individual/ Group	Project	Strategic Theme	Artform	Total Project Value	Amount Requested	Amount Allocated
	Tamborine Mountain State High School music students.					
Gary Moloney	The grant will be used towards the costs of printing a coffee table book of images taken in the Scenic Rim over 50 years, with Book 1 focusing on Mount Barney.	Reimagine	Visual Art	\$17,720	\$4,700	\$1,581
			TOTALS	\$303,823	\$30,378	\$25,000

Budget / Financial Implications

Through the RADF Program, Council received a \$39,500 funding allocation from the Queensland Government through Arts Queensland. As a requirement of the partnership agreement with Arts Queensland, is Council's matched contribution of \$30,500, providing a total of \$70,000 funding per annum.

A balance of \$37,135 of committed grant funds were carried over from 2021-2022, bringing the total allocation of funds for the 2022-2023 RADF Program to \$107,135.

The RADF program funds the following initiatives each year:

- \$50,000 - "Big Ideas" Community Grant Rounds 1 and 2;
- \$5,000 - "Express Lane" Quick Response Grants;
- \$5,000 - "Launch Pad" Young Creatives Grant;
- \$10,000 - Strategic Initiative. A council initiated, community-run professional development program for local artists, cultural and arts workers.

Strategic Implications

Operational Plan

Theme: 7. Healthy, Engaged and Resourceful Communities

Key Area of Focus: Partnerships with community to develop and deliver initiatives that drive vibrant towns and villages

Legal / Statutory Implications

The RADF Partnership is formalised through an agreement executed between Council and the Queensland Government through Arts Queensland.

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
Reputation, Community & Civic Leadership Minor local community concern manageable through good public relations	2 Minor	Unlikely	Low	Manage through documented processes taken during assessment.	Low
Political Adverse recommendations made by State Government or State Agency	2 Minor	Unlikely	Low	Complying with objectives of funding agreement Transparent reporting of assessment communication.	Low

Consultation

The ARG is chaired by Cr Michael Enright (as appointed by Council), currently comprises nine community representatives who assess the grant applications against criteria based on the RADF Program Guidelines, Arts Queensland Key Performance Outcomes and the Creative Together 2022-2030 Strategy. Council's Cultural Officer - Heritage, RADF and Public Art is secretariat for the ARG.

Both the RADF Chair and the Cultural Officer - Heritage, RADF and Public Art are non-voting members of ARG.

The ARG (voting members) review all RADF applications at both the Stage 1 Snapshot Applications and Stage 2 - Full Application processes, and present their recommendations to Council for consideration.

Conclusion



The ARG recommendations are presented to Council for consideration and approval of the allocation under the 2022-2023 RADF Program - Grant Round 1 for a total of \$25,000 in grant funding towards four projects totalling \$303,823, as outlined in the table in this report. These projects represent an excellent return on investment for the community, Council and Arts Queensland.

10.8 MCU19/027 Development Permit for Material Change of Use - Service Station at 2571 Beaudesert-Beenleigh Road, Tamborine Lot 144 RP151365

Executive Officer: General Manager Customer and Regional Prosperity

Item Author: Principal Specialist Development Assessment and Engineering

Attachments:

1. MCU19/027 - Changed Proposal Plans [↓](#) 
2. SARA Changed Referral Agency Response with conditions [↓](#) 

Executive Summary

Council is in receipt of application for a Development Permit for Material Change of Use for a Service Station at 2571 Beaudesert-Beenleigh Road, Tamborine described as Lot 144 on RP151365.

Pursuant to the Beaudesert Shire Planning Scheme 2007, an Impact Assessable application is required as the site is located in the Rural Zone (Rural Residential Precinct) and involving Uses not defined (Other Defined Uses) in the relevant Assessment Table (Table 3.3.4) which the Table of Assessment confirms as Impact Assessable.

The development application proposes the construction of new commercial facilities at the intersection of two State-controlled roads, on land which is currently improved by a dwelling house and associated sheds.

The applicant has, since the previous Council consideration in April 2022, amended the proposal to remove the Convenience Restaurant component. This report makes reference to the original proposal, as publicly notified, as and where appropriate. Details of the recent application changes are provided later in the report.

Despite the provision of supporting documentation from the applicant, the subject application for a Service Station is not considered to comply with the relevant provisions of the Beaudesert Shire Planning Scheme 2007 and the *Planning Act 2016*.

In particular:

- a) It is considered that the proposed Service Station would result in development that is not consistent with the scale, form and intensity of development which is envisioned for the Rural Residential Precinct of the Rural Zone and would not accord with the reasonable expectations of residents of the Zone.
- b) The visual impact of a large raised Service Station, designed mainly in response to flood constraints, in a rural residential area would far exceed the expectation for development and built form in the subject zone and precinct.
- c) The site is wholly flood affected and should not support a commercial use that provides for the congregation of people unless there was an overriding need.
- d) The commercial activity at the proposed location has the potential to severely impede any opportunity for the successful future planned development of Tamborine as a local centre.

Recommendation

That:

1. Council receive and note the report titled "MCU19/027 Development Permit for Material Change of Use - Service Station at 2571 Beaudesert-Beenleigh Road, Tamborine Lot 144 RP151365".
2. Council resolve to refuse development application MCU19/027 for the following reasons:
 - (a) The proposed development conflicts with the following provisions of the relevant local planning instrument being the Beaudesert Shire Planning Scheme 2007:
 - (i) Section 2.1.3 Desired Environmental Outcomes (2) (j)(ii) and (iii), (l), (p)(viii), and Desired Environmental Outcomes (3)(b) and (c);
 - (ii) Rural Zone Code - Table 3.3.11 Specific Outcomes SO1 and SO2;
 - (iii) Rural Zone Code - Table 3.3.10 Overall Outcomes OO2, OO4, OO6, OO7, OO17, OO24, OO42 and OO51;
 - (iv) Construction and Infrastructure Code - Table 5.3.8 Specific Outcomes SO3 and SO12;
 - (v) Construction and Infrastructure Code - Table 5.3.9 Specific Outcomes SO14 and SO147; and
 - (b) The proposed development conflicts with the following provisions of a relevant Temporary Local Planning Instrument being TLPI 01/2019 (Flood Hazard):
 - (i) Item 3: Development Constraints Overlay Specific Outcomes SO1, SO3 and SO4.
 - (c) The applicant has not demonstrated sufficient grounds to support the proposed development despite the abovementioned conflicts; and
 - (d) The proposed development could not otherwise be conditioned to achieve compliance with the abovementioned conflicts.

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 12 April 2022 (Item 10.3), MCU19/027 Development Permit for Material Change of Use - Service Station at 2571 Beaudesert-Beenleigh Road, Tamborine Lot 144 RP151365, the development application was tabled with an officer recommendation for refusal. Council carried a procedural motion:

"That Council defer this matter to a future meeting, to allow the Applicant to provide additional information, as requested by the Applicant."

Report / Background

Applicable Planning Scheme	Beaudesert Shire Planning Scheme 2007
Applicant	Jaykai Pty Ltd ATF Jaykai No 2 Family Trust c/- Enhance Urban Planning
Owner(s)	Jaykai Pty Ltd
Site Address	2571 Beaudesert-Beenleigh Road, Tamborine, Qld 4270
Real Property Description	Lot 144 on RP151365
Site Area	80,580m ²
Relevant Zone and Precinct	Rural Zone – Rural Residential Precinct
Proposal	Development Permit for Material Change of Use (Service Station)
Assessment Level	Impact
Approval Type	Material Change of Use
Public Notification	Yes
Properly Made Submissions Received	369
Date Application Deemed Accepted	9 April 2019

Development History

Home Based Business (Cat 3) (Horse Rugs & Saddlery Manufacturing) – 020-030-002690

A Development Permit for Material Change of Use to establish a Home Based Business-Category 3 (Horse Rugs and Saddlery Manufacturing) was granted over the subject land on 26 May 2009.

Billboard (Signage) Applications

A series of Development Applications were submitted to Council seeking approval for Operational Works to establish 'Signage' in the form of billboards on site. The following Impact Assessable applications were lodged and refused:

- OW.Bd2/000056 – Refused 21 March 2012; and
- OW.Bd2/000083 – Refused 28 May 2013.

Subsequent Code Assessable applications (OW.Bd2/000200 and OW.Bd2/000201) were lodged concurrently on 14 October 2016, seeking two similar billboards. Council confirmed the cumulative size of the two billboards from the separate applications would trigger Impact Assessment and the applications were subsequently withdrawn on 22 November 2016.

Proposal

The applicant seeks Council approval to establish a service station with a fast-food restaurant with drive-through. The application was submitted under the former Beaudesert Shire Planning Scheme 2007 (BSPS), however weight has also been given to the current Scenic Rim Planning Scheme 2020 (SRPS), as a relevant matter. Under both planning schemes, the level of assessment is Impact Assessable (inconsistent). That is, the proposed land uses are not listed as development that is expected to occur within this zone. The zoning of the subject site has remained consistent in both planning schemes being Rural Zone – Rural Residential Precinct in the BSPS and Rural Residential Zone in the SRPS.

In accordance with s.51 of the *Planning Act 2016* (the Act), the applicant has submitted a planning application seeking development approval to establish a service station to cater for both trucks and cars. A convenience restaurant in the form of a fast-food and drive-thru tenancies was also proposed to be incorporated within the development. The proposed operating hours are to be 24 hours for 7 days per week. Within the application material, the applicant has provided plans for a pylon sign; however, the signage plans have been submitted for information purposes only and the sign does not form part of the subject application.

The subject site is located on the corner of two main arterial roads being Beaudesert-Beenleigh Road and Mundoolun Connection Road, both of which are State-controlled roads. The site is currently improved by a residential dwelling and associated outbuildings. The balance of the site is used for small scale grazing.

The site is also heavily affected by riverine flooding and is wholly mapped as being flood affected under the SRPS Flood Overlay Code maps. The site is located approximately 3 kilometres from Tamborine, 7 kilometres from Tamborine Mountain, 13 kilometres from Canungra and 14 kilometres from Beaudesert. There are several existing service stations in the aforementioned townships, specifically two in Tamborine, one in Tamborine Mountain, two in Canungra and seven in Beaudesert.

Development Summary

The proposed Service Station component of the development comprises an indoor retail tenancy with a gross floor area (GFA) of 242m² and two separate external roof/canopy areas for both car and truck fuel bowzers with a combined roof area of 470m².

The Convenience Restaurant component is comprised of an internal tenancy with a GFA 133m², a 40m² alfresco area and a drive through facility. The building also includes a 37m² mezzanine area above the Convenience Restaurant's alfresco dining space that will be used as an emergency evacuation point in the event of a major flood event.

The proposed development will be positioned on elevated handstand areas that will accommodate the following:

- 32 standard car parking spaces
- 10 larger vehicle parking spaces including space for:
 - six Articulated Vehicles (AVs)
 - two B-Doubles
 - two Recreational Vehicles (RVs)
- Drive-thru facility for 14 queued vehicles
- Eight standard vehicle/car fuelling bowzers
- Six Large vehicle/truck fuelling bowzers



Figure 1: Proposed site plan

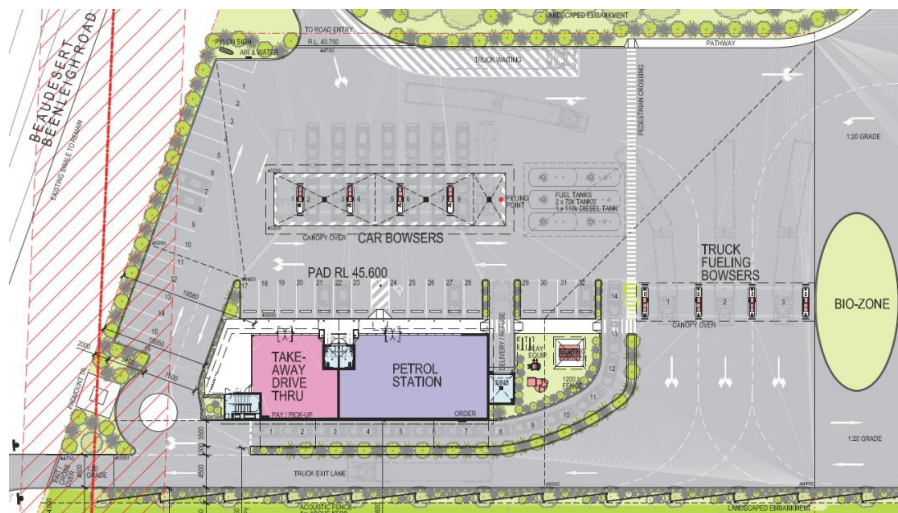


Figure 2: Proposed Plan (Excerpt - Development Area - Western Corner)

Parameter	Comment
Height	Building: 6.975m Car Canopy: 6.050m Truck Canopy: 6.650m Pylon Sign: 10m (max)
Site Cover	1,110m ² (1.4%)
GFA	Building (Ground): 375m ² Building (Mezzanine): 37m ²
Building Setbacks	Primary (Beaudesert-Beenleigh Road) 15.05m OMP Secondary (Side and Rear) 17.65m OMP
Hardscape Area	11,894m ² (14.8%)
Landscape Area	68,224m ² (84.7%)
Site Vehicle Access	New crossovers to Beaudesert-Beenleigh Road (left in/left out) and Mundoolun Connection Road (full movement). No proposed access from Vineyard Way.

Table 1: Summary of development parameters

The site has identified constraints, of most note being the Flood Hazard constraints that currently cover the entire subject site during a Defined Flood Event (DFE).

The proposal includes an elevated building pad that intended to improve the flood immunity and trafficability during the DFE. While the access/ egress from the site to Beaudesert Beenleigh Road is impacted by flood during the DFE, the development has provided a Flood Emergency/ Evacuation Management Plan which proposes guidelines and thresholds for evacuation during a major event, and includes a roof area flood refuge on site.

Figure 3 illustrates the extent of flood on the site.

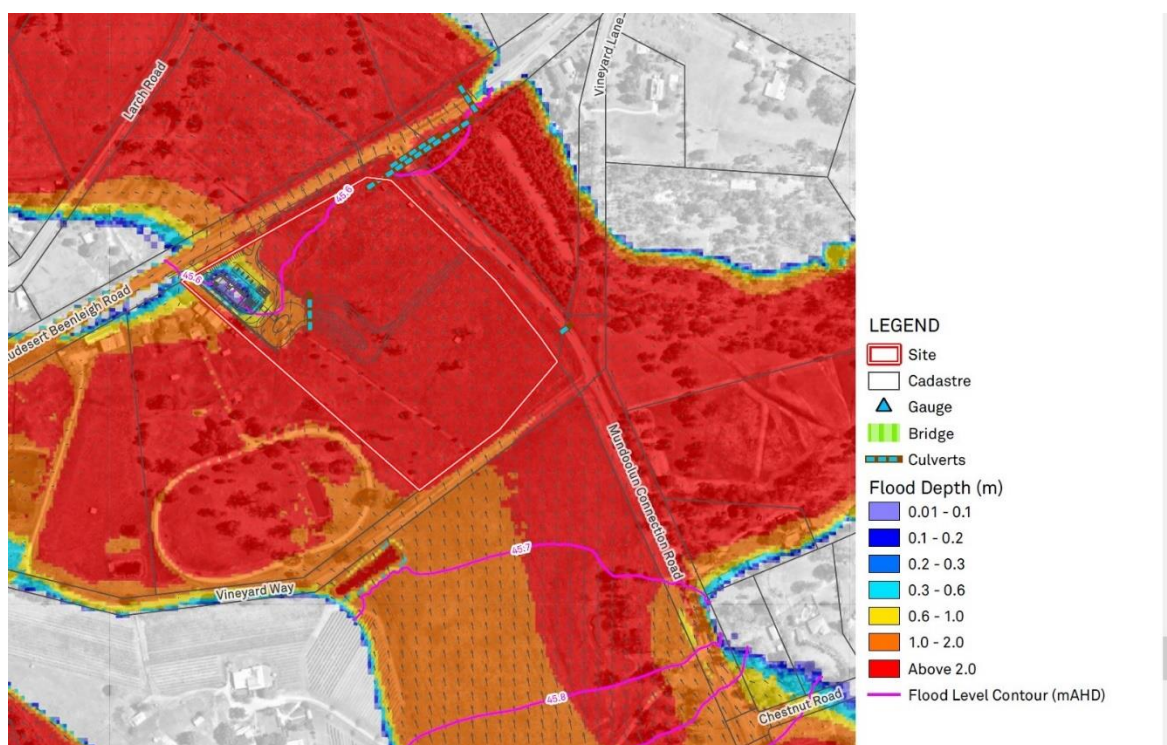


Figure 3: 1% AEP Flood Depth

Figure 4 shows the proposed landscape design of the site from the Landscape Plan prepared by Byrns Lardner Landscape Architects.



Figure 4: Proposed Landscape Site Plan (Excerpt)

The applicant has submitted multiple technical reports and plans in support of the application; namely an acoustic report, architectural plans, an economic needs assessment, an environmental management plan, a regional flood impact assessment, a flood emergency management plan, a lighting impact assessment, a landscape statement of intent, a stormwater management plan, a traffic report and an on-site wastewater treatment report (ERA63).

Site Visit Evaluation

The site is comprised of a generally rectangular shaped allotment with a total land area of 8.058 Ha that currently contains a dwelling house and associated structures in the western corner.

The detail survey of the subject site confirms that the site levels vary between a maximum level of 45m AHD in the western corner and approximately 42m AHD at the dam in the northern corner of the site.

The site has large road frontages to three constructed roads in the form of Beaudesert-Beenleigh Road to the north west, Mundoolun Connection Road to the north east and Vineyard Way to the south east.

Framework for Assessment

Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following Categorising Instruments may contain Assessment Benchmarks applicable to development applications:

- the *Planning Regulation 2017*;
- the Planning Scheme for the local government area;
- any Temporary Local Planning Instrument; 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	
Planning Regulation Section	Relevant Trigger/Assessment Benchmarks
Schedule 10, Part 9, Division 4, subdivision 2, Table 4, 1(a)	Development application for Material Change of Use within 25m of a State Transport Corridor. Assessment of SDAP State Code 1 required.

State Transport Corridor - State Code 1

The site's proximity to a State Transport Corridor in the form of both Beaudesert-Beenleigh Road and Mundoolun Connection Road triggers assessment of State Code 1. An assessment of State Code 1 has been undertaken and provided with referral material to SARA as a part of the Referral stage. SARA has subsequently undertaken an assessment of the development and following requests for additional information, have provided their approval subject to conditions on 29 July 2021 (letter dated 20 July 2021).

Further Consideration (Non-trigger)

Typically, development for Material Change of Use for a Service Station can require further assessment under Schedule 10, Part 16, Division 6, Subdivision 2, section 27E of the Planning regulation 2017, where located within the SEQ Rural Living Area of the Shaping SEQ South East Queensland Regional Plan 2017 and within 25m of a State Controlled Road. It is however noted that the proposed development does not exceed the gross floor area or use area thresholds of 1,250m² or 2,000m², respectively, and therefore no further referral or assessment requirements are required.

Assessment Benchmarks Pertaining to the Planning Scheme

As the development was lodged in March of 2019, the applicable planning scheme for the application is the now repealed Beaudesert Shire Planning Scheme 2007 (BSPS). The following sections relate to the provisions of the BSPS.

Planning Scheme:	Beaudesert Shire Planning Scheme 2007
Strategic Framework Land Use Category	Investigation Area
Local Plan Area:	N/A
Zone:	Rural
Zone Precinct:	Rural Residential
Consistent/Inconsistent Use:	Inconsistent
Assessment Benchmarks:	<u>Zone Code</u> <ul style="list-style-type: none"> • Rural Zone Code <u>Development/Use Codes</u> <ul style="list-style-type: none"> • Service Station Code • Retailing & Commercial Activity Code <u>Works Codes</u> <ul style="list-style-type: none"> • Advertising Devices Code • Construction and Infrastructure Code • Landscape Code • Parking and Servicing Code <u>Overlay Codes</u> <ul style="list-style-type: none"> • Infrastructure Overlay Code • Development Constraints Code • Catchment Management, Waterways & Wetlands Overlay Code

Strategic Framework

Section 2.2.2 of the Planning Scheme confirms that the Strategic Framework does not have a direct role in the assessment of development under the Planning Scheme; however, Strategic Framework does identify that the Shire is to be developed in accordance with the Desired Environmental Outcomes (DEOs). The DEOs considers the following matters:

- Environment;
- Economic; and
- Social.

The application has been assessed against each of the matters above. The pertinent issues arising out of assessment against the Strategic Framework and DEOs are discussed below.

Normally, proposed development that is not consistent with the intended uses and scale of development in a zone would need to clearly demonstrate a planning need for the development and demonstrate that it provides an overall community benefit. Although the applicant has responded to a request to demonstrate this planning need, it is not considered that the development would address a *planning need* (e.g. need for a service station or retail activity at that particular location, need for local jobs, etc.) that delivers an overall community benefit.

It is considered that the proposed service station and convenience restaurant would result in development that is not consistent with the scale, form and intensity of development which is intended for the Rural Residential Precinct of the Rural Zone and would not accord with the reasonable expectations of residents of the Zone.

Additionally, the visual impact of a large raised service station, designed mainly in response to flood constraints, in a rural residential area would far exceed the expectation for development and built form that would be reasonably expected in the subject zone and precinct. Strategically, this site is wholly flood affected and would not normally be considered for a commercial use that provides for the congregation of people unless there was an overriding need. There are also concerns that the commercial activity at the proposed location would severely impede any opportunity for the successful future planned development of Tamborine as a local centre.

Specific comments against the Strategic Framework and DEOs are outlined in the table below.

Strategic Provision	Framework	Applicant comments	Officer comments
Section 2.1.3 Environmental Outcomes (2)(j)(ii) & (iii) which states: (2) <i>Economic—Development —</i> (j) <i>maintains and consolidates the existing and planned structure of urban centres which provide that—</i> (ii) <i>retail, business, industry, community services and recreational activities which provide local employment opportunities are located in Canungra, North Tamborine, Eagle Heights; and</i> (iii) <i>local convenience services are located at Tamborine, and within the Shire's rural villages. Future local centres will be developed along Kerry Road in the southern part of Beaudesert and at Beaudesert-Nerang Road to the east of Beaudesert; and</i>		<p><i>The subject site is situated between the identified urban centres of Canungra and North Tamborine; and to the east of the intended future local centres along Kerry Road at Beaudesert-Nerang Road.</i></p> <p><i>Service stations (particularly modern 24 hour, with truck facilities stations) have specific locational requirements. These include access to main truck routes (ideally higher order roads) and large parcels of land to facilitate AV onsite manoeuvring and parking. Service stations should not necessarily be confined to urban centres, particularly the multi-functional service centre style stations from a practicality perspective and also due to potential strain they put on available land for other urban/centre uses.</i></p> <p><i>Therefore, we consider the impacts of the proposed service station on existing and planned centres is negligible. The submitted Economic Impact Assessment (EIA), prepared by Location IQ advises that the service station resident main trade area is within a 5km radius.</i></p> <p><i>The subject site is not situated within 5km of Canungra, Eagle Heights, or Beaudesert and as such is not considered to impact on those centres. The proposed development is situated within 5km of Tamborine Village. The proposed development requires a</i></p>	<p>There is land available to undertake this type of activity closer to the identified townships and there is no demonstrated community need for the development to occur on this site.</p> <p>The peer review of the EIA identified that some underlying assumptions in the Location IQ economic assessment could not be relied upon. The peer review estimated that a 25% impact on existing businesses was more likely to occur. Additionally, MacroPlan do not find evidence that there is a linear increase in fuel demand in future, as actually the opposite is estimated to be true based on current market trends (with the emergence of fuel alternatives).</p> <p>The EIA makes the argument that the fast food is reliant on the fuel to be profitable; however, there is insufficient evidence that a fuel station is needed based on several service stations already in existence nearby. It is probably correct that there is no existing refuelling facility in Canungra or Tamborine that would service large freight trucks however, appropriate refuelling stations exist in Beaudesert which is within 14km. As such, if the fuel station is only for trucks for which an overwhelming need is not demonstrated, then the convenience</p>

Strategic Provision	Framework	Applicant comments	Officer comments
		<p><i>minimum of approximately 16,500m2 of land in order to facilitate on-site truck movements, parking, buildings, bowsers etc.</i></p> <p><i>A review of the land within Tamborine Village zoned Rural (Village Precinct) found there to be only three (3) land holdings of sufficient size to contemplate the proposed development (refer Section 2 – RFI Supporting Documents – Tamborine Village Analysis). Of those land parcels one is currently occupied by the Bearded Dragon Hotel, a successful business that supports the locality. Another land holding was of an appropriate size, however a frontage to Tamborine Mountain Road is not considered appropriate for the proposed use as the site is not located on a main heavy vehicle thoroughfare. The final parcel of land considered has an area of 16,890m2 and is marginally suitable in terms of size. The property has road frontages to Leach Road and Beaudesert-Beenleigh Road. Leach Road is a local road and is not considered suitable for AV access, therefore any proposal over this site would need to consider two (2) vehicular crossovers to the State controlled Road. The shape of the site will not be able to accommodate the required buildings/facilities and is therefore not considered suitable for the proposed development.</i></p> <p><i>Considering the analysis within, it is concluded that the proposed development will ensure the existing and planned urban centres provide for retail, business, industry, etc. without undue competition.</i></p>	<p>restaurant and the car refuelling station are services that are provided in both Canungra and Tamborine which are zoned appropriately.</p> <p>Additionally, the EIA was flawed in that it did not take into account to newly opened BP service station in Canungra which has ability to operate 24hr/7days.</p> <p>The proposal for a combined service station with convenience restaurant is considered out of centre development that would compromise the planned economic growth and viability of nearby towns of Tamborine and Canungra and is not needed in a rural residential zone.</p>

Strategic Provision	Framework	Applicant comments	Officer comments
Section 2.1.3 Environmental Outcomes (2)(l) which states: <i>(l) is of a scale, form and intensity appropriate for the locality and is only developed at a greater scale, form or intensity where it can be demonstrated that there is both an overwhelming community need and an overwhelming economic need for the development; and</i>		<p><i>The response to s2.1.3 (2)(P)(viii) (below) addresses the overwhelming community need and overwhelming economic need for the proposed development. As such, this response focuses on the built form aspect of this DEO. The proposed development includes buildings of a similar scale and form of other buildings within the locality; of note is the particularly low site cover of 1.4%; consistent with the intent of the rural zone.</i></p> <p><i>The proposed height, form and scale of the development is in keeping with the objectives of the planning scheme's intentions and is of a character that will meet Council's and the local population's expectations for the area. The pitched-roof form and bull-nose awnings provide architectural interest synonymous with rural buildings.</i></p> <p><i>The building will be clad with other historically suitable materials such as timber and iron cladding. Textures and colours have been adopted respecting a historically themed rural architectural vernacular.</i></p> <p><i>The proposed canopy heights have been limited to 6.050m and 6.650m. The taller canopy is situated deeper into the site and shielded from direct view by the proposed service station building, proposed and existing vegetation.</i></p>	<p>Due to the site being flood affected, the site will need to be raised and constitute 10,000m² of hard stand areas.</p> <p>This will have a significant visual impact on the prominent view corridor as you exit the townships of Canungra and Tamborine, which is dominated by large grazing lands and rural residential neighbourhoods with no competing commercial developments.</p> <p>The building has incorporated some design features that could resonate with rural-type buildings such as pitched roofs and bull-nose awnings; however, the building and associated 10,000m² of concrete will not compliment the surrounding rural residential character and the scale of the development makes the aforementioned design features appear tokenistic as a result. The addition of lights at night, pylon signs and building advertising will be synonymous with commercial centres and not the current rural residential character.</p>
Section 2.1.3 Environmental Outcomes (2)(p)(viii) which state: <i>(p) development in the Beaudesert Township Zone and the Canungra Township Zone: (viii) where involving business activities does not locate in an out-of-centre location unless an overwhelming community need is demonstrated and the role, function and viability of other centres is maintained; and</i>		<p><i>The subject site is considered to be an out-of-centre location; however, the subject site is ideally suited to the proposed use for reasons discussed previously herein. The Development Application was accompanied by an Economic Impact Assessment (EIA) prepared by Location IQ. The EIA discussed economic need at length and concluded that the proposal would result in a net community benefit. Particularly that the positive impacts include the following:</i></p> <ul style="list-style-type: none"> <i>Improvement in the range of retail facilities available to residents, particularly in terms of a service station offer that includes a truck refuelling component and will open 24 hours.</i> <i>The creation of additional choice within the surrounding area;</i> <i>The creation of additional employment which will result from the project, both during the construction period and on an ongoing basis once the development is complete and operational.</i> <p><i>The EIA also identified that for the purposes of traditional retail competition, a 5km radius typically applies. An assessment of suitably zoned land within Tamborine Village has determined that there are no sites that are more appropriately zoned, with sufficient area and road exposure for the proposed use (refer Section 2 – RFI Supporting</i></p>	<p>As mentioned, the Canungra BP has approval to open 24/7 with the ability to service heavy rigid vehicles. While the proposed development would provide additional fuel options for cars and trucks, there is no evidence of any overwhelming community need or benefit to support out-of-centre development at this location.</p> <p>As previously discussed, Council officers do not concur with the findings of the EIA provided by the applicant.</p>

Strategic Provision	Framework	Applicant comments	Officer comments
		<i>Documents). The proposed service station provides facilities (particularly for trucks) that are lacking in the region and is not expected to compete with the existing local service stations in Tamborine Village as they are unable to cater for such vehicles.</i>	
Section 2.1.3 Desired Environmental Outcomes (3)(b) & (c) which state: (3) <i>Social—Development provides that—</i> (b) <i>adverse effects of natural or other hazards including flooding, bushfire, slope stability, contaminated sites and sites producing significant levels of emissions are minimised; and</i> (c) <i>land use and interface conflict between incompatible uses such as industry, agriculture and residential uses are avoided; and</i>		<p>s2.1.3 (3)(b) <i>As part of this application, the applicant has provided Council with specialist consultant reports that demonstrate that any adverse effects of natural or other hazards are able to be minimised and/or managed appropriately. The applicant has provided:</i></p> <ul style="list-style-type: none"> • <i>An Acoustic Report</i> • <i>An Environmental Management Plan</i> • <i>A Stormwater Management Plan</i> • <i>A Flood Impact Assessment</i> • <i>A Flood Emergency Management Plan</i> • <i>An Assessment of Light Emissions</i> • <i>A Statement of Landscape Intent</i> • <i>A Traffic Impact Assessment</i> • <i>A Site Based Management Plan; and</i> • <i>An on-site Wastewater Management Report.</i> 	While the proposal is accompanied by relevant specialist reports that seek to demonstrate that the land use conflicts can be mitigated, Council officers consider that the development would still result in a visually dominant commercial development within a rural and rural residential landscape. The development is located at a key intersection at the region, where road users currently enjoy views of a rural setting, including the heritage buildings of the Albert River Winery. The hardstand, lighting, signage and general scale of the proposed development is an outcome that is significantly different to development intended in the Rural Residential Precinct at this location.
		<p>s2.1.3 (3)(c) <i>The subject site is located on an arterial intersection, being the intersection of Beenleigh-Beauesert Road (State controlled road) and Mundoolun Connection Road (State controlled road). The subject site only has one adjoining allotment, with all other adjacent properties being separated from the site by road reserve of varying widths.</i></p> <p><i>To the south of the subject site (on the opposite side of the local road) is the Albert River Winery. The proposed uses are not considered to be conflicting or incompatible uses with the winery due to their common commercial nature. It is noted that the proposed service station buildings (including bowzers etc.) are located approximately 400m away from Albert River Winery buildings.</i></p> <p><i>To the east of the subject site (on the opposite side of the State-controlled road) is an Energex site. The proposed uses are not considered to be conflicting or incompatible uses with the Energex site due to the Energex site not including any sensitive land uses. It is noted that the proposed service station buildings (including bowzers etc.) are located approximately 465m away from the single building on the Energex site.</i></p> <p><i>To the north of the subject site (on the opposite side of the State-controlled road) is a small cluster of 5 residential properties accessed from the cul-de-sac of Larch Road. The nearest of these residences is located</i></p>	

Strategic Provision	Framework	Applicant comments	Officer comments
		<p>approximately 170m from the proposed service station buildings (including bowsters etc.). Due to the aspects of the existing dwellings and proposed service station buildings, and the topography of the surrounding environment, it is considered that any potential amenity impacts on those properties will be negligible.</p> <p>The nearest sensitive receptor is the only directly adjoining property to the west. The proposed service station building is located approximately 50m from the neighbouring dwelling. The development proposes a 5m wide deep landscape zone adjacent to the common boundary which will assist in visually screening the proposed development from view.</p> <p>The proposed development has considered the subject site's surrounding environment when designing the proposed development and has appropriately liaised with adjacent neighbours. It is considered that the proposed development has appropriately managed any real or perceived conflicts with adjacent properties.</p>	

a) Compliance with the Rural Zone Code

The proposal complies with all of the Rural Zone Code's Probable Solutions and Specific Outcomes, except as follows:

Rural Zone Code - Table 3.3.11			
Specific Outcomes	Probable Solutions	Compliance with Probable Solutions	Compliance With Specific Outcomes
Consistent Development			
SO1 Development is limited to development which is 'Consistent Development' as identified in Table 3.3.7 Consistent development in the Rural Zone.	S1.1 No Solution is prescribed.	No – (None provided)	No – Both Service Station and Convenience Restaurant uses are not listed as consistent development in Table 3.3.7.
Amenity, Environmental Management and Greenspace			
SO2 Development— (a) protects and enhances rural amenity, rural character and a pleasant and safe living and working environment; and (b) has a built form which is consistent with the scale and form of development in the Zone generally; and (c) provides buffering between non-rural uses and rural uses; and (d) provides buffering between rural uses and major transport routes.	S2.1 No Solution is prescribed.	No – (None provided)	No - While the development proposes to adopt landscape and acoustic buffer/barriers to adjoining uses to mitigate potential conflicts with adjoining properties, the proposed development would still constitute a visually dominant commercial development in a rural residential area

Rural Zone Code - Table 3.3.11				
Specific Outcomes	Probable Solutions	Compliance with Probable Solutions	Compliance With Specific Outcomes	
Noise, Air and Light Emissions				
SO33 Development protects and enhances the amenity and character of the Zone and Precincts by avoiding or mitigating the adverse emission of noise and vibration.	S33.1 Solution is prescribed.	No – (None provided)	Yes -The development is supported by Acoustic reporting that recommends appropriate methods to mitigate adverse impacts from noise.	
SO34 Development protects and enhances the amenity and character of the Zone and Precincts by avoiding, minimising or mitigating emissions of odour, dust and other pollutants.	S34.1 Solution is prescribed.	No – (None provided)	Yes - The development is supported by an Environmental Management Plan that recommends appropriate methods to mitigate adverse impacts from emissions of odour and other pollutants.	
SO35 Development protects and enhances the amenity and character of the Zone and Precincts by avoiding, minimising or mitigating the adverse emission of light or glare.	S35.1 Solution is prescribed.	No – (None provided)	Yes - The development is supported by a Lighting Assessment that demonstrates compliance with lighting standards and recommends appropriate methods to mitigate adverse impacts from light emissions.	

Officer's Comments:

The proposed service station and convenience centre is not considered to be consistent with the overall outcomes of the Rural Zone code, as summarised below:

Rural Zone Code - Table 3.3.10		
Overall Outcomes	Applicant comments	Officer comments
OO2 Development in a residential area promotes a high standard of amenity and is compatible with the existing residential character.	<i>The subject site is located in a rural zone and a rural residential precinct adjacent to the intersection of two state-controlled roads and the 'Albert River Winery'. The subject site is therefore considered to be located within a locality that is predominantly rural in character rather than residential in character with only three residences visible from the property frontage adjacent to the proposed development.</i>	The site is on the fringes of the rural residential areas along Beaudesert-Beenleigh Road heading west towards Beaudesert. There is a gradual reduction in number of dwellings as the character of the landscape transitions to a more rural type character. An activity centre with high frequency use and associated built form does not contribute to or blend in with the rural residential or rural character of the surrounding land.
OO4 Development recognises and provides for the retention of identified scenic amenity.	<i>The subject site is not mapped as being located within a 'landscape amenity area' or a 'character place'. The proposed development has been designed to maintain the existing character of the arterial intersection, retaining all existing vegetation and the rural grazing use in proximity with the intersection and for the majority of both road frontages. The proposed buildings are situated generally in the same location as existing built structures maintaining the existing cluster of buildings near to the western corner of the site.</i>	As mentioned above, the development is located at a key intersection at the region, where road users currently enjoy views of a rural setting, including the heritage buildings of the Albert River Winery. The hardstand, lighting, signage and general scale of the proposed development is an outcome that is significantly different to development intended in the Rural Residential Precinct at this location.

Rural Zone Code - Table 3.3.10		
Overall Outcomes	Applicant comments	Officer comments
	<p><i>As such, the proposed development is not identified as a site with scenic amenity. However, the proposal has recognised the current scenic attributes of the site (particularly around the intersection) and retained the character of the subject property.</i></p>	
<p>006 <i>Development provides for the establishment, conservation and enhancement of rural character and the promotion of a distinctive rural identity and sense of place.</i></p>	<p><i>The subject site is located within the rural zone, and also within a rural-residential precinct. In addition, the Scenic Rim Planning Scheme (2020) includes the subject site within the Rural Residential Zone, and particularly the Rural Residential A Precinct. We note that the Rural Residential A zone allows additional urban activities which will impact the ultimate character of the area. In terms of conserving the site's current character attributes; the proposed development has sited buildings in proximity to the location of existing buildings on the site and maintaining the cluster of buildings at the western corner of the site. The built-form of the proposal utilises rural materials and building form commensurate with other buildings in a rural character area. The existing grazing use will be maintained on other areas of the site and will contribute to maintaining the rural character of the area on a major arterial intersection.</i></p>	<p>Refer to previous comments regarding the visual dominance of the development and the concerns that the development will negatively impact on the planned viable growth of Canungra and Tamborine.</p>
<p>007 <i>Development supports a range of community services commensurate with the size and density of the individual community in which the development is proposed.</i></p>	<p><i>The proposed service station and convenience restaurant whilst predominantly commercial in nature, provide an additional service to the community. The approval of the proposed development will provide the community with 24-hour access to fuel and small-scale retail services; and additional choice for local resident and worker populations in terms of late-night access to convenience goods. Furthermore, the proposed service station will result in additional employment opportunities, choice, convenience and pricing for service station spending. The proposed shop will offer a very limited range of goods when compared with facilities within the local centres of the shire and would therefore have little or no impact on the hierarchy of centres.</i></p>	<p>The proposed development seeks to establish a commercial activity which is considered to already exist in townships (Canungra, Tamborine and Tamborine Mountain) nearby which comfortably service the needs of the Tamborine catchment.</p>

Rural Zone Code - Table 3.3.10		
Overall Outcomes	Applicant comments	Officer comments
OO17 <i>Development for village – type land uses is contained within rural villages.</i>	<i>As discussed at length in response to s2.1.3 (J)(ii) & (iii) of the Beaudesert Shire Planning Scheme; whilst it is understood that the Planning Scheme desires the proposed use to occur within a rural village, there is no suitable available land within a rural village for the proposed use which includes facilities for truck refuelling and requires AV movements within the site. Of note is an increasing trend for service stations to operate viable stores along major roads together with convenience stores; and the trend for drive through convenience-based restaurant facilities. Their co-location contributes significantly to the viability of the use. As such the subject site has attributes for the proposed uses, which when co-located result in a more viable commercial entity which provides additional opportunities for employment, convenience services and competition within the locality.</i>	Tamborine is appropriately zoned and planned for service stations and convenience restaurants to occur given its proximity to major transport routes, residential catchments, similar type commercial uses and is not constrained land. The applicant acknowledges that the proposal is out-of-centre development but considers there is an overriding need for the development to occur at the proposed location. As mentioned previously, Council officers do not agree with the findings of the EIA by Location IQ and consider the development to have potentially severe impacts on the ability for Canungra and Tamborine to economically thrive as activity centres.
OO24 <i>Development for village – type land uses is focused upon identified village areas.</i>	No response	Refer to comments made in response to OO17 above.
OO42 <i>Development within the Rural Residential Precinct is to cater principally for rural-residential activity on larger acreage lots which are typically unsewered.</i>	<i>A review of the rural residential areas surrounding the subject site determines that the Rural Residential Precinct does principally cater for rural-residential activity on larger acreage lots. The approval of the proposed development on a single lot within the rural-residential precinct will not impact on the precinct's principal residential use.</i>	Refer to previous comments relating to the overwhelming dominance and intensity of use proposed in the rural residential zone which is primarily a residential area.
OO51 <i>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.</i>	<i>The proposed development includes buildings of a similar scale and form as other buildings within the locality; of note is the particularly low site cover of 1.4%; not inconsistent with the intent of the rural zone. The proposed height, form and scale of the development is in keeping with the objectives of the planning scheme's intentions and is of a character that will meet Councils and the local population's expectations for the area. The pitched-roof form and bull-nose awnings provide architectural interest synonymous with rural buildings. The building will be clad with other historically suitable materials such as timber and iron cladding.</i>	Refer to previous comments regarding the scale, form and intensity which is considered to be a significant divergence from the activities planned to occur in the area or the expectations of the residents within the area. As discussed, it is not considered that an overwhelming need for the development to occur at this location has been addressed.

Rural Zone Code - Table 3.3.10		
Overall Outcomes	Applicant comments	Officer comments
	<i>Textures and colours have been adopted respecting a non-forgotten rural architectural vernacular. The proposed bowser heights have been limited to 6.050m and 6.650m. The taller bowzers are situated deeper into the site and shielded from direct view by the proposed service station building, proposed and existing vegetation. The proposed development will be publicly advertised and will allow for the expectations of residents of the zone to be known. However, it is considered that the development as presented will be considered reasonable by local residents.</i>	

As previously discussed, It is considered that the proposed Service Station and Convenience Restaurant would result in development that is not consistent with the scale, form and intensity of development which is intended for the Rural Residential Precinct of the Rural Zone and would not accord with the reasonable expectations of residents of the Zone.

b) Compliance with the Service Station Code

The proposal complies with the Service Station Code's Probable Solutions and Specific Outcomes, except as follows:

Service Station Code - Table 5.2.82			
Specific Outcomes	Probable Solutions	Compliance with Probable Solutions	Compliance With Specific Outcomes
<i>S07 Development has safe and convenient vehicular and pedestrian access to and from the site.</i>	<i>S7.1 Development which is located on a corner site provides that at least one road frontage is a minimum length of: a) 45 metres and has no more than 2 access points; or b) 35 metres and has not more than 1 access points.</i>	S7.1 - Yes	<p>Yes – The proposed development is positioned in a semi-rural environment where road verges consist of open shoulder and swale drains. The proposed development retains this verge treatment in lieu of a traditional kerb.</p> <p>The proposed site entries improve the safe and convenient vehicular access to the site from both Beaudesert-Beenleigh Road and Mundoolun Connection Road.</p> <p>The conditions of the approval from the State referral agency have identified the requirement for footpaths on Mundoolun Connection Road.</p> <p>Given that pedestrian infrastructure is absent from both road frontages, dedicated pedestrian access to/from the site is not provided.</p>
	<i>S7.2 Development provides that the frontage of the site is marked with a kerb, or similar vehicular barrier for the full length excluding crossovers</i>	S7.2 - No – No Kerb provided.	
	<i>S7.3 Development which is located on a site, which has one road frontage, provides that the road frontage has a minimum length of 50 metres.</i>	S7.3 – N/A	

Officer's Comments:

The proposed service station use generally complies with the requirements of the Service Station Code. The only alternate/ performance solution adopted is in relation to the construction of kerb, which in the context of the two adjacent state controlled roads that do not currently have kerb or pedestrian infrastructure is considered to be appropriate.

The conditions of the approval from the State referral agency have identified the requirement for footpaths on Mundoolun Connection Road.

c) Retailing & Commercial Activity Code

The proposal complies with all of the Retailing & Commercial Activity Code's Probable Solutions and Specific Outcomes.

d) Advertising Devices Code

The proposal complies with all of the Advertising Devices Code's Probable Solutions and Specific Outcomes.

e) Landscaping Code

The proposal complies with all of the Landscaping Code's Probable Solutions and Specific Outcomes.

f) Compliance with the Construction and Infrastructure Code

The proposal complies with all of the Construction and Infrastructure Code's Probable Solutions and Specific Outcomes, except as follows:

Construction and Infrastructure Code- Table 5.3.8			
Specific Outcomes	Probable Solutions	Compliance with Probable Solutions	Compliance With Specific Outcomes
Impacts on Flood Levels			
<i>SO3 Development is sited to avoid damage to life and property from flood impacts.</i>	<i>S3.1 Development ensures that where a Building Envelope is provided Building Work and Operational Work occurs within the Building Envelope.</i>	S3.1 – N/A – No Building Envelope established.	<p>No – The development has been positioned in the area of the site that is least impacted by flood hazard and has proposed earthworks to provide a raised building platform to have the proposed buildings (non-habitable) at or above the 1% AEP flood event. However, the development in its current form does not provide freeboard above the 1 % AEP.</p> <p>The proposed design includes a mezzanine refuge area, which in conjunction with the Flood Emergency Management Plan is designed to mitigate hazard to life and property from flood impacts.</p> <p>However, peer review has indicated that people trapped on site in the refuge may be isolated for up to 24 hours in a major flood event.</p>
	<i>S3.2 Development ensures that where Building Work and Operational Work occurs outside of a Building Envelope it is located clear of the DFE.</i>	S3.2 – N/A – No Building Envelope established.	
	<i>S3.3 Development provides for Buildings to be sited having a minimum freeboard of 300 millimetres and habitable Buildings 500 millimetres above the DFE.</i>	S3.3 – No The proposed development does not propose habitable areas and provides an overall building pad that is at the 1% AEP DFE. Internal floor areas while not currently achieving	

Construction and Infrastructure Code- Table 5.3.8			
Specific Outcomes	Probable Solutions	Compliance with Probable Solutions	Compliance With Specific Outcomes
		freeboard, have been conditioned to provide for a minimum freeboard of 500mm above the 1% AEP.	
	S3.4 <i>Development provides an access from the Building platform to the street frontage which is above the DFE.</i>	S3.4 – No Access between the activity area and site access falls below the DFE.	
Crossovers and Driveways - Safety			
SO12 <i>Driveways and crossovers are located to avoid flood prone areas or areas with high water flows.</i>	S12.1 – N/A (Self-assessable)	S12.1 – N/A	No – All access driveways are below the (1% AEP) level.
	S12.2 (Assessable), <i>development provides that driveways and crossovers are not located below the DFE unless no other location is suitable in accordance with S011.</i>	S12.2 – No Crossovers are not above the DFE; however, no other location is suitable.	
	S12.3 <i>Development provides that, where located on the lower side of the road, the driveway or crossover must be designed so that stormwater at the level of the top of the kerb cannot penetrate into the Lot.</i>	S3.3 – Yes Stormwater will not enter the site via driveway accesses.	

