



# Agenda

## Ordinary Meeting

**Tuesday, 21 February 2023**

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

# Scenic Rim Regional Council

## Ordinary Meeting

### Tuesday, 21 February 2023

### Agenda

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- 2 Attendance and requests for leave of absence**
- 3 Apologies**
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- 5 Declarations of Prescribed or Declarable Conflict of Interest by Members**
- 6 Announcements / Mayoral Minutes**
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- 8 Confirmation of Minutes**  
Ordinary Meeting - 7 February 2023
- 9 Business Arising from Previous Minutes**

## 10 Consideration of Business of Meeting




### People & Strategy

#### 10.1 Operational Plan 2022-2023 Quarter Two Progress Report

**Executive Officer:** General Manager People and Strategy

**Item Author:** Corporate Strategy and Performance Officer

**Attachments:**

1. Operational Plan 2022-2023 Quarter Two Report - highlighted with tracked changes (under separate cover) 
2. Operational Plan 2022-2023 Quarter Two Progress Report (under separate cover) 
3. Service Delivery Performance Report 2022-2023 Quarter Two [↓](#) 

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### Executive Summary

The Quarter Two Progress Report against the Operational Plan 2022-2023 is provided, detailing the progress for the first quarter of this financial year in implementing the plan. A summary of Council's service delivery performance is also provided, which provides information about various Council services.

Of the 127 activities in the Operational Plan 2022-2023, as at 31 December 2022, three have been completed, 96 are on track, 25 have been identified as requiring monitoring, and three activities require attention. This means that as at the end of Quarter Two, 78% of activities are completed or on track. For those activities which are not completed or on track, the attached report provides comments about progress. The report also includes information about those activities from the Operational Plan 2021-2022 which were not completed at the end of the last financial year.

### Recommendation

That:

1. Council adopt amendments to the Operational Plan 2022-2023 as contained within the Draft Operational Plan 2022-2023 Quarter Two Progress report;
2. Council endorse the Operational Plan 2022-2023 Quarter Two Progress Report; and
3. Council endorse the Service Delivery Performance Report 2022-2023 Quarter Two.

### Previous Council Considerations / Resolutions

Not applicable.

## Report / Background

The Progress Report has been prepared to summarise progress made towards the achievement of the key deliverables outlined in the annual Operational Plan 2022-2023, as required by section 175 of the *Local Government Regulation 2012*.

The Operational Plan is divided into seven themes which align to both the Community Plan and Council's Corporate Plan, Scenic Rim 2026. Furthermore, Key Performance Indicators (KPIs) or Milestones are nominated, where appropriate, against deliverables to provide a process for measuring Council's performance against the set objectives.

This Operational Plan Progress Report details quarterly targets against KPIs, where appropriate, to facilitate quarterly progress reporting against each of the Deliverable projects. In addition, a summary of the high-level business unit achievements and statistics has been included as an appendix to the report, to provide an overview of the key business-as-usual activities for the quarter.

The following table provides a summary of the status of Operational Plan activities by Corporate Plan theme and by status.

		Completed	On track	Monitor	Requires attention	Cancelled Postponed	Total
	Spectacular Scenery & Healthy Environment		18				18
	Sustainable and Prosperous Economy	1	12	7			20
	Open and Responsive Government	1	10	6			17
	Relaxed Living and Rural Lifestyle		8	4			12
	Vibrant and Active Towns and Villages		10	3			13
	Accessible and Serviced Region	1	26	5	1		33
	Healthy, Engaged and Resourceful Communities		12		2		14
		3	96	25	3	0	127

## Amendments to Operational Plan

A number of minor changes from the content of the adopted Operational Plan 2022-2023 have been made to clarify or improve the quality of reporting or to reflect changes to deadlines. These amendments are highlighted in yellow in Attachment 1.

Attachment 2 is the 'unmarked' version of the report, inclusive of proposed amendments.

### Service Delivery Report

Council's Corporate Plan, Scenic Rim 2026, and the Operational Plan 2022-2023 provide an overview of the project-based activities Council is progressing in order to deliver against the specific priorities set out in the Community Plan. Although these actions are a vital part of Council's work, Council also delivers a wide range of services which are essential to the community and also contribute to the Community Plan outcomes. The Service Delivery Report (Attachment 3) highlights key achievements across Council, with key statistics demonstrating the level of demand, volume of work and outcomes achieved. There is also a high level overview of key issues which are expected to be addressed in Quarter Two. This report provides a snapshot of Council's operational performance and services provided to customers.

### **Budget / Financial Implications**

The actions detailed within the 2022-2023 Operational Plan are factored into Council's annual budget. Specific budget details are identified (where applicable) on the Operational Plan report otherwise delivery contained within standard budget (both salary and wages and materials and services).

### **Strategic Implications**

#### *Operational Plan*

Theme: 3. Open and Responsive Government

Key Area of Focus: To be a high-quality customer-focused organisation that provides high-quality customer-focused services

#### *Legal / Statutory Implications*

The Chief Executive Officer is required to provide a quarterly report on the Operational Plan to a local government meeting under section 174(3) of the *Local Government Regulation 2012*.

### **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.
- SR52 Ineffective and/or unrealistic strategic plans which are not appropriately scoped or resourced, resulting in missed opportunities, re-work, failure to deliver objectives and loss of confidence by community.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Governance, Risk & Compliance  Nonfulfillment of statutory obligations	3 Moderate	Possible	Medium	Integration of planning processes. Regular monitoring of strategic planning documents. Given high priority by Executive Leadership Team.	Low
Reputation, Community & Civic Leadership  Negative perception from community by failing to meet statutory obligations and corporate objectives	3 Moderate	Possible	Medium	Structured reporting framework in place, which is reviewed regularly. Integrated operational and budgetary planning processes. Accurate and succinct reporting.	Low
Financial/Economic  Adverse financial impact on Council due to poor planning and/or delivery	4 Major	Possible	High	Regular review of strategic priorities. Policies and procedures in place. Regular audits and continuous improvement activities. Reports of compliance within legislative timeframes.	Medium

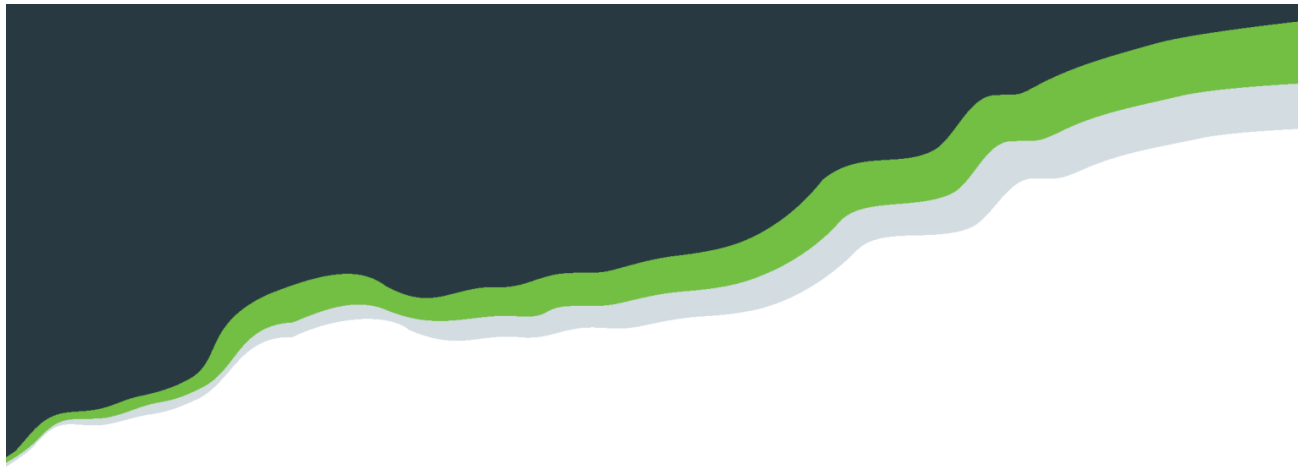
**Consultation**

All General Managers and relevant business unit leads have been consulted during the development of the quarterly progress report. The Chief Executive Officer and General Managers have reviewed the consolidated report.

**Conclusion**

The Quarter Two Report demonstrates the progress made towards implementation of deliverables contained within the Operational Plan 2022-2023 for the period 1 October to 31 December 2022.

The Service Delivery Report provides details about the Council's ongoing service delivery from 1 October to 31 December 2022.



**SCENIC RIM REGIONAL COUNCIL**  
**SERVICE DELIVERY**  
**QUARTER TWO 2022-2023**



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## Introduction

Council's Corporate Plan, *Scenic Rim 2026*, and the *Operational Plan 2022-2023* provide an overview of the project-based activities Council is progressing in order to deliver against some of the specific priorities set out in the Community Plan. Although these actions are a vital part of Council's work, Council also delivers a wide range of services which are essential to the region and which also contribute to the outcomes within the Community Plan.

The purpose of this report is to provide information about the delivery of services during Quarter Two 2022-2023. The report includes key achievements across Council, some key statistics which demonstrate the level of demand, the volume of work undertaken and the outcomes achieved. The report includes some charts which show historical data. The report also provides a high-level overview of issues and priorities which are expected to be addressed in Quarter Three.

The report is not intended to represent every single transaction with Council, but it does provide, in a transparent way, a snapshot of Council's operational performance. Council remains committed to a positive customer experience, as outlined in Council's Customer Charter. Many of the services outlined in the report directly benefit our customers. The Customer Charter sets out our vision, to be proud of the Scenic Rim region and work together for the common good.

The report provides information for Councillors and the community which shows the work which is being undertaken for the region. It seeks to highlight achievements, challenges and opportunities for improvement as well as providing visibility for what is coming up in the next three months.



## Asset and Environmental Sustainability

### Waste and Recycling

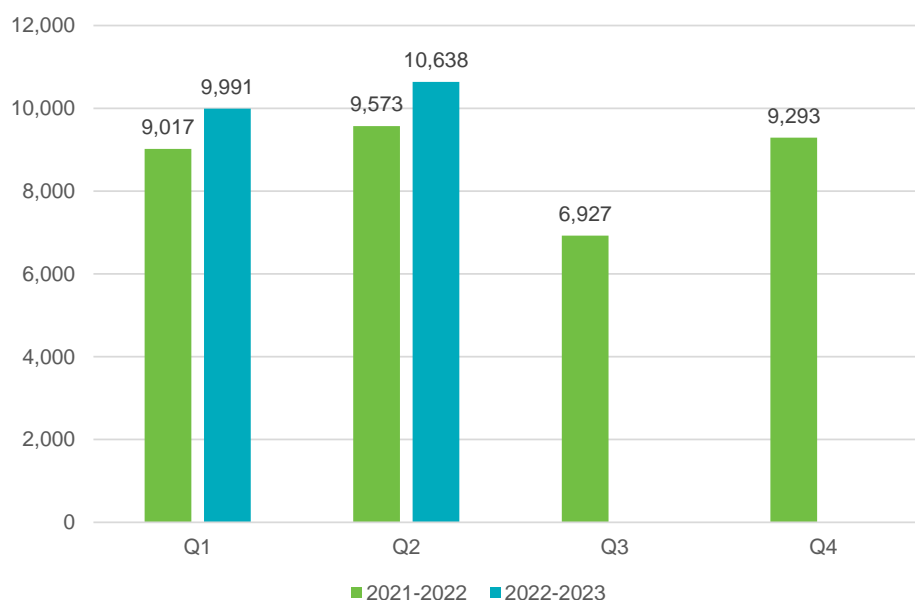
#### Highlights and achievements

- Expanded annual waste characterisation audits were conducted, with inaugural inclusion of waste accepted at facilities.
- The Garage Sale Trail participation was the second highest per capita in Queensland.
- ASPIRE marketplace launched with face to face workshops.
- Disaster waste management workshops conducted to progress plan and road map.

#### Service Statistics

	Q1	Q2
Tonnes of waste disposed to landfill	9,991	10,638
Tonnes of general waste from kerbside collection	2,644	2,698
Tonnes of general waste from transfer stations	1,944	2,015
Tonnes of household recycling recovered	608	634
Tonnes of green waste recovered and mulched	0	2,040
New domestic waste collection services established	82	30
New commercial waste collection services established	1	0
Waste customer requests received	457	349
Waste customer requests resolved	446	349

#### Tonnes of waste to landfill



#### Upcoming activities

- Update Bromelton master plan.
- Complete Waste facilities and services review.
- Progress the Recycled Materials in Roads Project.

## Facilities

### Highlights and achievements

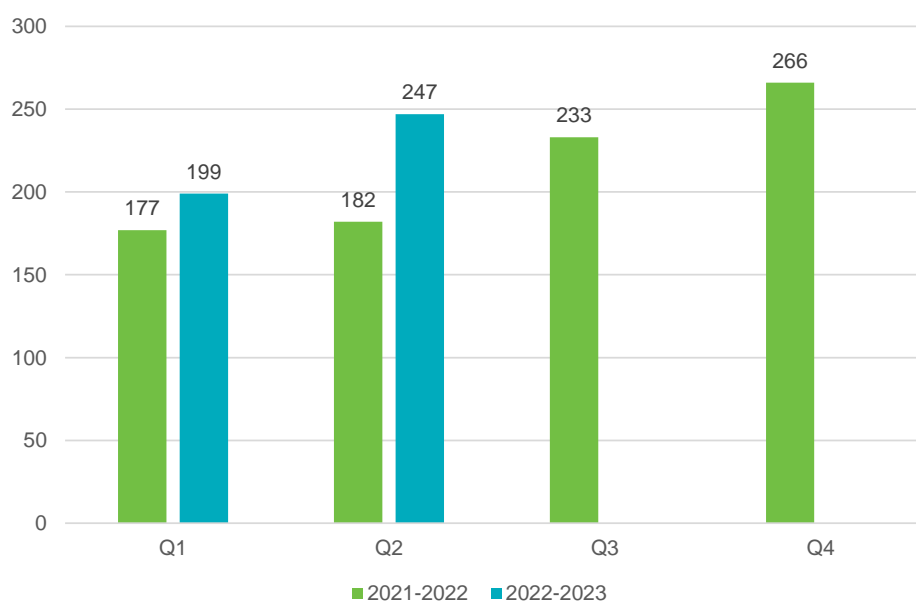
- Opening the new Amenities block and camp kitchen at the Lake Moogerah Campground.
- Opening the new playground at Rathdowney Memorial Grounds.
- Christmas festivities including installation of trees in various locations across the region.

### Service Statistics

	Q1	Q2
Facilities maintenance customer requests received	199	247
<b>SWIMMING POOL ATTENDANCE FIGURES</b>		
Beaudesert	1,414	20,070
Boonah	326	4,091
Canungra	350	7,207
Rathdowney (only open during December / January school holidays)	0	198*
Scenic Rim Aqua Fitness	2,055	3,797
Tamborine Mountain	604	11,079

\* Rathdowney pool open from 10 December 2022.

### Facilities maintenance customer requests received



### Upcoming activities

- Commissioning of water treatment facility at Lake Moogerah Campground.

## Road Maintenance and Corridor Management

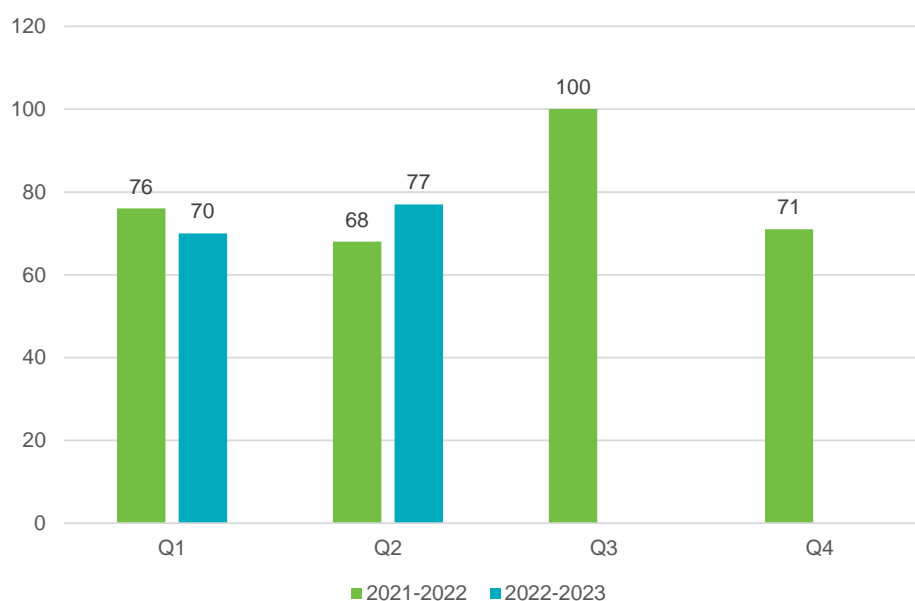
### Highlights and achievements

- Continued delivery of the Reconstruction of Essential Public Assets (REPA) flood recovery program.
- Design has been finalised for the reconstruction of Teviotville Road.

### Service Statistics

	Q1	Q2
Road corridor use applications received	70	77
Road corridor use approvals issued	52	77
Heavy vehicle access applications received	37	43
Heavy vehicle access approvals issued	31	0
Property access requests received	59	58
Property access approvals issued (including initial & final approval)	213	140
Rural road numbering requests received	20	22
Rural road numbering approvals issued	18	29
Road maintenance customer requests received	831	963

### Road corridor use applications received



### Upcoming activities

- Commencement of the reconstruction of Teviotville Road.
- Continued delivery of the Reconstruction of Essential Public Assets (REPA) flood recovery program

## Cemeteries

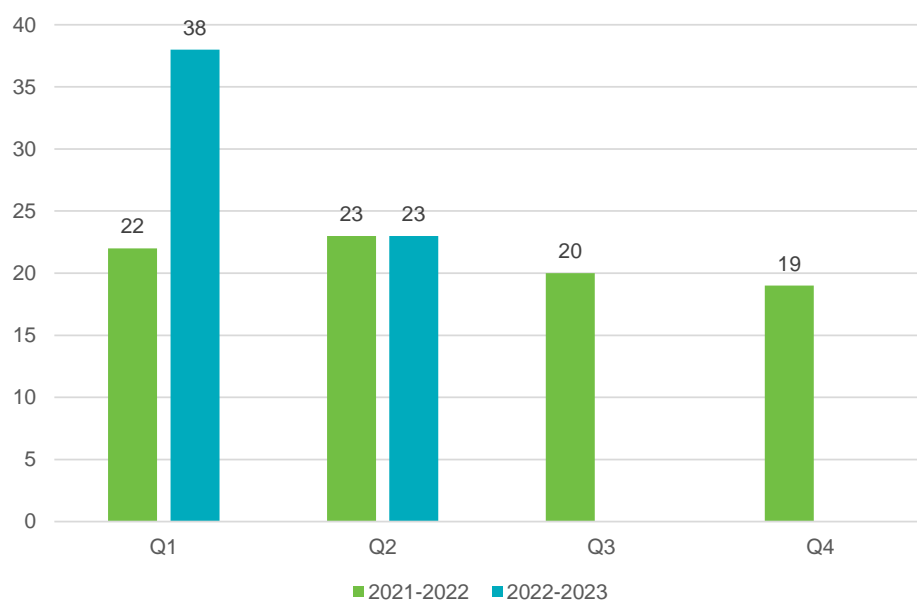
### Highlights and achievements

- Design work has commenced for a new internal road within the Boonah Cemetery.

### Service Statistics

	Q1	Q2
Burials/grave site applications received and processed	38	23
Ash placement applications received and processed	11	6
Applications for reservation received and processed	31	14
Applications for monumental work received and processed	38	21
Plaque placement applications received and processed	5	1

### Burial / grave site applications received and processed



### Upcoming activities

- Development of masterplan for the Beaudesert Cemetery.

## Parks and Landscape Maintenance

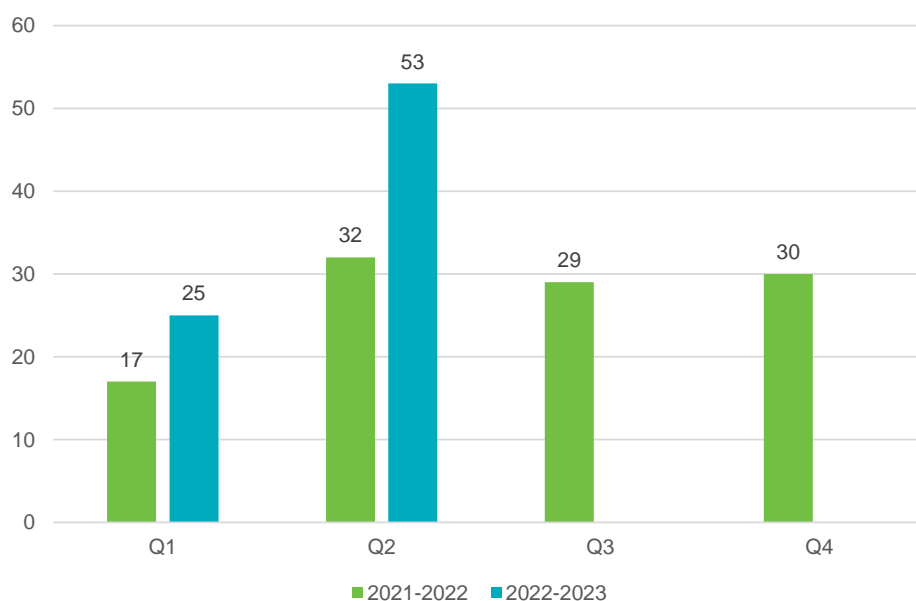
### Highlights and achievements

- Collins Park Rathdowney redevelopment has been completed.
- Three free tree days delivered in Quarter Two:
  - Canungra - D J Smith Park on Saturday 1 October 2022
  - Beaudesert - Nursery Birnam Street on Saturday 5 November 2022
  - Boonah - Springleigh Park on Saturday 3 December 2022

### Service Statistics

	Q1	Q2
Free tree plants distributed	1,937	2,274
Parks and landscape maintenance customer requests actioned	25	53
Park use applications received and processed	10	12
Applications for tree work / removal on Council managed land received	19	13

### Parks and landscape maintenance customer requests actioned



### Upcoming activities

- Two free trees days scheduled for the third quarter:
  - Harrisville - Harrisville Memorial Park on Saturday 4 February 2023
  - Boonah - Springleigh Park on Saturday 4 March 2023

## Fleet Management and Servicing

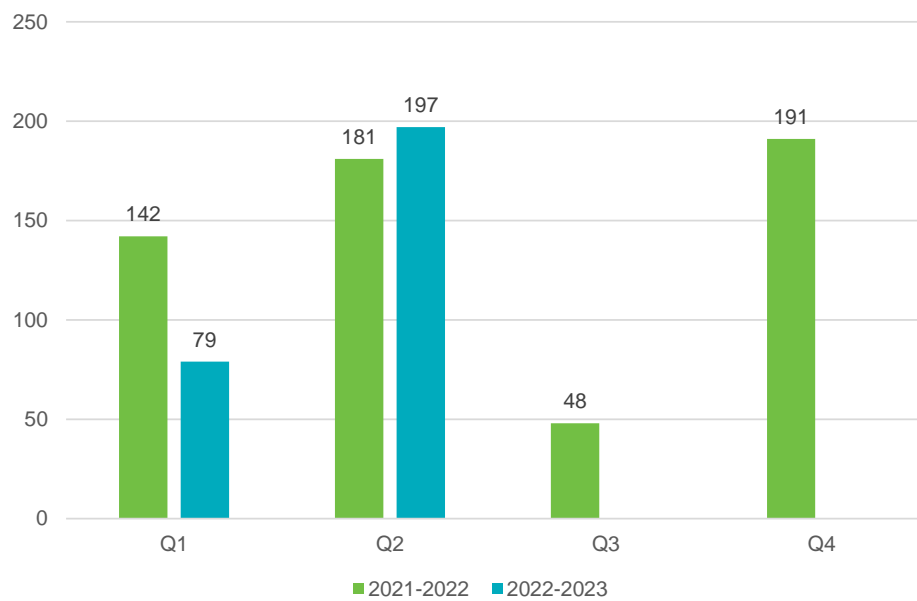
### Highlights and achievements

- Continued installation of the hand brake alarms to Council's truck fleet.
- Continuity of fuel deliveries to onsite fleet during downtime of hired fuel truck with minimal disruptions to operations.
- Completion of mobile library van which included a number of safety initiatives developed by Fleet Management.

### Service Statistics

	Q1	Q2
<b>SERVICES</b>		
Heavy plant	13	43
Trucks	6	22
Light motor vehicles	17	49
Small plant	43	83
<b>FLEET PURCHASES (ORDERED)</b>		
Trucks	1	3
Light Motor Vehicles	-	11
Plant	-	0
Small Plant	-	0
Trailers	-	1
Other	-	1
<b>FLEET DELIVERIES</b>		
Light motor vehicles	3	2
Trucks	-	0
Plant	-	0
Small Plant	-	9
Other	-	2
<b>FLEET DISPOSALS</b>		
Light motor vehicles	4	-
Small plant	1	-

## Fleet services



## Upcoming activities

- Implementation of electronic prestart checks for Council's truck fleet.
- Implementation of an improved risk assessment process for Council's truck and equipment fleet.

## People and Strategy

### Human Resources

#### Highlights and achievements

- At the End of Year Function in December 2022, Council celebrated nominees and annual winners for the Valued Employee Awards.
- At the same event, Council also celebrated retiring employees and long service milestones for employees from 2020 through to 2022.
- Commencement of new Manager Human Resources in November 2022.

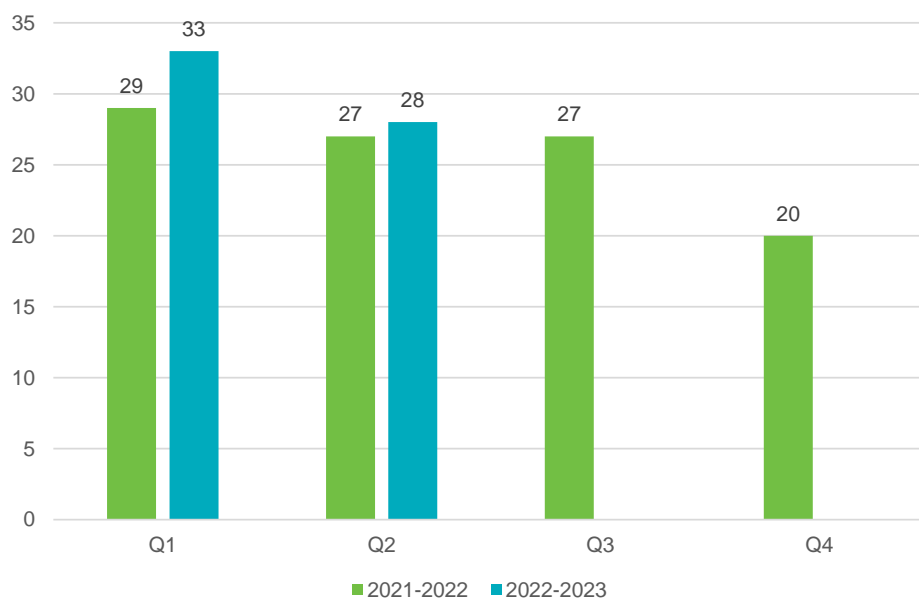
#### Service Statistics

	Q1	Q2
<b>RECRUITMENT</b>		
Vacancy advertisements posted for internal expressions of interest to meritoriously support existing employees' career opportunities	13	8
Vacancy advertisements posted as open merit-based processes internal and external to Council	16	39
Appointments confirmed through a meritorious recruitment process	33	28
<b>LONG SERVICE AWARDS</b>		
Number of employees who became eligible for long service milestones	6	13
<b>LEARNING AND DEVELOPMENT</b>		
Learning and development opportunities approved in Quarter (individual only)	71	73
Fraud Awareness training	211	-
Working in Proximity to Traffic – Parts 1 & 2	10	-
Traffic Management Implementation	11	-
First Aid (full)	10	-
CPR only	9	-
Queensland Local Government Building and Development Forum	2	-
National Sports and Physical Activity Convention - Australian Sport, Recreation and Play Awards	2	-
Queensland Local Govt Building and Development Forum	2	-
Impacts of floods on fluvial geomorphology and stream management	2	-
Civil 3D - Technical Workshop for Surveyors	2	-
Temporary Traffic Management Industry Briefing	2	-
Coordinating Teams Operating in Disaster Masterclass	2	-
Local Government Managers Australia Annual Conference	2	-
Number of new starters who have (fully) completed all (seven) online modules during Quarter	23	18
Number of trainees and apprentices	8	8
National Economic Development	-	2
Practical Erosion and Sediment Control for the Workforce	-	13
Disaster Coordination Centre Training	-	8
Prepare and Apply Chemicals AHCCHM311	-	5
Time Management - practical	-	10
IPWEAQ Annual State Conference	-	5
Overall Fuel Hazard Assessment	-	2
Working Sm@rt with Outlook	-	6
DestinationQ Forum	-	2
Health Safety Representative Training	-	1



	Q1	Q2
LGFP Annual Conference and Masterclass	-	2
Western Pacific Mass Gathering Events & Health Symposium	-	2
Good Decision Making (Full day course)	-	75
Are You Bugged Mate? Mental Health Information Session	-	45

### Recruitment - number of appointments



### Upcoming activities

- Recruitment for the 2023 Trainee cohort (eight positions) will commence in January 2023. These trainee positions have funding approved by the Department of Employment, Small Business and Training, through the Skilling Queenslanders for Work - First Start Program.

## Payroll

### Highlights and achievements

- Commenced the preparation work for the Purchased Leave configuration in TechnologyOne system.
- Implemented STP Phase 2 for ATO in readiness for January 2023

### Upcoming activities

- Finalise Purchased Leave configuration and implement in readiness for implementation in July 2023
- Refresh and Refocus ongoing changes
- Payroll processing in CIA
- Initial re-assessment of superannuation for current pay component codes

## Work Health and Safety

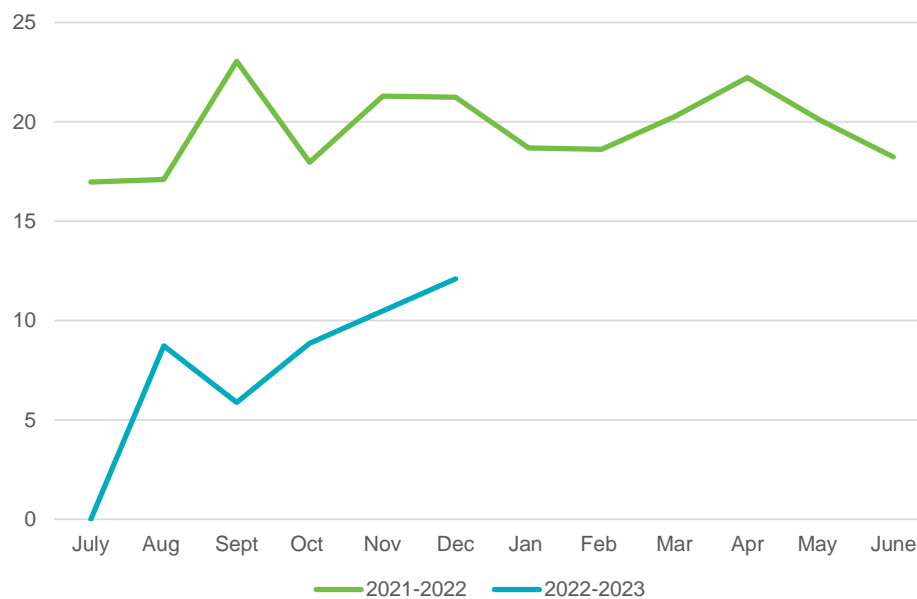
### Highlights and achievements

- During Quarter Two, Council initiated the customisation of Safety Champion to manage incidents and hazards, including inspections and actions.
- Training was arranged for the Leadership Team about Due Diligence and Psychological Safety.
- The Work Health and Safety Team reviewed all significant events and shared learnings within the organisation as appropriate.
- A Master WHS Risk Register was developed, covering all portfolios, to assist with the identification of significant risks and critical controls within Council.
- Throughout Quarter Two, Council continued to deliver a Health and Wellbeing Program. In September 2022, a presentation was delivered about Prostate Cancer Prevention with a guest speaker. A workshop on Women's Health was delivered by a guest speaker, also in September 2022. In October 2022, Council delivered various health and wellbeing activities in Beaudesert and Boonah, including Mental Health presentation, Health Cooking Classes and Meditation Classes. In November 2022, Council promoted the Queensland Quit Smoking Now Program and delivered a workshop called "Are you Boggled Mate?" on the subject of rural mental health.

### Service Statistics

MONTH	NUMBER LOST TIME INJURIES	LOST TIME INJURY FREQUENCY RATE (YTD)	NUMBER LOST TIME DAYS	LOST TIME DURATION RATE YTD
July 2022	0	0	0	0
August 2022	1	8.73	1	5
September 2022	0	5.88	0	5
October 2022	2	8.85	2	10.5
November 2022	2	10.48	2	14.67
December 2022	1	12.10	1	15.5

### Lost time injury frequency rate (year to date)



### Upcoming activities

- Continued implementation of the Safety Champion platform to manage incidents and hazards, including inspections and action plans.
- Deliver training events for Council's Leadership Team for Due Diligence and Psychological Safety.
- Finalise the update of critical procedures (Hot Work, Isolation Tagging and Lockout, Confined Space, Contractor Management, Electrical Safety and Change Management).
- In February 2023, Council plans to promote the 10,000 Steps Program, influencing a healthier lifestyle and in March 2023, plans to promote hearing tests.

## Corporate Strategy and Performance

### Highlights and achievements

- Council's Annual Report 2021-2022 was adopted in October 2022.
- Quarter One quarterly reports were presented to Council in November 2022.

### Upcoming activities

- Develop Quarter Three quarterly reports.
- Develop draft Operational Plan 2023-2024.

## Strategic Transformation

### Highlights and achievements

- Recruitment and Transitions modules were officially launched across Council in November 2022, within Council's Enterprise Resource Planning (ERP) system, TechnologyOne.

### Upcoming activities

- Council to migrate payroll processing functionality in TechnologyOne from the existing Ci environment to the new Ci Anywhere environment.

## Council Sustainability

### Internal Audit, Risk and Improvement

#### Highlights and achievements

- Audit and Risk Committee (ARC) Meeting was held on 17 November 2022.
- Completed annual review of the ARC Policy, Terms of Reference and Meeting Planner.
- Completed a substantial update and expansion of the Internal Audit Manual.
- Completed annual Internal Audit Self-Assessment.
- Completed Reviews of Procurement - Tendering and IT Security Management.
- Issued draft reports on Project Management Health Check and Capital Works Program Management.

#### Service Statistics

RISK	OPEN AT START	CLOSED DURING PERIOD	ADDED DURING PERIOD	OPEN AT FINISH
Low	4	0	6	10
Medium	34	0	22	56
High	7	0	11	18
Total	45	0	39	84

#### Upcoming activities

- ARC Meeting scheduled for 2 March 2023.
- Complete reviews on Payment Card Data Security, Project Management Health Check and Capital Works Program Management.
- Complete Continuous Assurance Testing on 2022.
- Commence other reviews in accordance with the Annual Audit Plan.
- Support and review the Human Resources and Payroll Project.

## Governance

### Highlights and achievements

- Claims review for slasher related incidents
- Commenced complete review of Complaint Management systems.
- Good Decision Making Training delivered to approximately 75 staff over three full day sessions.
- Draft Business Continuity Plan documents developed with the assistance of all relevant business units received and are currently under review.
- Bi-annual audit undertaken at end of Quarter Two on all Council Policies and Procedures. Register contains 152 Policies, Procedures and Guidelines and 95 are due for review
- Ongoing consultation in relation to policy review.

### Service Statistics

INSURANCE AND LIABILITY REPORTING		
	Q1	Q2
Balance carried forward	5	6
Received	48	42
Items referred to insurer	12	5
Items assessed by Council	35	37
<i>Claims approved *</i>	1	1
<i>Claims unapproved *</i>	12	11
<i>Notification only *</i>	22	23
Still under review (carry forward)	6	2
* included in total for items assessed by Council		
RIGHT TO INFORMATION AND PRIVACY APPLICATIONS RECEIVED		
Right to information and privacy applications received	1	1

### Upcoming activities

- Risk Maturity Assessment.
- Facilitate the Draft Business Continuity Plan to be reviewed and considered for adoption.
- Review of Meeting Suite of Documents in conjunction with Governance Advisor.
- Review of Right to Information application and release process including the introduction of a Disclosure Log.
- Information Privacy awareness training to be progressed in Quarter Three.
- Right to information and Records management training to be delivered during Quarter Four.
- Internal promotion planned for Quarter Four for Privacy Awareness week and promotion from Office of the Information Commissioner (OIC).

## Revenue

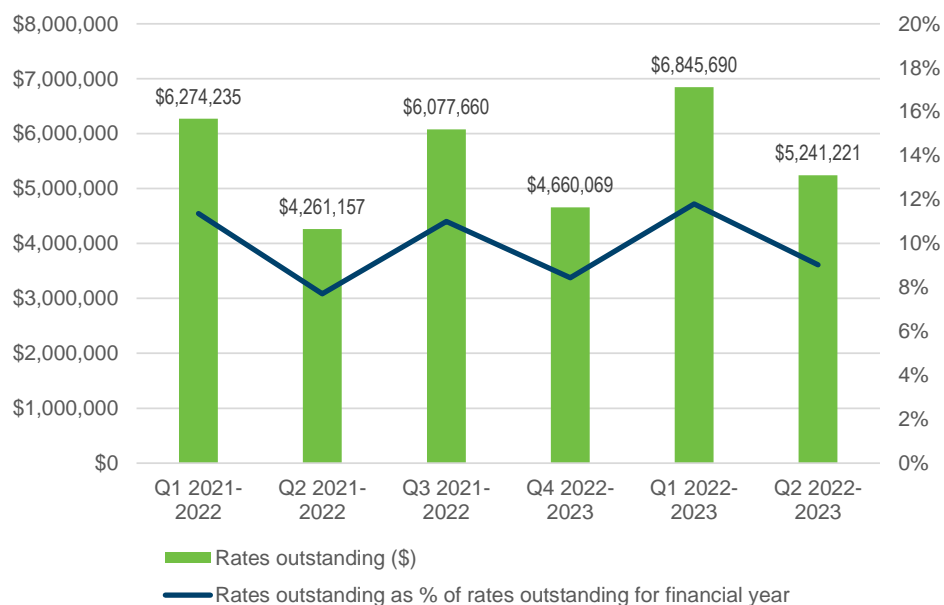
### Highlights and achievements

- With the cessation of National Australia Bank's "pay in person" service - Australia Post was successfully onboarded to continue the service and allow ratepayers to pay in person their account at any Australia Post outlet.
- Accurate and timely maintenance of critical rates database to allow for the upcoming second half-yearly rate levy in January 2022.
- Review of overdue rates process with issuing of letters to those high level overdue rate accounts.

### Service Statistics

	Q1	Q2
Total 2022-2023 first half rate levy raised (General Rates, Community Infrastructure, Waster Services, Emergency Services and Rural Fire Special Charge)	\$33,132,453	N/A
Of total levy raised, the General Rates component eligible for 5% prompt payment discount	22,572,094.25	N/A
Total discount applied to first half rates levy	\$936,318.85	N/A
Number of rate reminder notices issued	3100	N/A
Total rates outstanding (excluding prepayments) at end of quarter	\$6,845,689.97	\$5,241,220.88
Total rates outstanding (excluding prepayments) as at end of quarter as a percentage of total rates revenue levied for 2022-2023 financial year (including arrears)	11.8%	9.03%
Number of Supplementary Notices issued	513	430
Number of change of ownerships processed	384	295
Number of rate search certificates issued	333	253

## Revenue outstanding



## Upcoming activities

- Preparation for upcoming 2022-2023 second half yearly rate run.
- Assist in the preparation for 2023-2024 budget discussions and modelling.
- Provide update to Council on potential action plan for overdue rates.
- Prepare dataset to receive and import the 2023 revaluation file.



## Purchasing and Supply

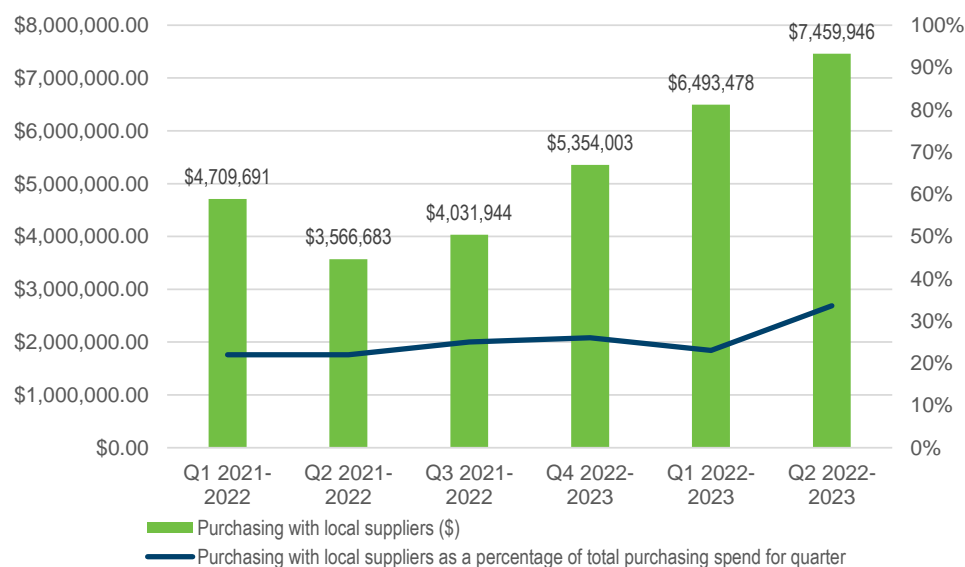
### Highlights and achievements

- Canungra inventory items set up in TechnologyOne and stock delivered.
- Quote provided for portable bitumen emulsion tank for set up at the Canungra Depot.
- Sourced and made available the new non-reflective uniforms for distribution to field staff.

### Service Statistics

	Q1	Q2
Purchases with local suppliers	\$6,493,478	\$7,459,946
Purchases with local suppliers as a percentage of Council's total purchasing spend for the quarter	23.4%	33.6%
Local suppliers with over \$200,000 spend for the quarter:		
<ul style="list-style-type: none"> <li>• GWT Earthmoving</li> <li>• Redfrost</li> <li>• Lahey &amp; Walker</li> <li>• Kalbar Bobcat Hire</li> <li>• Neilsens Quality Gravels</li> </ul>		

### Purchasing with local suppliers



### Upcoming activities

- Annual inspection of all Council lifting equipment.
- Arrange samples of new thinner / cooler workwear for external staff.
- Testing and certification of all laser and dumpy levels.

## Financial Management

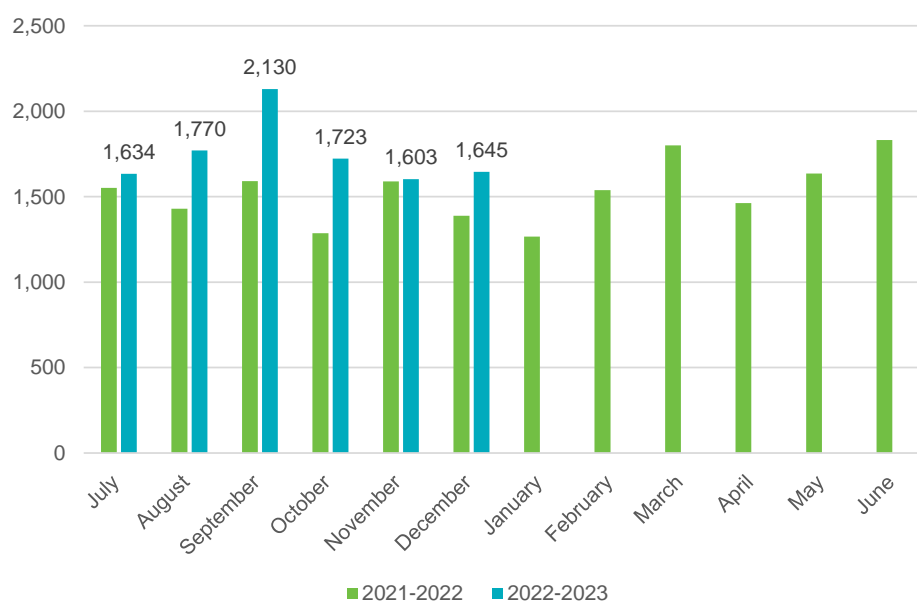
### Highlights and achievements

- 2022-2023 September Budget Review was processed and endorsed by Council.
- Monthly Financial Reports for September and October 2022 were populated and tabled to Council.
- Monthly balance sheet reconciliations completed.
- Monthly subsidiary system reconciliations completed.
- The 2023-2024 Budget timetable was prepared, planning commenced and input packs prepared within TechnologyOne
- Departmental Consolidated Data Return was completed and submitted.
- The Queensland Treasury Corporation credit review commenced.
- Non-current asset revaluations commenced.

### Service Statistics

INVOICE PROCESSING	
July 2022	1,634
August 2022	1,770
September 2022	2,130
October 2022	1,723
November 2022	1,603
December 2022	1,645

### Invoice processing



### Upcoming activities

- 2023-2024 Budget process will continue.
- December Budget Review process to commence.
- Non-current asset revaluations to be finalised.
- 2022-2023 loan borrowings submission to be prepared.

## Records

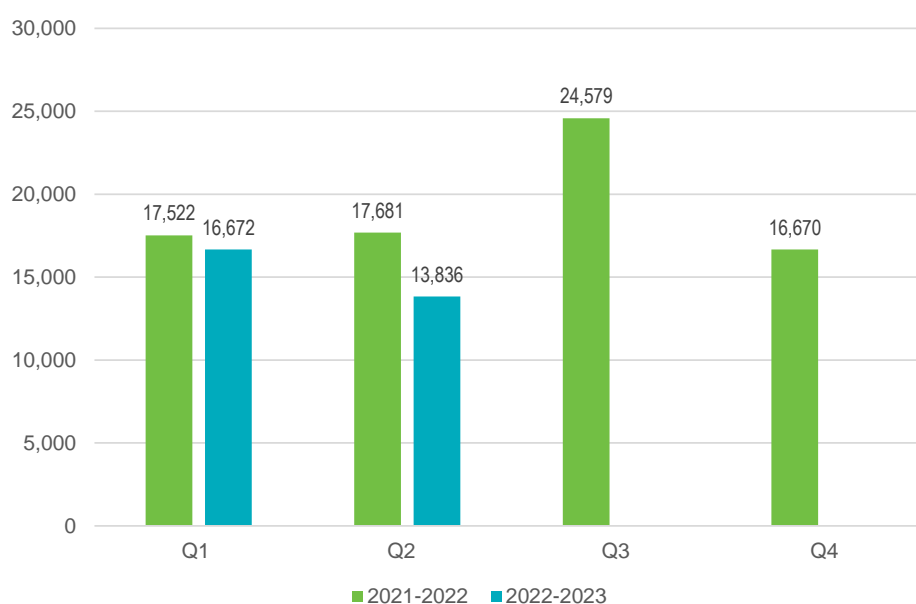
### Highlights and achievements

- ECM electronic document approval / rejection workflow completed and in testing phase.
- Testing integration of Microsoft Office with TechnologyOne ECM.
- Delivering refresher records training to portfolios.
- Reviewing corporate email rules and responsibilities.

### Service Statistics

	Q1	Q2
Number of incoming and outward mail received (including emails, faxes, post, internal documents)	16,672	13,836
Aim to process documents (electronic and hardcopy) on same day as received.		
Number of helpdesk requests received	422	430
Percentage of helpdesk requests completed by end of each business working day	90%	90%

### Number of documents received



### Upcoming activities

- Hardcopy Inventory Boonah Administration Building – Documents have been identified and destruction and catalogue planned to commence in February 2023
- Continue cataloguing of records located at Boonah office.