Construction and Infrastructure Code- Table 5.3.9			
Specific Outcomes	Probable Solutions	Compliance with Probable Solutions	Compliance With Specific Outcomes
Earthworks, Excavation and Filling - Impact on Flood Levels			
S014 <i>Development is sited to avoid damage to life and property from flood impacts.</i>	S14.1 <i>Development ensures that Filling does not occur below the DFE.</i>	S14.1 – No Both Cutting and Filling Occurs below the DFE.	No – The development has been positioned in the area of the site that is least impacted by flood hazard and has proposed earthworks to provide a raised

Construction and Infrastructure Code- Table 5.3.9			
Specific Outcomes	Probable Solutions	Compliance with Probable Solutions	Compliance With Specific Outcomes
	<p>S14.2 <i>Development, which is not clear of the DFE or access is not available which is above the DFE, ensures that—</i> <i>(a) Buildings are only located within the area affected by the DFE if—</i> <i>(i) they are non-habitable Buildings (eg sheds or garages); or</i> <i>(ii) there is an overriding need for the development in the public interest and no other site is suitable and reasonably available for the development; and</i> <i>(iii) they are located in an area where flow depths are a maximum 1.5 metres in a 1%AEP flood and the flow velocity multiplied by the depth is less than 0.6 as per QUDM table 5.08.1; and</i> <i>(b) a trafficable access is available from the earthworks platform directly to the road network or a flood free access route is available across adjoining land to the road network; or</i> <i>(c) where a flood free access route is to be utilised, access over this route in the event of a flood must be guaranteed; and</i></p>	<p>S14.2(a)(i) – Yes The proposed buildings are non-habitable Buildings.</p>	<p>building platform to have the proposed buildings (non-habitable) at or above the 1% AEP flood event.</p> <p>However, the development in its current form does not provide freeboard above the 1 % AEP,</p> <p>The proposed design includes a mezzanine refuge area, which in conjunction with the Flood Emergency Management Plan which is designed to mitigate hazard to life and property from flood impacts.</p>
		<p>S14.2(b) – No Flood Free access is not available during a 1% AEP event.</p>	<p>However, peer review has indicated that people trapped on site in the refuge may be isolated for up to 24 hours in a major flood event.</p>
		<p>S14.2(c) – N/A Flood Free access is not available during a 1% AEP event.</p>	

Construction and Infrastructure Code- Table 5.3.9			
Specific Outcomes	Probable Solutions	Compliance with Probable Solutions	Compliance With Specific Outcomes
	<p>(d) where a trafficable access is not available from the Building site, which is clear of the DFE, then the access shall be designed so that it is only inundated up to a maximum of 0.6 metres and the flow velocity multiplied by the depth does not exceed 0.6 metres as specified in Table 5.08.1 of the Queensland Urban Drainage Manual; and</p> <p>(e) all fill required to construct the earthworks platform and access is sourced from the development site below the flood level to provide compensation for the flood storage volume occupied by the earthworks with any borrow pits created being self-draining.</p>	<p>S14.2(d) – No The western access point has an inundation above 0.6m during a 1% AEP event.</p> <p>S14.2(e) – Yes Compensatory cut and fill is proposed on site</p>	
Major Drainage Flow Paths			
<p>SO32 The stormwater network is designed to not locate major overland flow paths in Building areas where in rural or rural residential areas.</p>	<p>S32.1 – Development provides for flood flows to be managed such that the 1% AEP flood event does not encroach onto a Building Envelope, or where no Building Envelope has been determined, within 30 metres of a Building or Building area.</p>	<p>S32.1 – No The extent of land impacted by the 1% AEP flood event on site will be within 30m of the proposed service station.</p>	<p>Yes – The proposal includes an elevated building pad that will improve the flood immunity of the proposed buildings compared to the existing flood hazard situation and provides a stormwater outcome with stormwater storage basins that separate lower level flood risk (<5% AEP) from building areas.</p>
Access in Floodable Areas- Safety			
<p>SO147 Development is sited to enable access in the event of a flood in non-rural areas.</p>	<p>S147– Development ensures that all Buildings have a trafficable access to a Major Transport Route during the DFE, where located in the— (a) Rural Zone, where in the— (i) Village Precinct; or (ii) Rural Residential Precinct; or (iii) Rural Industry Precinct; (iv) Active Recreation Precinct; or (v) Community Facilities Precinct; or</p>	<p>S147– No The site is in the Rural Residential Precinct of the Rural Zone and does not have trafficable access during the peak of the DFE.</p>	<p>No – All access driveways are below the (1% AEP) level.</p>

Construction and Infrastructure Code- Table 5.3.9			
Specific Outcomes	Probable Solutions	Compliance with Probable Solutions	Compliance With Specific Outcomes
	(b) Kooralbyn Zone; or (c) Bromelton State Development Area Zone; or (d) Beaudesert Township Zone; or (e) Canungra Township Zone; or (f) Tamborine Mountain Zone.		

Officer's Comments:

While the development proposes a raised building platform to have the proposed buildings (non-habitable) at or above the 1% AEP flood event, the site will be isolated up to 24 hours during a major flood event as access and surrounding roads are not flood immune.

Despite a Flood Management Plan, which peer review indicates require further refinement, there is an issue that the proposal has not provided the fundamental justification to positioning such a development in a clearly high-risk area.

g) Compliance with the Parking and Servicing Code

The proposal complies with all of the Parking and Servicing Code's Probable Solutions and Specific Outcomes, except as follows:

Parking and Servicing Code- Table 5.3.16			
Specific Outcomes	Probable Solutions	Compliance with Probable Solutions	Compliance With Specific Outcomes
Parking Provision Rates			
SO1 Development provides for sufficient vehicle parking on-site to meet the demand likely to be generated by the development having regard to— (a) any existing parking facilities on the site and the premises they service; and (b) the feasibility of physically providing parking on-site; and (c) the hours of operation of the proposed use and the opportunity for sharing parking spaces with other uses; and (d) the availability of public parking in the surrounding area; and (e) existing and future traffic conditions in the surrounding area.	S1.1 Development provides for onsite vehicle parking spaces in accordance with Table 5.3.15A (Car and Service Vehicle Parking).	S1.1 – No – 32 car parking spaces are provided where 42 spaces are required based on the parking rate of 1 space per 5m ² of customer floor space for Convenience Restaurant under the Beaudesert Planning Scheme.	Yes – While non-compliant with the Beaudesert Planning Scheme parking rates, the development provides parking that is compliant with the 1 space per 10m ² of customer floor space prescribed under the Scenic Rim Planning Scheme: Parking & Access Code that is now in force. The minor shortfall in the compliant rate under the Beaudesert Planning Scheme provision of parking is considered to create an outcome that is more consistent with the semi-rural setting while still being sufficient to meet the demand likely to be generated by the development as reflected in the new rates under the Scenic Rim Planning Scheme.
	S1.2 Development provides that all off-street parking areas are constructed and available for use before the use commences.	S1.2 – Yes – car parks will be constructed before use.	

Officer's Comments:

The proposed commercial uses have adopted a car parking layout that, while non-compliant with the BSPS parking rates, are compliant with the rate prescribed under the current Scenic Rim Planning Scheme: Parking & Access Code that is now in force. The minor shortfall in the compliant rate under the BSPS provision of parking is considered to create an outcome that is more consistent with the semi-rural setting while still being sufficient to meet the demand likely to be generated by the development as reflected in the new rates under the Scenic Rim Planning Scheme

h) Compliance with the Development Constraints Overlay Code

The proposal complies with all of the Development Constraints Overlay Code's Probable Solutions and Specific Outcomes, except SO1, SO2 and SO3. The Temporary Local Planning Instrument - *TLPI 01/2019 (Flood Hazard)* however suspends Table 4.4.8 - Development Constraints Overlay Code for Natural Hazards Management - Flood (SO1-SO5 and S1.1-1.4; S2.1-2.2; S3.1-3.2; S4.1; S5.1) and replaces the Specific Outcomes and Prescribed Solutions. These provisions are further assessed later in this report.

Development Constraints Overlay Code- Table 4.4.8			
Performance outcomes	Acceptable Outcome	Compliance with Acceptable Outcome	Compliance With Performance Outcomes
Natural Hazards Management – Flood			
<i>SO1 Development is sited to avoid damage to life and property from flood impacts.</i>	<i>S1.1 Development is located within an approved Building Envelope where an approved Building Envelope exists.</i>	S1.1 N/A – No approved Building Envelope exists	<p>No – The development has been positioned in the area of the site that is least impacted by flood hazard and has proposed earthworks to provide a raised building platform to have the proposed buildings (non-habitable) at or above the 1% AEP flood event.</p> <p>However, the development in its current form does not provide freeboard above the 1 % AEP,</p> <p>The proposed design includes a mezzanine refuge area, which in conjunction with the Flood Emergency Management Plan design to mitigate hazard to life and property from flood impacts.</p> <p>However, peer review has indicated that people trapped on site in the refuge may be isolated for up to 24 hours in a major flood event.</p>
	<i>S1.2 Development is located clear of the Defined Flood Event (DFE).</i>	S1.2 No – while the primary use areas are located on a building pad above the flood level of the DFE, parts of the site are below the DFE.	
	<i>S1.3 Development ensures that all habitable floor levels are a minimum of 500 millimetres above the DFE.</i>	S1.3 N/A – all floor area is commercial with no habitable floor areas proposed.	
	<i>S1.4 Development ensures that Filling does not occur below the DFE.</i>	S1.4 No – Filling does occur below the DFE.	

Development Constraints Overlay Code- Table 4.4.8			
Performance outcomes	Acceptable Outcome	Compliance with Acceptable Outcome	Compliance With Performance Outcomes
SO2 Development is sited to enable access in the event of a flood.	S2.1 Development ensures that all buildings have a trafficable access to a public road during the DFE, where located in the— (a) Rural Zone, where in the— (i) Village Precinct; or (ii) Rural Residential Precinct; or (iii) Active Recreation Precinct; or (iv) Community Facilities Precinct; or (b) Kooralbyn Zone; or (c) Bromelton State Development Area Zone; or (d) Beaudesert Township Zone; or (e) Tamborine Mountain Zone; or (f) Canungra Township Zone.	S2.1 No - The site is in the Rural Residential Precinct of the Rural Zone, but does not achieve a trafficable access to a public road during the DFE	S2.1 No – All access driveways are below the (1% AEP) level.
	S2.2 Development ensures that the maximum permitted time for access to a dwelling to be flood effected and non-trafficable is 24 hours during the DFE, where located in the— (a) Rural Zone, where in the— (i) Conservation Precinct; or (ii) Countryside Precinct; or (iii) Equestrian Activities Precinct; or (iv) Future Dam Catchment Precinct; or (v) Passive Recreation Precinct.	S2.2 N/A - The site is in the Rural Residential Precinct and not in the precincts listed in S2.2.	

Development Constraints Overlay Code- Table 4.4.8			
Performance outcomes	Acceptable Outcome	Compliance with Acceptable Outcome	Compliance With Performance Outcomes
SO3 Development on flood-prone land— (a) does not alter the environmental values of soils, waterways and wetlands; and (b) does not constitute a public safety risk.	S3.1 Development, involving the bulk storage or manufacture of hazardous material— (a) is not located on land below the level of the DFE; or (b) is constructed to prevent the intrusion of flood waters for any flood event.	S3.1 Yes – While the proposed Underground Petroleum Storage System is situated below the DFE it can achieve compliance where appropriately constructed to avoid the intrusion of flood waters.	No The service station use is impacted by flood waters during the DFE and the development is supported by an environmental management plan which provides guidelines for safe storage of materials and reduction of potential contamination. Despite this there is still the risk of release of hazardous materials in a major flood event.
	S3.2 Development, being a sewage treatment plant, is— (a) located above the level of the DFE; or (b) constructed to exclude floodwater intrusion, and to resist all hydrostatic and hydrodynamic forces resulting from flood inundation.	S3.2 N/A – Not for a sewage treatment plant.	
Agricultural Protection Areas			
SO29 Development provides adequate separation between an Agricultural Protection Area and uses incompatible with agricultural uses, to ensure that— (a) agricultural uses can operate without undue constraint; and (b) development will not lead to the alienation of land for rural purposes, or diminish its agricultural productivity.	S29.1 Development other than a house on an existing rural lot is located more than 500 metres from an Agricultural Protection Area.	S29.1 No – new development is located in and within 500m of mapped Agricultural Protection Area.	Yes The development has retained large portions of open grassland on the site to allow for grazing paddocks to the north and east of the proposed commercial use areas. These retained paddocks provide for the retention agricultural operations and adequate buffer separations to nearby agricultural uses.
	S29.2 Development, being a use incompatible with agricultural use, provides a Buffer area (incorporating Buffer elements) to an Agricultural Protection Area designed in accordance with section 3 (Conflict Assessment and Buffer Area Design) of State Planning Policy 1/92, Planning Guideline	S29.2 Yes – the new development footprint is appropriately buffered from the retained grazing paddocks on lower land by embankments and vegetated buffer areas.	

Development Constraints Overlay Code- Table 4.4.8			
Performance outcomes	Acceptable Outcome	Compliance with Acceptable Outcome	Compliance With Performance Outcomes
	<i>(Separating Agricultural and Residential Land Uses), Department of Natural Resources, August 1997.</i>		

Assessment Benchmarks Pertaining to a Temporary Local Planning Instrument

Given the site's inclusion in the mapped Flood Hazard area of the Development Constraints Overlay the Temporary Local Planning Instrument 01/2017 and 01/2019 (Flood Hazard) is applicable.

The proposal complies with all of the TPLI Prescribed Solutions, except as follows:

TEMPORARY LOCAL PLANNING INSTRUMENT 01/2019 (FLOOD HAZARD) - Item 3			
Specific Outcome	Prescribed Solution	Compliance with Acceptable Outcome	Compliance With Performance Outcomes
SO1 <i>Development siting, layout and access:</i> <i>(1) responds to flooding potential;</i> <i>(2) maintains personal safety at all times; and</i> <i>(3) responds to the flood hazard category on the site.</i> <i>Note - Flood Hazard Category is shown on the Development Constraints - Flood Hazard Category Overlay Map</i>	S1.1 <i>Development:</i> <i>(1) is not located on land in a flood hazard area; or</i> <i>(2) where the development cannot be located on land outside the flood hazard area, all floor levels of habitable rooms are elevated a minimum of 500mm above the defined flood level.</i>	S1.1 N/A The proposed building does not propose habitable rooms and seeks to establish a building pad at the same height as the defined flood level.	No – The development has been positioned in the area of the site that is least impacted by flood hazard and has proposed earthworks to provide a raised building platform to have the proposed buildings (non-habitable) at or above the 1% AEP flood event. However, the development in its current form does not provide freeboard above the 1 % AEP, The proposed design includes a mezzanine refuge area, which in conjunction with the Flood Emergency Management Plan design to mitigate hazard to life and property from flood impacts. However, peer review has indicated that people trapped on site in the refuge may be isolated for up to 24 hours in a major flood event.
	S1.2 <i>Development provides for a road and/or pathway layout that ensures residents are not physically isolated by the defined flood event and provides a safe and clear evacuation route by:</i> <i>(1) locating entry points into the development are located outside the flood hazard area;</i> <i>(2) ensuring all roads in the development are</i>	S1.2 No The entry points into and existing the development are subject to inundation during the peak flood conditions.	

TEMPORARY LOCAL PLANNING INSTRUMENT 01/2019 (FLOOD HAZARD) - Item 3			
Specific Outcome	Prescribed Solution	Compliance with Acceptable Outcome	Compliance With Performance Outcomes
	<i>located outside the flood hazard area; (3) avoiding cul-de-sacs or other nonpermeable layouts; and (4) providing direct and simple routes to main carriageways.</i>		
	<i>S1.3 Development ensures that all buildings have vehicle and/or pedestrian evacuation routes outside the flood hazard area to facilitate egress from the site.</i>	S1.3 No The identified Vehicle and pedestrian evacuation routes are affected by the flood hazard area during the peak flood conditions.	
	<i>S1.4 Non-residential buildings and structures allow for flow through of flood waters on the ground floor.</i>	S1.4 No The proposed new buildings within the development are proposed to be built on slab at the new ground level.	
	<i>S1.5 N/A</i>	<i>S1.5 N/A</i>	
	<i>S1.6 N/A</i>	<i>S1.6 N/A</i>	
	<i>S1.7 Where the site contains or is within 100m of a floodable waterway, hazard warning signage and depth indicators are provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves.</i>	S1.7 Yes hazard warning signage and depth indicators can be provided in flood affected areas of the site.	
<i>SO3 Development avoids the release of hazardous materials into floodwaters.</i>	<i>S3.1 Development: (1) involving materials manufactured or stored on site are not hazardous or noxious, or comprise of materials that may cause a detrimental effect on the environment if discharged in a flood event; or (2) involving the manufacture or</i>	S3.1 – Yes While the development will store hazardous material on site in the form of petroleum products, which are stored below the defined flood level in underground storage vessels. Compliance with S3.1 (2)(b) can be achieved where the intrusion of floodwaters into	No The service station use is impacted by flood waters during the DFE and the development is supported by an environmental management plan which provides guidelines for safe storage of materials and reduction of potential contamination. Despite this there is still the risk of release of hazardous materials in a major flood event.

TEMPORARY LOCAL PLANNING INSTRUMENT 01/2019 (FLOOD HAZARD) - Item 3			
Specific Outcome	Prescribed Solution	Compliance with Acceptable Outcome	Compliance With Performance Outcomes
	<p>storage of hazardous materials ensures structures are:</p> <p>(a) located above the defined flood level; or</p> <p>(b) designed to prevent the intrusion of floodwaters; or</p> <p>(3) where a defined flood level is not available, ensures hazardous materials and their manufacturing equipment are:</p> <p>(a) located on the highest part of the site to enhance flood immunity; and</p> <p>(b) designed to prevent the intrusion of floodwaters.</p> <p><i>Editor's Note - Refer to the Work Health and Safety Act 2011 and associated Regulation and Guidelines, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements related to the manufacture and storage of hazardous substances</i></p>	the storage petroleum storage system can be prevented.	
<p>SO4</p> <p><i>Development supports, and does not burden, disaster management response or recovery capacity and capabilities.</i></p>	<p>S4.1 Development does not:</p> <p>(1) increase the number of people calculated to be at risk from flooding; or</p> <p>(2) increase the number of people likely to need evacuation; or</p> <p>(3) shorten flood warning times; or</p> <p>(4) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic</p>	<p>S4.1 No</p> <p>The proposed uses will increase the number of people on site compared to the current residential use.</p>	<p>No</p> <p>The proposed design includes a mezzanine refuge area, which in conjunction with the Flood Emergency Management Plan is designed to mitigate hazard to life and property from flood impacts.</p> <p>However, peer review has indicated that people trapped on site in the refuge may be isolated for up to 24 hours in a major flood event.</p>

TEMPORARY LOCAL PLANNING INSTRUMENT 01/2019 (FLOOD HAZARD) - Item 3			
Specific Outcome	Prescribed Solution	Compliance with Acceptable Outcome	Compliance With Performance Outcomes
	volumes on evacuation routes.		

Officer's Comments:

While the development proposes a raised building platform to have the proposed buildings (non-habitable) at or above the 1% AEP flood event, the site will be isolated up to 24 hours during a major flood event as access and surrounding roads are not flood immune.

Despite a Flood Management Plan, which peer review indicates require further refinement, there is an issue that the proposal has not provided the fundamental justification to positioning such a development in a clearly high-risk area

Public Notification

The applicant has submitted a written notice on 12 June 2020, stating that public notice of the proposal has been completed in accordance with the requirements of the *Planning Act* 2016. The public notification for this development application was undertaken from 21 May 2020 to 11 June 2020.

Submissions

There were a total of 489 submissions received regarding the proposed development, of which 376 were properly made and received during the public Notification Period.

Of the submissions, approximately 90% submissions were in opposition and the other 10% in support.

The issues raised in the properly made submissions together with a response to the issues raised is provided below.

Submitter comments	Officer's Response
Objections	
<u>Rezoning</u> The submitter is concerned with changing the zone of the land from rural residential to township.	The act of rezoning land through a development proposal is no longer possible under legislation. The subject application does however seek to establish commercial type land uses (Service Station and Convenience Restaurant) that typically occur in a township zone. The subject application is required to undergo the Impact Assessment process under the Planning Act and the applicant must provide sufficient reasons to demonstrate why this use should occur in this location, despite the conflict with the underlying zone's intent.

Submitter comments	Officer's Response
<p><u>Traffic</u> Concerns were raised that the development would result in increased traffic activity and congestion around what is considered to be an already dangerous intersection, which could cause additional safety issues.</p>	<p>A Traffic Impact Assessment (TIA) has been prepared by Bitzios Traffic Consultants which has analysed the proposed developments traffic impacts on the intersection between Mundoolun Connection Road and Beaudesert-Beenleigh Road in the context of the proposed development and confirms the intersection is expected to operate within acceptable performance limits at the 10-year design horizon with or without the proposed development.</p> <p>The traffic reporting has undertaken a Road Safety Audit and provided recommendations on safety and design outcomes which have been assessed and approved by Department of Transport and Main Roads with recommendation and conditions for upgrade works, ensuring a suitable level of safety and functionality in the adjacent State Controlled Roads.</p> <p>On this basis the potential impact from additional traffic associated with the development is considered to be suitable.</p>
<p><u>Noise</u> Concerns for increased traffic noise.</p>	<p>The development is adjacent to two State-controlled roads in an environment where traffic noise is already prevalent. The development has been supported by acoustic reporting which identifies appropriate methods to mitigate noise impacts from the development to adjoining uses.</p> <p>A suitable provision of car parking has been provided, while still allowing for half of the site to be retained as open paddock to buffer to adjoining properties</p>
<p><u>Flood Hazard</u> Concerns raised in relation to:</p> <ul style="list-style-type: none"> a) the extent of flood impact on the site with the entire site being below the Flood Level during the peak flood event and the level of hazard cannot be effectively managed; and b) Changes to the ground levels to create a raised building pad will have a hydraulic impact on land that is not currently impacted by flooding by narrowing the flow path. 	<p>The development has been positioned in the area of the site (western corner) that is least impacted by flood hazard and has proposed new earthworks to provide a raised building platform to have the proposed buildings (non-habitable) at or above the 1% AEP flood event to respond to the flood hazard.</p> <p>A Flood Impact Assessment report has been included with the proposal which reviews the hydraulic outcomes of the engineering outcomes on site and confirms no worsening on nearby flood storage.</p> <p>While flood free access is not provided to the proposed use/activity area during a peak flood event, a Flood Emergency Management Plan has been provided which identifies triggers to cease patron service and prepare evacuation of the site once thresholds are met to ensure safe evacuation of the site is available, effectively maintaining personal safety.</p> <p>However, while the proposed development has been designed to mitigate the impacts of the flood risk on the site, the required changes to ground level and earthworks will have a negative effect on the overall design. In particular, as it enhances the visual dominance of the development.</p>

Submitter comments	Officer's Response
	<p>As a general principle, development in a floodplain should be avoided and the Rural Residential zoning of the land intends for low impact residential uses to occur on this flood-prone land – rather than a service station that has the potential to place a large number of people at potential risk during a flood event.</p>
<p><u>Pollution and Stormwater</u></p> <p>Concerns about the release of pollutants from the proposed service station that have the potential to contaminate stormwater. It is also considered that this could impact grazing stock and wildlife preserves that are adjacent and nearby to the proposed location.</p>	<p>The applicant has provided a Stormwater Management Plan which details to retention and treatment of stormwater runoff before entering the surrounding environment.</p> <p>Council officers have reviewed the submitted reports and have determined that the development can comply with the relevant assessment benchmarks and industry standards.</p>
<p><u>Environment/ Ecology</u></p> <p>Concerns regarding the water quality of nearby waterways with the potential for pollutant runoff to have a detrimental impact on the Albert River catchment, including pollution to adjoining grazing lands, fauna habitat and downstream ecology and water quality.</p> <p>Concerns that additional litter could occur in association with the proposed Convenience Restaurant, which could find its way into adjoining lands and nearby waterways.</p> <p>Concerns that the amount of light produced by the development would disturb the fauna nightlife such as nocturnal birds and animals.</p>	<p>The development has been supported by both a Stormwater Management Plan and Environmental Management Plan which demonstrate measures to achieve the water quality objectives on site and downstream.</p> <p>The Stormwater Management Plan details three bioretention basins to treat stormwater, while the Environmental Management Plan outlines actions to mitigate/reduce potential impacts from spills.</p> <p>The development will be provided appropriate waste disposal facilities to reduce the prevalence of litter.</p> <p>The development is supported by a Lighting Assessment that demonstrates compliance with lighting standards and recommends appropriate methods to mitigate adverse impacts from light emissions.</p>
<p><u>Commercial Need/ Economic Outcomes</u></p> <p>Concerns were raised that there are existing Petrol Stations nearby (within 4km) in the Tamborine township and further Petrol Stations and Fast-Food Outlets in Beaudesert, Canungra and Jimboomba that will have their business impacted by the establishment of new uses on site. Suggestion that no demonstrated need for a service station has been established.</p>	<p>The applicant has submitted an Economic Impact Assessment (EIA) by Location IQ. Council commissioned MacroPlan to undertake a peer review of the applicant's EIA. MacroPlan's peer review concluded that:</p> <p><i>On the basis of a review of the key assumptions and the methodology adopted by Location IQ, Macroplan is unable to support the findings of the EIA. The central issue is that our analysis indicates that the fuel market is expected to decrease notably with the arrival EV's. In addition there is likely to be a steady fall in fuel consumption rates.</i></p> <p><i>This means that if the proposed petrol station proceeded and it was to achieve 4.3 million litre in fuel sales per annum, then its impact on the existing supply would be significant and would actually grow over time as the fuel market declines.</i></p>

Submitter comments	Officer's Response
	<p><i>This is in strong contrast to the Location IQ analysis which relies heavily on the assumption of a flat rate of fuel consumption and growing fuel market in the study area. This also means that the need for an additional service station, cannot be supported and therefore a need for the convenience retail, as it is supported by the visitation to the petrol station is not justified. All of the community benefits that Location IQ ascribe to the project as a result of the lack of supporting evidence for the proposed petrol station, notably the employment benefits, cannot be considered as ever materializing.</i></p> <p>Therefore, the application has not demonstrated an economic need for the proposed development as well nor has it demonstrated that it will not have a detrimental economic impact on nearby businesses.</p> <p>As such, Council officers have significant concern on whether similar type business in neighbouring Tamborine and Canungra (that is on land zoned for commercial purposes) will survive the reduction in business and trade.</p>
<p><u>Built form/ Visual impact</u> Concerns that the raised building slab in conjunction with the proposed building height and scale will create a 'built up' appearance on the site that will be inconsistent with the Rural Zone intents.</p>	<p>While the applicant has taken measures to mitigate the visual impact of the proposed service station, including urban design and landscaping, the proposed development would still constitute a visually dominant commercial development in a rural residential area.</p>
<p><u>Rural Amenity</u> Concerns have been raised in relation to the development's potential to degrade the pleasant and safe living and working environment of the Rural Zone through light, noise, air quality and scenic amenity impacts.</p> <p>Concerns over the operating hours being 20 hours a day.</p> <p>Concerns for the loss of farming land.</p>	<p>The applicant has provided sufficient information that seeks to demonstrate that the development can mitigate the impacts of traffic, noise and light. However, the use is still of a scale and intensity that is not expected in the Rural Residential Zone.</p>
<p><u>Heritage</u> Concerns regarding the potential impact on the cultural heritage of the nearby Albert River Winery in terms of scenic amenity.</p>	<p>It is noted that Council did not receive a submission from the Albert River Winery during the public notification period. Regardless, it is considered that the lights from the refuelling canopy and noises from trucks will have an impact on the vista enjoyed by visitors to the Albert River Winery due to the location and orientation of the main building overlooking the subject site.</p>
<p><u>Cultural Heritage</u> Concerns that the development site is within a known historic Indigenous pathways and development could impact on Cultural Heritage.</p>	<p>During the construction and compliance phase of the development and any time after, the development will need to comply with the provisions of the <i>Aboriginal Cultural Heritage Act 2003</i>. The Applicant will need to satisfy themselves that their actions will not contravene the provisions of the Act.</p>

Submitter comments	Officer's Response
In Support	
The proposed development offers an opportunity to service the needs of the surrounding residents and travelling public	While the proposal will offer additional choice for refuelling and convenience retail services, the proposed development is considered to adversely impact the existing businesses in Canungra and Tamborine and has not demonstrated an overwhelming community benefit for the development to occur in the subject location.
The proposed development is compatible with and will support the Mundoolun Sands Key Resource Area.	The proposed truck refuelling facility will offer a service to complement the quarry within the Mundoolun Sands Key Resource Area; however, the applicant has not demonstrated that the existing refuelling facilities in the region cannot satisfy the needs of quarry trucks. The proposed development is considered a matter of convenience and not sufficient justification for the proposed development to occur on the subject site.
The proposed development will increase domestic economic activity and job opportunities.	The applicant's EIA states that a total of 223 jobs would be created; however, a peer review notes that the more accurate number of jobs would be 23 jobs. The peer review also estimates a 25% impact on existing businesses as a result of the proposed development.
The proposed development is appropriately located and will provide additional choice to the locality.	The subject site is wholly mapped as being affected by flood and has been inundated in recent years during times of flood. While the applicant has provided technical reports to demonstrate that the development can mitigate the constraints of the land, the proponent has not provided sufficient planning merit for the proposed development to be located on the floodplain.
The design of the building represents an attractive and suitable design outcome for the locality.	The proposed changes to ground level and earthworks that are required to achieve flood immunity would have a negative effect on the overall design as it enhances the visual dominance of the development outside what is envisaged to occur on the subject site. The increase in hardstand areas, vehicle traffic and advertising devices project a development that is not commensurate with the existing rural landscape.

Changed application

On 21 November 2022, the applicant lodged a changed application in response to the report tabled at Council's Ordinary Meeting on 12 April 2022.

The applicant's change is considered 'minor', and as such does not stop the development assessment process in accordance with s26.1(c) of the DA Rules. This includes no further requirements for public notification.

The primary change to the application involves the removal the proposed 'Convenience Restaurant' (Food and drink outlet). The changes to the application as summarised by the applicant are detailed below:

- (a) *Maintain focus upon truck servicing (whilst still accommodating passenger vehicles): The truck servicing functions remain the same as the former proposal. To ensure functionality is maintained, three overflow B-Double parking bays are proposed parallel to the driveway from Mundoolun Connection Road;*

- (b) *Accommodate Electric Vehicle (EV) charging: Officers advised that there was limited capacity for EV charging within the shire, and the applicant proposes to allow for on-site EV charging bays to be located adjacent to the Beaudesert-Beenleigh Road frontage of the site;*
- (c) *Remove the Take Away Drive Thru / reduce staff numbers: Officers were concerned regarding the number of staff potentially at risk should a flood event occur. To minimise the number of staff on-site the proposal has removed the proposed 'Convenience restaurant' (Take Away Drive Thru) element ensuring that staff are required for the Service Station function only;*
- (d) *Remove the playground: The removal of the playground is proposed in order to discourage longer term visitations by patrons;*
- (e) *Increase development setbacks: The proposed amendments result in an increase in setbacks from 15m to 23.5m at the site's Beaudesert-Beenleigh Road frontage, and 17.6m to 21.6m to the neighbouring property to the south; and*
- (f) *Increase landscape space and reduce hardstand areas: Additional landscaping is proposed along the Beaudesert-Beenleigh frontage of the site which will further assist the development in settling into the landscape. In addition, more landscaping and a reduction in hardstand occurs particularly along the Beaudesert-Beenleigh Road frontage and to the south-east of the proposed building.*

As part of the changed application, the applicant has also submitted further material on their Economic Impact Assessment, in response to the peer review commissioned by Council.

Under s60(3) of the Act, the assessment manager is required to carry out the impact assessment against the assessment benchmarks in the relevant planning scheme and can take into account any other relevant matter under s45(5)(b). An example of another relevant matter is a *planning need*.

The applicant contends through their submitted material that there is a planning need for the development which overcomes the non-compliances with the planning scheme. This need being the focus towards heavy vehicle refuelling which has an unsatisfied demand not being adequately met within the applicant's identified 'main trade area'.

The applicant has also raised the benefits of convenience (prominent location and 24 hour operation), and choice (a modern convenience service station), as relevant matters. However, given the extent to which the proposed development is inconsistent with the planning scheme for the site, such matters are not of sufficient weight themselves to warrant consideration should a sufficient planning need for the proposed development not be demonstrated.

It is accepted from a purely functional perspective, the development would likely attract strong patronage from passing traffic given its proposed location on the corner of a busy intersection. However, the proposed development remains in conflict with the planning scheme's intent for the location and zone. This is further exacerbated by site's flood impact constraints. To allow the proposed development to occur in this location with result in unacceptable planning consequences for the reasons already outlined in the assessment.

Notwithstanding the above, officers have considered the relevant matter of planning need and whether it warrants approval for the proposed development. In particular whether there is a sufficient planning need for truck refuelling in this particular location.

The applicant's 'main trade area' has been identified based on a resident trade area of the immediate and nearby towns. Within these areas, existing service stations have been identified as part of the applicant's original Economic Impact Assessment. It should be noted that heavy freight vehicles by function can achieve significant travel distances before requiring refuelling and can refuel at points of origin and/or destination. As such, the significance of any existing service stations' inability to cater to demand for heavy vehicle refuelling has limited relevance without looking at a wider catchment area. Furthermore, no detailed evaluation of existing service stations has been provided in relation to their inability to cater to the perceived gap for truck refuelling (bowser types, canopy height, turning circle, etc.).

The material submitted by the applicant speaks mostly to the opportunity of passing traffic and heavy vehicle freight demand. Again, the reference area to existing service stations and truck refuelling is limited in the context of heavy vehicles, with no locational alternatives explored. Other sites where the need for the various components of the proposed development, including truck refuelling, could potentially be met outside the Rural Zone does not form part of the applicant's submitted material.

It is maintained that the proposed development operates primarily on a point of convenience with limited planning need. Irrespective of the amendments to the proposal and removal of the convenience restaurant, the application material fails to demonstrate a sufficient planning need to justify approval despite the conflicts with the planning scheme. As such, the development application is not supported and is recommended for refusal.

Budget / Financial Implications

Should the applicant appeal Council's decision, any legal costs incurred would not be captured under the application fee.

In the event of an approval, infrastructure charges are payable in accordance with Council's Infrastructure Charges Resolution.

Strategic Implications

Operational Plan

Theme: 4. Relaxed Living and Rural Lifestyle

Key Area of Focus: Advocacy for outcomes that are compatible with the clear and comprehensive vision for the region

Legal / Statutory Implications

The applicant may exercise their right to appeal Council's decision with the Planning and Environment Court.

Risks

Strategic Risks

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

SR50 Failure to manage Environmental Sustainability (including climate change) through inappropriate and/or inadequate planning and operational considerations of impacts to the natural environment.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Environmental Impacts on environment as a result of development activity	Moderate	Unlikely	Medium	Environmental impacts considered and documented during assessment	Low
Legal Compliance and Liability Failure to ensure application is assessed in accordance with IDAS process	Minor	Possible	Medium	Documented assessment process	Low
Legal Compliance and Liability Opportunity for applicant or third party appeal against Council decision	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 Negative perception from community or development proponents	Minor	Unlikely	Low	Transparent reporting of assessment Communications	Low

Consultation

Referral Agencies - Department of Infrastructure, Local Government and Planning (SARA)

Department of Infrastructure, Local Government and Planning is a referral agency as the site is both within 25m of a State transport corridor and within adjoins a road that intersects with a State-controlled road and is within 100m of the intersection (Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 of the *Planning Regulation 2017*).

The development application was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 30 April 2019 and included an application for a road access location, under section 62A(2) of *Transport Infrastructure Act 1994*.

The Department provided their Referral Agency response – with conditions by letter dated 30 July 2021.

Council provided notification to SARA as a concurrence referral of the changed application on 23 December 2022, in accordance with s25 of the DA Rules.

SARA provided a Changed Referral Agency Response with conditions on 6 January 2023 (refer Attachment 2).

Internal Consultation

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

Community Engagement

The application was publicly notified in accordance with the *Planning Act 2016*. The application received a significant level of public interest. A summary of the properly made submissions, together with a statement of how those matters were dealt with in reaching a decision for this application are included in the report.

Conclusion

The proposal is to develop a major commercial use (Service Station) within a rural/rural residential area in the middle of the flood plains the Albert River where the entire site, as well as the floor levels of all buildings (apart from a mezzanine flood refuge area) will be subject to inundation in a 1% AEP Event.

Despite the provision of supporting technical documentation, the subject application is not considered to comply with the relevant provisions of the Beaudesert Shire Planning Scheme 2007 and the *Planning Act 2016*, and would result in an unacceptable planning outcome.

The officer's assessment concludes the application cannot be supported on the following grounds:

- The proposed development would conflict with the Beaudesert Shire Planning Scheme 2007, specifically:
 - (i) Section 2.1.3 Desired Environmental Outcomes (2) (j)(ii) and (iii), (l), (p)(viii), and Desired Environmental Outcomes (3)(b) and (c);
 - (ii) Rural Zone Code - Table 3.3.11 Specific Outcomes SO1 and SO2;
 - (iii) Rural Zone Code - Table 3.3.10 Overall Outcomes OO2, OO4, OO6, OO7, OO17, OO24, OO42 and OO51;

- (iv) Construction and Infrastructure Code - Table 5.3.8 Specific Outcomes SO3 and SO12;
 - (v) Construction and Infrastructure Code - Table 5.3.9 Specific Outcomes SO14 and SO147;
and
- The proposed development would conflict with Temporary Local Planning Instrument - TLPI 01/2019 (Flood Hazard), specifically:
 - (i) Item 3: Development Constraints Overlay Specific Outcomes SO1, SO3 and SO4;
- The applicant has not demonstrated sufficient grounds to support the proposed development despite the abovementioned conflicts; and
- The proposed development could not otherwise be conditioned to achieve compliance with the abovementioned conflicts.

PROJECT INFORMATION

SITE DETAILS

ADDRESS:	2571 BEAUDESERT BEENLEIGH RD (cnr BEAUDESERT BEENLEIGH RD & MUNDOOLUN CONNECTION RD)
RPD:	LOT 144 on RP 151365
LOCALITY:	TAMBORINE
LOCAL AUTHORITY:	SCENIC RIM REGIONAL COUNCIL
SITE AREA:	8.058 Ha

DRAWING REGISTER

DATE: JUNE 2022

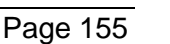
DRAWING No.	DRAWING NAME	ISSUE No.
DA 0.01	DEVELOPMENT DATA / DRAWING LIST	NEG-4
DA 1.02	PROPOSED SITE PLAN	NEG-4
DA 1.03	PROPOSED SITE PLAN - STATION	NEG-4
DA 1.02	PROPOSED SITE PLAN - TRUCK PARKING	NEG-4

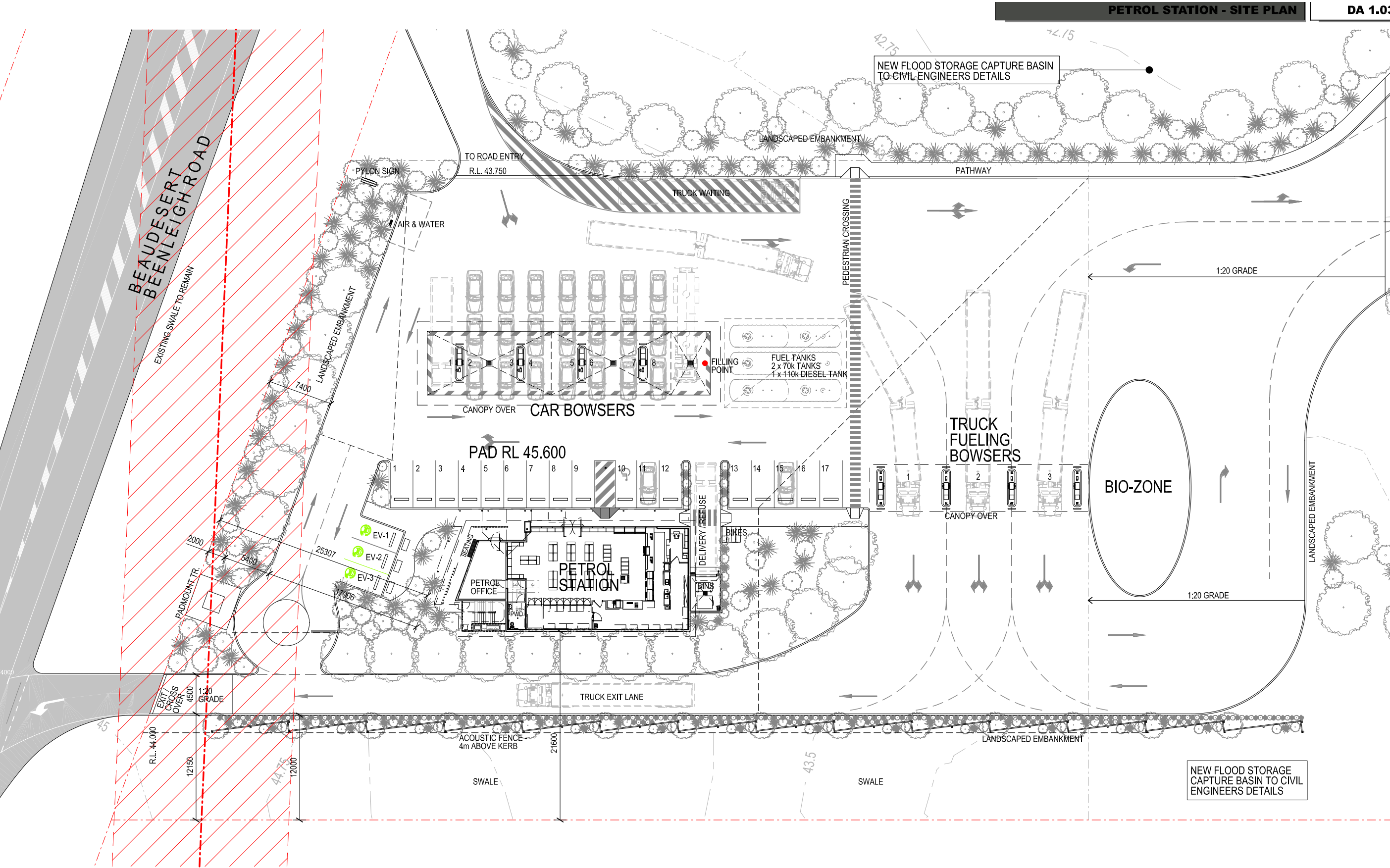
DEVELOPMENT STATISTICS

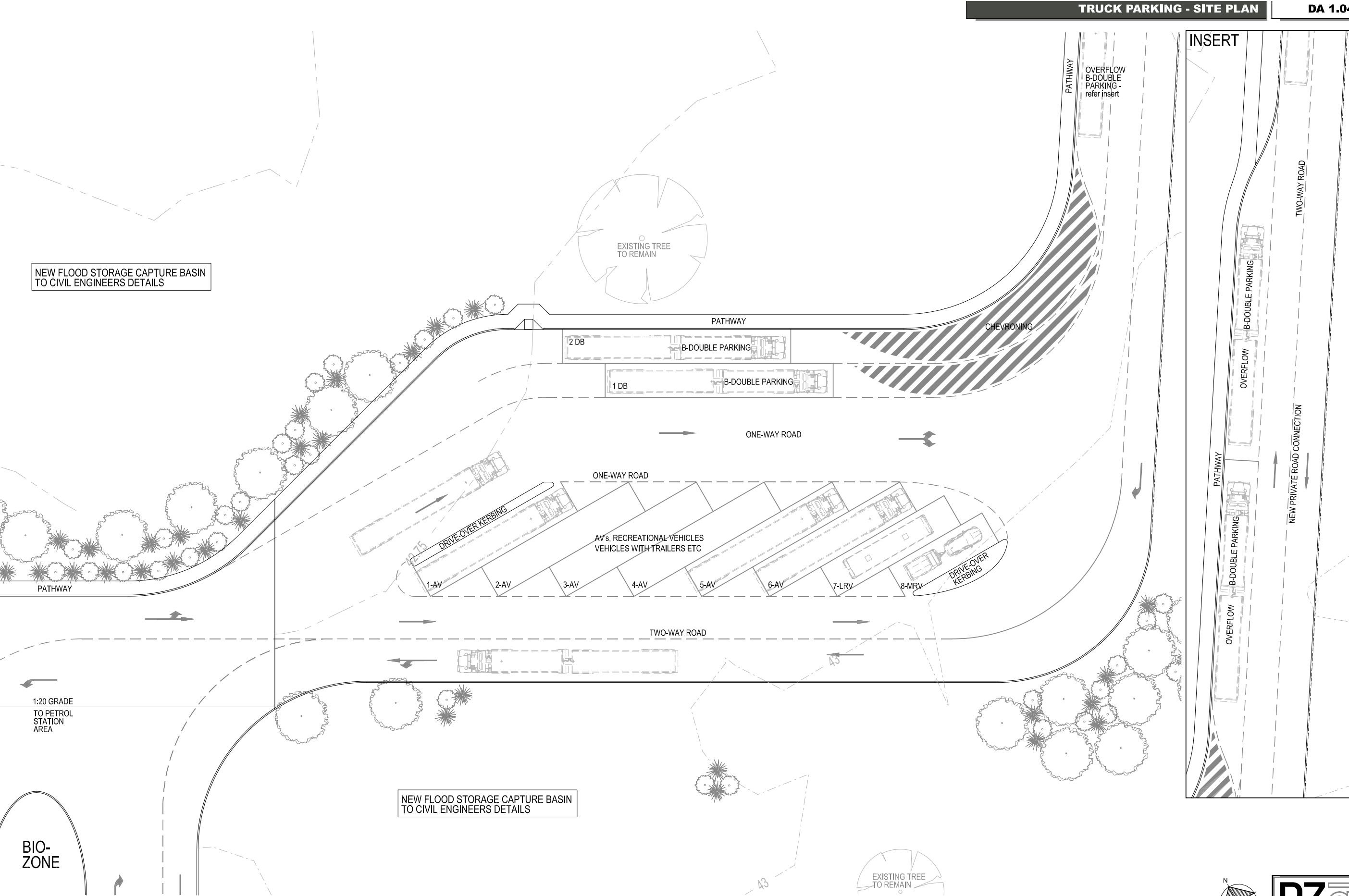
SITE STATISTICS

1. SITE AREA:	8.058 Ha or 80,580 m2
2. SITE COVERAGE:	BUILDING ROOF - 425 m2 CAR CANOPY - 333 m2 TRUCK CANOPY - 135 m2 TOTAL - 893 m2 or 1.11%
3. GFA:	BUILDING (GROUND) - 315 m2 or 0.39% BUILDING (MEZZANINE) - 37 m2 TOTAL - 352 m2
4. TUA:	BUILDING (GROUND) - 315 m2 BUILDING (MEZZANINE) - N/A TOTAL - 315 m2
5. HEIGHTS:	BUILDING - 6.975 m CAR CANOPY - 6.050 m TRUCK CANOPY - 6.650 m PYLON SIGNAGE - 10m MAX.
6. HARDSCAPE AREA:	12,954 m2 - 315 m2 = 12,639 or 15.68% (NOTE: KERBS AND NON-GFA GROUND LEVEL BUILDING AREAS INCLUDED)
7. LANDSCAPED AREA:	80,580m2 - 12,954m2 = 67,626 m2 or 83.92% (NOTE: PATHWAYS INCLUDED)
8. VEHICLE SPACES	PROVIDED - REQUIRED: 1 MRV SPACE AND 17 SPACES INC. 1 PWD + 3 x EV CHARGING BAYS - TOTAL 20 CARS SERVICE STATION - REQUIRED: 1 SPACE PER 2 FULL TIME EMPLOYEES + 1 IN 20 m2 GFA REQ. [240 m2 / 20 = 12 + 1] CAR BOWSERS - PROVIDED: 1 MRV SPACE AND 7 CAR SPACES AND 14 CAR WAITING SPACES TRUCK BOWSERS - PROVIDED: 3 B-DOUBLE / AV SPACES AND 1 WAITING SPACE LARGE VEHICLE SPACES - PROVIDED: 4 B-DOUBLE SPACES, 6 AV SIZE SPACES, 1 HRV, 1 MRV
9. SETBACKS:	STREET - OMP - 25.307 m GLAZING - N/A SIDE (TO IMMEDIATE NEIGHBOUR) - OMP - 21.600 m GLAZING - N/A OTHER SIDE AND REAR - N/A









CONCEPT DESIGN

project no. **17 010** issue no. **NEG-4** date **NOV 2022** scale **1:400 @ a3 size**

2571 BEAUDESERT RD TAMBORINE QLD

Paul Ziukelis. architects



RA6-N



SARA reference: 1904-10748 SRA
Council reference: MCU19/027

6 January 2023

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

Attention: Mr Kobi Lane

Dear Mr Lane

SARA changed response—2571 Beaudesert Beenleigh Road, Tamborine

(Given under section 28 of the Development Assessment Rules)

On 23 January 2022, the State Assessment and Referral Agency (SARA) received notice of a change to the development application under section 52 of the *Planning Act 2016*. SARA has considered the change and now provides this changed referral agency response under section 28 of the Development Assessment Rules that replaces the response dated 30 July 2021.

Response

Outcome:	Referral agency response – with conditions
Date of response:	6 January 2023
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 Service station
SARA role:	Referral agency	
SARA trigger:	Schedule 10, part 9, division 4, subdivision 2, table 4 (Planning Regulation 2017)	
	Development application for a material change of use within 25m of a state-controlled road corridor	

1904-10748 SRA

SARA reference: 1904-10748 SRA

Assessment Manager: Scenic Rim Regional Council

Street address: 2571 Beaudesert Beenleigh Road, Tamborine

Real property description: Lot 144 on RP151365

Applicant name: Jaykai Pty Ltd (A.C.N. 140 625 270) ATF Jaykai No.2 Family Trust (A.B.N. 20 958 626 691)

Applicant contact details: C/- Enhance Urban Planning, PO Box 7143, Southport Park QLD 4215

State-controlled road access permit: This referral included an application for a road access location, under section 62A(2) of *Transport Infrastructure Act 1994*. Below are the details of the decision:

- Approved
- Reference: TMR19-027223
- Date: 4 January 2023

If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at SouthCoast@tmr.qld.gov.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 (section 30 of the 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 Kieran Hanna, Principal Planning Officer, on 3432 2404 or via email IpswichSARA@dsmip.qld.gov.au who will be pleased to assist.

Yours sincerely



David Hooper
Manager

enc Attachment 1 – Changed 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

cc Jaykai Pty Ltd (A.C.N. 140 625 270) ATF Jaykai No.2 Family Trust (A.B.N. 20 958 626 691) c/- Enhance Urban Planning, amanda@enhanceup.com

1904-10748 SRA

Attachment 1—Changed 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
Development permit for material change of use for Service station		
Schedule 10, part 9, division 4, subdivision 2, table 4 (Planning Regulation 2017)—State transport corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads 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 conditions:		
1.	<p>(a) The development must be carried out generally in accordance with Chapter 5 Stormwater Detention and Flood Storage Area and Chapter 6.7 Proposed Treatment Device Details of the Stormwater Management Plan prepared by Michael Bale & Associates, dated 9 April 2021, reference R003-G18023 and revision 04; as amended in red to identify the stormwater works.</p> <p>(b) RPEQ certification with supporting documentation must be provided to the Department of Transport and Main Roads South Coast Region (scr.calm@tmr.qld.gov.au), confirming that the development has been constructed in accordance with part (a) of this condition.</p>	<p>(a) At all times</p> <p>(b) Prior to the commencement of use</p>
2.	<p>(a) The road access location for Road Access 1: Mundoolun Connection Road is to be located generally in accordance with Site Access Concept Overview prepared by Bitzios Consulting, dated 5 July 2021, project number P3836 sheet number 0 and issue 006; as amended in red to show the road access locations.</p> <p>(b) Road access works comprising a Rural Access Intersection and CHR and AUL(s) turn treatments must be provided at the permitted access location for Road Access 1: Mundoolun Connection Road, generally in accordance with:</p> <ul style="list-style-type: none"> Site Access Concept Mundoolun Connection Road Access prepared by Bitzios Consulting, dated 5 July 2021, project number P3836 sheet number 4 and issue 006; as amended in red. <p>(c) The road access works must be designed and constructed in accordance with Road Planning and Design Manual (2nd edition), prepared by Department of Transport and Main Roads, 2016.</p>	<p>(a) At all times</p> <p>(b) and (c) Prior to the commencement of use</p>
3.	<p>(a) The road access location for Road Access 2: Ingress for Beaudesert-Beenleigh Road is to be located generally in accordance with Site Access Concept Overview prepared by Bitzios Consulting, dated 5 July 2021, project number P3836 sheet number 0 and issue 006; as amended in red to show the road access locations.</p> <p>(b) Road access works comprising a Rural Property Ingress and AUL</p>	<p>(a) At all times</p> <p>(b) and (c) Prior to the commencement of use</p>

1904-10748 SRA

No.	Conditions	Condition timing
	<p>turn treatment must be provided at the permitted access location for Road Access 2: Ingress for Beaudesert-Beenleigh Road, generally in accordance with:</p> <ul style="list-style-type: none"> Site Access Concept Beaudesert Beenleigh Road Ingress prepared by Bitzios Consulting, dated 5 July 2021, project number P3836 sheet number 2 and issue 006. <p>(c) The road access works must be designed and constructed in accordance with Road Planning and Design Manual (2nd edition), prepared by Department of Transport and Main Roads, 2016.</p>	
4.	<p>(a) The road access location for Road Access 3: Egress for Beaudesert-Beenleigh Road is to be located generally in accordance with Site Access Concept Overview prepared by Bitzios Consulting, dated 5 July 2021, project number P3836 sheet number 0 and issue 006, as amended in red to show the road access locations.</p> <p>(b) Road access works comprising a Rural Property Egress must be provided at the permitted access location for Road Access 3: Egress for Beaudesert-Beenleigh Road, generally in accordance with:</p> <ul style="list-style-type: none"> Site Access Concept Beaudesert Beenleigh Road Egress prepared by Bitzios Consulting, dated 5 July 2021, project number P3836 sheet number 1 and issue 006. <p>(c) The road access works must be designed and constructed in accordance with Road Planning and Design Manual (2nd edition), prepared by Department of Transport and Main Roads, 2016.</p>	<p>(a) At all times</p> <p>(b) and (c) Prior to the commencement of use</p>
5.	<p>Submit the speed limit review identified in Section 4.2 Road Safety Risk Assessment of the Traffic Impact Assessment prepared by Bitzios Consulting, dated 9 July 2021, reference P3836.006R and revision 006 to the South Coast Region of the Department of Transport and Main Roads at scr.calm@tmr.qld.gov.au.</p> <p>Note: It is recommended that the applicant submit this application prior to or at the same time as the section 33 applications under the <i>Transport Infrastructure Act 1994</i> for the road access works.</p>	<p>Prior to the commencement of use</p>
6.	<p>(a) The existing northern school bus zone in Mundoolun Connection Road must be relocated to the location shown on the Site Access Concept Mundoolun Connection Road Access prepared by Bitzios Consulting, dated 5 July 2021, project number P3836 sheet number 4 and issue 006, as amended in red.</p> <p>(b) The relocated bus zone must include the following components:</p> <ol style="list-style-type: none"> Bus zone with a total bus bay length of 75m and width of 3.5m plus 24.5m entry and 25m departure tapers; The two existing bus zone signs R5-20 reinstated, placed at either end of the bus zone, in accordance with AS1742.11 – Manual of uniform traffic control 	<p>(a) and (b) Prior to the commencement of use</p> <p>(c) Prior to obtaining development approval for operational work or building work, whichever occurs</p>

1904-10748 SRA

No.	Conditions	Condition timing
	<p>devices, Part 11: Parking controls; and</p> <p>(iii) Bus zone line marking for the extent of the bus zone in accordance with AS1742.11 – Manual of uniform traffic control devices, Part 11: Parking controls.</p> <p>(iv) A continuous concrete footpath of 3.5m minimum width adjacent to the bus bay length (75m).</p> <p>(c) Written notice must be provided to Department of Transport and Main Roads' TransLink Division (07 3851 8700 or at bus_stops@translink.com.au) prior to relocating and modifying the existing school bus zone.</p> <p>(d) RPEQ certification, with supporting documentation, must be provided to the Department of Transport and Main Roads South Coast Region (scr.calm@tmr.qld.gov.au) confirming that the development has been designed and constructed in accordance with parts (a) and (b) of this condition.</p>	<p>first</p> <p>(d) Prior to the commencement of use or within 20 business days of the completion of works, whichever occurs first</p>
7.	<p>(a) The existing southern school bus zone, adjacent to the site frontage in Mundoolun Connection Road must be relocated to the location shown on the Site Access Concept Mundoolun Connection Road Access prepared by Bitzios Consulting, dated 5 July 2021, project number P3836 sheet number 4 and issue 006; as amended in red.</p> <p>(b) The relocated bus zone must include the following components:</p> <p>(i) Bus zone with a total bus bay length of 75m and width of 3.6m plus 31m departure and 28m entry tapers.</p> <p>(ii) Two existing bus zone signs R5-20 reinstated, placed at either end of the bus zone, in accordance with AS1742.11 – Manual of uniform traffic control devices, Part 11: Parking controls; and</p> <p>(iii) Bus zone line marking for the extent of the bus zone in accordance with AS1742.11 – Manual of uniform traffic control devices, Part 11: Parking controls;</p> <p>(iv) A continuous concrete footpath of 3.5m minimum width adjacent to the bus bay length (75m).</p> <p>(c) Written notice must be provided to Department of Transport and Main Roads' TransLink Division (07 3851 8700 or at bus_stops@translink.com.au) prior to relocating and modifying the existing school bus zone.</p> <p>(d) RPEQ certification, with supporting documentation, must be provided to the Department of Transport and Main Roads South Coast Region (scr.calm@tmr.qld.gov.au) confirming that the development has been designed and constructed in accordance with parts (a) and (b) of this condition.</p>	<p>(a) and (b) Prior to the commencement of use</p> <p>(c) Prior to obtaining development approval for operational work or building work, whichever occurs first</p> <p>(d) Prior to the commencement of use or within 20 business days of the completion of works, whichever occurs first</p>

1904-10748 SRA

No.	Conditions	Condition timing
8.	The paved pedestrian footpaths, pedestrian refuge crossing arrangement and pedestrian refuge advance warning signage in Mundoolan Connection Road must be provided generally in accordance with the Site Access Concept Mundoolun Connection Road Access prepared by Bitzios Consulting, dated 5 July 2021, project number P3836 sheet number 4 and issue 006; as amended in red.	Prior to the commencement of use or within 20 business days of the completion of works, whichever occurs first

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 v2.6 (SDAP). If a word remains undefined it has its ordinary meaning.
2.	<p>Works in state-controlled road reserve</p> <p>This approval does not constitute a decision under section 33 of the <i>Transport Infrastructure Act 1994</i> (TIA). Under section 33 of the TIA. Written approval is required from the Department of Transport and Main Roads (DTMR) to carry out road works, including road access works, on a State-controlled road or interfere with a State-controlled road or its operation. No works are to commence within the State-controlled road reserve until approval of the plan/s showing the proposed works is issued by DTMR accordingly with section 33 of the TIA.</p> <p>Further information regarding works in State-controlled roads, including application forms, is available at: www.tmr.qld.gov.au/Community-and-environment/Planninganddevelopment/Other-matters-requiring-approval.aspx.</p> <p>The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). The approval may be subject to conditions related to the works construction process. Please contact the DTMR (South Coast Region) via email at SouthCoast@tmr.qld.gov.au or telephone (07) 5563 6600 to make an application for works in the State-controlled road reserve.</p>
3.	<p>Declaration of B-double route</p> <p>Mundoolan Connection Road is not currently a declared B-double route. As such any B doubles accessing the site from Mundoolan Connection Road will be required to obtain individual permits. The applicant may wish to apply to have the relevant section of Mundoolan Connection Road declared as a B double route. Please contact DTMR at southcoast@tmr.qld.gov.au if you wish to pursue this option.</p>
4.	<p>Road corridor permits</p> <p>Under section 50(2) of the <i>Transport Infrastructure Act 1994</i>, an application for a Road Corridor Permit is required for any ancillary works and encroachments on the State-controlled road under Schedule 1 of the Transport Infrastructure (State-controlled Roads) Regulation 2006. A decision of approval may include conditions or restrictions.</p> <p>The development application materials demonstrate that the proposed development is likely to include ancillary works and encroachments over Beaudesert-Beenleigh Road and Mundoolun Connection Road. Ancillary works and encroachments include but are not limited to advertising devices, paths, vegetation clearing, landscaping and planting, and any works that present a potential hazard to road users, including demolition activities and building scaffolding. In particular, it is recognised that construction approval is required from DTMR prior to the installation of the proposed additional culvert beneath Mundoolun Connection Road.</p> <p>Further information regarding ancillary works and encroachments is available at: www.tmr.qld.gov.au/Community-and-environment/Planning-and-development/Other-matters-requiring-approval.aspx. Please contact the department (South Coast Region) on (07) 5563 6600 or at SouthCoast@tmr.qld.gov.au to make an application for a road</p>

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	corridor permit.
5.	Public passenger transport The existing school bus zones, on either side of Mundoolun Connection Road adjacent to the site, will be impacted on by the construction of the development. These bus zones and pedestrian access to these facilities must be able to function during the construction of the development. Accordingly, if any temporary bus stop and pedestrian access arrangements are required, the applicant must reach agreement on suitable arrangements with DTMR TransLink Division at bus_stops@translink.com.au and school bus operators prior to any construction or works commencing.
6.	Public passenger transport The detailed design of the relocated and modified bus zones should be submitted to the DTMR TransLink Division for endorsement prior to construction or any works commencing. Please contact the TransLink Division at bus_stops@translink.com.au in relation to this matter.

Attachment 3—Reasons for referral agency response

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

The reasons for the SARA decision are:

- With conditions, the proposed development complies with the purpose and performance outcomes of State code 1: Development in a state-controlled road environment of the State Development Assessment Provisions; in particular:
 - o does not create a safety hazard for users of a state-controlled road;
 - o does not compromise the structural integrity of state-controlled roads, road transport infrastructure or road works;
 - o does not result in a worsening of the physical condition or operating performance of state-controlled roads and the surrounding road network;
 - o does not compromise the state's ability to construct, or significantly increase the cost to construct state-controlled roads and future state-controlled roads; and
 - o does not compromise the state's ability to maintain and operate state-controlled roads, or significantly increase the cost to maintain and operate state-controlled roads.

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 2.4)
- The Development Assessment Rules
- SARA DA Mapping system

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Attachment 4—Representations provisions

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Attachment 5—Approved plans and specifications



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10.9 Adopted Infrastructure Charges Resolution Version 14

Executive Officer: General Manager Customer and Regional Prosperity

Item Author: Technical Officer Planning and Infrastructure Charges

Attachments:

1. Adopted Infrastructure Charges Resolution V14 (with tracked changes) [↓](#) 
2. Adopted Infrastructure Charges Resolution V14 Final [↓](#) 

Executive Summary

This report seeks Council's adoption of the proposed new version Adopted Infrastructure Charges Resolution (Version No.14) (AICR) which is a procedural matter, required to give effect to Producer Price Index changes reflected in the *Planning Legislation (Fee Unit Conversion and Other Amounts) Amendment Regulation 2022*. This ensures that infrastructure charging remains consistent in real terms with changes brought on by inflationary effects. The changes do not reflect a real cost increase, but rather an adjustment for inflation.

Recommendation

That Council adopt the Adopted Infrastructure Charges Resolution (Version No.14), as provided in Attachment 2, to take effect on the commencement date of 1 February 2023.

Previous Council Considerations / Resolutions

Each year, Council updates the Adopted Infrastructure Charges Resolution to remain current and consistent with regulatory amendments.

At the Ordinary Meeting held on 23 November 2021 (Item 10.6), Council resolved to endorse the Adopted Infrastructure Charges Resolution (Version No.13) to take effect on 30 November 2021.

Report / Background

The AICR will reflect the increase in infrastructure charges in accordance with the Schedule of amendments under the *Planning Legislation (Fee Unit Conversion and Other Amounts) Amendment Regulation 2022*. The amounts in Schedule 16 (Prescribed Amount) have been adjusted to account for the latest producer price index for construction in accordance with PPI 6427.0, index number 3101 - Road and Bridge construction index for Queensland, published by the Australia Bureau of Statistics. The updated AICR has been converted to Council's new standard format in line with Council's policies for external documentation.

Charges and Indexation

The adopted infrastructure charges contained in Section 5 of the November 2021 Adopted Infrastructure Charges Resolution (Version No.13), have been updated to reflect new indexation and in accordance with the maximum adopted charge in the *Planning Regulation 2017*. It is proposed that the newly adopted AICR is to commence on 1 February 2023.

Use Categories

In the proposed AICR, the superseded Beaudesert, Boonah and Ipswich Planning Scheme land uses and those land uses that are included in the current Scenic Rim Planning Scheme 2020 (Planning Scheme) have been included in Table 1 Planning Scheme Uses as the window for applications under the superseded schemes has not been reached.

It is envisaged the 'live' development applications from the previous planning schemes were to be finalised in January 2022, but Council is still assessing applications from within this timeframe. As such references to the Beaudesert, Boonah and Ipswich Planning Schemes will still be required to the finalisation of these applications, once these have been finalised the superseded planning scheme details will no longer be required and will be removed permanently from future versions of the Adopted Infrastructure Charges Resolution document.

Budget / Financial Implications

The endorsement of the AICR results in changes to the infrastructure charges contained in Version No. 14 to be applied to new development in the region in accordance with the Schedule of amendments *Planning Legislation (Fee Unit Conversion and Other Amounts) Amendment Regulation 2022* and the latest Producer Price Index (PPI) for construction.

Strategic Implications

Operational Plan

Theme: 6. Accessible and Serviced Region

Key Area of Focus: Advocacy for forward planning and delivery of State and statutory entity-controlled infrastructure and services to support population and economic growth

Legal / Statutory Implications

The AICR is proposed to be made in accordance with Sections 112 and 113 of the *Planning Act 2016*, with changes to charges contained in the current Adopted Infrastructure Charges Resolution (Version No.13), in accordance with the Schedule of Amendments *Planning Legislation (Fee Unit Conversion and Other Amounts) Amendment Regulation 2022* and the latest PPI for construction.

Risks

Strategic 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.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Financial/Economic Impact to the Infrastructure Charges Framework by updating, levying and collecting charges appropriately	2 Minor	Possible	Low	Annual update of infrastructure charges resolution and levy charges appropriately	Low
Governance, Risk & Compliance Failure to collect sufficient infrastructure charges to fund upgrades to Council's trunk infrastructure network triggered in part by the demand generated by development	2 Minor	Possible	Low	Applying the maximum infrastructure charges permitted under the Planning Regulation will seek to minimise any funding gap of delivering the trunk infrastructure network.	Low

Consultation

Internal consultation was undertaken with Council's Development Assessment team, which is primarily responsible for the levying of infrastructure charges.

Urban Utilities has been advised that Version No. 14 will be the newly adopted AICR, to commence on 1 February 2023, to reflect the current Scenic Rim Planning Scheme 2020 and Council officers will discuss implementation matters with Urban Utilities.

Conclusion

A new version of the AICR is required to be prepared to reflect the increases in charges in accordance with the Schedule of Amendments *Planning Legislation (Fee Unit Conversion and Other Amounts) Amendment Regulation 2022* and the latest PPI for construction. The AICR Version No. 14 is recommended for adoption in the new format that is in line with Council's policies for external documentation.

SCENIC RIM REGIONAL COUNCIL

ADOPTED INFRASTRUCTURE CHARGES RESOLUTION (VERSION NO. 14)

1 FEBRUARY 2023

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This resolution is made under s. 113 of the *Planning Act 2016*. This resolution replaces Adopted Infrastructure Charges Resolution (version no. 13).

1. Application to local government area

This resolution applies to the local government area of Scenic Rim Regional Council¹. Priority infrastructure areas have been identified in the Local Government Infrastructure Plan (LGIP) in the *Scenic Rim Planning Scheme 2020*, which identifies the areas Council intends to accommodate future urban growth.

Areas subject to the *State Development and Public Works Organisations Act 1971* (State Development Act) are included in this resolution. To the extent the State Development Act or any infrastructure agreement facilitates the charging for infrastructure contributions under a different regime, this resolution will not have effect. Otherwise, the adopted infrastructure charge will apply.

2. When resolution has effect

This resolution has effect on and from 1 February 2023.

3. Priority infrastructure area

The priority infrastructure areas for the Scenic Rim Regional Council are identified in the Local Government Infrastructure Plan in the *Scenic Rim Planning Scheme 2020 (as amended 17 June 2022)*.

4. Comparison of planning scheme uses

To assist in applying Schedule 16 of the Planning Regulation 2017 (Regulation), Table 1 provides a guide to the planning scheme uses under the planning scheme that come within the uses mentioned in column 1 of schedule 16, including the three superseded planning schemes that apply, being the:

- *Beaudesert Shire Planning Scheme 2007*;
- *Boonah Shire Planning Scheme 2006*; and
- *Ipswich Planning Scheme 2006*.

Infrastructure charges will be applied according to the planning scheme use under which the development permit is given.

¹ Scenic Rim Regional Council was formed due to Local Government Boundary Reform in 2008 by amalgamation of the Boonah Shire, parts of the Beaudesert Shire and parts of the Ipswich City.

Table 1 - Planning scheme use categories

Superseded planning scheme uses			Scenic Rim Planning Scheme 2020 uses
Beaundesert Shire Planning Scheme 2007	Boonah Shire Planning Scheme 2006	Ipswich Council Planning Scheme 2006	
Residential			
House; Dual Occupancy; Caretakers Residence; Managers/Workers House; Medium Density Residential	House; Relatives' Accommodation; Caretakers Residence; Multiple Dwelling	Single Residential; Display Housing; Dual Occupancy; Caretaker Residential; Multiple Residential	Dwelling house
			Dual occupancy
			Caretaker's accommodation
			Multiple dwelling
Accommodation (short term)			
Motel; Bed and Breakfast; Tourist Cabins; Camping Ground	Motel; Host Home Accommodation; Caravan Park; Tourist Cabins; Camping Ground	Temporary Accommodation	Hotel
			Resort Complex
			Short-term accommodation
			Tourist park – caravan or tent
			Tourist Park - cabins
Accommodation (long term)			
Caravan; Relocatable Home Park; Aged Persons Accommodation	Multiple Dwelling		Community residence
			Rooming accommodation
			Relocatable home park
			Retirement facility
Places of assembly			
Funeral Premises; Public Worship	Funeral Establishment; Community Facilities	Business Use (Funeral Premises); Community Use (Cemetery, Community Hall, Crematorium, Cultural Centre, Gallery, Library, Meeting Rooms, Museum, Place of Worship)	Club
			Community use
			Function facility
			Funeral parlour
			Place of worship
Commercial (bulk goods)			
Retail Plant Nursery; Retail Showroom; Produce Store	Plant Nursery; Bulk Supplies; Showroom; Commercial Premises (Retail Plant Nursery)	Business Use (Bulky Goods Sales, Vehicle Sales Premises, Garden Centre, Farm Supply Outlet)	Agricultural supplies store
			Bulk landscape supplies
			Garden centre
			Hardware and trade supplies
			Outdoor sales
			Showroom

Superseded planning scheme uses			Scenic Rim Planning Scheme 2020 uses
Beaudesert Shire Planning Scheme 2007	Boonah Shire Planning Scheme 2006	Ipswich Council Planning Scheme 2006	
Commercial (retail)			
General Store; Shop; Shopping Centre; Convenience Restaurant; Food Establishment / Reception Centre; Cottage Tourist Facility; Service Station Tourist Business; Tourist Facility	Shop; Food Premises; Service Station Tourist Facility	General Store; Shopping Centre; Business Use (Café, Fast Food Premises, Laundromat, Restaurant, Service Station, Shop, Snack Bar, Takeaway Food Premises); Tourist Facility	Adult store
			Food and drink outlet
			Service industry
			Service station
			Shop
			Shopping centre
Commercial (office)			
Commercial Activity	Commercial Premises	Business Use (Medical Centre, Office, Professional Office);	Office
			Sales office
Educational facility			
Child Care Facility; Educational Establishment	Community Facilities (Educational Establishment)	Community Use (Child Care Centre, School)	Child care centre
			Community care centre
			Educational establishment
Entertainment			
Hotel / Club	Hotel	Business Use (Hotel)	Resort Complex
			Hotel (non-residential component)
			Nightclub entertainment facility
			Theatre
Indoor sport and recreation			
Indoor Sports, Recreation and Entertainment	Indoor Recreation	Entertainment Use	Indoor sport and recreation (squash or other court areas)
			Indoor sport and recreation (other)
Other Industry			
Industry – General; Industry – Low Impact / Service; Warehouse / Storage Facility; Passenger Terminal; Transport Terminal; Truck Depot	Industry - Medium Impact; Industry - Low Impact; Bulk Store; Warehouse; Transport Depot	General Industry; Service / Trades use;	Low impact industry
			Marine industry
			Medium impact industry
			Research and technology industry
			Rural industry
			Warehouse

Superseded planning scheme uses			Scenic Rim Planning Scheme 2020 uses
Beaudesert Shire Planning Scheme 2007	Boonah Shire Planning Scheme 2006	Ipswich Council Planning Scheme 2006	
High impact industry			
Industry – High	Industry - High Impact	Nuclear Industry; Special industry	High impact industry
			Special Industry
Low impact rural			
Agriculture; Animal Husbandry; Coursing or Trialling Track; Equestrian Activities; Forestry.	Aqua Culture – Minor; Agriculture; Animal Husbandry; Stables; Stock Sale Yard.	Agriculture; Animal Husbandry; Forestry.	Animal husbandry
			Cropping
			Permanent plantations
			Wind farm
High impact rural			
Aquaculture; Feedlot Farming; Intensive Agriculture; Piggery; Poultry Farm; Intensive Animal Husbandry; Winery / Distillery	Aqua Culture – Significant; Intensive Animal Industry, Wholesale Nursery;	Intensive Animal Husbandry; Plant Nursery (Wholesale); Wine Making	Cultivating, in a confined area, aquatic animals or plants for sale
			Intensive animal industry
			Intensive horticulture
			Wholesale nursery
			Winery
Essential services			
Veterinary Surgery / Hospital; Corrective Institution; Community Care Centre; Hospital	Community Facilities	Community Use; Correctional Centre; Institutional Residential; Business Use (Veterinary Clinic); Community Use (Community Centre, Emergency Service Depot, Hospital, Senior Citizens Centre, Youth Centre)	Correctional facility
			Emergency services
			Healthcare service
			Hospital
			Residential care facility
Minor uses			
Home Based Business (Category 1); Home Based Business (Category 2); Home Based Business (Category 3); Roadside Stall; Private Airstrip; Temporary Estate Sales Office; Public Park; Telecommunications Facility; Temporary Activity	Domestic Animal Husbandry; Roadside Stall; Home Based Business (commercial based activity - 45m ² in area); Park; Telecommunications Facility; Utilities – Local; Utilities - Public	Home Based Activity; Home Industry; Temporary Sales Office; Park; Night Court; Temporary Use; Car Park	Advertising device
			Cemetery
			Home based business
			Landing
			Market
			Outdoor lighting
			Park
			Roadside stall
			Telecommunication facility
Temporary Use			

Superseded planning scheme uses			Scenic Rim Planning Scheme 2020 uses
Beaudesert Shire Planning Scheme 2007	Boonah Shire Planning Scheme 2006	Ipswich Council Planning Scheme 2006	
Other uses			
Cattery; Kennel; Market; Extractive Industry; Outdoor Sports, Recreation and Entertainment; Cemetery; Landfill Activities; Utility – Local; Utility – Major; Commercial Ground Water Extraction	Kennels & Catteries; Extractive Industries; Outdoor Recreation	Intensive Animal Husbandry (Cattery & Kennels): Recreation Use; Extractive Industry; Aviation Use; Minor Utility; Major Utility	Air services
			Animal keeping
			Car park
			Crematorium
			Extractive industry
			Major sport recreation and entertainment facility
			Motor sport facility
			Non-residential workforce accommodation
			Outdoor sport and recreation
			Port services
			Tourist attraction
			Utility installation
			Any other use not listed including a use that is unknown

5. Adopted charges

The Scenic Rim Regional Council resolves to adopt the base charges mentioned in Table 2, Column 3, for development for a use mentioned in Table 2, Column 2. The total adopted charges for the Scenic Rim Regional Council area (which includes the charges levied by Council and the distributor-retailer i.e. Queensland Urban Utilities) do not exceed the maximum adopted charges. Refer to Queensland Urban Utilities' Water NetServ Plan for details on adopted charges for water and sewer infrastructure.

The adopted charges for development are equal to the maximum adopted charge for the development under the Planning Act. The adopted charge for development is:

- a. The base charge amount for the development set out in Table 2; or
- b. Otherwise the sum of
 - i. the base charge in Table 2; and
 - ii. the base charge in Table 2 multiplied by the sum of the percentage increases for each financial quarter since the base charge was last amended.

The local government declares that an adopted charge in Table 2, Column 3, applies to that part of the local government area mentioned for that charge in Table 2, Column 4. Column 5 is the proportion of the maximum charge which the Council is entitled to levy as shown in Column 3.

The base charge applicable for a Reconfiguration of a Lot for residential or non-residential development is the 'Residential Category - 3 or more bedroom dwelling house' charge per allotment, in accordance with table 2 of this resolution.

Table 2 – Adopted charges schedule

Column 1 Use category	Column 2 Use	Column 3 (A) Charge category	Column 3 (B) Charge	Column 3 (C) Stormwater charge	Column 4 Part of local government area (LGA) to which charge applies	Column 5 Charges Breakup
Residential	Dwelling house	\$ per 1 or 2 bedrooms dwelling	\$11,100.00 \$10,956.20	N/A	Across LGA	50.00%
	Caretaker's accommodation					
	Multiple dwelling	\$ per 3 or more bedrooms dwelling	\$15,540.00 \$15,338.82	N/A	Across LGA	50.00%
	Dual occupancy					
Accommodation (short term)	Hotel Resort Complex accommodation	\$ per bedroom that is not within a suite	\$5,549.98 \$5,478.13	N/A	Across LGA	50.00%
		\$ per 1 or 2 bedrooms in a suite	\$5,549.98 \$5,478.13	N/A	Across LGA	50.00%
		\$ per 3 or more bedrooms in a suite	\$7,769.95 \$7,669.38	N/A	Across LGA	50.00%
	caravan sites	\$ per 1 or 2 tent or caravan sites	\$5,549.98 \$5,478.13	N/A	Across LGA	50.00%
		\$ per group of 3 tent or caravan sites	\$7,769.95 \$7,669.38	N/A	Across LGA	50.00%
	Tourist park - cabins	\$ per 1 or 2 bedrooms cabin	\$5,549.98 \$5,478.13	N/A	Across LGA	50.00%
		\$ per 3 or more bedrooms cabin	\$7,769.95 \$7,669.38	N/A	Across LGA	50.00%
Accommodation (long term)	Community residence	\$ per bedroom that is not within a suite	\$11,100.00 \$10,956.20	N/A	Across LGA	50.00%
	Rooming accommodation					
	Retirement facility	\$ per 1 or 2 bedrooms per suite	\$11,100.00 \$10,956.20	N/A	Across LGA	50.00%
		\$ per 3 or more bedrooms per suite	\$15,540.00 \$15,338.82	N/A	Across LGA	50.00%
	Relocatable home park	\$ per 1 or 2 bedrooms relocatable dwelling site	\$11,100.00 \$10,956.20	N/A	Across LGA	50.00%
		\$ per 3 or more bedrooms relocatable dwelling site	\$15,540.00 \$15,338.82	N/A	Across LGA	50.00%

Column 1 Use category	Column 2 Use	Column 3 (A) Charge category	Column 3 (B) Charge	Column 3 (C) Stormwater charge	Column 4 Part of local government area (LGA) to which charge applies	Column 5 Charges Breakup
Places of assembly	Club Community use Function facility Funeral parlour Place of worship	\$ per m ² GFA plus \$ per m ² impervious area	\$61.09 \$60.30	\$11.10 \$10.95 per m ² impervious area	Inside Urban Footprint	78.57%
				\$0 per m ² impervious area	Outside Urban Footprint	
Commercial (bulk goods)	Agricultural supplies store Bulk landscape supplies Garden centre Hardware and trade supplies Outdoor sales Showroom	\$ per m ² GFA plus \$ per m ² impervious area	\$122.10 \$120.63	\$11.10 \$10.95 per m ² impervious area	Inside Urban Footprint	78.57%
				\$0 per m ² impervious area	Outside Urban Footprint	
Commercial (retail)	Adult store Food and drink outlet Service industry Service station Shop Shopping centre	\$ per m ² GFA plus \$ per m ² impervious area	\$166.49 \$164.33	\$11.10 \$10.95 per m ² impervious area	Inside Urban Footprint	83.33%
Commercial (retail)	Food and drink outlet Shop	\$ per m ² GFA plus \$ per m ² impervious area	\$166.49 \$164.33	\$0 per m ² impervious area	Outside Urban Footprint	83.33%

Column 1 Use category	Column 2 Use	Column 3 (A) Charge category	Column 3 (B) Charge	Column 3 (C) Stormwater charge	Column 4 Part of local government area (LGA) to which charge applies	Column 5 Charges Breakup
Commercial (office)	Office Sales office	\$ per m ² GFA plus \$ per m ² impervious area	\$122.10 \$120.53	\$11.10 \$10.95 per m ² impervious area	Across LGA	78.57%
Education facility	Child care centre Community care centre Educational establishment	\$ per m ² GFA plus \$ per m ² impervious area	\$122.10 \$120.53	\$11.10 \$10.95 per m ² impervious area	Across LGA	78.57%
	Educational establishment for the Flying Start for Qld Children Program or under designation	Nil charge	Nil	N/A	N/A	N/A
Entertainment	Resort Complex Hotel Nightclub/ entertainment facility Theatre	\$ per m ² GFA plus \$ per m ² impervious area	\$188.66 \$186.24	\$11.10 \$10.95 per m ² impervious area	Across LGA	85%
Indoor sport and recreation	Indoor sport and recreation (squash or other court areas)	\$ per m ² GFA of court area plus \$ per m ² impervious area	\$16.61 \$16.39	\$11.10 \$10.95 per m ² impervious area	Across LGA	75%
	Indoor sport and recreation (other)	\$ per m ² GFA plus \$ per m ² impervious area	\$166.49 \$164.33	\$11.10 \$10.95 per m ² impervious area	Across LGA	75%

Column 1 Use category	Column 2 Use	Column 3 (A) Charge category	Column 3 (B) Charge	Column 3 (C) Stormwater charge	Column 4 Part of local government area (LGA) to which charge applies	Column 5 Charges Breakup
Industry	Low impact industry Marine industry Medium impact industry Research and technology industry Rural industry Warehouse	\$ per m ² GFA plus \$ per m ² impervious area	\$22.20 \$21.92	\$11.10 \$10.95 per m ² impervious area	Inside Urban Footprint	40%
Industry	Rural industry	\$ per m ² GFA plus \$ per m ² impervious area	\$22.20 \$21.92	\$0 per m ² impervious area	Outside Urban Footprint	40%
High Impact Industry	High impact industry Special Industry	\$ per m ² GFA plus \$ per m ² impervious area	\$33.32 \$32.46	\$11.10 \$10.95 per m ² impervious area	Across LGA	42.85%
Low Impact Rural	Animal husbandry Cropping Permanent plantations Wind farm	Nil charge	Nil	N/A	N/A	N/A
High Impact Rural	Cultivating, in a confined area, aquatic animals or plants for sale Intensive animal industry Intensive horticulture Wholesale nursery Winery	\$ per m ² GFA for the high impact rural use	\$22.15 \$21.85	N/A	Across LGA	100%

Column 1 Use category	Column 2 Use	Column 3 (A) Charge category	Column 3 (B) Charge	Column 3 (C) Stormwater charge	Column 4 Part of local government area (LGA) to which charge applies	Column 5 Charges Breakup
Essential Services	Correctional facility Emergency services Health care service Hospital Residential care facility Veterinary service	\$ per m ² GFA plus \$ per m ² impervious area	\$122.10 \$120.53	\$11.10 \$10.95 per m ² impervious area	Across LGA	78.57%
Minor uses	Advertising device Cemetery Home based business Landing Market Outdoor lighting Park Roadside stall Telecommunications facility Temporary use	Nil charge	Nil	N/A	N/A	N/A

Column 1 Use category	Column 2 Use	Column 3 (A) Charge category	Column 3 (B) Charge	Column 3 (C) Stormwater charge	Column 4 Part of local government area (LGA) to which charge applies	Column 5 Charges Breakup
Other uses	Air services Animal keeping Crematorium Extractive industry Major sport, recreation and entertainment facility Motor sport facility Non-resident workforce accommodation Outdoor sport and recreation Port service Tourist attraction Utility installation Any other use not listed in column 2, including a use that is unknown	The maximum adopted charge is the charge (in column 3(A) and 3(B)) for a use category (in column 2) that appropriately reflects the use at the time of assessment and the local government decides to apply to the use.				
	Car park	\$0 per m ² GFA	Nil	\$11.10 \$10.95 per m ² impervious area	N/A	100%

6. Additional Demand

Section 120 (Limitation of levied charge) of the Planning Act provides that a levied charge may be only for extra demand placed on trunk infrastructure that the development will generate. In working out extra demand, the demand generated by the following must not be included:

- a. an existing use on the premises if the use is lawful and already taking place on the premises;
- b. a previous use that is no longer taking place on the premises if the use was lawful at the time it was carried out;
- c. other development on the premises if the development may be lawfully carried out without the need for a further development permit.

However, the demand generated by a use or development stated above may be included if an infrastructure requirement that applies or applied to the use or development has not been complied with.

Also, the demand generated by development stated in above subsection (c) may be included if -

1. an infrastructure requirement applies to the premises on which the development will be carried out; and
2. the infrastructure requirement was imposed on the basis of development of a lower scale or intensity being carried out on the premises.

7. Trunk infrastructure

- The trunk infrastructure shown in Plans for Trunk Infrastructure of the Local Government Infrastructure Plan in the *Scenic Rim Planning Scheme 2020* is identified as the trunk infrastructure for the local government area.
- The trunk infrastructure networks to which the adopted charge applies are:
 1. transport network
 2. urban open space network
 3. stormwater network
- The standard of service for each network or network mentioned above is stated to be the standard set out in the Desired Standards of Service (DSS) of the Local Government Infrastructure Plan in the *Scenic Rim Planning Scheme 2020*.
- The establishment cost of trunk infrastructure items is the cost shown in the Schedule of Works of the Local Government Infrastructure Plan in the *Scenic Rim Planning Scheme 2020*.

8. Automatic increase (Indexing) of levied charges

The levied charge for development will be increased after the charge is levied and before it is paid to the local government.

The automatic increase must not be more than the lesser of the following -

- a. the difference between the levied charge and the maximum adopted charge the local government could have levied for the development when the charge is paid;
- b. the increase worked out using the Produce Price Index (PPI) for the period starting on the day the levied charge was levied and ending on the day it is paid, adjusted according to the three-yearly PPI average.

The three-yearly PPI average means the PPI adjusted according to the three-year moving average quarterly percentage change between financial quarters.

9. Indexing the adopted charges schedule

The adopted charges schedule in section 5 of this charges resolution will be adjusted annually by no more than the three-yearly PPI average.

10. Payment of levied charge

To give effect to the payment triggers in the Planning Act, the time for payment of levied charges will be in accordance with Table 3.

Table 3 - Trigger for Payment

Type of Development Approval	Payment time
Reconfiguring a Lot	Prior to Council approving a plan for the reconfiguration that, under the Land Title Act, is required to be given to Council for approval.
Material Change Of Use	<p>Prior to the first of the following occurring:</p> <p>a) The issue of a Compliance Certificate under the <i>Plumbing and Drainage Act 2002</i>;</p> <p>b) When the final inspection certificate or Certificate of Classification is given under the <i>Building Act 1975</i>;</p> <p>c) When the change of use happens;</p> <p>OR</p> <p>On the day stated in the ICN*.</p>
Carrying out Building Work	<p>Prior to the first of the following occurring:</p> <p>a) When the final inspection certificate or Certificate of Classification is given under the <i>Building Act 1975</i>;</p> <p>b) When the change of use happens;</p> <p>OR</p> <p>On the day stated in the ICN*.</p>

**Editor's note: If a Compliance Certificate under the Plumbing and Drainage Act 2002 or a Certificate of Classification or final inspection certificate under the Building Act 1975 is not required for the material change of use or the building work, then the Infrastructure Charges Notice (ICN) issued in response to a Related Approval will state that an invoice will be issued within either 30, 60 or 90 days of the giving of the Related Approval. The invoice will require the levied charge referred to in the ICN to be payable within 30 days from the date of the invoice.*

11. Discount on infrastructure charges

11.1 Community Organisations on Council Controlled Land

Infrastructure charges are 100% waived for the development on Council owned or controlled land where involving development established and operated by a *community organisation* (non-profit entity). A *community organisation* must not hold liquor or gaming machine licences.

A *community organisation* must provide evidence of its non-profit and incorporated/registered status. This evidence shall include providing Council with a copy of its relevant constitution or governing documents and registration number under the *Associations Incorporation Act 1981* or *Collections Act 1966* as appropriate.

11.2 Community Organisations - Other Automatic Discounts

Infrastructure charges are 100% waived for the development;

- (1) on land owned by a *community organisation* or the State Government; and
- (2) involving development established and operated by a *community organisation*,
and
- (3) the development is an eligible *community development*;
- (4) the *community organisation* does not hold liquor or gaming machine licences,
and
- (5) involves *community organisation* limited to;
 - (a) Community Halls (incl Memorial Halls and School of Arts)
 - (b) Show Societies (and like venues)
 - (c) Community cemeteries
 - (d) Emergency Services
 - (e) Historical Societies

A *community organisation* must provide evidence of its non-profit and incorporated/registered status. This evidence shall include providing Council with a copy of its relevant constitution or governing documents and registration number under the *Associations Incorporation Act 1981*, *Collections Act 1966*, or equivalent as appropriate.

11.3 Community Organisations - Other

Infrastructure charges may be considered for discount upon request and such applications would be assessed on a case by case basis and in accordance with any relevant Council policies. Limits may apply as to the percentage and maximum value of such waivers.

12. Offset and refund for trunk infrastructure

12.1. Purpose

Part 10 states the following matters relevant to the working out of an offset or refund for the provision of trunk infrastructure for the local government trunk infrastructure networks for development:

- (a) the criteria for trunk infrastructure to be applied by the local government in deciding if development infrastructure is trunk infrastructure (***identified trunk infrastructure criteria***);

- (b) the method to be applied by the local government for working out the establishment cost of trunk infrastructure for an offset or refund where an applicant is required under a condition of a relevant approval to provide land or work for the following trunk infrastructure for local government trunk infrastructure networks (**trunk infrastructure contribution**):

Editor's note—A relevant approval is a development approval under the Planning Act 2016.

- i. **identified trunk infrastructure**—development infrastructure which is identified in the Local Government Infrastructure Plan;

Editor's note—See section 128(1)(a) (Necessary infrastructure conditions) of the Planning Act 2016.

- ii. **different trunk infrastructure**—development infrastructure which:

- A. is an alternative to the identified trunk infrastructure; and
- B. delivers the same desired standards of service for the network of development infrastructure stated in the Local Government Infrastructure Plan;

Editor's note—See section 128(1)(b) (Necessary infrastructure conditions) of the Planning Act 2016.

- iii. **necessary trunk infrastructure**—development infrastructure which is not identified trunk infrastructure or different trunk infrastructure that satisfies the identified trunk infrastructure criteria and is necessary to service development;

Editor's note—See sections 128(2 & 3) (Necessary infrastructure conditions) of the Planning Act 2016.

- iv. **prescribed trunk infrastructure**—development infrastructure which is not identified trunk infrastructure, different trunk infrastructure or necessary trunk infrastructure that becomes trunk infrastructure under the Planning Act;

Editor's note—See sections 142(3) (Effect of and action after conversion) of the Planning Act 2016.

- (c) whether an offset or refund applies and if so the details of the offset and refund and the timing of the offset and refund.

12.2. Identified trunk infrastructure criteria

The identified trunk infrastructure criteria for deciding that development infrastructure is trunk infrastructure are the following:

- (a) that the development infrastructure is necessary to service development:
 - i. consistent with the assumptions about the type, scale, location or timing of future development stated in the Local Government Infrastructure Plan; and

- ii. for premises completely inside the priority infrastructure area in the Local Government Infrastructure Plan;
- (b) that the development infrastructure complies with the criteria in the Desired Standards of Service in the Local Government Infrastructure Plan of the planning scheme.

12.3. Working out the establishment cost

The establishment cost for a trunk infrastructure contribution is to be worked out by the local government using the following:

- (a) for the calculation of the establishment cost—the method in section 12.4 (Calculation of the establishment cost);
- (b) for the recalculation of the establishment cost for work calculated under paragraph (a)—the method in section 12.5 (Recalculation of the establishment cost for work);
- (c) for the recalculation of the establishment cost for land calculated under paragraph (a)—the method in section 12.6 (Recalculation of the establishment cost for land).

12.4. Calculation of the establishment cost

- (1) The establishment cost for a trunk infrastructure contribution is to be worked out by the local government using any of the following:
 - (a) the planned estimate of the trunk infrastructure contribution;
 - (b) a cost-based estimate of the establishment cost for the trunk infrastructure contribution determined by the local government using first principles estimating;
 - (c) an estimate of the establishment cost for the trunk infrastructure contribution reasonably determined by the local government.
- (2) The **planned estimate** of the trunk infrastructure contribution if:
 - (a) the whole of an item of identified trunk infrastructure—is the **planned cost** being the amount of the value of the item stated in Schedule of Works in the Local Government Infrastructure Plan of the planning scheme;
 - (b) part of an item of identified trunk infrastructure—is the estimate of the proportion of the planned cost of the item of identified trunk infrastructure applicable to the trunk infrastructure contribution having regard to the method used by the local government to work out the planned cost of the item of identified trunk infrastructure stated in the extrinsic material to the Local Government Infrastructure Plan; and
 - (c) different trunk infrastructure, necessary trunk infrastructure or prescribed trunk infrastructure—is the estimate of the planned cost of the infrastructure having regard to the method used by the local government to work out the planned cost of the identified trunk infrastructure for the network of development infrastructure stated in the extrinsic material to the Local Government Infrastructure Plan.

12.5. Recalculation of the establishment cost for work

Market cost

- (1) The establishment cost for a trunk infrastructure contribution for work may be recalculated by the local government at the request of the applicant by using the market cost for the work.
- (2) The **market cost** for the work is the estimate of the cost of the design and construction of the work:
 - (a) including the following:
 - (i) the construction cost for the work;
 - (ii) construction on costs for the work which do not exceed the maximum construction on costs stated in schedule 1 for the following:
 - (A) the cost of survey for the work;
 - (B) the cost of geotechnical investigations for the work;
 - (C) the cost of only detailed design for the work;
 - (D) the cost of project management and contract administration;
 - (E) the cost of environmental investigations for the work;
 - (F) a portable long service leave payment for a construction contract for the work;
 - (iii) risk and contingencies which do not exceed 10% for the cost of that part of the work in a construction contract which is subject to a contingency.

Example -

A construction contract for a trunk road infrastructure network item may state a contingency for pavement design and service relocation.

- (b) excluding the following:
 - (i) the planning of the work;
 - (ii) a cost of carrying out temporary infrastructure;
 - (iii) a cost of carrying out other infrastructure which is not part of the trunk infrastructure contribution;
 - (iv) a cost of the decommissioning, removal and rehabilitation of infrastructure identified in paragraphs (ii) and (iii);
 - (v) a part of the trunk infrastructure contribution provided by:
 - (A) the local government; or
 - (B) a person, other than the applicant or a person engaged by the applicant;
 - (vi) a cost to the extent that GST is payable and an input tax credit can be claimed for the work;

- (vi) a cost attributable directly or indirectly to the failure of an applicant or a person engaged by the applicant to perform and fulfil a relevant approval for the work;

Editor's note — A relevant approval is a development approval under the Planning Act 2016.

- (vii) a cost caused or contributed to by a negligent or wilful act or omission by the applicant or a person engaged by the applicant
- (viii) a cost of carrying out development infrastructure which is only made necessary by the development and does not contribute to the function of the trunk infrastructure item;
- (ix) a cost of carrying out trunk infrastructure which relates to another development infrastructure network;
- (x) a cost of carrying out development infrastructure which is replacing existing infrastructure with different infrastructure in another development infrastructure network;
- (xi) a cost of carrying out development infrastructure in excess of the desired standard of service for the network of development infrastructure stated in the Local Government Infrastructure Plan;
- (xii) a cost of existing development infrastructure which services or is planned to service existing or future demand that is replaced by the trunk infrastructure contribution.

Determining the market cost

- (3) The local government is to, prior to the applicant starting the construction of the work, determine the market cost for the work as follows:
 - (a) the applicant is to undertake an open tender process for the work;
 - (b) the applicant is to:
 - (i) give to the local government a notice in the prescribed form which states the following:
 - (A) an open tender process has been conducted;
 - (B) the tenders received;
 - (C) the applicant's preferred tenderer;
 - (D) the applicant's reason for the preferred tenderer;
 - (E) the terms of the construction contract for the work;
 - (F) a plan for each development infrastructure network clearly showing the extent of the work for which an offset is sought;
 - (G) the applicant's calculation of the market cost for the work; and

- (ii) pay the prescribed fee;

Editor's note—The prescribed fee may include the local government's costs for determining the market cost.

- (c) the local government may, within 20 business days of the date the notice under paragraph (b) is received by the local government, give a notice to the applicant which states that the applicant is to provide to the local government a document to enable the local government to determine the market cost including without limitation the following:
 - (i) details in respect of a construction contract for the work;
 - (ii) a plan for each development infrastructure network clearly showing the scope of the work for which an offset is sought;
- (d) the applicant is to comply with a notice given by the local government to the applicant under paragraph (c);
- (e) the local government is to as soon as reasonably practicable determine the market cost acting reasonably having regard to the matters in paragraphs (a) to (d);
- (f) the local government after determining the market cost is to as soon as reasonably practicable:
 - (i) give to the applicant a notice which states the following:
 - (A) the local government's calculation of the market cost for the work and the reason for any difference from the applicant's calculation;
 - (B) the establishment cost for the work; and
 - (ii) issue an amended infrastructure charges notice.