## Information Services and Technology

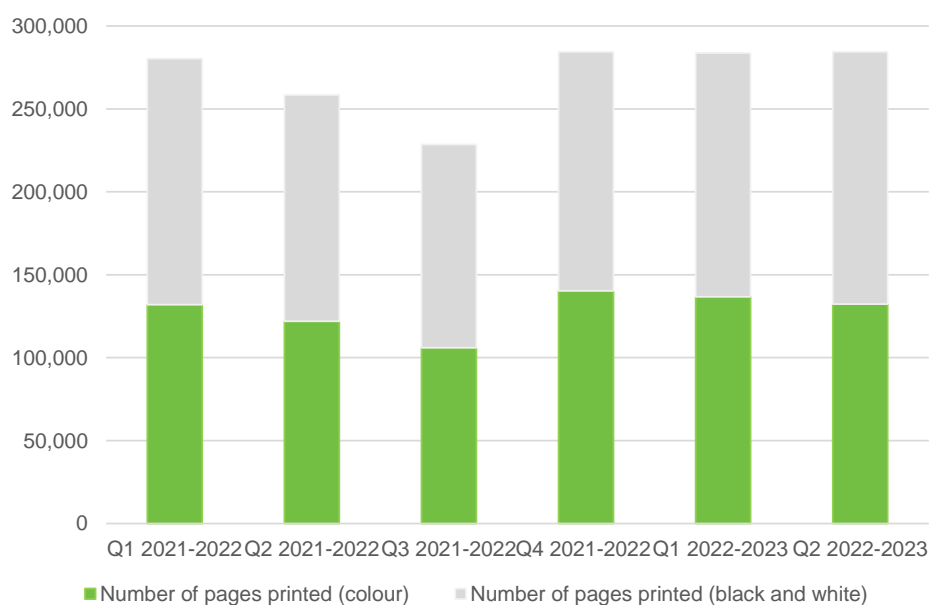
### Highlights and achievements

- First round of internal consultation on the Information and Communication Technology (ICT) Strategy has been completed.
- ICT Policy framework has progressed with policies migrated to new template for internal review.
- Replacement of Dell Wyse terminals was fast tracked to ensure business continuity.

EMAILS				
Q2	ORGANISATION METRICS Q2 2021-2022		ORGANISATION METRICS Q2 2022-2023	
	92 days	Average per day	92 days	Average per day
Emails sent	190,987	2,076	188,173	2,045
Emails received	549,807	5,976	565,519	6,146

PRINTING		
Q2	2021-2022	2022-2023
Colour	121,991	132,297
B&W	136,470	152,170
Total prints	258,461	284,467

### Number of pages printed (colour / back and white)



MONTH	JOBS CLOSED BY MONTH 2021-2022	JOBS CLOSED BY MONTH 2022-2023
July	470	485
August	881	399
September	454	428
October	365	399
November	398	379
December	263	287
January	417	
February	477	
March	463	
April	367	
May	362	
June	440	

MEETINGS			
MEETING TYPE	DATE	PEAK CONCURRENT VIEWS	TOTAL VIEWS
Ordinary	11/10/2022	27	102
Ordinary	25/10/2022	15	38
Ordinary	08/11/2022	26	218
Ordinary	22/11/2022	31	266
Ordinary	06/12/2022	31	248

### Upcoming activities

- Upgrade to ICT equipment in Council Chambers Audio/Visual.
- Develop draft ICT Strategy.
- Complete ICT Governance Framework.
- Finalisation of replacement of Dell Wyse terminals to ensure business continuity.

## Customer and Regional Prosperity

### Libraries

#### Highlights and achievements

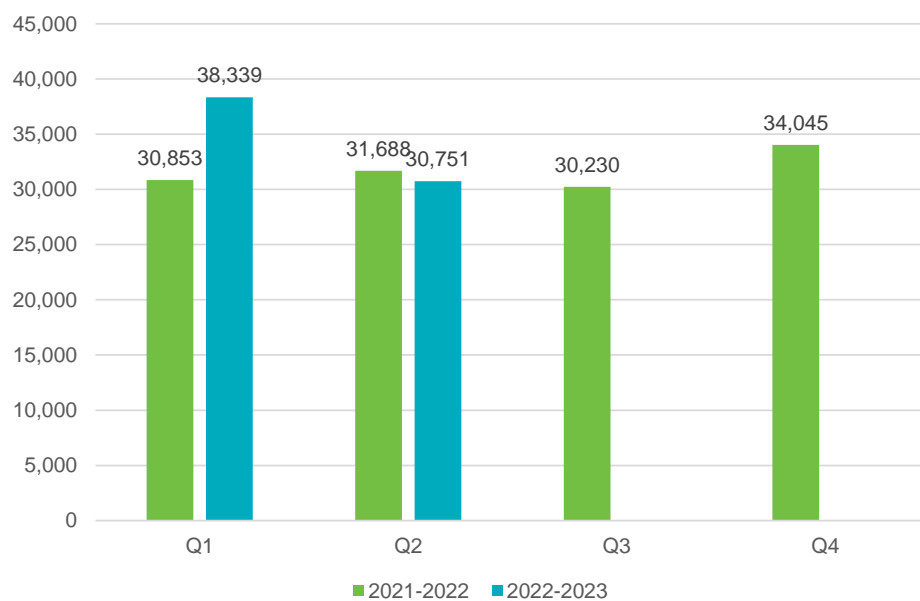
- Six library branch outreach events were held with 148 participants.
- Youth Anthology Workshops were held at St Bernard's Primary School, Harrisville Primary School and McAuley College.
- Council participated in the Community Health and Wellbeing Expo at the Boonah High School.
- Queensland State Library Board visited the Beaudesert Library and provided positive feedback about the Scenic Rim Regional Library Services.
- Presentation given at a Mental Health inter-agency meeting about how libraries support mental health.

	Q1	Q2
Library visits	38,339	30,751
Library members	31,670	31,838
New library members	787	592
Story time sessions	91	72
Story time participants	1,354	1,349
School holiday sessions	33	11
School holiday participants at events	471	90
School holiday packs handed out	320	70
Youth event sessions (13-18 years old)	9	4
Youth event participants	47	18
Adult activity sessions	81	77
Adult activity participants	582	641
PC bookings	2,506	1,835
PC booking hours	1,278	1086
Physical book issues	36,579	28,531
Inter-library loans	506	352
Housebound book loans	281	284
Library App downloads	306	192
Library App interactions with library management system	19,346	23,312
Library App new library memberships	149	93
Library App bookings for events	108	187

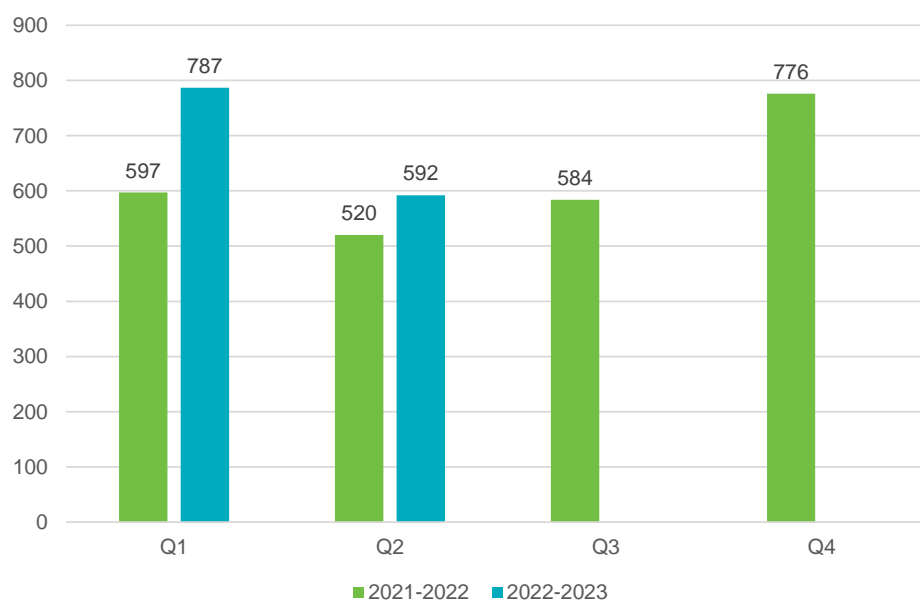
#### Upcoming activities

- The 2023 schedule has been completed for the delivery of the First 5 Forever program, Youth program (Kids Club, Rhyme and Story Time, Youth Anthology) and Adult programs.
- The new mobile library van is on-site and waiting for the wrap to be applied and will then be ready to go out to the community.

## Library visits



## New library members



## Community Development

### Highlights and achievements

- 41 local organisations across the Scenic Rim shared in a total of more than \$236,400 in Council's Community Grants Program.
- Former soldier and Paralympian, Curtis McGrath, was the keynote speaker at Council's International Men's Day Dinner on 24 November 2022.
- More than 110 Year 10 and Year 6 students participated in Council's Youth Leadership Program. The condensed school based format continues to work well and allows more students to participate.
- Free Movies in the Park continues to be a popular activity on the community calendar with 570 people attending the movies in November 2022.
- Council provided subsidised ticket prices for volunteers to attend events at the Cultural Centres.
- Council hosted a Volunteer Thank You event at The Centre Beaudesert on 8 December 2022, to coincide with International Volunteers Day.
- Council is investigating funding opportunities and reviewing current Service Agreements to build sustainability of the EmpowHER Hiking Program.
- No Citizenship Ceremony or Grant Workshops were held during Quarter Two.

### Service Statistics

	Q1	Q2
Number of attendees at Grant Workshops	31	0
Number of Community Grants	0	42
Total value of Community Grants	0	\$236,467.22
EmpowHER Hiking Program participants ( <i>Note: this program ended in July 2022</i> )	100	0
Number of new Citizens sworn in at Citizenship Ceremony	13	0
Be Healthy and Active participant numbers	741	978
Volunteer Newsletters	1	1
Youth Leaders	17	111
Cuppa in the Communi-Tea	302	485
Online Back on Track Workshops	0	0
Interagency and Mental Health Network meetings	64	37
Youth activity events (Quarter Two - Summer Splash Pool Parties)	120	270
Recovery and Resilience conversations (as part of Cuppa in the Communi-Tea)	0	485
Pocket Books	70	300
Living in Scenic Rim Kids Activity Books	340	860
Living in Scenic Rim booklets	40	90
International Men's Day Dinner	-	110
Free Movies in the Park	-	570
Volunteer Thank You Events	-	20

### Upcoming activities

- Council will host the 2023 Australia Day and Citizenship Ceremony at the Centre Beaudesert on Australia Day, 26 January 2023.
- Round Two of Council's Community Grants Program will be released in February 2023.
- Council will host the International Women's Day Breakfast at The Centre Beaudesert in March 2023.



## Regional Prosperity and Communications

### Highlights and achievements

- Increased number of followers and engagement rates across all Council's social media platforms.
- Council website attracted over 49,000 users across over 77,000 sessions (during Quarter Two)
- Council has increased the use of video content on social media platforms and achieved an average of 400 views for each video, which enhanced overall engagement rates across the platforms.
- The Regional Prosperity team engaged with 142 businesses.
- The number of businesses participating in Shop Scenic Rim gift card program increased to 74, and a total of 178 cards were purchased in Quarter Two, with a total load value of \$13,081.
- Council delivered a digital marketing campaign for the Scenic Rim region/destination which generated nearly 24,000 visits to the Visit Scenic Rim website.
- Delivered a 'co-operative' marketing opportunity for local tourism businesses that reached over a half a million potential visitors and generated over 18,500 leads direct to their businesses.
- Generated editorial/media value, as a result of public relations efforts, valued at over \$4.3 million.
- Worked in partnership with and supported events conducted in the region that delivered over \$470,000 worth of economic contribution/value
- There were 38 engagements with event organisers regarding events to be held in the region.

### Service Statistics

	Q1	Q2
Council Facebook followers	11,093	12,000
LinkedIn followers	4,737	5,060
Council's Disaster Management Facebook followers	12,107	12,189
Visit Scenic Rim Facebook followers	20,362	20,877
Visit Scenic Rim Instagram followers	30,697	31,000
Scenic Rim Eat Local Week Facebook followers	11,395	11,450
Scenic Rim Eat Local Week Instagram followers	6,828	6,890

### Upcoming activities

- Progress Scenic Rim Small Business Hubs in collaboration with Department of Employment, Small Business and Training.
- Facilitate and commence delivery of grant-funded workshops for the agriculture sector, across future prospects for the region; business planning for protection, growth and succession; research, innovation and agtech; and potential new income streams for farmers and landowners
- Further development of Shop Scenic Rim program including a redemption stores campaign
- Progress Eco Tourism Certification for the Scenic Rim region.
- Finalise the Scenic Rim Nature Based Tourism Strategy 2023 - 2032 and report back to Council on the outcomes of the Tourism Strategy 2017-2021.
- Develop and implement a regular e-newsletter that focuses on Council's core programs and services.
- Investigate implementation of alternative communication methods to enable the delivery of more engaging content such as video and feature stories.
- Update Council's Disaster Communication Plan to reflect learnings from recent events.
- Continue to assist event coordinators to deliver successful and safe events, such as Scenic Rim Clydesdale Spectacular and the Kalbar Sunflower Festival.
- The Long Sunset returns in early 2023 to Aquis Elysian Fields. The event will be delivered in partnership with Queensland Music Festival and planning is well underway to host over 8,000 music fans in region.
- Eat Local Week has been extended to a month long event and planning is well underway for this year's event, now known as Eat Local Month, with significant interest from local producers and businesses.

## Cultural Services

### Highlights and achievements

- 8,595 people attended 386 events at Council-managed Cultural and Community Centres across the Scenic Rim in Quarter Two.
- Round one of the Regional Arts Development Fund (RADF) Big Idea Grants opened in September 2022 and shortlisted applications have been recommended for approval by the Arts Reference Group.
- The public art mural, Spotighting the Scenic Rim, by Ash Taylor was completed in Walter Street, Boonah.
- Visits to local high schools, to promote the Regional Arts Fund Launch Pad grants for 16-25 year olds resulted in an enthusiastic response.
- Storyboards were installed in Canungra and Beechmont.
- Assisted by a RADF Express Lane grant, Templin Museum attended the launch of the Carla Zampatti Exhibition at Powerhouse Museum where a Zampatti jumpsuit from the Templin Collection was a key exhibit and featured in a Sydney Morning Herald news article.

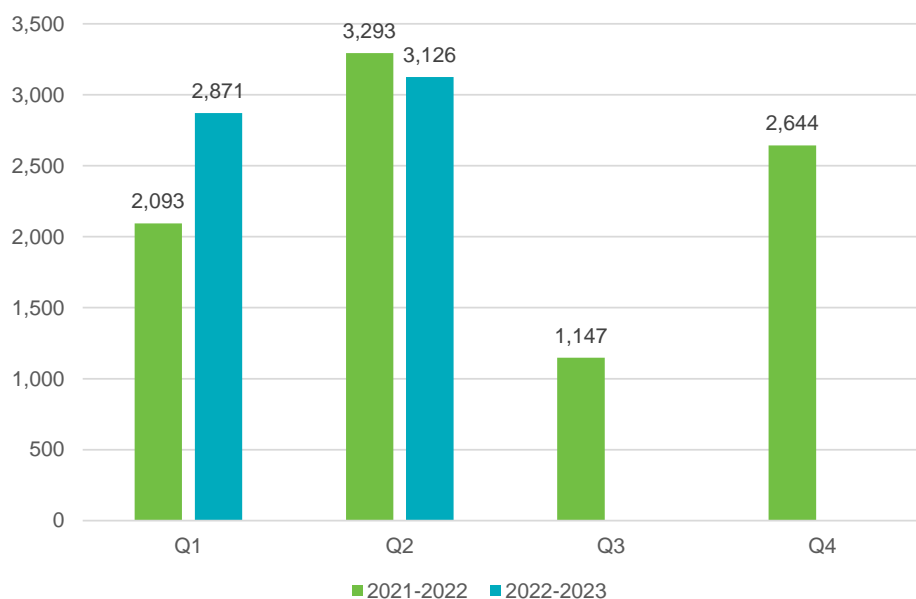
### Service Statistics

	Q1	Q2
Number of events at The Centre, Beaudesert	129	82
Number of attendees at The Centre, Beaudesert	2,871	3126
Number of events at Boonah Cultural Centre	114	68
Number of attendees at Boonah Cultural Centre	2,895	2103
Number of events at Vonda Youngman Community Centre	211	236
Number of attendees at Vonda Youngman Community Centre	2,751	3366
Number of Regional Arts Development Fund applications	9	11
Value of Regional Arts Development Fund grant approvals	N/A	\$9,990
Value of Regional Arts Development Fund projects	N/A	\$13,777

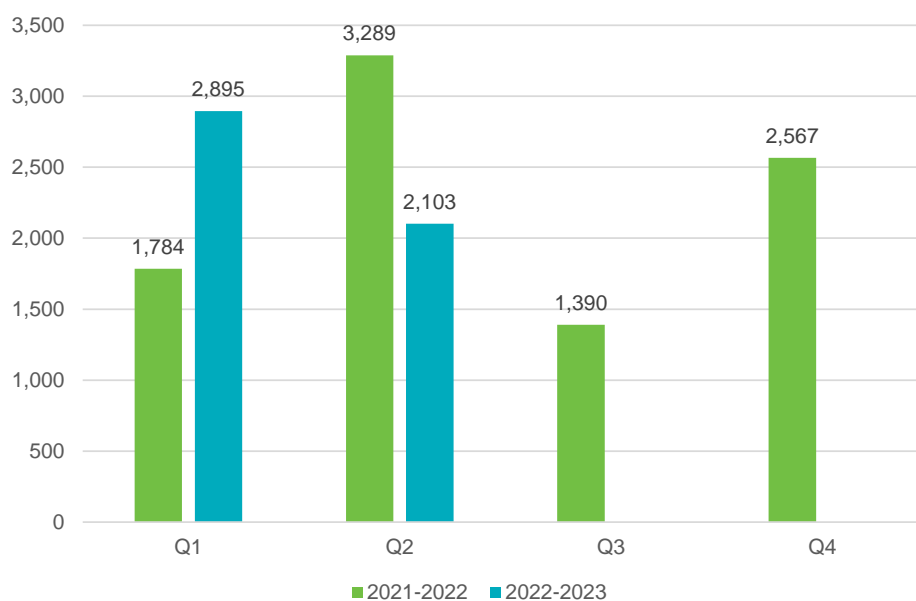
### Upcoming activities

- Round two of the Regional Arts Development Fund Big Idea grants, which was launched in SmartyGrants in December, will close in February 2023.
- The next exhibition, Paper, will open at the Centre in January 2023 with a launch event to be held in February 2023.
- Harrisville Storyboards are being developed.
- Stage two of Donna Maree Robinson's Art Residency will culminate in community art workshops at The Centre in January 2023
- Community consultation for a Public Artwork in Kalbar will commence.
- Commissioning new design concepts for Story Markers.
- A new concept design for the Beaudesert Bee Public Art project has been approved and will be progressing to the engineering phase.

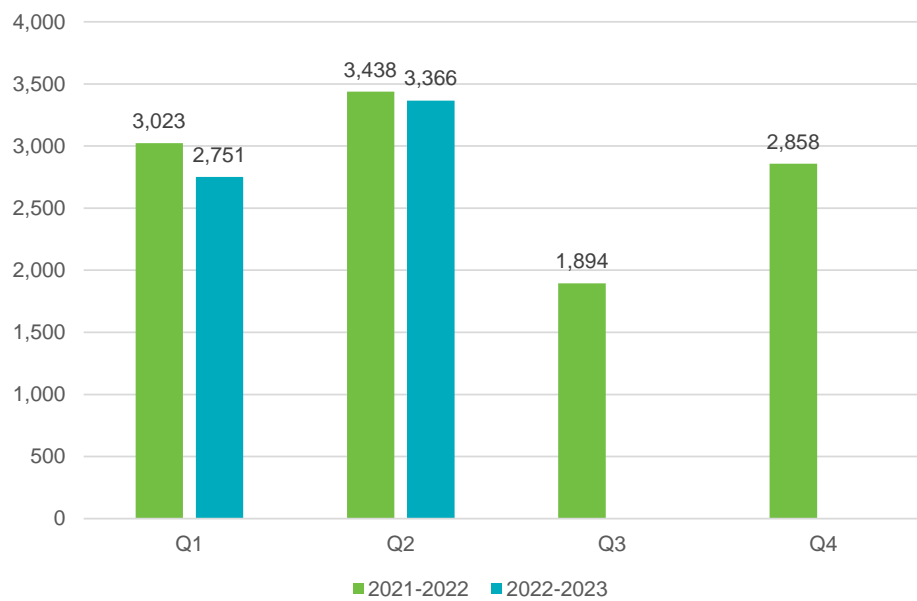
### Number of attendees at The Centre, Beaudesert



### Number of attendees at Boonah Cultural Centre



### Number of attendees at Vonda Youngman Community Centre



## Customer Contact

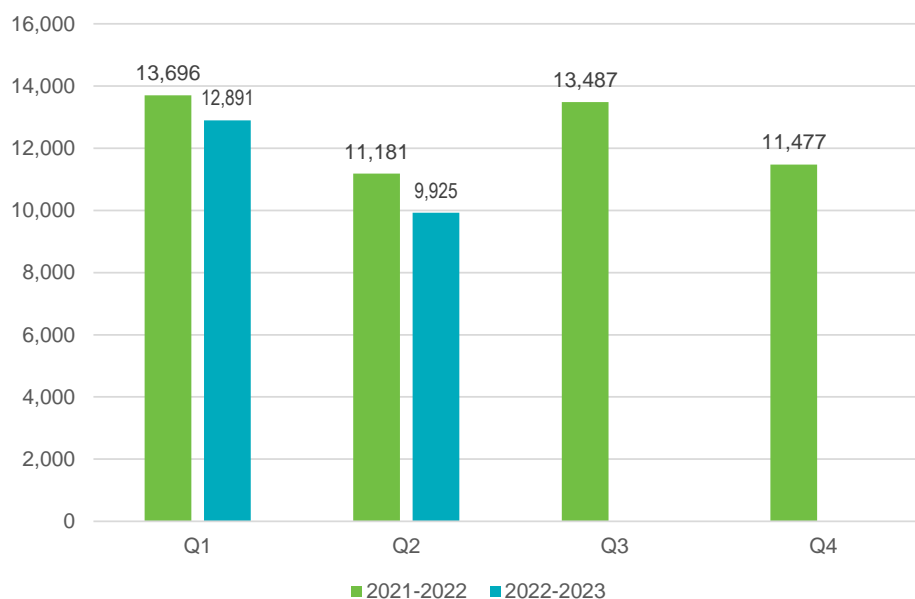
### Highlights and achievements

- Initial planning commenced for initiatives outlined in the Customer Experience Strategy 2021-2023, including Plain English Guidelines, Customer Focused Induction and Training.

### Service Statistics

	Q1	Q2
Number of calls	12,891	9,925
Average call wait time	00:36	00:33
Longest call wait time	08:02	10:56
Applications created	1,104	998
Requests created	3,607	2,956
Online requests	49	63
Local Government transactions (excluding enquiries)	4,255	2,193
QGAP transactions	2,718	2,667
<b>COMPLIMENTS RECEIVED</b>	<b>40</b>	<b>39</b>
Asset and Environmental Sustainability	20	18
Council Sustainability	1	0
Customer and Regional Prosperity	17	19
Executive Office Mayor and Councillors	2	2

### Number of customer telephone calls



### Upcoming activities

- Implementation of Internal Compliment Project, promoting improved communication and knowledge sharing for Team Engagement initiatives outlined in the Customer Experience Strategy 2021-2023.
- New budget consultation process will be undertaken in Quarter Three, including a roadshow to provide the public with Council budget information and an opportunity for the public to provide submissions on the 2023-2024 budget.

## Development Assessment and Engineering

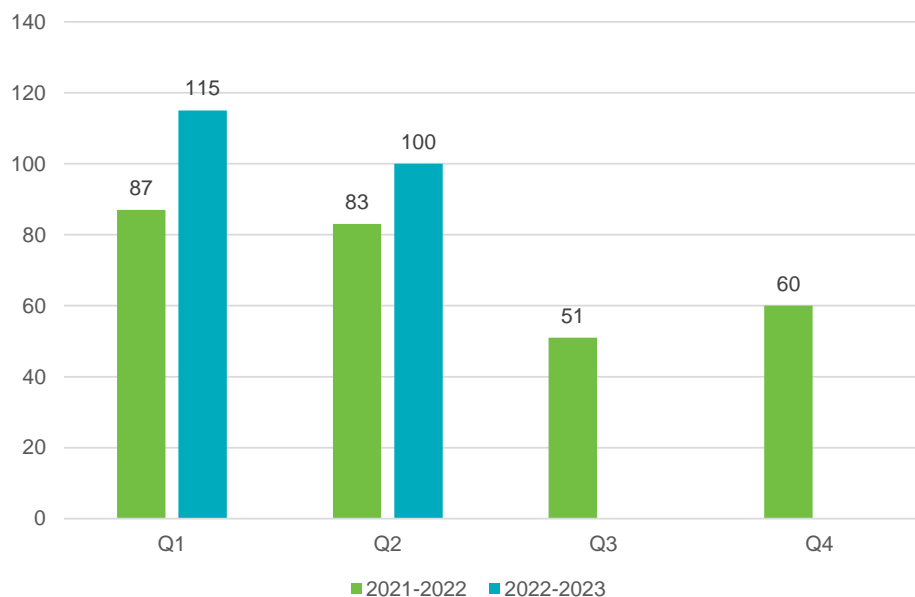
### Highlights and achievements

- Development applications and enquiries are still strong, however, some easing in the numbers has been observed.
- New lots are being created as construction of new estates is completed.
- The Development Engineering team continue to oversee infrastructure construction for new developments across most towns in the region.  
Council's Senior Development Assessment Planner was appointed by the Planning Institute of Australia as Queensland State Convener.

### Service Statistics

	Q1	Q2
Applications received	97	83
Applications determined	115	100
Applications in decision stage	106	99
Plan of surveys finalised	7	10
Flood certificates issued	33	38
Planning certificates issued	7	9
Concurrence Agency Referral Applications	22	21
Initial planning enquiries (telephone)	572	451
Call back enquiries related to application	235	119
Pre-lodgement meetings conducted	15	11
Concept meetings conducted	12	9
Lots approved as part of reconfiguration application approvals	5	59

### Number of planning applications determined



### Upcoming activities

- Request for quotation for external consultant to be appointed for review of Council's standard conditions. The standard conditions review, once finalised, will be published to Council's website as a forward facing document and will provide greater consistency for development approvals.



## Regulatory Services

### Highlights and achievements

- Annual Food licence process completed.
- Annual Local Law Licence process completed.
- Domestic Dog registration renewal program undertaken.

### Service Statistics

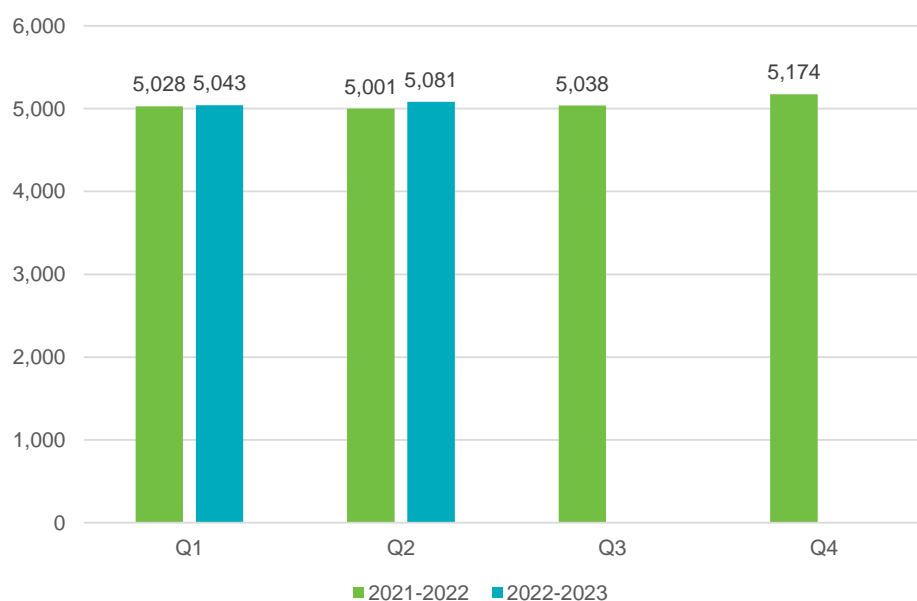
	Q1	Q2
<b>ENVIRONMENTAL AND PUBLIC HEALTH LICENCES RECEIVED</b>		
Food	19	19
Personal appearance services	0	0
All local law licences (advertisements, animal keeping, events, accommodation)	23*	20
<b>CUSTOMER REQUESTS RECEIVED (CRMS)</b>		
Health Services	505	412
Compliance Services	194	181
Environmental Policy and Services	13	17
<b>NOTICES ISSUED</b>		
Show cause	36	55
Enforcement	15	20
Compliance	24	7
<b>DOGS</b>		
Registered at end of period	5,043	5,081
New dog registration applications	303	207
Impounded	29	35
Impounded and returned to owner	16	14
Impounded and rehomed	10	17
Impounded and euthanised	3	2
<b>CATS</b>		
Impounded	74	61
Impounded and returned to owner	7	6
Impounded and re-homed	14	7
Impounded and euthanised	53	48
<b>ANIMALS REPORTED LOST/FOUND BY THE PUBLIC</b>		
Animals reported lost	40	27
Animals reported found	0	2
<b>1080 BAITING PROGRAM</b>		
Landholders	28**	2
Dog baits supplied	496	4
Pig baits supplied	98	12
<b>NEW FACILITIES REGISTERED UNDER PLUMBING AND DRAINAGE ACT</b>		
Backflow prevention devices	9	18
On-site sewerage facilities	44	57
<b>BUILDING APPROVALS</b>		
Inspections performed	10	20
Council-certified applications lodged	7	7
Privately certified applications lodged	224	251
<b>PLUMBING APPROVALS</b>		
Inspections performed	752	717

	Q1	Q2
Applications lodged	99	103
<b>SERVICE REQUESTS</b>		
Plumbing compliance requests (CRMS)	29	14
<b>NOTICES ISSUED</b>		
Plumbing Show Cause Notice	0	0
Plumbing Enforcement Notice	0	0
Notifiable works compliance inspection	0	0

\* All local law licences were reported as 27 in Quarter One report, since updated to 23

\*\* Number of landholders under the 1080 baiting program were reported as 23 in Quarter One report, since updated to 28.

### Dogs registered at end of quarter



### Upcoming activities

- A Safety Compliance Program is planned to be undertaken for tourist accommodation throughout the region.
- Unpaid Domestic Dog Registration reminder program to commence in February 2023.

## Customer & Regional Prosperity

### 10.2 Scenic Rim ePlan launch and adoption of Administrative Amendment to the Scenic Rim Planning Scheme 2020 (Amendment No.5)

**Executive Officer:** General Manager Customer and Regional Prosperity

**Item Author:** Senior Strategic Planner

**Attachments:**

1. Scenic Rim Planning Scheme 2020 Amendment No.5 [↓](#) 

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### Executive Summary

This report details the publication date and promotional activities of the new Scenic Rim Planning Scheme 2020 ePlan platform and the recommendation to adopt an Administrative Amendment to the Scenic Rim Planning Scheme 2020.

### Recommendation

That:

1. Council endorse the publication of the Scenic Rim Planning Scheme 2020 using the ePlan platform, with an indicative launch date of 24 February 2023; and
2. Council adopt the attached Administrative Amendment to the Scenic Rim Planning Scheme 2020, described as Amendment no.5, in accordance with the *Planning Act 2016* and Chapter 2, Part 1 of the *Minister's Guidelines and Rules* (Version 1.1).

### Previous Council Considerations / Resolutions

Not applicable.

### Report / Background

#### ePlan

The Scenic Rim Planning Scheme 2020 (Planning Scheme) is proposed to be made available to the community and customers in an ePlan platform on 24 February 2023. The ePlan enhances the user experience with the Planning Scheme and associated mapping in a single and interactive platform, to assist with self-servicing of town planning enquiries. Establishing the ePlan was a new initiative funded in the adopted 2022-2023 Budget.

The ePlan enhances the way the Planning Scheme is viewed and integrates the written document and mapping with a property search function to provide property specific town planning information. Most notably, the platform can create a Property Report which outlines the zoning and overlay information relevant only to the searched property. Pre-formatted Code templates can also be downloaded to support development applications, which will greatly assist customers with the preparation of development application material.

The ePlan Project aligns with the Scenic Rim Regional Council Customer Charter and Scenic Rim Regional Council Customer Experience Strategy 2021-2023 by providing a platform for greater customer access to the Planning Scheme and a self-service system that enables customers to choose how they interact with Council, providing them the services when they need them, and not only when Council is open.

Access to the ePlan will be via Council's website and will replace the current way the Planning Scheme is used, including the existing mapping tool. The ePlan platform is both PC and mobile friendly, and the platform is subject to an annual accessibility audit to meet web accessibility standards.

The launch of the ePlan platform will be supported by officer training, media and Facebook announcements, website changes and Strategic Planning Officers will be available for assistance in navigating the new tool. The consultation section of this report provides further detail of these activities.

#### Proposed Administrative Amendment

To ensure the accurate display of Planning Scheme information on the ePlan, an Administrative Amendment to the Scenic Rim Planning Scheme 2020 has been prepared. The Administrative Amendment involves an update to the Digital Cadastral Database and an improved way of displaying land within a zone precinct on the Zone Maps. The proposed Administrative Amendment provides details of the proposed changes and their effect and is included as Attachment 1.

The changes proposed as part of Amendment no.5 meet criteria 1)c) above, being a mapping error in the instrument that does not materially affect the remainder of the instrument. No amendments to the Zone or Precinct of land are proposed as part of the amendment, and amendments have no effect on the administration, provisions or policies within the instrument.

The amendment, if adopted, will be effective from 24 February 2023 to coincide with the launch of the ePlan platform. The consultation section of this report details the communication activities to be undertaken with the adoption of this amendment package.

#### **Budget / Financial Implications**

\$70,000 was been allocated to the ePlan Project in the adopted 2022-2023 Budget and the project is also included as an initiative in the 2022-2023 Operational Plan. The platform will be delivered within budget and on time.

#### **Strategic Implications**

##### *Operational Plan*

Theme: 3. Open and Responsive Government

Key Area of Focus: To be a high-quality customer-focused organisation that provides high-quality customer-focused services

##### *Legal / Statutory Implications*

The *Planning Act 2016* requires Council to have the Planning Scheme and amendments available to view and download on its website. The ePlan platform and associated information about amendments currently available on Council's website will satisfy this requirement.

The proposed Administrative Amendment to the Planning Scheme is required to follow the process Part 1 of the Minister's Guidelines and Rules (Version 1.1). An Administrative Amendment does not involve policy changes and does not require public consultation or the Minister's review or approval. An Administrative Amendment as described under Schedule 1 of the *Minister's Guidelines and Rules* (Version 1.1) is an amendment that:

1. *the local government is satisfied corrects or changes:*
  - a. *an explanatory matter about the instrument;*
  - b. *the format or presentation of the instrument;*
  - c. *a spelling, grammatical or mapping error in the instrument that does not materially affect the remainder of the instrument;*
  - d. *a factual matter incorrectly stated in the instrument;*
  - e. *a redundant or outdated term in the instrument;*
  - f. *inconsistent numbering of provisions in the instrument;*
  - g. *cross-references in the instrument; or*
2. *the local government makes to:*
  - h. *reflect an amendment to the regulated requirements under the Planning Act and used in the planning scheme; or*
  - i. *amend a statement that a regional plan or the SPP is appropriately integrated, in whole or in part, in the planning scheme, if the Minister has advised the local government that the planning scheme appropriately integrates the regional plan or the SPP.*

The changes proposed as part of Amendment No. 5 fall within the scope outlined above. No amendments to the Zone or Precinct of land are proposed as part of the amendment, and amendments have no effect on the administration, provisions or policies within the instrument.

Under the Planning Act, a public notice about the adopted amendment must be published in the Gazette, a newspaper circulating in the local government area and be available on the local government's website.

## Risks

### Strategic Risks

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

SR55 Failure to adequately plan, deliver and manage secure, effective, efficient, integrated and fit for purpose corporate systems (including information systems for internal and external clients).

### Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Reputation, Community & Civic Leadership  Failure to deliver improved customer access to the Planning Scheme resulting in a greater volume of enquiries.	2 Minor	Possible	Medium	Adopt an intuitive system. Provide clear and accessible communication and supporting material, and officer support in the go-live phase.	Low

**Consultation**

The development of the scope and deliverables of the ePlan Project has involved consultation with Council's Development Assessment Team and Information Services and Technology Business Unit.

Councillors have been informed of the progress of the ePlan Project and key functions.

The launch of the ePlan platform and the adoption of Amendment No.5 will be supported by the following activities to raise awareness of the new platform and highlight that user support is available:

- Gazette Notice for Amendment No.5 (24 February 2023) (legislative requirement);
- Public notice in the seven local papers and on Council's website (legislative requirement);
- Media release;
- Facebook announcement;
- Update of Council's website;
- Strategic Planning Officers support available via phone, in person at Beaudesert Customer Service Centre or via appointment for other locations; and
- Cuppa in the Communi-tea session will be attended by a Strategic Planning Team member until the end of June 2023 to provide e-Plan demonstrations.

**Conclusion**

The ePlan platform will publish the Planning Scheme in a user-friendly format which will combine mapping and Planning Scheme documents in a single and interactive platform. It will include a property enquiry function and ability to extract code tables to support development applications. This will greatly assist with user enquiries, preparation of development application material, and enhance awareness and useability of the Planning Scheme as a whole. The launch of the e-Plan platform will be accompanied by activities that promote awareness and highlight the availability of user support.

An Administrative Amendment to the Scenic Rim Planning Scheme 2020 (Amendment No.5) is required to update the Zone Maps and Zone Map Index to the January 2023 cadastre, to assist with the function of the ePlan. The amendment also includes an adjustment to the way Precincts are displayed to improve the readability of the Zone Maps. The publication of the ePlan platform and commencement date of Amendment No.5 is proposed to be 24 February 2023.



**SCENIC RIM REGIONAL COUNCIL**  
**SCENIC RIM PLANNING SCHEME 2020**  
**AMENDMENT NO. 5**

**FOR COUNCIL'S ADOPTION**

21 February 2023

**SCENIC RIM**  
  
REGIONAL COUNCIL



***Scenic Rim Planning Scheme 2020***

**AMENDMENT NO.5**

This is to certify that this is a true and correct copy of the *Scenic Rim Planning Scheme 2020 Amendment No. 5* adopted on 21 February 2023 and commenced on 24 February 2023.

David Keenan

**CHIEF EXECUTIVE OFFICER**



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## Preliminary

### Short title

This amendment may be cited as *Scenic Rim Planning Scheme 2020 Amendment No. 5*.

### Purpose

This Administrative Amendment is made in accordance with the *Planning Act 2016* and Chapter 2, Part 1 of the *Minister's Guidelines and Rules* (Version 1.1).

The purpose of this Administrative Amendment is to:

1. Update the Zone Maps and Zone Map Index in the Planning Scheme with the January 2023 Digital Cadastral Database (DCDB); and
2. Adjust the display of land in a Precinct to improve the readability of the Zone Maps.

An Administrative Amendment as described under Schedule 1 of the *Minister's Guidelines and Rules* is an amendment that:

1. *the local government is satisfied corrects or changes:*
  - a. *an explanatory matter about the instrument;*
  - b. *the format or presentation of the instrument;*
  - c. *a spelling, grammatical or mapping error in the instrument that does not materially affect the remainder of the instrument;*
  - d. *a factual matter incorrectly stated in the instrument;*
  - e. *a redundant or outdated term in the instrument;*
  - f. *inconsistent numbering of provisions in the instrument;*
  - g. *cross-references in the instrument; or*
2. *the local government makes to:*
  - a. *reflect an amendment to the regulated requirements under the Planning Act and used in the planning scheme; or*
  - b. *amend a statement that a regional plan or the SPP is appropriately integrated, in whole or in part, in the planning scheme, if the Minister has advised the local government that the planning scheme appropriately integrates the regional plan or the SPP.*

The changes proposed as part of Amendment No. 5 fall within the scope of the above criteria.

### Application

This Administrative Amendment applies to the following version of the Scenic Rim Planning Scheme 2020:

*Scenic Rim Planning Scheme 2020 (17 June 2022)*

## Item 1: Update of DCDB on Zone Maps

### Summary

Update the Zone Maps and Zone Map Index with the January 2023 Digital Cadastral Database (DCDB) and update of the associated details on the legend that reflect the change.

### Explanation

The DCDB is the digital representation of all land parcels and property boundaries in Queensland and is administered by the Queensland Government (Department of Resources). The current Planning Scheme Zone Maps were produced using a December 2019 DCDB. Adjustments to the DCDB (undertaken by the Queensland Government) occur periodically, however a major review of the Scenic Rim region occurred during 2020, resulting in a large number of adjustments and corrections to property boundaries. Figure 1 which provides an example of the DCDB adjustment, which result in the zoning layer not aligning with property boundaries.



*Figure 1: Example of DCDB adjustment. The adjusted DCDB also impacts on the ePlan's ability to correctly identify the zoning of the land and many properties will incorrectly show two zones applying to a property. To ensure customers are presented only with the relevant information for the enquired property on the ePlan, the Zone Maps and the Zone Map Index are proposed to be updated to the January 2023 DCDB.*

### Proposed Changes

1. Update the Zone Maps and Zone Map Index with the January 2023 Digital Cadastral Database (DCDB);
2. Undertake consequential minor alterations on the Zone Maps (for both Zones and Precincts) to adjust to the altered property boundaries and reflect the January 2023 DCDB;
3. Update the 'Digital Cadastral Database date' on the legend of the Zone Maps to January 2023.

## Item 2: Amendment to the display of land in a Precinct on the Zone Maps

### Summary

Mapping update to improve the display of land in a Precinct on the Zone Maps by including a diagonal hatching.

### Explanation

The Precincts listed in Table 1 are currently displayed on the Zone Maps using a purple border around a property or group of properties (refer to Figure 2, left picture). When viewing a property at a closer range using the interactive mapping tool, it can be difficult to initially determine whether a property is within a Precinct. Planning officers and customers have requested that the display of the Precincts be amended to improve the readability of the mapping.

*Table 1 Precincts in the Planning Scheme*

Acronym	Precinct
BSDA	Bromelton State Development Area
BW	Bulk Water Storage
CI	Commercial Industrial
EP	Rural Escarpment Protection
FL	Flood Land
HS	Historical Subdivision
MR	Mountain Residential
RREA	Rural Residential A
TMR	Tamborine Mountain Rural
TR	Township Residential
PR	Passive Recreation

The display of the Precincts will be updated with a diagonal hatching (refer to Figure 2) so they are visible at any scale.

The amendment is limited to the way the Precinct is displayed on the maps and does not involve any changes to existing Zones or Precincts that apply to land.

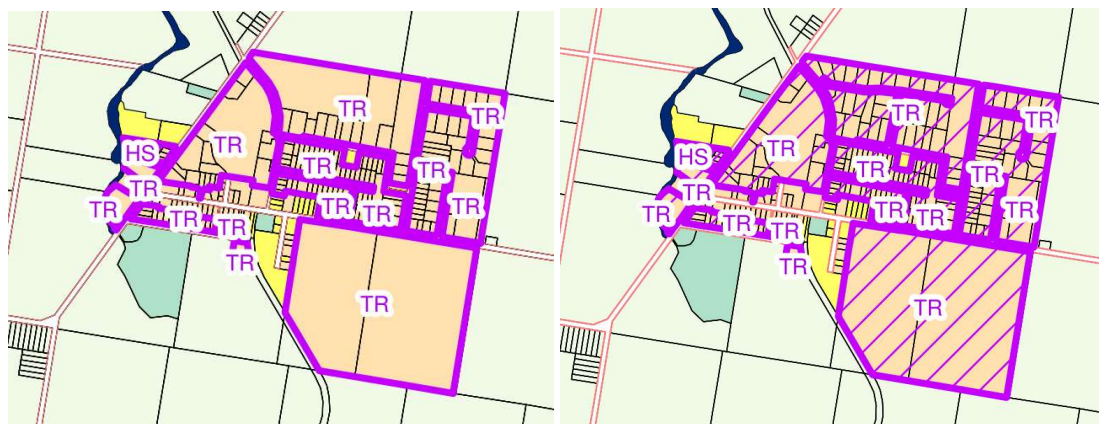
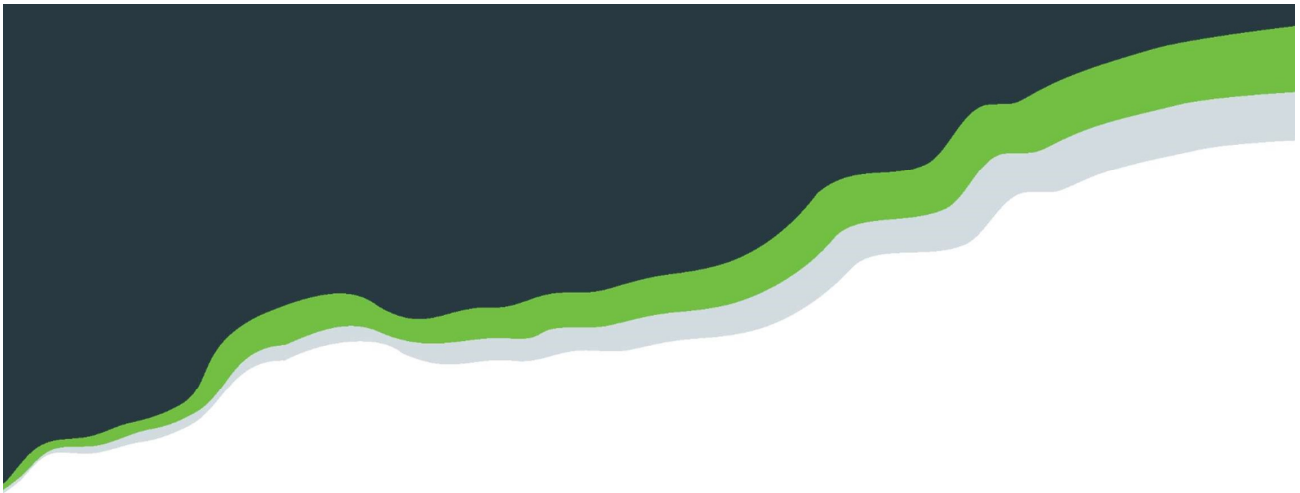


Figure 2: Change to the display of Precincts (the current display is shown on the left and proposed display with the diagonal hatching is shown on the right)

## Proposed Changes

1. Amend the display of land in a Precinct on the Zone Maps by applying purple hatching in addition to the existing purple border.














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**10.3 MCU21/117 Development Permit for Material Change of Use - Tourist attraction (Planetarium), and Short-term Accommodation (six cabins) at 379-385 Long Road, Tamborine Mountain 4272**

**Executive Officer:** General Manager Customer and Regional Prosperity

**Item Author:** Principal Specialist Development Assessment and Engineering

**Attachments:**

1. Appendix A - Conditions of Approval [↓](#) 
2. Site plan [↓](#) 
3. Ground Floor Plan [↓](#) 
4. Basement Floor Plan [↓](#) 
5. First Floor Plan [↓](#) 
6. Roof Plan [↓](#) 
7. Elevations [↓](#) 
8. Elevations [↓](#) 
9. PWD Cabin Plan [↓](#) 
10. Cabin Plans 2-6 [↓](#) 
11. Engineering Plans [↓](#) 

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**Executive Summary**

Council is in receipt of an application for a Development Permit for Material Change of Use - Tourist attraction (Planetarium), and Short-term accommodation (six cabins) at 379-385 Long Road Tamborine Mountain Qld 4272, legally described as Lot 23 SP210103.