Adjustment of the establishment cost

- (4) The local government is to, after the completion of the construction of the work and prior to the date for the payment of a levied charge, determine an adjustment to the establishment cost as follows:
 - (a) this subsection only applies to a cost of work (**prescribed cost**) if the cost:
 - (i) would have formed part of the market cost used to work out the establishment cost for the work; and
 - (ii) was not included in the market cost used to work out the establishment cost or was included in the market cost used to work out the establishment cost but was for an amount less than the prescribed cost; and
 - (iii) was included in the market cost used to work out the establishment cost but was subject to a contingency stated in subsection (2)(a)(iii);
 - (b) the applicant may, prior to 15 business days after the applicant has completed the work:

- (i) give to the local government a single notice which is to state the following:
 - a. that the applicant requests that the local government adjust the establishment cost to take account of the prescribed cost;
 - b. all information reasonably necessary to establish the calculation of the prescribed cost and that the cost is a prescribed cost;
 - c. the applicant's calculation of the prescribed cost; and
- (ii) pay the prescribed fee if paragraph (i) applies;

Editor's note — The prescribed fee may include the local government's costs for determining whether the establishment cost is to be adjusted.

- (c) the local government may, within 20 business days of the date the notice under paragraph (b) is received by the local government, give a notice to the applicant which states that the applicant is to provide to the local government a document to enable the local government to determine the value of an adjusted establishment cost;
- (d) the applicant is to comply with a notice given by the local government to the applicant under paragraph (c);
- (e) the local government is to as soon as reasonably practicable determine whether the establishment cost is to be adjusted acting reasonably having regard to the matters in paragraphs (a) to (d);
- (f) the local government after determining whether the establishment cost is to be adjusted, is to as soon as reasonably practicable:
 - (i) give to the applicant a notice which states the following:
 - a. the local government's calculation of the adjusted establishment cost for the work and the reason for any difference from the applicant's calculation;
 - b. the establishment cost for the work; and
 - (ii) issue an amended infrastructure charges notice.

Dispute process

- (5) An applicant may, within 10 business days of the date of a notice under subsections (3)(f) or 4(f):
 - (a) give to the local government a notice in the prescribed form stating that it disputes the local government's recalculation of the establishment cost for the work; and
 - (b) pay the prescribed fee.

Editor's note — The prescribed fee may include the local government's costs for the dispute process including the cost of the independent registered quantity surveyor.

- (6) The local government and the applicant are to take the following action to resolve the dispute:
 - (a) the local government is to appoint an independent registered quantity surveyor to determine the establishment cost for the work in accordance with this section;
 - (b) the local government and the applicant are to cooperate in good faith with the independent registered quantity surveyor;
 - (c) the local government and the applicant are to accept the independent registered quantity surveyor's determination of the establishment cost for the work;
 - (d) the local government is to, as soon as reasonably practicable:
 - (i) give to the applicant a notice which states the establishment cost for the work determined by the independent registered quantity surveyor; and
 - (ii) issue an amended infrastructure charges notice.

12.6. Recalculation of the establishment cost for land

- (1) The establishment cost for a trunk infrastructure contribution for land may be recalculated by the local government at the request of the applicant using the market value of the land.
- (2) The **market value** of the land is the difference, determined by using the before and after method of valuation of the whole of the subject premises, between the value of the subject premises including the land and the value of the subject premises excluding the land.
- (3) Where the land infrastructure has been identified in the Local Government Infrastructure Plan, the valuation must be undertaken to determine the market value that would have applied on the day the development application, which is the subject of a condition to provide trunk infrastructure, first became properly made.
- (4) Where the land infrastructure has not been identified in the Local Government Infrastructure Plan, the valuation must be undertaken to determine the market value that would have applied on the day the development application, which is the subject of a condition to provide trunk infrastructure, was approved.
- (5) The valuation report must—
 - (a) include supporting information regarding the highest and best use of the land which the valuer has relied on to form an opinion about the value;
 - (b) identify the area of land that is above the 1% AEP flood level and the area that is below the 1% AEP flood level;
 - (c) take into account and identify all other real and relevant constraints including but not limited to vegetation protection, ecological values including riparian buffers and corridors, stormwater or drainage corridors, slope, bushfire hazards, heritage, airport environs, coastal erosion, extractive resources, flooding, land use buffer requirements and landslide hazards. This must also

include tenure related constraints and restrictions such as easements, leases, licences and other dealings whether or not registered on title; and

- (d) contain relevant sales evidence and clear analysis of how those sales and any other information was relied upon in forming the valuation assessment.
- (6) The local government is to, prior to the date of payment of the levied charge, determine the market value of the land as follows:
 - (a) the applicant is to provide to the local government the following:
 - (i) a notice in the prescribed form requesting the recalculation of the establishment cost for the land;
 - (ii) a valuation of the land undertaken by a certified practicing valuer;
 - (iii) the prescribed fee;

Editor's note — The prescribed fee may include the local government's costs of the recalculation process including the cost of the registered valuer and independent certified practicing valuer.
 - (b) the local government may, if the matters in paragraph (a) are satisfied, refer the valuation to a registered valuer to assess whether the valuation is consistent with the market value;
 - (c) the local government is to decide whether to:
 - (i) accept the valuation; or
 - (ii) reject the valuation;
 - (d) the local government is to, if it accepts the valuation:
 - (i) give to the applicant a notice stating the establishment cost for the land; and
 - (ii) index the establishment cost for the land using the 3 yearly PPI index average from the date of the accepted valuation to the date stated in the amended infrastructure charges notice;
 - (e) the local government is to, if it rejects the valuation, refer the valuation to an independent certified practicing valuer to:
 - (i) assess whether the valuation is consistent with the market value; and
 - (ii) undertake a valuation of the land if the valuation is assessed as not consistent with the market value;
 - (f) the local government is to, upon the determination of the independent certified practicing valuer's valuation:
 - (i) give to the applicant a notice stating the establishment cost for the land;
 - (ii) index the establishment cost for the land using the 3 yearly PPI index average from the date of the independent certified practicing valuer's valuation to the date stated in the amended infrastructure charges notice; and
 - (iii) issue an amended infrastructure charges notice;

- (g) the local government however is not required to refer the valuation to the registered valuer or the independent certified practising valuer if the applicant has not paid to the local government the prescribed fee including the costs of the registered valuer under paragraph (b) and the independent certified practicing valuer under paragraph (e).

12.7. Application of an offset and refund

The following apply if a trunk infrastructure contribution services or is planned to service premises other than premises the subject of the relevant approval and an adopted charge applies to the development, which is consistent with Local Government Infrastructure Plans in type, scale, timing and location, the subject of the relevant approval:

Editor's note — A relevant approval is a development approval under the Planning Act 2016.

- (a) an **offset**—where the establishment cost for the trunk infrastructure contribution is equal to or less than the levied charge;
- (b) a **refund**—where the establishment cost for the trunk infrastructure contribution is more than the levied charge.

12.8. Details of an offset and refund

- (1) If an offset applies, the establishment cost for the trunk infrastructure contribution is to be worked out by the local government in accordance with section 12.3 (Working out the establishment cost).
- (2) If a refund applies, the cost of the infrastructure required to be provided under the condition is more than the amount worked out by applying the adopted charge to the development -
 - (a) there is no amount payable for the development approval; and
 - (b) the local government must refund the applicant an amount equal to the difference between the establishment cost of the trunk infrastructure and the amount worked out by applying the adopted charge to the development.
- (3) Where development is inconsistent with the Local Government Infrastructure Plan in type, scale, timing or location, the relevant sections of the Planning Act 2016 is to be referred for guidance on the refund process.

12.9. Timing of an offset and refund

- (1) An applicant entitled to an offset or refund for the trunk infrastructure contribution is to:
 - (a) give to the local government a notice in the prescribed form which states the following:
 - (i) the date the trunk infrastructure contribution the subject of an offset or refund was lawfully completed;

- (ii) that the trunk infrastructure contribution has been provided in accordance with the relevant approval for the trunk infrastructure contribution; and

Editor's note — A relevant approval is a development approval under the Planning Act 2016.

- (b) pay the prescribed fee.

Editor's note — The prescribed fee may include the local government's costs for determining the matters in subsection (1)(a).

- (2) The local government is to as soon as is reasonably practicable after receiving a notice under subsection (1):
 - (a) determine whether the trunk infrastructure contribution has satisfied the matters in subsection (1)(a); and
 - (b) give to the applicant a notice stating the outcome of the local government's determination.
- (3) The local government, if satisfied of the matters in subsection (1)(a), is to unless otherwise provided for in an infrastructure agreement:
 - (a) for an offset—set off the establishment cost for the trunk infrastructure contribution against the levied charge when the levied charge stated in the infrastructure charges notice is payable under the Planning Act;
 - (b) for a refund— give the refund when stated in the infrastructure charges notice.
- (4) The local government has adopted a policy position in relation to the determination in an infrastructure charges notice of when a refund is to be given by the local government to achieve the following policy objectives:
 - (a) to seek to integrate the local government's land use and infrastructure plans;
 - (b) to implement the Local Government Infrastructure Plan as the basis for the local government's trunk infrastructure funding;
 - (c) to implement infrastructure funding which is equitable, accountable and financially sustainable for the local government.
- (5) The local government's policy position in relation to the determination in an infrastructure charges notice of when a refund is to be given by the local government and related matters is as per table 4:

Table 4 - Timing of refund for trunk infrastructure

Type of trunk infrastructure	Time of Provision	Refund amount	Time of refund	No. of instalments
Identified / Different trunk infrastructure	Before / in planned period	1 million or less	within 12 months following the end of relevant planned period	1
		1 to 10 million	over 3 financial years in equal payments by 31 December each year starting in financial year following the end of planned period	3
		more than 10 million	over 5 financial years in equal payments by 31 December each year starting in financial year following the end of planned period	5
	After the planned period	1 million or less	within 12 months following the completion of trunk contribution	1
		1 to 10 million	over 3 financial years in equal payments by 31 December each year starting in financial year following the completion of trunk contribution	3
		more than 10 million	over 5 financial years in equal payments by 31 December each year starting in financial year following the completion of trunk contribution	5

Type of trunk infrastructure	Time of Provision	Refund amount	Time of refund	No. of instalments
Necessary trunk infrastructure	Council to decide planned period for infrastructure provision	1 million or less	within 12 months following the end of specified planned period	1
		1 to 10 million	over 3 financial years in equal payments by 31 December each year starting in financial year following the end of specified planned period	3
		more than 10 million	over 5 financial years in equal payments by 31 December each year starting in financial year following the end of specified planned period	5
Prescribed trunk infrastructure	Council to include as existing trunk infrastructure in LGIP	Any value	the payment trigger for a refund by 31 December of the financial year following the end of the planning horizon of the respective trunk infrastructure network in the LGIP	1

- (6) Each refund amount to be paid is to be increased by the 3 yearly PPI index average from the date of the infrastructure charges notice for the refund to the date that the amount is paid.

13. Conversion to trunk infrastructure

13.1. Conversion Criteria

This section states Council's conversion criteria for the purposes of section 117 of the Planning Act. An application to convert particular non-trunk infrastructure to trunk infrastructure may be made to the local government only where the following applies;

- (1) the local government has required non-trunk infrastructure to be provided in a particular condition of a development approval under section 145 of the *Planning Act 2016*; and
- (2) the construction of the non-trunk infrastructure has not yet started; and
- (3) the conversion application is made in accordance with section 139 of the *Planning Act 2016* and must be made to the local government, in writing, within 1 year after the development approval starts to have effect.

Note - The commencement of construction of the non-trunk infrastructure the subject of the conversion application after the application is made but before it is decided (including any appeal in respect of the decision) may affect the determination of the application.

The local government will decide the application in accordance with the decision criteria outlined in section 13.2 below, and section 140 and 141 of the *Planning Act 2016*.

Where the local government agrees to the conversion application, any offset or refund is determined in accordance with section 12 above.

13.2. Requirements of development infrastructure for all infrastructure networks

For infrastructure to be considered trunk infrastructure, each of the following criteria must be met.

- (1) the development infrastructure must be located completely inside the Priority Infrastructure Area;
- (2) the development infrastructure must have capacity to service other developments in the area to the DSS;
- (3) the development infrastructure must be located such that it is available to service other developments in the area based on the DSS;

Example – a local recreation park within a large residential development that is not within a 500m catchment of other development will not be available to service the other development in the area in accordance with the DSS.

- (4) the development infrastructure must be the same size (or equivalent capacity) and type and perform the same function and purpose as trunk infrastructure included in the LGIP;

Example 1 – public open space that has an ecological and conservation function is not the same as the function provided by parks and land for community facilities infrastructure and therefore will not have the same function and purpose as a trunk infrastructure network included in the LGIP.

Example 2 – a road that is required to be constructed as an access road will not provide the same function and purpose as a trunk road which must be a collector or arterial road constructed to the profile identified in Planning Scheme Policy on Infrastructure.

- (5) the development infrastructure must comply with the DSS for the equivalent trunk infrastructure identified in the LGIP;
- (6) the development infrastructure must not be consistent with non-trunk infrastructure for which conditions may be imposed under section 145 of the *Planning Act 2016*;
- (7) the development infrastructure must be of a type, size and location that is the most cost effective option for servicing multiple users in the area. The most cost effective option is the least cost option based upon the life cycle cost of the infrastructure required to service future urban development in the area at the DSS (**Most Cost Effective Option**);
- (8) the development infrastructure must service development that is consistent with the planning assumptions for the premises identified in the LGIP in terms of scale, type, timing and location;
- (9) the development infrastructure must not have been proposed by the applicant on the basis that it would remain non-trunk infrastructure for which an offset or refund would not be payable;

Example – if the applicant proposes a local park that is non-trunk infrastructure and through an exchange of correspondence Council and the developer agree that the local park will be provided on the basis that it will remain non-trunk

infrastructure and will not be eligible for an offset or refund the local park will not be converted to trunk infrastructure.

- (10) the development infrastructure must not be temporary infrastructure unless identified by Council as the Most Cost Effective Option; and
- (11) the development infrastructure must be owned by Council.

13.3 Additional network specific requirements – transport development infrastructure

- (1) the development infrastructure must:
 - (a) be for a proposed collector road or arterial road as shown in standard drawings of Planning Scheme Policy on Infrastructure;
 - (b) not be for works that provide direct frontage access to a development or works required to facilitate development access traffic; and
 - (c) be constructed to a collector road or arterial road standard in accordance with Council's Planning Scheme Policy on Infrastructure.

13.4 Additional network specific requirements – stormwater development infrastructure

- (1) the development infrastructure must:
 - (a) be for improving the existing flood immunity within a catchment in addition to the premises to achieve the DSS; and
 - (b) be designed and constructed in accordance with Council's Planning Scheme Policy on Infrastructure and the Queensland Urban Drainage Manual.

13.5 Additional network specific requirements – parks development infrastructure

- (1) the development infrastructure for embellishments must be located within land identified as trunk park.

14. Dictionary

Words and terms used in this resolution have the meaning given in *Planning Act 2016* or the *Planning Regulation 2017*.

If a word or term used in this resolution is not defined in *Planning Act 2016* or the *Planning Regulation 2017*, it has the meaning given in this section.

bedroom means an area of a building or structure which:

- (a) is used, designed or intended for use for sleeping but excludes a lounge room, dining room, living room, kitchen, water closet, bathroom, laundry, garage or plant room; or
- (b) can be used for sleeping such as a den, study, loft, media or home entertainment room, library, family or rumpus room or other similar space.

community development means development which provides facilities or services to the community and is not undertaken for commercial purposes or for the purposes of sale, as approved by the local government.

community organisation means:

A bona fide charitable or community organisation is an applicant that is:

- (a) endorsed as a charity by the Australian Taxation Office; or
- (b) an incorporated association under the Associations Incorporation Act 1981 which is not a club licensed under the Liquor Act 1992;
- (c) the bona fide charitable or community organisation has an annual turnover of:
 - (a) less than \$5 million; or
 - (b) where annual turnover of greater than \$5 million the development is limited to facilities accessible for community purposes only.

completion means the stage in the provision of a trunk infrastructure contribution by an applicant when the local government is satisfied that the trunk infrastructure contribution is complete other than for a minor omission and a minor defect which:

- (a) is not essential;
- (b) does not prevent the matter from being reasonably capable of being used for its intended purpose;
- (c) the local government determines the applicant has a reasonable basis for not promptly rectifying; and
- (d) the rectification of which will not prejudice the convenient use of the matter.

Council controlled land means land under Council freehold ownership or Crown Land managed by Council under trust, but does not include:

- (a) State and Federal controlled reserves (e.g. National Parks, State Forests); and
- (b) Land identified as being at risk of bushfire, flood or landslide, or an area of conservation significance pursuant to any applicable Overlay Map.

impervious area means the area of the premises that is impervious to rainfall or overland flow that results in the discharge of stormwater from the premises.

PPI (an acronym for producer price index) means the following:

- (a) the producer price index for construction 6427.0 (ABS PPI) index number 3101—Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics;
- (b) if an index described in paragraph (a) ceases to be published—another similar index prescribed by the local government.

Editor's note — Where the PPI has not been published for a calculation date the change in the PPI is to be determined by having regard to the index prior to the base date and the index prior to the calculation date.

prescribed fee means a cost recovery fee prescribed by the local government.

suite means a number of connected rooms one of which is a bedroom in which an individual or a group of two or more related or unrelated people reside with the common intention to live together on a long term basis and who make common provision for food or other essentials for living.

Urban Footprint includes the land identified for urban purpose under the South East Queensland Regional Plan 2017.

15. Resolution attachments

Schedule 1 Maximum construction on costs for work

Column 1 Trunk infrastructure network	Column 2 Maximum construction on costs for work (Percentage of the construction cost for the work)
Transport trunk infrastructure network	
Road network	20%
Footpath network	20%
Public transport (bus stops) network	20%
Community purposes trunk infrastructure network	
Public parks network	20%
Land for community facilities network	20%

Column 1 Trunk infrastructure network	Column 2 Maximum construction on costs for work (Percentage of the construction cost for the work)
Stormwater trunk infrastructure network	
Stormwater network	20%

SCENIC RIM REGIONAL COUNCIL

ADOPTED INFRASTRUCTURE CHARGES RESOLUTION (VERSION NO. 14)

1 FEBRUARY 2023

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This resolution is made under s. 113 of the *Planning Act 2016*. This resolution replaces Adopted Infrastructure Charges Resolution (version no. 13).

1. Application to local government area

This resolution applies to the local government area of Scenic Rim Regional Council¹. Priority infrastructure areas have been identified in the Local Government Infrastructure Plan (LGIP) in the *Scenic Rim Planning Scheme 2020*, which identifies the areas Council intends to accommodate future urban growth.

Areas subject to the *State Development and Public Works Organisations Act 1971* (State Development Act) are included in this resolution. To the extent the State Development Act or any infrastructure agreement facilitates the charging for infrastructure contributions under a different regime, this resolution will not have effect. Otherwise, the adopted infrastructure charge will apply.

2. When resolution has effect

This resolution has effect on and from 1 February 2023.

3. Priority infrastructure area

The priority infrastructure areas for the Scenic Rim Regional Council are identified in the Local Government Infrastructure Plan in the *Scenic Rim Planning Scheme 2020 (as amended 17 June 2022)*.

4. Comparison of planning scheme uses

To assist in applying Schedule 16 of the Planning Regulation 2017 (Regulation), Table 1 provides a guide to the planning scheme uses under the planning scheme that come within the uses mentioned in column 1 of schedule 16, including the three superseded planning schemes that apply, being the:

- *Beaudesert Shire Planning Scheme 2007*;
- *Boonah Shire Planning Scheme 2006*; and
- *Ipswich Planning Scheme 2006*.

Infrastructure charges will be applied according to the planning scheme use under which the development permit is given.

¹ Scenic Rim Regional Council was formed due to Local Government Boundary Reform in 2008 by amalgamation of the Boonah Shire, parts of the Beaudesert Shire and parts of the Ipswich City.

Table 1 - Planning scheme use categories

Superseded planning scheme uses			Scenic Rim Planning Scheme 2020 uses
Beaundesert Shire Planning Scheme 2007	Boonah Shire Planning Scheme 2006	Ipswich Council Planning Scheme 2006	
Residential			
House; Dual Occupancy; Caretakers Residence; Managers/Workers House; Medium Density Residential	House; Relatives' Accommodation; Caretakers Residence; Multiple Dwelling	Single Residential; Display Housing; Dual Occupancy; Caretaker Residential; Multiple Residential	Dwelling house
			Dual occupancy
			Caretaker's accommodation
			Multiple dwelling
Accommodation (short term)			
Motel; Bed and Breakfast; Tourist Cabins; Camping Ground	Motel; Host Home Accommodation; Caravan Park; Tourist Cabins; Camping Ground	Temporary Accommodation	Hotel
			Resort Complex
			Short-term accommodation
			Tourist park – caravan or tent
			Tourist Park - cabins
Accommodation (long term)			
Caravan; Relocatable Home Park; Aged Persons Accommodation	Multiple Dwelling		Community residence
			Rooming accommodation
			Relocatable home park
			Retirement facility
Places of assembly			
Funeral Premises; Public Worship	Funeral Establishment; Community Facilities	Business Use (Funeral Premises); Community Use (Cemetery, Community Hall, Crematorium, Cultural Centre, Gallery, Library, Meeting Rooms, Museum, Place of Worship)	Club
			Community use
			Function facility
			Funeral parlour
			Place of worship
Commercial (bulk goods)			
Retail Plant Nursery; Retail Showroom; Produce Store	Plant Nursery; Bulk Supplies; Showroom; Commercial Premises (Retail Plant Nursery)	Business Use (Bulky Goods Sales, Vehicle Sales Premises, Garden Centre, Farm Supply Outlet)	Agricultural supplies store
			Bulk landscape supplies
			Garden centre
			Hardware and trade supplies
			Outdoor sales
			Showroom

Superseded planning scheme uses			Scenic Rim Planning Scheme 2020 uses
Beaudesert Shire Planning Scheme 2007	Boonah Shire Planning Scheme 2006	Ipswich Council Planning Scheme 2006	
Commercial (retail)			
General Store; Shop; Shopping Centre; Convenience Restaurant; Food Establishment / Reception Centre; Cottage Tourist Facility; Service Station Tourist Business; Tourist Facility	Shop; Food Premises; Service Station Tourist Facility	General Store; Shopping Centre; Business Use (Café, Fast Food Premises, Laundromat, Restaurant, Service Station, Shop, Snack Bar, Takeaway Food Premises); Tourist Facility	Adult store
			Food and drink outlet
			Service industry
			Service station
			Shop
			Shopping centre
Commercial (office)			
Commercial Activity	Commercial Premises	Business Use (Medical Centre, Office, Professional Office);	Office
			Sales office
Educational facility			
Child Care Facility; Educational Establishment	Community Facilities (Educational Establishment)	Community Use (Child Care Centre, School)	Child care centre
			Community care centre
			Educational establishment
Entertainment			
Hotel / Club	Hotel	Business Use (Hotel)	Resort Complex
			Hotel (non-residential component)
			Nightclub entertainment facility
			Theatre
Indoor sport and recreation			
Indoor Sports, Recreation and Entertainment	Indoor Recreation	Entertainment Use	Indoor sport and recreation (squash or other court areas)
			Indoor sport and recreation (other)
Other Industry			
Industry – General; Industry – Low Impact / Service; Warehouse / Storage Facility; Passenger Terminal; Transport Terminal; Truck Depot	Industry - Medium Impact; Industry - Low Impact; Bulk Store; Warehouse; Transport Depot	General Industry; Service / Trades use;	Low impact industry
			Marine industry
			Medium impact industry
			Research and technology industry
			Rural industry
			Warehouse

Superseded planning scheme uses			Scenic Rim Planning Scheme 2020 uses
Beaudesert Shire Planning Scheme 2007	Boonah Shire Planning Scheme 2006	Ipswich Council Planning Scheme 2006	
High impact industry			
Industry – High	Industry - High Impact	Nuclear Industry; Special industry	High impact industry
			Special Industry
Low impact rural			
Agriculture; Animal Husbandry; Coursing or Trialling Track; Equestrian Activities; Forestry.	Aqua Culture – Minor; Agriculture; Animal Husbandry; Stables; Stock Sale Yard.	Agriculture; Animal Husbandry; Forestry.	Animal husbandry
			Cropping
			Permanent plantations
			Wind farm
High impact rural			
Aquaculture; Feedlot Farming; Intensive Agriculture; Piggery; Poultry Farm; Intensive Animal Husbandry; Winery / Distillery	Aqua Culture – Significant; Intensive Animal Industry, Wholesale Nursery;	Intensive Animal Husbandry; Plant Nursery (Wholesale); Wine Making	Cultivating, in a confined area, aquatic animals or plants for sale
			Intensive animal industry
			Intensive horticulture
			Wholesale nursery
			Winery
Essential services			
Veterinary Surgery / Hospital; Corrective Institution; Community Care Centre; Hospital	Community Facilities	Community Use; Correctional Centre; Institutional Residential; Business Use (Veterinary Clinic); Community Use (Community Centre, Emergency Service Depot, Hospital, Senior Citizens Centre, Youth Centre)	Correctional facility
			Emergency services
			Healthcare service
			Hospital
			Residential care facility
Minor uses			
Home Based Business (Category 1); Home Based Business (Category 2); Home Based Business (Category 3); Roadside Stall; Private Airstrip; Temporary Estate Sales Office; Public Park; Telecommunications Facility; Temporary Activity	Domestic Animal Husbandry; Roadside Stall; Home Based Business (commercial based activity - 45m ² in area); Park; Telecommunications Facility; Utilities – Local; Utilities - Public	Home Based Activity; Home Industry; Temporary Sales Office; Park; Night Court; Temporary Use; Car Park	Advertising device
			Cemetery
			Home based business
			Landing
			Market
			Outdoor lighting
			Park
			Roadside stall
			Telecommunication facility
Temporary Use			

Superseded planning scheme uses			Scenic Rim Planning Scheme 2020 uses
Beaudesert Shire Planning Scheme 2007	Boonah Shire Planning Scheme 2006	Ipswich Council Planning Scheme 2006	
Other uses			
Cattery; Kennel; Market; Extractive Industry; Outdoor Sports, Recreation and Entertainment; Cemetery; Landfill Activities; Utility – Local; Utility – Major; Commercial Ground Water Extraction	Kennels & Catteries; Extractive Industries; Outdoor Recreation	Intensive Animal Husbandry (Cattery & Kennels): Recreation Use; Extractive Industry; Aviation Use; Minor Utility; Major Utility	Air services
			Animal keeping
			Car park
			Crematorium
			Extractive industry
			Major sport recreation and entertainment facility
			Motor sport facility
			Non-residential workforce accommodation
			Outdoor sport and recreation
			Port services
			Tourist attraction
			Utility installation
			Any other use not listed including a use that is unknown

5. Adopted charges

The Scenic Rim Regional Council resolves to adopt the base charges mentioned in Table 2, Column 3, for development for a use mentioned in Table 2, Column 2. The total adopted charges for the Scenic Rim Regional Council area (which includes the charges levied by Council and the distributor-retailer i.e. Queensland Urban Utilities) do not exceed the maximum adopted charges. Refer to Queensland Urban Utilities' Water NetServ Plan for details on adopted charges for water and sewer infrastructure.

The adopted charges for development are equal to the maximum adopted charge for the development under the Planning Act. The adopted charge for development is:

- a. The base charge amount for the development set out in Table 2; or
- b. Otherwise the sum of
 - i. the base charge in Table 2; and
 - ii. the base charge in Table 2 multiplied by the sum of the percentage increases for each financial quarter since the base charge was last amended.

The local government declares that an adopted charge in Table 2, Column 3, applies to that part of the local government area mentioned for that charge in Table 2, Column 4. Column 5 is the proportion of the maximum charge which the Council is entitled to levy as shown in Column 3.

The base charge applicable for a Reconfiguration of a Lot for residential or non-residential development is the 'Residential Category - 3 or more bedroom dwelling house' charge per allotment, in accordance with table 2 of this resolution.

Table 2 – Adopted charges schedule

Column 1 Use category	Column 2 Use	Column 3 (A) Charge category	Column 3 (B) Charge	Column 3 (C) Stormwater charge	Column 4 Part of local government area (LGA) to which charge applies	Column 5 Charges Breakup
Residential	Dwelling house	\$ per 1 or 2 bedrooms dwelling	\$11,100.00	N/A	Across LGA	50.00%
	Caretaker's accommodation					
	Multiple dwelling	\$ per 3 or more bedrooms dwelling	\$15,540.00	N/A	Across LGA	50.00%
	Dual occupancy					
Accommodation (short term)	Hotel	\$ per bedroom that is not within a suite	\$5,549.98	N/A	Across LGA	50.00%
	Resort Complex	\$ per 1 or 2 bedrooms in a suite	\$5,549.98	N/A	Across LGA	50.00%
	accommodation	\$ per 3 or more bedrooms in a suite	\$7,769.95	N/A	Across LGA	50.00%
	caravan sites	\$ per 1 or 2 tent or caravan sites	\$5,549.98	N/A	Across LGA	50.00%
		\$ per group of 3 tent or caravan sites	\$7,769.95	N/A	Across LGA	50.00%
	Tourist park - cabins	\$ per 1 or 2 bedrooms cabin	\$5,549.98	N/A	Across LGA	50.00%
		\$ per 3 or more bedrooms cabin	\$7,769.95	N/A	Across LGA	50.00%
Accommodation (long term)	Community residence	\$ per bedroom that is not within a suite	\$11,100.00	N/A	Across LGA	50.00%
	Rooming accommodation	\$ per 1 or 2 bedrooms per suite	\$11,100.00	N/A	Across LGA	50.00%
	Retirement facility	\$ per 3 or more bedrooms per suite	\$15,540.00	N/A	Across LGA	50.00%
	Relocatable home park	\$ per 1 or 2 bedrooms relocatable dwelling site	\$11,100.00	N/A	Across LGA	50.00%
		\$ per 3 or more bedrooms relocatable dwelling site	\$15,540.00	N/A	Across LGA	50.00%

Column 1 Use category	Column 2 Use	Column 3 (A) Charge category	Column 3 (B) Charge	Column 3 (C) Stormwater charge	Column 4 Part of local government area (LGA) to which charge applies	Column 5 Charges Breakup
Places of assembly	Club Community use Function facility Funeral parlour Place of worship	\$ per m ² GFA plus \$ per m ² impervious area	\$61.09	\$11.10 per m ² impervious area	Inside Urban Footprint	78.57%
				\$0 per m ² impervious area	Outside Urban Footprint	
Commercial (bulk goods)	Agricultural supplies store Bulk landscape supplies Garden centre Hardware and trade supplies Outdoor sales Showroom	\$ per m ² GFA plus \$ per m ² impervious area	\$122.10	\$11.10 per m ² impervious area	Inside Urban Footprint	78.57%
				\$0 per m ² impervious area	Outside Urban Footprint	
Commercial (retail)	Adult store Food and drink outlet Service industry Service station Shop Shopping centre	\$ per m ² GFA plus \$ per m ² impervious area	\$166.49	\$11.10 per m ² impervious area	Inside Urban Footprint	83.33%
Commercial (retail)	Food and drink outlet Shop	\$ per m ² GFA plus \$ per m ² impervious area	\$166.49	\$0 per m ² impervious area	Outside Urban Footprint	83.33%

Column 1 Use category	Column 2 Use	Column 3 (A) Charge category	Column 3 (B) Charge	Column 3 (C) Stormwater charge	Column 4 Part of local government area (LGA) to which charge applies	Column 5 Charges Breakup
Commercial (office)	Office Sales office	\$ per m ² GFA plus \$ per m ² impervious area	\$122.10	\$11.10 per m ² impervious area	Across LGA	78.57%
Education facility	Child care centre Community care centre Educational establishment	\$ per m ² GFA plus \$ per m ² impervious area	\$122.10	\$11.10 per m ² impervious area	Across LGA	78.57%
	Educational establishment for the Flying Start for Qld Children Program or under designation	Nil charge	Nil	N/A	N/A	N/A
Entertainment	Resort Complex Hotel Nightclub/ entertainment facility Theatre	\$ per m ² GFA plus \$ per m ² impervious area	\$188.66	\$11.10 per m ² impervious area	Across LGA	85%
Indoor sport and recreation	Indoor sport and recreation (squash or other court areas)	\$ per m ² GFA of court area plus \$ per m ² impervious area	\$16.61	\$11.10 per m ² impervious area	Across LGA	75%
	Indoor sport and recreation (other)	\$ per m ² GFA plus \$ per m ² impervious area	\$166.49	\$11.10 per m ² impervious area	Across LGA	75%

Column 1 Use category	Column 2 Use	Column 3 (A) Charge category	Column 3 (B) Charge	Column 3 (C) Stormwater charge	Column 4 Part of local government area (LGA) to which charge applies	Column 5 Charges Breakup
Industry	Low impact industry Marine industry Medium impact industry Research and technology industry Rural industry Warehouse	\$ per m ² GFA plus \$ per m ² impervious area	\$22.20	\$11.10 per m ² impervious area	Inside Urban Footprint	40%
Industry	Rural industry	\$ per m ² GFA plus \$ per m ² impervious area	\$22.20	\$0 per m ² impervious area	Outside Urban Footprint	40%
High Impact Industry	High impact industry Special Industry	\$ per m ² GFA plus \$ per m ² impervious area	\$33.32	\$11.10 per m ² impervious area	Across LGA	42.85%
Low Impact Rural	Animal husbandry Cropping Permanent plantations Wind farm	Nil charge	Nil	N/A	N/A	N/A
High Impact Rural	Cultivating, in a confined area, aquatic animals or plants for sale Intensive animal industry Intensive horticulture Wholesale nursery Winery	\$ per m ² GFA for the high impact rural use	\$22.15	N/A	Across LGA	100%

Column 1 Use category	Column 2 Use	Column 3 (A) Charge category	Column 3 (B) Charge	Column 3 (C) Stormwater charge	Column 4 Part of local government area (LGA) to which charge applies	Column 5 Charges Breakup
Essential Services	Correctional facility Emergency services Health care service Hospital Residential care facility Veterinary service	\$ per m ² GFA plus \$ per m ² impervious area	\$122.10	\$11.10 per m ² impervious area	Across LGA	78.57%
Minor uses	Advertising device Cemetery Home based business Landing Market Outdoor lighting Park Roadside stall Telecommunications facility Temporary use	Nil charge	Nil	N/A	N/A	N/A

Column 1 Use category	Column 2 Use	Column 3 (A) Charge category	Column 3 (B) Charge	Column 3 (C) Stormwater charge	Column 4 Part of local government area (LGA) to which charge applies	Column 5 Charges Breakup
Other uses	Air services Animal keeping Crematorium Extractive industry Major sport, recreation and entertainment facility Motor sport facility Non-resident workforce accommodation Outdoor sport and recreation Port service Tourist attraction Utility installation Any other use not listed in column 2, including a use that is unknown	The maximum adopted charge is the charge (in column 3(A) and 3(B)) for a use category (in column 2) that appropriately reflects the use at the time of assessment and the local government decides to apply to the use.				
	Car park	\$0 per m ² GFA	Nil	\$11.10 per m ² impervious area	N/A	100%

6. Additional Demand

Section 120 (Limitation of levied charge) of the Planning Act provides that a levied charge may be only for extra demand placed on trunk infrastructure that the development will generate. In working out extra demand, the demand generated by the following must not be included:

- a. an existing use on the premises if the use is lawful and already taking place on the premises;
- b. a previous use that is no longer taking place on the premises if the use was lawful at the time it was carried out;
- c. other development on the premises if the development may be lawfully carried out without the need for a further development permit.

However, the demand generated by a use or development stated above may be included if an infrastructure requirement that applies or applied to the use or development has not been complied with.

Also, the demand generated by development stated in above subsection (c) may be included if -

1. an infrastructure requirement applies to the premises on which the development will be carried out; and
2. the infrastructure requirement was imposed on the basis of development of a lower scale or intensity being carried out on the premises.

7. Trunk infrastructure

- The trunk infrastructure shown in Plans for Trunk Infrastructure of the Local Government Infrastructure Plan in the *Scenic Rim Planning Scheme 2020* is identified as the trunk infrastructure for the local government area.
- The trunk infrastructure networks to which the adopted charge applies are:
 1. transport network
 2. urban open space network
 3. stormwater network
- The standard of service for each network or network mentioned above is stated to be the standard set out in the Desired Standards of Service (DSS) of the Local Government Infrastructure Plan in the *Scenic Rim Planning Scheme 2020*.
- The establishment cost of trunk infrastructure items is the cost shown in the Schedule of Works of the Local Government Infrastructure Plan in the *Scenic Rim Planning Scheme 2020*.

8. Automatic increase (Indexing) of levied charges

The levied charge for development will be increased after the charge is levied and before it is paid to the local government.

The automatic increase must not be more than the lesser of the following -

- a. the difference between the levied charge and the maximum adopted charge the local government could have levied for the development when the charge is paid;
- b. the increase worked out using the Produce Price Index (PPI) for the period starting on the day the levied charge was levied and ending on the day it is paid, adjusted according to the three-yearly PPI average.

The three-yearly PPI average means the PPI adjusted according to the three-year moving average quarterly percentage change between financial quarters.

9. Indexing the adopted charges schedule

The adopted charges schedule in section 5 of this charges resolution will be adjusted annually by no more than the three-yearly PPI average.

10. Payment of levied charge

To give effect to the payment triggers in the Planning Act, the time for payment of levied charges will be in accordance with Table 3.

Table 3 - Trigger for Payment

Type of Development Approval	Payment time
Reconfiguring a Lot	Prior to Council approving a plan for the reconfiguration that, under the Land Title Act, is required to be given to Council for approval.
Material Change Of Use	<p>Prior to the first of the following occurring:</p> <p>a) The issue of a Compliance Certificate under the <i>Plumbing and Drainage Act 2002</i>;</p> <p>b) When the final inspection certificate or Certificate of Classification is given under the <i>Building Act 1975</i>;</p> <p>c) When the change of use happens;</p> <p>OR</p> <p>On the day stated in the ICN*.</p>
Carrying out Building Work	<p>Prior to the first of the following occurring:</p> <p>a) When the final inspection certificate or Certificate of Classification is given under the <i>Building Act 1975</i>;</p> <p>b) When the change of use happens;</p> <p>OR</p> <p>On the day stated in the ICN*.</p>

**Editor's note: If a Compliance Certificate under the Plumbing and Drainage Act 2002 or a Certificate of Classification or final inspection certificate under the Building Act 1975 is not required for the material change of use or the building work, then the Infrastructure Charges Notice (ICN) issued in response to a Related Approval will state that an invoice will be issued within either 30, 60 or 90 days of the giving of the Related Approval. The invoice will require the levied charge referred to in the ICN to be payable within 30 days from the date of the invoice.*

11. Discount on infrastructure charges

11.1 Community Organisations on Council Controlled Land

Infrastructure charges are 100% waived for the development on Council owned or controlled land where involving development established and operated by a *community organisation* (non-profit entity). A *community organisation* must not hold liquor or gaming machine licences.

A *community organisation* must provide evidence of its non-profit and incorporated/registered status. This evidence shall include providing Council with a copy of its relevant constitution or governing documents and registration number under the *Associations Incorporation Act 1981* or *Collections Act 1966* as appropriate.

11.2 Community Organisations - Other Automatic Discounts

Infrastructure charges are 100% waived for the development;

- (1) on land owned by a *community organisation* or the State Government; and
- (2) involving development established and operated by a *community organisation*, and
- (3) the development is an eligible *community development*;
- (4) the *community organisation* does not hold liquor or gaming machine licences, and
- (5) involves *community organisation* limited to;
 - (a) Community Halls (incl Memorial Halls and School of Arts)
 - (b) Show Societies (and like venues)
 - (c) Community cemeteries
 - (d) Emergency Services
 - (e) Historical Societies

A *community organisation* must provide evidence of its non-profit and incorporated/registered status. This evidence shall include providing Council with a copy of its relevant constitution or governing documents and registration number under the *Associations Incorporation Act 1981*, *Collections Act 1966*, or equivalent as appropriate.

11.3 Community Organisations - Other

Infrastructure charges may be considered for discount upon request and such applications would be assessed on a case by case basis and in accordance with any relevant Council policies. Limits may apply as to the percentage and maximum value of such waivers.

12. Offset and refund for trunk infrastructure

12.1. Purpose

Part 10 states the following matters relevant to the working out of an offset or refund for the provision of trunk infrastructure for the local government trunk infrastructure networks for development:

- (a) the criteria for trunk infrastructure to be applied by the local government in deciding if development infrastructure is trunk infrastructure (***identified trunk infrastructure criteria***);

- (b) the method to be applied by the local government for working out the establishment cost of trunk infrastructure for an offset or refund where an applicant is required under a condition of a relevant approval to provide land or work for the following trunk infrastructure for local government trunk infrastructure networks (**trunk infrastructure contribution**):

Editor's note—A relevant approval is a development approval under the Planning Act 2016.

- i. **identified trunk infrastructure**—development infrastructure which is identified in the Local Government Infrastructure Plan;

Editor's note—See section 128(1)(a) (Necessary infrastructure conditions) of the Planning Act 2016.

- ii. **different trunk infrastructure**—development infrastructure which:

- A. is an alternative to the identified trunk infrastructure; and
- B. delivers the same desired standards of service for the network of development infrastructure stated in the Local Government Infrastructure Plan;

Editor's note—See section 128(1)(b) (Necessary infrastructure conditions) of the Planning Act 2016.

- iii. **necessary trunk infrastructure**—development infrastructure which is not identified trunk infrastructure or different trunk infrastructure that satisfies the identified trunk infrastructure criteria and is necessary to service development;

Editor's note—See sections 128(2 & 3) (Necessary infrastructure conditions) of the Planning Act 2016.

- iv. **prescribed trunk infrastructure**—development infrastructure which is not identified trunk infrastructure, different trunk infrastructure or necessary trunk infrastructure that becomes trunk infrastructure under the Planning Act;

Editor's note—See sections 142(3) (Effect of and action after conversion) of the Planning Act 2016.

- (c) whether an offset or refund applies and if so the details of the offset and refund and the timing of the offset and refund.

12.2. Identified trunk infrastructure criteria

The identified trunk infrastructure criteria for deciding that development infrastructure is trunk infrastructure are the following:

- (a) that the development infrastructure is necessary to service development:
 - i. consistent with the assumptions about the type, scale, location or timing of future development stated in the Local Government Infrastructure Plan; and

- ii. for premises completely inside the priority infrastructure area in the Local Government Infrastructure Plan;
- (b) that the development infrastructure complies with the criteria in the Desired Standards of Service in the Local Government Infrastructure Plan of the planning scheme.

12.3. Working out the establishment cost

The establishment cost for a trunk infrastructure contribution is to be worked out by the local government using the following:

- (a) for the calculation of the establishment cost—the method in section 12.4 (Calculation of the establishment cost);
- (b) for the recalculation of the establishment cost for work calculated under paragraph (a)—the method in section 12.5 (Recalculation of the establishment cost for work);
- (c) for the recalculation of the establishment cost for land calculated under paragraph (a)—the method in section 12.6 (Recalculation of the establishment cost for land).

12.4. Calculation of the establishment cost

- (1) The establishment cost for a trunk infrastructure contribution is to be worked out by the local government using any of the following:
 - (a) the planned estimate of the trunk infrastructure contribution;
 - (b) a cost-based estimate of the establishment cost for the trunk infrastructure contribution determined by the local government using first principles estimating;
 - (c) an estimate of the establishment cost for the trunk infrastructure contribution reasonably determined by the local government.
- (2) The **planned estimate** of the trunk infrastructure contribution if:
 - (a) the whole of an item of identified trunk infrastructure—is the **planned cost** being the amount of the value of the item stated in Schedule of Works in the Local Government Infrastructure Plan of the planning scheme;
 - (b) part of an item of identified trunk infrastructure—is the estimate of the proportion of the planned cost of the item of identified trunk infrastructure applicable to the trunk infrastructure contribution having regard to the method used by the local government to work out the planned cost of the item of identified trunk infrastructure stated in the extrinsic material to the Local Government Infrastructure Plan; and
 - (c) different trunk infrastructure, necessary trunk infrastructure or prescribed trunk infrastructure—is the estimate of the planned cost of the infrastructure having regard to the method used by the local government to work out the planned cost of the identified trunk infrastructure for the network of development infrastructure stated in the extrinsic material to the Local Government Infrastructure Plan.

12.5. Recalculation of the establishment cost for work

Market cost

- (1) The establishment cost for a trunk infrastructure contribution for work may be recalculated by the local government at the request of the applicant by using the market cost for the work.
- (2) The **market cost** for the work is the estimate of the cost of the design and construction of the work:
 - (a) including the following:
 - (i) the construction cost for the work;
 - (ii) construction on costs for the work which do not exceed the maximum construction on costs stated in schedule 1 for the following:
 - (A) the cost of survey for the work;
 - (B) the cost of geotechnical investigations for the work;
 - (C) the cost of only detailed design for the work;
 - (D) the cost of project management and contract administration;
 - (E) the cost of environmental investigations for the work;
 - (F) a portable long service leave payment for a construction contract for the work;
 - (iii) risk and contingencies which do not exceed 10% for the cost of that part of the work in a construction contract which is subject to a contingency.

Example -

A construction contract for a trunk road infrastructure network item may state a contingency for pavement design and service relocation.

- (b) excluding the following:
 - (i) the planning of the work;
 - (ii) a cost of carrying out temporary infrastructure;
 - (iii) a cost of carrying out other infrastructure which is not part of the trunk infrastructure contribution;
 - (iv) a cost of the decommissioning, removal and rehabilitation of infrastructure identified in paragraphs (ii) and (iii);
 - (v) a part of the trunk infrastructure contribution provided by:
 - (A) the local government; or
 - (B) a person, other than the applicant or a person engaged by the applicant;
 - (vi) a cost to the extent that GST is payable and an input tax credit can be claimed for the work;

- (vi) a cost attributable directly or indirectly to the failure of an applicant or a person engaged by the applicant to perform and fulfil a relevant approval for the work;

Editor's note — A relevant approval is a development approval under the Planning Act 2016.

- (vii) a cost caused or contributed to by a negligent or wilful act or omission by the applicant or a person engaged by the applicant
- (viii) a cost of carrying out development infrastructure which is only made necessary by the development and does not contribute to the function of the trunk infrastructure item;
- (ix) a cost of carrying out trunk infrastructure which relates to another development infrastructure network;
- (x) a cost of carrying out development infrastructure which is replacing existing infrastructure with different infrastructure in another development infrastructure network;
- (xi) a cost of carrying out development infrastructure in excess of the desired standard of service for the network of development infrastructure stated in the Local Government Infrastructure Plan;
- (xii) a cost of existing development infrastructure which services or is planned to service existing or future demand that is replaced by the trunk infrastructure contribution.

Determining the market cost

- (3) The local government is to, prior to the applicant starting the construction of the work, determine the market cost for the work as follows:
 - (a) the applicant is to undertake an open tender process for the work;
 - (b) the applicant is to:
 - (i) give to the local government a notice in the prescribed form which states the following:
 - (A) an open tender process has been conducted;
 - (B) the tenders received;
 - (C) the applicant's preferred tenderer;
 - (D) the applicant's reason for the preferred tenderer;
 - (E) the terms of the construction contract for the work;
 - (F) a plan for each development infrastructure network clearly showing the extent of the work for which an offset is sought;
 - (G) the applicant's calculation of the market cost for the work; and

- (ii) pay the prescribed fee;

Editor's note—The prescribed fee may include the local government's costs for determining the market cost.

- (c) the local government may, within 20 business days of the date the notice under paragraph (b) is received by the local government, give a notice to the applicant which states that the applicant is to provide to the local government a document to enable the local government to determine the market cost including without limitation the following:
 - (i) details in respect of a construction contract for the work;
 - (ii) a plan for each development infrastructure network clearly showing the scope of the work for which an offset is sought;
- (d) the applicant is to comply with a notice given by the local government to the applicant under paragraph (c);
- (e) the local government is to as soon as reasonably practicable determine the market cost acting reasonably having regard to the matters in paragraphs (a) to (d);
- (f) the local government after determining the market cost is to as soon as reasonably practicable:
 - (i) give to the applicant a notice which states the following:
 - (A) the local government's calculation of the market cost for the work and the reason for any difference from the applicant's calculation;
 - (B) the establishment cost for the work; and
 - (ii) issue an amended infrastructure charges notice.

Adjustment of the establishment cost

- (4) The local government is to, after the completion of the construction of the work and prior to the date for the payment of a levied charge, determine an adjustment to the establishment cost as follows:
 - (a) this subsection only applies to a cost of work (**prescribed cost**) if the cost:
 - (i) would have formed part of the market cost used to work out the establishment cost for the work; and
 - (ii) was not included in the market cost used to work out the establishment cost or was included in the market cost used to work out the establishment cost but was for an amount less than the prescribed cost; and
 - (iii) was included in the market cost used to work out the establishment cost but was subject to a contingency stated in subsection (2)(a)(iii);
 - (b) the applicant may, prior to 15 business days after the applicant has completed the work:

- (i) give to the local government a single notice which is to state the following:
 - a. that the applicant requests that the local government adjust the establishment cost to take account of the prescribed cost;
 - b. all information reasonably necessary to establish the calculation of the prescribed cost and that the cost is a prescribed cost;
 - c. the applicant's calculation of the prescribed cost; and
- (ii) pay the prescribed fee if paragraph (i) applies;

Editor's note — The prescribed fee may include the local government's costs for determining whether the establishment cost is to be adjusted.

- (c) the local government may, within 20 business days of the date the notice under paragraph (b) is received by the local government, give a notice to the applicant which states that the applicant is to provide to the local government a document to enable the local government to determine the value of an adjusted establishment cost;
- (d) the applicant is to comply with a notice given by the local government to the applicant under paragraph (c);
- (e) the local government is to as soon as reasonably practicable determine whether the establishment cost is to be adjusted acting reasonably having regard to the matters in paragraphs (a) to (d);
- (f) the local government after determining whether the establishment cost is to be adjusted, is to as soon as reasonably practicable:
 - (i) give to the applicant a notice which states the following:
 - a. the local government's calculation of the adjusted establishment cost for the work and the reason for any difference from the applicant's calculation;
 - b. the establishment cost for the work; and
 - (ii) issue an amended infrastructure charges notice.

Dispute process

- (5) An applicant may, within 10 business days of the date of a notice under subsections (3)(f) or 4(f):
 - (a) give to the local government a notice in the prescribed form stating that it disputes the local government's recalculation of the establishment cost for the work; and
 - (b) pay the prescribed fee.

Editor's note — The prescribed fee may include the local government's costs for the dispute process including the cost of the independent registered quantity surveyor.

- (6) The local government and the applicant are to take the following action to resolve the dispute:
 - (a) the local government is to appoint an independent registered quantity surveyor to determine the establishment cost for the work in accordance with this section;
 - (b) the local government and the applicant are to cooperate in good faith with the independent registered quantity surveyor;
 - (c) the local government and the applicant are to accept the independent registered quantity surveyor's determination of the establishment cost for the work;
 - (d) the local government is to, as soon as reasonably practicable:
 - (i) give to the applicant a notice which states the establishment cost for the work determined by the independent registered quantity surveyor; and
 - (ii) issue an amended infrastructure charges notice.

12.6. Recalculation of the establishment cost for land

- (1) The establishment cost for a trunk infrastructure contribution for land may be recalculated by the local government at the request of the applicant using the market value of the land.
- (2) The **market value** of the land is the difference, determined by using the before and after method of valuation of the whole of the subject premises, between the value of the subject premises including the land and the value of the subject premises excluding the land.
- (3) Where the land infrastructure has been identified in the Local Government Infrastructure Plan, the valuation must be undertaken to determine the market value that would have applied on the day the development application, which is the subject of a condition to provide trunk infrastructure, first became properly made.
- (4) Where the land infrastructure has not been identified in the Local Government Infrastructure Plan, the valuation must be undertaken to determine the market value that would have applied on the day the development application, which is the subject of a condition to provide trunk infrastructure, was approved.
- (5) The valuation report must—
 - (a) include supporting information regarding the highest and best use of the land which the valuer has relied on to form an opinion about the value;
 - (b) identify the area of land that is above the 1% AEP flood level and the area that is below the 1% AEP flood level;
 - (c) take into account and identify all other real and relevant constraints including but not limited to vegetation protection, ecological values including riparian buffers and corridors, stormwater or drainage corridors, slope, bushfire hazards, heritage, airport environs, coastal erosion, extractive resources, flooding, land use buffer requirements and landslide hazards. This must also

include tenure related constraints and restrictions such as easements, leases, licences and other dealings whether or not registered on title; and

- (d) contain relevant sales evidence and clear analysis of how those sales and any other information was relied upon in forming the valuation assessment.
- (6) The local government is to, prior to the date of payment of the levied charge, determine the market value of the land as follows:
 - (a) the applicant is to provide to the local government the following:
 - (i) a notice in the prescribed form requesting the recalculation of the establishment cost for the land;
 - (ii) a valuation of the land undertaken by a certified practicing valuer;
 - (iii) the prescribed fee;

Editor's note — The prescribed fee may include the local government's costs of the recalculation process including the cost of the registered valuer and independent certified practicing valuer.
 - (b) the local government may, if the matters in paragraph (a) are satisfied, refer the valuation to a registered valuer to assess whether the valuation is consistent with the market value;
 - (c) the local government is to decide whether to:
 - (i) accept the valuation; or
 - (ii) reject the valuation;
 - (d) the local government is to, if it accepts the valuation:
 - (i) give to the applicant a notice stating the establishment cost for the land; and
 - (ii) index the establishment cost for the land using the 3 yearly PPI index average from the date of the accepted valuation to the date stated in the amended infrastructure charges notice;
 - (e) the local government is to, if it rejects the valuation, refer the valuation to an independent certified practicing valuer to:
 - (i) assess whether the valuation is consistent with the market value; and
 - (ii) undertake a valuation of the land if the valuation is assessed as not consistent with the market value;
 - (f) the local government is to, upon the determination of the independent certified practicing valuer's valuation:
 - (i) give to the applicant a notice stating the establishment cost for the land;
 - (ii) index the establishment cost for the land using the 3 yearly PPI index average from the date of the independent certified practicing valuer's valuation to the date stated in the amended infrastructure charges notice; and
 - (iii) issue an amended infrastructure charges notice;

- (g) the local government however is not required to refer the valuation to the registered valuer or the independent certified practising valuer if the applicant has not paid to the local government the prescribed fee including the costs of the registered valuer under paragraph (b) and the independent certified practicing valuer under paragraph (e).

12.7. Application of an offset and refund

The following apply if a trunk infrastructure contribution services or is planned to service premises other than premises the subject of the relevant approval and an adopted charge applies to the development, which is consistent with Local Government Infrastructure Plans in type, scale, timing and location, the subject of the relevant approval:

Editor's note — A relevant approval is a development approval under the Planning Act 2016.

- (a) an **offset**—where the establishment cost for the trunk infrastructure contribution is equal to or less than the levied charge;
- (b) a **refund**—where the establishment cost for the trunk infrastructure contribution is more than the levied charge.

12.8. Details of an offset and refund

- (1) If an offset applies, the establishment cost for the trunk infrastructure contribution is to be worked out by the local government in accordance with section 12.3 (Working out the establishment cost).
- (2) If a refund applies, the cost of the infrastructure required to be provided under the condition is more than the amount worked out by applying the adopted charge to the development -
 - (a) there is no amount payable for the development approval; and
 - (b) the local government must refund the applicant an amount equal to the difference between the establishment cost of the trunk infrastructure and the amount worked out by applying the adopted charge to the development.
- (3) Where development is inconsistent with the Local Government Infrastructure Plan in type, scale, timing or location, the relevant sections of the Planning Act 2016 is to be referred for guidance on the refund process.

12.9. Timing of an offset and refund

- (1) An applicant entitled to an offset or refund for the trunk infrastructure contribution is to:
 - (a) give to the local government a notice in the prescribed form which states the following:
 - (i) the date the trunk infrastructure contribution the subject of an offset or refund was lawfully completed;

- (ii) that the trunk infrastructure contribution has been provided in accordance with the relevant approval for the trunk infrastructure contribution; and

Editor's note — A relevant approval is a development approval under the Planning Act 2016.

- (b) pay the prescribed fee.

Editor's note — The prescribed fee may include the local government's costs for determining the matters in subsection (1)(a).

- (2) The local government is to as soon as is reasonably practicable after receiving a notice under subsection (1):
 - (a) determine whether the trunk infrastructure contribution has satisfied the matters in subsection (1)(a); and
 - (b) give to the applicant a notice stating the outcome of the local government's determination.
- (3) The local government, if satisfied of the matters in subsection (1)(a), is to unless otherwise provided for in an infrastructure agreement:
 - (a) for an offset—set off the establishment cost for the trunk infrastructure contribution against the levied charge when the levied charge stated in the infrastructure charges notice is payable under the Planning Act;
 - (b) for a refund— give the refund when stated in the infrastructure charges notice.
- (4) The local government has adopted a policy position in relation to the determination in an infrastructure charges notice of when a refund is to be given by the local government to achieve the following policy objectives:
 - (a) to seek to integrate the local government's land use and infrastructure plans;
 - (b) to implement the Local Government Infrastructure Plan as the basis for the local government's trunk infrastructure funding;
 - (c) to implement infrastructure funding which is equitable, accountable and financially sustainable for the local government.
- (5) The local government's policy position in relation to the determination in an infrastructure charges notice of when a refund is to be given by the local government and related matters is as per table 4:

Table 4 - Timing of refund for trunk infrastructure

Type of trunk infrastructure	Time of Provision	Refund amount	Time of refund	No. of instalments
Identified / Different trunk infrastructure	Before / in planned period	1 million or less	within 12 months following the end of relevant planned period	1
		1 to 10 million	over 3 financial years in equal payments by 31 December each year starting in financial year following the end of planned period	3
		more than 10 million	over 5 financial years in equal payments by 31 December each year starting in financial year following the end of planned period	5
	After the planned period	1 million or less	within 12 months following the completion of trunk contribution	1
		1 to 10 million	over 3 financial years in equal payments by 31 December each year starting in financial year following the completion of trunk contribution	3
		more than 10 million	over 5 financial years in equal payments by 31 December each year starting in financial year following the completion of trunk contribution	5

Type of trunk infrastructure	Time of Provision	Refund amount	Time of refund	No. of instalments
Necessary trunk infrastructure	Council to decide planned period for infrastructure provision	1 million or less	within 12 months following the end of specified planned period	1
		1 to 10 million	over 3 financial years in equal payments by 31 December each year starting in financial year following the end of specified planned period	3
		more than 10 million	over 5 financial years in equal payments by 31 December each year starting in financial year following the end of specified planned period	5
Prescribed trunk infrastructure	Council to include as existing trunk infrastructure in LGIP	Any value	the payment trigger for a refund by 31 December of the financial year following the end of the planning horizon of the respective trunk infrastructure network in the LGIP	1

- (6) Each refund amount to be paid is to be increased by the 3 yearly PPI index average from the date of the infrastructure charges notice for the refund to the date that the amount is paid.

13. Conversion to trunk infrastructure

13.1. Conversion Criteria

This section states Council's conversion criteria for the purposes of section 117 of the Planning Act. An application to convert particular non-trunk infrastructure to trunk infrastructure may be made to the local government only where the following applies;

- (1) the local government has required non-trunk infrastructure to be provided in a particular condition of a development approval under section 145 of the *Planning Act 2016*; and
- (2) the construction of the non-trunk infrastructure has not yet started; and
- (3) the conversion application is made in accordance with section 139 of the *Planning Act 2016* and must be made to the local government, in writing, within 1 year after the development approval starts to have effect.

Note - The commencement of construction of the non-trunk infrastructure the subject of the conversion application after the application is made but before it is decided (including any appeal in respect of the decision) may affect the determination of the application.

The local government will decide the application in accordance with the decision criteria outlined in section 13.2 below, and section 140 and 141 of the *Planning Act 2016*.

Where the local government agrees to the conversion application, any offset or refund is determined in accordance with section 12 above.

13.2. Requirements of development infrastructure for all infrastructure networks

For infrastructure to be considered trunk infrastructure, each of the following criteria must be met.

- (1) the development infrastructure must be located completely inside the Priority Infrastructure Area;
- (2) the development infrastructure must have capacity to service other developments in the area to the DSS;
- (3) the development infrastructure must be located such that it is available to service other developments in the area based on the DSS;

Example – a local recreation park within a large residential development that is not within a 500m catchment of other development will not be available to service the other development in the area in accordance with the DSS.

- (4) the development infrastructure must be the same size (or equivalent capacity) and type and perform the same function and purpose as trunk infrastructure included in the LGIP;

Example 1 – public open space that has an ecological and conservation function is not the same as the function provided by parks and land for community facilities infrastructure and therefore will not have the same function and purpose as a trunk infrastructure network included in the LGIP.

Example 2 – a road that is required to be constructed as an access road will not provide the same function and purpose as a trunk road which must be a collector or arterial road constructed to the profile identified in Planning Scheme Policy on Infrastructure.

- (5) the development infrastructure must comply with the DSS for the equivalent trunk infrastructure identified in the LGIP;
- (6) the development infrastructure must not be consistent with non-trunk infrastructure for which conditions may be imposed under section 145 of the *Planning Act 2016*;
- (7) the development infrastructure must be of a type, size and location that is the most cost effective option for servicing multiple users in the area. The most cost effective option is the least cost option based upon the life cycle cost of the infrastructure required to service future urban development in the area at the DSS (**Most Cost Effective Option**);
- (8) the development infrastructure must service development that is consistent with the planning assumptions for the premises identified in the LGIP in terms of scale, type, timing and location;
- (9) the development infrastructure must not have been proposed by the applicant on the basis that it would remain non-trunk infrastructure for which an offset or refund would not be payable;

Example – if the applicant proposes a local park that is non-trunk infrastructure and through an exchange of correspondence Council and the developer agree that the local park will be provided on the basis that it will remain non-trunk

infrastructure and will not be eligible for an offset or refund the local park will not be converted to trunk infrastructure.

- (10) the development infrastructure must not be temporary infrastructure unless identified by Council as the Most Cost Effective Option; and
- (11) the development infrastructure must be owned by Council.

13.3 Additional network specific requirements – transport development infrastructure

- (1) the development infrastructure must:
 - (a) be for a proposed collector road or arterial road as shown in standard drawings of Planning Scheme Policy on Infrastructure;
 - (b) not be for works that provide direct frontage access to a development or works required to facilitate development access traffic; and
 - (c) be constructed to a collector road or arterial road standard in accordance with Council's Planning Scheme Policy on Infrastructure.

13.4 Additional network specific requirements – stormwater development infrastructure

- (1) the development infrastructure must:
 - (a) be for improving the existing flood immunity within a catchment in addition to the premises to achieve the DSS; and
 - (b) be designed and constructed in accordance with Council's Planning Scheme Policy on Infrastructure and the Queensland Urban Drainage Manual.

13.5 Additional network specific requirements – parks development infrastructure

- (1) the development infrastructure for embellishments must be located within land identified as trunk park.

14. Dictionary

Words and terms used in this resolution have the meaning given in *Planning Act 2016* or the *Planning Regulation 2017*.

If a word or term used in this resolution is not defined in *Planning Act 2016* or the *Planning Regulation 2017*, it has the meaning given in this section.

bedroom means an area of a building or structure which:

- (a) is used, designed or intended for use for sleeping but excludes a lounge room, dining room, living room, kitchen, water closet, bathroom, laundry, garage or plant room; or
- (b) can be used for sleeping such as a den, study, loft, media or home entertainment room, library, family or rumpus room or other similar space.

community development means development which provides facilities or services to the community and is not undertaken for commercial purposes or for the purposes of sale, as approved by the local government.

community organisation means:

A bona fide charitable or community organisation is an applicant that is:

- (a) endorsed as a charity by the Australian Taxation Office; or
- (b) an incorporated association under the *Associations Incorporation Act 1981* which is not a club licensed under the *Liquor Act 1992*;
- (c) the bona fide charitable or community organisation has an annual turnover of:
 - (a) less than \$5 million; or
 - (b) where annual turnover of greater than \$5 million the development is limited to facilities accessible for community purposes only.

completion means the stage in the provision of a trunk infrastructure contribution by an applicant when the local government is satisfied that the trunk infrastructure contribution is complete other than for a minor omission and a minor defect which:

- (a) is not essential;
- (b) does not prevent the matter from being reasonably capable of being used for its intended purpose;
- (c) the local government determines the applicant has a reasonable basis for not promptly rectifying; and
- (d) the rectification of which will not prejudice the convenient use of the matter.

Council controlled land means land under Council freehold ownership or Crown Land managed by Council under trust, but does not include:

- (a) State and Federal controlled reserves (e.g. National Parks, State Forests); and
- (b) Land identified as being at risk of bushfire, flood or landslide, or an area of conservation significance pursuant to any applicable Overlay Map.

impervious area means the area of the premises that is impervious to rainfall or overland flow that results in the discharge of stormwater from the premises.

PPI (an acronym for producer price index) means the following:

- (a) the producer price index for construction 6427.0 (ABS PPI) index number 3101—Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics;
- (b) if an index described in paragraph (a) ceases to be published—another similar index prescribed by the local government.

Editor's note — Where the PPI has not been published for a calculation date the change in the PPI is to be determined by having regard to the index prior to the base date and the index prior to the calculation date.

prescribed fee means a cost recovery fee prescribed by the local government.

suite means a number of connected rooms one of which is a bedroom in which an individual or a group of two or more related or unrelated people reside with the common intention to live together on a long term basis and who make common provision for food or other essentials for living.

Urban Footprint includes the land identified for urban purpose under the South East Queensland Regional Plan 2017.

15. Resolution attachments

Schedule 1 Maximum construction on costs for work

Column 1 Trunk infrastructure network	Column 2 Maximum construction on costs for work (Percentage of the construction cost for the work)
Transport trunk infrastructure network	
Road network	20%
Footpath network	20%
Public transport (bus stops) network	20%
Community purposes trunk infrastructure network	
Public parks network	20%
Land for community facilities network	20%

Column 1 Trunk infrastructure network	Column 2 Maximum construction on costs for work (Percentage of the construction cost for the work)
Stormwater trunk infrastructure network	
Stormwater network	20%

Asset & Environmental Sustainability**10.10 Bridges Renewal Program: Hinchcliffe Bridge and Kengoon Bridge Replacement****Executive Officer:** General Manager Asset and Environmental Sustainability**Item Author:** General Manager Asset and Environmental Sustainability**Attachments:** Nil

Executive Summary

Council successfully secured funding from the Australian Government under the Bridges Renewal Program Round Five for replacement of both Hinchcliffe Bridge and Kengoon Bridge. Following the realisation that expected construction costs will exceed the allocated budgets for these replacement projects by approximately \$4.17 million, Council is to reconsider project funding sources and delivery timing.

Recommendation

That:

1. Council withdraw from the Bridges Renewal Program Round Five and Heavy Vehicle Safety and Productivity program Round Seven funding agreement with the Australian Government, for Hinchcliffe Bridge replacement project;
2. Council withdraw from the Bridges Renewal Program Round Five and Heavy Vehicle Safety and Productivity Program Round Seven funding agreement with the Australian Government, for Kengoon Bridge replacement project; and
3. Council make application to the Australian Government's annual Bridges Renewal Program 2021, agreeing to match as a minimum the Australian Government funding requirements of the program, for the Hinchcliffe Bridge replacement project and the Kengoon Bridge replacement project.

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 25 May 2020, Item 13.4, it was resolved that:

1. Council make five individual applications to the Federal Government's Bridges Renewal Program Round Five and / or Heavy Vehicle Safety and Productivity Program Round Seven, agreeing to match as a minimum the Australian Government funding, for the following:
 - Hinchcliffe Bridge, Hinchcliffe Drive, Kooralbyn;
 - Flying Fox Creek Bridge, Upper Coomera Road, Flying Fox;
 - Kengoon Bridge, Kengoon Road, Kents Lagoon;
 - Kerry Road, Kerry (upgrade no.1); and
 - Kerry Road, Kerry (upgrade no.2);
2. Council provide support to Logan City Council in its application to the Federal Government's Bridges Renewal Program Round Five, for Freeman Bridge, Veresdale, agreeing to 'in principle' co-fund up to 50% of the required local government contribution;

3. A budget allocation report detailing how Council will fund the co-contribution for the above bridge projects reflected in the draft 2020-2021 and proposed 2021-2022 budgets to be provided during the 2020-2021 budget deliberations; and
4. The amended 10 Year Capital Works Program be tabled to Council, highlighting the reprioritisation of projects to coincide with the applications for funding for the Federal Government's Bridges Renewal Program Round Five and / or Heavy Vehicle Safety and Productivity Program Round Seven.

At the Ordinary Meeting held on 23 November 2020, Item 13.2, it was resolved that:

1. Council enter into the Bridges Renewal Program Round Five and Heavy Vehicle Safety and Productivity program Round Seven funding agreement with the Australian Government, for up to \$2,000,000 (GST exclusive) for Hinchcliffe Bridge replacement project with Council's contribution of \$2,004,000 (GST exclusive) to be funded from Council's Capital Bridge Replacement Program and Roads Program;
2. Council enter into the Bridges Renewal Program Round Five and Heavy Vehicle Safety and Productivity Program Round Seven funding agreement with the Australian Government, for up to \$1,671,054 (GST exclusive) for the Flying Fox Creek bridge replacement project, with Council's contribution of \$1,671,054 (GST exclusive) to be funded from Council's Capital Bridge Replacement Program and Roads Program;
3. Council enter into the Bridges Renewal Program Round Five and Heavy Vehicle Safety and Productivity Program Round Seven funding agreement with the Australian Government, for up to \$1,104,041 (GST exclusive) for the Kengoon Bridge replacement project, with Council's contribution of \$1,104,041 (GST exclusive) to be funded from Council's Capital Bridge Replacement Program and Roads Program;
4. Council enter into the Bridges Renewal Program Round Five and Heavy Vehicle Safety and Productivity Program Round Seven funding agreement with the Australian Government, for up to \$2,000,000 (GST exclusive) for the Kerry Road - Stage 1 project, with Council's contribution of \$2,315,128 (GST exclusive) to be funded from Council's Capital Roads Program; and
5. Council enter into the Bridges Renewal Program Round Five and Heavy Vehicle Safety and Productivity Program Round Seven funding agreement with the Australian Government, for up to \$2,000,000 (GST exclusive) for the Kerry Road - Stage 2 project, with Council's contribution of \$2,146,334 (GST exclusive) to be funded from Council's Capital Roads Program;
6. Council acknowledge the successful application by Logan City Council for Freeman Bridge replacement project, under the Bridges Renewal Program Round Five and Heavy Vehicle Safety and Productivity Program Round Seven, with a contribution of \$1,150,000 to be funded from Council's Capital Bridge Program for delivery of the boundary bridge project; and
7. Council endorse the commencement of design and continued site investigation works associated with delivery of the successful grant funded projects; with the allocation of appropriate funding to be determined at Council's December 2020 budget review.

Report / Background

Council was successful for replacement of both Hinchcliffe Bridge and Kengoon Bridge under Round Five of the Bridges Renewal Program, and has finalised design and issued a tender for construction. The tenders received indicated the cost for construction of these bridges is expected to exceed the allocated budget. The increased cost over the allocated funding to complete Hinchcliffe and Kengoon Bridges is approximately \$4.17 million.

The construction industry has recently experienced high demand and significant price increases. An in-depth review of the costs identified that all items pertaining to steel, concrete and gravel have increased dramatically since the original project estimates were produced and the submissions to Bridges Renewal Program Round 5 were made in 2020. These products represent the majority of the construction components of these projects.

Due to these cost increases Council officers have contacted representatives of the Bridges Renewal Program who have advised there are two options to increase external funding allocations:

- Option 1 - Seek a budget variation of the current Round 5 approval; and
- Option 2 - Withdraw the current Round 5 approvals and resubmit to the current open round of the Bridges Renewal Program.

Further options available to Council are to fund the overspend through capital contributions without external funding, or to postpone the project/s.

After review of the options, it is proposed that Council withdraw from the current Round Five of Bridges Renewal Program and resubmit to the new round. This preferred option is based on the need to replace these two bridges still exists, Council not having additional capital budget available to fund the current released overspend and the high likelihood of not being able to get a variation approved through the current Round Five, as it is likely oversubscribed by others funding recipients being in a similar position. Furthermore, the new round of the Bridges Renewal Program has a higher capped funding per project of \$5 million, and a higher contribution portion with external funding up to 80% for projects in the Scenic Rim region.

Costs incurred to date will be ineligible under the new round of funding as they would have been spent before the approval granted. However, it would be more economical for Council to proceed under the new round than funding the overspend directly, subject to approval of projects under Round Six.

In November 2021, the Australian Government announced rolling annual commitments of \$150 million to the Bridges Renewal Program and Heavy Vehicle Safety and Productivity Programs and will accept applications continuously. The Bridges Renewal Program representatives indicated that there is a roughly quarterly process for review and approval of projects, with the current round to close on 28 February 2023.

Council has previously been successful in gaining funding through both the Bridge Renewal and Heavy Vehicles Safety and Productivity Programs. The Bridge Renewal Program in particular has seen the assisted rollout of Council's Bridge Strategy and has provided accelerated improvement in the efficiency of access within the transport network. The additional funding has been utilised to complement the Ten Year Capital Works Program which has assisted in realised significant savings by delivering projects concurrently and with a reduction in Council's whole of life cost investment in bridge infrastructure. The Ten Year Capital Plan included the replacement of Hinchcliffe and Kengoon Bridges in this financial year.

The successful applications from the previous Bridge Renewal Program Round Five will be updated for submission in Bridges Renewal Program 2021 Round, including letters of support from industry leaders and government departments.

	Hinchcliffe Bridge	Kengoon Bridge	Total
Total Project Cost	\$9,750,000	\$3,400,000	\$13,150,000
Council Contribution	\$3,750,000	\$1,060,000	\$4,810,000
Bridge Renewal Program 2021 Funding Requested	\$5,000,000	\$2,340,000	\$7,340,000
Council current fund and budgeted contribution	\$2,004,000	\$1,104,041	\$3,108,041
Estimated Urban Utility Contribution	\$1,000,000	NA	\$1,000,000

The total project cost has been further refined to match updated project scope and estimated project costs are calculated assuming a single project delivery should only one project be successful in the Bridges Renewal Program. Actual delivery costs may be less if both projects are successful within the grant funding program.

Significant water and sewer relocations are required at Hinchcliffe Bridge, estimated at \$1,350,000 which is included in the Total Project Cost. Urban Utilities has agreed that Council's contribution portion will be capped at \$350,000 with the remaining estimated \$1,000,000 to be contributed by Urban Utilities. It is common for all utility service relation costs to be borne by Council.

The following service level improvements are noted for each site:

- **Hinchcliffe Bridge**
A two-lane 25-metre concrete bridge will replace the single-lane timber bridge, with the height increased to increase flood resilience. The bridge is the only access point for this community. Inclusion of a pedestrian walkway attached to the bridge is also included with project scope.
- **Kengoon Bridge**
A single lane, 25-metre concrete bridge will replace the single-lane timber bridge, at the same level.

The projects nominated in this report for funding under the Australian Government Bridges Renewal Program are expected to generate economic benefits for local suppliers and contractors involved in the following industries and service providers within the Scenic Rim region:

- Civil construction contractors;
- Survey and design consultancies;
- Quarries;
- Concrete suppliers;
- Bridge deck unit manufacturing; and
- Truck, plant and equipment hire

To this end, there is an opportunity for procurement activities associated with the listed projects to target local services and suppliers.

Budget / Financial Implications

Following the success of Council's funding application under the Bridges Renewal Program Round Five, a budget allocation was provided for the replacement of Hinchcliffe Bridge and Kengoon Bridge of \$4,004,000 and \$2,208,082, respectively, across the 2021-2022 and 2022-2023 budgets, including a Council contribution of \$2,004,000 and \$1,104,041, respectively.

Expenditure of pre-construction activities, including but not limited to detailed design and survey have already been expended and will not form part of Council's attributable contribution to either project, Hinchcliffe and Kengoon, under the current annual Bridge Renewal Program.

Due to increased construction costs, additional funds are required for delivery of these replacement projects, with the cost to complete estimated at \$9.75 million for the replacement of Hinchcliffe Bridge and \$3.4 million for the replacement of Kengoon Bridge.

Under the Bridges Renewal Program Round Five funding agreement, the Australian Government has committed to fund \$2 million towards the replacement of Hinchcliffe Bridge and \$1,671,054 towards the replacement of Kengoon Bridge.

Under the current Bridges Renewal Program funding arrangements, Council could potentially receive funding up to \$5 million towards the replacement of Hinchcliffe Bridge and up \$2 million towards the replacement of Kengoon Bridge from the Australian Government.

Strategic Implications

Operational Plan

Theme: 6. Accessible and Serviced Region

Key Area of Focus: Accessibility and reliability of Council-controlled transport, flood mitigation and drainage infrastructure, with enhanced resilience

Legal / Statutory Implications

Local Government Act 2009

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; Long-term financial plans; Bridge Strategy; Core Asset Management Plans;	High

Consultation

Consultation has incurred both internally with member of Asset and Environmental Sustainability portfolio, more specifically members of the Capital Works and Asset Management team together with consulting project engineers; and externally with members of the Bridges Renewal Program representatives on behalf of the Australian Government.

Further discussions with Bridges Renewal Program representatives will occur, post Council's consideration of this matter.

Conclusion

To maximise funding opportunities following the realisation of increased bridge replacement costs, it is proposed that Council withdraw from its agreement with the Australian Government for funding under the Bridges Renewal Program Round Five for both Hinchcliffe Bridge and Kengoon Bridge, and make application under the current annual Bridge Renewal Program. Noting that possibility of additional funding under the Bridges Renewal Program Round Five is unlikely, and under the new arrangements the Bridge Renewal Program funding cap per project has increased from \$2 million (Round Five) to \$5 million, together with an increased contribution portion to 80%.

If successful, an application under the current Bridges Renewal Program would potentially provide funding of \$5 million for the replacement of Hinchcliffe Bridge with a contribution from Council's Capital Bridges Program of \$3.75 million, and funding of \$2.34 million for the replacement of Kengoon Bridge with a contribution from Council's Capital Bridges Program of \$1.06 million.

Council Sustainability

10.11 Council Monthly Financial Report for November 2022

Executive Officer: General Manager Council Sustainability

Item Author: Coordinator Financial Management

Attachments:

1. Financial Performance and Position Progress Report November 2022 [↓](#) 

Executive Summary

This report seeks Council's endorsement of the monthly financial report for November 2022.

Recommendation

That Council receive the unaudited financial statements for the period ended 30 November 2022 for the Financial Year 2022-2023.

Previous Council Considerations / Resolutions

Financial reports are presented to Council on a monthly basis.

Report / Background

The Council monthly financial report provides information on Council's actual to budget performance. The graphical representation of key performance indicators provides key summary financial information.

Council begins each financial year with a budget with timings for projects built in. In balancing the needs of Council's delivery against weather impacts and further grant funded projects, the program - both capital and operating, may need to be altered. For instance, each successful grant funded project may alter the delivery of other projects and may be funded this year but delivered over a number of years, or in a future year. Flexibility is required.

Budget / Financial Implications

The budget/financial implications are reflected within Attachment 1.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

Legal / Statutory Implications

Section 204 of the *Local Government Regulation 2012* requires the Chief Executive Officer to present a financial report to Council on a monthly basis.

Risks

Strategic 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.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Financial and Economic Inaccurate or untimely management reporting	Major	Likely	High	Actual performance is reported against budget on a monthly basis to the Executive Team and Council	Low
Financial and Economic Failure to develop and implement procedures to manage cash and investments	Catastrophic	Almost certain	Extreme	Monthly investment report is provided to the Executive Team and Council that reports actual performance against investment limits	Low
Financial and Economic Failure to manage outstanding debtors	Moderate	Almost certain	High	Monthly debtors report is provided to the Executive Leadership Team and Council including chart showing total outstanding debtors and debtors greater than 90 days overdue	Low

Consultation

The Executive Leadership and Management Teams have reviewed the actual to budget performance for their relevant portfolios.

Conclusion

The monthly financial report provides information on the actual to budget position at financial statement level.

Financial Performance and Position

Progress Report

NOVEMBER 2022



scenicrim.qld.gov.au

CSFIN2021.0001

Executive Summary

Net operating surplus: **\$1.766 million above budgeted expectations**

- Operating revenue \$1.113 million higher than budgeted levels
- Operating expenditure \$0.653 million lower than budgeted forecast

Operating revenue: **\$1.113 million 2.8% above budgeted expectations**

- Fees and Charges are \$0.505 million 17% higher than budgeted expectations largely due to Development Assessment fees. Development Assessment fees are currently trending above forecast, however this will need to be monitored due to an easing in development enquiries and commencements.
- Operating grants and subsidies are \$0.423 million higher than budget due to timing with receipt of funding for the Black Summer Grant Program \$0.240 million and higher than budgeted trainee subsidies \$0.212 million.

Operating expenditure: **\$0.653 million 1.8% above budgeted expectations**

- Employee expenses are \$1.088 million 6.2% less than budgeted levels due largely to:
 - \$0.160 million timing differences with respect to external costs (workers compensation insurance, training and recruitment costs)
 - Net vacancies
- Employee expenses allocated to capital are \$0.536 million 20% less than the forecasted budget.
- Materials and services were \$0.386 million 2.8% lower than budgeted expectations due largely to timing with grant funded expenditure and other materials and services. This is offset by higher than budgeted spending on road maintenance works and recoverable works (offset by increased revenue). Refer Note 4 (Page 6 of 11) for more detail.

Capital expenditure: **\$4.884 million 19% lower than budgeted expectations**

Capital expenditure is lower than budgeted for:

- Capital Works \$1.016 million lower than the budgeted forecast (Kerry Road projects \$0.853 million)
- Grant Funded Programs are \$3.628 million lower than the budgeted forecast
- Refer Note 5 (Page 7 of 11) for details.

Proceeds from sale of assets: **\$0.244 million 72% lower than budgeted expectations**

- Refer Note 6 (Page 7 of 11) for more detail.

Capital revenue: **\$1.782 million 23% higher than budgeted expectations**

- Refer Note 7 (Page 8 of 11) for details.

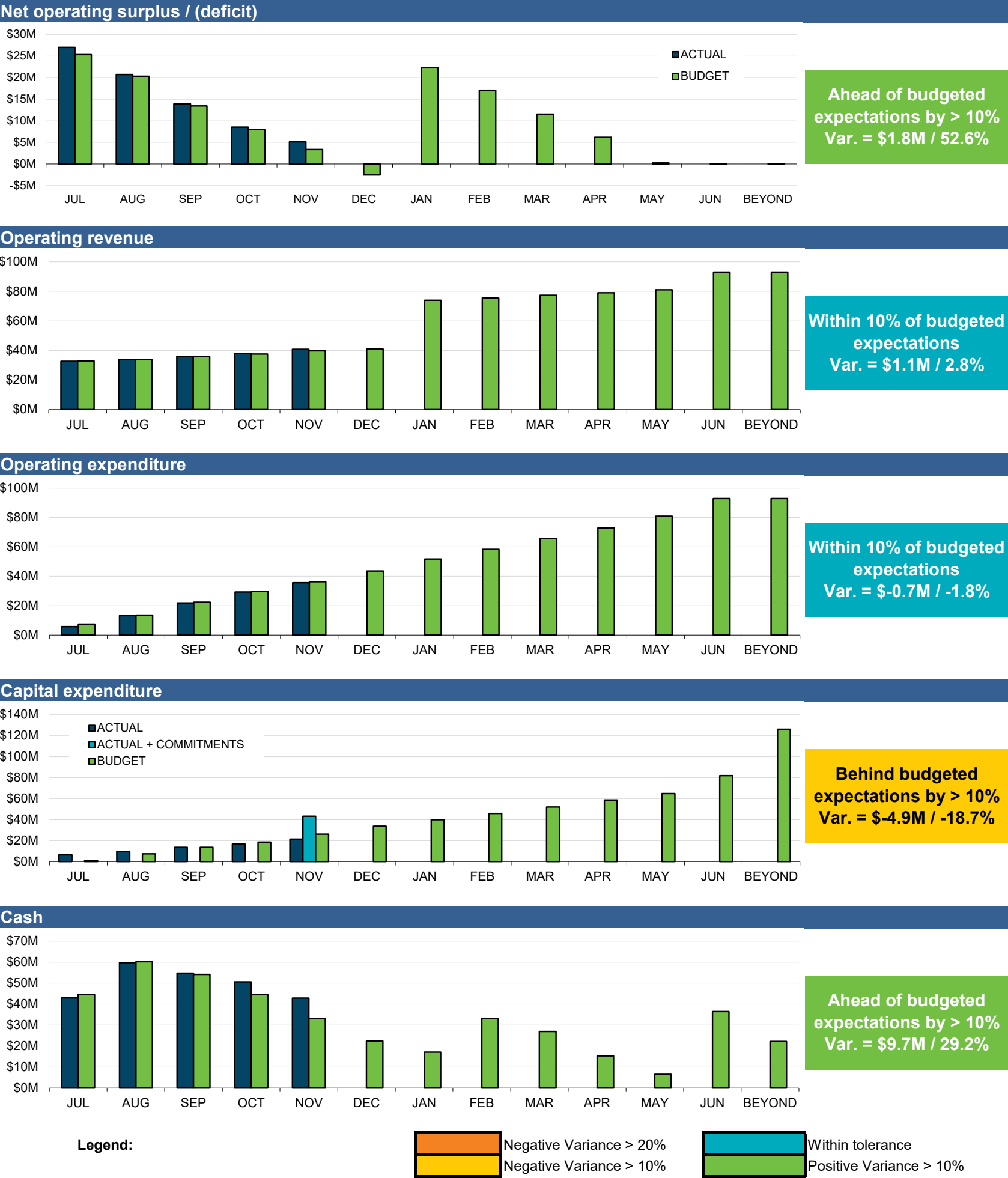
Statement of Financial Position

- Cash and investments: \$9.683 million 29% higher than budgeted expectations largely due to favourable cash positions in operating surplus, capital expenditure, capital revenue and movement in receivables and payables.

Financial performance and position



1. KEY PERFORMANCE INDICATORS



Financial performance and position



2. STATEMENT OF COMPREHENSIVE INCOME

STATEMENT OF COMPREHENSIVE INCOME For the Period Ending 30-Nov-2022

		Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Operating revenue						
Rates and utility charges	Note 1	\$63,566	\$63,566	\$31,636	\$31,654	\$19
Discounts and pensioner remissions		(\$1,863)	(\$1,863)	(\$928)	(\$964)	(\$36)
Fees and charges	Note 2	\$6,269	\$6,611	\$3,041	\$3,546	\$505
Interest received		\$1,593	\$2,049	\$874	\$958	\$84
Recoverable works		\$5,942	\$6,020	\$1,918	\$2,078	\$160
Grants, subsidies, contributions and donations		\$4,895	\$9,471	\$1,251	\$1,674	\$423
Share of profit from associates		\$2,490	\$2,490	\$0	\$0	\$0
Other revenues	Note 3	\$4,646	\$4,688	\$1,901	\$1,859	(\$42)
Total Operating revenue		\$87,536	\$93,031	\$39,692	\$40,805	\$1,113
Operating expenditure						
Employee expenses		\$41,650	\$42,466	\$17,518	\$16,429	\$1,088
Employee expenses allocated to capital		(\$6,289)	(\$6,353)	(\$2,738)	(\$2,202)	(\$536)
Net operating employee expenses		\$35,361	\$36,113	\$14,779	\$14,228	\$552
Materials and services	Note 4	\$32,673	\$37,686	\$13,674	\$13,288	\$386
Finance costs		\$1,171	\$1,171	\$333	\$338	(\$5)
Depreciation and amortisation		\$18,046	\$18,046	\$7,547	\$7,828	(\$280)
Total Operating expenditure		\$87,251	\$93,016	\$36,334	\$35,681	\$653
NET OPERATING SURPLUS / (DEFICIT)		\$285	\$15	\$3,359	\$5,124	\$1,766
Capital revenue						
Capital grants and subsidies		\$9,316	\$73,090	\$6,812	\$8,477	\$1,666
Infrastructure charges		\$2,305	\$2,305	\$950	\$1,067	\$117
Total capital revenue		\$11,621	\$75,395	\$7,762	\$9,544	\$1,782
NET SURPLUS / (DEFICIT)		\$11,906	\$75,410	\$11,120	\$14,668	\$3,548

Financial performance and position



3. STATEMENT OF FINANCIAL POSITION

STATEMENT OF FINANCIAL POSITION

As at 30-Nov-2022

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Current assets					
Cash and Investments	\$19,967	\$22,169	\$33,141	\$42,824	\$9,683
Receivables	\$8,100	\$8,100	\$9,676	\$7,209	(\$2,467)
Inventories	\$900	\$900	\$900	\$1,111	\$211
Other Current Assets	\$0	\$670	\$0	\$0	\$0
Total current assets	\$28,967	\$31,839	\$43,717	\$51,144	\$7,427
Non-current assets					
Receivables	\$14,676	\$14,676	\$14,676	\$14,676	\$0
Other Financial Assets	\$39,441	\$39,292	\$38,157	\$38,157	\$0
Property, Plant and Equipment and Intangibles	\$1,028,414	\$1,037,061	\$931,993	\$926,999	(\$4,994)
Total non-current assets	\$1,082,531	\$1,091,029	\$984,826	\$979,832	(\$4,994)
TOTAL ASSETS	\$1,111,498	\$1,122,868	\$1,028,543	\$1,030,976	\$2,433
Current liability					
Trade and Other Payables	\$7,000	\$7,000	\$2,000	\$890	\$1,110
Borrowings	\$4,171	\$4,171	\$0	\$0	\$0
Provisions	\$10,400	\$10,400	\$10,521	\$10,313	\$208
Other Current Liabilities	\$0	\$1,718	\$1,718	\$1,983	(\$265)
Total current liability	\$21,571	\$23,289	\$14,239	\$13,186	(\$1,053)
Non-current liability					
Borrowings	\$43,263	\$43,265	\$44,261	\$44,268	(\$7)
Provisions	\$4,219	\$4,219	\$2,124	\$2,124	\$0
Other Non-Current Liabilities	\$0	\$3,190	\$3,190	\$3,190	\$0
Total non-current liability	\$47,482	\$50,674	\$49,575	\$49,583	\$8
TOTAL LIABILITIES	\$69,053	\$73,963	\$63,814	\$62,768	(\$1,046)
NET ASSETS	\$1,042,445	\$1,048,905	\$964,729	\$968,208	\$3,479

Financial performance and position



4. NOTES TO FINANCIAL STATEMENTS

NOTE 1 - RATES AND UTILITY CHARGES ANALYSIS

For the Period Ending 30-Nov-2022

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Rates and utility charges					
General Rates	\$45,547	\$45,547	\$22,658	\$22,692	\$33
Separate Charge Community Infrastructure	\$9,746	\$9,746	\$4,855	\$4,827	(\$28)
Waste Disposal Charge	\$554	\$554	\$277	\$272	(\$5)
Waste Collection Charge	\$7,719	\$7,719	\$3,846	\$3,863	\$18
Total rates and utility charges	\$63,566	\$63,566	\$31,636	\$31,654	\$19

NOTE 2 - FEES AND CHARGES ANALYSIS

For the Period Ending 30-Nov-2022

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Fees and charges					
Development Assessment	\$925	\$1,025	\$477	\$737	\$260
Plumbing Certification	\$1,011	\$1,011	\$421	\$442	\$21
Building Certification	\$469	\$469	\$159	\$179	\$20
Other Building and Property Related Revenue	\$789	\$889	\$418	\$447	\$28
Refuse Tipping Fees	\$1,439	\$1,509	\$641	\$715	\$74
Animal Management Licences	\$240	\$240	\$212	\$225	\$13
Food Licences	\$194	\$194	\$175	\$184	\$8
Cemetery Fees	\$328	\$400	\$243	\$261	\$19
Moogerah Caravan Park Fees	\$734	\$734	\$241	\$267	\$26
Other Fees and Charges	\$140	\$140	\$54	\$90	\$37
Total fees and charges	\$6,269	\$6,611	\$3,041	\$3,546	\$505

NOTE 3 - OTHER REVENUES ANALYSIS

For the Period Ending 30-Nov-2022

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Other revenues					
Waste Charges for LCC Dumping at Central Landfill	\$2,403	\$2,403	\$1,001	\$1,126	\$124
Domestic Waste Levy - State Reimbursement	\$0	\$0	\$0	\$0	\$0
Tax Equivalents - Urban Utilities	\$1,067	\$1,067	\$356	\$286	(\$70)
Other	\$1,175	\$1,218	\$544	\$448	(\$96)
Total other revenues	\$4,646	\$4,688	\$1,901	\$1,859	(\$42)

Financial performance and position



4. NOTES TO FINANCIAL STATEMENTS CONTINUED

NOTE 4 - MATERIALS AND SERVICES ANALYSIS

For the Period Ending 30-Nov-2022

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Materials and services					
Subscriptions	\$325	\$360	\$260	\$256	(\$4)
IT Systems Maintenance	\$3,047	\$3,288	\$1,688	\$1,591	(\$96)
Office Expenditure	\$537	\$569	\$240	\$177	(\$63)
Recoverable Works	\$2,729	\$2,729	\$863	\$1,231	\$368
Disaster Event Emergent Works & CDO	\$0	\$762	\$762	\$779	\$17
Fleet IPH Recoveries	(\$10,464)	(\$10,464)	(\$4,344)	(\$4,340)	\$3
Grants	\$470	\$504	\$303	\$285	(\$18)
Legal Expenses	\$1,058	\$1,064	\$412	\$455	\$43
Waste Collection Contract	\$2,725	\$2,725	\$838	\$798	(\$40)
Insurance	\$566	\$609	\$596	\$597	\$1
Economic Development	\$1,411	\$1,776	\$589	\$435	(\$154)
Maintenance and Operations	\$20,172	\$20,167	\$7,065	\$7,461	\$396
721600 - Road Maintenance	\$4,298	\$4,298	\$2,136	\$2,733	\$597
721601 - Bridge Maintenance	\$444	\$444	\$164	\$151	(\$13)
721611 - Urban Approaches and Town Centres Maintenance	\$440	\$440	\$123	\$209	\$86
721612 - Road Furniture Projects	\$73	\$73	\$12	\$1	(\$11)
721613 - Resheeting	\$1,349	\$1,349	\$373	\$322	(\$51)
721614 - Shoulder Resheeting	\$413	\$413	\$185	\$157	(\$28)
729283 - Weed Treatment Council Roadsides	\$8	\$8	\$8	\$4	(\$4)
729316 - Road Corridor Management	\$81	\$81	\$59	\$64	\$4
EXP20112-M&O-Parks,Gardens,Cemeteries	\$1,958	\$1,997	\$794	\$829	\$35
EXP20113-M&O-Fleet	\$3,553	\$3,578	\$1,701	\$1,732	\$32
EXP20114-M&O-Waste Disposal	\$2,654	\$2,584	(\$244)	(\$391)	(\$147)
EXP20125-M&O-Facility Operations	\$3,590	\$3,590	\$1,298	\$1,225	(\$73)
EXP20126-M&O-Facility Maintenance	\$1,143	\$1,143	\$426	\$403	(\$23)
EXP20127-M&O-Facility Maintenance Scheduled	\$169	\$169	\$29	\$21	(\$8)
Transfer Station Operations	\$788	\$788	\$297	\$239	(\$58)
Grant Funded Expenditure	\$422	\$2,502	\$541	\$319	(\$222)
EXP20134-Grant Exp-Drought Communities Programms	\$0	\$231	\$0	\$10	\$10
EXP20136-Grant Exp-Bushfire Recovery Exceptional Assistance Package	\$0	\$77	\$0	\$3	\$3
EXP20137-Grant Exp-Qld Bushfires Local Economic Recovery	\$0	\$113	\$50	\$56	\$6
EXP20139-Grant Exp-Resilient Rivers	\$240	\$794	\$326	\$76	(\$250)
EXP20140-Grant Exp-Other Programs	\$182	\$1,287	\$165	\$174	\$9
Other Material and Services	\$8,887	\$10,308	\$3,565	\$3,007	(\$558)
Total materials and services	\$32,673	\$37,686	\$13,674	\$13,288	(\$386)

Financial performance and position



5. CAPITAL EXPENDITURE

For the Period Ending 30-Nov-2022

	Commitments \$000	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000	Beyond June 2023* Revised Budget \$000
Council Wide Transactions	\$0	\$0	\$12,093	\$0	\$0	\$0	\$12,093
Library Services	\$158	\$269	\$269	\$97	\$82	(\$15)	\$0
Cultural Services	\$46	\$108	\$252	\$45	\$38	(\$7)	\$0
Facilities Maintenance	\$177	\$947	\$1,066	\$150	\$89	(\$61)	\$0
Parks and Landscape Maintenance	\$30	\$273	\$567	\$172	\$208	\$36	\$0
Waste Services	\$0	\$102	\$114	\$0	\$1	\$1	\$0
Waste Landfill - Central	\$32	\$510	\$1,356	\$360	\$351	(\$9)	\$0
Property Management	\$3	\$4,205	\$7,664	\$6,188	\$5,982	(\$205)	\$0
Waste Transfer Stations	\$0	\$221	\$316	\$45	\$0	(\$45)	\$0
Vibrant and Active Towns and Villages	\$2,167	\$649	\$4,398	\$2,199	\$2,080	(\$119)	\$0
Asset Management	\$0	\$493	\$559	\$80	\$0	(\$80)	\$0
Road Maintenance	\$91	\$562	\$596	\$154	\$218	\$64	\$0
Workshop	\$14	\$205	\$205	\$85	\$0	(\$85)	\$0
Capital Works	\$980	\$6,578	\$6,060	\$3,403	\$2,386	(\$1,016)	\$0
Structures and Drainage	\$301	\$2,752	\$3,845	\$830	\$457	(\$373)	\$0
Fleet Management	\$3,216	\$3,980	\$7,929	\$20	\$239	\$219	\$0
Reseals	\$135	\$2,692	\$2,866	\$740	\$1,179	\$439	\$0
Grant Funded Programs							
Grant-Bushfire Recovery Exceptional Assistance Pa	\$3	\$0	\$20	\$0	\$32	\$32	\$0
Declared Event - SEQ Coastal Trough 12-15 Dec 20	\$22	\$0	\$212	\$161	\$194	\$33	\$0
Declared Event - Southern Qld Severe Weather 20-3	\$3,432	\$0	\$3,068	\$941	\$804	(\$137)	\$0
Declared Event - November 2021	\$72	\$0	\$799	\$126	(\$4)	(\$130)	\$270
REPA - SEQ Rainfall and Flooding, 22-28 Feb 2022	\$993	\$0	\$34,180	\$2,225	\$1,440	(\$785)	\$25,820
REPA - 13 May 2022 Heavy Rainfall Event	\$169	\$0	\$5,234	\$92	\$165	\$73	\$5,031
DRFA-Immediate Reconstruction Works-Q Bushfires	\$78	\$0	\$713	\$0	\$5	\$5	\$0
Grant Funded-Beauesert Town Centre Redevelopme	\$3,325	\$0	\$6,732	\$2,404	\$1,511	(\$893)	\$967
Grant Funded-Bridge Renewal Program	\$452	\$7,263	\$8,090	\$921	\$864	(\$57)	\$0
Grant Funded-Black Spot Program	\$2,656	\$0	\$2,989	\$680	\$199	(\$482)	\$0
Grant Funded-Drought Communities Programme DC	\$1	\$0	\$64	\$0	\$21	\$21	\$0
Grant Funded-Local Govt Grants and Subsidies Prog	\$121	\$0	\$2,005	\$0	\$6	\$6	\$0
Grant Funded-Local Roads and Community Infrastru	\$1,561	\$2,178	\$4,280	\$1,309	\$679	(\$630)	\$0
Grant Funded-Mass Action Rest Area Upgrade Prog	\$6	\$0	\$45	\$45	\$13	(\$32)	\$0
Grant Funded-Principal Cycle Network Program	\$6	\$0	\$151	\$151	\$264	\$113	\$0
Grant Funded-Qld Bushfires Local Economic Recov	\$915	\$0	\$3,037	\$650	\$492	(\$158)	\$0
Grant Funded-SEQ Community Stimulus Program	\$585	\$0	\$3,412	\$876	\$416	(\$459)	\$0
Grant Funded-Unite and Recover Community Stimul	\$3	\$0	\$15	\$15	\$25	\$10	\$0
Grant Funded-Unite and Recover Community Stimul	\$96	\$0	\$950	\$950	\$808	(\$142)	\$0
Grant Funded-COVID W4Q Works For Queensland	\$0	\$0	\$48	\$48	\$30	(\$18)	\$0
Total capital expenditure	\$21,847	\$33,988	\$126,196	\$26,161	\$21,277	(\$4,884)	\$44,181

6. PROCEEDS FROM ASSET SALES

For the Period Ending 30-Nov-2022

	Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000	Beyond June 2023* Revised Budget \$000
Fleet Trade-Ins	\$875	\$1,400	\$0	\$106	\$106	\$0
Property Disposals	\$843	\$775	\$350	\$0	(\$350)	\$0
Property Disposals-Beauesert Business Park Develo	\$0	\$2,529	\$0	\$0	\$0	\$0
Total proceeds from asset sales	\$1,718	\$4,704	\$350	\$106	(\$244)	\$0

* Beyond June 2023 : Budgeted transactions not expected to be incurred until post 30 June 2023. These may include potential carry forward projects due to either being multi-year staged projects, deferred projects or where funds were planned to be received this financial year for a project to be commenced next financial year.