Pursuant to the Scenic Rim Planning Scheme 2020 (as amended 16 April 2021) (the Planning Scheme), an Impact Assessable application is triggered as the proposed Tourist attraction exceeds 200m<sup>2</sup> total use area in the Rural Zone (Tamborine Mountain Rural Precinct).

The proposed development presents some non-compliances with the planning scheme's relevant assessment benchmarks, however there are considered appropriate relevant matters which favour approval.

**Recommendation**

That:

1. Council receive and note the report titled "MCU21/117 Development Permit for Material Change of Use - Tourist attraction (Planetarium), and Short-term Accommodation (six cabins) at 379-385 Long Road, Tamborine Mountain 4272";
2. Council approve development application MCU21/117 despite the non-compliances with the Scenic Rim Planning Scheme 2020, subject to imposition of reasonable and relevant conditions in Appendix A and in consideration of the following relevant matters favouring approval:
  - (a) The non-compliances with the planning scheme will have little to no consequence on the surrounding area;
  - (b) The proposed development has particular land requirements that are unlikely to be met within the existing Tourism Zoned land at Tamborine Mountain;

- (c) The context of the site is influenced by other tourist attractions and the adjacent sports fields;
  - (d) There is an existing approval for a Function Facility and Short-term Accommodation over the land;
  - (e) The loss of rural land is unlikely to make a meaningful impact to the supply of rural land or rural production generally at Tamborine Mountain or elsewhere in the region; and
  - (f) The development serves an educational function for locals and tourists; and
3. Council note that any subsequent requests for a negotiated decision notice and/or change applications to the approval (MCU21/117) will be processed via delegated authority where the changes would not significantly alter the original decision.

### Previous Council Considerations / Resolutions

Nil

### Report / Background

<b>Applicable Planning Scheme</b>	Scenic Rim Planning Scheme 2020 (as amended 17 April 2021)	
<b>Applicant</b>	TM Universe Inc. c/- TJ Kelly Surveys Pty Ltd	
<b>Owner(s)</b>	TMU Property Investment Pty Ltd ATF TMU Property Trust	
<b>Site Address</b>	379-385 Long Road, Tamborine Mountain	
<b>Real Property Description</b>	Lot 23 SP210103	
<b>Site area</b>	1.581 Hectares	
<b>Relevant zone and Precinct</b>	Rural Zone (Tamborine Mountain Rural Precinct)	
<b>Relevant overlays</b>	Overlay 1 - Agriculture overlay (Class A and B) Overlay 4F - Environmental Significance (Vegetation management area) Overlay 7A - Landslide and Steep Slopes (Steen slope area - Eastern - Slope hazard 15.1% - 20%) Overlay 14 - Higher order roads (Long Road) Overlay 15 - Road hierarchy (Collector)	
<b>Proposal</b>	Material Change of Use for Tourist attraction (Planetarium), and Short-term accommodation (six cabins)	
<b>Assessment level</b>	Impact (public notification undertaken)	
<b>Approval type</b>	Development permit for Material Change of Use	
<b>Referral</b>	No concurrence or advice referrals are required for the development application	
<b>Application chronology</b>	08 October 2021	Application received
	18 October 2021	Confirmation notice issued
	05 November 2021	Request to extend information request period
	05 November 2021	Applicant's agreement to extend information request period
	11 November 2021	Information request issued
	09 February 2022	Applicant requested extension to information response period



	08 April 2022	Applicant requested further extension to information response period
	10 May 2022	Applicant requested further extension to information response period
	30 May 2022	Council received response to information request
	3 June 2022	Council received Notice to commence public notification
	17 June 2022 to 8 July 2022	Public notification undertaken
	12 July 2022	Council received Notice of compliance of public notification
	31 August 2022	Mutual agreement to an extension to decision making period
	07 October 2022	Council issued a Further Advice notice
	10 October 2022	Mutual agreement to an extension to decision making period
	02 November 2022	Applicant provided response to Further Advice notice
	21 November 2022	Mutual agreement to an extension to decision making period
	30 January 2023	Mutual agreement to an extension to decision making period
	21 February 2023	Decision making period expires (at the time of drafting this report)

### Proposal

The application seeks approval for a development permit for a Tourist attraction for a planetarium and Short-term Accommodation for six cabins at 379-385 Long Road, Tamborine Mountain. The applicant predicts up to 100,000 visitors per year, with 100 persons on the premises at any one time during peak times.

The design of the Planetarium includes the following features:

- Main Hall containing a Cosmic Sphere with an internal dimension of 15 metres;
- Exhibition Area on the ground floor. This will occupy approximately 20m x 10m;
- Audio-visual Theatre, located on the ground floor near the Exhibition Centre and has the capacity for 50 seats;
- Education Centre on the first floor. It will have an area of approximately 20m x 9m;
- Administration Area on the first floor beside the Education Centre;
- A café containing an indoor seating area of around 33 seats, and a covered outdoor area containing approximately 36 seats; and
- A small retail area at the entrance to the café for the sale of souvenirs and other merchandise.

The total floor area, including the basement level is 1,860m<sup>2</sup>, and does not exceed 8.5m in height above the natural ground level.

the development will be constructed over two stages. Stage 1 will be the planetarium facility, whilst the tourist cabins will be constructed as Stage 2. The applicant has requested that any Infrastructure Charges reflect this staging.

The planetarium is intended to operate seven days a week, with hours from 10am to 5pm. A limited number of night events may be held annually. For such events, the closing time would be restricted to 10pm.

In regards to staffing, it is expected that this facility will create the equivalent of around 10 full time positions.

The applicant proposes six detached cabins at the rear of premises. Each cabin is single storey with a floor area no greater than 100m<sup>2</sup>.

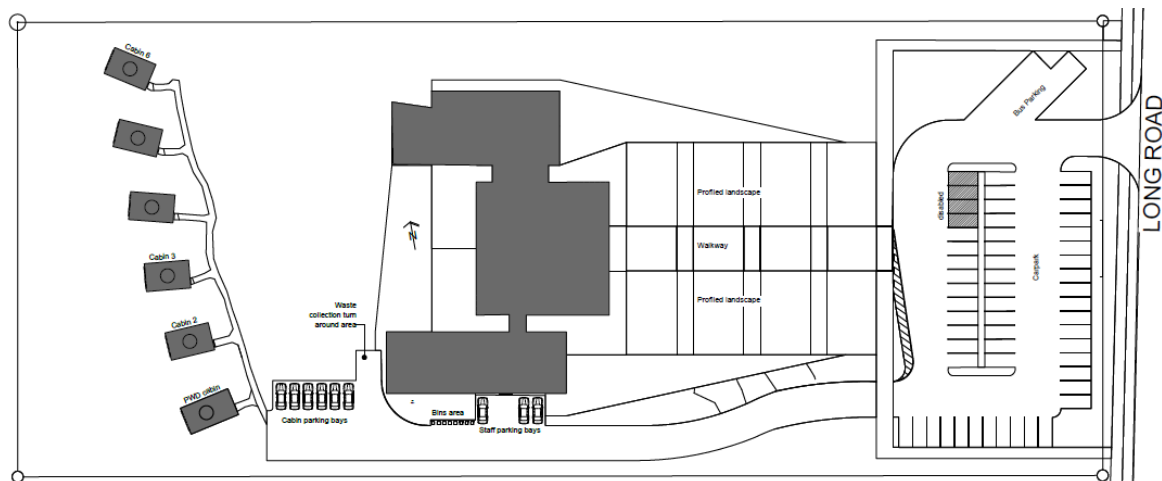


Figure 1: Site Plan

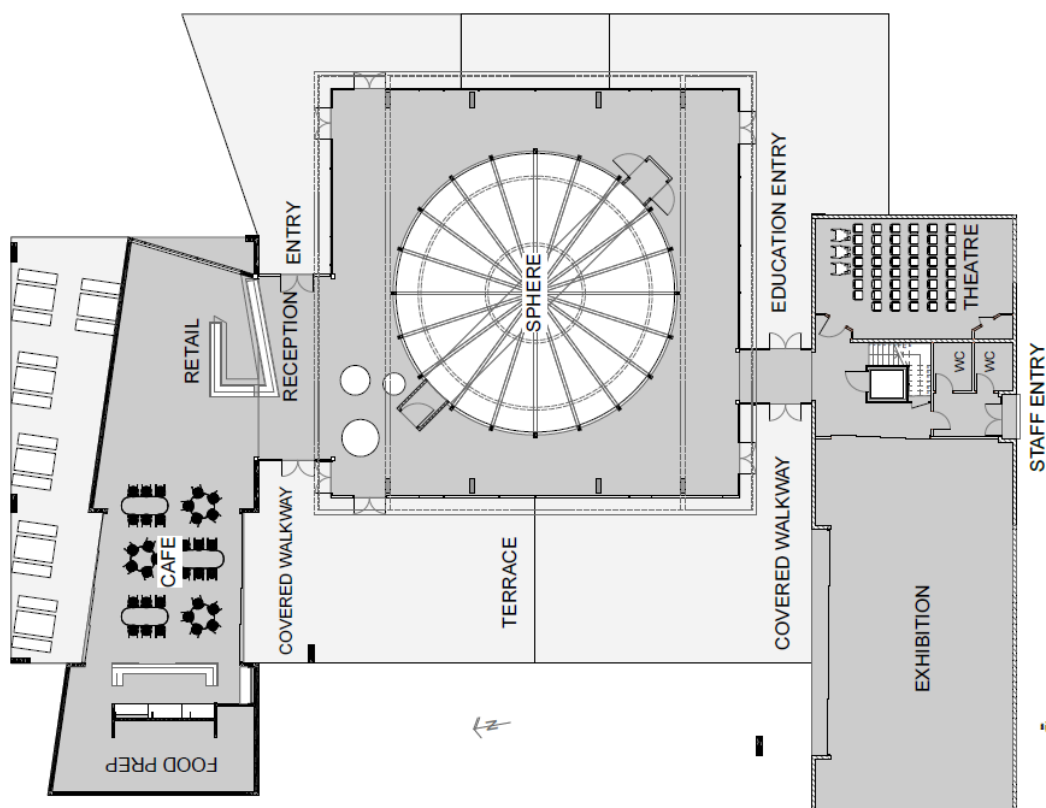


Figure 2: Planetarium - Ground Floor



The applicant's material indicates an Equivalent Persons total of 18.2 EP and therefore is not required to be regulated by the Department of Environmental and Sciences as an ERA63(a). However, any proposed wastewater treatment system would be required to be designed and constructed in accordance with a subsequent Plumbing and Drainage Works approval from Council.

### *Landscaping*

The applicant has submitted a Landscape Master Plan, proposing landscaping for both the Tourist attraction and cabins.

### Previous approvals

On 28 April 2015, Council granted a Material Change of Use approval (MCBd14/093) for a Function facility and Short-term accommodation comprising a total of 13 cabins. The proposed planetarium and cabins are intended to replace the development previously approved.

The currency period of this approval was extended through to April 2023 via letter dated November 2018. During the COVID-19 event, the Minister for Planning published three Extension Notices under section 275R of the *Planning Act 2016*. The Extension Notices provide an automatic extension to the currency period of development approvals that are in effect at the time of the notices. The notices dated 8 July 2020 (6 month extension), 1 September 2021 (six month extension) and 29 April 2022 (12 month extension) provide the approval with a further two year extension through to April 2025.

Other historic approvals for the subject site include:

- Council reference 501052 - Subdivision 13/12/2005
- Council reference 501295 - Boundary realignment 26/06/2007 (including an approved Building envelope).

### Site Visit Evaluation

The subject site is situated at 379-385 Long Road, Tamborine Mountain. It is situated approximately two kilometres from the Gallery Walk tourist node and around 1.5 kilometres from the Main Street Commercial Centre.

The site is comprised of a single freehold allotment of 1.581 ha. It is of a rectilinear configuration, with a frontage to Long Road of approximately 80 metres.

The land is not burdened or benefitted by any easements.

The land is not included on the Contaminated Land Register nor is it listed on the Environmental Management Register.

The subject site is vacant and unimproved land. The topography is best characterised by gently sloping land, with moderate slopes confined to the rear of the allotment. The land falls from the road towards the rear boundary in a general east to west direction. Elevations range from approximately 539m AHD along the road frontage to approximately 526m AHD in the rear corner.

The site is comprised of open, cleared land. Vegetation is limited to a single tree in the central area and several along the boundaries in the south-west corner.

Both electricity and telecommunications services are available in the locality. The applicant has indicated that a bore provides an alternative water supply.

The surrounding area is of a semi-rural character with a range of land uses, both residential and non-residential. All adjoining lots are included in the Rural Zone. The land abutting the site's northern boundary is an approved winery currently operating as a distillery. It is understood that a tree lopping and firewood business abuts the southern boundary.

On the opposite side of Long Road is the Tamborine Mountain Sports Grounds, included in the Recreation and Open Space Zone. Figure 4 provides the surrounding zoning to the site.



Figure 4: Zoning map ( Rural, Open Space and Recreation, Rural Residential)

Other tourists type uses operate in proximity to the proposed development, along Hartley Road with two wineries and the Glow Worm Caves.

The residential development in the area is largely acreage style properties within the Rural Residential Zone. Most are improved by single detached dwellings on varying lot sizes. Both Long Road and Hartley Road are higher order roads (Collector Roads). The aerial images on the following page illustrates the pattern of development in the area.





Figure 5: Aerial image of wider locality



Figure 6: Aerial image of subject site and adjoining premises

Framework for Assessment*Categorising Instruments for Statutory Assessment*

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

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

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

Assessment Benchmarks Pertaining to the *Planning Regulation 2017*

<b>PLANNING REGULATION 2017 DETAILS</b>	
Assessment Benchmarks:	Nil.
ShapingSEQ South East Queensland Regional Plan 2017 Designation:	Regional Landscape and Rural Production Area (RLRPA)

Under Schedule 10, Part 16, Division 2 of the *Planning Regulation 2017*, a Tourism activity in the SEQ regional landscape and rural production area is assessable development requiring referral if it “...involves an ancillary commercial or retail activity with a gross floor area of more than 250m<sup>2</sup>...”.

The applicant has stated the application does not require referral agency assessment against the Regional Plan, and provided supporting plans that indicate the gross floor area (GFA) for the Café and Retail does exceed the referral threshold.

It should be noted that Residential Development is prohibited in the South East Queensland regional landscape and rural production area, however there is an exemption for tourist accommodation (in the definition in the *Planning Regulation 2017*). The definition of Tourist Activity also contemplates tourist accommodation that is ancillary to the primary use of the site for a tourist activity. It is considered the proposed accommodation (where construction following the construction of the proposed planetarium) is either ancillary to the tourist activity and/or to be used for legitimate tourist purposes.

*State Planning Policy (SPP)*

The SPP came into effect on 3 July 2017 and must be considered for development assessment to the extent the SPP is inconsistent with the planning scheme. The Scenic Rim Planning Scheme 2020.

The Minister has identified that the SPP is integrated in the planning scheme in the following ways:

***Liveable communities and housing***

*Housing supply and diversity*

*Liveable communities*

***Economic growth***

*Agriculture*

*Development and construction*

*Mining and extractive resources*

*Tourism*

**Environment and heritage***Biodiversity**Cultural heritage**Water quality***Safety and resilience to hazards***Emissions and hazardous activities**Natural hazards, risk and resilience***Infrastructure***Energy and water supply**Infrastructure integration**Transport infrastructure**Strategic airports and aviation facilities**Strategic ports*

As the SPP has been appropriately integrated for all matters that would relate to this proposal, no further consideration is warranted as part of the assessment of this application.

Assessment Benchmarks Pertaining to the Planning Scheme

The applicable planning scheme for the application is Scenic Rim Planning Scheme 2020. The following sections relate to the provisions of the Planning Scheme.

Planning Scheme:	Scenic Rim Planning Scheme 2020 (Amendment No. 2)
Zone:	Rural zone (Tamborine Mountain Rural Precinct)
Consistent/Inconsistent Use:	Short-term accommodation - Consistent Tourist attraction - Potentially consistent
Assessment Benchmarks:	Strategic framework Rural Zone Code Earthworks, Construction and Water Quality Code General Development Provisions Code Landscaping Code Parking and Access Code Tourism Uses Code Agricultural Land Overlay Code Environmental Significance Overlay Code Landslide and Steep Slopes Overlay Code

The material change of use for Tourism Attraction is defined as follows, under the planning scheme:

**"Tourist attraction** means the use of premises for—

(a) providing entertainment to, or a recreation facility for, the general public; or

(b) preparing and selling food and drink for consumption on the premises, if the use is ancillary to the use in paragraph (a).

Examples of a tourist attraction— theme park, zoo"

A *Tourist Attraction* exceeding 200m<sup>2</sup> total use area in the Rural Zone (Tamborine Mountain Rural Precinct), requires impact assessment as 'potentially consistent' use.



The material change of use for Short-term Accommodation is defined as follows, under the planning scheme:

***"Short-term accommodation***

*(a) means the use of premises for—*

*(i) providing accommodation of less than three consecutive months to tourists or travellers; or*

*(ii) a manager's residence, office, or recreation facilities for the exclusive use of guests, if the use is ancillary to the use in subparagraph (i); but*

*(b) does not include a hotel, nature-based tourism, resort complex or tourist park."*

The aspect of the proposed development for Short-term Accommodation (six cabins) is considered to comply with the relevant assessment benchmarks for Code assessment, or could otherwise be conditioned to comply. As such and for the purposes of the assessment report, all further consideration of the development application is in relation to the Tourist Attraction use (planetarium), unless otherwise stated.

*Strategic framework*

As the development application requires impact assessment, consideration is given toward the Planning Scheme as a whole, including the Strategic framework.

The Strategic Framework considers the following matters:

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

The following elements of the strategic framework have been identified as relevant to the consideration of the development to the extent it conflicts:

*3.4 Communities and Character - Mountain community*

The premises is noted as forming part of the "Mountain Community" under Section 3.4 - Communities and Character, of the Planning Scheme. It is acknowledged under the planning scheme that the Mountain Community will continue to attract tourists and visitors to experience its unique natural environment, scenic beauty and semi-rural character, amongst other things. The planning scheme seeks to facilitate tourism opportunities where they are of a scale and intensity consistent with the area's existing semi-rural and natural landscape setting.

This is further expanded on in the context of the proposed development located within the Tamborine Mountain Rural Precinct, under Strategic Outcomes 3.4.2 (5), which states:-

*"The Tamborine Mountain Rural Precinct of the Rural Zone supports a mix of low impact rural production, semi-rural living, tourism and rural enterprise opportunities that complements the existing semi-rural and natural landscape setting and character of the zone. Development in the Tamborine Mountain Rural Precinct:*

- a) is low rise, small scale and of a low intensity;*
- b) facilitates diversification or value-adding opportunities that support agricultural production;*
- c) avoids impacts on the amenity and privacy of nearby properties;*
- d) protects or enhances the semi-rural and natural landscape values of the precinct; and*
- e) does not support intensive rural activities due to the proximity of residential activities to the precinct."*

The applicant in responding to Strategic Outcome 5, has stated the scale and intensity of the proposal is appropriate for the site given its context and characteristics. In our opinion the proposal is low rise, but is not small scale. Guidance in terms of scale is obtained from the table of assessment which identifies tourist attractions as code assessable where not exceeding 200m<sup>2</sup> Total Use Area. The GFA of the proposed development is over nine times this figure and while that is only one metric, it is difficult to find that the use is small scale in terms of what the planning scheme intends.

It is noted the development application material stated a maximum of approximately 100,000 visitors per year and approximately 100 visitors on site at any one time were anticipated to attend the Planetarium. It is considered positive that the applicant has identified an upper limit of visitation so the total impacts of the use can be quantified (e.g. traffic generation), however it is likely (in the author's opinion) that this visitation will not be achieved immediately. For reference, the Brisbane Planetarium is reported to have had approximately 150,000 visitors in 2018 and the Charleville Planetarium closer to 25,000 visitors per year. In terms of intensity, it is relevant that the proposed use will occur almost entirely indoors and as such, external impacts are limited to visual impacts and traffic impacts. As noted earlier, the proposed built form is considered low rise (less than 8.5m in height) with visual impacts further mitigated through the siting of the building on part of the site below the road level (being the primary view corridor) and through planting of native trees throughout the development (consistent with the submitted landscape plan).

In response to other parts of Strategic Outcome 5 relevant to a tourist attraction, the proposed development:

- Does not facilitate diversification or value-adding opportunities that support agricultural production;
- Does avoid impacts on the amenity and privacy of nearby properties. There is no unacceptable adverse external amenity impacts expected from the development (where appropriately conditioned)
- Does protect and enhance the natural landscape values of the precinct through native landscape planting on an otherwise cleared allotment.

In short, the proposed development, while a tourist attraction, is not of a type or scale envisioned to occur in the precinct and zone. The use area of the development is significantly larger than anticipated by the planning scheme and there is no nexus with the existing semi-rural and natural landscape setting and character of the zone. Despite this, and as described later, there are limited impacts or consequences that result.

The strategic direction identified in the above provisions is further confirmed in the lower order provisions of the planning scheme.

### 3.5 Growing Economy - Tourism and Recreation

The planning scheme acknowledges the tourism and recreation sector is a significant employer in the region and its sustainable growth is supported. Tourism is supported where development protects and enhances the existing strengths of the Scenic Rim including its Natural Areas, rural landscapes and vibrant communities, and is promoted where it is consistent with community values and aspirations and contributes to community development and wellbeing.

The planning scheme considers opportunities for small-scale tourism outside of those areas zoned for Tourism on the Tamborine Mountain plateau and escarpment, provided they are consistent with the existing natural environment, landscape setting and character of the areas and located on appropriately sized properties to avoid impacts on the residential amenity and privacy of nearby properties. More intensive tourism uses on the Tamborine Mountain plateau, other than where located in Gallery walk, are not envisaged under the planning scheme.

The following Strategic Outcomes are sought under the planning scheme in the context of the proposed development:

*"(1) A range of tourism enterprises and infrastructure are located throughout the region to take advantage of, and allow the public to experience the natural landscape and ecological values of the area.*

*(2) Visitor accommodation and tourism activities are compatible with, and complement existing tourism products available in the region.*

*(5) Tourism and recreational activities seeking to take advantage of the rural, natural and scenic amenity values of the region are of a scale, nature and intensity appropriate for the landscape setting and conserve and enhance natural values of the site and its surrounds.*

...

*(11) Small-scale tourism and recreation activities may be supported in the Mountain Community outside of the Minor Tourism Zone, where:*

- (a) located on sites with a sufficient area to manage any impacts within the site;*
- (b) designed to integrate with and preserve the landscape and natural values of the site and its surrounds;*
- (c) the privacy and amenity of nearby sensitive receivers and the character of the area is maintained;..."*

As described earlier, it is considered the development is of a scale beyond that anticipated as small-scale for the Mountain Community, however it otherwise meets the outcome sought by Strategic Outcome 11 as follows:

- The site is of sufficient area to accommodate the use and manage impacts;
- The site will be enhanced with landscape planting to help it integrate with the natural values of its surrounds; and
- Where appropriately conditioned there will be no unacceptable adverse impact on nearby sensitive receivers in terms of privacy and amenity. The character of the area consists of semi-rural uses as well as tourist attraction and large community facilities such as the sports fields on the opposite side of the road. The proposed use is not therefore considered to have an impact on the character of the area as a whole.

The strategic direction identified in the above provisions is further confirmed in the lower order provisions of the planning scheme.

Notwithstanding the above, consideration has been given to the proposed development on the balance with the Strategic Framework objectives as a whole and whether the proposed development is in the communities interest. Further consideration is provided later in the report.

### Planning Scheme Codes

#### *Rural Zone Code*

It is noted the development despite being subject to impact assessment, is identified to be a 'potentially consistent' use in the Rural Zone. Uses identified as 'potentially consistent' in the underlying zone require assessment of matters such as its location, nature, scale and intensity to determine whether they are appropriate. This is contrasted with uses identified as inconsistent – which are not anticipated to occur in the zone (notwithstanding any further assessment).

The purpose of the Rural Zone as prescribed by the code, is to:

- "(a) provide for rural uses and activities; and*
- (b) provide for other uses and activities that are compatible with:*
  - (i) existing and future rural uses and activities; and*
  - (ii) the character and environmental features of the zone; and*
- (c) maintain the capacity of land for rural uses and activities by protecting and managing significant natural resources and processes."*

The purpose of the Rural Zone Code, specific to the Tamborine Mountain Rural Precinct, is achieved through the following overall outcomes applicable to the proposed development:

*"...*

#### *(b) Land Uses:*

*...*

- (iii) include tourism activities and recreation activities that are of a scale, nature and intensity that complement and protect the semi-rural and natural landscape setting of the precinct and that are compatible with nearby land in a residential zone;*

*...*

- (v) where involving a use other than a low impact rural activity or low density residential activity:*
  - (A) protect or enhance the semi-rural and natural landscape values of the precinct;*
  - (B) are small scale and of a low intensity;*
  - (C) facilitate diversification or value-adding opportunities that support or increase agricultural production and the ongoing operation of low-impact rural activities;*

*...*

- (c) Character consists of a mix of small farms, low density residential living opportunities and small scale tourist activities and recreation activities set amongst a semirural and natural landscape setting. ...*

#### *(d) Built form:*

- (i) is located and designed to complement and protect the semi-rural and natural landscape setting of the precinct;*
- (ii) is small scale, low-rise and set back from property boundaries to maintain the low density character of the zone and maintain the amenity (in terms of noise, odour and visual amenity) and afford privacy to adjoining premises."*

Table 6.2.17.3.6 Performance Outcomes PO1 and PO4 of the Rural Zone Code (Tamborine Mountain Rural Precinct) further expand on the intended Built Form and Land Uses envisaged as part of the Zone.

*"PO1*

*Built form:*

- (1) is small scale;*
- (2) minimises modifications to the natural landform;*
- (3) maximises the retention of vegetation; and*
- (4) is designed to reflect the natural character of the zone, with the use of:*
  - (a) timber or natural materials;*
  - (b) soft natural exterior colours; and*
  - (c) patterns and textures."*

*"PO4*

*Development other than a rural or low density residential activity:*

- (1) is located and designed to complement the semi-rural and natural landscape setting of the zone;*
- (2) is of a small scale and low intensity to protect the semi-rural and natural landscape values of the precinct;*
- (3) maximises or enhances the existing vegetation cover;*
- (4) maintains the capacity of the site and adjacent rural land for agricultural production;*
- (5) minimises the potential for land use conflict with adjacent rural land; and*
- (6) does not detract from the amenity (in terms of noise, odour and visual amenity) and privacy of adjoining premises."*

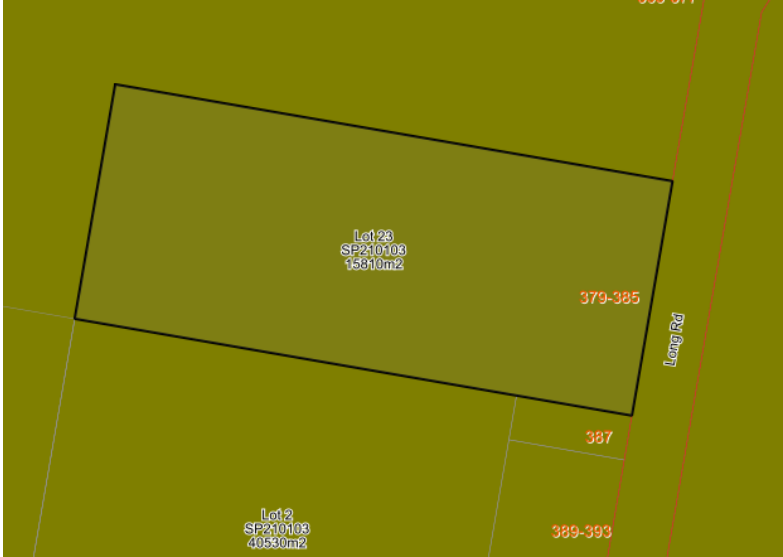
The applicant in responding to the Code has stated the development complies with the Performance Outcome PO4. However as described earlier, it is not considered that the proposed development (specifically the planetarium component) is not small scale as anticipated for Tourist Attractions in the Tamborine Mountain Rural Precinct. There is largely compliance with the balance of the performance outcomes however the requirement that development is small scale is also a requirement of the overall outcomes. The use is otherwise considered to complement and protect the setting of the values precinct as a whole and do not cause adverse impacts on privacy and amenity.

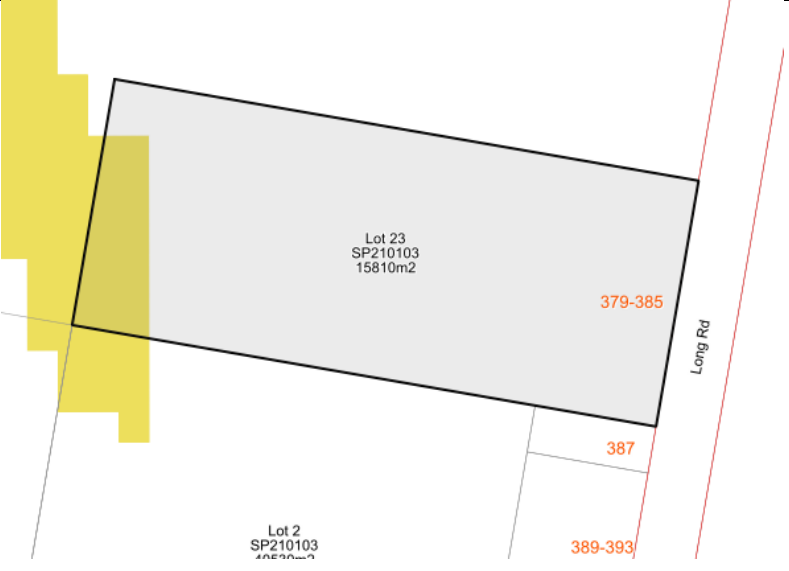

### *Overlay Codes*

The following overlay codes are triggered for assessment in relation to the proposed development:

- *Environmental Significance Overlay Code*
- *Landslide and Steep Slopes Overlay Code*
- *Agricultural Land Overlay Code*

The application has been assessed against each of the above applicable codes and found to be compliant with, or can be conditioned to comply with, each. The pertinent issues arising out of assessment against the codes are discussed below:

Code	Discussion
<p>Environmental Significance Overlay Code</p>	<p>The entire premises is included within Overlay 4F for matters of Environmental Significance - Vegetation Management Area.</p>  <p>Figure 7: ■ denotes Vegetation Management Area</p> <p>The Overlay Code encourages development in existing cleared areas or otherwise maximises the retention of <i>significant trees</i> to maintain and protect the visual amenity of the local area.</p> <p>It is noted based on the site analysis, that the site is effectively cleared. The loss of the one tree remaining within the development footprint will be offset through the planting of several new trees and plants as part of the applicant's proposed landscaping.</p> <p>The proposed development is not subject to any other matters of Environmental Significance and is deemed to comply with the Environmental Significance Overlay Code.</p>
<p>Landslide and Steep Slopes Overlay Code</p>	<p>The premises is mapped as having areas with slopes between 15.1% - 20% in the rear corner (south-west corner), but is otherwise unconstrained.</p>

	 <p>Figure 8: ■ denotes Slope hazard 15.1% - 20%</p> <p>The development footprint avoids the mapped constrained area. The proposed development is deemed to comply with the Environmental Significance Overlay Code.</p>
<p>Agricultural Land Overlay Code</p>	<p>The premises is located within the Agricultural Land Overlay. For the purposes of the Planning Scheme, land shown on the Agricultural Land Overlay Map as Agricultural Land Classification (ALC) Class A and Class B land, is taken to be <i>'significant agricultural land'</i>.</p>  <p>Figure 9: ■ denotes Class A and Class B Land</p>

	<p>The purpose of the Agricultural Land Overlay Code in relation to <i>significant agricultural land</i>, is to:</p> <ul style="list-style-type: none"> <li>a) <i>protect significant agricultural land in the Rural Zone for agricultural uses;</i></li> <li>b) <i>protect significant agricultural land in the Rural Zone from fragmentation, alienation or diminished agricultural productivity;</i></li> <li>c) <i>minimise the potential for conflict between agricultural and other uses on significant agricultural land; and</i></li> <li>d) <i>facilitate development for agricultural purposes on significant agricultural land in the Rural Zone.</i></li> </ul> <p>The purpose of the Code is achieved through the following overall outcomes applicable to the proposed development:</p> <p style="padding-left: 40px;"><i>"(a) The ongoing productive use of significant agricultural land for agricultural purposes is maintained and protected by ensuring that:</i></p> <p style="padding-left: 80px;"><i>...</i></p> <p style="padding-left: 80px;"><i>(ii) development that leads to diminished productivity of significant agricultural land is avoided unless a planning need exists for the development to occur and the area lost from production is minimised to the greatest extent possible; and</i></p> <p style="padding-left: 80px;"><i>(iii) where development impacts significant agricultural land, such impacts are to be mitigated to ensure a no net loss in the utility and or availability of significant agricultural land;</i></p> <p style="padding-left: 40px;"><i>(b) Where the development will result in permanent impacts on significant agricultural land and there is an overriding need for the development, the permanent impacts on significant agricultural land are:</i></p> <p style="padding-left: 80px;"><i>(i) avoided to the greatest extent possible; and</i></p> <p style="padding-left: 80px;"><i>(ii) minimised where the impacts cannot be avoided; and</i></p> <p style="padding-left: 80px;"><i>(iii) mitigated where the impacts cannot be avoided;</i></p> <p style="padding-left: 40px;"><i>..."</i></p> <p>It is noted that the proposed development footprint for the Tourist attraction exceeds the 1,000m<sup>2</sup> prescribed in AO1.2 of the Code where on land identified as <i>significant agricultural land</i>.</p> <p>The applicant has responded by stating the provisions of the Code are not applicable given an existing approval over the land and the site's limited suitability for a rural activity due to its size and locality. This is generally accepted and it is further noted that the proposed use will not permanently alienate the land from rural production should future demand arise.</p>
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#### Use Code

The purpose of the Tourism Use Code is to ensure that development is appropriately designed to:

- "(a) meet visitor needs;*
- (b) protect environmental and landscape values;*
- (c) protect the amenity of surrounding premises; and*
- (d) avoid land use conflicts."*



The purpose of the code is achieved through the following applicable overall outcomes of the code:

*"(a) Tourism activities:*

*...*

*(iv) provide a high level of amenity and integrate visually with the surrounding built and natural environment;*

*(v) are of a scale and intensity that is compatible with the preferred character identified in the relevant zone code and predominant use of the local area;*

*...*

*(vii) do not adversely impact on the amenity of rural and residential areas or the viable operation of Rural activities; and*

*(viii) where undertaken in the Rural Zone, are subordinate to rural activities conducted on the site."*

Acceptable Outcome AO9 of the Code of states:

*"Tourist attractions:*

*(1) directly relate to, or are ancillary to, Rural activities being conducted on the site; or*

*(2) have a direct association with an on-site environmental, landscape, scenic or heritage value.*

In addressing this, the applicant has stated the tourist attraction has an association with the landscape and scenic values of the site and surround. It is not accepted that the aspect of the proposed development involving the planetarium has any direct association with an "on-site" landscape or scenic value to satisfy AO9. The associated Performance Outcome PO9 states the following:

*"Tourist attractions in the Rural Zone:*

*(1) are ancillary and subordinate to a rural activity;*

*(2) support existing rural activities;*

*(3) do not conflict with on-site or adjoining rural activities; and*

*(4) maintain existing rural amenity."*

The proposed tourist attraction is not ancillary and/or subordinate to any rural activity so there is non-compliance with this performance criteria as well as overall outcome (a)(viii).

All other provisions of the Tourism Use code comply or could be conditioned to comply.

#### *Other Development Codes*

The following codes which regulate infrastructure provision, impacts, controls and design are applicable to this application:

- *Earthworks, Construction and Water Quality Code*
- *General Development Provisions Code*
- *Landscaping Code*
- *Parking and Access Code*

The application has been assessed against each of the above applicable codes and found to be compliant with, or can be conditioned to comply with, each. The pertinent issues arising out of assessment against the codes are discussed below:

Code	Discussion
Earthworks, Construction and Water Quality Code	<p><i>Stormwater</i></p> <p>The proposal includes a Stormwater Management Plan, which demonstrates that the development would not result in actionable nuisance (from a Quantity point of view).</p> <p>The underlying use was Rural and the proposed impact assessment, proposes a use that is consistent with an "Urban Purpose". Therefore, it is considered reasonable to impose stormwater quality on the site, in accordance with the requirements of the State Planning Policy (SPP).</p> <p>The proposed increase in impervious area exceeds 25% of the site's coverage and would therefore require the reduction in gross pollutants, nitrogen and phosphorous in accordance with the SPP requirements.</p> <p>No demonstration of water quality has been provided at this stage. However, the site is of a significant size, where end of the line treatment could be established, without impacting on the overall site function.</p> <p>The assessment of the stormwater quality would need to occur in a subsequent operational works application.</p> <p><i>Earthworks</i></p> <p>The resulting earthworks are present of the supplied engineering plans and are unlikely to pose a risk to patrons, pose and adverse amenity impact or required further RPEQ design (Note. ≤1m is covered under the QDC &amp; ≤0.8m under the NCC) and therefore can be conditioned to comply.</p>
General Development Provisions Code	The proposed development complies or could otherwise be conditioned to comply with the provisions of Code.
Landscaping Code	<p>The applicant has submitted a Landscape Master Plan as part of their supporting material.</p> <p>A further Landscape Plan for Council's endorsement would be conditioned as part of any approval, in accordance with the Code requirements.</p>
Parking and Access Code	<p><u>Road Upgrade (to a Class 4A collector)</u></p> <p>The provided traffic impact assessment indicates the current road width is not sufficient to meet the vehicular movement needs, based on the proposed development there the need for channelisation (widening for the right-hand turn).</p> <p>The road is currently Classed as a Class 4 A collector, but is operating with a 6m wide pavement (being narrower than Council's Class 5 road).</p>

Code	Discussion
	<p>Consultation with AES has concluded that Long Road should be upgraded to a Class 4A Collector to achieve this requirement. The extension would be from the intersection of Long Street and Hartley Road (being the current Class 4A Standard) for the length of the property or required channelisation (whichever is the longer).</p> <p>The road extension must not impact on Council's sporting facility's operation (located at 364-412 Long Road).</p> <p><u>Footpath Extension</u></p> <p>A footpath extension for the length of the property, extending to the existing footpath within Long Road would be required as part of any approval.</p> <p>The proposed channelisation directly impacts on the pedestrian crossing, either the driveway or pedestrian crossing would need to be relocated.</p> <p>AES believes the pedestrian crossing was in the best location from a sight distance point of view and non-worsening would need to be demonstrated.</p> <p>However, given the proposed Road Upgrade being conditionable, the impact on the sight distances and a suitable relocation could be address with the road's construction.</p> <p>Additional consideration for a pedestrian holding area would need to be reviewed, where the traffic crossing width would increase the risk to pedestrians.</p> <p><u>Driveway Crossover</u></p> <p>Driveway crossover to be constructed to a commercial crossover standard, in accordance with Council's standard drawing R-06/C Non-Residential Driveway.</p> <p><u>Parking</u></p> <p>The proposed parking areas have been supported by a traffic engineer (RPEQ).</p> <p>The provided parking areas have been demonstrated to comply with AS2890 and turning templates have been supplied for the vehicles.</p> <p>The design includes an additional set down area, more than the current parking demand.</p> <p>Conditions can be imposed to ensure the development can comply with the maximum grades.</p>

Public Notification

The application was publicly notified for 15 business days between 17 June 2022 and 8 July 2022 in accordance with the *Planning Act 2016*. The application received a moderate level of public interest, with 33 submissions receipted. There are 20 properly made submissions and 13 not properly made submissions.

A common reason for the number of not properly made submissions was due to a residential address not being provided, which is a mandatory requirement for a submission to be considered properly made under the *Planning Act 2016* and Development Assessment Rules 2017.

The following table provides a breakdown of the properly made submissions, not properly made submissions and whether the submitters were objecting to the development, in support of the development or expressed a neutral view. The table also notes the number of submitters who identified themselves within the submission as having an association with the development as either an investor or volunteer.

	Properly made	Not properly made
In support	15	5
In objection	5	7
Neutral	-	1
Likely to be directly affected (adjoining or in proximity to premises)	Nil	Nil
Known to be associated with the development (investors, volunteers, etc.)	5	3
Pro-forma (not unique)	5	2
<b>In total</b>	<b>20</b>	<b>13</b>

No submitters are known to be directly adjoining or in proximity to the premises that may be likely impacted upon by the development.

The following table provides a description of the matters raised in submissions received about the application, together with a statement of how those matters were dealt with in reaching a decision:

<b>Key issues / concerns</b>	<b>Response</b>
Unique experience for both visitors to the Mountain and local residents.	The planning scheme acknowledges that the Tamborine Mountain plateau will continue to attract tourists and visitors.  The appropriateness of the use in the context of the site is further discussed in the report.
Social and economic benefits	The planning scheme must balance Economic Development and Community Identity, Character, and Social Inclusion, among other themes.  The educational merits of the development have been considered against the relevant assessment benchmarks and is further discussed in the report.
Location opposite sports ground - improve both projects	The proximity to the sports ground is not a matter raised in the assessment benchmarks but is relevant to the context of the site, character of the area and potential for impacts on adjacent uses.

<b>Key issues / concerns</b>	<b>Response</b>
Viability and capability with location <ul style="list-style-type: none"> <li>• Cloud cover</li> <li>• Light pollution</li> <li>• Requirement for funds from government</li> </ul>	<p>Requirement for funds from government and viability of the development are not considered a relevant planning matter.</p> <p>The development primarily relates to a planetarium rather than a space observatory so matters such as light pollution and cloud cover would not affect the use and in any case are not a relevant planning matter.</p>
Overestimation of visitors and Proximity to Brisbane Planetarium	Assessment is based on 100,000 visitors per year, as proposed by the applicant in the supporting material. This provides an upper limit against which the maximum impacts of the development can be assessed.
Management of development - capable persons to run sessions	Not considered a relevant planning matter.
Inappropriate/incompatible with Tamborine Mountain tourism  Disconnection with character and character culture of Tamborine Mountain  Not known as an educational hub for the promotion of STEM	<p>The proposed development is unique and different to existing tourism offerings at Tamborine Mountain. The compatibility of the development requires consideration of the context of the site and area, impacts on surrounding properties or the environment and the intensity of the use. These matters are discussed elsewhere in the report.</p>
Abandonment of bespoke building after novelty visits are exhausted	Not considered a relevant planning matter.
Diminish supply of undeveloped land	<p>The subject lot is not zoned for any higher order development under the planning scheme and as such, the loss in development potential is not considered a relevant planning matter. It is considered that there is limited agricultural potential as a result of the size of the parcel and on this basis there will be an insignificant impact to the supply of productive rural land.</p>
Traffic - increased traffic, damage to roads and noise and light pollution	<p>The applicant has submitted a Traffic Impact report, prepared by an RPEQ.</p> <p>The findings of the report have been reviewed by Council's development engineers with recommended conditions of approval.</p> <p>Any potential offsite noise and light pollution as a result of increased traffic is considered reasonable in the context of Long Rd, and the proposed operating hours.</p>

<b>Key issues / concerns</b>	<b>Response</b>
Development can be built anywhere	The assessment focusses on the compliance of the proposed development with the Planning Scheme and does not need to consider whether it would be more appropriate elsewhere. Planning need has not been raised as a relevant matter by the applicant.
Envisaged numbers and urban impact are not assessable - impact to local road, parking provision, employment boost for locals	The application material and assessment against the relevant assessment benchmarks and is based on 100,000 visitors per year.
Compliance with Code's AOs in relation to building setbacks	An alternative solution has been proposed by the applicant requiring a performance based assessment against the corresponding performance outcome.
Scale and intensity - "of a small scale and low intensity...."	This is an identified non-compliance that is further discussed throughout the assessment report.
Car parking demand and provision	<p>The proposed parking areas have been supported by a traffic engineer (RPEQ).</p> <p>The provided parking areas have been demonstrated to comply with AS2890 and turning templates have been supplied for the vehicles.</p> <p>The design includes an additional set down area, more than the current parking demand.</p> <p>Conditions can be imposed to ensure the development can comply with the maximum grades.</p> <p>A subsequent operational works permit would be required for the car park, if approved.</p>
Buggy carport for parking of buggies associated with cabins	<p>The cabins provide for guests parking.</p> <p>Any carports for buggies is an operational decision of the applicant and is not a requirement of the Code.</p>
Water harvesting and storage	<p>The applicant proposed the use to be self-sufficient in regards to water supply, including rainwater collection and an existing bore.</p> <p>Any approval would be conditioned to require a suitable potable water supply to support the use.</p>
Energy minimisation strategy	<p>Consideration of energy minimisation for development under the planning scheme is limited to Dwellings in relation to solar access.</p> <p>As such, an energy minimisation strategy is not a relevant planning matter.</p>

<b>Key issues / concerns</b>	<b>Response</b>
Building service access diagrams indicating safe separation from public access	Addressed as part of any building approval process, as the head of power.
Analysis of demand for public amenities and provisions for the disabled.	Addressed as part of any building approval process, as the head of power.
Set down of disabled persons under cover.	Addressed as part of any building approval process, as the head of power.
Wastewater - Soil evaluation and requirement for Concurrence referral.	<p>A development application is an applicant driven process, of which the applicant has not identified that concurrence referral is required for onsite wastewater treatment.</p> <p>Notwithstanding, consultation with Council's Plumbing Department indicate that a concurrence referral would not be required.</p> <p>Any approval would include a capped use of café and exhibition area to 70 patrons consistent with wastewater design.</p> <p>All other wastewater considerations would be subject to further development permits.</p>
Stormwater management - conflict with sewage wastewater application areas	<p>The proposal includes a Stormwater Management Plan, which demonstrates that the development would not result in actionable nuisance (from a Quantity point of view).</p> <p>The underlying use was Rural and the proposed impact assessment, proposes a use that is consistent with an "Urban Purpose".</p> <p>Therefore, it is considered reasonable to impose stormwater quality on the site, in accordance with the requirements of the State Planning Policy (SPP).</p> <p>The proposed increase in impervious area exceeds 25% of the site's coverage and would therefore require the reduction in gross pollutants, nitrogen and phosphorous in accordance with the SPP requirements.</p> <p>No demonstration of water quality has been provided at this stage.</p> <p>However, the site is of a significant size, where end of the line treatment could be established, without impacting on the overall site function.</p> <p>The assessment of the stormwater quality would need to occur in a subsequent operational works application.</p>

<b>Key issues / concerns</b>	<b>Response</b>
	Otherwise, the stormwater drainage is to be in generally accordance with ACS stormwater management plan.
Traffic impact assessment - conflict with the existing sports ground and Long Road traffic flow (particularly during school times)	<p>The provided traffic impact assessment indicates that the current road width is not sufficient to meet the vehicular movement needs as projected to 2033 and it suggests the need for channelisation (widening for the right-hand turn).</p> <p>The road is currently Classed as a Class 4 A collector, but is operating with a 6m wide pavement (being narrower than Council's Class 5 road).</p> <p>Consultation with AES has concluded that Long Road should be upgraded to a Class 4A Collector to achieve this requirement.</p> <p>The extension would be from the intersection of Long Road and Hartley Road (being the current Class 4A Standard) for the length of the property or required channelisation (whichever is the longer).</p> <p>These external works would be subject to a future interfering with a road or its operation application, in accordance with the substantive local law, and would be assessed so as to not impact on Council's sporting facility's operation</p>
Unapproved advertising device	Any existing unlawful development that is not the subject of a Show cause or Enforcement notice is not a relevant in the assessment of this application.
Grant / subsidisation from Council for operational works and development contributions further to the 100% fee reduction	Not a relevant matter for consideration in the assessment of this application.

#### 'Relevant matters' for consideration

The decision-maker under s60(3) of the Act is required to carry out an assessment against the assessment benchmarks in the relevant planning scheme and can take into account any other relevant matter under s45(5)(b). Compliance with the planning scheme is accorded the weight that is appropriate in the particular circumstances by virtue of it being the reflection of the public interest (and the extent of any non-compliance is also weighted according to the circumstances), in order to be considered and balanced by the decision-maker with any other relevant factors.