Financial performance and position



7. CAPITAL REVENUE - CAPITAL GRANTS, SUBSIDIES, CONTRIBUTIONS AND DONATIONS

For the Period Ending 30-Nov-2022

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
621003 - State Library Grant	\$201	\$201	\$50	\$50	(\$0)
621005 - Transport Infrastructure Development Scheme (TIDS)	\$744	\$744	\$200	\$99	(\$101)
621006 - Roads to Recovery	\$1,089	\$1,089	\$600	\$0	(\$600)
621032 - Grant-Blackspot Funding	\$0	\$2,650	\$843	\$999	\$157
621038 - Bridge Renewal Program	\$3,104	\$4,527	\$954	\$954	\$0
621041 - Building Better Regions Grant Funding	\$0	\$3,839	\$0	\$200	\$200
621044 - Building Our Regions	\$0	\$2,875	\$0	\$0	\$0
621045 - DRFA - REPA Bushfire Subsidy 2019	\$0	\$408	\$0	\$11	\$11
621047 - Flood Damage Subsidies 2020 REPA	\$0	\$74	\$74	\$74	\$0
621048 - Works for Queensland COVID Grant - Capital Portion	\$0	\$144	\$0	\$0	\$0
621049 - Local Roads and Community Infrastructure Program Funding	\$2,178	\$3,217	\$0	\$1,089	\$1,089
621050 - Unite and Recover Community Stimulus Package-Lake	\$0	\$203	\$0	\$0	\$0
621051 - Unite and Recover Community Stimulus Package-Foot	\$0	\$200	\$200	\$200	\$0
621052 - Grant-QRRRF-Mahoney Road Floodway Upgrade SRR	\$0	\$42	\$0	\$0	\$0
621054 - Grant-Drought Communities Programme DCP000598	\$0	\$385	\$0	\$0	\$0
621055 - Heavy Vehicle Safety and Productivity Program (HVSP)	\$2,000	\$2,400	\$0	\$0	\$0
621056 - Grant-Qld Bushfires LER - Vonda Youngman Communi	\$0	\$327	\$0	\$0	\$0
621057 - Grant-Qld Bushfires LER-Refurbish Tamborine Mounta	\$0	\$1,499	\$0	\$0	\$0
621058 - Grant-2021-2024 SEQ Community Stimulus Program	\$0	\$1,995	\$0	\$0	\$0
621059 - DRFA - REPA Southern Qld Severe Weather, 20-31 Ma	\$0	\$2,231	\$0	\$9	\$9
621060 - DRFA - REPA SEQ Coastal Trough 12-15 December 2	\$0	\$147	\$0	\$0	\$0
621061 - DRFA - REPA Subsidy November 2021	\$0	\$784	\$0	\$175	\$175
621062 - TMR-Mass Action Rest Area Upgrade Program	\$0	\$67	\$21	\$0	(\$21)
621063 - DRFA - REPA SEQ Rainfall and Flooding, 22-28 Febru	\$0	\$33,166	\$0	\$264	\$264
621064 - DRFA - REPA Southern Qld Flooding Event, 6-20 May	\$0	\$3,791	\$0	\$483	\$483
621065 - LGGSP-Safety Upgrades on Tarome Road	\$0	\$1,203	\$361	\$361	(\$0)
621098 - Capital Grants AASB1058 Accrual Adjustment	\$0	\$3,368	\$3,368	\$3,368	(\$0)
621099 - Other Capital Grants and Subsidies	\$0	\$1,516	\$141	\$141	(\$0)
621101 - Infrastructure Charges	\$2,305	\$2,305	\$950	\$1,067	\$117
621104 - Contributions Tied to Specific Projects	\$0	\$0	\$0	\$0	\$0
Total Capital Revenue - Capital Grants, Subsidies, Contributi	\$11,621	\$75,395	\$7,762	\$9,544	\$1,782

Financial performance and position



8. INVESTMENTS

INVESTMENTS

As at 30-Nov-2022

INVESTMENTS HELD BY COUNCIL

Financial Institution	Type	Principal \$'000	Interest Rate	Maturity Date	Days to Maturity	S&P Short Term Rating
Queensland Treasury Corporation	On Call	\$26,896	3.52%	30/11/2022	0	A1+
Bendigo & Adelaide Bank - Canungra	Term Depo	\$1,000	2.50%	5/12/2022	5	A2
Bendigo & Adelaide Bank - Kalbar	Term Depo	\$1,000	3.45%	13/02/2023	75	A2
Bendigo & Adelaide Bank - Beaudesert	Term Depo	\$1,000	4.10%	8/05/2023	159	A2
Suncorp Metway Limited-Corporate	Term Depo	\$3,000	3.15%	14/12/2022	14	A1
Me Bank- Corporate	Term Depo	\$1,000	2.25%	24/01/2023	55	A2
Suncorp Metway Limited-Corporate	Term Depo	\$3,000	4.28%	3/05/2023	154	A1
National Australia Bank- Corporate	Term Depo	\$2,000	4.10%	8/05/2023	159	A1+
National Australia Bank- Corporate	Term Depo	\$1,000	3.40%	15/02/2023	77	A1+
National Australia Bank- Corporate	Term Depo	\$5,000	4.05%	28/03/2023	118	A1+

Total investments		\$44,896				
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Cash in bank accounts	On Call	\$1,724	0.10%	30/11/2022	0	A1+
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Total cash		\$1,724				
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TOTAL CASH AND INVESTMENTS		\$46,620	Varies from Statement of Financial Position due to cash in Trust and reconciling items.			
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INVESTMENT INTEREST RATE PERFORMANCE

Weighted Average Interest Rate	3.46%
Target Interest Rate (RBA cash rate)	2.85%
Investment Policy Adhered to?	Yes

ESTIMATE OF RESTRICTED CASH

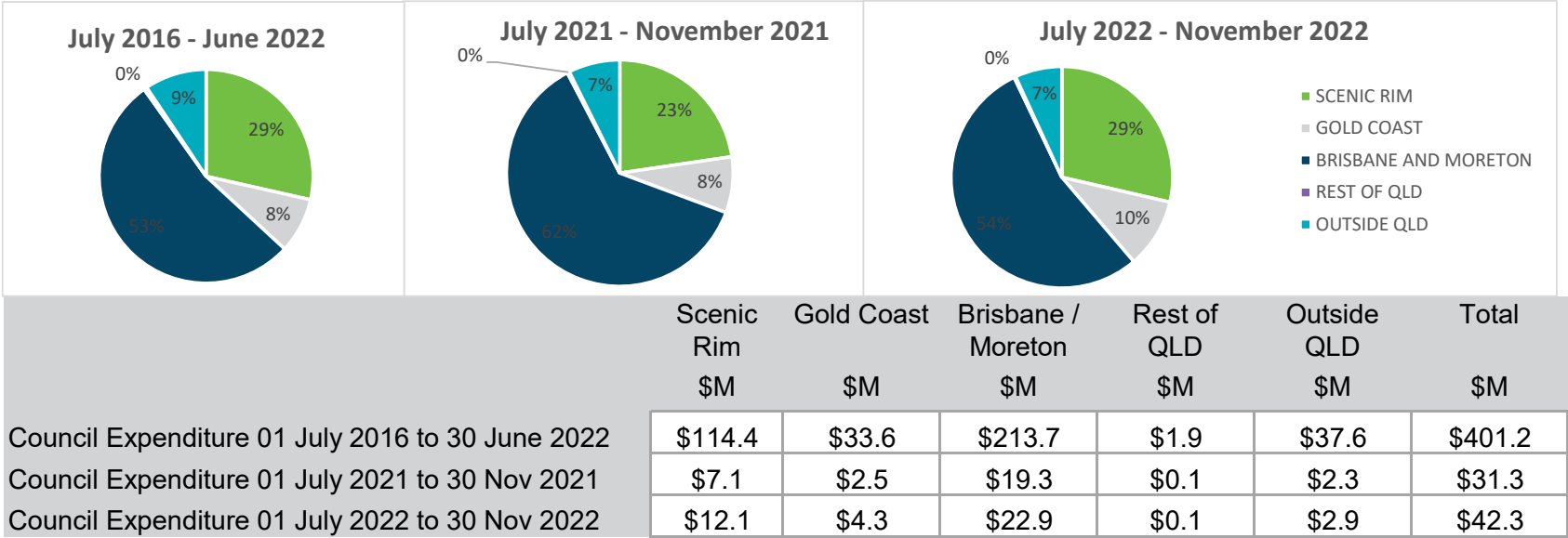
EXTERNAL RESTRICTIONS	\$'000
Loan draw down but not yet expended	\$12,093
Operating grant funding received but not yet expended	\$2,363
Capital grant funding received but not yet expended	\$7,114
Domestic waste levy refund received in advance	\$4,908
Cash held in trust account	\$2,927
Total estimated restricted cash	\$29,405

Financial performance and position



9. ADDITIONAL INFORMATION

COUNCIL EXPENDITURE BY LOCATION



HARDSHIP APPLICATIONS

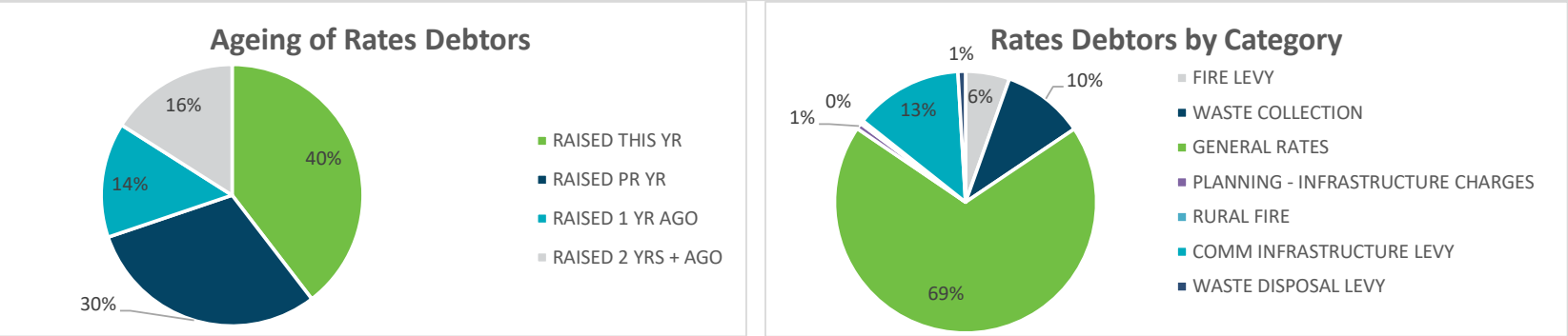
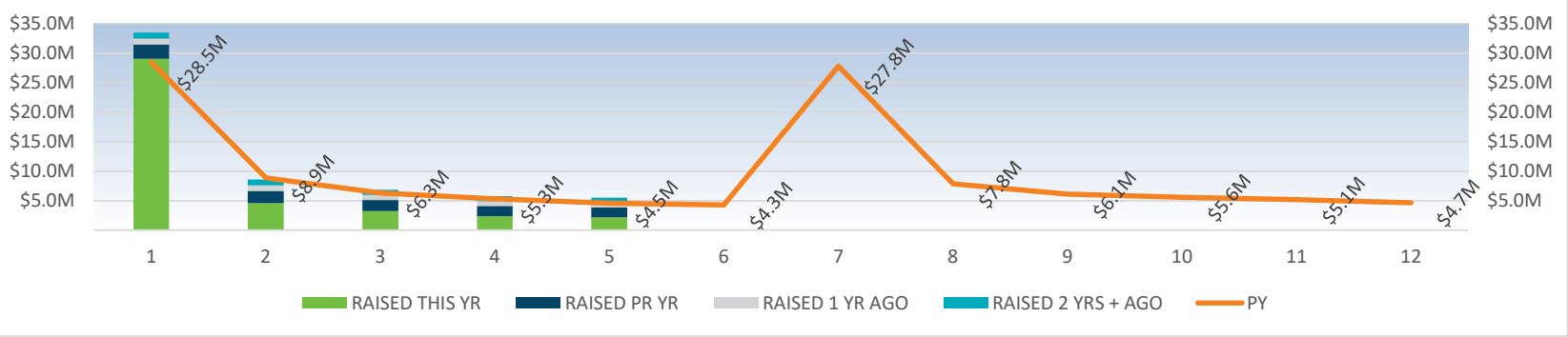
	Financial	COVID	Drought	Bushfires	Flood
2021-2022 Applications Approved	3	0	0	1	0
2022-2023 Current Month					
Applications Sent (excludes direct download from website)	0	0	0	0	0
Applications Received	0	0	0	0	0
Applications Approved	0	0	0	0	1
Applications Currently Under Review	4	0	0	0	1
Applications Ineligible / Withdrawn	0	0	0	0	0

Financial performance and position



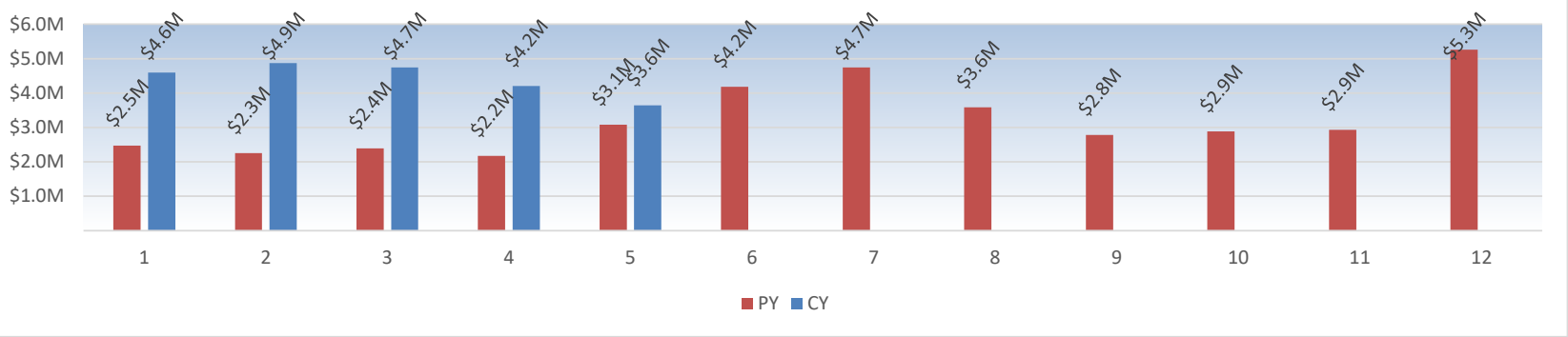
10. DEBTORS

OUTSTANDING RATES DEBTORS

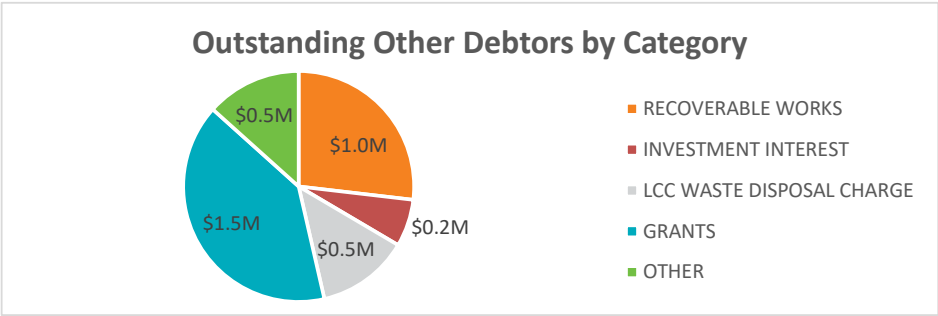


Outstanding Rates Debtors by Category	As at 30-Nov-2022		As at 30-Nov-2021	
	Total Levy \$'000	Current Levy \$'000	Total Levy \$'000	Current Levy \$'000
Fire Levy	\$299	\$121	\$250	\$106
Waste Collection	\$557	\$221	\$427	\$173
General Rates	\$3,795	\$1,500	\$3,207	\$1,269
Planning - Infrastructure Charges	\$41	\$0	\$53	\$0
Rural Fire	\$24	\$11	\$19	\$8
Community Infrastructure Levy	\$737	\$304	\$549	\$241
Waste Disposal Levy	\$51	\$22	\$39	\$16
Total rates debtors outstanding	\$5,505	\$2,179	\$4,544	\$1,813

OUTSTANDING OTHER DEBTORS



Example: Recoverable Works, Interest Receivable, Tipping Fees, etc.



10.12 Council Monthly Financial Report for December 2022

Executive Officer: General Manager Council Sustainability

Item Author: Coordinator Financial Management

Attachments:

1. Financial Performance and Position Progress Report December 2022 [↓](#) 

Executive Summary

This report seeks Council's endorsement of the monthly financial report for December 2022.

Recommendation

That Council receive the unaudited financial statements for the period ended 31 December 2022 for the Financial Year 2022-2023.

Previous Council Considerations / Resolutions

Financial reports are presented to Council on a monthly basis.

Report / Background

The Council monthly financial report provides information on Council's actual to budget performance. The graphical representation of key performance indicators provides key summary financial information.

Council begins each financial year with a budget with timings for projects built in. In balancing the needs of Council's delivery against weather impacts and further grant funded projects, the program - both capital and operating, may need to be altered. For instance, each successful grant funded project may alter the delivery of other projects and may be funded this year but delivered over a number of years, or in a future year. Flexibility is required.

Budget / Financial Implications

The budget/financial implications are reflected within Attachment 1.

Strategic Implications*Operational Plan*

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

Legal / Statutory Implications

Section 204 of the *Local Government Regulation 2012* requires the Chief Executive Officer to present a financial report to Council on a monthly basis.

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.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Financial and Economic Inaccurate or untimely management reporting	Major	Likely	High	Actual performance is reported against budget on a monthly basis to the Executive Team and Council	Low
Financial and Economic Failure to develop and implement procedures to manage cash and investments	Catastrophic	Almost certain	Extreme	Monthly investment report is provided to the Executive Team and Council that reports actual performance against investment limits	Low
Financial and Economic Failure to manage outstanding debtors	Moderate	Almost certain	High	Monthly debtors report is provided to the Executive Leadership Team and Council including chart showing total outstanding debtors and debtors greater than 90 days overdue	Low

Consultation

The Executive Leadership and Management Teams have reviewed the actual to budget performance for their relevant portfolios.

Conclusion

The monthly financial report provides information on the actual to budget position at financial statement level.

Financial Performance and Position

Progress Report

DECEMBER 2022



scenicrim.qld.gov.au

CSFIN2021.0001

Executive Summary

Net operating surplus: **\$2.825 million above budgeted expectations**

- Operating revenue \$2.570 million higher than budgeted levels
- Operating expenditure \$0.255 million lower than budgeted forecast

Operating revenue: **\$2.570 million 6.3% above budgeted expectations**

- Fees and Charges are \$0.564 million 16% higher than budgeted expectations. Development Assessment fees are currently trending above forecast, however this will need to be monitored due to an easing in development enquiries and commencements. Refuse tipping fees are also tracking above forecast.
- Recoverable works are \$0.271 million 12% higher than forecast due to timing of works. This is offset by higher expenditure.
- Operating grants and subsidies are \$1.606 million higher than budget due to timing with receipt of funding for the Black Summer Grant Program \$0.240 million, natural disaster event funding received \$0.751 million and higher than budgeted trainee subsidies \$0.212 million.

Operating expenditure: **\$0.255 million 0.6% lower budgeted expectations**

- Employee expenses are \$1.341 million 6.5% less than budgeted levels due largely to:
 - \$0.160 million timing differences with respect to external costs (workers compensation insurance and training costs)
 - Net vacancies
- Employee expenses allocated to capital are \$0.612 million 19% less than the forecasted budget.
- Materials and services were \$0.137 million 0.8% higher than budgeted expectations due largely to higher spending on road maintenance works and recoverable works (offset by increased revenue). This is offset by lower than budgeted grant funded expenditure. Refer Note 4 (Page 6 of 11) for more detail.

Capital expenditure: **\$7.309 million 22% lower than budgeted expectations**

Capital expenditure is lower than budgeted for:

- Capital Works \$1.055 million lower than the budgeted forecast (Kerry Road projects \$0.902 million).
- Grant Funded Programs are \$5.314 million lower than the budgeted forecast.
- Refer Note 5 (Page 7 of 11) for details.

Proceeds from sale of assets: **\$0.184 million 44% lower than budgeted expectations**

- Refer Note 6 (Page 7 of 11) for more detail.

Capital revenue: **\$3.294 million 34% higher than budgeted expectations**

- Refer Note 7 (Page 8 of 11) for details.

Statement of Financial Position

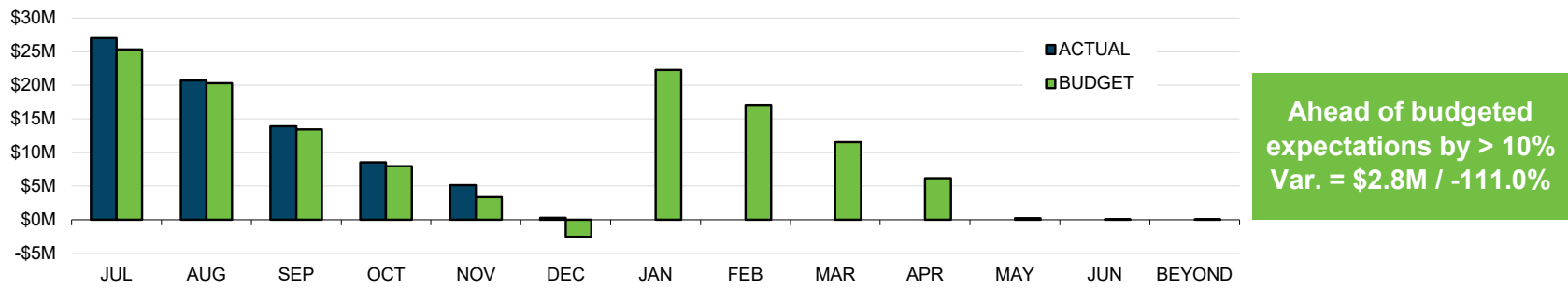
- Cash and investments: \$16.152 million higher than budgeted expectations largely due to favourable cash positions in operating surplus, capital expenditure, capital revenue and movement in receivables and payables.

Financial performance and position

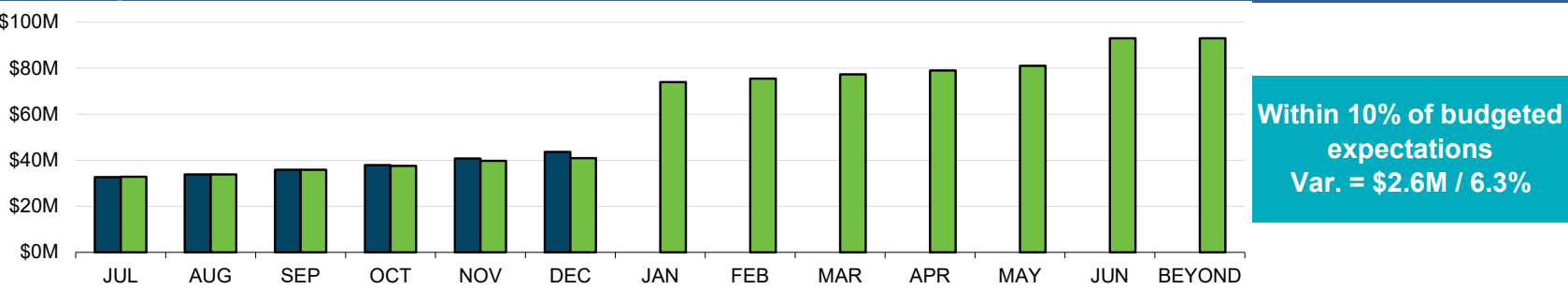


1. KEY PERFORMANCE INDICATORS

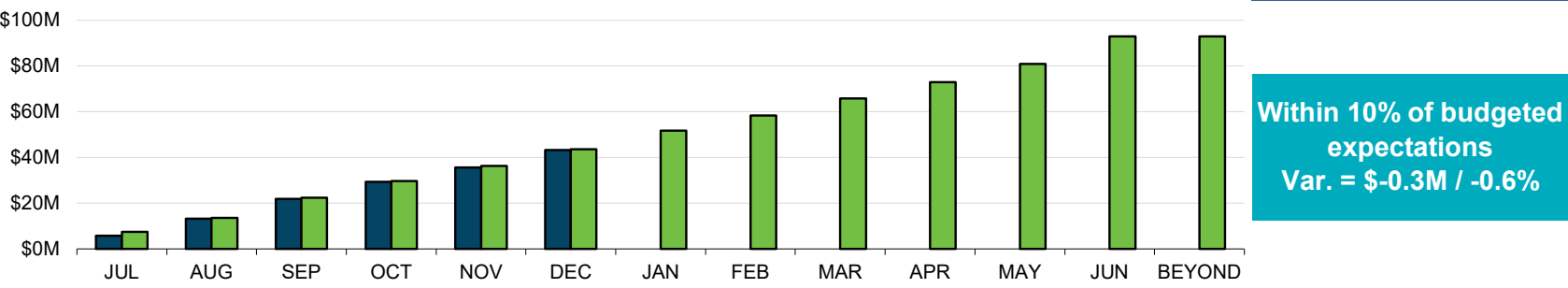
Net operating surplus / (deficit)



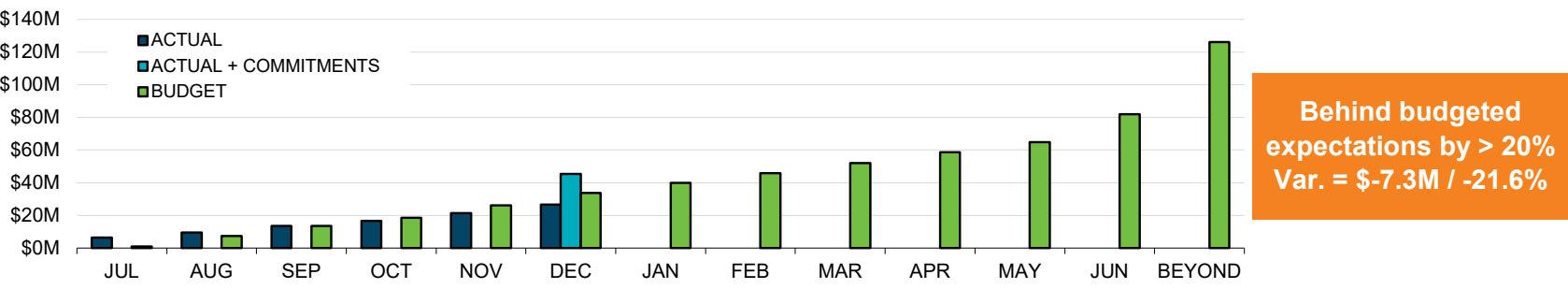
Operating revenue



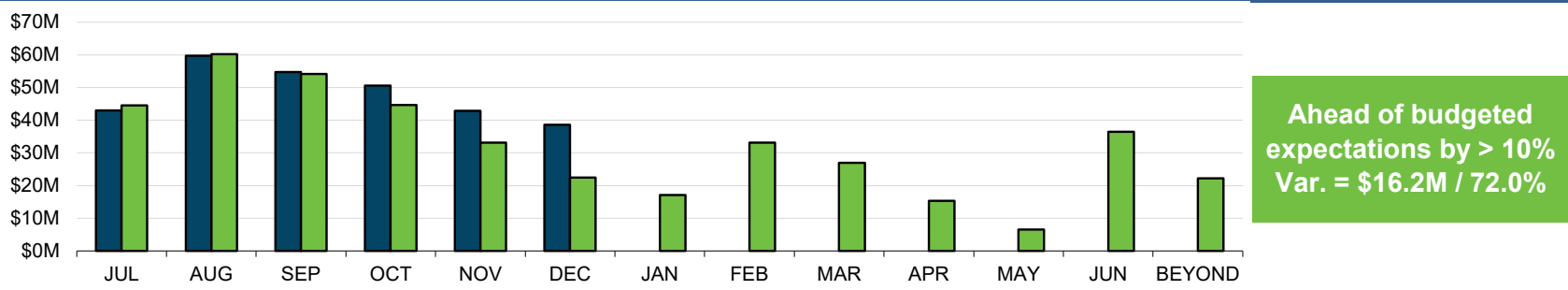
Operating expenditure



Capital expenditure



Cash



Financial performance and position



2. STATEMENT OF COMPREHENSIVE INCOME

STATEMENT OF COMPREHENSIVE INCOME For the Period Ending 31-Dec-2022

		Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Operating revenue						
Rates and utility charges	Note 1	\$63,566	\$63,566	\$31,666	\$31,652	(\$13)
Discounts and pensioner remissions		(\$1,863)	(\$1,863)	(\$928)	(\$965)	(\$37)
Fees and charges	Note 2	\$6,269	\$6,611	\$3,470	\$4,034	\$564
Interest received		\$1,593	\$2,049	\$1,032	\$1,173	\$141
Recoverable works		\$5,942	\$6,020	\$2,193	\$2,464	\$271
Grants, subsidies, contributions and donations		\$4,895	\$9,471	\$1,306	\$2,912	\$1,606
Share of profit from associates		\$2,490	\$2,490	\$0	\$0	\$0
Other revenues	Note 3	\$4,646	\$4,688	\$2,260	\$2,298	\$38
Total Operating revenue		\$87,536	\$93,031	\$40,999	\$43,568	\$2,570
Operating expenditure						
Employee expenses		\$41,650	\$42,466	\$20,746	\$19,405	\$1,341
Employee expenses allocated to capital		(\$6,289)	(\$6,353)	(\$3,160)	(\$2,548)	(\$612)
Net operating employee expenses		\$35,361	\$36,113	\$17,586	\$16,857	\$729
Materials and services	Note 4	\$32,673	\$37,686	\$16,299	\$16,435	(\$137)
Finance costs		\$1,171	\$1,171	\$587	\$593	(\$6)
Depreciation and amortisation		\$18,046	\$18,046	\$9,074	\$9,405	(\$331)
Total Operating expenditure		\$87,251	\$93,016	\$43,547	\$43,291	\$255
NET OPERATING SURPLUS / (DEFICIT)		\$285	\$15	(\$2,548)	\$277	\$2,825
Capital revenue						
Capital grants and subsidies		\$9,316	\$73,090	\$8,528	\$11,514	\$2,986
Infrastructure charges		\$2,305	\$2,305	\$1,140	\$1,448	\$308
Total capital revenue		\$11,621	\$75,395	\$9,668	\$12,961	\$3,294
NET SURPLUS / (DEFICIT)		\$11,906	\$75,410	\$7,120	\$13,239	\$6,119

Financial performance and position



3. STATEMENT OF FINANCIAL POSITION

STATEMENT OF FINANCIAL POSITION

As at 31-Dec-2022

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Current assets					
Cash and Investments	\$19,967	\$22,169	\$22,425	\$38,577	\$16,152
Receivables	\$8,100	\$8,100	\$9,676	\$6,422	(\$3,254)
Inventories	\$900	\$900	\$900	\$1,145	\$245
Other Current Assets	\$0	\$670	\$0	\$0	\$0
Total current assets	\$28,967	\$31,839	\$33,001	\$46,144	\$13,143
Non-current assets					
Receivables	\$14,676	\$14,676	\$14,676	\$14,676	\$0
Other Financial Assets	\$39,441	\$39,292	\$38,157	\$38,157	\$0
Property, Plant and Equipment and Intangibles	\$1,028,414	\$1,037,061	\$938,076	\$930,051	(\$8,025)
Total non-current assets	\$1,082,531	\$1,091,029	\$990,909	\$982,885	(\$8,024)
TOTAL ASSETS	\$1,111,498	\$1,122,868	\$1,023,910	\$1,029,028	\$5,118
Current liability					
Trade and Other Payables	\$7,000	\$7,000	\$2,000	\$1,378	\$622
Borrowings	\$4,171	\$4,171	\$0	\$0	\$0
Provisions	\$10,400	\$10,400	\$10,521	\$10,424	\$97
Other Current Liabilities	\$0	\$1,718	\$1,718	\$1,989	(\$271)
Total current liability	\$21,571	\$23,289	\$14,239	\$13,792	(\$447)
Non-current liability					
Borrowings	\$43,263	\$43,265	\$43,628	\$43,639	(\$11)
Provisions	\$4,219	\$4,219	\$2,124	\$2,124	\$0
Other Non-Current Liabilities	\$0	\$3,190	\$3,190	\$3,190	\$0
Total non-current liability	\$47,482	\$50,674	\$48,942	\$48,953	\$11
TOTAL LIABILITIES	\$69,053	\$73,963	\$63,181	\$62,745	(\$436)
NET ASSETS	\$1,042,445	\$1,048,905	\$960,729	\$966,283	\$5,554

Financial performance and position



4. NOTES TO FINANCIAL STATEMENTS

NOTE 1 - RATES AND UTILITY CHARGES ANALYSIS

For the Period Ending 31-Dec-2022

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Rates and utility charges					
General Rates	\$45,547	\$45,547	\$22,688	\$22,690	\$1
Separate Charge Community Infrastructure	\$9,746	\$9,746	\$4,855	\$4,827	(\$28)
Waste Disposal Charge	\$554	\$554	\$277	\$272	(\$5)
Waste Collection Charge	\$7,719	\$7,719	\$3,846	\$3,863	\$18
Total rates and utility charges	\$63,566	\$63,566	\$31,666	\$31,652	(\$13)

NOTE 2 - FEES AND CHARGES ANALYSIS

For the Period Ending 31-Dec-2022

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Fees and charges					
Development Assessment	\$925	\$1,025	\$552	\$789	\$237
Plumbing Certification	\$1,011	\$1,011	\$505	\$502	(\$3)
Building Certification	\$469	\$469	\$190	\$205	\$15
Other Building and Property Related Revenue	\$789	\$889	\$477	\$482	\$6
Refuse Tipping Fees	\$1,439	\$1,509	\$732	\$925	\$193
Animal Management Licences	\$240	\$240	\$217	\$228	\$12
Food Licences	\$194	\$194	\$181	\$194	\$13
Cemetery Fees	\$328	\$400	\$263	\$291	\$28
Moogerah Caravan Park Fees	\$734	\$734	\$290	\$315	\$26
Other Fees and Charges	\$140	\$140	\$64	\$101	\$37
Total fees and charges	\$6,269	\$6,611	\$3,470	\$4,034	\$564

NOTE 3 - OTHER REVENUES ANALYSIS

For the Period Ending 31-Dec-2022

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Other revenues					
Waste Charges for LCC Dumping at Central Landfill	\$2,403	\$2,403	\$1,202	\$1,350	\$148
Domestic Waste Levy - State Reimbursement	\$0	\$0	\$0	\$0	\$0
Tax Equivalents - Urban Utilities	\$1,067	\$1,067	\$445	\$407	(\$38)
Other	\$1,175	\$1,218	\$613	\$541	(\$72)
Total other revenues	\$4,646	\$4,688	\$2,260	\$2,298	\$38

Financial performance and position



4. NOTES TO FINANCIAL STATEMENTS CONTINUED

NOTE 4 - MATERIALS AND SERVICES ANALYSIS

For the Period Ending 31-Dec-2022

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
Materials and services					
Subscriptions	\$325	\$360	\$276	\$258	(\$18)
IT Systems Maintenance	\$3,047	\$3,288	\$1,818	\$1,832	\$15
Office Expenditure	\$537	\$569	\$285	\$202	(\$83)
Recoverable Works	\$2,729	\$2,729	\$1,030	\$1,487	\$457
Disaster Event Emergent Works & CDO	\$0	\$762	\$762	\$779	\$17
Fleet IPH Recoveries	(\$10,464)	(\$10,464)	(\$5,212)	(\$5,072)	\$140
Grants	\$470	\$504	\$310	\$286	(\$24)
Legal Expenses	\$1,058	\$1,064	\$488	\$491	\$3
Waste Collection Contract	\$2,725	\$2,725	\$1,051	\$1,003	(\$48)
Insurance	\$566	\$609	\$597	\$604	\$8
Economic Development	\$1,411	\$1,776	\$640	\$454	(\$186)
Maintenance and Operations	\$20,172	\$20,167	\$8,904	\$9,164	\$260
721600 - Road Maintenance	\$4,298	\$4,298	\$2,468	\$3,016	\$548
721601 - Bridge Maintenance	\$444	\$444	\$201	\$168	(\$33)
721611 - Urban Approaches and Town Centres Maintenance	\$440	\$440	\$136	\$289	\$153
721612 - Road Furniture Projects	\$73	\$73	\$18	\$5	(\$13)
721613 - Resheeting	\$1,349	\$1,349	\$483	\$333	(\$150)
721614 - Shoulder Resheeting	\$413	\$413	\$219	\$181	(\$38)
729283 - Weed Treatment Council Roadsides	\$8	\$8	\$8	\$4	(\$4)
729316 - Road Corridor Management	\$81	\$81	\$66	\$64	(\$2)
EXP20112-M&O-Parks,Gardens,Cemeteries	\$1,958	\$1,997	\$984	\$957	(\$27)
EXP20113-M&O-Fleet	\$3,553	\$3,578	\$1,977	\$2,031	\$54
EXP20114-M&O-Waste Disposal	\$2,654	\$2,584	\$119	\$19	(\$100)
EXP20125-M&O-Facility Operations	\$3,590	\$3,590	\$1,614	\$1,492	(\$122)
EXP20126-M&O-Facility Maintenance	\$1,143	\$1,143	\$566	\$568	\$2
EXP20127-M&O-Facility Maintenance Scheduled	\$169	\$169	\$43	\$36	(\$7)
Transfer Station Operations	\$788	\$788	\$352	\$299	(\$53)
Grant Funded Expenditure	\$422	\$2,502	\$725	\$423	(\$302)
EXP20134-Grant Exp-Drought Communities Programms	\$0	\$231	\$0	\$10	\$10
EXP20136-Grant Exp-Bushfire Recovery Exceptional Assistance Package	\$0	\$77	\$0	\$3	\$3
EXP20137-Grant Exp-Qld Bushfires Local Economic Recovery	\$0	\$113	\$50	\$56	\$6
EXP20139-Grant Exp-Resilient Rivers	\$240	\$794	\$413	\$82	(\$331)
EXP20140-Grant Exp-Other Programs	\$182	\$1,287	\$262	\$272	\$10
Other Material and Services	\$8,887	\$10,308	\$4,273	\$4,225	(\$48)
Total materials and services	\$32,673	\$37,686	\$16,299	\$16,435	\$137

Financial performance and position



5. CAPITAL EXPENDITURE

For the Period Ending 31-Dec-2022

		Annual	Annual	YTD	YTD	YTD	Beyond June 2023*
	Commitments \$000	Original Budget \$000	Revised Budget \$000	Revised Budget \$000	Actual \$000	Variance \$000	Revised Budget \$000
Council Wide Transactions	\$0	\$0	\$12,093	\$0	\$0	\$0	\$12,093
Library Services	\$153	\$269	\$269	\$130	\$93	(\$36)	\$0
Cultural Services	\$36	\$108	\$252	\$54	\$38	(\$16)	\$0
Facilities Maintenance	\$172	\$947	\$1,066	\$315	\$115	(\$200)	\$0
Parks and Landscape Maintenance	\$29	\$273	\$567	\$196	\$209	\$13	\$0
Waste Services	\$0	\$102	\$114	\$0	\$1	\$1	\$0
Waste Landfill - Central	\$74	\$510	\$1,356	\$401	\$363	(\$38)	\$0
Property Management	\$3	\$4,205	\$7,664	\$6,245	\$5,982	(\$262)	\$0
Waste Transfer Stations	\$0	\$221	\$316	\$95	\$0	(\$95)	\$0
Vibrant and Active Towns and Villages	\$1,592	\$649	\$4,398	\$2,883	\$2,968	\$85	\$0
Asset Management	\$0	\$493	\$559	\$135	\$0	(\$135)	\$0
Road Maintenance	\$91	\$562	\$596	\$204	\$218	\$14	\$0
Workshop	\$16	\$205	\$205	\$102	\$1	(\$101)	\$0
Capital Works	\$824	\$6,578	\$6,060	\$3,767	\$2,712	(\$1,055)	\$0
Structures and Drainage	\$177	\$2,752	\$3,845	\$879	\$633	(\$246)	\$0
Fleet Management	\$3,253	\$3,980	\$7,929	\$245	\$356	\$111	\$0
Reseals	\$69	\$2,692	\$2,866	\$1,550	\$1,516	(\$34)	\$0
Grant Funded Programs							
Grant-Bushfire Recovery Exceptional Assistance Pa	\$45	\$0	\$20	\$0	\$51	\$51	\$0
Declared Event - SEQ Coastal Trough 12-15 Dec 20	\$20	\$0	\$212	\$212	\$229	\$17	\$0
Declared Event - Southern Qld Severe Weather 20-3	\$3,264	\$0	\$3,068	\$1,245	\$885	(\$360)	\$0
Declared Event - November 2021	\$63	\$0	\$799	\$184	\$82	(\$102)	\$270
REPA - SEQ Rainfall and Flooding, 22-28 Feb 2022	\$925	\$0	\$34,180	\$3,101	\$2,044	(\$1,057)	\$25,820
REPA - 13 May 2022 Heavy Rainfall Event	\$173	\$0	\$5,234	\$108	\$192	\$84	\$5,031
DRFA-Immediate Reconstruction Works-Q Bushfires	\$74	\$0	\$713	\$0	\$10	\$10	\$0
Grant Funded-Beaudesert Town Centre Redevelopm	\$2,426	\$0	\$6,732	\$3,926	\$2,424	(\$1,502)	\$967
Grant Funded-Bridge Renewal Program	\$410	\$7,263	\$8,090	\$921	\$880	(\$41)	\$0
Grant Funded-Black Spot Program	\$2,630	\$0	\$2,989	\$1,432	\$232	(\$1,201)	\$0
Grant Funded-Drought Communities Programme DC	\$8	\$0	\$64	\$0	\$27	\$27	\$0
Grant Funded-Local Govt Grants and Subsidies Prog	\$118	\$0	\$2,005	\$40	\$10	(\$30)	\$0
Grant Funded-Local Roads and Community Infrastru	\$1,383	\$2,178	\$4,280	\$1,824	\$991	(\$832)	\$0
Grant Funded-Mass Action Rest Area Upgrade Prog	\$6	\$0	\$45	\$45	\$13	(\$32)	\$0
Grant Funded-Principal Cycle Network Program	\$6	\$0	\$151	\$151	\$264	\$113	\$0
Grant Funded-Qld Bushfires Local Economic Recov	\$533	\$0	\$3,037	\$1,550	\$883	(\$667)	\$0
Grant Funded-SEQ Community Stimulus Program	\$102	\$0	\$3,412	\$889	\$1,170	\$281	\$0
Grant Funded-Unite and Recover Community Stimul	\$5	\$0	\$15	\$15	\$30	\$14	\$0
Grant Funded-Unite and Recover Community Stimul	\$82	\$0	\$950	\$950	\$879	(\$70)	\$0
Grant Funded-COVID W4Q Works For Queensland	\$0	\$0	\$48	\$48	\$31	(\$17)	\$0
Total capital expenditure	\$18,762	\$33,988	\$126,196	\$33,841	\$26,532	(\$7,309)	\$44,181

6. PROCEEDS FROM ASSET SALES

For the Period Ending 31-Dec-2022

		Annual	Annual	YTD	YTD	YTD	Beyond June 2023*
		Original Budget \$000	Revised Budget \$000	Revised Budget \$000	Actual \$000	Variance \$000	Revised Budget \$000
Fleet Trade-Ins		\$875	\$1,400	\$0	\$236	\$236	\$0
Property Disposals		\$843	\$775	\$420	\$0	(\$420)	\$0
Property Disposals-Beaudesert Business Park Develo		\$0	\$2,529	\$0	\$0	\$0	\$0
Total proceeds from asset sales		\$1,718	\$4,704	\$420	\$236	(\$184)	\$0