The decision-maker may balance a number of factors to which consideration is permitted under s45(5) of the Act in making the decision under s60(3) of the Act where the factors in favour of approval have to be balanced with the factors in favour of refusal of the application. The weight given to each of the factors is a matter for the decision-maker in the circumstances.

The planning scheme needs to be read as a whole, in a way which is practical and as intending to achieve a balance between outcomes.



The extent of non-compliance with the planning scheme is summarised as follows:

1. The proposed development is not small scale as anticipated for tourist attractions at Tamborine Mountain.
2. The proposed development does not facilitate diversification or value-adding opportunities that support agricultural production; and
3. The proposed tourist attraction is not ancillary and/or subordinate to any rural activity on the same site.

In light of the above, an assessment is required about the consequences of those non-compliances and a determination made whether there are relevant matters that favour approval. This is discussed below.

As described earlier, the scale of the facility is larger than that anticipated in the zone and precinct. The consequences of the scale in this case are considered limited to visual consequences and traffic consequences because the nature of the use (including being predominantly indoors) means there is unlikely to be any adverse amenity impacts on surrounding lots. Traffic generation was addressed in the traffic report submitted by the applicant which reported that at peak times there would be 36 vehicles entering and leaving the site. This will be a substantial generator of traffic on Long Street however it is noted that:

- Traffic counts indicate Long Road carries approximately 2,800 vehicles on a Sunday,
- Long Road is identified as a collector road in the planning scheme and currently provides access to a number of other tourist attractions (wineries) in the area as well as the sports ground.
- The estimated traffic generation is based on the total operating capacity of 100,000 persons per year which is unlikely to be realised in the first years of operation,
- Road upgrades have been recommended by Council engineers (in the form of pavement widening) and by the applicant (for access into and out of the property).

In summary, the extent of traffic associated with the proposed use is considered acceptable given the context of the site and upgrades proposed.

In relation to visual impacts it is noted that:

- Tourist attractions are a use which is anticipated in the zone and precinct.
- The context of the site is influenced by other nearby tourist attractions and the sports complex on the other side of the road.
- The built form does not exceed the height limit for the Rural Zone (8.5m).
- The location of the main building is below the level of the road.
- The built form has been broken into different component parts and is further softened by landscaping between the road and the building.

In summary, the proposed development is not expected to result in unacceptable visual impacts on the character of the area.

The planning scheme anticipates Tourist Activities that facilitate diversification of, or are ancillary/subordinate to a rural activity. A good example of such activities are wineries/cellar doors that represent the addition of a tourism use to an existing rural enterprise. The proposed development is not associated with any existing rural use of the property, nor will it facilitate diversification of the rural industry generally. It represents a standalone tourism use which takes advantage of the existing tourism attractions of Tamborine Mountain. Mitigating this non-compliance is the following:

- The planning scheme recognises the benefits to the region as a whole from tourism.
- Other activities at Tamborine Mountain (including rural-based tourism and accommodation will benefit from the visitation to the proposed planetarium, particularly if it reaches the levels of patronage anticipated by the applicant.

- The land on which the development is proposed is not currently used for any high intensity rural activities and is likely too small to make a meaningful contribution to the rural production at Tamborine Mountain. In other words, there is unlikely to be any consequence of the loss of this land to rural production.

It is also relevant in the context of the above discussion and non-compliances with the planning scheme that there is an existing approval for a Function facility and Short-term accommodation. While each application should be assessed on its merits, it is relevant that an alternate use may be developed on the property without further approval. It consists of a function facility, six short term accommodation units and a residential dwelling. Comparison of the approved plans reveals a similar development footprint, albeit in a different layout.

### **Budget / Financial Implications**

Should the applicant and/or properly made submitters 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 and/or properly made submitters 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:

- SR43 Inadequate or ineffective planning, delivery and maintenance of infrastructure resulting in risk to public and staff safety and potential financial implications.
- SR50 Failure to manage Environmental Sustainability (including climate change) through inappropriate and/or inadequate planning and operational considerations of impacts to the natural environment.

Risk Assessment

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

**Consultation***Public notification*

The development application was publicly notified for a period of 15 business days by the applicant in accordance with the requirements of the *Planning Act 2016*.

*External referrals*

The development application was not subject to external referral.

*Internal referrals - Development Assessment (Engineering)*

Development Assessment (Engineering) reviewed the application material and provided conditions which will part of any recommended conditions of approval.

Asset & Environmental Sustainability officers have been consulted regarding road standards.

**Conclusion**

In summary of the above, there are identified non-compliances with the relevant assessment benchmarks, however these non-compliances will (in the author's opinion) have little to no consequence on the surrounding area. In addition, the following relevant matters have been identified:

1. The proposed development has particular land requirements that are unlikely to be met within the existing Tourism zoned land at Tamborine Mountain.
2. The context of the site is influenced by other tourist attractions and the adjacent sports fields.
3. There is an existing approval for a Function Facility and Short-term Accommodation over the land.
4. The loss of rural land is unlikely to make a meaningful impact to the supply of rural land or rural production generally at Tamborine Mountain or elsewhere in the shire.
5. The proposed development will:
  - a. Bring economic advancement through its construction and operation;
  - b. Serve an educational function for locals and tourists;
  - c. Support and enhance existing tourism ventures at Tamborine Mountain; and
  - d. Create additional direct and indirect jobs for the community.
6. The proposed development is unlikely to cause any unacceptable amenity or traffic impacts and can be conditioned to ensure visual impacts are minimised.
7. No adverse town planning consequences would arise from the identified non-compliance with the assessment benchmarks.

On balance, it is recommended that the application be approved subject to imposition of reasonable and relevant conditions in Appendix A, and in consideration of the relevant matters outlined in this report favouring approval.

## APPENDIX A - CONDITIONS OF APPROVAL

<b>Real Property Description:</b>	Lot 23 on SP210103
<b>Address of property:</b>	379-385 Long Road Tamborine Mountain
<b>Site area:</b>	1.581 Hectares
<b>Proposal:</b>	Development Permit for Material Change of Use - Tourist attraction (Planetarium), and Short-term accommodation (six cabins)

### 1. Currency Period of Approval

The currency period for this development approval is six (6) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

### 2. Conditions of Approval:

- a) A Development Permit is given for Material Change of Use subject to the following conditions:

No.	Condition	Timing																																								
1.	<b>PLANS AND DOCUMENTS</b>  Undertake development generally in accordance with the following plan(s) and/or document(s); except as altered by other conditions ofthis development approval including any amendments wherever made in red on the approved plan(s):	At all times.																																								
	<table><tr><th>Plan Name</th><th>Drawing No.</th><th>Prepared By</th><th>Plan/ Revision Date</th></tr><tr><td colspan="4">Plans for Approval</td></tr><tr><td>Site Plan</td><td>DA-1.1A</td><td>inFORM</td><td>08/02/2022</td></tr><tr><td>Basement Floor Plan</td><td>DA-2.1A</td><td>inFORM</td><td>08/02/2022</td></tr><tr><td>Ground Floor Plan</td><td>DA-2.2A</td><td>inFORM</td><td>08/02/2022</td></tr><tr><td>First Floor Plan</td><td>DA-2.3A</td><td>inFORM</td><td>08/02/2022</td></tr><tr><td>Floor Plans - PWD Cabin</td><td>DA-2.4A</td><td>inFORM</td><td>08/02/2022</td></tr><tr><td>Floor Plans - Cabins 2-6</td><td>DA-2.5A</td><td>inFORM</td><td>08/02/2022</td></tr><tr><td>Roof Plan</td><td>DA-3.1A</td><td>inFORM</td><td>08/02/2022</td></tr><tr><td>Elevations - North and East</td><td>DA-4.1A</td><td>inFORM</td><td>08/02/2022</td></tr></table>		Plan Name	Drawing No.	Prepared By	Plan/ Revision Date	Plans for Approval				Site Plan	DA-1.1A	inFORM	08/02/2022	Basement Floor Plan	DA-2.1A	inFORM	08/02/2022	Ground Floor Plan	DA-2.2A	inFORM	08/02/2022	First Floor Plan	DA-2.3A	inFORM	08/02/2022	Floor Plans - PWD Cabin	DA-2.4A	inFORM	08/02/2022	Floor Plans - Cabins 2-6	DA-2.5A	inFORM	08/02/2022	Roof Plan	DA-3.1A	inFORM	08/02/2022	Elevations - North and East	DA-4.1A	inFORM	08/02/2022
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Elevations - South and West	DA-4.2A	inFORM	08/02/2022
Cover Sheet	ACS-210153-ROAD-01/A	ACS Engineers	01/04/2022
Site Plan	ACS-210153-ROAD-02/A	ACS Engineers	01/04/2022
General Layout Plan Sheet 1 of 2	ACS-210153-ROAD-03/A	ACS Engineers	01/04/2022
General Layout Plan Sheet 2 of 2	ACS-210153-ROAD-04/A	ACS Engineers	01/04/2022
Bulk Earthworks Layout Plan Sheet 1 of 2	ACS-210153-ROAD-05/A	ACS Engineers	01/04/2022
Bulk Earthworks Layout Plan Sheet 2 of 2	ACS-210153-ROAD-06/A	ACS Engineers	01/04/2022
Sections Sheet 1 of 3	ACS-210153-ROAD-07/A	ACS Engineers	01/04/2022
Sections Sheet 2 of 3	ACS-210153-ROAD-08/A	ACS Engineers	01/04/2022
Sections Sheet 3 of 3	ACS-210153-ROAD-09/A	ACS Engineers	01/04/2022
Stormwater Management Plan	ACS-210153-ROAD-10/A	ACS Engineers	01/04/2022
Plans for Endorsement			
Erosion & Sediment Control Plan	ACS-210153-ROAD-11/A	ACS Engineers	01/04/2022
Erosion & Sediment Control Notes	ACS-210153-ROAD-12/A	ACS Engineers	01/04/2022
Associated Reports			
Stormwater Management Plan prepared by ACS Engineers dated 30 March 2022.			
Transport Impact Assessment prepared by Rytenschild Traffic Engineers dated 20 May 2022.			
Landscape Master Plan prepared by Clark + Granger dated 5 April 2022			
Site and Soil Evaluation prepared by Taylor Environmental dated 19 July 2021			

No.	Condition	Timing
2.	<b>DEFINITION COMPLIANCE AND EXCLUSION</b>  The approved use and associated ancillary activities must at all times comply with the definition of <i>Tourist attraction</i> and Short-term accommodation as identified under Schedule 1 – Dictionary, Part 1: Defined Uses of the <i>Scenic Rim Planning Scheme 2020</i> .	At all times.
3.	<b>INTENSIFICATION OF APPROVED USE</b>  A material increase in the intensity or scale of the use of the premises as approved may constitute a material change of use and require further development approval.	At all times
4.	<b>STAGED DEVELOPMENT</b>  Undertake the development in accordance with the sequence of staging as indicated on the approved plans and documents, with the stages to be developed in chronological order.  Stage 1 must commence prior to stage 2 being undertaken.	At all times
5.	<b>MAXIMUM PATRONAGE</b>  The development must not exceed a maximum of 100 persons on site at any one time.  <b>Note:</b> Refer to Advisory note (h) in relation to wastewater design and capacity.	At all times
6.	<b>ANCILLARY COMMERCIAL OR RETAIL ACTIVITIES</b>  Any ancillary commercial or retail activities undertaken onsite must not exceed a gross floor area of more than 250m <sup>2</sup> .	At all times
7.	<b>HOURS OF OPERATION</b>  Hours of operation will be limited to: <ul style="list-style-type: none"> <li>a) 10am to 5pm (7 days per week); and</li> <li>b) Extended hours 5pm to 10pm one day per month (unless agreed to in writing by Council)</li> </ul>	At all times
8.	<b>GUEST MAXIMUM STAY (CABINS)</b>  Guests associated with the approved development must stay no longer than 40 consecutive nights.	At all times

<b>9.</b>	<b>SITE MANAGEMENT</b>  The site shall be maintained in a clean and orderly state.	At all times.
<b>10.</b>	<b>BUILDING DESIGN OUTCOMES (AMENITY)</b>  Submit to Council for endorsement the proposed final design and external finish of the planetarium building/s.  The design elements and external finish should: <ul style="list-style-type: none"> <li>a) Complement the character and integrate with the natural landscape of the surrounding area; and</li> <li>b) Incorporates colours and finishes that allow the building/s to blend in with the natural Landscape.</li> </ul> Ensure all buildings and structures associated with the development are constructed from materials and/or painted or similarly treated with paint or pigment of a low reflective level that does not cause excessive glare.	Prior to commencement of building works
<b>11.</b>	<b>EROSION AND SEDIMENT CONTROL PLAN</b>  The applicant must submit an erosion and sediment control plan in compliance with the provisions of "Principles of Construction Site Erosion and Sediment Control" published by Catchments and Creeks, and "Best Practice Erosion and Sediment Control" published by International Erosion Control Association (IECA) Australasia Chapter.	Prior to commencement of building works
<b>12.</b>	<b>EROSION AND SEDIMENT CONTROL</b>  Undertake the development in compliance with the Erosion and Sediment Control Plan and provisions of "Principles of Construction Site Erosion and Sediment Control" published by Catchments and Creeks, and "Best Practice Erosion and Sediment Control" published by International Erosion Control Association (IECA) Australasia Chapter, are to be implemented before construction commences and maintained until such time that vegetation cover is effective in preventing further soil erosion and/or soil/sediment transfer or result in water contamination.	At all times.
<b>13.</b>	<b>ADVERSE DRAINAGE IMPACT - GENERAL</b>  Drainage from the development works / building works shall not adversely impact upon adjacent properties. No ponding, concentration or redirection of stormwater shall occur onto adjoining land.	At all times.



14.	<p><b>STORMWATER DISCHARGE AND DISPOSAL</b></p> <p>The development must make provision for the discharge of stormwater drainage flows to a legal point of discharge. The applicant shall provide all necessary stormwater drainage; such drainage works shall be designed and constructed in accordance with the Queensland Urban Drainage Manual (QUDM).</p>	Prior to the commencement of the use
15.	<p><b>STORMWATER QUALITY</b></p> <p>Prior to controlled discharge of any water from the site during construction, the following water quality objectives must be achieved:</p> <ul style="list-style-type: none"> <li>a) Total suspended solids (maximum 50mg/L, TSS);</li> <li>b) Turbidity (measured in NTUs maximum of 60 NTU);</li> <li>c) Water pH between 6.5 and 8.5 unless otherwise conditioned by Council; and</li> <li>d) All site monitoring data including rainfall records, dates of water quality testing, testing results and records of controlled water releases from the site, must be kept in an on-site register. The register is to be maintained up to date for the duration of the approved works and be available on-site for inspection by Council Officers on request. All data is to be included in the On-Maintenance package.</li> </ul> <p><b>Note:</b> An operational works permit is required for stormwater quality in accordance with the State Planning Policy requirements.</p>	At all times
16.	<p><b>ON-SITE SEWAGE TREATMENT FACILITY</b></p> <p>The wastewater disposal system is to conform with the provisions of the "Queensland Development Code", the "Queensland Plumbing and Wastewater (QPW) Code" and AS1547-2012 On-Site Domestic Wastewater Management.</p> <p>Details on the proposed method of treatment and disposal of wastewater are to be submitted as part of a Development Application for Plumbing and Drainage Works.</p>	Prior to the commencement of the use
17.	<p><b>ALLOTMENT EARTHWORKS</b></p> <p>All allotment earthworks will be undertaken in accordance with the Earthworks, Construction and Water Quality Code of the <i>Scenic Rim Planning Scheme 2020</i>.</p> <p><b>Note:</b> An operational works permit is required for all earthworks associated with the car parking area.</p>	Prior to the commencement of the use

18.	<p><b>ELECTRICITY</b></p> <p>The development must be connected to electricity supply from the State electricity grid through the State authorised supplier (Energex) to the buildings / structures associated with the approved use or production of evidence of satisfactory arrangements for such supply having been made, such supply to be on normal supply tariffs.</p>	Prior to the commencement of the use												
19.	<p><b>NOISE EMISSIONS LIMITS</b></p> <p>The activity must not exceed the levels prescribed by Table 1(below).</p> <p>Table 1</p> <table data-bbox="419 757 1082 1037"> <tr> <th data-bbox="419 757 651 835">Time Period</th><th data-bbox="659 757 866 835">At dwelling or othersensitive land use</th><th data-bbox="874 757 1082 835">At commercial premises</th></tr> <tr> <td data-bbox="419 846 651 902">Daytime (7:00am-10:00pm)</td><td data-bbox="659 846 866 902">Background +5dB(A)</td><td data-bbox="874 846 1082 902">Background +10dB(A)</td></tr> <tr> <td data-bbox="419 913 651 969">Night time (10:00pm- 7:00am)</td><td data-bbox="659 913 866 969">Background +3dB(A)</td><td data-bbox="874 913 1082 969">Background +8dB(A)</td></tr> <tr> <td data-bbox="419 981 651 1037"></td><td data-bbox="659 981 866 1037">Background LA90</td><td data-bbox="874 981 1082 1037">Background LA90</td></tr> </table> <p><i>Note - The compliance levels are measured as the average of the maximum A-weighted sound levels adjusted for noise character measured over a 15-minute time interval. These provisions apply except where specific emission limits are otherwise provided in the Environmental Protection Act 1994 or an Environmental Authority.</i></p> <p><i>Note - A Sensitive Land Use has the meaning given in the State Planning Policy.</i></p>	Time Period	At dwelling or othersensitive land use	At commercial premises	Daytime (7:00am-10:00pm)	Background +5dB(A)	Background +10dB(A)	Night time (10:00pm- 7:00am)	Background +3dB(A)	Background +8dB(A)		Background LA90	Background LA90	At all times
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	Background LA90	Background LA90												
20.	<p><b>AIR CONTAMINANTS</b></p> <p>A noxious or offensive odour must not be emitted beyond the boundaries of the premises. No particulate matter or visible contaminant, including dust, smoke, fumes, and aerosols likely to cause environmental harm is to emanate beyond the boundaries of the premises.</p>	At all times												
21.	<p><b>LIGHT EMISSIONS</b></p> <p>Light sources at the premises must be positioned and shielded to prevent direct light spillage outside the boundaries of the premises.</p> <p>The development must utilise lighting with a colour temperature between 2700-3500K (Kelvin).</p>	At all times												

<b>22.</b>	<b>POTABLE WATER</b>  All potable water supply provided for personal hygiene, human consumption and to food preparation facilities must meet the anticipated demand for the development and standards of the National Health and Medical Research Council (NHMRC) Australian Drinking Water Quality Guidelines for both microbial and chemical potable water standards.	Prior to the commencement of the use and thereafter at all times
<b>23.</b>	<b>CAR PARKING NUMBERS</b>  The development must provide one (62) car parking spaces and two (2) bus bays. The car parking spaces must include a minimum of one (1) PWD car space.  The car parking spaces must be available prior to the commencement of the use. The requirements of this condition are to be adhered to for the lifetime of the approved use.	At all times
<b>24.</b>	<b>CAR PARKING AND ACCESS DRIVEWAY - FLEXIBLE PAVEMENT WITH AC SEAL</b>  The site access, car parking, internal roadways and manoeuvring areas are to be designed and constructed in accordance with AS 2890.1 - 1993 and AS 2890.2 - 1989. The completed works must be certified by a Registered Professional Engineer of Queensland (RPEQ) as having been constructed in accordance with good engineering practice to a standard reasonable for commercial purposes.  Access to the site, all parking and driveways areas will be maintained in good condition and be trafficable in all weather conditions for the lifetime of the proposed use.	The works required by this condition are to be completed prior to the commencement of use
<b>25.</b>	<b>CAR PARKING ON-SITE</b>  All vehicles under the control of the party(ies) charged with the overall responsibility for the operation of the facility and any ancillary staff will be parked wholly within the curtilage of the site. The requirements of this condition are to be adhered to for the lifetime of the approved use.	At all times

26.	<p><b>CAR-PARK LIGHTING &amp; SECURITY GENERAL</b></p> <p>The development must provide adequate lighting to the open area car-parking facilities and all pedestrian links to the requirements of the relevant Australian Standards within AS1158 – Lighting for Roads and Public Spaces and AS4282 – Control of the Obtrusive Effects of Outdoor Lighting. The lighting to the aforementioned areas will be maintained in good condition for the lifetime of the proposed use. The works required by this condition are to be completed prior to the commencement of the approved use.</p> <p>External lighting is to be installed downward facing, with no direct spillage to roadways or residential areas.</p>	Prior to commencement of use and at all times thereafter.
27.	<p><b>VEHICLE LOADING / UNLOADING</b></p> <p>All loading and unloading of vehicles associated with the approved uses, including the pick-up and/or delivery of goods and materials, will be conducted at all times from within the curtilage of the site. The requirements of this condition are to be adhered to for the lifetime of the approved use.</p>	At all times
28.	<p><b>VEHICLE MOVEMENTS</b></p> <p>All vehicle movements to and from the site, must be conducted in forward gear.</p>	At all times
29.	<p><b>DRIVEWAY CROSSOVER</b></p> <p>Construct a non-residential driveway crossover in accordance with Council Standard Drawing R-06.</p> <p><b>Note:</b> The proposed current location conflicts with Council's existing pedestrian crossing, requiring its relocation.</p>	Prior to the commencement of the use
30.	<p><b>ROAD WIDENING</b></p> <p>Upgrade Long Road to a Class 4A - Collector, in accordance with Council Standard Drawing R-10, from the intersection of Hartley Road, for the full frontage of the property. The design must be certified by a suitably qualified Registered Professional Engineer of Queensland (RPEQ).</p> <p><b>Note:</b> The widening must not negatively impact on the function or access to Tamborine Mountain Sports Centre.</p>	Prior to the commencement of the use

31.	<p><b>WASTE STORAGE</b></p> <p>Store all waste within a waste storage area (e.g. general waste, recyclable waste, pallets, empty drums etc.) as shown on the approved plans. The waste storage area must be:</p> <ul style="list-style-type: none"> <li>a) Designed to not cause nuisance to neighbouring properties;</li> <li>b) Screened from any road frontage or adjoining property;</li> <li>c) Of a sufficient size to accommodate commercial type bins that will be serviced by a commercial contractor plus clearance around the bins for manoeuvring and cleaning;</li> <li>d) Imperviously paved and drained area, upon which can be stood all waste containers at the premises; and</li> <li>e) Provided with a suitable hosecock and hoses at the waste storage area.</li> </ul>	Prior to the commencement of the use and thereafter at all times
32.	<p><b>WASTE REMOVAL</b></p> <p>All wastes must be removed to an approved disposal facility by a transporter holding all necessary government approvals. Waste must be removed at a frequency and in a manner that prevents nuisance from the waste at neighbouring premises.</p>	As indicated in the wording of the condition.
33.	<p><b>LANDSCAPING PLAN (FOR APPROVAL)</b></p> <p>A detailed landscaping plan is to be submitted for approval, generally in accordance with the submitted Landscape Master Plan (prepared by Clark &amp; Granger, dated 5 April 2022 - ensuring no conflict with proposed stormwater management), including:</p> <ul style="list-style-type: none"> <li>a) Boundary planting which achieves a height of five (5) metres within 5 years of planting must be planted along the full length of the southern, western and northern property boundaries. Sections of the property boundary which contains existing vegetation with a natural landscape buffer of minimum height of five (5) metres does not require additional planting; and</li> <li>b) Planting in the proposed car park.</li> </ul>	Prior to commencement of use
34.	<p><b>ESTABLISHMENT OF LANDSCAPING WORKS</b></p> <p>Establish, maintain and retain all landscaping generally in accordance with the approved Landscaping Plan. The landscaped areas must be subject to ongoing maintenance and replanting programme (if necessary).</p>	Prior to commencement of use and at all times thereafter

### 3. Referral Agency Conditions

Not applicable

### 4. Advisory Notes

- a) **ADVERTISING SIGNS** – Advertising signs may require an approval in accordance with Council's Local Laws. Further information and the relevant application forms can be obtained by contacting Council's Health & Environment area on 07 5540 5444.
- b) **VEGETATION MANAGEMENT ACT 1999 AND THE CULTURAL HERITAGE ACT** - This approval in no way restricts or inhibits the provisions of neither the *Vegetation Management Act 1999* nor the *Aboriginal Cultural Heritage Act 2003*. The Applicant(s) will need to satisfy himself/herself/themselves that in undertaking the proposed development works that his/her/their actions will not contravene the provisions of the aforementioned Acts.
- c) **DEVELOPMENT APPROVAL CONDITIONS ATTACH TO LAND** - Development Approvals which include conditions and any modifications attach to the land and are binding on the owner, the owner's successors in title and any occupier of the land pursuant to Section 73 of the *Planning Act 2016*.
- d) **WHEN DEVELOPMENT APPROVAL TAKES EFFECT** - Pursuant to the *Planning Act 2016*, this Development Approval takes effect:
  - (i) From the date the Decision Notice/Negotiated Decision Notice (as the case may be) is given to the Applicant, if there are no Submitters and the Applicant does not appeal the decision to the Court; or
  - (ii) From the end of the Submitter's appeal period if there is a Submitter and the Applicant does not appeal the decision to the Court; or
  - (iii) Subject to the decision of the Court when the appeal is finally decided if an appeal is made to the Court by any party; as the case may be. Development may start when a Development Permit takes effect (subject to any conditions specifying commencement).
- e) **APPROVAL LAPSES AT COMPLETION OF CURRENCY PERIOD** - This Development Approval will lapse if the Material Change of Use does not happen before the end of the currency period. The currency period is six (6) years from the date the approval takes effect. The currency period may be extended at the discretion of Council under Section 85 of the *Planning Act 2016*. Before the Development Approval lapses, a written request to extend the currency period may be made to Council under Section 86 of the *Planning Act 2016*. Please note that Council will not automatically remind Applicants/Occupiers when the currency period is about to lapse.
- f) **BIOSECURITY QUEENSLAND** should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be

subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.

It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.

The Fire Ant Restricted Area as well as general information can be viewed on the DAF website [www.daf.qld.gov.au/fireants](http://www.daf.qld.gov.au/fireants).

- g) **COMPLIANCE WITH CONDITIONS** - The land owner/developer, is required to ensure the development and any associated conditions within the development approval are complied with prior to the commencement of the approved land use or prior to endorsement of survey plans for subdivision approvals. Failure to comply with the conditions of approval are deemed to be a breach of Section 164 the *Planning Act 2016* and as such Council may undertake formal enforcement action/s such as statute notices or prescribed infringement notices.
- h) **MAXIMUM NUMBER OF PATRONS (CAFÉ AND EXHIBITION AREA)** - Wastewater design submitted as part of the application material indicates a capacity load that can only cater for up to 70 patrons per day as part of the Café and Exhibition Area. Maximum number of patrons should be capped at 70 patrons for the Café and Exhibition Area unless a revised design is undertaken as part of the Plumbing and Drainage Works approval.
- i) **INTERFERING WITH A ROAD (ROAD WIDENING AND THE PROPOSED DRIVEWAY)** - The required road widening and the proposed driveway location will conflict with Council's existing pedestrian crossing, requiring its relocation. The relocation is expected to impact the pedestrian's sight lines and expected crossing width. Justification through engineering design and further assessment is required as part of a Interfering with a road or its operation application to address the following:
  - Driveway crossover;
  - Road widening to a 4a Standard, in accordance with Council Standard Drawing R-10;
  - Relocation of pedestrian crossing (potentially including a refuge area); and
  - Footpath extension.

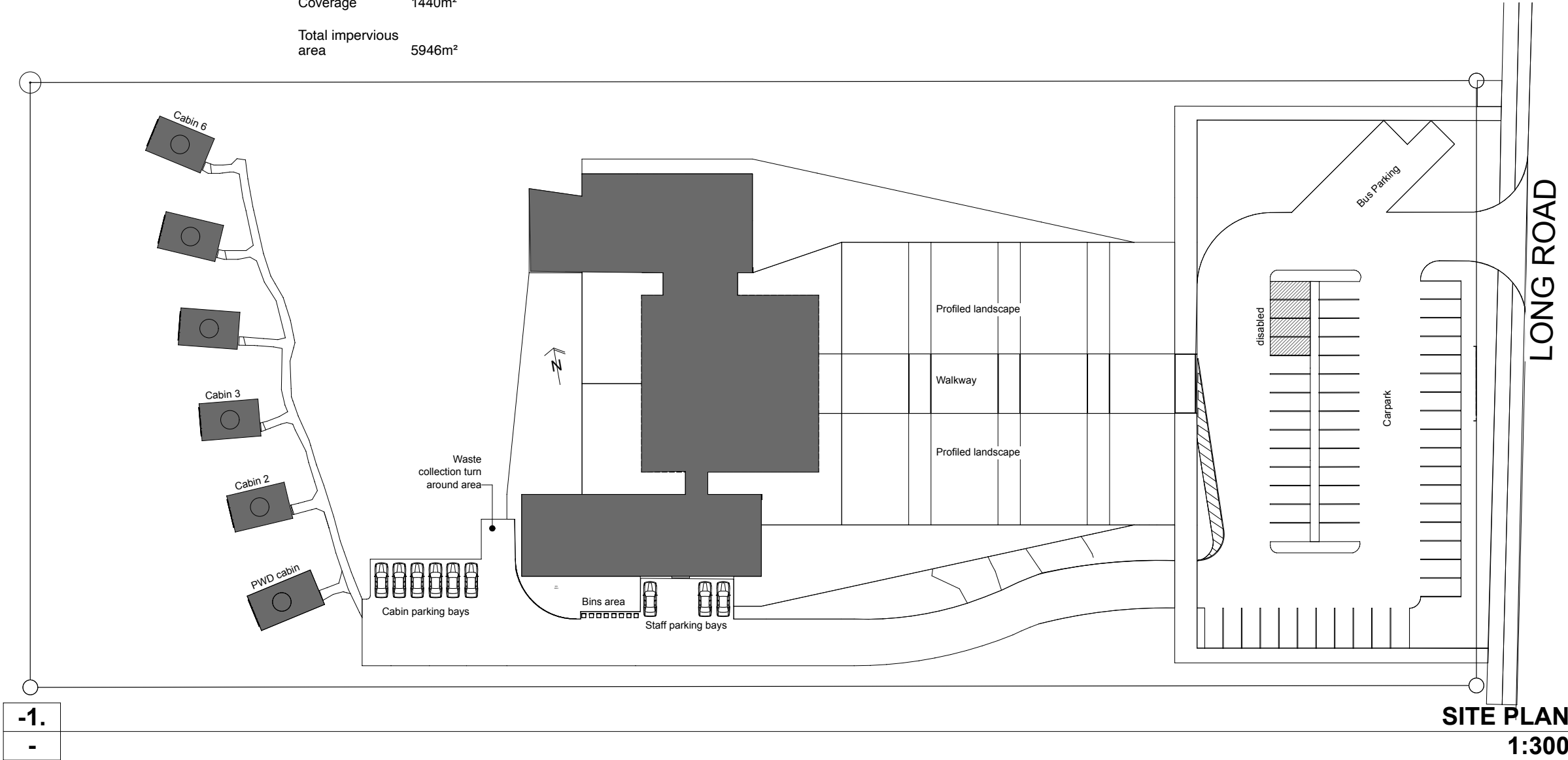
**5. Further approvals are required for:**

- a) A Building Works approval is required for all building works associated with the proposed development, prior to undertaking any building work on the subject property.
- b) A Plumbing and Drainage Works approval is required for all plumbing and drainage works associated with the proposed development, prior to undertaking any plumbing work on the subject property.
- c) An application for Operational Works is required prior to undertaking any operational works on the subject property, and as required by this approval for:
  - Stormwater quality; and
  - Earthworks (parking area).

- d) Interfering with a road or its operation application is required for the external works is triggered by the Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2011.



AREAS	
Site area	15,798m <sup>2</sup>
Basement	66m <sup>2</sup>
Ground floor	1342m <sup>2</sup>
Verandah	120m <sup>2</sup>
First floor	317m <sup>2</sup>
TOTAL	1599m <sup>2</sup>
Coverage	1440m <sup>2</sup>
Total impervious area	5946m <sup>2</sup>
Coverage	1440m <sup>2</sup>
Total impervious area	5946m <sup>2</sup>



SITE PLAN  
1:300  
**SITE PLAN**  
DRAWING SCALED ON A1

Print document in colour



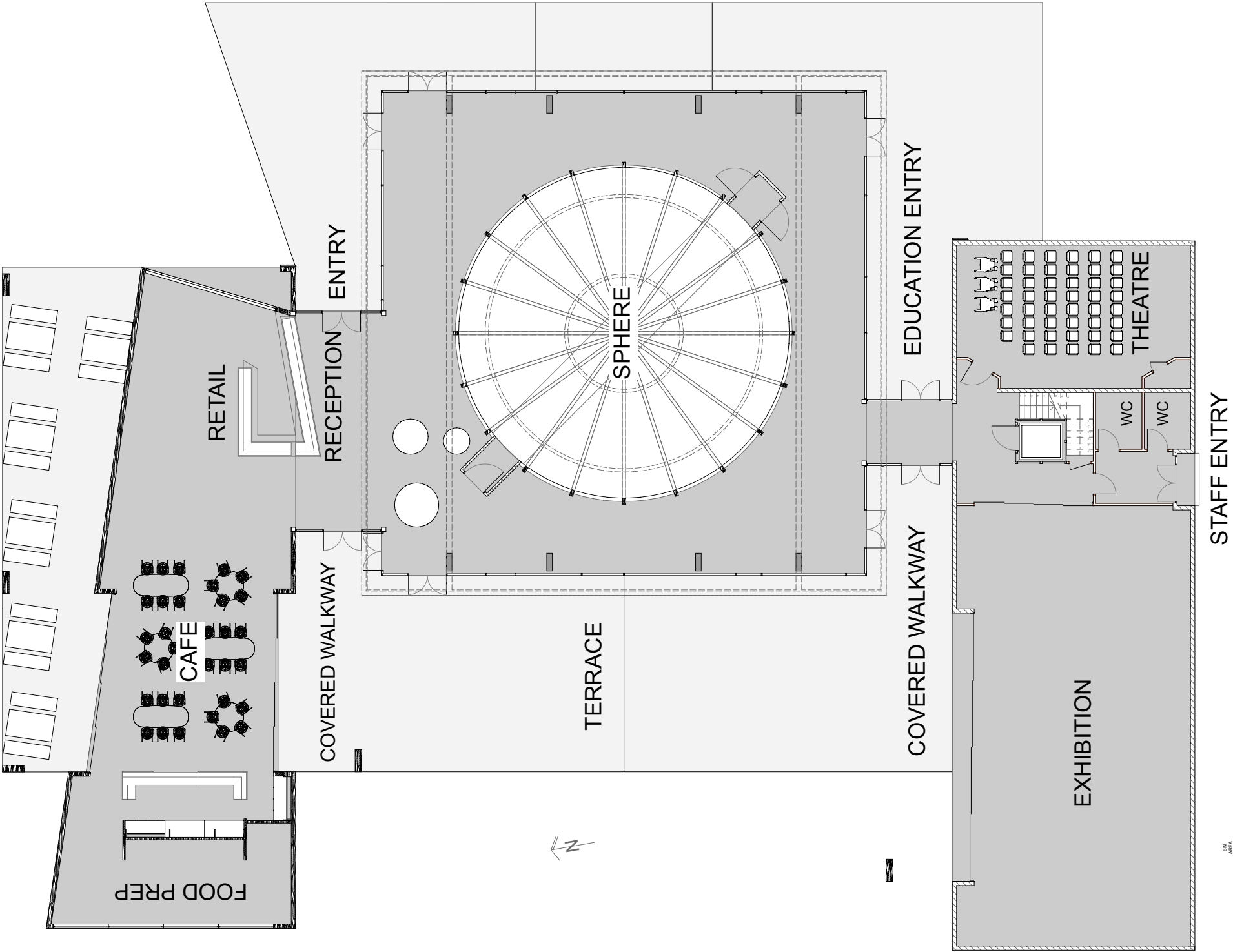
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**Long Road  
Tamborine  
Mountain  
QLD 4272**

**PROJ. NAME:** TM UNIVERSE  
**STAGE:** Development Application  
**CLIENT:** Tamborine Mountain Universe  
**PROJ. COORDINATOR:** XXXX XXXX

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**Project no.:** 01690  
**DA - 1.1 A**  
Print date: 8/2/2022



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**GROUND FLOOR PLAN**  
**1:100**  
**FLOOR PLANS**  
DRAWING SCALED ON A1

Print document in colour



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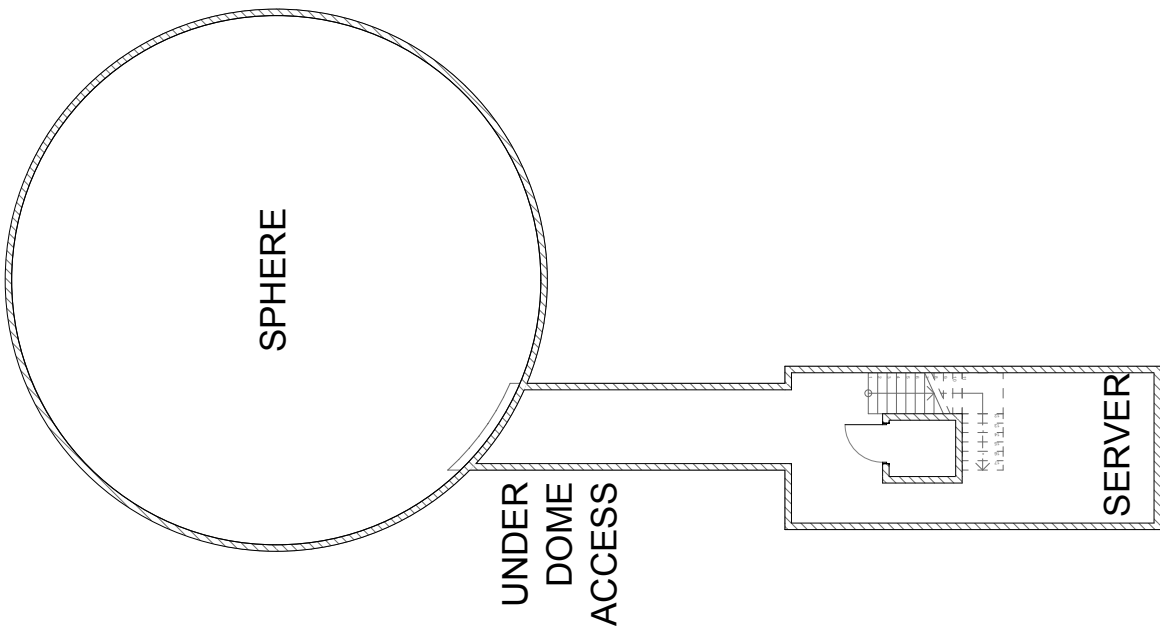
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Tamborine  
Mountain  
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**Project no.:** 01690  
**DA - 2.2 A**  
Print date: 8/2/2022

inFORM design studio  
111/94/7004403  
e: admin@informdesignstudio.com.au  
w: www.informdesignstudio.com.au  
u000: 1207010



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**BASEMENT FLOOR PLAN**  
**1:100**  
**FLOOR PLANS**  
DRAWING SCALED ON A1

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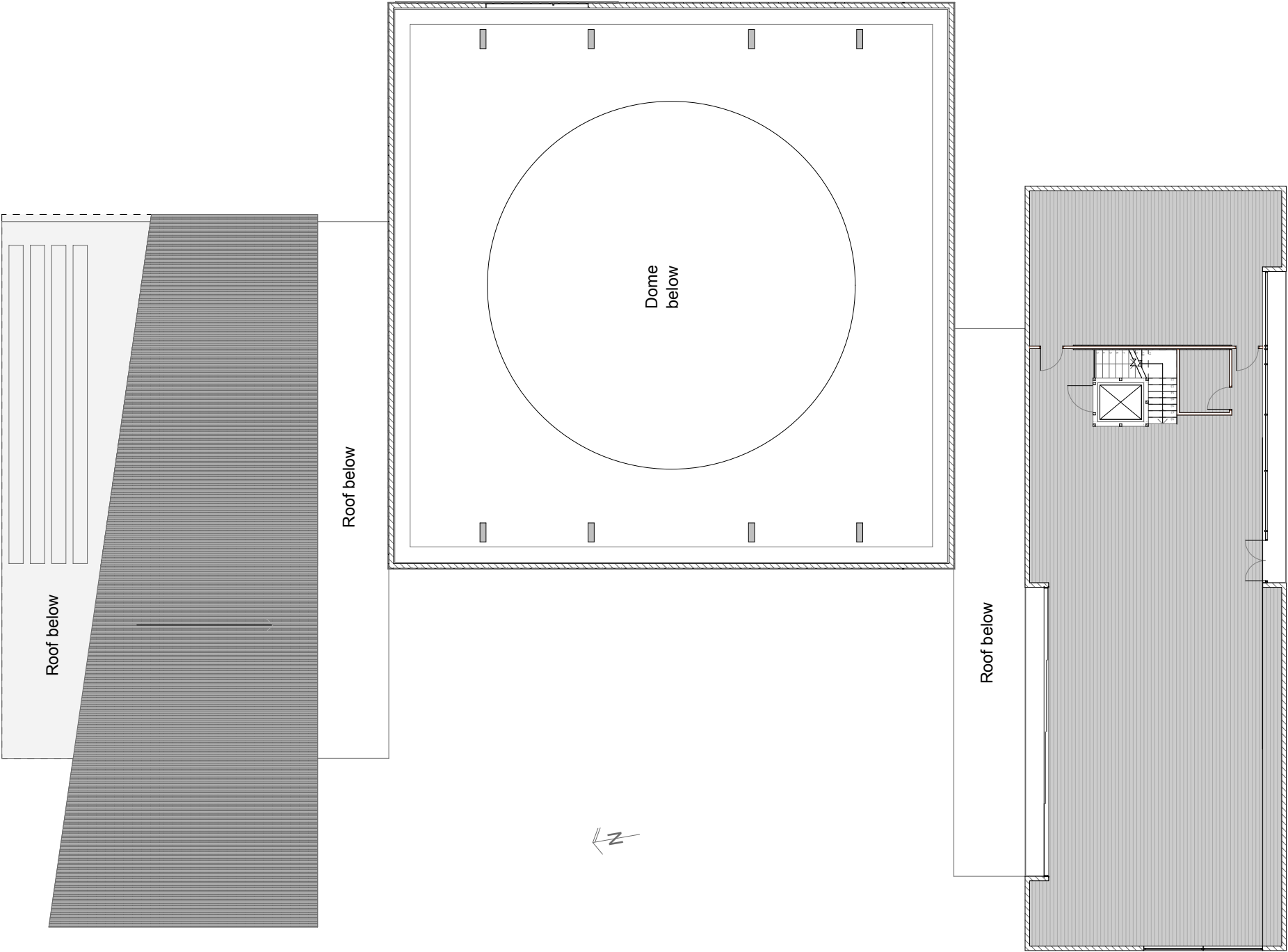
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<b>Long Road Tamborine Mountain QLD 4272</b>	<b>PROJ. NAME:</b> TM UNIVERSE <b>STAGE:</b> Development Application <b>CLIENT:</b> Tamborine Mountain Universe <b>PROJ. COORDINATOR:</b> XXXX XXXX
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**Project no.: 01690**  
**DA - 2.1 A**  
Print date: 8/2/2022

inFORM design studio  
111/114/7004403  
e: admin@informdesignstudio.com.au  
w: www.informdesignstudio.com.au  
u000: 1207010



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**FIRST FLOOR PLAN**  
**1:100**  
**FLOOR PLANS**  
DRAWING SCALED ON A1

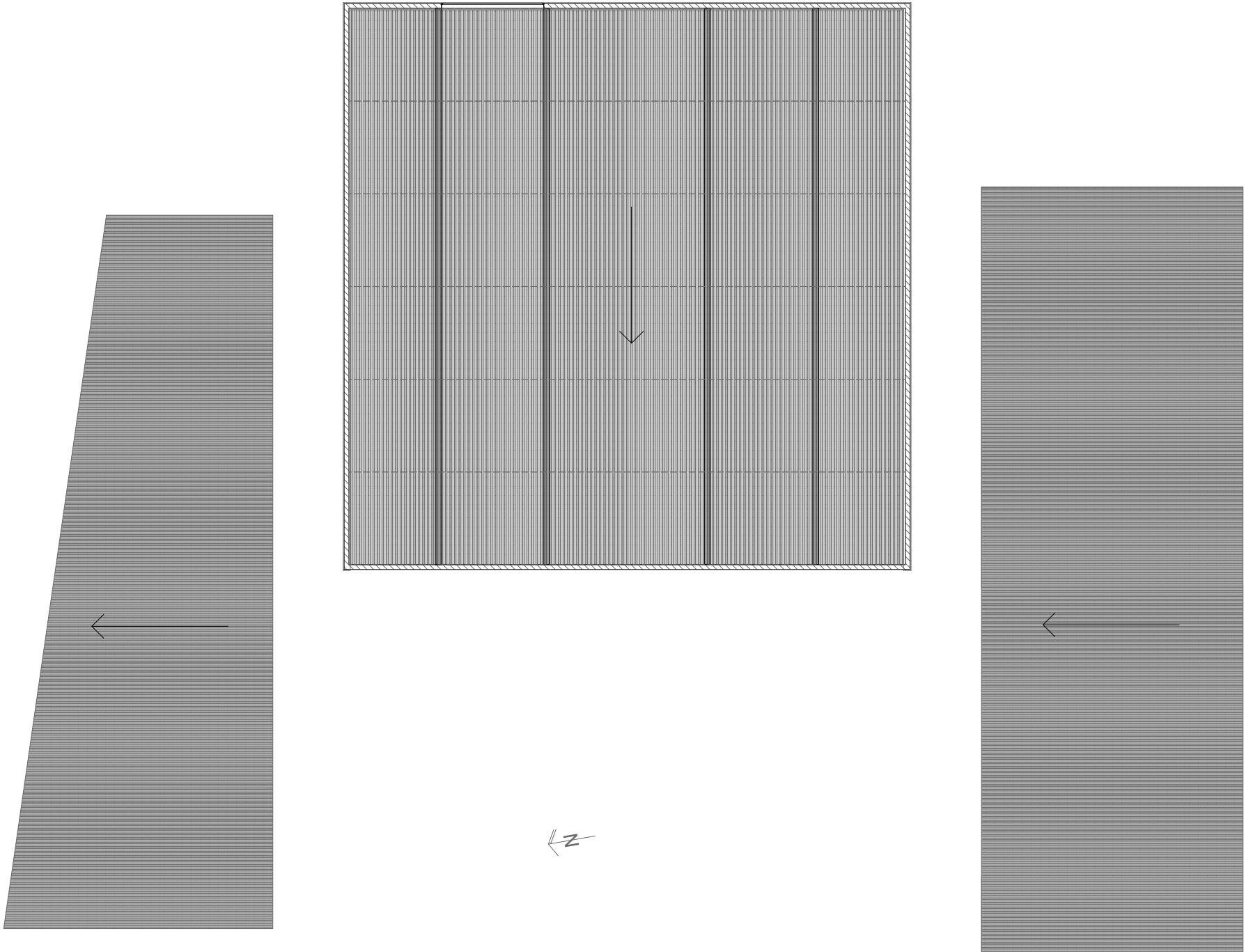
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**Long Road  
Tamborine  
Mountain  
QLD 4272**  
**PROJ. NAME: TM UNIVERSE**  
**STAGE: Development Application**  
**CLIENT: Tamborine Mountain Universe**  
**PROJ. COORDINATOR: XXXX XXXX**  
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**Project no.: 01690**  
**DA - 2.3 A**  
Print date: 8/2/2022

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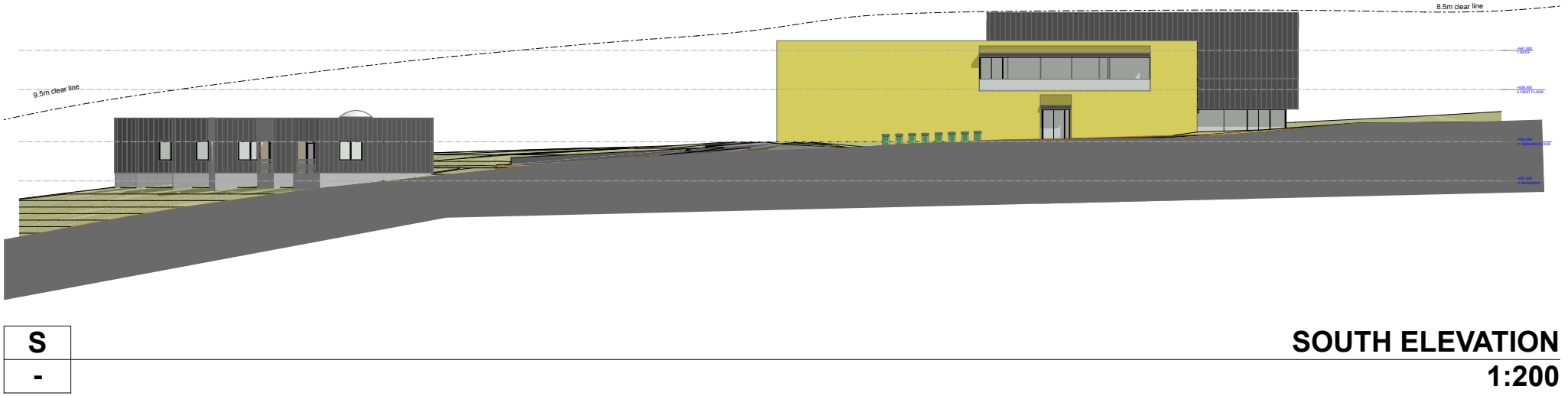
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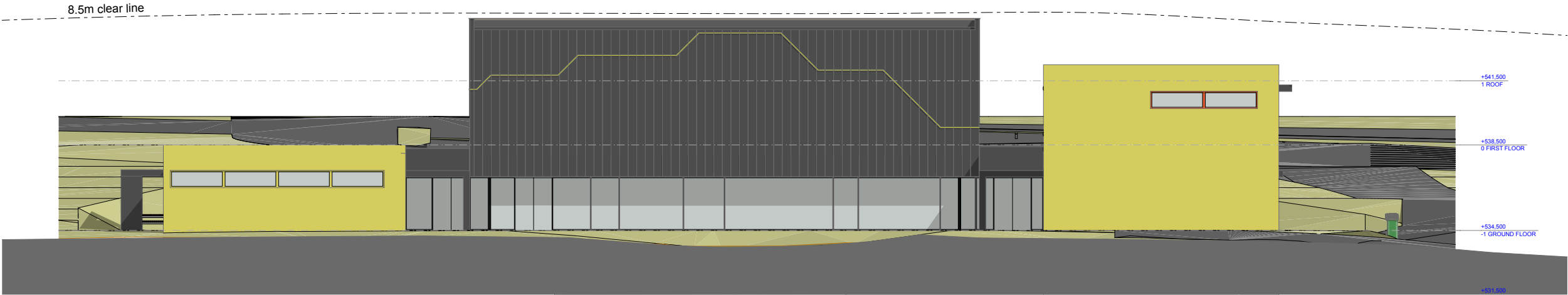
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Long Road  
Tamborine  
Mountain  
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PROJ. NAME: TM UNIVERSE  
STAGE: Development Application  
CLIENT: Tamborine Mountain Universe  
PROJ. COORDINATOR: XXXX XXXX  
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Project no.: 01690  
DA - 3.1 A  
Print date: 8/2/2022

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**SOUTH ELEVATION**  
**1:200**



**WEST ELEVATION**  
**1:100**

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**Long Road  
Tamborine  
Mountain  
QLD 4272**

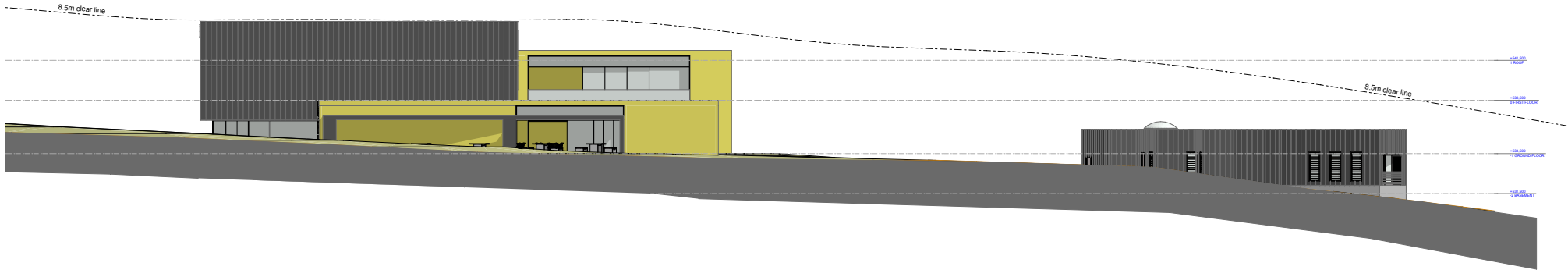
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**STAGE:** Development Application  
**CLIENT:** Tamborine Mountain Universe  
**PROJ. COORDINATOR:** XXXX XXXX

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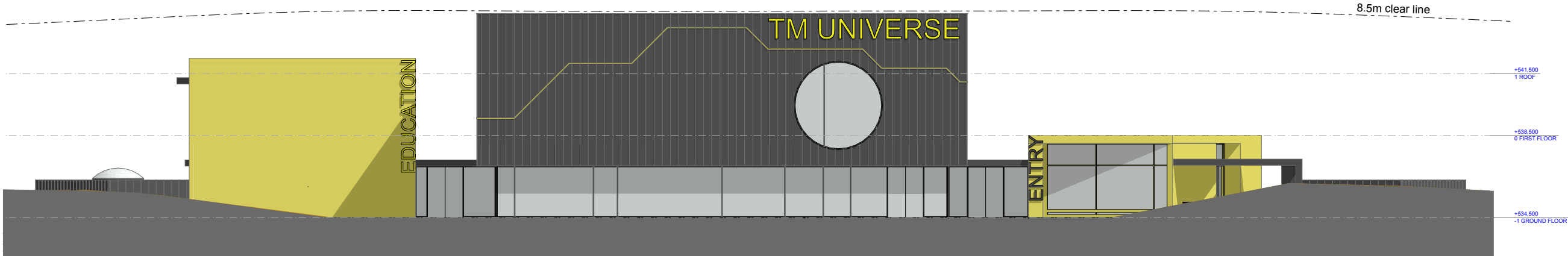
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**Project no.: 01690**  
**DA - 4.2 A**  
Print date: 8/2/2022

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**NORTH ELEVATION**  
**1:200**



**EAST ELEVATION**  
**1:100**

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**ELEVATIONS**  
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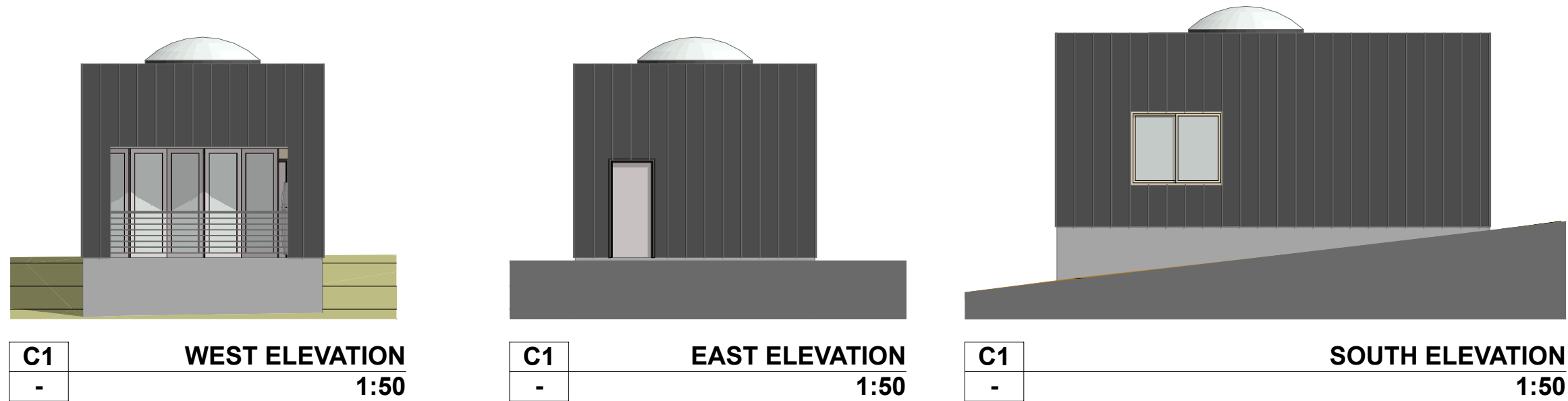
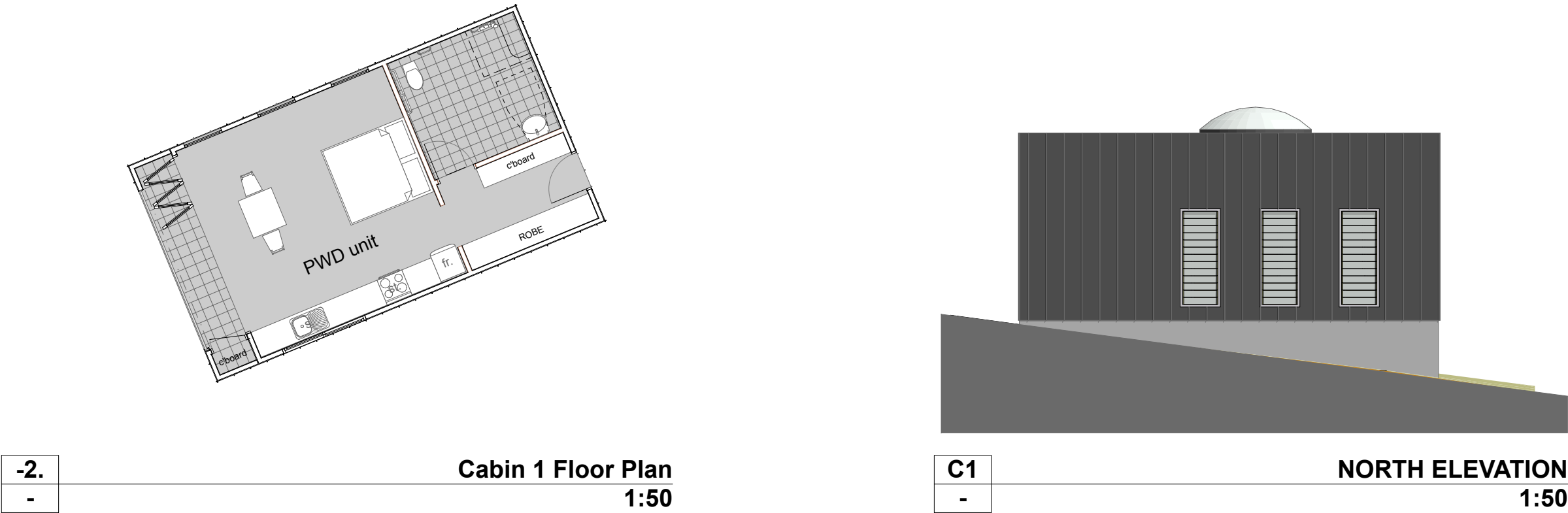
**Long Road  
Tamborine  
Mountain  
QLD 4272**

**PROJ. NAME:** TM UNIVERSE  
**STAGE:** Development Application  
**CLIENT:** Tamborine Mountain Universe  
**PROJ. COORDINATOR:** XXXX XXXX

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Print date: 8/2/2022

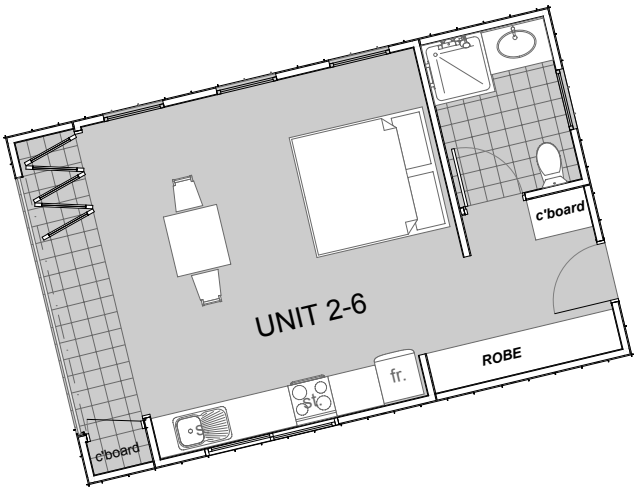
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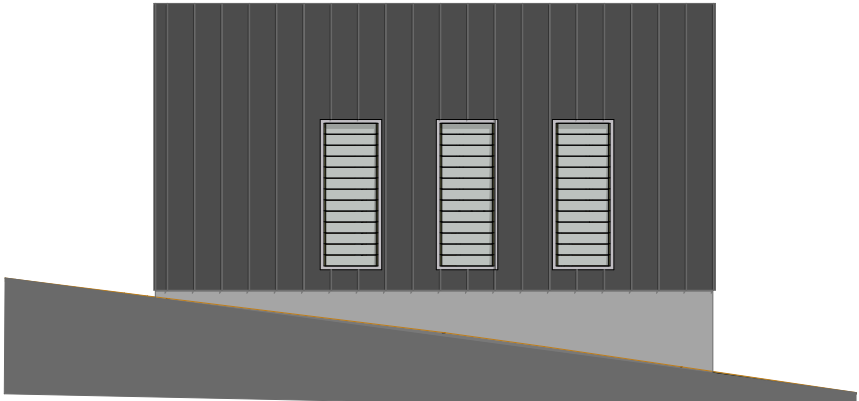
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FLOOR PLANS  
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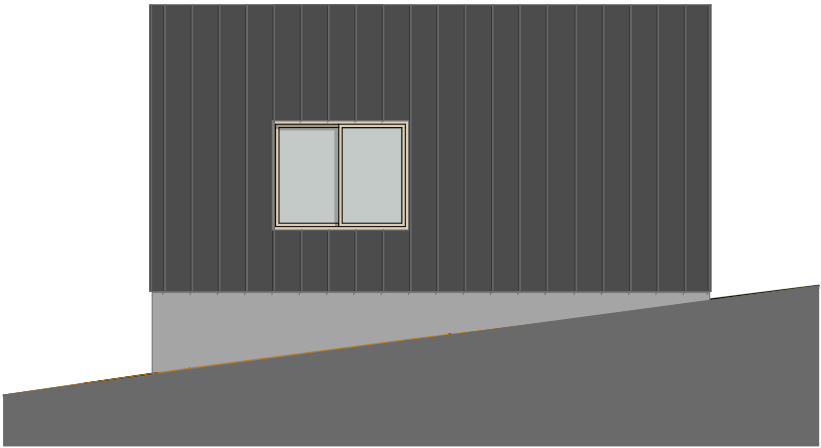
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C2  
- NORTH ELEVATION  
1:50



C2  
- EAST ELEVATION  
1:50



C2  
- SOUTH ELEVATION  
1:50



C2  
- WEST ELEVATION  
1:50

Cabin 2-6

FLOOR PLANS  
DRAWING SCALED ON A1



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Long Road  
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QLD 4272

PROJ. NAME: TM UNIVERSE  
STAGE: Development Application  
CLIENT: Tamborine Mountain Universe  
PROJ. COORDINATOR: XXXX XXXX

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Project no.: 01690  
DA - 2.5 A  
Print date: 8/2/2022




379-385 LONG ROAD TAMBORINE MOUNTAIN QLD 4272

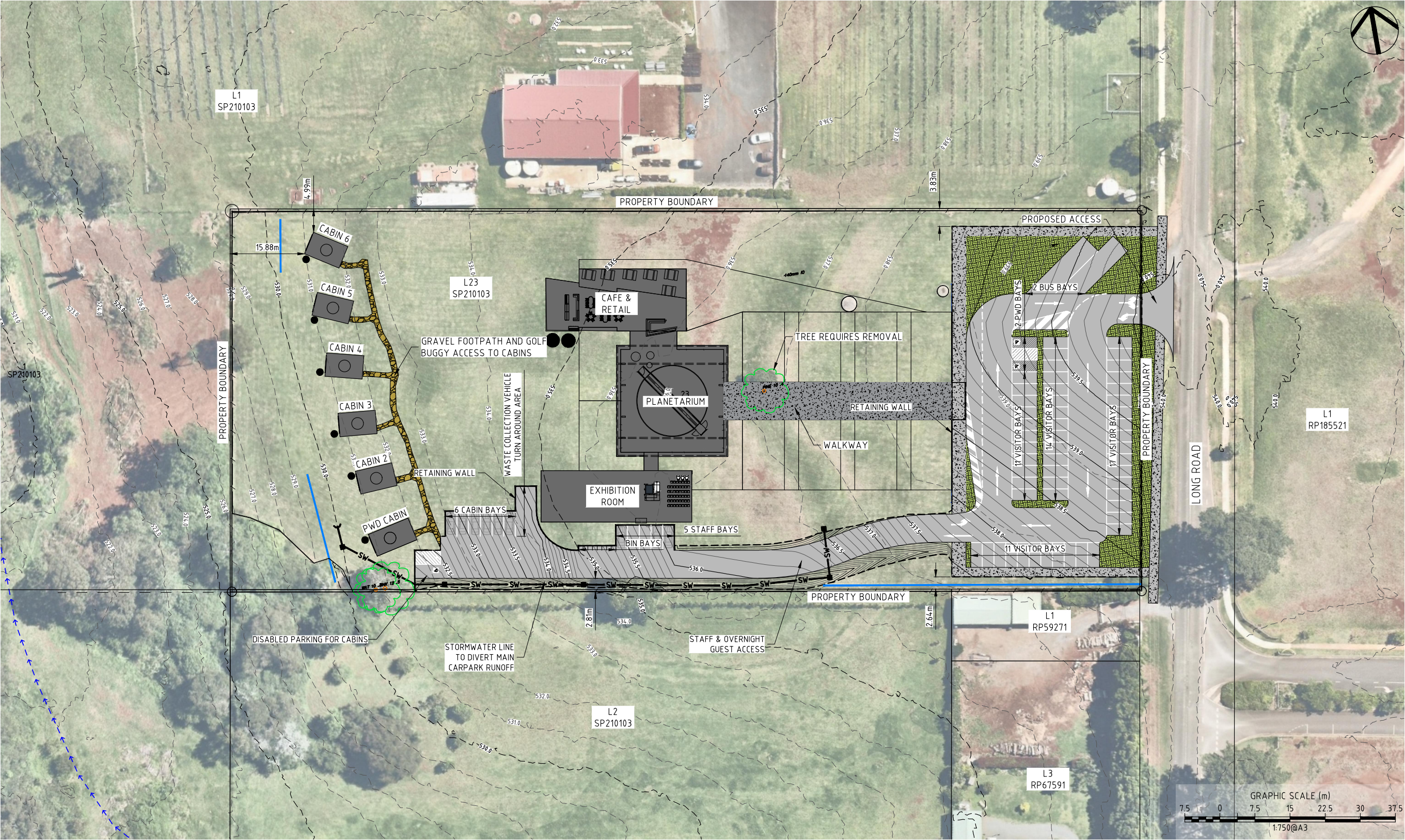
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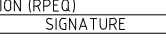


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01	COVER SHEET	A
02	SITE PLAN	A
03	GENERAL LAYOUT PLAN SHEET 1 OF 2	A
04	GENERAL LAYOUT PLAN SHEET 2 OF 2	A
05	BULK EARTHWORKS LAYOUT PLAN SHEET 1 OF 2	A
06	BULK EARTHWORKS LAYOUT PLAN SHEET 2 OF 2	A
07	SECTIONS - SHEET 1 OF 3	A
08	SECTIONS - SHEET 2 OF 3	A
09	SECTIONS - SHEET 3 OF 3	A
10	STORMWATER MANAGEMENT PLAN	A
11	EROSION & SEDIMENT CONTROL PLAN	A
12	EROSION & SEDIMENT CONTROL NOTES	A

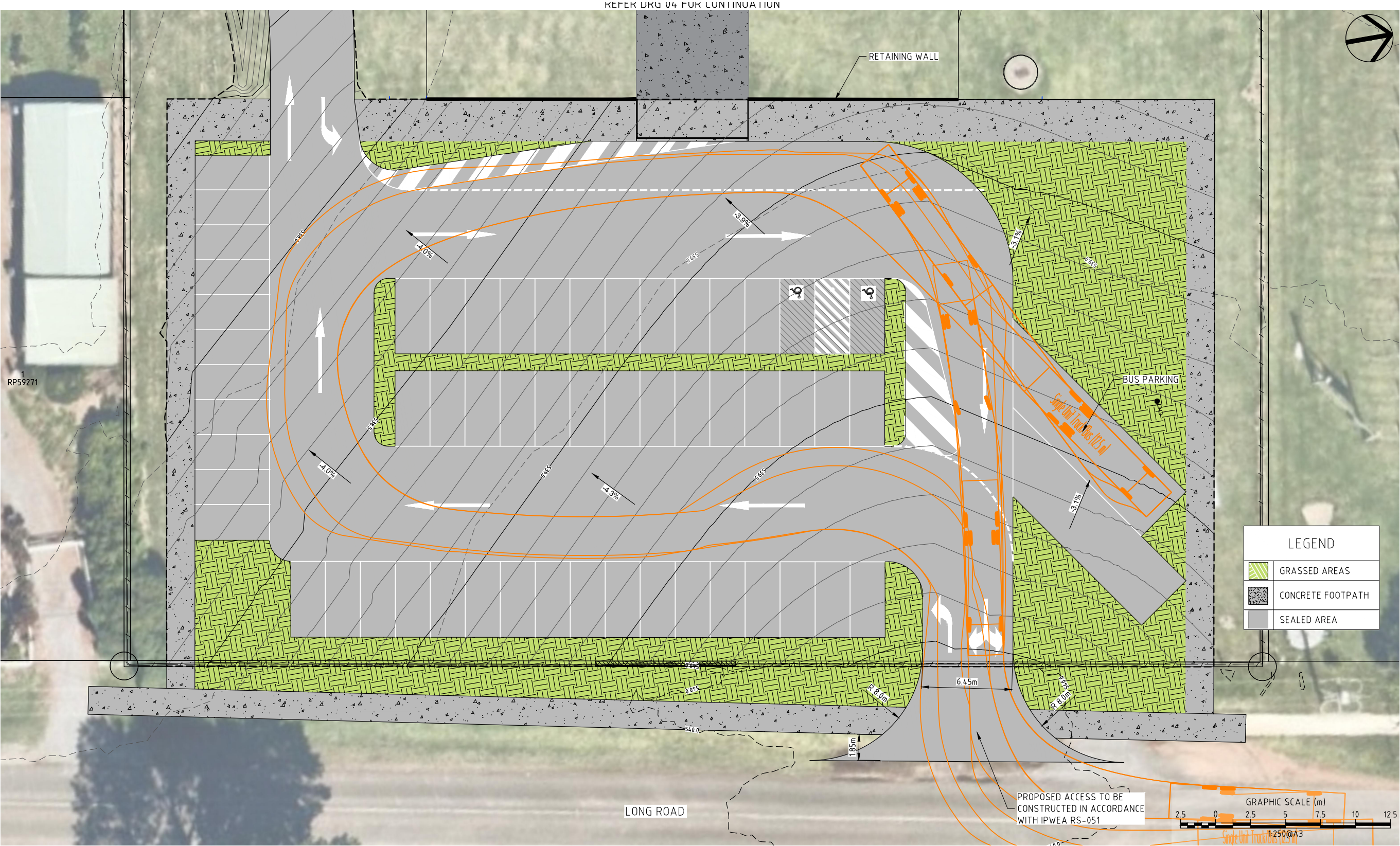
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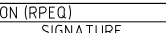




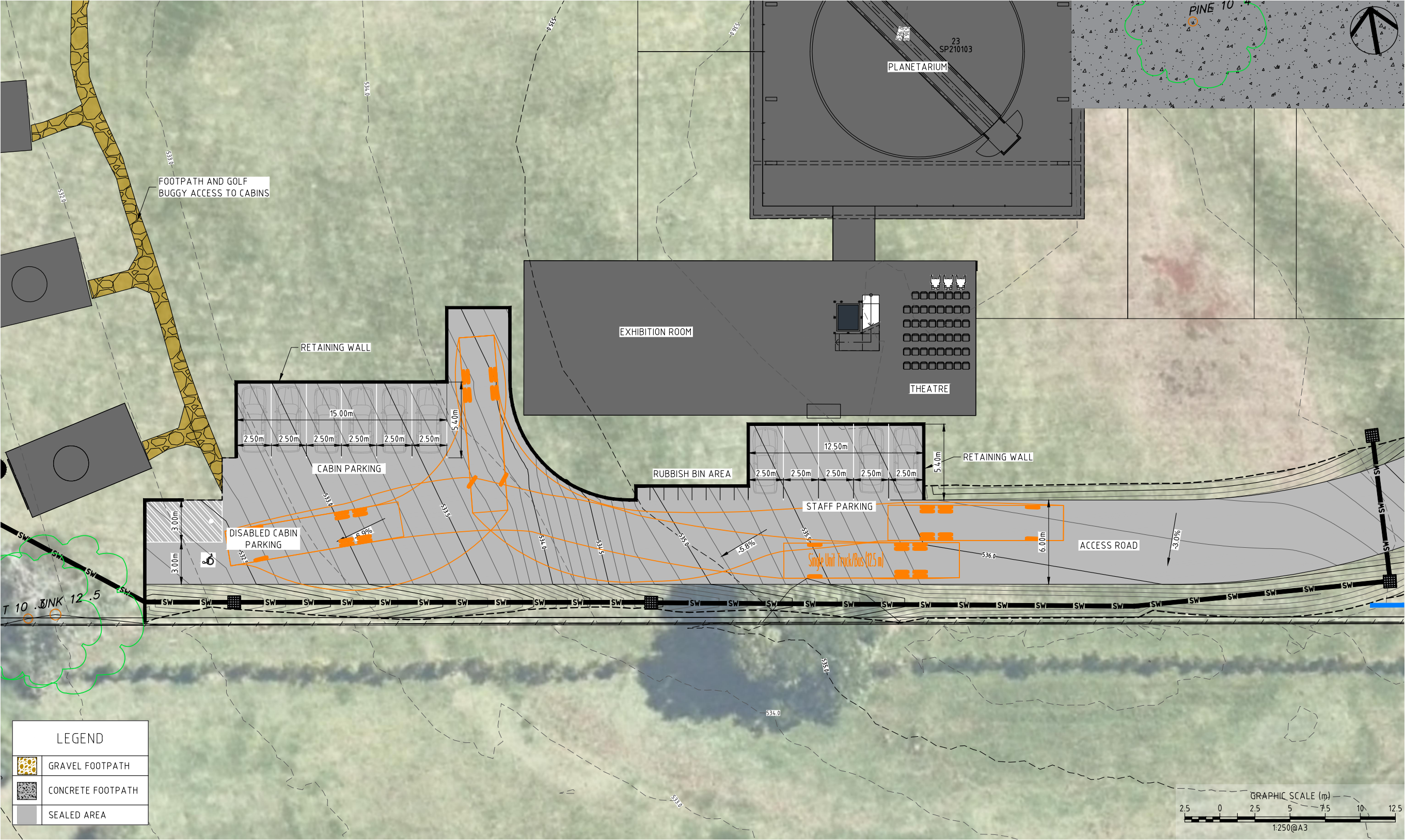
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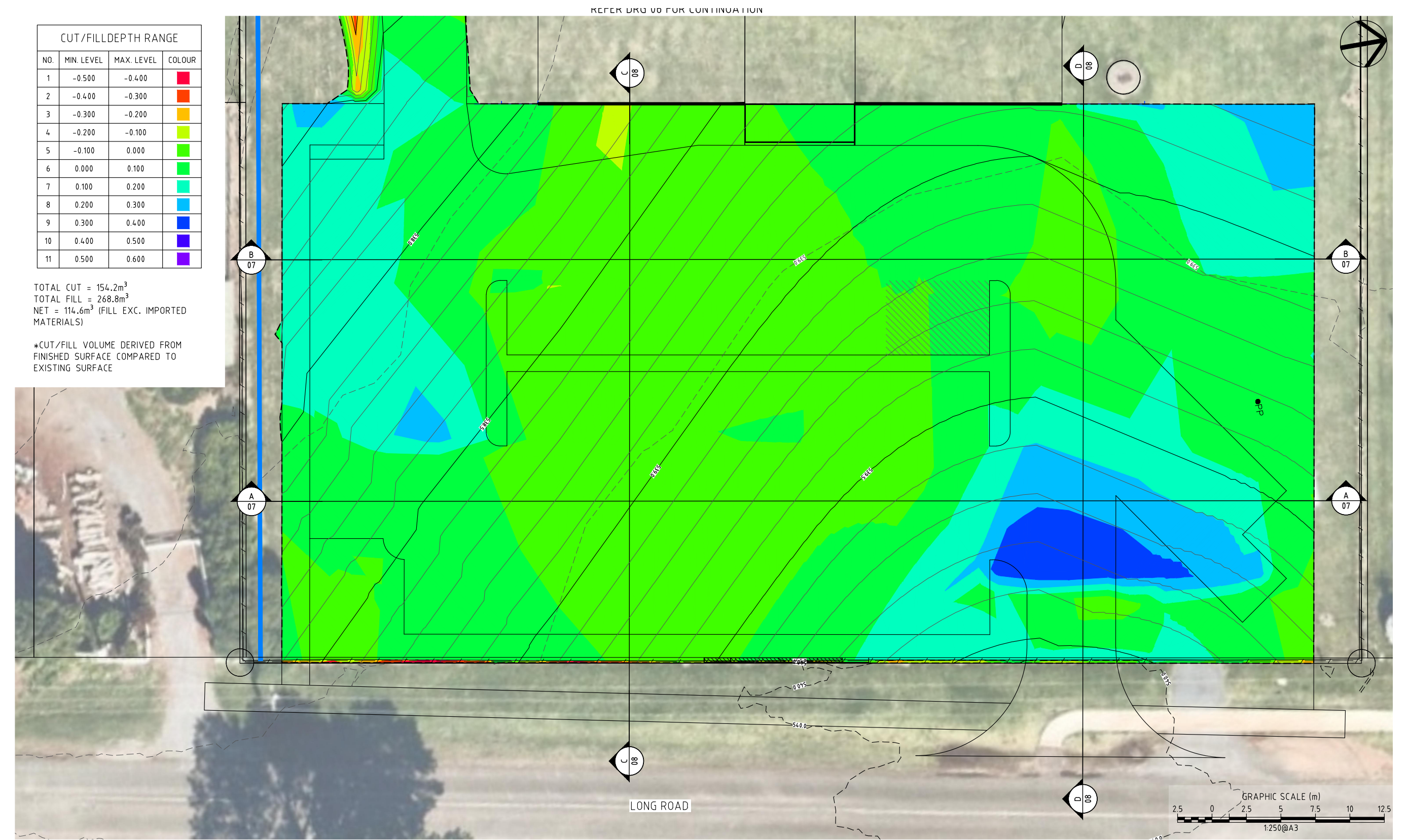





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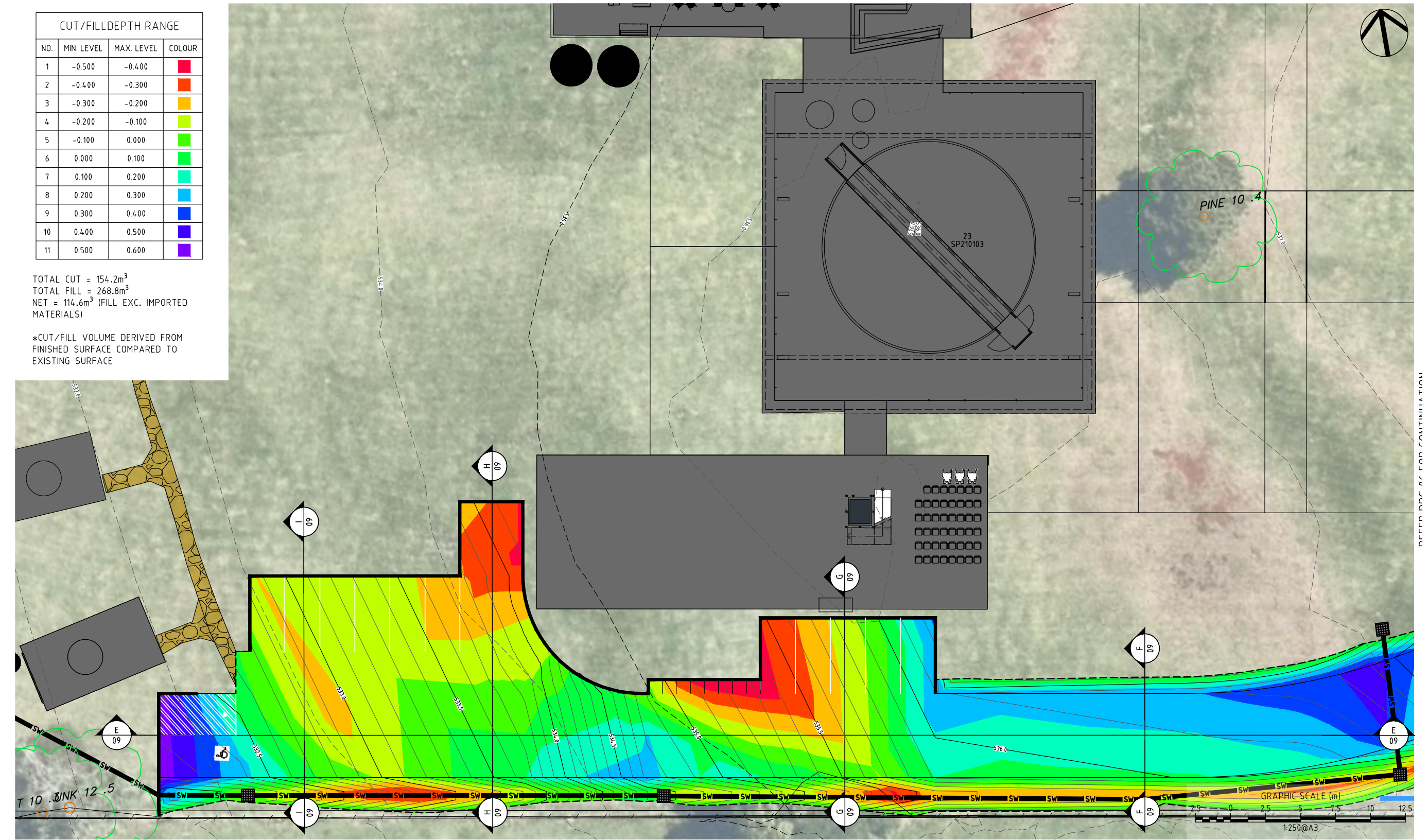
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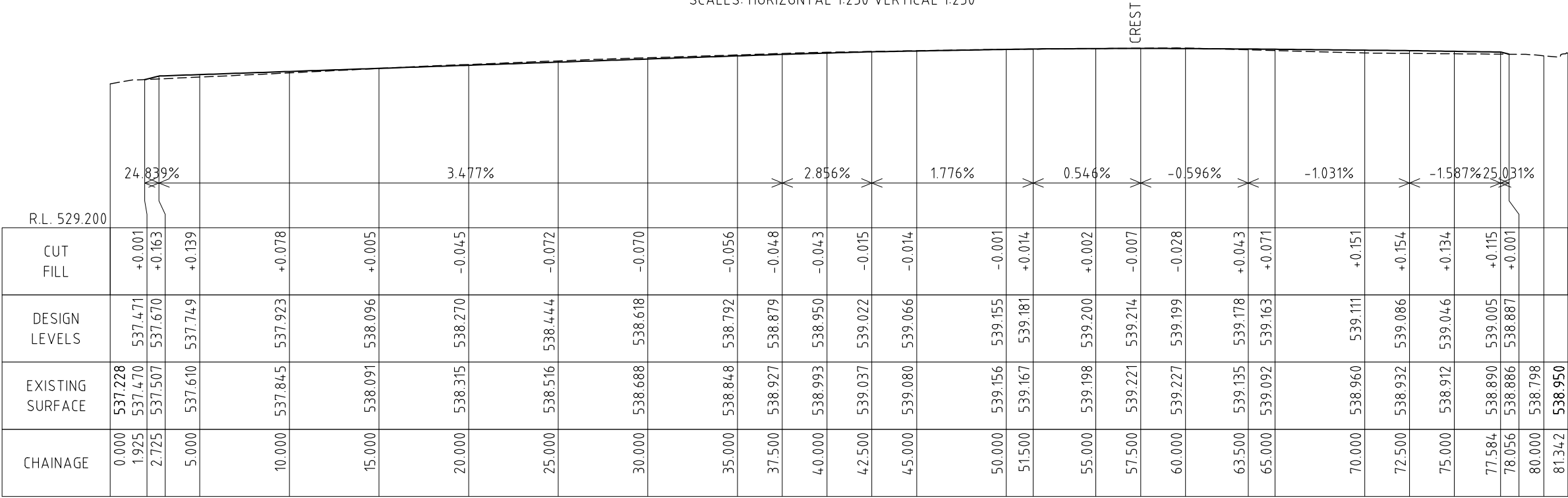
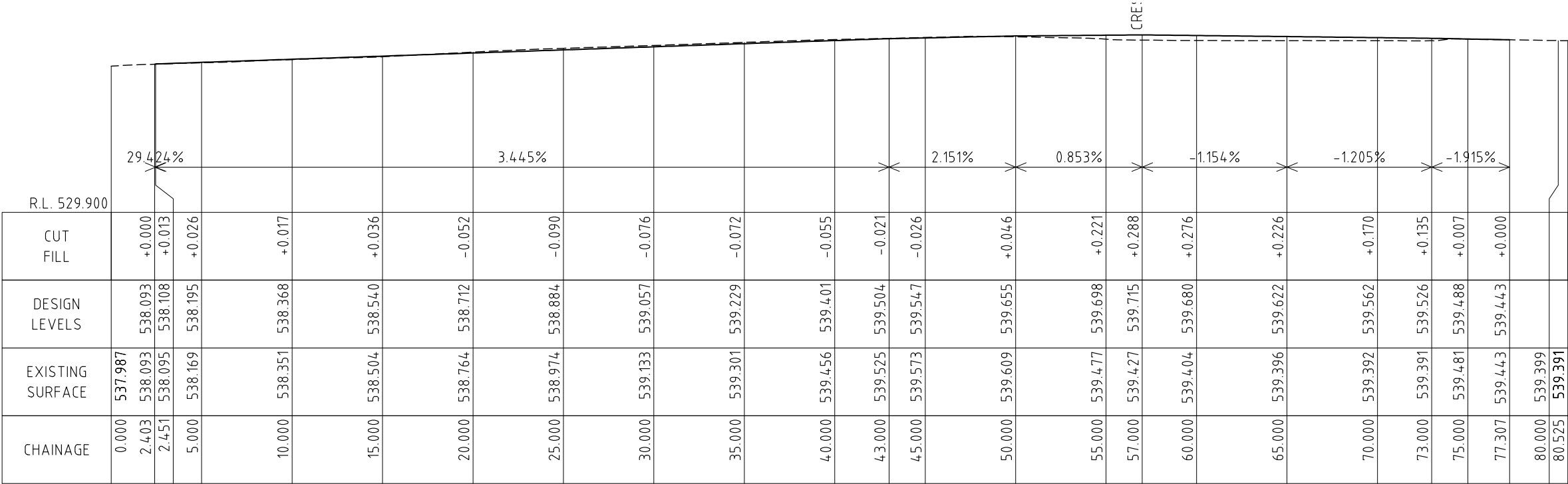



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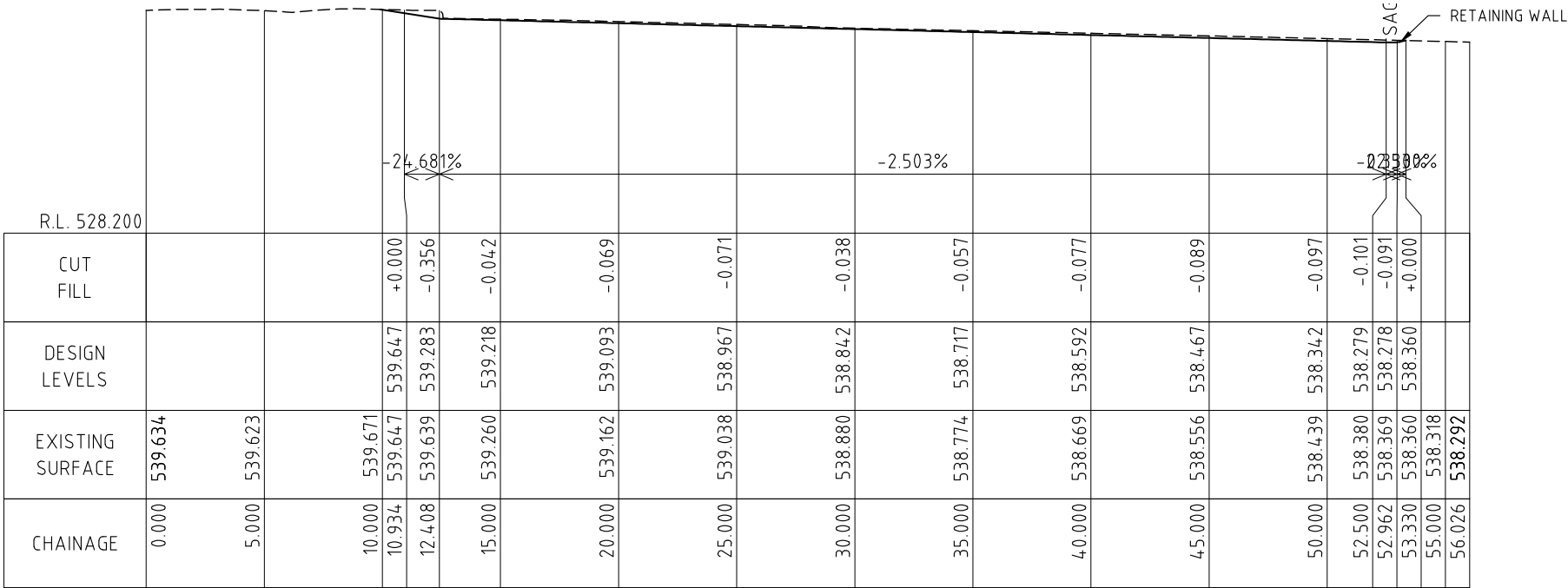


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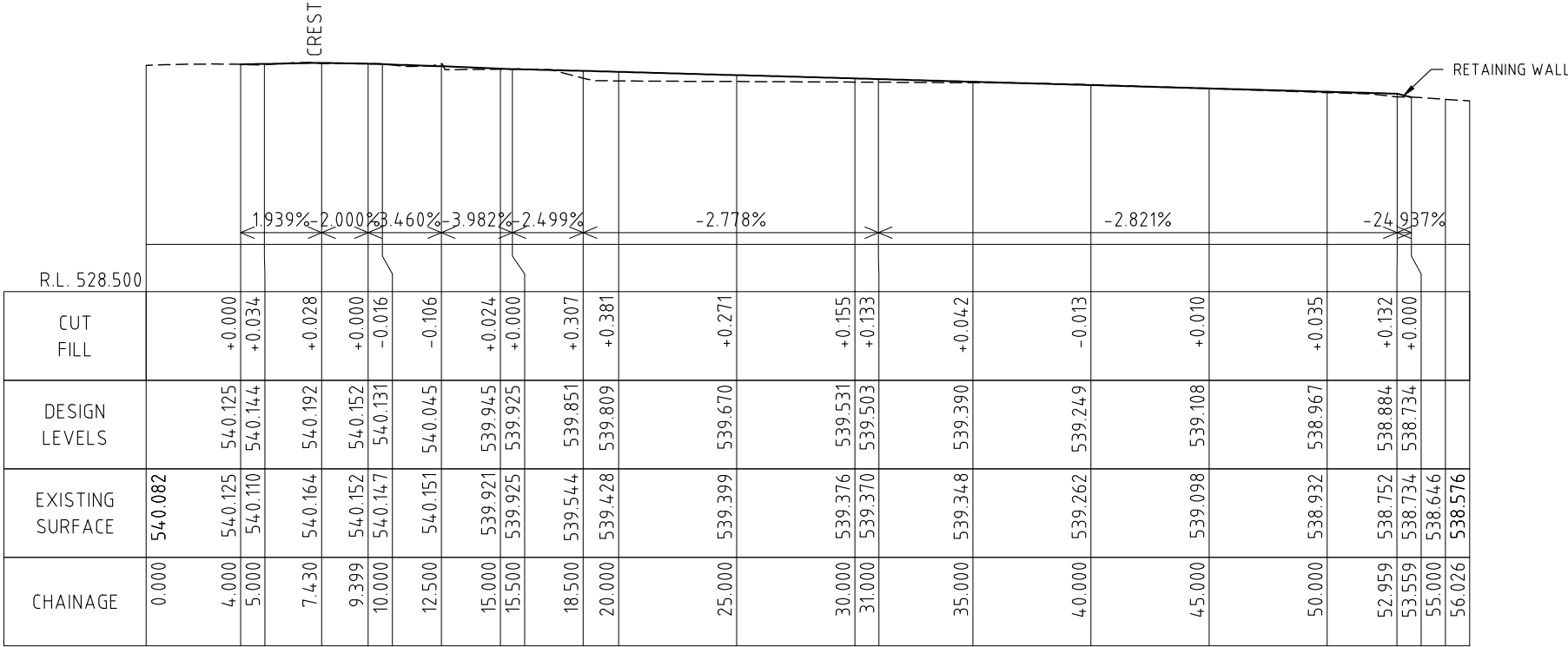


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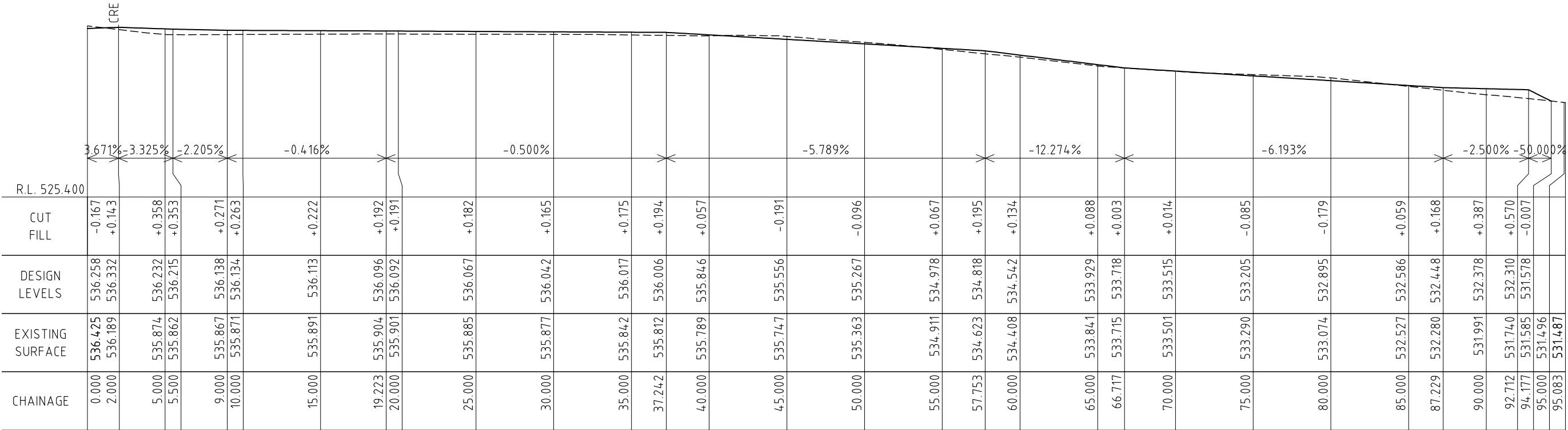