Financial performance and position



7. CAPITAL REVENUE - CAPITAL GRANTS, SUBSIDIES, CONTRIBUTIONS AND DONATIONS

For the Period Ending 31-Dec-2022

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
621003 - State Library Grant	\$201	\$201	\$101	\$101	(\$0)
621005 - Transport Infrastructure Development Scheme (TIDS)	\$744	\$744	\$500	\$255	(\$245)
621006 - Roads to Recovery	\$1,089	\$1,089	\$600	\$0	(\$600)
621032 - Grant-Blackspot Funding	\$0	\$2,650	\$1,516	\$999	(\$517)
621038 - Bridge Renewal Program	\$3,104	\$4,527	\$1,622	\$954	(\$668)
621041 - Building Better Regions Grant Funding	\$0	\$3,839	\$0	\$200	\$200
621044 - Building Our Regions	\$0	\$2,875	\$0	\$200	\$200
621045 - DRFA - REPA Bushfire Subsidy 2019	\$0	\$408	\$0	\$11	\$11
621047 - Flood Damage Subsidies 2020 REPA	\$0	\$74	\$74	\$74	\$0
621048 - Works for Queensland COVID Grant - Capital Portion	\$0	\$144	\$0	\$0	\$0
621049 - Local Roads and Community Infrastructure Program Funding	\$2,178	\$3,217	\$0	\$1,089	\$1,089
621050 - Unite and Recover Community Stimulus Package-Lake	\$0	\$203	\$0	\$0	\$0
621051 - Unite and Recover Community Stimulus Package-Foot	\$0	\$200	\$200	\$200	\$0
621052 - Grant-QRRRF-Mahoney Road Floodway Upgrade SRR	\$0	\$42	\$0	\$0	\$0
621054 - Grant-Drought Communities Programme DCP000598	\$0	\$385	\$0	\$0	\$0
621055 - Heavy Vehicle Safety and Productivity Program (HVSP)	\$2,000	\$2,400	\$0	\$800	\$800
621056 - Grant-Qld Bushfires LER - Vonda Youngman Communi	\$0	\$327	\$0	\$224	\$224
621057 - Grant-Qld Bushfires LER-Refurbish Tamborine Mounta	\$0	\$1,499	\$0	\$0	\$0
621058 - Grant-2021-2024 SEQ Community Stimulus Program	\$0	\$1,995	\$0	\$0	\$0
621059 - DRFA - REPA Southern Qld Severe Weather, 20-31 Ma	\$0	\$2,231	\$0	\$94	\$94
621060 - DRFA - REPA SEQ Coastal Trough 12-15 December 2	\$0	\$147	\$0	\$81	\$81
621061 - DRFA - REPA Subsidy November 2021	\$0	\$784	\$0	\$175	\$175
621062 - TMR-Mass Action Rest Area Upgrade Program	\$0	\$67	\$45	\$0	(\$45)
621063 - DRFA - REPA SEQ Rainfall and Flooding, 22-28 Febru	\$0	\$33,166	\$0	\$1,657	\$1,657
621064 - DRFA - REPA Southern Qld Flooding Event, 6-20 May	\$0	\$3,791	\$0	\$483	\$483
621065 - LGGSP-Safety Upgrades on Tarome Road	\$0	\$1,203	\$361	\$361	(\$0)
621098 - Capital Grants AASB1058 Accrual Adjustment	\$0	\$3,368	\$3,368	\$3,368	(\$0)
621099 - Other Capital Grants and Subsidies	\$0	\$1,516	\$141	\$189	\$48
621101 - Infrastructure Charges	\$2,305	\$2,305	\$1,140	\$1,448	\$308
621104 - Contributions Tied to Specific Projects	\$0	\$0	\$0	\$0	\$0
Total Capital Revenue - Capital Grants, Subsidies, Contributi	\$11,621	\$75,395	\$9,668	\$12,961	\$3,294

Financial performance and position



8. INVESTMENTS

INVESTMENTS

As at 31-Dec-2022

INVESTMENTS HELD BY COUNCIL

Financial Institution	Type	Principal \$'000	Interest Rate	Maturity Date	Days to Maturity	S&P Short Term Rating
Queensland Treasury Corporation	On Call	\$23,127	3.09%	31/12/2022	0	A1+
Bendigo & Adelaide Bank - Canungra	Term Depo	\$1,000	4.10%	5/06/2023	156	A2
Bendigo & Adelaide Bank - Kalbar	Term Depo	\$1,000	3.45%	13/02/2023	44	A2
Bendigo & Adelaide Bank - Beaudesert	Term Depo	\$1,000	4.10%	8/05/2023	128	A2
Suncorp Metway Limited-Corporate	Term Depo	\$3,000	4.21%	13/06/2023	164	A1
Me Bank- Corporate	Term Depo	\$1,000	2.25%	24/01/2023	24	A2
Suncorp Metway Limited-Corporate	Term Depo	\$3,000	4.28%	3/05/2023	123	A1
National Australia Bank- Corporate	Term Depo	\$2,000	4.10%	8/05/2023	128	A1+
National Australia Bank- Corporate	Term Depo	\$1,000	3.40%	15/02/2023	46	A1+
National Australia Bank- Corporate	Term Depo	\$5,000	4.05%	28/03/2023	87	A1+

Total investments		\$41,127				
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Cash in bank accounts	On Call	\$446	0.10%	31/12/2022	0	A1+
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Total cash		\$446				
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TOTAL CASH AND INVESTMENTS		\$41,573	Varies from Statement of Financial Position due to cash in Trust and reconciling items.			
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INVESTMENT INTEREST RATE PERFORMANCE

Weighted Average Interest Rate	3.43%
Target Interest Rate (RBA cash rate)	3.10%
Investment Policy Adhered to?	Yes

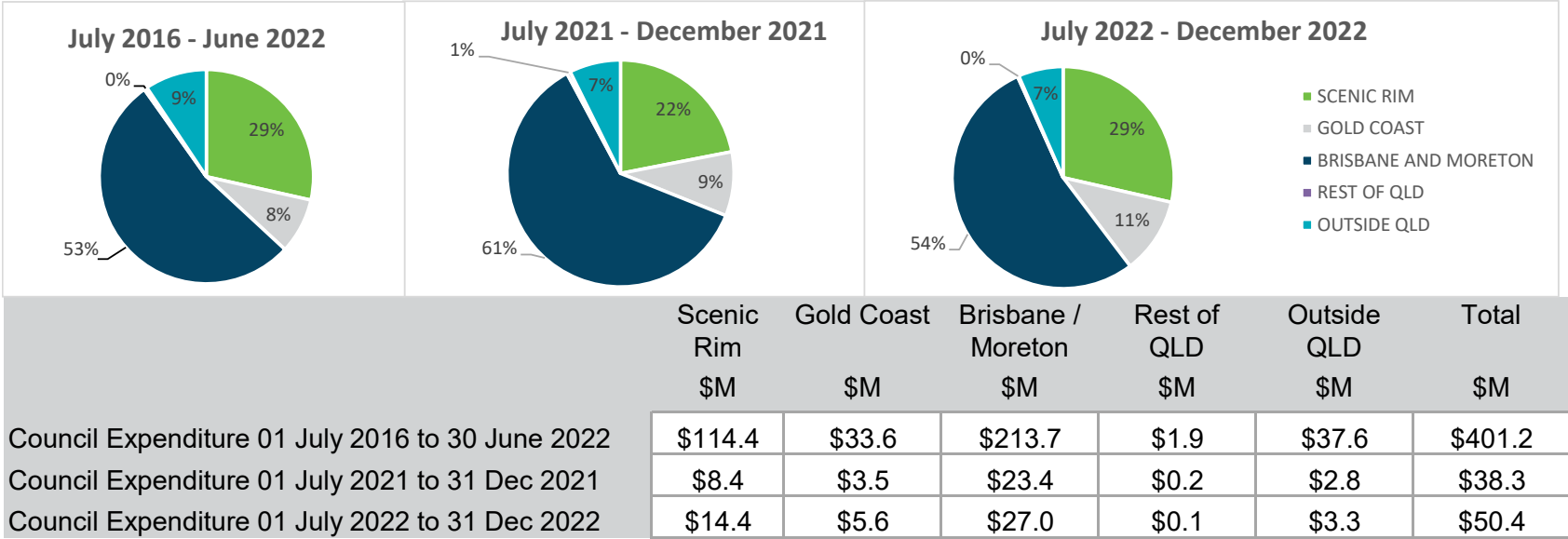
ESTIMATE OF RESTRICTED CASH

EXTERNAL RESTRICTIONS	\$'000
Loan draw down but not yet expended	\$12,093
Operating grant funding received but not yet expended	\$2,637
Capital grant funding received but not yet expended	\$6,789
Domestic waste levy refund received in advance	\$4,908
Cash held in trust account	\$2,925
Total estimated restricted cash	\$29,353

Financial performance and position



9. ADDITIONAL INFORMATION
COUNCIL EXPENDITURE BY LOCATION



HARDSHIP APPLICATIONS

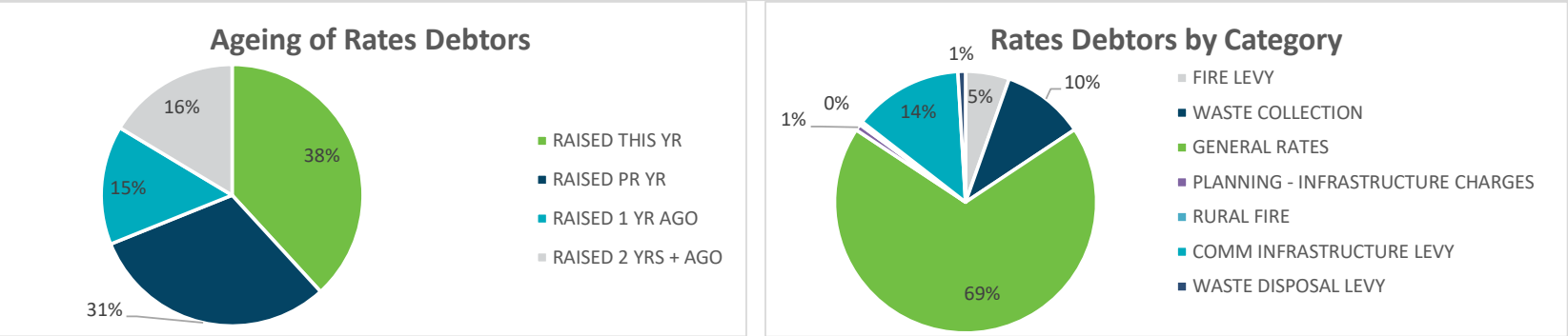
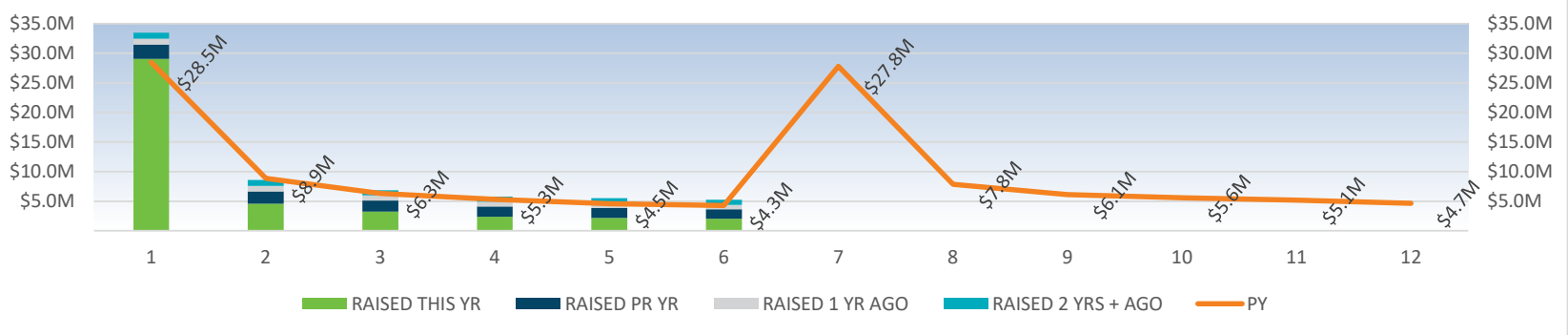
	Financial	COVID	Drought	Bushfires	Flood
2021-2022 Applications Approved	3	0	0	1	0
2022-2023 Current Month					
Applications Sent (excludes direct download from website)	0	0	0	0	0
Applications Received	0	0	0	0	0
Applications Approved	0	0	0	0	0
Applications Currently Under Review	3	0	0	0	0
Applications Ineligible / Withdrawn	0	0	0	0	0

Financial performance and position



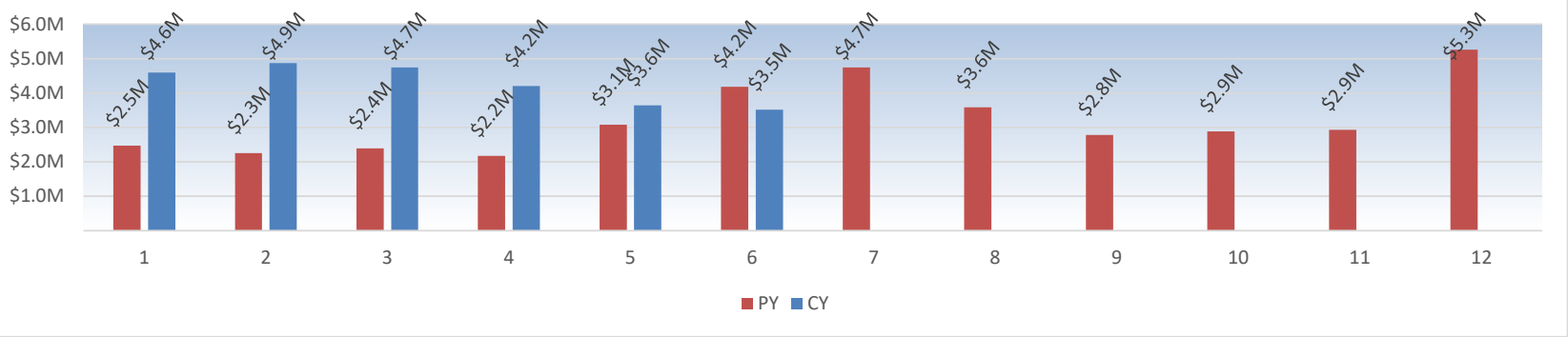
10. DEBTORS

OUTSTANDING RATES DEBTORS

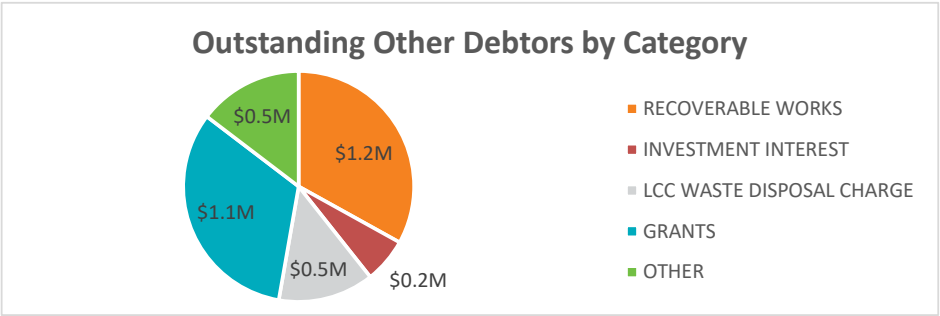


Outstanding Rates Debtors by Category	As at 31-Dec-2022		As at 31-Dec-2021	
	Total Levy \$'000	Current Levy \$'000	Total Levy \$'000	Current Levy \$'000
Fire Levy	\$284	\$114	\$233	\$94
Waste Collection	\$537	\$209	\$403	\$161
General Rates	\$3,598	\$1,362	\$3,008	\$1,152
Planning - Infrastructure Charges	\$41	\$0	\$51	\$0
Rural Fire	\$23	\$10	\$18	\$7
Community Infrastructure Levy	\$710	\$286	\$513	\$220
Waste Disposal Levy	\$49	\$21	\$36	\$14
Total rates debtors outstanding	\$5,241	\$2,002	\$4,261	\$1,648

OUTSTANDING OTHER DEBTORS



Example: Recoverable Works, Interest Receivable, Tipping Fees, etc.




10.13 Inappropriate Conduct Matter C-20-00696

Executive Officer: General Manager Council Sustainability

Item Author: Principal Specialist Governance and Assurance

Attachments:

1. Investigation Report C-20-00696 - Confidential
2. Investigation Summary C-20-00696 [↓](#) 
3. Statement by Subject Councillor - Confidential
4. Investigator's Response to Councillor's Statement - Confidential

Executive Summary

The Office of the Independent Assessor (OIA) referred a complaint against Councillor Derek Swanborough to Council to investigate, pursuant to section 150W(1)(b) of the *Local Government Act 2009*, advising of its reasonable suspicion that the complaint, if proven, involves inappropriate conduct.

Council engaged an external investigator to conduct the investigation under Council's Investigation Policy. The investigator has completed the investigation and provided a report with findings and recommendations.

The investigator found that the subject Councillor has engaged in inappropriate conduct and has recommended several orders.

Recommendation

That, for inappropriate conduct matter C-20-00696, Council determine if Councillor Swanborough has engaged in inappropriate conduct and if so, the order or orders to be made.

Previous Council Considerations / Resolutions

Ordinary Meeting, 11 October 2022 (Inappropriate Conduct Matter C/20/00919 and C/20/00870)

That:

1. In accordance with the *Local Government Act 2009*, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and
2. In accordance with the *Local Government Act 2009*, section 150AH, the following orders are imposed:
 - a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;
 - b) That such an admission must include, but not limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately, ~~causing harm to third parties;~~ *(wording subsequently deleted by amendment to resolution at the Ordinary Meeting held on 8 November 2022)*
 - c) That a reprimand be recorded against the councillor for the conduct;
 - d) That if the councillor engages in the same type of conduct again it will be treated as misconduct; and
 - e) That Councillor Swanborough reimburse the local government for 30% of the costs of the investigation arising from this councillor's inappropriate conduct.

Ordinary Meeting, 11 October 2022 (Inappropriate Conduct Matter C/21/00218)

That:

1. In accordance with the *Local Government Act 2009*, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and
2. In accordance with the *Local Government Act 2009*, section 150AH, the following orders are imposed:
 - a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;
 - b) That such an admission must include, but not limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately, ~~causing harm to third parties; (wording subsequently deleted by amendment to resolution at the Ordinary Meeting held on 8 November 2022)~~
 - c) That a reprimand be recorded against the councillor for the conduct;
 - d) That if the councillor engages in the same type of conduct again it will be treated as misconduct; and
 - e) That Councillor Swanborough reimburse the local government for 30% of the costs of the investigation arising from this councillor's inappropriate conduct.

Ordinary Meeting, 7 December 2021 (Inappropriate Conduct Matter C/20/00809)

That:

1. Council acknowledge the Investigation Report dated 29 November 2021;
2. In relation to allegation 1 that Cr Swanborough "*made inappropriate comments to Mayor Christensen in a meeting between them on or about 22 April 2020*", Council decide that Cr Swanborough has not engaged in inappropriate conduct;
3. In relation to allegation 2 that Cr Swanborough "*repeatedly failed to adequately prepare for workshops, briefings and meetings*", Council decide that Cr Swanborough has occasionally failed to adequately prepare for workshops, briefings and meetings and has engaged in inappropriate conduct;
4. In relation to allegation 3 that Cr Swanborough "*repeatedly failed to engage with presentations or background introduction of issues, instead working on emails*", Council decide that Cr Swanborough has occasionally failed to engage with presentations or background introduction of issues, instead working on emails and has engaged in inappropriate conduct;
5. In relation to allegation 4 that Cr Swanborough "*repeatedly and deliberately misrepresented Mayor Christensen's comments and made derogatory assertions about his competence*", Council decide that Cr Swanborough has occasionally misrepresented Mayor Christensen's comments and has engaged in inappropriate conduct;
6. In accordance with the *Local Government Act 2009*, section 150AH, Council impose the following orders on Cr Swanborough:
 - a) that Cr Swanborough must attend training on Code of Conduct for Councillors in Queensland being held on Tuesday, 14 December 2021; and
 - b) that Cr Swanborough must make a public admission at the next Ordinary Meeting being held on 18 January 2022, that he has engaged in inappropriate conduct on allegations 2, 3 and 4; and
7. In accordance with clause 22.6.3 of the Scenic Rim Regional Council Standing Orders Procedure CM03.01PR.01, Council maintain confidentiality over the contents of this report, including the investigation report and attachments, and due to privacy obligations, the report not be released.

Report / Background

On 12 October 2021, Council received a referral notice from the OIA regarding an allegation of inappropriate conduct against Councillor Derek Swanborough. The referral notice recommended that Council conduct an investigation into the inappropriate conduct in accordance with Council's Investigation Policy. The background and circumstances of the allegation of inappropriate conduct that resulted in a referral to Council are as follows.

On 9 June 2020, a Councillor and Executive Workshop was held and attended by Councillor Swanborough. A summary report titled "Customer Frame Survey Phase 1, Discovery and Diagnostics Summary" was discussed at the Workshop.

On 22 June 2020, an Ordinary Meeting was held where a resolution was proposed adopting Council's Customer Charter. Councillor Swanborough proposed an amendment to the motion stating that the results of the Customer Frame Survey be published on Council's website. The proposed amendment was defeated, and the initial resolution was adopted.

On 26 July 2020, Councillor Swanborough lodged a Right to Information (RTI) application with Council seeking access to the results of the Customer Frame Survey. The requested documents were subsequently provided to the Councillor on 28 August 2020.

On 23 September 2020, the Fassifern Guardian and Tribune published an article quoting details from the material gained under the RTI. Comments attributed to Councillor Swanborough were also quoted in the article.

On 26 September 2020, a complaint was made to the OIA regarding the comments made by Councillor Swanborough. It was alleged that the comments did not provide high-quality leadership to the Council and community or serve the overall public interest of the region.

On 8 October 2020, comments were made by the Councillor in his column in the Scenic News. The column detailed the RTI application and summarised content from the Customer Frame Survey report. Councillor Swanborough also stated, "the document is the feedback that you gave the Council on its performance, and you had a right to see it in detail" and "a lot of this information you were not going to ever know because it was made confidential".

Council Investigation into Inappropriate Conduct

The OIA has recommended that Council investigate the inappropriate conduct allegations in accordance with Council's Investigation Policy. The OIA suspected that releasing the content from the Customer Frame Survey was in contravention of the resolution of Council made on 22 June 2020. Council engaged Wise Workplace to conduct the investigation.

Investigators Findings

The investigator from Wise Workplace found that no resolution was made to prohibit the release of the Customer Frame Survey. There was only a motion to amend the resolution to include the release, and that proposed amendment was defeated. While there is no doubt that the document was confidential to Council, the allegation of failing to comply with a resolution of Council could not be substantiated.

However, the investigator found that the behaviour associated with releasing the Customer Frame Survey did amount to inappropriate conduct. The investigator found that Councillor Swanborough was aware that the majority of Councillors had decided not to publish the Customer Frame Survey, but he published it regardless. The investigator found that the comments made by the Councillor of *"a lot of this information you were not going to ever know because it was made confidential"* was harmful to Council as it suggests a lack of transparency and truthfulness by Council. His commentary was found to potentially diminish Council's standing and authority within the community.

The Code of Conduct for Councillors in Queensland sets out behavioural standards that all Councillors must follow. These standards are in line with local government principles and values. Behavioural standard 3 provides the standard of conduct necessary to ensure a Councillor's conduct does not adversely affect the Council's reputation. One example of conduct under the Code deemed necessary to uphold these standards is as follows:

Councillors will at all times strive to maintain and strengthen the public's trust and confidence in the integrity of Council and avoid any action which may diminish its standing, authority or dignity.

The investigator found the commentary made by the Councillor in the media was a breach of the behavioural standards contained within the Code of Conduct. Breaches of behaviour standards are inappropriate conduct, and the investigator has found that the Councillor has engaged in inappropriate conduct.

Investigators Recommendation

The conduct of Cr Swanborough did not meet the minimum standard required by standard 3 of the Code of Conduct and that an order be made pursuant to section 150AH of the *Local Government Act 2009* that:

1. In accordance with the *Local Government Act 2009*, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and
2. In accordance with the *Local Government Act 2009*, section 150AH, the following orders are imposed:
 - a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;
 - b) That such an admission must include, but not be limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately;
 - c) That a reprimand be recorded against the Councillor for the conduct;
 - d) That if the Councillor engages in the same type of conduct again, it will be treated as misconduct; and
 - e) That Councillor Swanborough reimburse the local government for 100% of the costs of the investigation arising from this Councillor's inappropriate conduct.

Pursuant to Council's Investigation Policy, Councillor Swanborough was provided with a copy of the investigation findings and the opportunity to put his case in writing with the investigation report provided to the Councillors as part of the meeting agenda.

Budget / Financial Implications

The total cost of the investigation by Wise Workplace was \$3,902.88.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

Legal / Statutory Implications

The *Local Government Act 2009* and Council's Investigation Policy must be followed when determining inappropriate conduct matters.

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 Failure to comply with regulatory obligations	3 Moderate	Almost certain	High	Governance to provide appropriate advice to ensure decisions are made in accordance with the Local Government Act 2009 and the Investigation Policy.	Low
Reputation, Community & Civic Leadership Perception of failing to adequately deal with Councillor conduct issues.	3 Moderate	Almost certain	High	Governance to provide appropriate advice to ensure decisions are made in accordance with the Local Government Act 2009 and the Investigation Policy.	Low

Consultation

Office of the Independent Assessor

Conclusion

An independent investigator has found that Councillor Swanborough engaged in inappropriate conduct and has recommended several orders.



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27 October 2022

INVESTIGATION SUMMARY

Inappropriate conduct Matter – C/20/00696

Background

On 26 September 2020, the Office of the Independent Assessor (OIA) received a complaint about Councillor Swanborough's conduct as a councillor.

The complaint alleged Councillor Swanborough had engaged in inappropriate conduct in breach of section 150K(1)(b) of the *Local Government Act 2009* (the Act) in that the conduct breached Standards of Behaviour in the Code of Conduct for Councillors in Queensland.

The particulars of the allegations are:

1. Contrary to a resolution by Council against publishing these same excerpts of the 'Customer Frame Survey Phase 1, Discovery and Diagnostics Summary – January 2020' during an ordinary meeting of Council on 22 June 2020.
2. Utilising the provisions of the Right to Information Act 2009 'Customer Frame Survey Phase 1, Discovery and Diagnostics Summary – January 2020'
3. Made public excerpts of the 'Customer Frame Survey Phase 1, Discovery and Diagnostics Summary – January 2020'.

Investigation

On 21 October 2021, the OIA referred the matter to Mr Jon Gibbons, Chief Executive Officer, recommending the commencement of an independent investigation into the complaint. The OIC advised Councillor Swanborough that a decision had been made to refer the conduct to Council to deal with the matter. On 21 March 2022, Council engaged WISE workplace to conduct an investigation.

The investigator invited Councillor Swanborough by letter to attend an interview, who responded, "it would not be a good use of time to do an interview". The investigator, therefore, relied on Councillor Swanborough's written response to the OIA dated 6 May 2021.

At a Councillor and Executive Workshop held on 9 June 2020, Councillors were briefed on the Customer Centricity Project and a draft Customer Charter. A summary report entitled "Customer Frame Survey Phase 1, Discovery and Diagnostics Summary" was provided at the Workshop.

At an Ordinary Meeting on 22 June 2020, a resolution was proposed that Council adopt the Customer Charter. Councillor Swanborough proposed an amendment to the resolution stating that the results of the Customer Frame Survey be published on the Council website. This motion was lost 3 votes to 4, and the resolution passed without the amendment.

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On 26 July 2020 Councillor Swanborough lodged a right to information (RTI) application seeking the results of the Survey. This was granted on 28 August 2020, and on 23 September 2020 the Fassifern Guardian and Tribune published an article quoting details from the material gained under the RTI.

On 8 October 2020 Councillor Swanborough wrote his regular "Councillor's Comment" column in the Scenic News. In it he detailed the RTI application and summarised a number of comments from the Customer Frame Survey report and publicly available information. Councillor Swanborough also stated "the document is the feedback that you gave the Council on its performance and you had a right to see it in detail" and "a lot of this information you were not going to ever know because it was made confidential".

In his written response to the OIA, Councillor Swanborough stated that he complied with the resolution and the document remained confidential "until its confidentiality was extinguished under RTI by the Councils *[sic]* RTI decision maker" and the resolution "did not stipulate that the documents identified must remain confidential in perpetuity or provide reasons". Councillor Swanborough then set out the relevant provisions of the Right to Information Act 2009 to demonstrate that the information was properly disclosed to him under the public interest considerations of the Act.

Councillor Swanborough stated that "the OIA needs to understand Council wanted to release a "sanitised version" of this document at a "latter stage" and in his view it was in the public interest to release the original version. Councillor Swanborough stated that not releasing it "in its original unabridged form as presented to Councillors was a dishonest act to the public and all the 8000 odd participants in the survey"

Councillor Swanborough stated that Scenic Rim "has an unworkable untransparent regime" and Local Government Act provisions are not applicable to an RTI application.

On 20 October 2022, after the conclusion of the investigation, Council was provided with an investigation report.

Findings

The conduct to be considered related to Councillor Swanborough's failure to carry out his responsibilities conscientiously and in the best interests of the Council. Section 150K(1)(b) stipulates that a contravention of a behavioural standard of Council by a Councillor is inappropriate conduct. The Code of Conduct for Councillors provides the behavioural standards Councillors must follow. Standard 3 requires Councillors ensure their conduct does not reflect adversely on the reputation of Council.

The investigator found there was no resolution not to publish the Customer Frame Survey results. All that occurred was that Cr Swanborough moved that they be published, and the motion was defeated. That is not the same as a positive resolution, and as such we consider that the circumstances here cannot support a finding that Cr Swanborough contravened a resolution of the local government.

Recommendation

The investigator recommended that the allegation is not capable of being substantiated.

However, we do recommend the conduct of Cr Swanborough did not meet the minimum standard required by standard 3 of the Code of Conduct.

Order

The investigator recommended that should Council find that the Councillor has engaged in inappropriate conduct, an order (*Note that the investigator based the recommendation on the Councillor has prior findings of inappropriate conduct*) that:


1. In accordance with the *Local Government Act 2009*, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and
2. In accordance with the *Local Government Act 2009*, section 150AH, the following orders are imposed:
 - a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;
 - b) That such an admission must include, but not limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately,
 - c) That a reprimand be recorded against the Councillor for the conduct;
 - d) That if the Councillor engages in the same type of conduct again it will be treated as misconduct; and
 - e) That Councillor Swanborough reimburse the local government for 100% of the costs of the investigation arising from this Councillor's inappropriate conduct.

10.14 Inappropriate Conduct Matter C-21-00201

Executive Officer: General Manager Council Sustainability

Item Author: Principal Specialist Governance and Assurance

Attachments:

1. Investigation Report C-21-00201 - Confidential
2. Investigation Summary C-21-00201 [↓](#) 
3. Statement by Subject Councillor - Confidential
4. Investigator's Response to Councillor's Statement - Confidential

Executive Summary

On 11 June 2021, the Office of the Independent Assessor (OIA) referred a complaint against Councillor Derek Swanborough to Council to investigate, pursuant to section 150W(1)(b) of the *Local Government Act 2009*, advising of its reasonable suspicion that the complaint, if proven, involves inappropriate conduct.

Council engaged an external investigator to conduct the investigation under Council's Investigation Policy. The investigator has completed the investigation and provided a report with findings and recommendations.

The investigator found that the subject Councillor did not engage in inappropriate conduct.

Recommendation

That, for inappropriate conduct matter C-21-00201, Council determine if Councillor Swanborough has engaged in inappropriate conduct and if so, the order or orders to be made.

Previous Council Considerations / Resolutions

Ordinary Meeting, 11 October 2022 (Inappropriate Conduct Matter C/20/00919 and C/20/00870)

That:

1. In accordance with the *Local Government Act 2009*, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and
2. In accordance with the *Local Government Act 2009*, section 150AH, the following orders are imposed:
 - a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;
 - b) That such an admission must include, but not limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately, ~~causing harm to third parties~~; (*wording subsequently deleted by amendment to resolution at the Ordinary Meeting held on 8 November 2022*)
 - c) That a reprimand be recorded against the councillor for the conduct;
 - d) That if the councillor engages in the same type of conduct again it will be treated as misconduct; and
 - e) That Councillor Swanborough reimburse the local government for 30% of the costs of the investigation arising from this councillor's inappropriate conduct.

Ordinary Meeting, 11 October 2022 (Inappropriate Conduct Matter C/21/00218)

That:

1. In accordance with the Local Government Act 2009, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and
2. In accordance with the *Local Government Act 2009*, section 150AH, the following orders are imposed:
 - a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;
 - b) That such an admission must include, but not limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately, ~~causing harm to third parties~~; (*wording subsequently deleted by amendment to resolution at the Ordinary Meeting held on 8 November 2022*)
 - c) That a reprimand be recorded against the councillor for the conduct;
 - d) That if the councillor engages in the same type of conduct again it will be treated as misconduct; and
 - e) That Councillor Swanborough reimburse the local government for 30% of the costs of the investigation arising from this councillor's inappropriate conduct.

Ordinary Meeting, 7 December 2021 (Inappropriate Conduct Matter C/20/00809)

That:

1. Council acknowledge the Investigation Report dated 29 November 2021;
2. In relation to allegation 1 that Cr Swanborough *"made inappropriate comments to Mayor Christensen in a meeting between them on or about 22 April 2020"*, Council decide that Cr Swanborough has not engaged in inappropriate conduct;
3. In relation to allegation 2 that Cr Swanborough *"repeatedly failed to adequately prepare for workshops, briefings and meetings"*, Council decide that Cr Swanborough has occasionally failed to adequately prepare for workshops, briefings and meetings and has engaged in inappropriate conduct;
4. In relation to allegation 3 that Cr Swanborough *"repeatedly failed to engage with presentations or background introduction of issues, instead working on emails"*, Council decide that Cr Swanborough has occasionally failed to engage with presentations or background introduction of issues, instead working on emails and has engaged in inappropriate conduct;
5. In relation to allegation 4 that Cr Swanborough *"repeatedly and deliberately misrepresented Mayor Christensen's comments and made derogatory assertions about his competence"*, Council decide that Cr Swanborough has occasionally misrepresented Mayor Christensen's comments and has engaged in inappropriate conduct;
6. In accordance with the *Local Government Act 2009*, section 150AH, Council impose the following orders on Cr Swanborough:
 - a) that Cr Swanborough must attend training on Code of Conduct for Councillors in Queensland being held on Tuesday, 14 December 2021; and
 - b) that Cr Swanborough must make a public admission at the next Ordinary Meeting being held on 18 January 2022, that he has engaged in inappropriate conduct on allegations 2, 3 and 4; and
7. In accordance with clause 22.6.3 of the Scenic Rim Regional Council Standing Orders Procedure CM03.01PR.01, Council maintain confidentiality over the contents of this report, including the investigation report and attachments, and due to privacy obligations, the report not be released.

Report / Background

On 9 February 2021, Councillor Swanborough and other Councillors attended an event held at Boonah. The event involved the Small Business Commissioner, the Chamber of Commerce and Council. As part of the event, Councillors were to take part in the official signing of the Small Business Friendly Initiative, which included the taking of photographs.

When the photographs were due to be taken, Councillor Swanborough was absent, and the photograph was taken without him. Councillor Swanborough's absence from the photo session was referred to the Office of the Independent Assessor as suspected inappropriate conduct. The referral was on the basis that the Councillor had failed to perform his duty as a Councillor by not taking part in the photo session with the other Councillors.

The OIA contacted the Councillor and provided him with an opportunity to respond to the allegation. Councillor Swanborough responded and informed the OIA that there was no shade at the event. The Councillor stated that he had gone to his car to retrieve a hat and was unsuccessful. He then went inside the Council building to escape the sun. The Councillor acknowledged that someone had come and asked him if he would like to be in the photograph, but he declined as it could have meant spending more time waiting around in the sun.

Council Investigation into Inappropriate Conduct

The OIA recommended that Council investigate the inappropriate conduct allegations in accordance with Council's Investigation Policy. The OIA suspected that Councillor Swanborough failed to carry out his responsibilities conscientiously and in the best interests of the Council at the formal signing of a Small Business Friendly Councils Initiative and that his behaviour was contrary to the first standard of behaviour in the Code of Conduct for Councillors in Queensland.

Council engaged Wise Workplace to conduct the investigation.

Investigators Findings

The investigator from Wise Workplace found that the Councillor failed to show respect for the achievement of the Small Business Commission and Chambers of Commerce coming together with Council. However, the investigator found no evidence that Councillor Swanborough was informed that he was expected to appear in the photographs or that his appearance was a necessary part of the event.

The investigator found the allegation against Councillor Swanborough could not be substantiated.

Investigators Recommendation

The investigator recommended that Council find that the Councillor has not engaged in inappropriate conduct.

Pursuant to Council's Investigation Policy, Councillor Swanborough was provided with a copy of the investigation findings and the opportunity to put his case in writing with the investigation report provided to the Councillors as part of the meeting agenda.

Budget / Financial Implications

The total cost of the investigation by Wise Workplace was \$4,516.07.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

Legal / Statutory Implications

The *Local Government Act 2009* and Council's Investigation Policy must be followed when determining inappropriate conduct matters.

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 Failure to comply with regulatory obligations	3 Moderate	Almost certain	High	Governance to provide appropriate advice to ensure decisions are made in accordance with the Local Government Act 2009 and the Investigation Policy.	Low
Reputation, Community & Civic Leadership Perception of failing to adequately deal with Councillor conduct issues.	3 Moderate	Almost certain	High	Governance to provide appropriate advice to ensure decisions are made in accordance with the Local Government Act 2009 and the Investigation Policy.	Low

Consultation

Office of the Independent Assessor

Conclusion

An independent investigator has found that Councillor Swanborough has not engaged in inappropriate conduct.



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27 October 2022

INVESTIGATION SUMMARY

Inappropriate conduct Matter – C/21/00201

Background

On 31 March 2021, the Office of the Independent Assessor (OIA) received a complaint about Councillor Swanborough's conduct as a councillor.

The complaint alleged Councillor Swanborough had engaged in inappropriate conduct in breach of section 150K(1)(a) of the *Local Government Act 2009* (the Act) in that the conduct breached Standards of Behaviour in the Code of Conduct for Councillors in Queensland.

The particulars of the allegations are:

1. On 9 February 2021, Councillor Swanborough failed to carry out his responsibilities conscientiously and in the best interests of the Council at a formal signing of a Small Business Friendly Councils Initiative; contrary to the first standard of behaviour in the Code of Conduct for Councillors in Queensland.

Investigation

On 22 April 2021, the Deputy Independent Assessor wrote to Councillor Swanborough advising him that he had referred the complaint to Council to deal with pursuant to section 150W(b) of the Act and offered Councillor Swanborough an opportunity to respond to the complaint and to address why the matter should not be referred to Council to deal with.

On 19 May 2021, Cr Swanborough responded to the OIA, and on 11 June 2021, the OIA referred the matter to Mr Jon Gibbons, Chief Executive Officer, of Scenic Rim Regional Council, recommending the commencement of an independent investigation into the complaint. The OIC advised Councillor Swanborough that a decision had been made to refer the conduct to Council to deal with. On 21 March 2022, Council engaged WISE workplace to conduct an investigation.

Councillor Swanborough was requested to participate in an interview. He declined, stating he had already responded to the complaints and *"it would not be a good use of time to do an interview"* and declined to participate in an interview and directed the investigator to his written response to the OIA.

Councillor Swanborough wrote that he has fair skin and regularly "gets bits cut off my face, ears, arms and hands". As there was nowhere to stand in the shade, he went to his car to see if he had a hat, and on finding that he didn't, he went into the Council Chamber to watch from the windows.

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Councillor Swanborough acknowledged that someone came and asked him if he would like his photograph taken, but as this could have meant more waiting around in the sun, he "politely declined".

On 20 October 2022, after the conclusion of the investigation, Council was provided with an investigation report.

Findings

The conduct to be considered related to Councillor Swanborough's failure to carry out his responsibilities conscientiously and in the best interests of the Council at a formal signing of a Small Business Friendly Councils Initiative. Section 150K(1)(a) stipulates that a contravention of a behavioural standard of Council by a Councillor is inappropriate conduct. The Code of Conduct for Councillors provides the behavioural standards Councillors must follow. Standard 1 requires Councillors carry out responsibilities conscientiously and in the best interests of Council and the community.

The investigator found Councillor Swanborough failed to show respect for the achievement of having the Small Business Commissioner and Chambers of Commerce come together with the Council. Whilst the conduct was, as we have found, rude, the disrespect here was not directed at any person in particular. However, found no evidence that Councillor Swanborough was informed that he was expected to appear in photographs or that appearing in photographs was a necessary part of the event. The evidence is that the event went on and was not disrupted by Councillor Swanborough's absence.

Recommendation

The investigator recommended that the allegation is not capable of being substantiated.

Order


The investigator recommended that should Council find that the Councillor has not engaged in inappropriate conduct and therefor no order is recommended.

10.15 Inappropriate Conduct Matter C-21-00223

Executive Officer: General Manager Council Sustainability

Item Author: Principal Specialist Governance and Assurance

Attachments:

1. Investigation Report C-21-00223 - Confidential
2. Investigation Summary C-21-00223 [↓](#) 
3. Statement by Subject Councillor - Confidential
4. Investigator's Response to Councillor's Statement - Confidential

Executive Summary

On 13 January 2022, the Office of the Independent Assessor (OIA) referred a complaint against Councillor Derek Swanborough to Council to investigate, pursuant to section 150W(1)(b) of the *Local Government Act 2009*, advising of its reasonable suspicion that the complaint, if proven, involves inappropriate conduct.

Council engaged an external investigator to conduct the investigation under Council's Investigation Policy. The investigator has completed the investigation and provided a report with findings and recommendations.

The investigator found that the subject Councillor has engaged in inappropriate conduct and has recommended several orders.

Recommendation

That, for inappropriate conduct matter C-21-00223, Council determine if Councillor Swanborough has engaged in inappropriate conduct and if so, the order or orders to be made.

Previous Council Considerations / Resolutions

Ordinary Meeting, 11 October 2022 (Inappropriate Conduct Matter C/20/00919 and C/20/00870)

That:

1. In accordance with the *Local Government Act 2009*, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and
2. In accordance with the *Local Government Act 2009*, section 150AH, the following orders are imposed:
 - a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;
 - b) That such an admission must include, but not limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately, ~~causing harm to third parties~~; (*wording subsequently deleted by amendment to resolution at the Ordinary Meeting held on 8 November 2022*)
 - c) That a reprimand be recorded against the councillor for the conduct;
 - d) That if the councillor engages in the same type of conduct again it will be treated as misconduct; and
 - e) That Councillor Swanborough reimburse the local government for 30% of the costs of the investigation arising from this councillor's inappropriate conduct.

Ordinary Meeting, 11 October 2022 (Inappropriate Conduct Matter C/21/00218)

That:

1. In accordance with the *Local Government Act 2009*, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and
2. In accordance with the *Local Government Act 2009*, section 150AH, the following orders are imposed:
 - a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;
 - b) That such an admission must include, but not limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately, ~~causing harm to third parties~~; (*wording subsequently deleted by amendment to resolution at the Ordinary Meeting held on 8 November 2022*)
 - c) That a reprimand be recorded against the councillor for the conduct;
 - d) That if the councillor engages in the same type of conduct again it will be treated as misconduct; and
 - e) That Councillor Swanborough reimburse the local government for 30% of the costs of the investigation arising from this councillor's inappropriate conduct.

Ordinary Meeting, 7 December 2021 (Inappropriate Conduct Matter C/20/00809)

That:

1. Council acknowledge the Investigation Report dated 29 November 2021;
2. In relation to allegation 1 that Cr Swanborough *"made inappropriate comments to Mayor Christensen in a meeting between them on or about 22 April 2020"*, Council decide that Cr Swanborough has not engaged in inappropriate conduct;
3. In relation to allegation 2 that Cr Swanborough *"repeatedly failed to adequately prepare for workshops, briefings and meetings"*, Council decide that Cr Swanborough has occasionally failed to adequately prepare for workshops, briefings and meetings and has engaged in inappropriate conduct;
4. In relation to allegation 3 that Cr Swanborough *"repeatedly failed to engage with presentations or background introduction of issues, instead working on emails"*, Council decide that Cr Swanborough has occasionally failed to engage with presentations or background introduction of issues, instead working on emails and has engaged in inappropriate conduct;
5. In relation to allegation 4 that Cr Swanborough *"repeatedly and deliberately misrepresented Mayor Christensen's comments and made derogatory assertions about his competence"*, Council decide that Cr Swanborough has occasionally misrepresented Mayor Christensen's comments and has engaged in inappropriate conduct;
6. In accordance with the *Local Government Act 2009*, section 150AH, Council impose the following orders on Cr Swanborough:
 - a) that Cr Swanborough must attend training on Code of Conduct for Councillors in Queensland being held on Tuesday, 14 December 2021; and
 - b) that Cr Swanborough must make a public admission at the next Ordinary Meeting being held on 18 January 2022, that he has engaged in inappropriate conduct on allegations 2, 3 and 4; and
7. In accordance with clause 22.6.3 of the Scenic Rim Regional Council Standing Orders Procedure CM03.01PR.01, Council maintain confidentiality over the contents of this report, including the investigation report and attachments, and due to privacy obligations, the report not be released.

Report / Background

On 26 August 2020, Councillor Derek Swanborough attended an Audit and Risk Committee meeting. Councillor Swanborough was a Committee member familiar with the Terms of Reference that imposed confidentiality over information gained at the meetings. During the meeting, the Chief Executive Officer was involved in discussions regarding workforce capacity.

On 23 February 2021, at an Ordinary Meeting, Councillor Swanborough repeated the information obtained during the Audit and Risk Committee regarding workforce capacity. This was confidential information, and Councillor Swanborough was obligated, both under the Terms of Reference and Council's Policy, to keep that information confidential.

On 23 February 2021, the breach of confidentiality was reported to the Office of the Independent Assessor.

Council Investigation into Inappropriate Conduct

The OIA recommended that Council investigate the inappropriate conduct allegations in accordance with Council's Investigation Policy. The OIA suspected that releasing the confidential information from the Audit and Risk Committee was a breach of the Council's Audit and Risk Committee Terms of Reference and the Management of Confidential Information of Council by Councillors policy.

Council subsequently engaged Wise Workplace to conduct the investigation.

Investigators Findings

The investigator from Wise Workplace confirmed that section 150K(1)(b) of the *Local Government Act 2009* states that if a Councillor does not comply with a policy, procedure or resolution of Council then the behaviour amounts to inappropriate conduct. The investigator found that Councillor Swanborough's release of confidential information was in breach of Council policy.

Investigators Recommendation

The conduct of Councillor Swanborough breached the confidentiality requirement imposed by the Audit and Risk Committee Terms of Reference and Council policy and that:

1. In accordance with the *Local Government Act 2009*, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and
2. In accordance with the *Local Government Act 2009*, section 150AH, the following orders are imposed:
 - a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;
 - b) That such an admission must include, but not be limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately;
 - c) That a reprimand be recorded against the Councillor for the conduct;
 - d) That if the Councillor engages in the same type of conduct again, it will be treated as misconduct; and
 - e) That Councillor Swanborough reimburse the local government for 100% of the costs of the investigation arising from this Councillor's inappropriate conduct.

Pursuant to Council's Investigation Policy, Councillor Swanborough was provided with a copy of the investigation findings and the opportunity to put his case in writing with the investigation report provided to the Councillors as part of the meeting agenda.

Budget / Financial Implications

The total cost of the investigation by Wise Workplace was \$3,465.00.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

Legal / Statutory Implications

The *Local Government Act 2009* and Council's Investigation Policy must be followed when determining inappropriate conduct matters.

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 Failure to comply with regulatory obligations	3 Moderate	Almost certain	High	Governance to provide appropriate advice to ensure decisions are made in accordance with the Local Government Act 2009 and the Investigation Policy.	Low
Reputation, Community & Civic Leadership Perception of failing to adequately deal with Councillor conduct issues.	3 Moderate	Almost certain	High	Governance to provide appropriate advice to ensure decisions are made in accordance with the Local Government Act 2009 and the Investigation Policy.	Low

Consultation

Office of the Independent Assessor

Conclusion

An independent investigator has found that Councillor Swanborough engaged in inappropriate conduct and has recommended several orders.



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27 October 2022

INVESTIGATION SUMMARY

Inappropriate conduct Matter – C/21/00223

Background

On 7 April 2021, the Office of the Independent Assessor (OIA) received a complaint about Councillor Swanborough's conduct as a councillor.

The complaint alleged Councillor Swanborough had engaged in inappropriate conduct in breach of section 150K(1)(b) of the *Local Government Act 2009* (the Act) in that the conduct breached Standards of Behaviour in the Code of Conduct for Councillors in Queensland.

The particulars of the allegations are:

1. On 25 May 2020 Cr Swanborough was appointed to the Audit and Risk Committee. The Terms of Reference of that Committee impose confidentiality requirements on Committee members for information gained during those meetings.
2. On 26 August 2020, Councillor Swanborough discussion of Item 10.5 relating to the 2020-2021 Infrastructure Capital Works Program Delivery during an ordinary meeting of Council on that date.
3. On 23 February 2021, Councillor Swanborough released information of Item 10.5 relating to the 2020-2021 Infrastructure Capital Works Program Delivery in Council's open ordinary meeting, in breach of the Council's Audit and Risk Committee Terms of Reference and the Management of Confidential Information of Council by Councillors policy.