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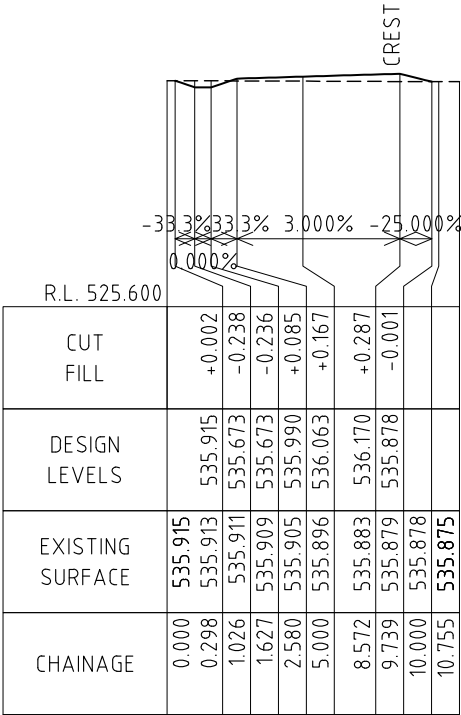


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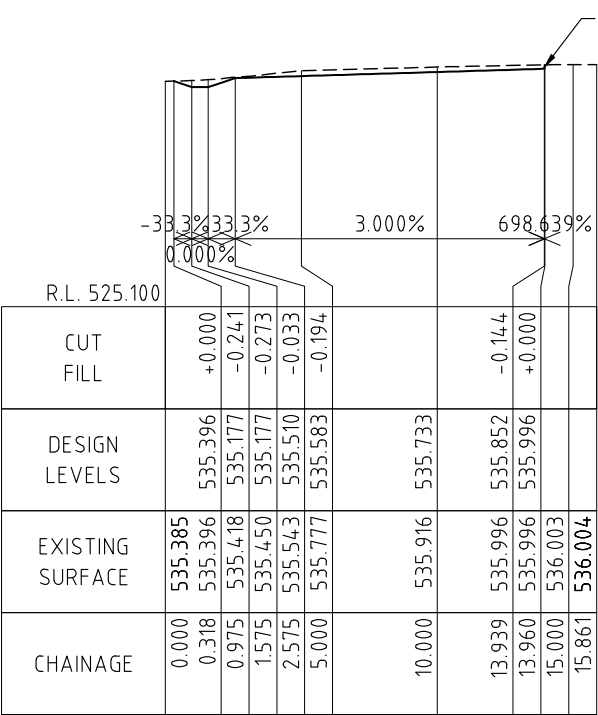
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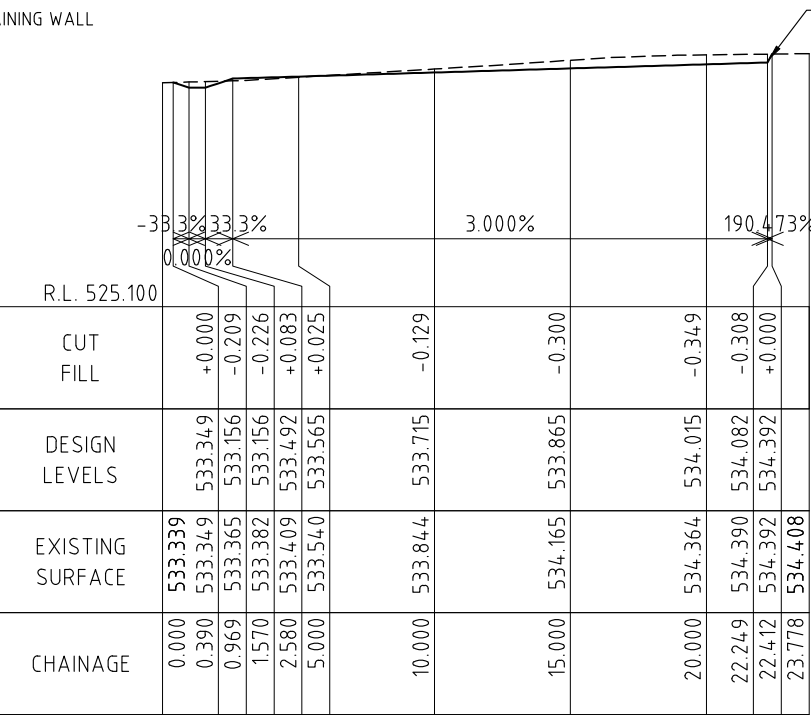
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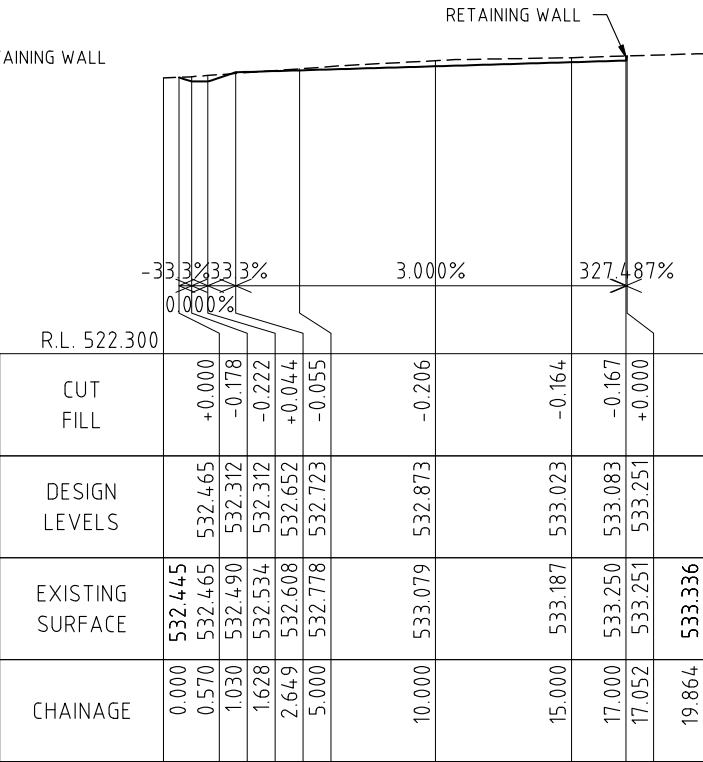
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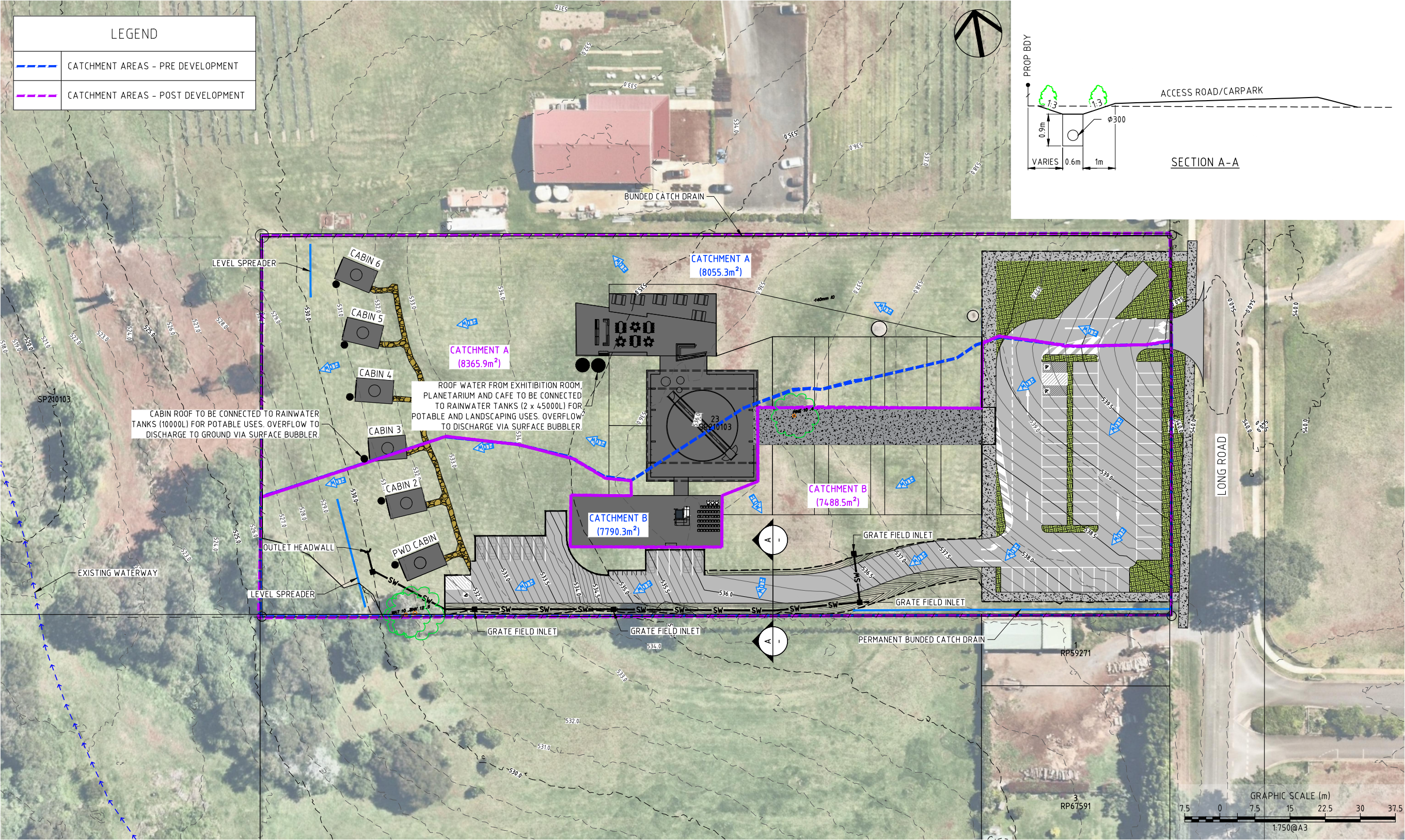
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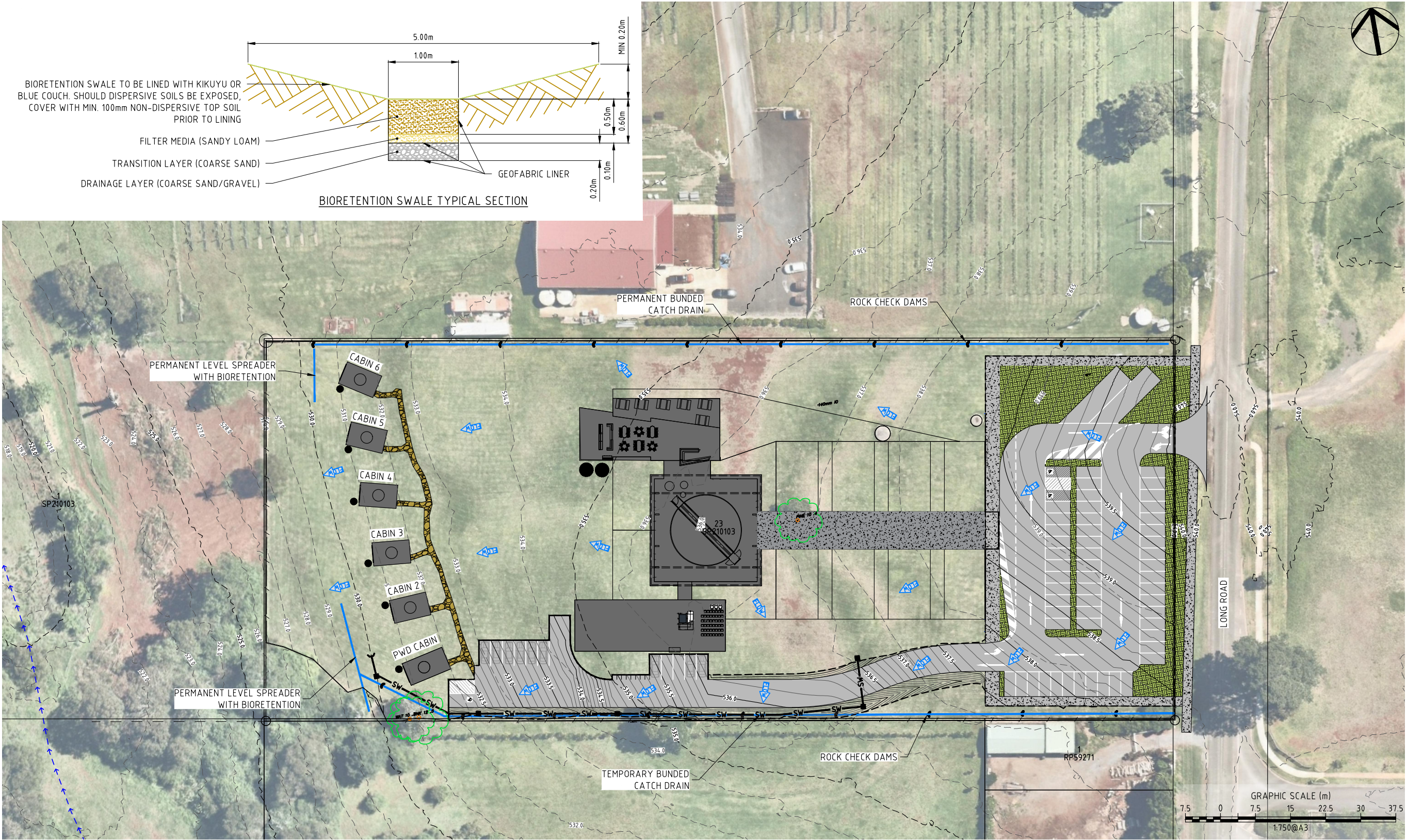
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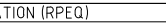




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SEDIMENT AND EROSION CONTROL – GENERAL NOTES:

- 1. ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES MUST BE IMPLEMENTED AND A REVISED EROSION AND SEDIMENT CONTROL PLAN (ESCP) MUST BE SUBMITTED FOR APPROVAL IN THE EVENT THAT SITE CONDITIONS CHANGE SIGNIFICANTLY FROM THOSE CONSIDERED WITHIN THE ESCP.
- 2. WHERE THERE IS A HIGH PROBABILITY THAT SERIOUS OR MATERIAL ENVIRONMENTAL HARM MAY OCCUR AS A RESULT OF SEDIMENT LEAVING THE SITE, APPROPRIATE ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES MUST BE IMPLEMENTED SUCH THAT ALL REASONABLE AND PRACTICABLE MEASURES ARE BEING TAKEN TO PREVENT OR MINIMISE SUCH HARM. ONLY THOSE WORKS NECESSARY TO MINIMISE OR PREVENT ENVIRONMENTAL HARM SHALL BE CONDUCTED ON-SITE PRIOR TO APPROVAL OF THE AMENDED EROSION AND SEDIMENT CONTROL PLAN (ESCP).
- 3. IN CIRCUMSTANCES WHERE IT IS CONSIDERED NECESSARY TO PREPARE AN AMENDED EROSION AND SEDIMENT CONTROL PLAN (ESCP), AND WHERE THE DELIVERY OF SUCH AN AMENDED ESCP IS NOT IMMINENT, THEN ALL NECESSARY NEW OR MODIFIED EROSION AND SEDIMENT CONTROL WORKS MUST BE IN ACCORDANCE TO WITH IECA (2008) BEST PRACTICE EROSION & SEDIMENT CONTROL. UPON APPROVAL OF THE AMENDED ESCP ALL WORKS MUST BE IMPLEMENTED IN ACCORDANCE WITH THE AMENDED PLAN.

SEDIMENT CONTROL:

- 1. ALL SEDIMENT CONTROL MEASURES MUST BE APPLIED AND MAINTAINED IN ACCORDANCE WITH IECA (2008) BEST PRACTICE EROSION & SEDIMENT CONTROL.
- 2. OPTIMUM BENEFIT MUST BE MADE OF EVERY OPPORTUNITY TO TRAP SEDIMENT WITHIN THE WORK SITE, AND AS CLOSE AS PRACTICABLE TO ITS SOURCE.
- 3. SEDIMENT TRAPS MUST BE INSTALLED AND OPERATED TO BOTH COLLECT AND RETAIN SEDIMENT.
- 4. THE POTENTIAL SAFETY RISK OF A PROPOSED SEDIMENT TRAP TO SITE WORKERS AND THE PUBLIC MUST BE GIVEN APPROPRIATE CONSIDERATION, ESPECIALLY THOSE DEVICES LOCATED WITHIN PUBLICLY ACCESSIBLE AREAS.
- 5. ALL REASONABLE AND PRACTICABLE MEASURES MUST BE TAKEN TO PREVENT, OR AT LEAST MINIMISE, THE RELEASE OF SEDIMENT FROM THE SITE.
- 6. SUITABLE ALL-WEATHER MAINTENANCE ACCESS MUST BE PROVIDED TO ALL SEDIMENT CONTROL DEVICES.
- 7. SEDIMENT CONTROL DEVICES MUST BE DE-SILTED AND MADE FULLY OPERATIONAL AS SOON AS REASONABLE AND PRACTICABLE AFTER A SEDIMENT-PRODUCING EVENT, WHETHER NATURAL OR ARTIFICIAL, IF THE DEVICE’S SEDIMENT RETENTION CAPACITY FALLS BELOW 75% OF ITS DESIGN RETENTION CAPACITY.
- 8. MATERIALS, WHETHER LIQUID OR SOLID, REMOVED FROM SEDIMENT CONTROL DEVICES DURING MAINTENANCE OR DECOMMISSIONING, MUST BE DISPOSED OF IN A MANNER THAT DOES NOT CAUSE ONGOING SOIL EROSION OR ENVIRONMENTAL HARM.

DRAINAGE CONTROL:

- 1. ALL DRAINAGE CONTROL MEASURES MUST BE APPLIED AND MAINTAINED IN ACCORDANCE WITH THE CONSTRUCTION PLANS.
- 2. WHEREVER REASONABLE AND PRACTICABLE, STORMWATER RUNOFF ENTERING THE SITE FROM EXTERNAL AREAS, AND NON-SEDIMENT LADEN (CLEAN) STORMWATER RUNOFF ENTERING A WORK AREA OR AREA OF SOIL DISTURBANCE, MUST BE DIVERTED AROUND OR THROUGH THAT AREA IN A MANNER THAT MINIMISES SOIL EROSION AND THE CONTAMINATION OF THAT WATER FOR ALL DISCHARGES UP TO THE SPECIFIED DESIGN STORM DISCHARGE.
- 3. DURING THE CONSTRUCTION PERIOD, ALL REASONABLE AND PRACTICABLE MEASURES MUST BE IMPLEMENTED TO CONTROL FLOW VELOCITIES IN SUCH A MANNER THAN PREVENTS SOIL EROSION ALONG DRAINAGE PATHS AND AT THE ENTRANCE AND EXIT OF ALL DRAINS AND DRAINAGE PIPES DURING ALL STORMS UP TO THE RELEVANT DESIGN STORM DISCHARGE.
- 4. TO THE MAXIMUM DEGREE REASONABLE AND PRACTICABLE, ALL WATERS DISCHARGED DURING THE CONSTRUCTION PHASE MUST DISCHARGE ONTO STABLE LAND, IN A NON-EROSIVE MANNER, AND AT A LEGAL POINT OF DISCHARGE.
- 5. WHEREVER REASONABLE AND PRACTICABLE, “CLEAN” SURFACE WATERS MUST BE DIVERTED AWAY FROM SEDIMENT CONTROL DEVICES AND ANY UNTREATED, SEDIMENT-LADEN WATERS.
- 6. DURING THE CONSTRUCTION PERIOD, ROOF WATER MUST BE MANAGED IN A MANNER THAT MINIMISES SOIL EROSION THROUGHOUT THE SITE, AND SITE WETNESS WITHIN ACTIVE WORK AREAS.
- 7. DRAINS ARE TO BE SIZED AND CONSTRUCTED TO ALLOW WATER TO DRAIN. THIS MAY INCLUDE CUTTING INTO THE EARTH TO OBTAIN THE REQUIRED FALL TO PERMIT DRAINAGE. DIMENSIONS GIVEN ARE A MINIMUM.

OTHER:

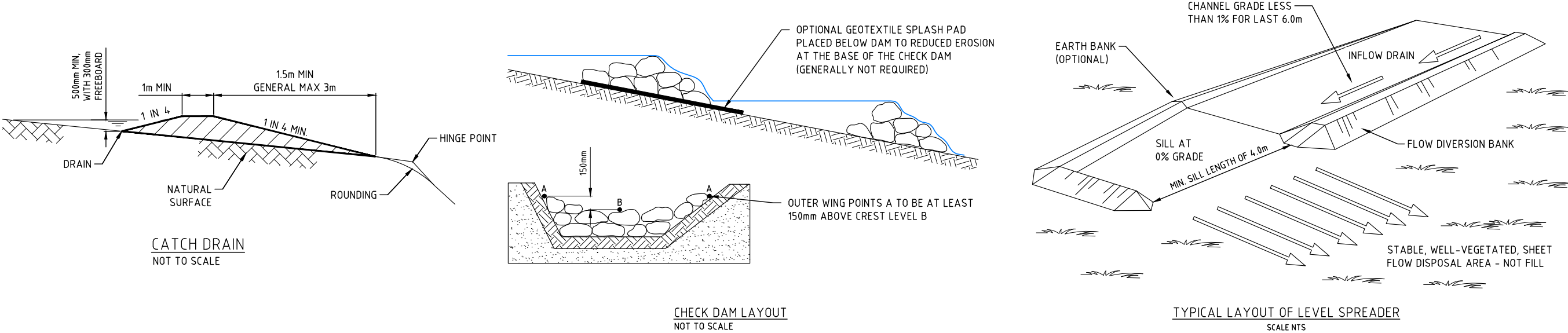
- 1. THE CONTRACTOR IS TO TAKE ALL NECESSARY PRECAUTIONS TO CONTROL EROSION AND DOWNSTREAM SEDIMENTATION DURING ALL STAGES OF CONSTRUCTION INCLUDING THE MAINTENANCE PERIOD.
- 2. ALL SEDIMENT CONTROL DEVICES SHALL BE MONITORED, CLEANED AND/OR REPAIRED WHENEVER THE ACCUMULATED SEDIMENT REDUCES THE CAPACITY BY 50%.
- 3. THE EXTENT OF GRASSING SHALL BE DETERMINED BY THE SUPERINTENDENT AND SHALL BE SEEDED, AS SPECIFIED, WITHIN SEVEN DAYS OF FINAL TRIMMING.
- 4. EXTENT AND POSITION OF SILT FENCE CONTROL MEASURES TO BE DETERMINED ON SITE BY SUPERINTENDENT.
- 5. MEASURES SHOWN ON THIS DRAWING ARE MINIMUM REQUIREMENTS ONLY.
- 6. SCOUR PROTECTION AND SILT MANAGEMENT MEASURES TO BE PROVIDED AT STORMWATER OUTLET HEADWALLS.
- 7. PROVISION TO BE MADE FOR DIRT/SAND REMOVAL FROM CONSTRUCTION VEHICLES PRIOR TO TRAVEL ON PUBLIC ROADS. METHOD TO BE APPROVED BY SUPERINTENDENT PRIOR TO COMMENCEMENT OF WORK.
- 8. ANY SILT OR SEDIMENT CAUSED BY CONSTRUCTION TRAFFIC ON EXISTING ROADS IS TO BE REMOVED DAILY.
- 9. THE CONTRACTOR SHALL IMPLEMENT EROSION AND SEDIMENT CONTROL PROCEDURES DURING CONSTRUCTION AND MAINTENANCE STAGES OF THE DEVELOPMENT AND SHALL TAKE ALL NECESSARY ACTIONS TO COMPLY WITH THE POLICY OBJECTIVES OF COUNCIL’S LOCAL PLANNING POLICY – EROSION AND SEDIMENT CONTROL.
- 10. A SCHEDULE SHALL BE SUBMITTED FOR THE APPROVAL OF COUNCIL’S REPRESENTATIVE AT THE PRE-START MEETING FOR THE FIELD IMPLEMENTATION OF EROSION AND SEDIMENT CONTROL, DETAILING THE STAGES AT WHICH VARIOUS MANAGEMENT TECHNIQUES WOULD BE IN PLACE AND AUDITING PROCEDURES.
- 11. FINAL FORM OF SEDIMENT EROSION CONTROL TO BE DECIDED ON SITE BY THE SUPERINTENDENT.
- 12. THE CONTRACTOR IS TO ENSURE THAT NO SILT REACHES THE DOWNSTREAM WATER COURSE AND IS TO PROVIDE ADEQUATE PROTECTION TO PREVENT THIS OCCURRING.

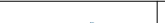
EROSION CONTROL:

- 1. ALL EROSION CONTROL MEASURES MUST BE APPLIED AND MAINTAINED IN ACCORDANCE WITH IECA (2008) BEST PRACTICE EROSION & SEDIMENT CONTROL.
- 2. THE APPLICATION OF LIQUID-BASED DUST SUPPRESSION MEASURES MUST ENSURE THAT SEDIMENT-LADEN RUNOFF RESULTING FROM SUCH MEASURES DOES NOT CREATE A TRAFFIC OR ENVIRONMENTAL HAZARD.
- 3. ALL TEMPORARY EARTH BANKS, FLOW DIVERSION SYSTEMS, AND EMBANKMENTS ASSOCIATED WITH CONSTRUCTED SEDIMENT BASINS MUST BE MACHINE-COMPACTED, SEEDED AND MULCHED FOR THE PURPOSE OF ESTABLISHING A TEMPORARY VEGETATIVE COVER WITHIN 10 DAYS AFTER GRADING.
- 4. UNPROTECTED SLOPE LENGTHS MUST NOT EXCEED 80m, OR AN EQUIVALENT VERTICAL FALL OF 3m DURING THE CONSTRUCTION PERIOD.
- 5. THE CONSTRUCTION AND STABILISATION OF EARTH BATTERS STEEPER THAN 6:1 (H:V) MUST BE STAGED SUCH THAT NO MORE THAN 3 VERTICAL-METRES OF ANY BATTER IS EXPOSED TO RAINFALL AT ANY INSTANT.
- 6. SYNTHETIC REINFORCED EROSION CONTROL MATS AND BLANKETS MUST NOT BE PLACED WITHIN, OR ADJACENT TO, RIPARIAN ZONES AND WATERCOURSES IF SUCH MATERIALS ARE LIKELY TO CAUSE ENVIRONMENTAL HARM TO WILDLIFE OR WILDLIFE HABITATS.
- 7. A MINIMUM 60% GROUND COVER MUST BE ACHIEVED ON ALL NON-COMPLETED EARTHWORKS EXPOSED TO ACCELERATED SOIL EROSION IF FURTHER CONSTRUCTION ACTIVITIES OR SOIL DISTURBANCES ARE LIKELY TO BE SUSPENDED FOR MORE THAN 30 DAYS DURING THOSE MONTHS WHEN THE EXPECTED RAINFALL IS LESS THAN 30mm; MINIMUM 70% COVER WITHIN 30 DAYS IF BETWEEN 30 AND 45mm; MINIMUM 70% COVER WITHIN 20 DAYS IF BETWEEN 45 AND 100mm; MINIMUM 75% COVER WITHIN 10 DAYS IF BETWEEN 100 AND 225mm; AND MINIMUM 80% COVER WITHIN 5 DAYS IF GREATER THAN 225mm. (ALTERNATIVE TO ABOVE)

ROCK CHECK DAMS:

- 1. ROCK CHECK DAMS ARE TO BE LOCATED IN THE DRAINS SPACED @ 20m INTERVALS, CONSISTING OF ROCK WITH d50 OF 200mm, AND ARE TO BE 300mm HIGH MINIMUM.



					SURVEY DATA		TMU PROPERTY TRUST FOR TM UNIVERSE INC.		EROSION & SEDIMENT CONTROL NOTES			PO Box 554 Beaudesert QLD 4285  (07) 5541 3500 www.acsengineers.com.au		ACS Engineers CIVIL   ENVIRONMENTAL   PROJECT MANAGEMENT				
					DATUM GDA94		379 LONG ROAD TAMBORINE MOUNTAIN QLD 4272											
					MAP GRID MGA-56				ENGINEERING CERTIFICATION (RPEQ)			DRAWING NUMBER		REVISION				
					HEIGHT ORIGIN AHD		379-385 LONG ROAD TAMBORINE MOUNTAIN QLD 4272											
					SURVEY BOOKS				#		FIELD		NAME		SIGNATURE		DATE	
A FOR APPROVAL			DJS 01/2022		DJS 01/2022		379 LONG ROAD TAMBORINE MOUNTAIN QLD 4272		13697		CIVIL		S. SHAY				01/04/22	
REVISION/DETAILS			DWN DATE		DES DATE										ACS-210153-ROAD-12		A	

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**10.4     2022-2023     Regional     Events     Grant     Program     Application     -**  
**2023 Scenic Rim Clydesdale Spectacular**

**Executive Officer:** General Manager Customer and Regional Prosperity

**Item Author:** Economic Development Officer - Events / Acting Principal Specialist  
Regional Events

**Attachments:** Nil

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### **Executive Summary**

This report presents an application from the Scenic Rim Clydesdale Spectacular Sub-Committee of the Boonah Show Society Inc to Council's 2022-2023 Regional Events Grant Program.

The requested support totals \$20,000 comprised of both cash and in-kind to assist with event management and delivery of the 2023 Scenic Rim Clydesdale Spectacular, being held 17-18 June 2023.

### **Recommendation**

That:

1. Council approve the application from Scenic Rim Clydesdale Spectacular Sub-Committee of the Boonah Show Society Inc to 2022-2023 Regional Events Grant Program for the 2023 Scenic Rim Clydesdale Spectacular, being held in Boonah on 17-18 June 2023; and
2. Council approve a maximum of \$20,000, cash and in-kind as follows:
  - a) a cash grant of \$12,580 plus GST;
  - b) a contribution of \$2,420 towards the provision of waste bins (by Council); and
  - c) in-kind support to the value of \$5,000 of marketing and public relations services.

### **Previous Council Considerations / Resolutions**

At the Ordinary Meeting held on 7 June 2022 (Item 10.2), Council supported the request of \$10,000 cash contribution to the 2022 Scenic Rim Clydesdales Spectacular through the Regional Events Program.

### **Report / Background**

The Scenic Rim Clydesdale Spectacular (the Clydesdale Spectacular), held in Boonah annually, was born from a desire by local breeders to pay respect to the history and heritage of the Clydesdale horse. They approached the Boonah Show Society and a sub-committee of the Society was formed in 2012, which now plans and manages the event.

This boutique event has attracted competitors, participants and spectators from across the country and overseas. Not only are there horses, but rare trades demonstrations of all forms that focus around "the heavy horse", harness makers, blacksmiths, wheelwrights and driving displays.

The 2022 event achieved the following:

- Attracted 6,728 primary purpose visitors from outside of the region over two days, up from 4,424 in 2021;
- Contributed approximately \$2 million, up from \$1.2 million in 2021;
- Attracted 88% of its visitors from outside of the Scenic Rim;
- Resulted in 10,109 visitor nights in the region; up from 5,135 visitor nights in 2021; and
- Subsequently, resulted in 13,047 visitor nights throughout Queensland derived from this event, up from 7,929 in 2021.

Council supported the request of \$10,000 cash contribution to the 2022 Clydesdale Spectacular through the 2021-2022 Regional Events Grant Program.

In 2023, attendee numbers are expected to increase by 13%, due to effective promotion of the event largely driven by a partnership with the Clydesdale Spectacular Sub-Committee and Council through its partners, including publicists Kath Rose and Associates and Channel 7 Queensland Weekender.

Council has received an application from the Scenic Rim Clydesdale Spectacular Sub-Committee of the Boonah Show Society Inc to Council's Regional Events Grants Program.

The requested support totals \$20,000 in both cash and in-kind to assist with event management and delivery of the 2023 Clydesdale Spectacular, being held 17-18 June 2023, and is comprised of the following:

- a cash grant of \$12,580 + GST;
- a contribution of \$2,420 towards the provision of waste bins (by Council); and
- in-kind support to the value of \$5,000 of marketing and public relations services via Kath Rose and Associates, who are engaged by Council on a monthly retainer for destination marketing and event public relations.

If approved, the cash grant funding of \$12,580 + GST from the 2022-2023 Regional Events Grant Program will be applied to the event management and delivery of the event. This includes:

- new additions to the program;
- engaging an international Clydesdale judge;
- inviting international special guest and world renowned Sculptor Andy Scott to attend;
- operational management and event crew;
- a traffic management plan and its implementation; and
- event directional signage.

The additional funding support enables the event to scale up and deal with the significant growth phase it is experiencing.

Economic benefit analysis was conducted utilising the digital platform [economy.id](https://economy.id) which is based upon attendance figures from 2022, Tourism Research Australia's most up-to-date Local Government Area Profile of the Scenic Rim and the predicted visitors and overnight stays as outlined in the Clydesdale Spectacular Strategic Business Plan (commercial-in-confidence). This analysis determined the estimated economic return to the region from the 2023 event would be approximately \$2.3 million, which is over 10% growth from the \$2.0 million for the 2022 event.

**Budget / Financial Implications**

The Regional Events Grants Program (which is a rolling program) supports destination-driven events in the Scenic Rim that attract visitors to the region and provide an economic return to the Scenic Rim region.

The 2022-2023 Regional Events Grant Program has \$60,000 allocated to it in the adopted operational budget, of which \$27,064 has been awarded in 2022-2023 to date.

With the remaining balance of \$32,936 there is sufficient budget to support the grant application submitted by the Clydesdale Spectacular Sub-Committee, which includes the cash grant of \$12,580 + GST plus accounting for the contribution of \$2,420 for the provision of bins. The \$5,000 in-kind for marketing supporting is already accounted for within the Destination Marketing adopted 2022-2023 Operational Budget for the engagement of Kath Rose and Associates.

The General Manager Customer and Regional Prosperity has delegated authority to approve event support applications up to \$5,000, however any request above that amount must be presented to Council for consideration and approval.

All events that are granted support up to \$5,000, under delegated authority, are reported back to Council on a regular basis.

**Strategic Implications***Operational Plan*

Theme: 2. Sustainable and Prosperous Economy

Key Area of Focus: Sustainable value captured from tourism in the region with regional capability to drive prosperity

*Legal / Statutory Implications*

The Clydesdale Spectacular Sub-Committee of the Boonah Society Inc will be required to enter into a funding agreement with Council and utilise the grant as outlined in the milestones and provide the appropriate acquittal documentation at the completion of the event.

**Risks**Strategic Risks

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

SR52 Ineffective and/or unrealistic strategic plans which are not appropriately scoped or resourced, resulting in missed opportunities, re-work, failure to deliver objectives and loss of confidence by community.



Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Reputation, Community & Civic Leadership  Council events do not meet community and attendee expectation. Destination driven events are well supported by Council to provide expected outcomes for the community.	3 Moderate	Possible	Low	Leverage plan/activities carried out to optimise benefits flowing from the event	Low
Financial/Economic  Lack of ticket sales for major events by visitors to the region	3 Moderate	Unlikely	Low	Develop an effective marketing and promotional plan to maximise advertising reach	Low

**Consultation**

The consultation process is already underway for the 2023 Clydesdale Spectacular and will involve a number of Council business units within Customer and Regional Prosperity and Asset and Environmental Sustainability.

Similarly to the 2022 consultation process, the business units of Community and Culture, Regional Prosperity and Communications, Environmental Policy and Services, and Governance and Corporate Assurance will also be involved to ensure the event planning is compliant and meets Queensland Transport and Main Roads, Office of Liquor and Gaming Regulation as well as Queensland Police Service and Queensland Ambulance Service guidelines.

**Conclusion**

The support provided from Council's Regional Events Grant Program to events and festivals has exceeded expectations of the economic return to the region.

Events such as the Clydesdale Spectacular cement the Scenic Rim's reputation as a region known for its vibrant tourism offerings and genuine visitor experiences, and represent an important platform to showcase the region's capability and viability to host events of varied size, scope and scale.

The economic return to the region from the 2022 Clydesdale Spectacular was \$1.2 million and the predicted economic return for the event in 2023 is \$2.3 million, so the requested support represents an excellent return on investment for region of over \$115 for every \$1 invested by Council.

It is therefore recommended that Council approve the application from Scenic Rim Clydesdale Spectacular Sub-Committee of the Boonah Show Society Inc to 2022-2023 Regional Events Grant Program.

## **Council Sustainability**

### **10.5 Council Monthly Financial Report for January 2023**

**Executive Officer:** General Manager Council Sustainability

**Item Author:** Coordinator Financial Management

**Attachments:**

1. Monthly Financial Report January 2023 [↓](#) 

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### **Executive Summary**

This report seeks Council's endorsement of the monthly financial report for January 2023.

### **Recommendation**

That Council receive the unaudited financial statements for the period ended 31 January 2023 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

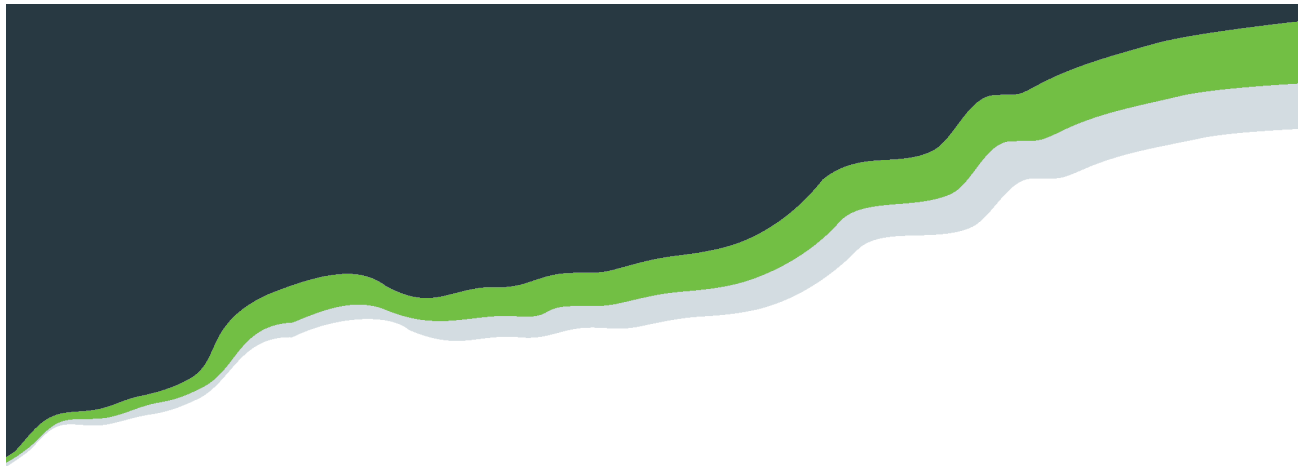
Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Financial and Economic  Inaccurate or untimely management reporting	Major	Likely	High	Actual performance is reported against budget on a monthly basis to the Executive Team and Council	Low
Financial and Economic  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 Chief Executive Officer, General Managers and Managers 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 JANUARY 2023

## Executive Summary

Net operating surplus: **\$3.945 million above budgeted expectations**

- Operating revenue \$2.979 million higher than budgeted levels
- Operating expenditure \$0.966 million lower than budgeted forecast

Operating revenue: **\$2.979 million 4.0% above budgeted expectations**

- Fees and Charges are \$0.704 million 18% higher than budgeted expectations. Development Assessment and refuse tipping fees are currently trending above forecast.
- Recoverable works are \$0.574 million 22% higher than forecast due largely to a variation to the RMPC contract. This is offset by higher expenditure.
- Interest received is \$0.202 million 17% higher than anticipated due to higher investment interest rates and cash levels.
- Operating grants and subsidies are \$1.518 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 \$0.220 million.

Operating expenditure: **\$0.966 million 1.9% lower than budgeted expectations**

- Employee expenses are \$1.659 million 6.9% less than budgeted levels due largely to:
  - \$0.186 million timing differences with respect to external costs (workers compensation insurance and training costs)
  - Net vacancies
- Employee expenses allocated to capital are \$0.664 million 19% less than the forecasted budget.
- Materials and services were \$0.376 million 1.9% lower than budgeted expectations due largely to timing with expenditure for grant funded programs, recoverable works (offset by increased revenue and other materials and services. This is offset by higher than budgeted maintenance and operations expenses. Refer Note 4 (Page 6 of 11) for more detail.

Capital expenditure: **\$9.513 million 24% lower than budgeted expectations**

Capital expenditure is lower than budgeted for:

- Capital Works \$1.215 million lower than the budgeted forecast (Kerry Road projects \$0.918 million).
- Structures and Drainage \$0.576 million lower than budgeted forecast (Beautesert Town Centre Drainage Improvements \$0.515 million).
- Grant Funded Programs are \$6.044 million lower than the budgeted forecast.
- Refer Note 5 (Page 7 of 11) for details.

Proceeds from sale of assets: **\$0.254 million 52% lower than budgeted expectations**

- Refer Note 6 (Page 7 of 11) for more detail.

Capital revenue: **\$3.507 million 34% higher than budgeted expectations**

- Refer Note 7 (Page 8 of 11) for details.