Investigation

On 22 April 2021, the Deputy Independent Assessor wrote to Councillor Swanborough advising him that he had referred the complaint to Council to deal with pursuant to section 150W(b) of the Act and offered Councillor Swanborough an opportunity to respond to the complaint and to address why the matter should not be referred to Council to deal with.

On 6 May 2021, Cr Swanborough responded to the OIA that the complaint "*may, or may not be true.*" Cr Swanborough said, "*there's a high probability it was shared in formerly [sic] in a lunch discussion firstly, in a nonconfidential way, and repeated in an Audit meeting, who would know?*" Cr Swanborough challenged that no reasonable man could be expected to recall the time, date, meeting and circumstances of any such comment, and while he remembered it being repeated at other times, he "could not tell you when exactly because it is so insignificant it would be a waste of time simply to speculate let alone prove".

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Cr Swanborough then questioned whether, even if delivered in a confidential setting, which he doubted, the information fell within section 254J of the *Local Government Regulations* as something that *should* be confidential (emphasis added). Cr Swanborough describes that provision as *"when a meeting of a Local Government can be closed for confidential discussion because it is actually necessary to be confidential and breaches would have ramifications"* (emphasis in original). He then set out several examples from the Regulations and observes that 'the category of 'CEO concerns about resources doesn't appear in the regulation' and questions what ramifications would occur if it were breached.

On 20 October 2022, after the conclusion of the investigation, Council was provided with an investigation report.

Findings

The conduct to be considered related to Councillor Swanborough's behaviour during the 24 March 2021, Councillor and Executive Workshop. Section 150K(1)(b) stipulates that a contravention of a policy, procedure or resolution of the local government of Council by a Councillor is inappropriate conduct. The Code of Conduct for Councillors provides the behavioural standards Councillors must follow. Standard 1 requires Councillors to carry out responsibilities conscientiously and in the best interests of the Council and the community that includes that Councillors will 'Respect and comply with all policies, procedures and resolutions of Council.'

Councillor Swanborough conceded that he repeated information but seeks to excuse it on two grounds: firstly, that it was not first made in a confidential forum; and secondly, even if it was, it is not properly defined as confidential information. The investigator was unable to agree with either argument.

Cr Swanborough also expresses doubt that the comment was in fact made at the Audit Committee meeting, as this would not be in keeping with the hundreds of such meetings he has attended. In comparison, Mr Gibbons had such a clear recall that he was moved to make a complaint to the OIA, and he was firm in his evidence that he had not previously raised his concerns with Councillors. Given the apparent lack of trust and confidence between the two men, we consider it unlikely that Mr Gibbons would have informally shared his concerns with Cr Swanborough.

Mr Gibbons' evidence is corroborated by the minutes of the Audit Committee meeting, which record Mr Gibbons expressing his concerns. The investigator found that the comment was first made in the Audit Committee meeting.

As to whether information shared in that meeting was confidential, conclusive guidance is provided by the Committee's Terms of Reference, which clearly state:

'All information supplied by Council and its officers for consideration at Committee meetings must be treated as being confidential to the local government' (clause 4.9)

Given the mandatory wording of this clause, the investigator did not need to consider whether the information *should* be confidential, as argued by Cr Swanborough. The question, if the rules are inappropriate, is an issue for Council as a whole, not for individual Councillors to decide when to follow the rules.

The investigator found Councillor Swanborough breached the confidentiality requirement imposed by the Audit and Risk Committee Terms of Reference and, as such, has engaged in inappropriate conduct.

Recommendation

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The investigator recommended that the allegation is capable of being substantiated.

Order

The investigator recommended that should Council find that the Councillor has engaged in inappropriate conduct, an order (*Note that the investigator based the recommendation on the Councillor has prior findings of inappropriate conduct*) that:


1. In accordance with the *Local Government Act 2009*, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and
2. In accordance with the *Local Government Act 2009*, section 150AH, the following orders are imposed:
 - a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;
 - b) That such an admission must include, but not limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately,
 - c) That a reprimand be recorded against the Councillor for the conduct;
 - d) That if the Councillor engages in the same type of conduct again it will be treated as misconduct; and
 - e) That Councillor Swanborough reimburse the local government for 100% of the costs of the investigation arising from this Councillor's inappropriate conduct.

10.16 Inappropriate Conduct Matter C-21-00250

Executive Officer: General Manager Council Sustainability

Item Author: Principal Specialist Governance and Assurance

Attachments:

1. Investigation Report C-21-00250 - Confidential
2. Investigation Summary C-21-00250 [↓](#) 
3. Statement by Subject Councillor - Confidential
4. Investigator's Response to Councillor's Statement - Confidential

Executive Summary

On 21 June 2022, the Office of the Independent Assessor (OIA) referred a complaint against Councillor Derek Swanborough to Council to investigate, pursuant to section 150W(1)(b) of the *Local Government Act 2009*, advising of its reasonable suspicion that the complaint, if proven, involves inappropriate conduct.

Council engaged an external investigator to conduct the investigation under Council's Investigation Policy. The investigator has completed the investigation and provided a report with findings and recommendations.

The investigator found that the subject Councillor has engaged in inappropriate conduct and has recommended several orders.

Recommendation

That, for inappropriate conduct matter C-21-00250, Council determine if Councillor Swanborough has engaged in inappropriate conduct and if so, the order or orders to be made.

Previous Council Considerations / Resolutions

Ordinary Meeting, 11 October 2022 (Inappropriate Conduct Matter C/20/00919 and C/20/00870)

That:

1. In accordance with the *Local Government Act 2009*, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and
2. In accordance with the *Local Government Act 2009*, section 150AH, the following orders are imposed:
 - a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;
 - b) That such an admission must include, but not limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately, ~~causing harm to third parties~~; (*wording subsequently deleted by amendment to resolution at the Ordinary Meeting held on 8 November 2022*)
 - c) That a reprimand be recorded against the councillor for the conduct;
 - d) That if the councillor engages in the same type of conduct again it will be treated as misconduct; and
 - e) That Councillor Swanborough reimburse the local government for 30% of the costs of the investigation arising from this councillor's inappropriate conduct.

Ordinary Meeting, 11 October 2022 (Inappropriate Conduct Matter C/21/00218)

That:

1. In accordance with the *Local Government Act 2009*, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and
2. In accordance with the *Local Government Act 2009*, section 150AH, the following orders are imposed:
 - a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;
 - b) That such an admission must include, but not limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately, ~~causing harm to third parties~~; (*wording subsequently deleted by amendment to resolution at the Ordinary Meeting held on 8 November 2022*)
 - c) That a reprimand be recorded against the councillor for the conduct;
 - d) That if the councillor engages in the same type of conduct again it will be treated as misconduct; and
 - e) That Councillor Swanborough reimburse the local government for 30% of the costs of the investigation arising from this councillor's inappropriate conduct.

Ordinary Meeting, 7 December 2021 (Inappropriate Conduct Matter C/20/00809)

That:

1. Council acknowledge the Investigation Report dated 29 November 2021;
2. In relation to allegation 1 that Cr Swanborough *"made inappropriate comments to Mayor Christensen in a meeting between them on or about 22 April 2020"*, Council decide that Cr Swanborough has not engaged in inappropriate conduct;
3. In relation to allegation 2 that Cr Swanborough *"repeatedly failed to adequately prepare for workshops, briefings and meetings"*, Council decide that Cr Swanborough has occasionally failed to adequately prepare for workshops, briefings and meetings and has engaged in inappropriate conduct;
4. In relation to allegation 3 that Cr Swanborough *"repeatedly failed to engage with presentations or background introduction of issues, instead working on emails"*, Council decide that Cr Swanborough has occasionally failed to engage with presentations or background introduction of issues, instead working on emails and has engaged in inappropriate conduct;
5. In relation to allegation 4 that Cr Swanborough *"repeatedly and deliberately misrepresented Mayor Christensen's comments and made derogatory assertions about his competence"*, Council decide that Cr Swanborough has occasionally misrepresented Mayor Christensen's comments and has engaged in inappropriate conduct;
6. In accordance with the *Local Government Act 2009*, section 150AH, Council impose the following orders on Cr Swanborough:
 - a) that Cr Swanborough must attend training on Code of Conduct for Councillors in Queensland being held on Tuesday, 14 December 2021; and
 - b) that Cr Swanborough must make a public admission at the next Ordinary Meeting being held on 18 January 2022, that he has engaged in inappropriate conduct on allegations 2, 3 and 4; and
7. In accordance with clause 22.6.3 of the Scenic Rim Regional Council Standing Orders Procedure CM03.01PR.01, Council maintain confidentiality over the contents of this report, including the investigation report and attachments, and due to privacy obligations, the report not be released.

Report / Background

On 24 March 2021, a Councillor and Executive Workshop was held, where an update on Council's Enterprise Bargaining (EB) was provided. There were discussions between Councillors and the Chief Executive Officer (CEO) over the Councillor's role in the EB process. During the conversations, Councillor Swanborough indicated his displeasure with the authority given to the CEO to make decisions regarding any increase under the EB.

Councillor Swanborough went on to say that too many decisions are made by the CEO and that Councillors should make them. Councillor Swanborough then inferred that the CEO and Council officers were "*feathering our own nest*" by ensuring they also benefited from the EB discussions. The CEO pointed out that Executives are on a performance-based contract and that the EB did not provide them with salary increases.

Councillor Swanborough replied, "*I find that hard to believe.*" The CEO felt that the Councillor's remarks were a result of his animosity towards officers. Councillor Swanborough went on to further say that he found it really hard to believe that executive contracts were set for four years and questioned who would sign such an agreement.

The CEO felt humiliated by the comments from Councillor Swanborough and believed he was being accused of being a party to something that provided benefits to the Executives. The CEO felt that the manner in which the Councillor questioned him was accusatory and that the Councillor forcefully questioned the officers' integrity. The CEO felt that the Councillor had overstepped the mark beyond what would be respectful questioning.

Another officer complained that Councillor Swanborough had accused General Managers of feathering their own nests and stated that he knows General Managers still get pay raises attached to the certified agreement. He accused Executive Officers of arguing for their own pay rise. The officer felt that Councillor Swanborough was making accusations, purportedly based on fact, and that reputation and ethics were being questioned. The officer further stated that these comments were distressing and induced a level of anxiety.

Council Investigation into Inappropriate Conduct

The OIA recommended that Council investigate the inappropriate conduct allegations in accordance with Council's Investigation Policy. The OIA suspected that Councillor Swanborough failed to treat Council employees with respect and honesty in an Enterprise Bargaining update.

Council subsequently engaged Wise Workplace to conduct the investigation.

Investigators Findings

The investigator from Wise Workplace found the behaviour of Councillor Swanborough during the Councillor and Executive Workshop to contravene a behavioural standard in the Code of Conduct for Councillors. Standard 2 requires Councillors to treat people in a reasonable, just, respectful, and non-discriminatory way. That includes a requirement for Councillors will 'Treat fellow Councillors, Council employees and members of the public with courtesy, honesty and fairness.'

Investigators Recommendation

The conduct of Councillor Swanborough breached a behavioural standard and that:

1. In accordance with the *Local Government Act 2009*, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and
2. In accordance with the *Local Government Act 2009*, section 150AH, the following orders are imposed:
 - a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;
 - b) That such an admission must include, but not be limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately;
 - c) That a reprimand be recorded against the Councillor for the conduct;
 - d) That if the Councillor engages in the same type of conduct again, it will be treated as misconduct; and
 - e) That Councillor Swanborough reimburse the local government for 100% of the costs of the investigation arising from this Councillor's inappropriate conduct.

Pursuant to Council's Investigation Policy, Councillor Swanborough was provided with a copy of the investigation findings and the opportunity to put his case in writing with the investigation report provided to the Councillors as part of the meeting agenda.

Budget / Financial Implications

The total cost of the investigation by Wise Workplace was \$5,735.71.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

Legal / Statutory Implications

The *Local Government Act 2009* and Council's Investigation Policy must be followed when determining inappropriate conduct matters.

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 Failure to comply with regulatory obligations	3 Moderate	Almost certain	High	Governance to provide appropriate advice to ensure decisions are made in accordance with the Local Government Act 2009 and the Investigation Policy.	Low
Reputation, Community & Civic Leadership Perception of failing to adequately deal with Councillor conduct issues.	3 Moderate	Almost certain	High	Governance to provide appropriate advice to ensure decisions are made in accordance with the Local Government Act 2009 and the Investigation Policy.	Low

Consultation

Office of the Independent Assessor

Conclusion

An independent investigator has found that Councillor Swanborough engaged in inappropriate conduct and has recommended several orders.



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27 October 2022

INVESTIGATION SUMMARY

Inappropriate conduct – C/21/00250

Background

On 12 April 2021, the Office of the Independent Assessor (OIA) received a complaint about Councillor Swanborough's conduct as a councillor.

The complaint alleged Councillor Swanborough had engaged in inappropriate conduct in breach of section 150K(1)(a) of the *Local Government Act 2009* (the Act) in that the conduct breached Standards of Behaviour in the Code of Conduct for Councillors in Queensland.

The particulars of the allegations are:

1. In March 2021, Council had engaged in bargaining for a new enterprise agreement
2. On 24 March 2021, a Councillor and Executive Workshop were held, during which an update on the bargaining was given.
3. Councillor Swanborough was being disrespectful to a Council officer during an enterprise bargaining workshop.

Investigation

On 22 April 2021, the Deputy Independent Assessor wrote to Councillor Swanborough advising him that he had referred the complaint to Council to deal with pursuant to section 150W(b) of the Act and offered Councillor Swanborough an opportunity to respond to the complaint and to address why the matter should not be referred to Council to deal with.

On 18 May 2021, Councillor Swanborough responded to the OIA, and on 31 May 2021, Councillor Swanborough indicated that he wished to rely on further evidence that he would provide.

On 4 June 2021, the OIA requested a response as to whether Councillor Swanborough intended to provide further evidence. Councillor Swanborough did not respond to that letter.

On 21 June 2021, the OIA referred the matter to Mr Jon Gibbons, Chief Executive Officer, recommending the commencement of an independent investigation into the complaint. The OIC advised Councillor Swanborough that a decision had been made to refer the conduct to Council to deal with under Chapter 5A, Part 2, Division 5 of the Act. On 21 March 2022, Council engaged WISE workplace to conduct an investigation.

Councillor Swanborough declined to participate in an interview and directed us to his written response to the OIA. Councillor Swanborough criticises, for example, the

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CEO for relying on ten-year projections, the other Councillors for relying on the CEO to conduct bargaining, and Ms McMahon for being, according to Councillor Swanborough, inexperienced in this matter.

On 13 October 2022, after the conclusion of the investigation, Council was provided with an investigation report.

Findings

The conduct to be considered related to Councillor Swanborough's behaviour during the 24 March 2021, Councillor and Executive Workshop. Section 150K(1)(a) stipulates that a contravention of a behavioural standard of Council by a Councillor is inappropriate conduct. The Code of Conduct for Councillors provides the behavioural standards Councillors must follow. Standard 2 requires Councillors to treat people in a reasonable, just, respectful non-discriminatory way and that includes that Councillors will 'Treat fellow Councillors, Council employees and members of the public with courtesy, honesty and fairness.'

The investigator found Councillor Swanborough's written response was irrelevant to the allegation of whether he failed to treat Council employees with respect. Much of his written response imputed blame or criticism on others, even where it was not necessary or helpful in responding to the allegations.

The investigator found an alarming attitude to the Code of Conduct in Councillor Swanborough's sarcastic rendering of it as "*holding hands all day and smiling at each other*" and his untempered and disrespectful remarks in his written response.

Recommendation

The investigator recommended that the allegation is capable of being substantiated.

Order

The investigator recommended that should Council find that the Councillor has engaged in inappropriate conduct, an order (*Note that the investigator based the recommendation on the Councillor has prior findings of inappropriate conduct*) that:

1. In accordance with the *Local Government Act 2009*, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and
2. In accordance with the *Local Government Act 2009*, section 150AH, the following orders are imposed:
 - a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;
 - b) That such an admission must include, but not limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately,
 - c) That a reprimand be recorded against the Councillor for the conduct;
 - d) That if the Councillor engages in the same type of conduct again it will be treated as misconduct; and
 - e) That Councillor Swanborough reimburse the local government for 100% of the costs of the investigation arising from this Councillor's inappropriate conduct.

10.17 Inappropriate Conduct Matter C-21-00336

Executive Officer: General Manager Council Sustainability

Item Author: Principal Specialist Governance and Assurance

Attachments:

1. C 21 00336 Referral from OIA - Confidential
2. Referral Attachments - Confidential
3. Report from Ray Burton Consulting - Confidential
4. Preliminary Concerns by Subject Councillor - Confidential
5. Preliminary Concerns addressed by Ray Burton - Confidential
6. Statement by Subject Councillor - Confidential
7. Supplementary Report from Ray Burton Consulting - Confidential

Executive Summary

The Office of the Independent Assessor (OIA) has referred a complaint against Councillor Derek Swanborough back to Council to investigate, advising of its reasonable suspicion, pursuant to section 150W(b) of the *Local Government Act 2009*, that the complaint, if proven, involves inappropriate conduct.

Council formed a panel comprising the CEO and two Councillors to review the matter and report back to Council. The panel engaged Ray Burton Consulting to review the complaint and provide a report to the panel. The review has been completed, and Council must now determine if the Councillor has engaged in inappropriate conduct.

Recommendation

That, for inappropriate conduct matter C-22-00336, Council determine if Councillor Swanborough has engaged in inappropriate conduct and if so, the order or orders to be made.

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 22 November 2022, Council resolved:

"That the Chief Executive Officer, Cr Enright and Cr McConnell form a panel and bring a report back to Council in a timely manner."

Report / Background

On 13 June 2022, Council received a referral notice from the OIA regarding an allegation of inappropriate conduct against Councillor Derek Swanborough. The referral notice recommended that Council conduct an investigation into the inappropriate conduct in accordance with Council's Investigation Policy. The background and circumstances of the allegation of inappropriate conduct that resulted in a referral to Council are as follows.

On 24 May 2021, the OIA received a complaint about the conduct of Councillor Derek Swanborough. The complaint alleged that the Councillor lodged a Right to Information (RTI) application to obtain a confidential council report relating to a Memorandum of Understanding agreement discussed at a closed session of an Ordinary Meeting held on 17 August 2020. It was considered that the lodgement of an RTI application in those circumstances amounted to misconduct under section 150L(1)(b)(ii) of the *Local Government Act 2009*.

On 4 January 2021, Councillor Swanborough lodged an RTI application regarding the information contained within the confidential Council report. The application was made in the Councillor's capacity as a private citizen, however, he intended to release the information publicly.

On 5 April 2021, the documents were released to Councillor Swanborough. He was advised by the Chief Executive Officer (CEO) that information accessed (as a private citizen) had previously been provided to him as a Councillor on a confidential basis. The CEO warned the Councillor any action taken by him as a Councillor to release information contained in a confidential report may contravene his obligations under section 171(3) of the *Local Government Act 2009*. The Councillor was further advised to seek legal advice before publishing the documents. The Councillor responded that he had already received the advice he needed.

On 22 April 2021, Councillor Swanborough's regular column was published in the Scenic News. In this column, he made the following statement about the confidential report released under the RTI process.

"Of interest is the fact that Council was in discussion with the Botanic Gardens over a longish period, prior to the committee's AGM, preferring that the name be changed to "Scenic Rim Botanic Gardens on Tamborine Mountain. Please contact me if you want a copy."

The pages from the RTI documentation were subsequently published on community Facebook pages 'Beauy Whispers' and 'Tamborine Mt Residents Action Group.'

The OIA conducted an investigation into the allegations and determined that the alleged conduct was not misconduct. The OIA reasonably suspected that the conduct amounted to inappropriate conduct.

Council Investigation into Inappropriate Conduct

The OIA has recommended that Council investigate the inappropriate conduct allegations in accordance with Council's Investigation Policy. Section 150AF of the *Local Government Act 2009* requires Council to investigate inappropriate conduct in a way that is consistent with any recommendation of the OIA and Council's Investigation Policy or in another way that the Council decides to by resolution.

A Councillor requested the matter be brought to an Ordinary Meeting to determine how to deal with the allegation.

At the Ordinary Meeting held on 22 November 2022, Council decided to form a panel comprising of the CEO, Cr Enright and Cr McConnell and for the panel to report back to Council on the matter. The panel later met and engaged Ray Burton Consulting to review the OIA findings and recommendations and provide a report back to the panel.

On 29 December 2022, Ray Burton, from Ray Burton Consulting provided a report to the designated panel for their consideration. Councillor Swanborough was also provided with a copy of the report and given an opportunity to provide a written response to the report and findings.

The executive summary from the report has been reproduced below:

Investigative Summary - Ray Burton Consulting Report

"In undertaking this investigation, the following documents have been reviewed: the Local Government Act 2009, the Right to Information Act 2009; the Human Rights Act 2019, the Local Government Regulation 2012, the Code of Conduct for Councillors (the Code), Council's Investigation Policy, Council's Management of Confidential Information of Council by Councillors Policy, Council's Meeting Procedure, and the Referral Notice and supporting documents from the OIA. The responses from the interview with Councillor Swanborough have also been considered along with several documents submitted by Councillor Swanborough.

The complaint to the OIA on 24 May 2021 by the then Council CEO provided substantial evidence in support of the allegation that Councillor Swanborough had publicly released information known to be confidential and that it was therefore suspected that Councillor Swanborough may have contravened section 171(3) of the Act which is defined as misconduct under Section 150L of the Act.

Following an initial assessment the OIA advised Councillor Swanborough on 15 June 2021 that the conduct may be misconduct and that further inquiries were to be conducted.

On 17 May 2022 the OIA advised Councillor Swanborough that it had concluded its investigation and that while the OIA is not reasonably satisfied that the conduct is misconduct it is reasonably suspected that the conduct could constitute inappropriate conduct. The OIA provided no additional comments on why it was not reasonably satisfied the conduct was misconduct.

In its letter to Councillor Swanborough on 13 June 2022 the OIA outlined that it reasonably suspected the conduct could constitute inappropriate conduct on either of the following foundations:

- 1. The conduct breached Council's Management of Confidential Information of Council by Councillors Policy; or*
- 2. The conduct breached a resolution of Council (the resolution to move into closed session in relation to item 13.1 of the Ordinary Meeting held 17 August 2020).*

The Investigator considers the conduct of Councillor Swanborough in this matter has breached both the above mentioned Policy and the abovementioned Council resolution and in doing so the Councillor has failed to comply with a behavioural standard outlined in the Code of Conduct for Councillors in Queensland namely to Respect and comply with all policies, procedures and resolutions of Council, which is defined as inappropriate conduct under Section 150K(1) of the Act.

The Code of Conduct for Councillors also requires the conduct of Councillors to not reflect adversely on the reputation of Council and for Councillors to respect the democratic process and maintain and strengthen the public's trust and confidence in the integrity of Council. The Investigator considers these requirements of the Code have also been breached by Councillor Swanborough.

Based on the findings of this investigation the following recommendations are submitted to the Panel for its consideration."

Recommendations - Ray Burton Consulting Report

1. That the Panel note receipt of this Councillor Complaint Investigation Report.
2. That the Panel note the findings of this report that Councillor Derek Swanborough has engaged in inappropriate conduct as defined under Section 150K(1) of the Local Government Act 2009 through his actions in publicly releasing information related to the Mount Tamborine Botanical Gardens such information being known by him to be confidential to the Council such actions being a breach of Council's Management of Confidential Information of Council by Councillors Policy and a breach of Council Resolution of 17 August 2020 Ordinary Meeting requiring Council move into closed session thereby effectively declaring information considered during that closed session to be confidential information.
3. That pursuant to Section 150AH(1)(b) of the *Local Government Act 2009* the Panel recommend to Council it makes the following Orders:
 - a) an order that Councillor Swanborough make a public admission at the next Ordinary Meeting that he has engaged in inappropriate conduct;
 - b) an order reprimanding Councillor Swanborough for the conduct;
 - c) an order that Councillor Swanborough attend training or counselling to address his conduct at the Councillor's own expense;
 - d) an order that if Councillor Swanborough engages in the same type of conduct again, it will be treated as misconduct;
 - e) an order that Councillor Swanborough reimburse the Council for all or some of the costs arising from the Councillor's inappropriate conduct (sum to be determined by Council).
4. That the Panel note the investigation costs paid to Ray Burton Consulting to the amount of \$4,400 excl. GST.
5. That pursuant to Council's Investigation Policy the Panel note the following requirements:
 - a) The Panel to provide a report to Council outlining the investigation process, the investigation findings, the Panel recommendations and the investigation costs (Section 11);
 - b) Councillor Swanborough be provided a copy of the Panel report to Council and be provided the opportunity to put his case in writing such response to be included with the Panel's investigation report to the Council as part of the meeting agenda (Section 3).

A meeting was convened on 3 January 2023 for the Panel to review the initial report from Ray Burton Consulting, additionally, the report was also provided to the Subject Councillor (Councillor Swanborough) in line with Council's Investigation Policy to allow the opportunity to put their case in writing to be included in with the investigation report. Feedback was received around certain aspects of the report and these were provided to the investigator for review and commentary.

A second meeting was convened on 11 January 2023 for the Panel to further review the Subject Councillor's feedback and subsequent responses by the investigator. The Panel considered all aspects pertaining to the matter at hand and in conclusion formed an opinion consistent with that of the Investigator's recommendations.

Following the submission of an additional statement from Councillor Swanborough (which was provided to the investigator for response), a third meeting was convened for the Panel to consider the relevant information contained in both the statement and the response. The Panel subsequently considered the material before maintaining a similar view in support of the findings and recommendations of the investigator as contained in their report.

Full Report - Ray Burton Consulting

The full investigation and supplementary reports from Ray Burton Consulting, along with associated material submitted by the subject Councillor are attached as confidential documents.

Budget / Financial Implications

Council has incurred a cost of \$4,400 in engaging a consultant to assist with this matter.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

Legal / Statutory Implications

Section 171(3) of the *Local Government Act 2009* places an obligation on Councillors to not release information that the Councillor knows or should reasonably know is information that is confidential to the local government. Council's Management of Confidential Information of Council by Councillors Policy Sets the framework and guidance for Councillors in order to comply with section 171(3) of the *Local Government Act 2009*. The policy explains various categories of confidential information to assist a Councillor in deciding if a particular document is confidential.

Category 2 confidential information relates to information connected to Ordinary Meetings of Council. The policy provides examples of confidential information and includes reports and discussions held in a closed session of Council meetings. The policy specifically states that the information is confidential "*Regardless of how the information is received by a Councillor or comes to the attention of a Councillor*".

Local Government Act 2009 and Council's Investigation Policy must be followed when determining inappropriate conduct matters.

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 Failure to comply with regulatory obligations	3 Moderate	Almost certain	High	Governance to provide appropriate advice to ensure decisions are made in accordance with the Local Government Act 2009 and the Investigation Policy.	Low
Reputation, Community & Civic Leadership Perception of failing to adequately deal with Councillor conduct issues.	3 Moderate	Almost certain	High	Governance to provide appropriate advice to ensure decisions are made in accordance with the Local Government Act 2009 and the Investigation Policy.	Low

Consultation

Office of the Independent Assessor
Ray Burton Consulting

Conclusion


Council must determine if Councillor Swanborough has engaged in inappropriate conduct and if so, the order or orders to be imposed. The decision must be in accordance with the *Local Government Act 2009* and Council's Investigation Policy.

10.18 Resolution from the Ordinary Meeting held on 8 November 2022 - Request for Ministerial review of suspected conflicts of interest raised re Item 10.1 (Inappropriate Conduct Matters - C/20/00919 and C/20/00870)

Executive Officer: General Manager Council Sustainability

Item Author: Principal Specialist Governance and Assurance

Attachments:

1. Department of State Development, Infrastructure, Local Government and Planning letter dated 5 December 2022 [↓](#) 

Executive Summary

Several suspicions of declarable conflicts of interest (DCOI) were raised by the Mayor during the Ordinary Meeting held on 8 November 2022. Council passed a resolution requesting the Minister for State Development, Infrastructure, Local Government and Planning review the conflicts of interest that were raised.

The Department of State Development, Infrastructure, Local Government and Planning (the Department) has since provided a signed response by the acting Deputy-General from the Department relating to the query on the raising of those suspected DCOI.

Recommendation

That Council acknowledge the advice on suspected declarable conflicts of interest dated 5 December 2022, provided by the Department of State Development, Infrastructure, Local Government and Planning.

Previous Council Considerations / Resolutions

Ordinary Meeting held on 8 November 2022 - Council resolutions:

A Notice of Motion by Councillor McConnell (item 10.1) to repeal the order for Councillor Swanborough to reimburse Council for investigation costs did not proceed due to a loss of quorum. The matter was then dealt with by the following resolution:

"That under s.150EU(2)(c) Council decide not to decide the matter and take no further action in relation to Item 10.1 in today's Agenda."

The following resolution was later made by Council:

"Under Section 27 of the Standing Orders, that the Acting Chief Executive Officer write to the Minister and request a review of the suspected conflicts of interest raised in relation to Item 10.1 of today's Agenda and a report be brought back to Council."

Ordinary Meeting held on 11 October 2022 - Council resolution:

The following resolution was made by Council regarding inappropriate conduct matters (C/20/00919 and C/20/00870):

"That:

- 1. In accordance with the Local Government Act 2009, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and*
- 2. In accordance with the Local Government Act 2009, section 150AH, the following orders are imposed:*
 - a) That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;*
 - b) That such an admission must include, but not limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately, causing harm to third parties;*
 - c) That a reprimand be recorded against the councillor for the conduct;*
 - d) That if the councillor engages in the same type of conduct again it will be treated as misconduct; and*
 - e) That Councillor Swanborough reimburse the local government for 30% of the costs of the investigation arising from this councillor's inappropriate conduct."*

Report / Background

At the Ordinary Meeting held on 11 October 2022, Councillor Swanborough was found to have engaged in inappropriate conduct for two matters (C/20/00919 and C/20/00870), and orders were issued that included the subject Councillor reimburse Council for a percentage of the investigation costs.

Subsequent to that decision, Councillor McConnell notified the Acting Chief Executive Officer (ACEO) of a proposed motion regarding those matters, which was to be tabled at the Ordinary Meeting held on 8 November 2022. The proposed motion was to repeal the part of the inappropriate conduct orders in particular the one requiring the reimbursement of investigation costs to Council.

During the meeting, suspicions of declarable conflicts of interest were raised by the Mayor on all Councillors. This resulted in a situation where there were no unaffected Councillors available to determine the conflicts of interest that had been raised and no quorum to determine Councillor McConnell's notice of motion. Council then resolved to take no further action on the notice of motion pursuant to section 150EU(2)(c) of the *Local Government Act 2009*.

Council later passed a resolution requesting a review by the Minister (of the Department of State Development, Infrastructure, Local Government and Planning) on the suspected declarable conflicts of interests that were raised and have the advice reported back to Council.

On 5 December 2022, the acting Deputy Director-General responded in a letter to the Council on behalf of the Minister. The letter, which contains advice on conflicts of interest, is attached to this report.

Budget / Financial Implications

Not applicable.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

Legal / Statutory Implications

Councillors have an obligation under the *Local Government Act 2009* to appropriately manage conflicts of interest.

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 Regulatory breaches causing investigation and action by regulatory authority.	3 Moderate	Possible	High	Ensure relevant Councillor inductions, training programs and continued awareness of their requirements to properly decide inappropriate conduct matters.	Low

Consultation

Department of State Development, Infrastructure, Local Government and Planning

Conclusion

Advice has been received from the Department of State Development, Infrastructure, Local Government and Planning on the raising of suspected declarable conflicts of interest during the Ordinary Meeting held on 8 November 2022.



Department of
State Development, Infrastructure,
Local Government and Planning

Our ref: MC22/4909

Your ref: 11944005

5 December 2022

Mr David Keenan
Chief Executive Officer
Scenic Rim Regional Council
ceo@scenicrim.qld.gov.au

Dear Mr Keenan

Thank you for your letter of 15 November 2022 to the Honourable Steven Miles MP, Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympics Infrastructure from the former Acting Chief Executive Officer (CEO) of Scenic Rim Regional Council (the council), Ms Caroline McMahon, seeking advice about declarable conflicts of interest (DCOI) raised by the Mayor, Councillor Greg Christensen, at the council's meeting of 8 November 2022. The Deputy Premier has asked me to respond on his behalf on this occasion.

Ms McMahon advised that following the raising of DCOIs by Councillor Christensen, a motion was carried by the council requesting the Acting CEO write to the Deputy Premier requesting a review of the suspected DCOIs. It is noted that Councillor Christensen has raised the suspected DCOIs in relation to all councillors, which has resulted in the council being unable to make its own decision about whether each councillor could take part in the deciding the motion before council. The basis for the suspected DCOIs was that:

"a reasonable person may consider it is not possible for the councillor to properly and fairly consider the matter as a result exposure to the influence of the strident and misleading public comments by the councillor who was the subject of the original resolution, and the equally strident, misleading and intimidating campaign orchestrated across multiple formats by a handful of his supporters, which all councillors have been subjected to. A reasonable person might conclude this has created a strongly tainted decision environment. I believe a reasonable person might therefore conclude that it is not possible for councillor Chalk to properly and objectively consider this matter in the public interest."

It is the Department of State Development, Infrastructure, Local Government and Planning's (the department) view that the suspected DCOIs raised by Councillor Christensen are not DCOIs.

Section 150EN of the *Local Government Act 2009* (the Act) sets out what is a DCOI. It provides that, subject to section 150EO, a councillor has a DCOI in a matter if—

- (a) the councillor has, or could reasonably be presumed to have, a conflict between the councillor's personal interests, or the personal interests of a related party of the councillor, and the public interest
- (b) because of the conflict, the councillor's participation in a decision about the matter might lead to a decision that is contrary to the public interest.

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There will be many occasions where councillors must make decisions about matters which are the subject of strong public comment and debate in the community. This of itself does not give rise to a personal interest in a matter and nor does it of itself lead to the conclusion that a councillor's participation in a decision might lead to a decision that is contrary to the public interest. In fact, it is an essential part of making a decision in the public interest that councillors listen to all the differing views of their community members. Therefore, the department is of the view these suspected DCOIs raised by Councillor Christensen at the meeting of 8 November are not DCOIs.

Councillor Christensen's reasoning, in part, also relates to a view that Councillor Swanborough has made public comments, of which each councillor is aware, that may have influenced the councillors in their decision. While Councillor Christensen's comments may contain an allegation that Councillor Swanborough breached the act (section 150EZ of the Act) by attempting to influence the councillors, the department does not consider that the alleged influence has resulted in each councillor having a personal interest in the matter that would conflict with the public interest.

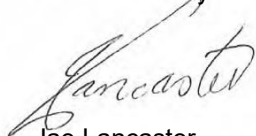
If Councillor Christensen does believe Councillor Swanborough's alleged actions amount to influencing the other councillors, Councillor Christensen is under an obligation to report these concerns to the Office of the Independent Assessor.

As you are aware Mr Mike Kaiser, Director-General, of the department, has recently given approved, in principle, to the appointment of an Advisor to the council under the act, to help the council build its capacity in the area of understanding and managing conflicts of interest.

I would encourage all councillors and the council's administrative team to work closely with the Advisor once appointed, to improve understanding of, and processes for managing conflicts of interest so the focus of council can return to the service of its community.

I have asked for Ms Rebecca McAnalen, Principal Region Advisor, Southern, Local Government Division in the department to assist you with any further queries. You may wish to contact Ms McAnalen on [REDACTED] or by email at [REDACTED]

Yours sincerely



Jae Lancaster

**Acting Deputy Director-General
Local Government Division**

10.19 Notice of Motion by Cr McConnell re Item 11.2, Ordinary Meeting held on 11 October 2022 - Inappropriate Conduct Matter - C/20/00919 and C/20/00870 [Closed s.254J(3)(f)]

Executive Officer: General Manager Council Sustainability

Item Author: Principal Specialist Governance and Assurance

Attachments: Nil

Executive Summary

The Chief Executive Officer received confirmation around a written Notice of Motion from Cr Jeff McConnell, advising of his intention to re-propose a motion in relation to the resolution of Council in Item 11.2 of the Ordinary Meeting held on 11 October 2022, "Inappropriate Conduct Matter - C/20/00919 and C/20/00870 [Closed s.254J(3)(f)]".

Recommendation

That Council consider Cr McConnell's Notice of Motion in relation to the resolution of Council in Item 11.2 of the Ordinary Meeting held on 11 October 2022, "Inappropriate Conduct Matter - C/20/00919 and C/20/00870 [Closed s.254J(3)(f)]".

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 8 November 2022 (Item 10.1), a Notice of Motion by Councillor McConnell (Item 10.1) to repeal the order of Councillor Swanborough to reimburse Council for investigation costs, did not proceed due to a loss of quorum. The matter was then dealt with by the following resolution:

That under s.150EU(2)(c) Council decide not to decide the matter and take no further action in relation to Item 10.1 in today's Agenda.

At the Ordinary Meeting held on 25 October 2022 (Item 10.13), Council resolved:

That:

- 1. Council acknowledge that in line with paragraph 2(e) of the resolution in Item 11.2 from the Minutes of the Ordinary Meeting held on 11 October 2022, the total investigation costs arising from Councillor Swanborough's inappropriate conduct matter (C/20/00919) is \$6,488.01, with the order for reimbursements (being 30% of the costs of the investigation) amounting to \$1,946.40; and*
- 2. In accordance with clause 22.6.3 of the Scenic Rim Regional Council Standing Orders Procedure CM03.01PR.01, confidentiality be maintained in relation to the attachment to this report and the attachment not be released to the public.*

At the Ordinary Meeting held on 11 October 2022 (Item 11.2), Council resolved:

"That:

- 1. In accordance with the Local Government Act 2009, section 150AG, Council finds that Councillor Swanborough has engaged in inappropriate conduct; and*

2. *In accordance with the Local Government Act 2009, section 150AH, the following orders are imposed:*
- a) *That the Councillor makes a public admission that the Councillor has engaged in inappropriate conduct;*
 - b) *That such an admission must include, but not limited to, a statement that is to be read at the next available Ordinary Meeting acknowledging that the Councillor behaved inappropriately, causing harm to third parties;*
 - c) *That a reprimand be recorded against the councillor for the conduct;*
 - d) *That if the councillor engages in the same type of conduct again it will be treated as misconduct; and*
 - e) *That Councillor Swanborough reimburse the local government for 30% of the costs of the investigation arising from this councillor's inappropriate conduct."*

Report / Background

Cr Jeff McConnell has given written confirmation to the Chief Executive Officer of his intention to re-propose the following motion:

"That the following order, itemised as 2e) of the resolution adopted under Item 11.2 at the Ordinary Meeting held on 11 October 2022, be repealed:

'That Councillor Swanborough reimburse the local government for 30% of the costs of the investigation arising from this councillor's inappropriate conduct.'"

Budget / Financial Implications

Not applicable.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

Legal / Statutory Implications

Inappropriate conduct matters and decisions to repeal or amend resolutions of Council must be determined in accordance with the obligations under the *Local Government Act 2009*.

In accordance with s.262 of the *Local Government Regulation 2012*, the appropriate notice has been given to all Councillors:

"262 Repeal or amendment of resolutions

A resolution of a local government may be repealed or amended only if notice of intention to propose the repeal or amendment is given to each councillor at least 5 days before the meeting at which the proposal is to be made."

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 Lack of open and transparent communication.	3 Moderate	Likely	High	Due consideration of requests from Elected Members relating to the proposal of motions at Ordinary Meetings.	Low
Governance, Risk & Compliance Failing to make decisions in accordance with legislative requirements.	4 Major	Likely	High	Ensuring Council decisions are made in accordance with the Local Government Act 2009.	Low

Consultation

Mayor and Councillors
Principal Specialist Governance and Assurance

Conclusion

The Chief Executive Officer recommends that Council give consideration to Cr Jeff McConnell's motion.

10.20 Notice of Motion by Cr McConnell re Item 9.1, Ordinary Meeting held on 20 September 2022 - amended by Council resolution at the Ordinary Meeting held on 8 November 2022

Executive Officer: General Manager Council Sustainability

Item Author: Principal Specialist Governance and Assurance

Attachments: Nil

Executive Summary

The Chief Executive Officer has received a written Notice of Motion from Cr Jeff McConnell, advising of his intention to propose a motion in relation to the resolution of Council in Item 9.1 at the Ordinary Meeting held on 8 November 2022, *"Item 10.1, Ordinary Meeting Minutes, 7 June 2022 - amended by Council resolution at the Ordinary Meeting held on 20 September 2022"*.

Recommendation

That Council consider Cr McConnell's Notice of Motion in relation to the resolution of Council in Item 9.1 of the Ordinary Meeting held on 8 November 2022, *"Item 10.1, Ordinary Meeting Minutes, 7 June 2022 - amended by Council resolution at the Ordinary Meeting held on 20 September 2022"*.

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 8 November 2022 (Item 9.1), Council resolved:

That the following resolution, adopted under Item 10.1 at the Ordinary Meeting held on 7 June 2022 and amended by Council resolution at the Ordinary Meeting held on 20 September 2022:

- "1. That Council, in the interest of enhanced public transparency, commit to the transition of its present two weekly meeting system, comprising one Ordinary Meeting per fortnight and one Confidential Briefing over two days, per fortnight, to a committee system to include a Planning and Development Committee and other committees as decided.*
- 2. Confidential Workshops be retained but limited to the formulation of Strategy and Policy and other matters defined as confidential under the Local Government Regulations.*
- 3. That a new meeting system implementation workshop group, comprising all Councillors, be established, to be chaired by the Deputy Mayor, the purpose of which is to determine the identity and scope of proposed Committees.*
- 4. That, following the provision of adequate information by the workshop group Chair to the Chief Executive Officer, the Chief Executive Officer be requested to commence consultation with the Executive and the implementation workshop group to develop Terms of Reference for each of the proposed new Committees, for presentation to Council for consideration of a formal resolution on or before 8 November 2022.*

5. *That the Chief Executive Officer, following the Council's adoption of the Committee Terms of Reference documents, consult with the Executive to develop a workable and agreed transition plan for presentation to Council that includes a timeline for delivery of:*
 - *updated Policy or Policies, as relevant, and related Procedures;*
 - *meeting cycle;*
 - *resourcing requirements to support the new structure of meetings; and*
 - *any other considerations deemed necessary by the Chief Executive Officer;**for consideration of a formal resolution on or before the 6 December 2022.*
6. *That the transition plan identifies a targeted implementation date for the new committee system of meetings that is as soon as practical following 1 January 2023."*

be amended to:

- "1. *That Council, in the interest of enhanced public transparency, commit to the transition of its present two weekly meeting system, comprising one Ordinary Meeting per fortnight and one Confidential Briefing over two days, per fortnight, to a committee system to include a Planning and Development Committee and other committees as decided.*
2. *Confidential Workshops be retained but limited to the formulation of Strategy and Policy and other matters defined as confidential under the Local Government Regulations.*
3. *That a new meeting system implementation workshop group, comprising all Councillors, be established, to be chaired by the Deputy Mayor, the purpose of which is to determine the identity and scope of proposed Committees.*
4. *That, following the provision of adequate information by the workshop group Chair to the Chief Executive Officer, the Chief Executive Officer be requested to commence consultation with the Executive and the implementation workshop group to develop Terms of Reference for each of the proposed new Committees, for presentation to Council for consideration of a formal resolution on or before 22 November 2022.*
5. *That the Chief Executive Officer, following the Council's adoption of the Committee Terms of Reference documents, consult with the Executive to develop a workable and agreed transition plan for presentation to Council that includes a timeline for delivery of:*
 - *updated Policy or Policies, as relevant, and related Procedures;*
 - *meeting cycle;*
 - *resourcing requirements to support the new structure of meetings; and*
 - *any other considerations deemed necessary by the Chief Executive Officer;**for consideration of a formal resolution on or before the first meeting of Council in February 2023.*
6. *That the transition plan identifies a targeted implementation date for the new committee system of meetings that is as soon as practical following 1 June 2023."*

At the Ordinary Meeting held on 20 September 2022 (Item 9.1), Council resolved:

That the following amendments be made to the resolution in Item 10.1 in the Ordinary Meeting Minutes, 7 June 2022:

1. *That Council, in the interest of enhanced public transparency, commit to the transition of its present two weekly meeting system, comprising one Ordinary Meeting per fortnight and one Confidential Briefing over two days, per fortnight, to a meeting committee system to include a Planning and Development Committee and other committees as decided.*
2. *Confidential Workshops be retained but limited to the formulation of Strategy and Policy and other matters defined as confidential under the Local Government Regulations.*
- ~~3. *That a new meeting system implementation workshop group be established to be chaired by the Deputy Mayor.*~~
- ~~4. *That the Chief Executive Officer be requested to immediately commence consultation with the Executive and Councillors participating in the implementation workshop group, to deliver a workable and agreed transition plan including all policy, procedures, changes to delegations and meeting schedules for presentation to Council for consideration of a formal resolution before 4 October 2022.*~~
- ~~5. *That the new meeting system as resolved commence at the first meeting cycle in January 2023.*~~
3. *That a new meeting system implementation workshop group, comprising all Councillors, be established, to be chaired by the Deputy Mayor, the purpose of which is to determine the identity and scope of proposed Committees.*
4. *That, following the provision of adequate information by the workshop group Chair to the Chief Executive Officer, the Chief Executive Officer be requested to commence consultation with the Executive and the implementation workshop group to develop Terms of Reference for each of the proposed new Committees, for presentation to Council for consideration of a formal resolution on or before 8 November 2022.*
5. *That the Chief Executive Officer, following the Council's adoption of the Committee Terms of Reference documents, consult with the Executive to develop a workable and agreed transition plan for presentation to Council that includes a timeline for delivery of:*
 - updated Policy or Policies, as relevant, and related Procedures;*
 - meeting cycle;*
 - resourcing requirements to support the new structure of meetings; and*
 - any other considerations deemed necessary by the Chief Executive Officer;**for consideration of a formal resolution on or before 6 December 2022.*
6. *That the transition plan identifies a targeted implementation date for the new committee system of meetings that is as soon as practical following 1 January 2023.*

At the Ordinary Meeting held on 7 June 2022 (Item 10.1), Council resolved:

"That:

- 1. That Council, in the interest of enhanced public transparency, commit to the transition of its present two weekly meeting system, comprising one Ordinary Meeting per fortnight and one Confidential Briefing over two days, per fortnight, to a ~~committee~~ meeting system to include a Planning and Development Committee and other committees as decided.*
- 2. Confidential Workshops be retained but limited to the formulation of Strategy and Policy and other matters defined as confidential under the Local Government Regulations.*
- 3. That a new meeting system implementation workshop group be established to be chaired by the Deputy Mayor.*
- 4. That the Chief Executive Officer be requested to immediately commence consultation with the Executive and Councillors participating in the implementation workshop group, to deliver a workable and agreed transition plan including all policy, procedures, changes to delegations and meeting schedules for presentation to Council for consideration of a formal resolution before 4 October 2022.*
- 5. That the new meeting system as resolved commence at the first meeting cycle in January 2023."*

Report / Background

Cr Jeff McConnell has given written notice to the Chief Executive Officer of his intention to propose the following motion:

"That the current matter, in relation to the transition to revised meeting and committee schedule, be placed on hold until such time the Chief Executive Officer (in consultation with the Governance Advisor) provides an updated report to Council on potential meeting and committees options."

Budget / Financial Implications

Not applicable.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

Key Area of Focus: Ongoing integrity of Council's practice and processes

Legal / Statutory Implications

Inappropriate conduct matters and decisions to repeal or amend resolutions of Council must be determined in accordance with the obligations under the *Local Government Act 2009*.

In accordance with s.262 of the *Local Government Regulation 2012*, the appropriate notice has been given to all Councillors:

"262 Repeal or amendment of resolutions

A resolution of a local government may be repealed or amended only if notice of intention to propose the repeal or amendment is given to each councillor at least 5 days before the meeting at which the proposal is to be made."

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 Lack of open and transparent communication.	3 Moderate	Likely	High	Due consideration of requests from Elected Members relating to the proposal of motions at Ordinary Meetings.	Low
Governance, Risk & Compliance Failing to make decisions in accordance with legislative requirements.	4 Major	Likely	High	Ensuring Council decisions are made in accordance with the Local Government Act 2009.	Low

Consultation

Mayor and Councillors
Principal Specialist Governance and Assurance

Conclusion

The Chief Executive Officer recommends that Council give consideration to Cr Jeff McConnell's motion.

11 Confidential Matters**11.1 Scenic Rim Eat Local Week 2022 outcomes and Event Evaluation and Future Direction [Closed s.254J(3)(g)]**

Executive Officer: General Manager Customer and Regional Prosperity

Item Author: Manager Regional Prosperity and Communications

This report is **CONFIDENTIAL** in accordance with Section 254J(3)(g) of the *Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following:

- (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.