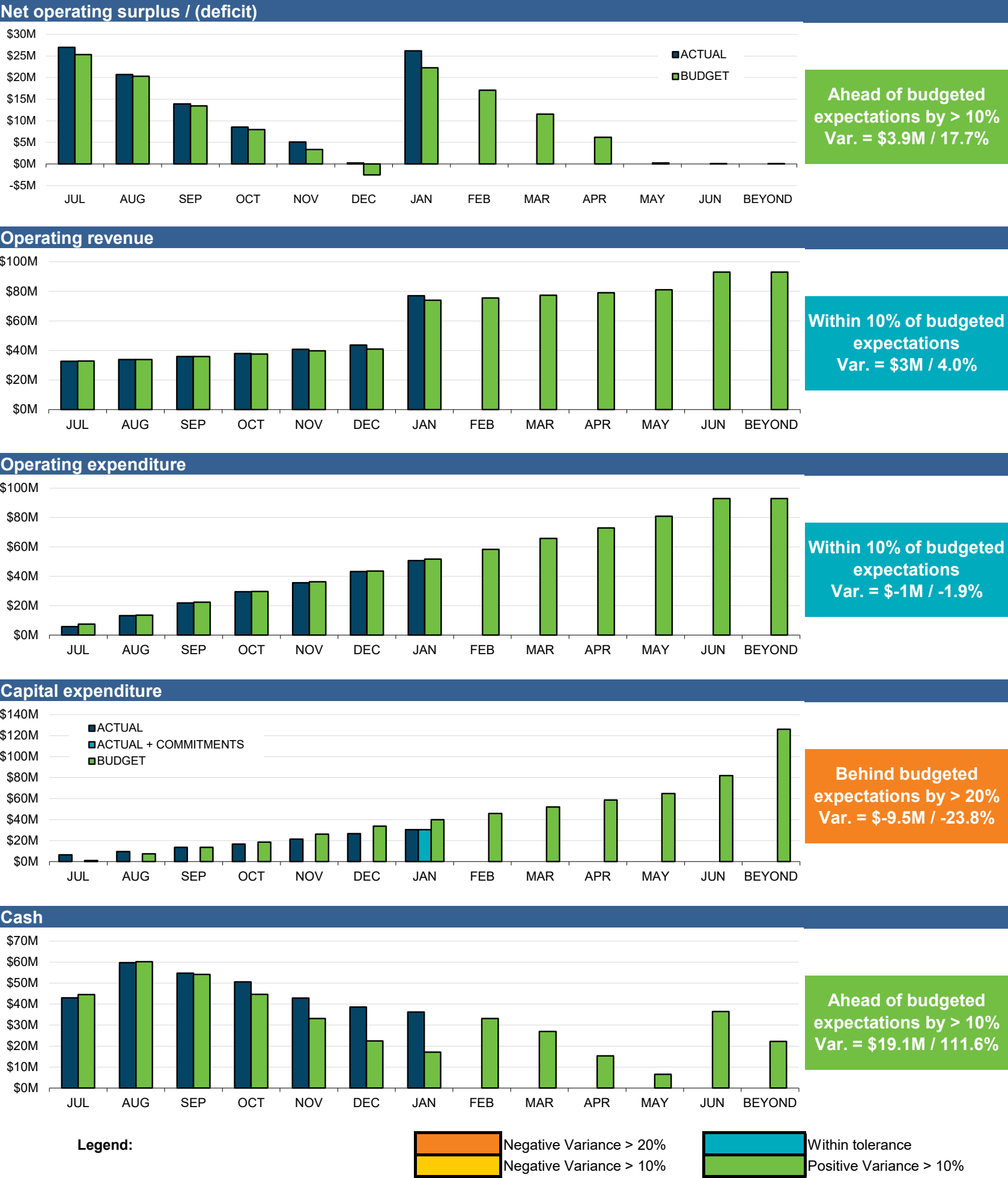
Statement of Financial Position

- Cash and investments: \$19.126 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



# Financial performance and position



## 2. STATEMENT OF COMPREHENSIVE INCOME

### STATEMENT OF COMPREHENSIVE INCOME For the Period Ending 31-Jan-2023

		Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
<b>Operating revenue</b>						
Rates and utility charges	Note 1	\$63,566	\$63,566	\$63,466	\$63,330	(\$136)
Discounts and pensioner remissions		(\$1,863)	(\$1,863)	(\$1,165)	(\$1,121)	\$44
Fees and charges	Note 2	\$6,269	\$6,611	\$3,900	\$4,604	\$704
Interest received		\$1,593	\$2,049	\$1,181	\$1,383	\$202
Recoverable works		\$5,942	\$6,020	\$2,548	\$3,122	\$574
Grants, subsidies, contributions and donations		\$4,895	\$9,471	\$1,454	\$2,973	\$1,518
Share of profit from associates		\$2,490	\$2,490	\$0	\$0	\$0
Other revenues	Note 3	\$4,646	\$4,688	\$2,611	\$2,683	\$72
<b>Total Operating revenue</b>		<b>\$87,536</b>	<b>\$93,031</b>	<b>\$73,995</b>	<b>\$76,974</b>	<b>\$2,979</b>
<b>Operating expenditure</b>						
Employee expenses		\$41,650	\$42,466	\$23,985	\$22,326	\$1,659
Employee expenses allocated to capital		(\$6,289)	(\$6,353)	(\$3,501)	(\$2,837)	(\$664)
Net operating employee expenses		\$35,361	\$36,113	\$20,484	\$19,488	\$995
Materials and services	Note 4	\$32,673	\$37,686	\$20,037	\$19,661	\$376
Finance costs		\$1,171	\$1,171	\$602	\$609	(\$6)
Depreciation and amortisation		\$18,046	\$18,046	\$10,601	\$11,000	(\$399)
<b>Total Operating expenditure</b>		<b>\$87,251</b>	<b>\$93,016</b>	<b>\$51,724</b>	<b>\$50,758</b>	<b>\$966</b>
<b>NET OPERATING SURPLUS / (DEFICIT)</b>		<b>\$285</b>	<b>\$15</b>	<b>\$22,272</b>	<b>\$26,217</b>	<b>\$3,945</b>
<b>Capital revenue</b>						
Capital grants and subsidies		\$9,316	\$73,090	\$9,039	\$12,427	\$3,388
Infrastructure charges		\$2,305	\$2,305	\$1,330	\$1,449	\$119
<b>Total capital revenue</b>		<b>\$11,621</b>	<b>\$75,395</b>	<b>\$10,369</b>	<b>\$13,876</b>	<b>\$3,507</b>
<b>NET SURPLUS / (DEFICIT)</b>		<b>\$11,906</b>	<b>\$75,410</b>	<b>\$32,640</b>	<b>\$40,092</b>	<b>\$7,452</b>

# Financial performance and position



## 3. STATEMENT OF FINANCIAL POSITION

### STATEMENT OF FINANCIAL POSITION

As at 31-Jan-2023

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
<b>Current assets</b>					
Cash and Investments	\$19,967	\$22,169	\$17,138	\$36,264	\$19,126
Receivables	\$8,100	\$8,100	\$38,082	\$36,374	(\$1,708)
Inventories	\$900	\$900	\$900	\$1,125	\$225
Other Current Assets	\$0	\$670	\$0	\$13	\$13
<b>Total current assets</b>	<b>\$28,967</b>	<b>\$31,839</b>	<b>\$56,120</b>	<b>\$73,775</b>	<b>\$17,655</b>
<b>Non-current assets</b>					
Receivables	\$14,676	\$14,676	\$14,676	\$14,676	\$0
Other Financial Assets	\$39,441	\$39,292	\$37,480	\$37,480	\$0
Property, Plant and Equipment and Intangibles	\$1,028,414	\$1,037,061	\$942,654	\$932,454	(\$10,200)
<b>Total non-current assets</b>	<b>\$1,082,531</b>	<b>\$1,091,029</b>	<b>\$994,810</b>	<b>\$984,610</b>	<b>(\$10,200)</b>
<b>TOTAL ASSETS</b>	<b>\$1,111,498</b>	<b>\$1,122,868</b>	<b>\$1,050,930</b>	<b>\$1,058,386</b>	<b>\$7,456</b>
<b>Current liability</b>					
Trade and Other Payables	\$7,000	\$7,000	\$2,000	\$2,348	(\$348)
Borrowings	\$4,171	\$4,171	\$0	\$0	\$0
Provisions	\$10,400	\$10,400	\$10,521	\$10,404	\$117
Other Current Liabilities	\$0	\$1,718	\$3,218	\$3,577	(\$359)
<b>Total current liability</b>	<b>\$21,571</b>	<b>\$23,289</b>	<b>\$15,739</b>	<b>\$16,328</b>	<b>\$589</b>
<b>Non-current liability</b>					
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
<b>Total non-current liability</b>	<b>\$47,482</b>	<b>\$50,674</b>	<b>\$48,942</b>	<b>\$48,953</b>	<b>\$11</b>
<b>TOTAL LIABILITIES</b>	<b>\$69,053</b>	<b>\$73,963</b>	<b>\$64,681</b>	<b>\$65,282</b>	<b>\$601</b>
<b>NET ASSETS</b>	<b>\$1,042,445</b>	<b>\$1,048,905</b>	<b>\$986,249</b>	<b>\$993,104</b>	<b>\$6,855</b>



# Financial performance and position



## 4. NOTES TO FINANCIAL STATEMENTS

### NOTE 1 - RATES AND UTILITY CHARGES ANALYSIS

For the Period Ending 31-Jan-2023

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
<b>Rates and utility charges</b>					
General Rates	\$45,547	\$45,547	\$45,447	\$45,387	(\$60)
Separate Charge Community Infrastructure	\$9,746	\$9,746	\$9,746	\$9,651	(\$95)
Waste Disposal Charge	\$554	\$554	\$554	\$545	(\$9)
Waste Collection Charge	\$7,719	\$7,719	\$7,719	\$7,747	\$28
<b>Total rates and utility charges</b>	<b>\$63,566</b>	<b>\$63,566</b>	<b>\$63,466</b>	<b>\$63,330</b>	<b>(\$136)</b>

### NOTE 2 - FEES AND CHARGES ANALYSIS

For the Period Ending 31-Jan-2023

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
<b>Fees and charges</b>					
Development Assessment	\$925	\$1,025	\$627	\$889	\$261
Plumbing Certification	\$1,011	\$1,011	\$589	\$568	(\$22)
Building Certification	\$469	\$469	\$223	\$231	\$9
Other Building and Property Related Revenue	\$789	\$889	\$528	\$621	\$93
Refuse Tipping Fees	\$1,439	\$1,509	\$824	\$1,032	\$208
Animal Management Licences	\$240	\$240	\$221	\$233	\$12
Food Licences	\$194	\$194	\$183	\$199	\$16
Cemetery Fees	\$328	\$400	\$290	\$317	\$27
Moogerah Caravan Park Fees	\$734	\$734	\$338	\$384	\$45
Other Fees and Charges	\$140	\$140	\$77	\$130	\$53
<b>Total fees and charges</b>	<b>\$6,269</b>	<b>\$6,611</b>	<b>\$3,900</b>	<b>\$4,604</b>	<b>\$704</b>

### NOTE 3 - OTHER REVENUES ANALYSIS

For the Period Ending 31-Jan-2023

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
<b>Other revenues</b>					
Waste Charges for LCC Dumping at Central Landfill	\$2,403	\$2,403	\$1,402	\$1,608	\$206
Domestic Waste Levy - State Reimbursement	\$0	\$0	\$0	\$0	\$0
Tax Equivalents - Urban Utilities	\$1,067	\$1,067	\$534	\$481	(\$53)
Other	\$1,175	\$1,218	\$675	\$595	(\$80)
<b>Total other revenues</b>	<b>\$4,646</b>	<b>\$4,688</b>	<b>\$2,611</b>	<b>\$2,683</b>	<b>\$72</b>

# Financial performance and position



## 4. NOTES TO FINANCIAL STATEMENTS CONTINUED

### NOTE 4 - MATERIALS AND SERVICES ANALYSIS

For the Period Ending 31-Jan-2023

	Annual Original Budget \$000	Annual Revised Budget \$000	YTD Revised Budget \$000	YTD Actual \$000	YTD Variance \$000
<b>Materials and services</b>					
Subscriptions	\$325	\$360	\$279	\$263	(\$16)
IT Systems Maintenance	\$3,047	\$3,288	\$2,081	\$1,976	(\$105)
Office Expenditure	\$537	\$569	\$348	\$229	(\$119)
Recoverable Works	\$2,729	\$2,729	\$1,187	\$2,039	\$853
Disaster Event Emergent Works & CDO	\$0	\$762	\$762	\$779	\$17
Fleet IPH Recoveries	(\$10,464)	(\$10,464)	(\$6,081)	(\$5,845)	\$236
Grants	\$470	\$504	\$311	\$294	(\$16)
Legal Expenses	\$1,058	\$1,064	\$578	\$566	(\$12)
Waste Collection Contract	\$2,725	\$2,725	\$1,303	\$1,252	(\$50)
Insurance	\$566	\$609	\$598	\$604	\$7
Economic Development	\$1,411	\$1,776	\$924	\$488	(\$436)
Maintenance and Operations	\$20,172	\$20,167	\$10,636	\$11,220	\$584
721600 - Road Maintenance	\$4,298	\$4,298	\$2,800	\$3,438	\$638
721601 - Bridge Maintenance	\$444	\$444	\$238	\$216	(\$22)
721611 - Urban Approaches and Town Centres Maintenance	\$440	\$440	\$149	\$367	\$218
721612 - Road Furniture Projects	\$73	\$73	\$24	\$6	(\$18)
721613 - Resheeting	\$1,349	\$1,349	\$592	\$346	(\$246)
721614 - Shoulder Resheeting	\$413	\$413	\$254	\$316	\$62
729283 - Weed Treatment Council Roadsides	\$8	\$8	\$8	\$4	(\$4)
729316 - Road Corridor Management	\$81	\$81	\$73	\$70	(\$3)
EXP20112-M&O-Parks,Gardens,Cemeteries	\$1,958	\$1,997	\$1,145	\$1,122	(\$23)
EXP20113-M&O-Fleet	\$3,553	\$3,578	\$2,243	\$2,340	\$97
EXP20114-M&O-Waste Disposal	\$2,654	\$2,584	\$480	\$440	(\$40)
EXP20125-M&O-Facility Operations	\$3,590	\$3,590	\$1,890	\$1,802	(\$87)
EXP20126-M&O-Facility Maintenance	\$1,143	\$1,143	\$683	\$692	\$9
EXP20127-M&O-Facility Maintenance Scheduled	\$169	\$169	\$57	\$61	\$4
Transfer Station Operations	\$788	\$788	\$407	\$371	(\$37)
Grant Funded Expenditure	\$422	\$2,502	\$856	\$493	(\$363)
EXP20134-Grant Exp-Drought Communities Programms	\$0	\$231	\$0	\$21	\$21
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	\$468	\$108	(\$360)
EXP20140-Grant Exp-Other Programs	\$182	\$1,287	\$338	\$305	(\$33)
Other Material and Services	\$8,887	\$10,308	\$5,849	\$4,931	(\$918)
<b>Total materials and services</b>	<b>\$32,673</b>	<b>\$37,686</b>	<b>\$20,037</b>	<b>\$19,661</b>	<b>(\$376)</b>

# Financial performance and position



## 5. CAPITAL EXPENDITURE

For the Period Ending 31-Jan-2023

	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	\$147	\$269	\$269	\$153	\$102	(\$51)	\$0
Cultural Services	\$19	\$108	\$252	\$63	\$65	\$2	\$0
Facilities Maintenance	\$207	\$947	\$1,066	\$437	\$125	(\$312)	\$0
Parks and Landscape Maintenance	\$28	\$273	\$567	\$221	\$204	(\$17)	\$0
Waste Services	\$0	\$102	\$114	\$0	\$1	\$1	\$0
Waste Landfill - Central	\$74	\$510	\$1,356	\$462	\$364	(\$98)	\$0
Property Management	\$62	\$4,205	\$7,664	\$6,302	\$5,982	(\$319)	\$0
Waste Transfer Stations	\$7	\$221	\$316	\$121	\$0	(\$121)	\$0
Vibrant and Active Towns and Villages	\$1,174	\$649	\$4,398	\$3,213	\$3,378	\$164	\$0
Asset Management	\$0	\$493	\$559	\$185	\$0	(\$185)	\$0
Road Maintenance	\$39	\$562	\$596	\$254	\$219	(\$35)	\$0
Workshop	\$14	\$205	\$205	\$119	\$4	(\$115)	\$0
Capital Works	\$720	\$6,578	\$6,060	\$4,251	\$3,036	(\$1,215)	\$0
Structures and Drainage	\$120	\$2,752	\$3,845	\$1,394	\$818	(\$576)	\$0
Fleet Management	\$3,525	\$3,980	\$7,929	\$605	\$356	(\$249)	\$0
Reseals	\$41	\$2,692	\$2,866	\$2,050	\$1,707	(\$343)	\$0
Grant Funded Programs							
Grant-Bushfire Recovery Exceptional Assistance Pa	\$34	\$0	\$20	\$0	\$42	\$42	\$0
Declared Event - SEQ Coastal Trough 12-15 Dec 20	\$2	\$0	\$212	\$212	\$270	\$58	\$0
Declared Event - Southern Qld Severe Weather 20-3	\$3,248	\$0	\$3,068	\$1,549	\$1,376	(\$173)	\$0
Declared Event - November 2021	\$34	\$0	\$799	\$241	\$177	(\$64)	\$270
REPA - SEQ Rainfall and Flooding, 22-28 Feb 2022	\$927	\$0	\$34,180	\$3,978	\$2,992	(\$986)	\$25,820
REPA - 13 May 2022 Heavy Rainfall Event	\$2,102	\$0	\$5,234	\$124	\$255	\$132	\$5,031
DRFA-Immediate Reconstruction Works-Q Bushfires	\$1,769	\$0	\$713	\$0	\$14	\$14	\$0
Grant Funded-Beautesert Town Centre Redevlopme	\$2,241	\$0	\$6,732	\$4,173	\$2,656	(\$1,517)	\$967
Grant Funded-Bridge Renewal Program	\$345	\$7,263	\$8,090	\$967	\$910	(\$57)	\$0
Grant Funded-Black Spot Program	\$2,200	\$0	\$2,989	\$2,245	\$684	(\$1,562)	\$0
Grant Funded-Drought Communities Programme DC	\$0	\$0	\$64	\$0	\$19	\$19	\$0
Grant Funded-Local Govt Grants and Subsidies Prog	\$108	\$0	\$2,005	\$80	\$21	(\$59)	\$0
Grant Funded-Local Roads and Community Infrastru	\$643	\$2,178	\$4,280	\$2,270	\$1,141	(\$1,129)	\$0
Grant Funded-Mass Action Rest Area Upgrade Prog	\$6	\$0	\$45	\$45	\$13	(\$32)	\$0
Grant Funded-Principal Cycle Network Program	\$0	\$0	\$151	\$151	\$264	\$113	\$0
Grant Funded-Qld Bushfires Local Economic Recov	\$1,137	\$0	\$3,037	\$2,250	\$1,054	(\$1,196)	\$0
Grant Funded-SEQ Community Stimulus Program	\$111	\$0	\$3,412	\$889	\$1,179	\$290	\$0
Grant Funded-Unite and Recover Community Stimul	\$4	\$0	\$15	\$15	\$31	\$15	\$0
Grant Funded-Unite and Recover Community Stimul	\$62	\$0	\$950	\$950	\$1,016	\$66	\$0
Grant Funded-COVID W4Q Works For Queensland	\$0	\$0	\$48	\$48	\$30	(\$18)	\$0
<b>Total capital expenditure</b>	<b>\$21,148</b>	<b>\$33,988</b>	<b>\$126,196</b>	<b>\$40,016</b>	<b>\$30,504</b>	<b>(\$9,513)</b>	<b>\$44,181</b>

\* 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.

## 6. PROCEEDS FROM ASSET SALES

For the Period Ending 31-Jan-2023

	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	\$236	\$236	\$0
Property Disposals	\$843	\$775	\$490	\$0	(\$490)	\$0
Property Disposals-Beautesert Business Park Develo	\$0	\$2,529	\$0	\$0	\$0	\$0
<b>Total proceeds from asset sales</b>	<b>\$1,718</b>	<b>\$4,704</b>	<b>\$490</b>	<b>\$236</b>	<b>(\$254)</b>	<b>\$0</b>

# Financial performance and position



## 7. CAPITAL REVENUE - CAPITAL GRANTS, SUBSIDIES, CONTRIBUTIONS AND DONATIONS

For the Period Ending 31-Jan-2023

	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	\$1,089	\$0	(\$1,089)
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	\$737	\$737
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	\$173	\$173
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	\$203	\$203
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	\$67	\$0	(\$67)
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	\$1,330	\$1,449	\$119
621104 - Contributions Tied to Specific Projects	\$0	\$0	\$0	\$0	\$0
<b>Total Capital Revenue - Capital Grants, Subsidies, Contributi</b>	<b>\$11,621</b>	<b>\$75,395</b>	<b>\$10,369</b>	<b>\$13,876</b>	<b>\$3,507</b>



# Financial performance and position



## 8. INVESTMENTS

### INVESTMENTS

As at 31-Jan-2023

#### 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	\$20,420	3.60%	31/01/2023	0	A1+
Bendigo & Adelaide Bank - Canungra	Term Depo	\$1,000	4.10%	5/06/2023	125	A2
Bendigo & Adelaide Bank - Kalbar	Term Depo	\$1,000	3.45%	13/02/2023	13	A2
Bendigo & Adelaide Bank - Beaudesert	Term Depo	\$1,000	4.10%	8/05/2023	97	A2
Suncorp Metway Limited-Corporate	Term Depo	\$3,000	4.21%	13/06/2023	133	A1
BOQ- Corporate	Term Depo	\$1,000	4.27%	24/07/2023	174	A2
Suncorp Metway Limited-Corporate	Term Depo	\$3,000	4.28%	3/05/2023	92	A1
National Australia Bank- Corporate	Term Depo	\$2,000	4.10%	8/05/2023	97	A1+
National Australia Bank- Corporate	Term Depo	\$1,000	3.40%	15/02/2023	15	A1+
National Australia Bank- Corporate	Term Depo	\$5,000	4.05%	27/03/2023	55	A1+

<b>Total investments</b>		<b>\$38,420</b>				
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Cash in bank accounts	On Call	\$1,849	0.10%	31/01/2023	0	A1+
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<b>Total cash</b>		<b>\$1,849</b>				
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<b>TOTAL CASH AND INVESTMENTS</b>		<b>\$40,269</b>	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	3.65%
Target Interest Rate (RBA cash rate)	3.10%
Investment Policy Adhered to?	Yes

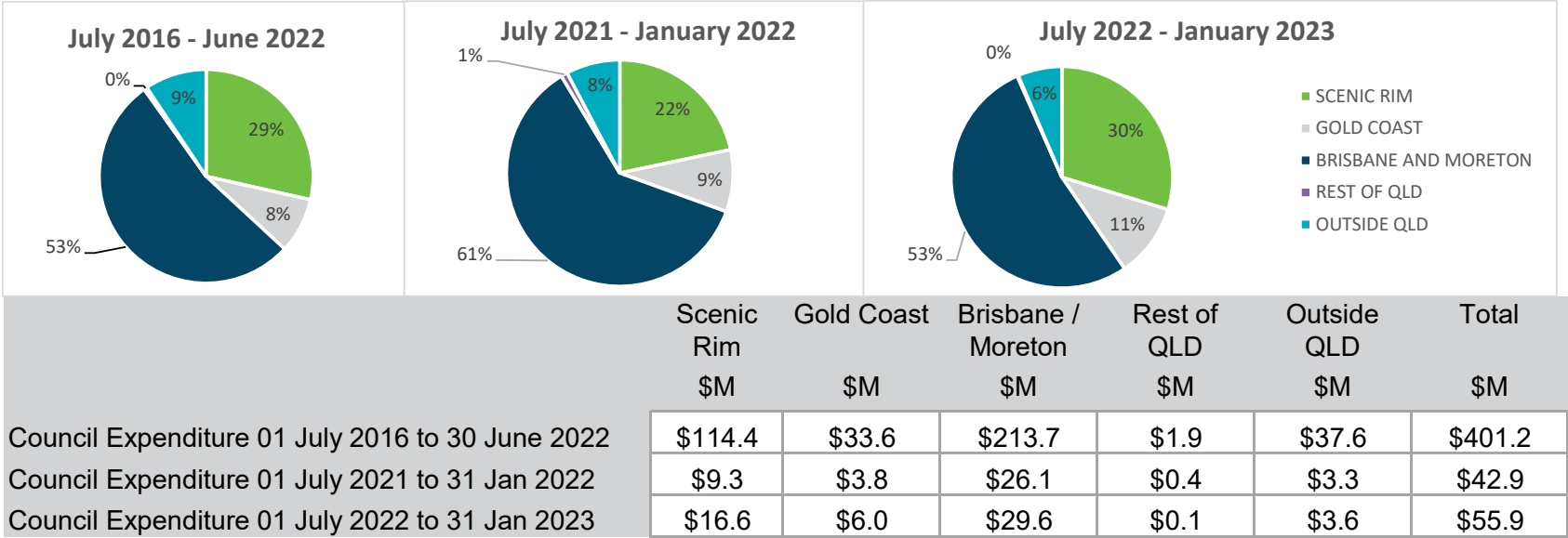
### ESTIMATE OF RESTRICTED CASH

EXTERNAL RESTRICTIONS	\$'000
Loan draw down but not yet expended	\$12,093
Operating grant funding received but not yet expended	\$2,626
Capital grant funding received but not yet expended	\$4,886
Domestic waste levy refund received in advance	\$4,908
Cash held in trust account	\$3,942
<b>Total estimated restricted cash</b>	<b>\$28,456</b>

Financial performance and position



9. ADDITIONAL INFORMATION  
COUNCIL EXPENDITURE BY LOCATION



HARDSHIP APPLICATIONS

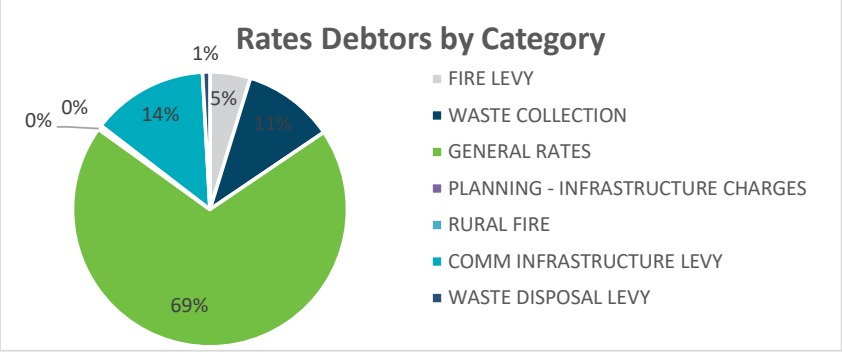
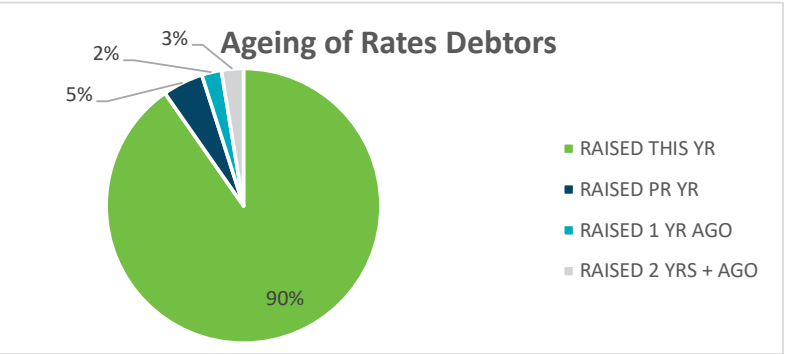
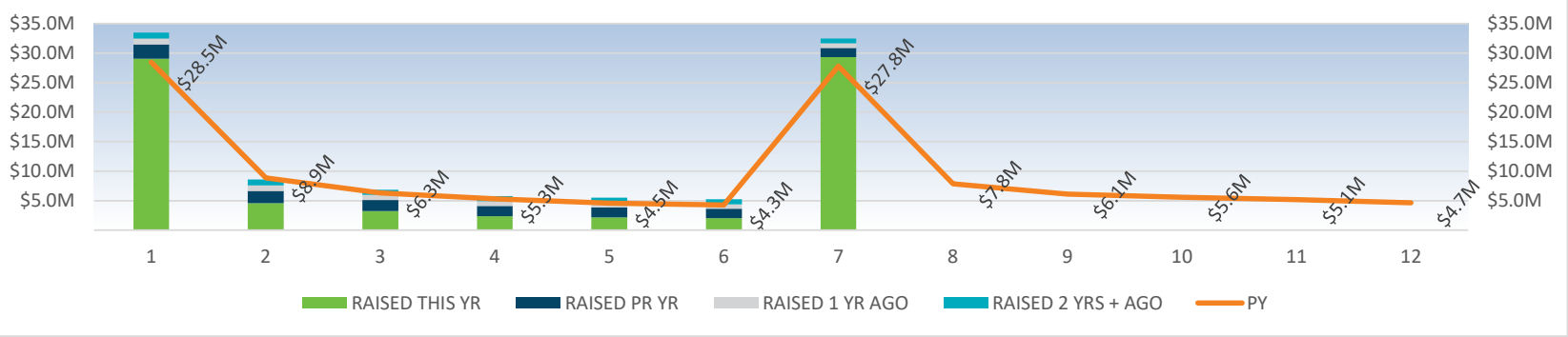
	Financial	COVID	Drought	Bushfires	Flood
2021-2022 Applications Approved	3	0	0	1	0
2022-2023 Current Month					
Applications Sent (excludes direct download from website)	2	0	0	0	0
Applications Received	1	0	0	0	0
Applications Approved	0	0	0	0	0
Applications Currently Under Review	4	0	0	0	1
Applications Ineligible / Withdrawn	1	0	0	0	0

Financial performance and position



10. DEBTORS

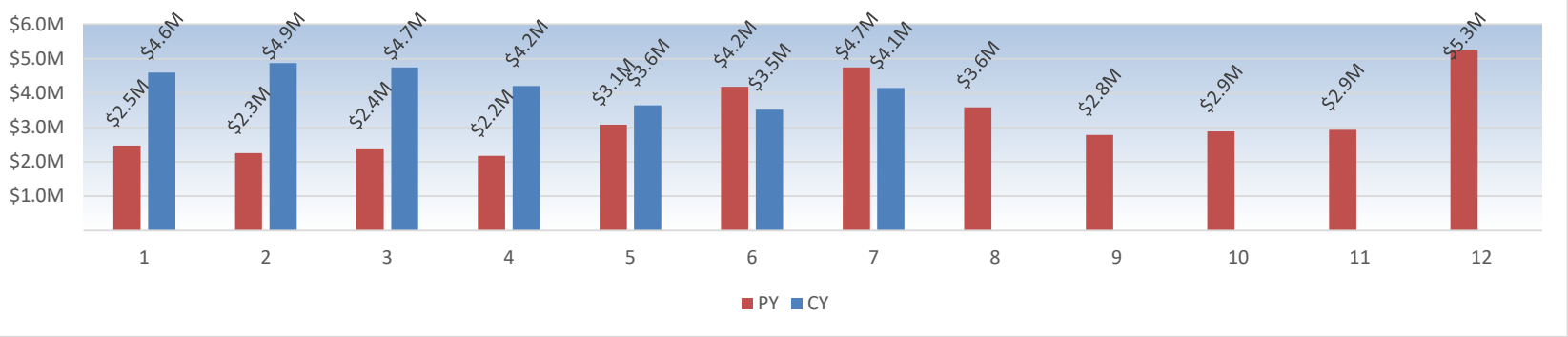
OUTSTANDING RATES DEBTORS



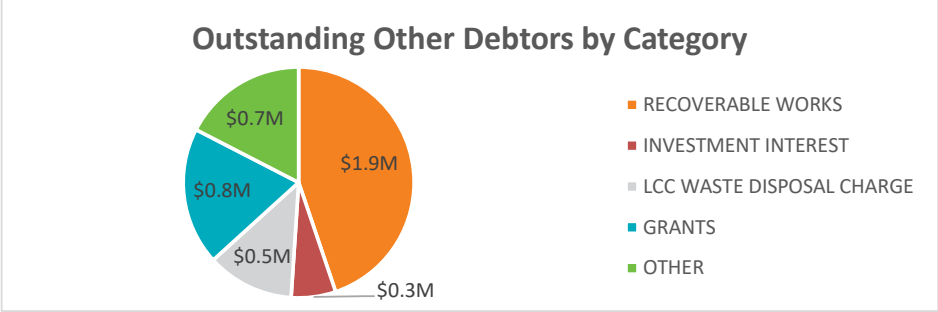
Outstanding Rates Debtors by Category

	As at 31-Jan-2023		As at 31-Jan-2022	
	Total Levy \$'000	Current Levy \$'000	Total Levy \$'000	Current Levy \$'000
Fire Levy	\$1,546	\$1,382	\$1,358	\$1,226
Waste Collection	\$3,495	\$3,177	\$2,854	\$2,622
General Rates	\$22,536	\$20,364	\$19,679	\$17,894
Planning - Infrastructure Charges	\$41	\$0	\$45	\$0
Rural Fire	\$123	\$111	\$83	\$72
Community Infrastructure Levy	\$4,447	\$4,035	\$3,562	\$3,280
Waste Disposal Levy	\$282	\$255	\$234	\$213
Total rates debtors outstanding	\$32,472	\$29,324	\$27,814	\$25,307

OUTSTANDING OTHER DEBTORS



Example: Recoverable Works, Interest Receivable, Tipping Fees, etc.




**10.6 Update on Proposed Local Government Electoral Expenditure Caps**

**Executive Officer:** General Manager Council Sustainability

**Item Author:** Principal Specialist Governance and Assurance

**Attachments:**

1. Submissions on Electoral Caps [↓](#) 

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**Executive Summary**

This report is an update to Council on the proposed changes to electoral spending pursuant to the *Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022*. Public submissions on the proposed Bill have been provided and are attached to the report.

**Recommendation**

That Council acknowledge the update on the proposed local government electoral expenditure caps.

**Previous Council Considerations / Resolutions**

Not applicable.

**Report / Background**

On 1 December 2022 the *Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022* was introduced into the Queensland Parliament. The purpose of the Bill was to introduce an electoral expenditure caps scheme. The key features of the scheme include:

- Local government electoral expenditure caps for:
  - Councillor and Mayoral candidates;
  - Groups of candidates;
  - Registered political parties that endorse a candidate in an election; and
  - third parties (registered and unregistered).
- The Electoral Commission of Queensland to decide and publish enrolment numbers for local government areas and divisions and the corresponding caps
- Prescription of certain offences as integrity or serious integrity offences under the *Local Government Act* and *City of Brisbane Act*.

**Calls for written submissions**

Interested parties, including Council, were invited to provide written submissions regarding the proposed legislative changes. The due date for submission was 20 January 2023. No submission was made on behalf of Scenic Rim Regional Council however, Councillors, employees and any other interested persons may have made individual submissions.



Next Stages

The submissions have been provided to the State Development and Regional Industries Committee with a report due on 24 February 2023 (refer to attachment of submissions made). The Queensland Government will likely respond to any recommendations from the Committee. Once the response has been published, a further report will be submitted to Council regarding the implications of the final legislative changes.

**Budget / Financial Implications**

Not applicable at this stage.

**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*

Candidates for local government elections have an obligation to comply with legislative requirements which will include complying with electoral caps.

**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 Councillors and employees are aware of the legislative changes.	Low

**Consultation**

Nil.

**Conclusion**

The Queensland Government is intending to introduce caps on electoral spending and has sought public submissions on the *Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022* .

Once the response from the Government to the Committee's recommendations has been published, a further report will be provided to Council regarding the implications of the final legislative changes.



Our ref: DGBN23/53

30 January 2023

Department of  
**State Development, Infrastructure,  
Local Government and Planning**

Ms Stephanie Galbraith  
Committee Secretary  
State Development and Regional Industries Committee  
sdric@parliament.qld.gov.au

Dear Ms Galbraith

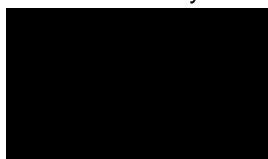
I refer to your email of 24 January 2023 to Mr Jordan Watts, then Acting Executive Director, Strategy and Service Delivery in the Local Government Division of the Department of State Development, Infrastructure Local Government and Planning (the department) regarding the State Development and Regional Industries Committee's inquiry into the *Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022*.

As requested, please find attached a written response prepared by the department on the issues raised in submissions received by the Committee.

I note three submissions were provided to the Committee in confidence. The department's response does not include consideration of these submissions.

If you require any further information, please contact Ms Bronwyn Blagoev, Executive Director, Strategy and Serviced Delivery, Local Government Division, in the department, by telephone on [REDACTED] or by email at [REDACTED], who will be pleased to assist.

Yours sincerely



Mike Kaiser  
**Director-General**

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Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

**Department of State Development Infrastructure Local Government and Planning - responses to issues raised in written submissions**

The following submissions were received in relation to the Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022 (the Bill):

- 1 - Name Withheld #1
- 2 - Electoral Commission of Queensland (ECQ)
- 3 - Confidential
- 4 - Confidential
- 5 - Cr Jenny Hill, Mayor of Townsville City Council
- 6 - Darren Grimwade
- 7 - Redland City Council (RCC)
- 8 - Peregrine Beach Community Association Inc. (PBCA)
- 9 - Crime and Corruption Commission (CCC)
- 10 - Confidential
- 11 - SEQ Community Alliance
- 12 - Redlands2030 Inc.
- 13 - Murray Elliott
- 14 - Local Government Association of Queensland (LGAQ)
- 15 - Jacob Heremaia
- 16 - Cr Wendy Boglary
- 17 - Australian Local Government Women's Association (Queensland Branch) (ALGWA)
- 18 - Organisation Sunshine Coast Association of Residents (OSCAR)
- 19 - Wildlife Queensland (Wildlife Preservation Society Inc.) Gold Coast Branch (WQGCGB)
- 20 - Queensland Council for Civil Liberties (QCCL)
- 21 - Brisbane Residents United (BRU)
- 22 - Gecko Environment Council Assn Inc. (Gecko)
- 23 - Name Withheld #23
- 24 - Queensland Law Society (QLS)

*Local Government Act 2009 – LGA; Local Government Electoral Act 2011 – LGEA; Electoral Act 1992 – EA*

## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
<b>Principles behind the Bill</b>		
Bill objectives and purpose of the LGEA (clause 13, amendment to section 3)	<u>Redlands2030</u>  Redlands 2030 supports the Bill's objectives of improving the opportunity for equitable participation in local government elections.	Noted.
	<u>QCCL</u>  QCCL states that restrictions on electoral expenditure are akin to the rules of debate in a meeting which restricts the length of speeches and provide for rights of reply. In the context of political speech, the restrictions are essential to fairness, in that the arms race between various political players is continuously increasing the cost of elections, which results in an increasing number of people being excluded from the political process. Capping expenditure would also help to create closer financial equality between candidates at elections  QCCL notes and addresses a range of arguments against expenditure caps, concluding that the evidence is that caps clearly have had an effect of reducing political expenditure as intended. QCCL recognises and appreciates concerns about circumvention, but nevertheless accepts that it is better to make an attempt than no attempt given the interests at stake.	Noted.
	<u>PBCA</u>  The PBCA believe the provisions in the Bill support the principle of elections being fair and free from undue influence.	Noted.

## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
	<u>ALGWA</u>  The ALGWA supports the implementation of the Bill.	Noted.
	<u>WQGCB</u>  WQGCB supports the legislative proposals towards transparency, accountability to the whole community and potential improvement in protection of the shared natural heritage, which may be gained thereby.	Noted.
	<u>Gecko</u>  Gecko supports the passage of the Bill.	Noted.
	<u>ECQ</u>  The ECQ notes the ECQ's existing activities already contribute to the proposed amended purpose of the LGEA.	Noted.
	<u>Cr Jenny Hill</u>  Cr Hill supports the objectives of the Bill, and the efforts to make local government elections a contest of ideas and vision for local communities, rather than a battle of bank accounts.	Noted.
	<u>BRU</u>  BRU supports the introduction of expenditure caps in principle.  BRU submits the caps on election campaign spending are crucial to relieve the pressure on politicians to appeal to big donors, and to ensure the rich cannot drown out the voices of everyone else by making big election spends.	Noted.

## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
	<p>BRU endorses the principles that:</p> <ul style="list-style-type: none"> <li>• Equity in elections is a fundamental principle of Australia's democratic system of government.</li> <li>• All voters should have a fair opportunity to participate in elections, including a fair and equal chance of nomination and election as a candidate.</li> </ul> <p>BRU considers the benefits of implementing caps on electoral expenditure which include reducing the costs of elections, waste minimisation, enabling candidates with fewer financial resources to stand for election on a more equal footing, reducing the demand for campaign funds and the consequent scope for undue influence by donors to be compelling reasons for expenditure caps.</p> <p>BRU submits that the success of any system of expenditure caps for Queensland local government elections will depend on the design and features of the model implemented, and the extent to which they effectively balance freedom of political communication with the need to ensure a fair process that is free from perceptions of undue influence, and which ensures standing for office is not restricted to those with personal wealth of access to funding from interest groups. BRU submits that such a system will stop the constant hunt for donations to support election promotional work and for donors to find ways around the rules, leading to a fairer electoral process that would not be restricted to the financially well off.</p>	
	<p><u>SEQ Community Alliance</u></p> <p>SEQ Community Alliance supports the objectives and general approach of the Bill</p>	Noted.



## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
	<u>Cr Wendy Boglary</u>  Cr Boglary supports the amended purposes of the Act provided for in the Bill (clause 13, amendment to section 3)	Noted.
Aligning State and local government schemes where appropriate	<u>LGAQ</u>  The LGAQ notes providing uniformity and certainty to candidates, parties and third parties who may participate in both local and State Governor in elections has benefits, including for the ECQ's compliance activities.	Noted.
	<u>QLS</u>  QLS supports the introduction of expenditure caps for local government elections consistent with the approach taken in relation to State government electoral expenditure caps. Consistent regulation is vital to ensuring those entities affected by expenditure caps are easily able to understand and comply with their obligations. QLS raises a number of concerns regarding the impact on third parties (refer below).	Noted.
	<u>CCC</u>  The CCC has considered the proposed amendments. Overall they increase consistency between the State and local government election regime and are supported by the CCC.	Noted.
<b>Meaning of 'electoral expenditure', 'campaign purpose' and 'gifted' – clause 24 sections 109A, 109B and 109C</b>		
Alignment of definition with EA (clause 24, new section 109A)	<u>Cr Wendy Boglary</u>  Cr Boglary supports aligning the definition of electoral expenditure to align with the EA.	Noted.



## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
Council newsletters or online publications (clause 24, new section 109A and new section 109B)	<p><u>LGAQ</u></p> <p>The LGAQ is concerned by the wording in clause 24 of the Bill (as related to new section 109B – campaign purpose). The LGAQ recommends clause 24 of the Bill be amended to put beyond doubt that council communications and marketing activities such as council or councillor newsletters or online publications are not deemed to be campaign expenditure, unless they contain content that expressly advocates for a vote.</p> <p>The LGAQ notes that such newsletters often outline important community-related information or details about a project secured in a council budget.</p>	<p>The department notes the Bill aligns the definition of electoral expenditure, including ‘campaign purpose’, with the EA. Aligning the definitions provides uniformity and certainty to candidates, parties and third parties who may participate in both local and State government election campaigns and provides clarity for enforcement of both schemes by the ECQ.</p> <p>In line with recommendation 7 of the Committee report, the department will be working with the ECQ to support compliance with the scheme through development of resources and training material.</p> <p>While matters of interpretation are part of the ECQ’s compliance role, the department will work with the ECQ to ensure guidance material is clear and consistent.</p>
Definition of ‘distribution’ and costs for election signs on posts and on vehicles (clause 24, new section 109A)	<p><u>Jacob Heremaia</u></p> <p>The submitter recommends that the definition of ‘distribution’ under new section 109A(2)(a) should be clarified. The submitter submits that it is unclear whether the cost of the post that an election sign is attached to would be considered an electoral expense and whether the cost of the vehicle on which an election sign is attached would be considered an electoral expense. The submitter recommends that if the use of a vehicle to display an election sign is considered an electoral expense, clarification should be provided in regard to calculating the electoral expense of a vehicle used.</p>	<p>The department notes the definition of electoral expenditure aligns with the definition in the EA, consistent with recommendation 1 of the Committee report, and that the State electoral expenditure caps scheme was successfully applied at the 2020 State election.</p> <p>The department notes new section 109A(2) provides that electoral expenditure includes expenditure for designing, producing, printing, broadcasting or publishing materials for an election, in addition to expenditure for the cost of distributing material for an election.</p> <p>As noted above, in terms of clarifying what is captured under the definition of electoral expenditure, in line with recommendation 7 of the Committee report the department will be working with the ECQ to support compliance with the scheme through development of resources and training material.</p>

## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
		While matters of interpretation are part of the ECQ's compliance role, the department will work with the ECQ to ensure guidance material is clear and consistent.
Reused election material (clause 24, new section 109A)	<p><u>Jacob Heremaia</u></p> <p>The submitter recommends the expense of reusing election material from previous elections should be clarified. The submitter notes candidates may seek to reuse election material from previous elections in future elections and submits the Bill does not provide clarity as to whether the initial, depreciated or indexed value of the reused election material is to be expensed.</p>	<p>The department notes clause 24, new section 109E(4) provides that electoral expenditure is taken to have been incurred when the goods are first used for a campaign purpose during the capped expenditure period for an election.</p> <p>As noted above, the department will be working with the ECQ to support compliance with the scheme through development of resources and training material. While matters of interpretation are part of the ECQ's compliance role, the department will work with the ECQ to ensure guidance material is clear and consistent.</p>
Office accommodation and campaign staff (clause 24, new section 109A)	<p><u>OSCAR</u></p> <p>OSCAR appreciates the aligning of both the LGEA and the State EA, but there are significant differences between State elections and local government elections in relation to accommodation and staff. The OSCAR states that in local government elections, it would be fair to say that very few candidates would have election offices. Where either a Mayoral or councillor candidate has office space during an election this should be declared as it is either being funded by the candidate's election funds or is being provided as a gift (part or full rent) for the term of the election.</p> <p>By not including accommodation in the election expenditure cap immediately the candidate availing themselves of such an opportunity has a clear advantage over the candidate operating from their home. A similar advantage applies re the</p>	<p>The department notes the definition of electoral expenditure aligns with the definition in the EA. The EA definition specifically excludes expenditure incurred employing staff for a campaign purpose from the definition of electoral expenditure. Further, the definition does not cover expenditure incurred for office accommodation.</p> <p>Aligning the definitions provides uniformity and certainty to candidates, parties and third parties who may participate in both local and State government election campaigns and provides clarity for enforcement of both schemes by the ECQ.</p>



## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
	<p>use of paid staff. It could be seen that the Bill is encouraging more “party political” and “groups of candidates” nominating for election as opposed to genuine community independent candidates.</p> <p>Just as Brisbane City Council election caps are different from all other Local Government Areas, the Bill amendment could make a difference in the accommodation/paid staff issue, while predominantly maintaining parity with the intent of the State legislation.</p> <p><u>BRU</u></p> <p>BRU is concerned that the definition of electoral expenditure is too narrow. BRU opposes excluding expenditure on campaign staff or consultants from the definition of electoral expenditure.</p> <p><u>Cr Wendy Boglary</u></p> <p>Cr Boglary advocates for including in the definition costs incurred for a campaign office and campaign office staff, as being able to have a campaign office and staff gives any candidate an advantage and should be noted for transparency as an election campaign expense.</p>	
Third party expenditure (clause 24, new section 109A)	<p><u>QLS</u></p> <p>QLS is concerned that the current Bill will have a chilling effect on public interest advocacy and the participation of not for profit and charity organisations in the debate and development of social policy. QLS states that there are uncertainties in the drafting of key concepts in the Bill which will make it difficult for third parties to assess whether or not their participation in</p>	<p>The department notes the drafting changes made to the State expenditure caps scheme, as acknowledged by the QLS, in response to public submissions on the Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Bill 2019 (Electoral Bill), including clarifications to the definition of electoral expenditure and to add a specific definition of campaign purpose. The Bill aligns the definition of electoral expenditure with the EA. Aligning the definitions provides uniformity and certainty to candidates, parties and</p>

## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
	<p>public debate will give rise to registration and compliance obligations under the Bill.</p> <p>QLS acknowledges that a number of drafting changes were made the State expenditure caps scheme in response to public submissions on the Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Bill 2019 (Electoral Bill), including clarifications to the definition of electoral expenditure and to add a specific definition of campaign purpose</p> <p>QLS notes that these changes were made in recognition of the potential regulatory burden of the original form of the Electoral Bill 2019 on not for profit third party organisations and that the revised drafting has been reflected in the current Bill.</p> <p>QLS welcomes the attempt to clarify that expenditure incurred by a third party for an election is electoral expenditure if the <i>dominant purpose</i> for which the expenditure is incurred is a campaign purpose. QLS supports the inclusion of subsection (6) [in section 109A] to the effect that the expenditure will not be considered electoral expenditure if the dominant purpose is another purpose.</p> <p>QLS recommends clarifying the operation of the 'dominant purpose' test for third parties in proposed sections 109A(5) and (6) (meaning of electoral expenditure). Clarification could be by further examples to proposed subsection (6) to give guidance to third parties when assessing whether or not their material might be found to fall within or outside of the framework.</p>	<p>third parties who may participate in both local and State government election campaigns and provides clarity for enforcement of both schemes by the ECQ.</p> <p>In line with recommendation 7 of the Committee report, the department will be working with the ECQ to support compliance with the scheme through development of resources and training material.</p> <p>While matters of interpretation are part of the ECQ's compliance role, the department will work with the ECQ to ensure guidance material is clear and consistent.</p>



## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
Meaning of 'gifted' electoral expenditure (clause 24, new section 109C)	<u>LGAQ</u>  The LGAQ notes the benefits of the concept of 'gifted electoral expenditure' being consistent across both the state and local schemes.	Noted.
	<u>Gecko</u>  Gecko appreciates the more clearly defined definition of electoral expenditure, and that it includes gifts, not only of money, but also in-kind goods and services.	Noted.  The department notes the Bill includes separate definitions of electoral expenditure (clause 24, new section 109A), gift (clause 20, new section 107), and gifted electoral expenditure (clause 24, new section 109C).
Electoral expenditure incurred for another participant (clause 41, new section 123U)	<u>Cr Wendy Boglary</u>  Cr Boglary does not support a process whereby if one candidate spends in support of another candidate, that the expense is solely taken to be incurred by the first candidate. Cr Boglary submits that such expenditure should be recorded as a gift, with the expense amount also against the second candidate's records.	Noted.  The department notes clause 41, new section 123U of the Bill aligns with section 281A of the EA by providing for electoral expenditure incurred by an election participant (the 'first election participant') that benefits another election participant (the 'recipient'). If the first election participant gifts the expenditure, the expenditure is taken to be incurred by the first election participant. However, if the expenditure is incurred with the recipient's authority or consent, or the recipient accepts relevant material resulting from the expenditure, or another circumstance prescribed by regulation happens in relation to the expenditure, and the first election participant invoices the recipient for payment of the expenditure, the election expenditure is taken to have been incurred by the recipient.  The department notes the amended definition of gift (clause 20, section 107) includes an amount of electoral expenditure a person 'gifted' to a participant in an election (refer clause 24, new section 109C) and that gift return requirements will therefore apply to gifted electoral expenditure.

## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
Campaign purpose (clause 24, new section 109B)	<p><u>QLS</u></p> <p>QLS recommends removing proposed section 109B(1)(c), from the definition of campaign purpose, given broad application of “to otherwise influence voting at an election”. The risk with the word “influence” is that it could apply to issues on which a third party might advocate due to its connection with the third party’s purpose or mission, rather than in relation to advocating for a particular party or candidate. If the section is retained, QLS proposes drafting changes such as replacement of “influence” or removal of “otherwise”.</p> <p>QLS recommends amending proposed section 109B(2)(c) in the definition of campaign purpose, to create a nexus between a third party expressing a position on a policy issue and that expression expressly or impliedly promoting or opposing a party or candidate in an election</p>	<p>The department notes the Bill aligns the definition of ‘campaign purpose’, with section 199A of the EA. Aligning the definitions provides uniformity and certainty to candidates, parties and third parties who may participate in both local and State government election campaigns and provides clarity for enforcement of both schemes by the ECQ.</p> <p>In line with recommendation 7 of the Committee report, the department will be working with the ECQ to support compliance with the scheme through development of resources and training material.</p> <p>While matters of interpretation are part of the ECQ’s compliance role, the department will work with the ECQ to ensure guidance material is clear and consistent.</p>
	<p><u>QCCL</u></p> <p>Campaign purpose is defined as including the purpose to influence voting at an election, which QCCL considers could potentially capture the promotion of any policy which may be supported by one political party or candidate but opposed by another. This is specifically envisaged by s 109B(2)(c), where advocacy for a policy that is ‘publicly associated’ with a political party is deemed to be expenditure for a campaign purpose. On its face, the notion of a policy being publicly associated with a party is vague. How close must the nexus between a party and policy be? Would simple endorsement be sufficient? If there are multiple parties which have endorsed a policy, would that effect the extent to which a policy is associated with a particular party? What about a particular side of politics?</p>	



## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
	<p>QCCL states that it is difficult to see how the deeming provisions do not defeat the purpose of the exception made in s 109A for third parties. By requiring that a campaign purpose be the dominant purpose of an expenditure by a third party for it to be considered election expenditure, the legislation appears to be attempting to accommodate the needs of advocacy and awareness-raising groups. But by deeming expenditure that supports a policy that happens to be 'publicly associated' with a political party as expenditure for a campaign purpose, the legislation renders the work of advocacy groups almost certain to be classified as electoral expenditure. This subverts the intended operation of the exception for third parties and leaves advocacy groups effectively unable to advocate for policies that may happen to be associated with a political party, without having to become registered and therefore risk serious criminal penalties for non-compliance.</p> <p>In the QCCL's view, defining electoral expenditure in this way goes too far. Expenditure by third parties should only be considered electoral expenditure if it promotes or opposes (directly or indirectly) the election of a political party or candidate.</p> <p>Alternatively, QCCL suggests that the legislation should be amended to make it clear that expenditure will only be considered electoral expenditure if it is the actual intention of the person incurring the expenditure that a party or candidate be elected.</p>	
	<p><u>Jacob Heremaia</u></p> <p>Section 197A(5)(a) of the LGA provides that a councillor advisor's functions and responsibilities cannot include carrying out or assisting in an activity relating to a councillor's campaign for re-election.</p>	<p>Noted. As part of its ongoing monitoring of the local government legislation, the department will give further consideration to the issue raised regarding applying the Bill's definition of 'campaign purpose' to the concept of 'an activity relating to a councillor's campaign for re-election' in section 197A(5)(a) of the LGA.</p>



## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
	<p>The submitter notes the LGA does not define 'an activity relating to a councillor's campaign for re-election' in the context of councillor advisors, whereas the Bill defines 'campaign purpose' with more detail. The submitter therefore recommends that the definition of 'campaign purpose' in the Bill should be applied to the concept of 'assisting in an activity relating to a councillor's campaign for re-election' in section 197A(5)(a) of the LGA by replacing 'activity relating to a councillor's campaign for re-election' with 'activity with a campaign purpose', thereby providing greater clarity for the LGA provision.</p> <p>The submitter also recommends the definition of 'promoting a candidate' and 'influencing voting' under new section 109B(1) should be clarified. The submitter submits that:</p> <ul style="list-style-type: none"> <li>the threshold for if material is promoting a candidate is unclear, citing, for example that it is unclear whether a sign that merely says 'candidate XY' and excludes words relating to a vote or policy would be considered as promoting the election of the candidate</li> <li>greater clarity is needed regarding what would constitute influencing voting at an election.</li> </ul>	<p>Regarding the definition of 'campaign purpose' in the Bill (clause 24, new section 109B), the department notes the definition is consistent with the definition in section 199A of the EA. Aligning the definitions provides uniformity and certainty to candidates, parties and third parties who may participate in both local and State government election campaigns and provides clarity for enforcement of both schemes by the ECQ.</p>
Regulation (clause 24, new section 109A)	<p><u>QLS</u></p> <p>QLS recommends removing proposed subsections 109A(2)(e) and 109A(4)(d) from the Bill, which permit amendments to the definition of <i>electoral expenditure</i> by regulation. QLS states that these provisions do not have proper regard to the institution of Parliament and that allowing the definition of electoral expenditure to be altered by regulation does not provide the same level of parliamentary scrutiny as primary legislation.</p>	<p>The department notes the Bill aligns the definition of electoral expenditure with subsections 199(2)(e) and 199(4)(d) of the EA. Aligning the definitions provides uniformity and certainty to candidates, parties and third parties who may participate in both local and State government election campaigns and provides clarity for enforcement of both schemes by the ECQ.</p> <p>As noted in the Explanatory Notes to the Bill, it is considered appropriate to prescribe a kind of expenditure by regulation (to be excluded from, or captured within, the meaning of electoral expenditure) for consistency with the State electoral legislation where appropriate and to provide the necessary flexibility to</p>

## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
		implement the new scheme. Further, a regulation when made will sufficiently subject the exercise of the delegated legislative power to the scrutiny of the Legislative Assembly.
<b>Third parties</b>		
Definition of third party (clause 17, amendment to section 106)	<u>PBCA</u>  The PBCA support the definition of third party.	Noted.
Exemptions from third party registration framework (clause 47, new division 5A)	<u>QLS</u>  QLS recommends exemptions from third party registration framework for: <ul style="list-style-type: none"> <li>Charities registered with the Australian Charities and Not-for-Profits Commission (ACNC) due to existing regulation under the <i>Charities Act 2013</i> and their current reporting obligations to the ACNC</li> <li>Not for profits and charities where electoral expenditure is an incidental aspect of their activities and/or where the NFP and charity is a small organisation</li> <li>Certain organisations already subject to robust disclosure obligations such as technical and professional bodies like QLS, where there is clear transparency and accountability about an entity's financial position and the purpose of any public interest advocacy</li> <li>Legal practitioners engaging in conduct within the scope of legal practice regulated by the <i>Legal Profession Act 2007</i> (Qld)</li> </ul>	<p>The department notes similar issues were raised by QLS in its January 2020 submission to the 2019 Economics and Governance Committee issues paper.</p> <p>The then Attorney-General and Minister for Justice addressed potential exemptions for small charities and charities registered with the Australian Charities and Not-for-profits Commission from some or all of the requirements imposed by the <i>Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Bill 2019</i>, which introduced an electoral expenditure caps scheme for State elections. The then Attorney-General and Minister for Justice noted "government is not persuaded that exemption for a class of third party on the basis of charitable status would be appropriate"<sup>1</sup>.</p> <p>The department notes the system of third party registration proposed in the Bill is modelled on part 11, division 12 of the EA, allowing for consistency and clarity for stakeholders.</p>

<sup>1</sup> Record of proceedings, first session of the 56<sup>th</sup> Parliament, Wednesday, 17 June 2020, page 1309: [https://documents.parliament.qld.gov.au/events/han/2020/2020\\_06\\_17\\_WEEKLY.pdf](https://documents.parliament.qld.gov.au/events/han/2020/2020_06_17_WEEKLY.pdf)



## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
	<ul style="list-style-type: none"> <li>Expenditure incurred by third parties engaged in responding to parliamentary enquiries about Bills relevant to local government and for third parties consulted confidentially by government on issues affecting local government.</li> </ul>	
Third-party registration (clause 47, new division 5A)	<u>LGAQ</u>  The LGAQ submits that third party registration is an important way of preventing third parties from having a distorting influence.	Noted.
	<u>QCCL</u>  While QCCL supports the registration of third parties above a certain threshold, it is important that the threshold is not so low as to impose unacceptable burdens on advocacy groups, particularly small advocacy groups.	Noted.  The department notes the registration threshold of \$6,000 for third parties aligns with the State scheme.
	<u>WQGCB</u>  WQGCB endorses the recommendation for closer scrutiny and some revision of proposals with regard to the impact on smaller community based organisations, such as the WQGCB, which have been recommended with regard to the proposed legislative reforms by the EDO (Environmental Defenders Organization).	The department notes that while the Environmental Defenders Office made a submission on the <i>Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Bill 2019</i> , the department is not aware of a submission by the EDO in relation to this Bill.
	<u>PBCA</u>  The PBCA strongly support the third party registration provisions.	Noted.

## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
Dedicated accounts for third parties (clause 44, section 127AA)	<u>LGAQ</u>  The LGAQ submits that dedicated accounts for third parties is an important way of preventing third parties from having a distorting influence.	Noted.
Third parties and associated entities (clause 17, amendment to section 106 and clause 26, new sections 112C, 112D and 112E))	<u>SEQ Community Alliance</u>  SEQ Community Alliance states it is possible that the distinction between associated entities and third parties may not be well understood by some in the community. Submitter suggests that this matter be explored by the Committee with consideration given to various examples of each category and that the distinction be explained fully with reference to real world or hypothetical examples in the Committee's report	<p>The department notes the Bill includes separate definitions for associated entities and third parties in general alignment with the EA. Aligning with the EA means the definitions are straightforward for participants in an election and voters to understand and apply.</p> <p>Recommendation 7 of the Committee report was for the department to coordinate with the Electoral Commission of Queensland to ensure election participants have access to a suite of informational resources and training to support their compliance with the established scheme.</p> <p>To implement the Government's response to recommendation 7 of the committee report, the department will continue working with the ECQ to prepare training and capacity building resources for the range of election participants to be affected by the new scheme.</p>
<b>Capped expenditure period</b>		
Length of capped expenditure period (clause 41, new section 123A)	<u>LGAQ</u>  The LGAQ recommends the capped expenditure period be extended to the full quadrennial term and that it commences from the day after the 2024 local government elections (and the day after each subsequent election). Alternatively, should the Government wish to proceed with the implementation of the capped period as outlined in the Bill, this timing should be examined as part of a statutory review.	<p>The proposed expenditure cap period aligns with the State election expenditure cap period provided for in the EA.</p> <p>The department notes there has been mixed feedback on the proposed capped expenditure period, with some stakeholders wanting longer capped expenditure periods, and other stakeholders wanting shorter capped expenditure periods. Seven months is considered appropriate. By aligning with the</p>



## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
	<p>The LGAQ submits that a capped expenditure period of just seven months potentially favours candidates who have access to greater wealth which could create an uneven playing field and a potential corruption risk.</p> <p>The LGAQ submits that, in a context where Queensland local governments (apart from Brisbane City Council) do not have party politics (unlike Queensland State politics), a capped expenditure period applying over the full quadrennial term mitigates against significant individual donations and will support council elections being fair and free from undue influence.</p>	<p>capped expenditure period under the State scheme, the system is easier to operate, understand and comply with.</p> <p>In addition, the Bill addresses the potential for stockpiling electoral material outside the capped expenditure period by specifically defining 'when electoral expenditure is incurred'.</p> <p>There are two provisions in the Bill which determine when electoral expenditure is incurred. One is a general provision and the other applies for particular purposes (refer clause 24, new section 109E and clause 24, new section 109F). These provisions ensure that the caps cannot be avoided by entering into arrangements prior to the commencement of the capped expenditure period.</p>
	<p><u>QCCL</u></p> <p>QCCL suggests the capped expenditure period be reduced from 7 to 4 months prior to election, citing the position in the UK</p>	<p>The length of the capped expenditure period is also considered in some detail in the human rights Statement of Compatibility which accompanies the Bill (including consideration of alternative capped expenditure period lengths). It is considered the proposed capped expenditure period supports the balance between the Bill's purpose and the Bill's impacts on human rights.</p>
	<p><u>Gecko</u></p> <p>Gecko submits the capped expenditure period should be longer than 7 months because candidates often begin campaigning 12 months or more before an election. Gecko is not confident in the provisions in the Bill to capture expenditure incurred earlier than 7 months, particularly in relation to incumbents seeking re-election.</p>	
	<p><u>OSCAR</u></p> <p>OSCAR maintains position that the full term of a council should be the time to which the expenditure caps apply, but accepts the provision in the Bill providing that if electoral expenditure is incurred to obtain goods for the dominant</p>	

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Issue/clause	Stakeholder comments	DSDILGP response
	purpose of being used for a campaign purpose in relation to one or more elections and the goods are supplied before the capped expenditure period starts, the expenditure is taken to be incurred when the goods are first used for a campaign purpose during the capped expenditure period. This applies regardless of when the amount of the expenditure is invoiced or paid.	
<b>Cap amounts</b>		
Level of caps (clause 41)	<u>RCC</u>  RCC notes the proposed caps will allow for grassroots democracy to still play a part in the Redlands local government area.	Noted.
	<u>Murray Elliot</u>  The submitter supports the electoral expenditure cap levels provided for in the Bill.	Noted.
	<u>LGAQ</u>  The LGAQ notes the 'tiered' electoral expenditure caps system and the defined caps for Brisbane City Council appropriately reflect feedback provided to the April 2022 discussion paper.  The LGAQ notes no concerns with the level of caps for unregistered and registered third parties, noting the proposed registered third party caps provide parity and a level playing field between candidates and third-party campaigns.	Noted.
	<u>Cr Jenny Hill</u>	Noted.



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Issue/clause	Stakeholder comments	DSDILGP response
	<p>The sliding scale provisions are, in Cr Hill's view, the fairest option, particularly in larger local governments, and minimise grotesque amounts of electoral expenditure being incurred without unjustifiably limiting the implied freedom of political communication as established by the common law.</p>	
	<p><u>QCCL</u></p> <p>QCCL states that the expenditure cap for third parties should strike a fair balance between respect for freedom of speech and association, and the importance of preventing third parties exercising disproportionate influence in elections and being used to circumvent expenditure caps. Submitter considers that the proposed caps for registered third parties seem to be appropriate. QCCL states the caps are equal to the amount of an individual candidate's expenditure, which, QCCL states, is the same as the position in New South Wales.</p> <p>For unregistered third parties \$6000 is too low and the threshold should be set much closer to that for registered organisations in order to better respect the right to freedom of association.</p>	<p>Noted.</p> <p>The department notes that, unlike the system which applies for New South Wales local government elections, the electoral expenditure cap which applies to a registered third party for a local government quadrennial election is equal to the cap which applies to the mayoral candidate for the relevant local government area. For a by-election, the registered third party cap is the amount equal to an individual candidate's expenditure cap for the election under new section 123D or new section 123E (whichever applies).</p> <p>The department notes the registration threshold of \$6,000 for third parties aligns with the State scheme.</p>
	<p><u>SEQ Community Alliance</u></p> <p>In general, the proposed caps are supported. The caps for very small councils in Queensland appear to be too high but this is unlikely to be a problem.</p> <p>There appears to be no documented rationale explaining why the expenditure caps for Brisbane City Council elections are so much higher than caps for other large southeast Queensland local government areas. The effect of these higher caps for Brisbane City Council elections is likely to be</p>	<p>The caps are designed to be practical and were informed by recommendations and feedback in the previous Economics and Governance Committee Report.</p> <p>The level of the caps was calculated after reviewing:</p> <ul style="list-style-type: none"> <li>the expenditure caps model previously proposed by the former Department of Local Government, Racing and Multicultural Affairs in March 2019</li> <li>the model proposed by the LGAQ in its submission to the Committee inquiry</li> </ul>

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Issue/clause	Stakeholder comments	DSDILGP response
	<p>that it will be more difficult for independent candidates to break into Brisbane's local government than if the caps were aligned with those applying elsewhere in southeast Queensland. Submitter proposes that the caps for Brisbane City elections be determined using the same method as will apply to the other large southeast Queensland councils.</p>	<ul style="list-style-type: none"> <li>the expenditure caps models operating at the local government level in New South Wales, Tasmania and New Zealand.</li> </ul> <p>The Committee reviewed the models proposed by the former Department and the LGAQ and considered an appropriate system of expenditure caps might fall somewhere between the ranges proposed by the two models. In relation to the point raised by BRU, the department notes the Economics and Governance Committee comment at page 21 of their report, "Noting stakeholder commentary, the committee was not convinced of the benefits of establishing expenditure caps of a different quantum for incumbent versus new local government candidates."</p> <p>The expenditure cap levels are intended to take into account the significant variability in campaigning practices and spending throughout Queensland and the significant differences in the number of enrolled electors across local government areas. For example, Diamantina Shire Council had 165 enrolled electors at the 2020 local government elections whereas Gold Coast City Council had 387,913 enrolled electors and Brisbane City Council had 788,689 enrolled electors.</p> <p>The caps were included in the proposed model contained in the department's discussion paper that was released for public comment. The final electoral expenditure caps contained in the Bill were further informed from feedback received from the department's discussion paper.</p> <p>The Explanatory Notes accompanying the Bill note that Brisbane City Council councillor and mayoral candidates caps</p>
	<p><u>OSCAR</u></p> <p>OSCAR includes comments from its May 2022 submission on Local Government Election Expenditure Reforms which OSCAR maintains are still reasonable and fairer than what is proposed for Mayoral candidates in the current Bill.</p> <p>OSCAR supports a maximum figure of \$150,000 for Mayoral candidates scaled from \$30,000. Given the size of Brisbane City OSCAR suggests a figure of \$200,000 is appropriate for this LGA.</p>	
	<p><u>PBCA</u></p> <p>The PBCA supports the third party cap amounts and that third parties cannot pool caps across local government areas.</p> <p>However, the PBCA submits the ability for multiple unrelated third parties to incur expenditure which in total exceeds the cap of a mayoral or councillor candidate is outside the intent of the legislation. The PBCA submits there is ambiguity and possibility of confusion regarding the treatment of third party expenditure and welcomes the commitment that stakeholder education material will be developed to ensure clarity for election participants</p>	



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Issue/clause	Stakeholder comments	DSDILGP response
	<p><u>Gecko</u></p> <p>Gecko supports the sliding scale that applies to local government candidates other than Brisbane City Council and submits the levels seem reasonable for most candidates.</p> <p>Gecko submits the situation regarding donations and expenditure by third parties is complex and that experience over a number of elections is needed to determine if it is workable and effective in controlling election expenditure, including in relation to assisting the average voter and candidate understand the processes of accountability.</p> <p><u>Name withheld #1</u></p> <p>The submitter believes that in councils where councillors are not elected in teams of candidates, the electoral expenditure caps should be \$7,5000 for councillors and \$15,000 for Mayors. This would allow those who are not self-funded or sponsored over those amounts to have a reasonable chance of competing for public exposure and attention.</p> <p><u>BRU</u></p> <p>BRU shares the view that there are growing concerns about the lack of restrictions on electoral campaign funding and spending and is concerned about the trend of increasing campaign expenditure by political parties and other election participants. BRU notes that while it may be argued that donations or electoral spending are recognised as a form of political participation and can be seen as an expression of 'democratic will', BRU is concerned that increasingly only the wealthy or those supported by special interest groups benefit from such donations or electoral spending.</p>	<p>were increased in response to stakeholder feedback on the 'Local government electoral expenditure caps discussion paper' released for public consultation between 19 April 2022 and 27 May 2022.</p> <p>The Explanatory Notes also note that as Brisbane City Council's election environment differs from other Queensland local government areas, the sliding scale does not apply to Brisbane City Council, for which the caps are a fixed amount.</p>

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Issue/clause	Stakeholder comments	DSDILGP response
	<p>BRU have concerns with the way in which this Bill regulates third parties and believes the Bill will do little to govern enormous election spends by industry associations and corporations. The BRU submits that as a result, the Bill risks causing greater political inequality between the State's wealthiest people and ordinary Queenslanders. BRU has concerns regarding the level of caps that apply to third parties, including questioning the possibility that in a large council with over 200,000 electors, one or more third parties could undertake media campaigns costing up to \$100,000 each to further their cause or to run a negative campaign against a particular candidate or group of candidates.</p> <p>BRU supports the cap of \$6,000 for unregistered third parties so as not to prohibit small community groups from participating in public interest advocacy activities around elections.</p> <p>BRU rejects the argument that because it may be difficult to set realistic caps due to the changing costs of electioneering techniques, inflation, and potential exploitation of administrative loopholes and that caps can be hard to enforce (and) that expenditure caps should not be introduced. BRU has disagrees that reform cannot occur because it would be "too difficult to enforce".</p> <p>BRU submits the caps are too high, particularly the caps for Brisbane City Council for the following reasons:</p> <ul style="list-style-type: none"> <li>• There are significant differences in the level of caps for Brisbane City Council per elector compared to other local government areas.</li> <li>• Brisbane City Council also provides an excessive amount of support materials to incumbents with their newsletters, local signage on schools etc and their local ward office and its resources.</li> </ul>	

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Issue/clause	Stakeholder comments	DSDILGP response
	<ul style="list-style-type: none"> <li>• The \$1.3 million for mayoral elections in Brisbane are unaffordable for most potential candidates and therefore increasingly this means only the wealthy or the very well-funded will be able to contest mayoral elections with any prospect of success.</li> <li>• BRU submits an obviously intended consequence of this will be more party aligned candidates standing for mayoral positions to take advantage of financial support from their political party. BRU is opposed to this, stating local government should be free of party endorsed/funded candidates in the majority of councils in Queensland where this is not already the case.</li> </ul> <p>BRU submits expenditure caps for incumbents should be lower than for new candidates, noting incumbent councillors and mayors have a decided advantage in elections as do new candidates who already enjoy a high profile in the community. BRU submits a sitting candidate has opportunities to leverage support from backers that is unavailable to less wealthy and influential candidates.</p> <p>BRU submits that caps on individual candidates need to be higher, noting candidates from a party enjoy party as well as individual support in many ways.</p> <p>BRU notes that the proposed caps have increased through the legislative process, from the March 2019 Discussion Paper on Local Government Reforms by the Department of Local Government, Racing and Multicultural Affairs, through to the April 2020 discussion paper released by the Department of State Development, Local Government, Infrastructure and Planning and finally, the Bill.</p>	



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Issue/clause	Stakeholder comments	DSDILGP response
	<p>BRU suggest differential spending caps could be designed to take account of the inequality that arises because those with vast personal wealth may spend the same amount as those who pool small contributions.</p> <p><u>Cr Wendy Boglary</u></p> <p>Cr Boglary supports the cap levels and supports the removal of third party pooling of caps across local government areas.</p>	
Group pooling of caps (clause 41, particularly new section 123I)	<p><u>Cr Jenny Hill</u></p> <p>The cumulative effect for caps in groups of candidates encourages groups of candidates to be transparent in declaring their association. Cr Hill states: 'As someone who has previously led a fully disclosed group of candidates in the past and competed against candidates who did not disclose their group-like behaviour in accordance with legislation, this is particularly welcome'.</p>	Noted.
	<p><u>LGAQ</u></p> <p>The LGAQ recommends that an evaluation of group campaign cap pooling is undertaken as part of a statutory review, to ensure a level playing field between all candidates (between group campaigns and individual candidate campaigns) in a local government election.</p> <p>The LGAQ notes the ECQ will need to be mindful of group candidates 'running dead', thereby manipulating the system of pooling of group caps.</p>	<p>Noted.</p> <p>The proposals in the April 2022 discussion paper were refined during development of the Bill to address a concern about 'flooding'.</p> <p>An upper limit (refer clause 41, definition of 'maximum amount' in new section 123) applies to a group or registered political party cap based on the number of vacancies to be filled in an election.</p> <p>This means a group or registered political party cap does not increase if the number of candidates who are members of the group or endorsed by the party exceeds the number of vacancies to be filled in the election.</p>



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Issue/clause	Stakeholder comments	DSDILGP response
	<p><u>Cr Wendy Boglary</u></p> <p>Cr Boglary is concerned the pooling of group caps may lead to a disadvantage to an individual “independent” candidate. Cr Boglary recommends the benefit to all candidates should be proven (to show they are seriously running candidates) and not that candidates placed their names in a group simply to allow increased funding for the group.</p> <p>Cr Boglary submits the pooling of funds needs to be accountable and transparent to the community.</p>	<p>This limits the ability of a group or registered political party to access a disproportionately large expenditure cap by fielding more candidates than the number of councillor positions or vacancies in an election.</p> <p>In relation to the operation of the pooling provisions within this upper limit, the purpose of the provisions operating together with the broader provisions concerning group or party campaigning and dedicated accounts, is to enable groups and parties to run coordinated group or political party campaign activities at local government elections involving, for example, common policy positions, joint advertising, or shared how to vote cards.</p> <p>If expenditure incurred by the group or party as part of a joint or coordinated campaign activity needed to be ‘allocated or ‘apportioned’ to the individual candidates, the scheme would not align with the reality of group and party campaign activities and would impose additional administrative burden and costs on groups and parties.</p> <p>As noted by the LGAQ in their submission, the ECQ has oversight of the compliance framework under Part 6 of the LGEA, which deals with electoral funding and financial disclosure. The ECQ’s compliance oversight responsibility will also cover the expenditure caps scheme.</p>
Caps for divided and undivided councils (clause 41)	<p><u>LGAQ</u></p> <p>The LGAQ recommends that consideration should be given to differentiation between the caps set for divided and undivided councils and the impact of pooling caps for groups or political parties as part of a statutory review of the scheme.</p>	<p>The department has determined there is not sufficient evidence that different caps for divided and undivided councils are required. However, the scheme applies scaled caps acknowledging that the number of electors varies across Queensland’s local governments.</p>

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Issue/clause	Stakeholder comments	DSDILGP response
		<p>A scaled cap can take these varied sizes into consideration, rather than applying a one-size-fits-all approach. The cap applies according to the number of enrolled electors in an area or division.</p> <p>The method outlined in the Bill for the ECQ to decide the number of enrolled electors differs according to whether a council is divided or undivided. However, this is due to the potential impact of divisional boundary reviews in the months prior to a quadrennial election and the need for certainty for divided councils in advance of this process.</p>
<p>Indexation of caps (clause 41, new section 123Q) and determination of elector numbers (clause 41, new section 123A and new section 123S)</p>	<p><u>LGAQ</u></p> <p>The LGAQ notes the importance of adjusting the caps for inflation, noting the cost of campaign expenditure will increase over time.</p> <p>The LGAQ recommends that the issue of when an elector number determination is made is considered as part of a statutory review.</p> <p>The LGAQ notes that indexing the caps according to CPI and determining elector numbers at the same time seems logical, but that it is also important for potential candidates to have clarity regarding expenditure caps well ahead of an election, particular in the context of planning campaigns and fundraising.</p>	<p>Noted.</p> <p>The department notes clause 41, new section 123Q provides for the adjustment (for CPI) of an election participant's expenditure cap for an election 30 days after the polling day for a quadrennial election, in alignment with the timing provided for under section 281F of the EA for the State system.</p> <p>As the State electoral expenditure caps scheme does not operate on a sliding scale based on the number of electors, there is no provision in the EA for deciding and publishing notice of the number of electors as at a specified point in time.</p> <p>However, section 31A of the New South Wales <i>Electoral Funding Act 2018 No 20</i> provides for the meaning of 'number of enrolled electors for local government area or ward', and the Bill includes broadly similar provisions for the Queensland local government scheme (refer clause 41, new section 123S).</p> <p>The timing of the proposed 'relevant day' was determined in consultation with the ECQ with regards to operational requirements. The proposed timing ensures the number of</p>



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Issue/clause	Stakeholder comments	DSDILGP response
		electors is determined at a point in time appropriately close to the beginning of the capped expenditure period.
	<u>Cr Jenny Hill</u>  Cr Hill welcomes clarification on when the expenditure caps will be calculated - on 1 July the year prior to a local government election. Cr Hill states this has been of concern to many incumbent and prospective councillors across the State.	Noted.
Associated entities (clause 26, new sections 112C, 112D and 112E)	<u>PBCA</u>  The PBCA supports provisions for electoral expenditure by an associated entity to be treated as incurred by the election participant with which the entity is associated.	Noted.
<b>Disclosure and reporting</b>		
Disclosure of electoral expenditure (clause 41, new sections 124, 125A, 125B, 125C and 125G)	<u>Cr Wendy Boglary</u>  Cr Boglary supports reforms to promote transparency and accountability in recording of expenses incurred by associated third parties.	Noted.  The department notes the Bill includes separate definitions for associated entities and third parties (in general alignment with the EA), and that separate return requirements apply for associated entities and for third parties.
Disclosure of source of expenditure (clause 32, amended section 118A and section 118B)	<u>BRU</u>  BRU proposed more research should be conducted to consider ways in which corporate income to be used on electoral expenditure could be restricted or at least disclosed transparently.  BRU raises concerns that the definition of third party disclosure is too narrow and that the source of electoral expenditure will not be required to be disclosed to the public when it relates to income received by industry peak bodies,	The department notes clause 32, amended section 118A (Gifts to third parties to enable political expenditure) provides requirements for a third party for an election to provide gift returns regarding gifts received by the third party to enable political expenditure. Clause 32, section 118B provides for third parties to disclose gifts made to or for the benefit of election participants.  The Bill also amends existing gift return requirements so that gift returns are required to be provided by candidates, groups of candidates and associated entities.

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	wealthy individuals or corporations through membership/affiliation fees, private wealth, and private business activity.	A gift return must also include details regarding the source of a gift (see current section 109 of the LGEA).
End of election reporting (clause 48, amendment to section 128)	<u>Redlands 2030</u>  Redlands 2030 submits that the ECQ should be required to publish total amounts spent by each candidate within six months of each election, as well as information regarding third parties, groups and organisations.	The department notes current section 128 of the LGEA requires the ECQ to publish election summary returns within 5 business days after a return is given to the ECQ. Current section 129 of the LGEA requires the ECQ to ensure that the public may inspect a return or other document published under section 128 at the ECQ's public office on the ECQ's website.
	<u>SEQ Community Alliance</u> <u>OSCAR</u>  If the objectives of this legislation are to be fully achieved, it is important that information about the actual expenditure of election participants is readily accessible. In addition to making disclosure returns available on the ECQ's Electronic Disclosure System, the submitters request that the ECQ be required to publish publicly a final report for each election which includes the total expenditure by each election participant. This report deadline for publication of this report should be included in the legislation and the deadline should be set reasonably such that there has been time for election participants to complete their disclosures plus a reasonable amount of time for ECQ to complete its follow up activities and then compile a report.	The Bill amends existing summary expenditure return requirements so that summary expenditure returns are required to be provided by candidates, groups of candidates, registered political parties that endorse a candidate in an election, associated entities and relevant third parties, as well as certain broadcasters and publishers.
Definition of gift (clause 20, amendment to section 107)	<u>ALGWA</u>  The ALGWA believes clarification is needed regarding the definition of gift, including if gifts should be included in both an electoral return and a councillor's register of interest in	The department notes the Bill amends the definition of gift in section 107 of the LGEA to generally align with section 201 of the EA, including with reference to gifted electoral expenditure (refer clause 20, new section 109C). Aligning with the EA



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	<p>instances where multiple gifts of \$200 or less are received from the same person or entity.</p> <p>The ALGWA submits all gifts and donations received should be disclosed, regardless of value, to alleviate any inconsistencies or confusion when having to negotiate the legislation to ensure elected members are meeting their legislative requirements and reporting gifts and donations correctly.</p>	<p>means the definitions are straightforward for participants in an election and voters to understand and apply.</p> <p>The department notes disclosure thresholds for electoral donations and registers of interests have been in place for many years and are consistent with the thresholds for disclosing conflicts of interests under the LGA. The provision of thresholds for the disclosure of gifts and donations avoids unnecessary administrative burden for candidates and councillors from disclosing small amounts of money that could not reasonably give rise to perceptions of conflicts of interests.</p>
<b>Compliance and enforcement</b>		
Penalties	<p><u>QCCL</u></p> <p>QCCL generally opposes the application of criminal sanctions to conduct that is not intentional. To that extent, the QCCL opposes the criminalisation of conduct based on what the perpetrator <i>ought</i> to have known but was not <i>in fact</i> aware of. This is particularly concerning considering that breach can be punished by 10 years imprisonment as provided for in proposed section 123N.</p> <p>QCCL welcomes that there is no penalty of imprisonment for breaches of expenditure caps by unregistered third parties</p>	The department notes clause 41, new section 123N aligns with section 281G of the EA.
	<p><u>SEQ Community Alliance</u></p> <p>The various penalties for offences which are included in the Bill appear to be reasonable and should deter election participants from not complying with the introduction of expenditure caps. If the legislation is adopted, the SEQ Community Alliance expects that information provided by the Government and the ECQ will make it easy for election</p>	Noted.



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	participants to understand their obligations and the consequences of any non-compliance.	
	<u>Cr Wendy Boglary</u>  Cr Boglary supports changes to the penalties.	Noted.
Disqualification (clause 6 amendment to schedule 1 of the <i>City of Brisbane Act 2010</i> , clause 11, amendment to schedule 1 of the <i>Local Government Act 2009</i> )	<u>RCC</u>  RCC raises concerns that if an integrity offence or serious integrity offence provided for in the Bill is not detected until after election day, it could result in an elected candidate being found guilty of an integrity offence or serious integrity offence and consequently being disqualified from office, requiring the local government to fund a by-election. RCC therefore requests clarity around the timing of enforcing integrity or serious integrity offences is considered in the further development of the Bill.  <u>Cr Wendy Boglary</u>  Cr Boglary recommends that if candidates or a group of candidates are reported or suspected of an integrity breach, for transparency to the community, these breaches need to be investigated (in real time) and the outcome quickly recorded, so the candidate does not continue to the election date or is removed after the election as soon as the process allows to avoid disruption to the community.  <u>Cr Jenny Hill</u>  Cr Hill welcomes the provisions that people who flout the new expenditure cap rules will be deemed to have committed a serious integrity offence. Those who do not conduct	The department notes the ECQ's compliance oversight responsibility for the expenditure caps scheme and that the timing of how compliance is monitored and enforced is a part of the ECQ's compliance role.  The department will also continue working with the ECQ to prepare training and capacity building resources to support compliance by the range of election participants to be affected by the new scheme.

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	<p>themselves in a lawful manner during an election should rightfully be met with significant penalties.</p> <p>Cr Hill's main concern regarding the enforcement of these measures, as well as other amendments to local government electoral law in Queensland over the past five years, is that there is insufficient policing and enforcement, as well as insufficient awareness of recent legislative reforms, amongst frontline Electoral ECQ staff about these provisions. Cr Hill hopes that the Committee will reinforce the need for appropriate enforcement and resourcing to ensure these changes in its deliberations.</p>	
	<p><u>CCC</u></p> <p>The CCC considers any determination of the classification of offences as "integrity offences" or "serious integrity offences" are a matter of policy and best determined by Parliament. However, the CCC notes a relevant factor in determining the classification of such offences should include the consequences under the LGA if charges for such offences are laid.</p>	Noted.
Record-keeping and auditing requirements (clause 47, new divisions 5B and 5C)	<p><u>LGAQ</u></p> <p>The LGAQ supports aligning record-keeping and auditing requirements for the State and local schemes to ensure regulatory and compliance consistency.</p>	Noted.
ECQ's enforcement powers	<p><u>ECQ</u></p> <p>The ECQ notes the ECQ uses its enforcement powers in a reasonable way and strives to ensure that all electoral participants, especially candidates and registered political</p>	Noted.

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	<p>parties, are aware of their obligations, and how to comply with those obligations. The ECQ has also sought to increase stakeholder awareness of its enforcement powers, so stakeholders are incentivised to voluntarily comply.</p> <p>The ECQ notes participants in a local government election are required to lodge real-time returns about the electoral expenditure they have incurred, whereas in State elections, electoral expenditure is only required to be disclosed after election day. This real-time expenditure requirement may create an expectation by electoral participants that the ECQ is able to monitor and enforce compliance with electoral expenditure caps during the election event itself (to ensure the objective of the LGEA is being achieved). This will require additional compliance resources and monitoring capability during the majority of the capped expenditure period (and after the election event itself).</p>	
	<p><u>BRU</u></p> <p>BRU submits there must be appropriate powers and financial support for the ECQ to manage complaints relating to expenditure cap breaches.</p>	Noted.
	<p><u>Cr Wendy Boglary</u></p> <p>Cr Boglary is concerned regarding a lack of resources to investigate and follow up candidates who do not abide by the legislation and advocates that more resources should be given to ECQ to ensure due process has been followed and greater transparency to the community regarding candidates who do not keep to the election caps, etc, regardless of whether they are successful or unsuccessful at an election. Cr Boglary suggests a percentage of larger donations could be levied to raise funds for the ECQ, with one way of doing this to be</p>	Noted.



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Issue/clause	Stakeholder comments	DSDILGP response
	<p>implementing a GST type of tax or levy of a percentage applied to all donations and gifts over a certain amount made during the election period and payable by candidates at the end of the election.</p> <p>Cr Boglary advocates for a dedicated and more adequately resourced ECQ compliance team which would be responsible for reviewing donations, conducting audits and investigations, and taking enforcement action, as necessary. Cr Boglary recommends a legislated mandate for the team to publish a report on the ECQ website detailing the activities of this team.</p>	
<b>Implementation and training</b>		
Training and support to election participants	<p><u>ECQ</u></p> <p>The ECQ notes in implementing the measures proposed through the Bill, the ECQ will seek to continue its current practice of increasing awareness by electoral participants of the new obligations, as well as those pre-existing obligations which the ECQ has identified as needing improved compliance by stakeholders.</p> <p>The ECQ notes additional resourcing will be required for the ECQ to promote public awareness and education of stakeholders about their rights and responsibilities under the electoral acts. The educational material - particularly those materials relating to expenditure caps and electoral expenditure - is intended to be published in July/ August 2023, to align with the timeframe by which electoral expenditure caps must be calculated.</p> <p>The ECQ notes the ECQ has already begun initial discussions with the department about the mandatory candidate training</p>	Noted.

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Issue/clause	Stakeholder comments	DSDILGP response
	<p>which will be a vital aspect of the candidate education required to support compliance with the regulations.</p> <p>The ECQ notes one of the largest challenges faced by the ECQ in local government elections is that most candidates are not endorsed by registered political parties and therefore lack organisational and administrative support to meet their funding and disclosure obligations. Generally, it is anticipated that candidates who are endorsed by a registered political party will be supported by a party official (who is typically responsible for the party's business-as-usual disclosure obligations) who can act as their agent, allowing the ECQ to leverage its pre-existing relationships to achieve a high level of compliance. Conversely, local government candidates who are not endorsed by a political party (particularly outside of the Brisbane local government area) will generally be responsible for managing their own affairs which increases the support and assistance required to be provided by the ECQ to those using the electronic disclosure system or seeking to understand their disclosure obligations.</p>	
	<p><u>QLS</u></p> <p>QLS recommends the State develop and implement a wide-ranging education campaign about the effect of the legislation for councillors, relevant staff, political parties, members of the public who intend to run as candidates and third parties such as charities and NFPs who may be caught by the new regulatory framework.</p> <p>In relation to previous reforms, QLS states that councillors do not seem to have been given the proper support in terms of education and administrative support to understand and comply with all of the new obligations placed upon them. The result is that some councillors have been identified by the</p>	<p>In line with recommendation 7 of the Committee report, the department will be working with the ECQ to support compliance with the scheme through development of resources and training material.</p>



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Issue/clause	Stakeholder comments	DSDILGP response
	Office of the Independent Assessor and prosecuted for one-off administrative oversights.	
	<u>RCC</u>  RCC requests consideration on how the Bill's provisions will be communicated to candidates and suggests the salient provisions of the Bill should be mandated in the "so you want to be a councillor" training program.	
	<u>LGAQ</u>  The LGAQ supports the proposal to provide a range of resources and information to assist candidates with their obligations under any capped electoral expenditure scheme, noting the ECQ may consider implementing a mobile phone app to assist in compliance and tracking individual's electoral expenditure.	
	<u>Gecko</u>  Gecko submits the provision of information and training for prospective candidates (as per recommendation 7 of the Committee report) will assist the average voter and candidate to understand the processes of accountability.	
	<u>BRU</u>  BRU submit it is necessary to provide some or all of online training, information papers, factsheets and Q & As on the websites of both the DSDILGP and the ECQ, noting both organisations have shown they are capable of doing these things well.	

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Issue/clause	Stakeholder comments	DSDILGP response
	<p>BRU also suggest establishing a dedicated hot line where candidates or third parties can seek advice on matters relating to expenditure caps.</p> <p>BRU submit the requirements around expenditure caps should also form part of the content of future mandatory candidate training that is now required before council elections.</p> <p><u>Cr Wendy Boglary</u></p> <p>Cr Boglary suggests a more accessible website for recording campaign details.</p> <p>Cr Boglary submits that if email or phone assistance is available, as has been in the past, candidates have sufficient resources but that training would be beneficial.</p>	
<b>Consultation</b>		
Consultation conducted on the scheme	<p><u>LGAQ</u></p> <p>The LGAQ notes the meaningful and substantial consultation with the LGAQ and member councils over several years prior to the introduction of the Bill.</p>	Noted.
	<p><u>OSCAR</u></p> <p>Submitter acknowledges and commends the very good work undertaken by the Queensland Government through the State Development and Regional Industries Committee of the Parliament on this complex issue.</p>	Noted.

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Issue/clause	Stakeholder comments	DSDILGP response
	<p><u>PBCA</u></p> <p>The PBCA submit the Bill reflects feedback received from the community.</p>	Noted.
	<p><u>ECQ</u></p> <p>The ECQ notes the consultation process regarding the Bill has been critical to the timely planning for implementation of the proposed amendments.</p>	Noted.
<b>Review</b>		
Statutory review	<p><u>LGAQ</u></p> <p>The LGAQ recommends the State Government include a clause to ensure a statutory review is held within the first 12 months of the 2024 local government elections. The review should be conducted by a Parliamentary Committee.</p> <p>The LGAQ submits a statutory review is beneficial particular for new schemes such as the local government electoral expenditure caps scheme.</p>	<p>The department recognises it is good practice to regularly review legislative frameworks, including reviewing if they are appropriately achieving their policy intent. The department regularly reviews the local government legislation administered by the department, and both the department and the ECQ review the operation of elections following each election. The local government expenditure cap framework will be included in the review process and the department will always be open to feedback from stakeholders on the practicality and operation of the legislation.</p>
Formal review	<p><u>SEQ Community Alliance</u> <u>OSCAR</u></p> <p>The submitters state the legislation should be the subject of a formal review by the responsible parliamentary committee. This review should be commenced within 12 months of the 2024 election date and any appropriate legislative amendments should be enacted at least 12 months before the next (2028) local government election date.</p>	<p>In addition, where practical, the local government expenditure caps scheme generally aligns with the State expenditure caps scheme that is already in place. Consistent with the State expenditure caps scheme, the Bill does not include provisions for a statutory review.</p> <p>However, noting the 2024 local government election will be the first time the local government electoral expenditure caps scheme operates, the department intends to closely monitor how the scheme operates, in partnership with the ECQ and</p>



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Issue/clause	Stakeholder comments	DSDILGP response
		<p>taking into account feedback from stakeholders, including the LGAQ.</p> <p>The ECQ will also conduct compliance activities for the scheme during and following each local government election. Findings from these compliance activities will also inform consideration of the scheme's performance.</p> <p>The department notes section 92(1) of the <i>Parliament of Queensland Act 2001</i> provides for the role of a portfolio committee and that a portfolio committee may initiate an inquiry into any other matter it considers appropriate. Section 92(2) provides that a committee is to also deal with an issue referred to it by the Legislative Assembly. It is considered that a Parliamentary Committee could initiate a review into the operation of the scheme regardless of an express provision in the Bill.</p>
<b>Issues outside scope of the Bill</b>		
Compulsory Preferential Voting	<p><u>LGAQ</u></p> <p>The LGAQ and its members are strongly opposed to the introduction of compulsory preferential voting for local government elections. The LGAQ notes Queensland councils have strongly restated their opposition to any changes, unanimously endorsing a resolution stating: "The LGAQ calls on the State Government to retain the current voting system for local government elections, respecting the views of Queenslanders, Queensland councils and the recommendations of the State-commissioned report into local government elections."</p> <p>The LGAQ submits the introduction of compulsory preferential voting at local government elections would lead to the</p>	This issue is outside the scope of the Bill.

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Issue/clause	Stakeholder comments	DSDILGP response
	politicisation of the elections, which would be to the detriment of the sector and the communities they represent.	
Election funding	<p><u>BRU</u></p> <p>BRU supports public funding of local government elections, to be consistent with funding arrangements for State and Federal elections. BRU submits that increasingly, and even with the proposed caps on expenditure, contesting a local government election is for the well-off and out of the reach of most residents, particularly for those supporting school-age children and young families. BRU submits the current system also disadvantages women who are not working or working limited hours owing to family or other responsibilities.</p> <p>BRU advocates that political donations at all levels of government be replaced by a system where the only election materials allowed are those publicly funded for each candidate and that this system would actually prove less expensive for the taxpayer than the current system of electoral funding at all levels of government.</p> <p>BRU submits that increased public election funding will reduce the need for politicians to seek donations to build ever larger war-chests and will consequently reduce the risk of those politicians being influenced to serve the needs of those donors instead of the public interest.</p>	This issue is outside the scope of the Bill.
	<p><u>Cr Wendy Boglary</u></p> <p>Cr Boglary suggests that a grant system could be implemented to assist candidates with funding, with the funds required to be repaid over a set time. Such a system would give an alternative to receiving donations.</p>	This issue is outside the scope of the Bill.



## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
Donation restrictions and donation caps	<p><u>BRU</u></p> <p>BRU strongly supports restrictions on political donations, including donation caps, for the following reasons:</p> <ul style="list-style-type: none"> <li>the growing reliance on private donors to finance campaign spending requirements has created the potential for real or perceived influence on decision making in government which is eroding public confidence in the integrity of the political process at all levels.</li> <li>Too many political decisions are only explicable by how they favour large donor interests.</li> <li>Political donations have a profound and obviously distorting effect on politicians' moral compass</li> <li>The ever-increasing cost of election campaigns puts pressure on politicians to keep big donors happy. Nationally as well as in Queensland, the current political system ensures the needs of the very rich are given priority.</li> <li>Donation caps help increase the chances that elections will be won by the best candidates rather than by the candidates who spend the most money.</li> <li>Donation caps are an essential reform which will make a great deal of difference in providing a more level playing field for candidates in 2024 and encourage a greater diversity of candidates. The cost of elections to candidates is a substantial disincentive to potential candidates.</li> <li>Donation caps ensure election debates are not dominated by those with the biggest bank balance who can afford large advertising spends, rather than those with the best ideas.</li> </ul>	<p>The department notes the CCC noted in the Operation Belcarra report<sup>2</sup> that it was not persuaded there was sufficient justification to recommend the introduction of donation caps (as opposed to expenditure caps), noting expenditure caps are easier to enforce and also more effectively level the playing field by limiting the financial advantages of wealthy self-funded candidates.</p> <p>Donation caps are therefore outside the scope of the Bill.</p>

<sup>2</sup> Operation Belcarra report, pages 46 and 47: <https://www.ccc.qld.gov.au/sites/default/files/2019-08/Operation-Belcarra-Report-2017.pdf>

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Issue/clause	Stakeholder comments	DSDILGP response
	<ul style="list-style-type: none"> <li>• Donation caps create a more level playing field and help to realise a foundational principle of the Australian Constitution: that Australians should have equality of opportunity to participate in the political process.</li> <li>• Donation caps help to focus politicians on serving the interests of the communities they represent, not the interests of large corporate and private donors.</li> </ul> <p>BRU submits the Bill is problematic because it does not limit donations to campaigns by third parties. BRU submits the primary reason for limiting donations to third parties is to ensure that would-be donors to political parties do not attempt to circumvent the donation cap on political parties by setting up third parties that will campaign on their behalf. Companies and industry associations will be free to rely on revenue and membership fees to spend up to \$1.3 million each (in the case of mayoral elections in Brisbane) on election campaigns, even campaigning directly for politicians and parties.</p> <p><u>Cr Wendy Boglary</u></p> <p>Cr Boglary supports banning all political party donations except in the case of Brisbane City Council. If allowed, such donations or gifts should be required to be fully transparent immediately received at any stage of an incumbent's or candidate's election campaign, including for incumbents throughout their term of office.</p> <p>Cr Boglary also advocates introducing a total ban on donations or gifts from foreign entities to ensure that the voices of residents are heard and that candidates are not influenced by outside sources.</p>	

## Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022

Issue/clause	Stakeholder comments	DSDILGP response
	<p><u>Murray Elliot</u></p> <p>The submitter submits that no third party or gift donations should be allowed.</p>	
<p>Movement between private sector and government/political positions</p>	<p><u>BRU</u></p> <p>BRU note there is still no legislation to address the revolving door between industry and government, which BRU submits is in direct contravention of the politically self-imposed code of conduct where politicians are not supposed to take up this type of position in under eighteen months. BRU submits this can lead to inside relationships being used to the benefit of the private sector without due regard being given to the public interest.</p> <p>BRU submits that while Queensland has comparatively strong restrictions around when a senior public servant/Minister can work as a lobbyist, the framework could be further strengthened by:</p> <ul style="list-style-type: none"> <li>• improving the definition of 'lobbyist', for example to include acting for even non-profit entities that represent private industry, such as the Queensland Resource Council</li> <li>• better enforcing existing limitations on lobbyists moving between government and the private sector.</li> </ul>	<p>This issue is outside the scope of the Bill.</p>
<p>Regulation of raffles in the <i>Charitable and Non-Profit Gaming Act 1999</i></p>	<p><u>Darren Grimwade</u></p> <p>The submitter states that independent candidates are unable to lawfully hold a raffle with their supporters unless they are an eligible organisation under the <i>Charitable and Non-Profit Gaming Act 1999</i>.</p>	<p>The department notes this issue is outside the scope of the Bill. However, the department will consider the issue further.</p>



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Issue/clause	Stakeholder comments	DSDILGP response
	<p>The submitter outlines issues related to conducting a lawful fundraising raffle under the <i>Charitable and Non-Profit Gaming Act 1999</i> and recommends either:</p> <p>1. Amending the <i>Charitable and Non-Profit Gaming Act 1999</i> to allow eligible organisations, as well as local government political candidates to undertake Category 1 &amp; 2 games (low risk raffles that don't require permits)</p> <p>2. Insert a new law into the current <i>Local Government Electoral and Other Legislation (Expenditure Caps) Amendment Bill 2022</i> that makes it lawful for 'declared' candidates at local government elections to conduct Category 1 &amp; 2 games as specified in the <i>Charitable and Non-Profit Gaming Act 1999</i>.</p>	
Restrictions on signage	<p>Name withheld #23</p> <p>The submitter recommends signage should be limited to 1 sign per square kilometre and that all signage must be made of recyclable materials.</p>	This issue is outside the scope of the Bill.
Political party involvement in local government elections	<p><u>Cr Wendy Boglary</u></p> <p>Cr Boglary does not support political parties being involved in local government elections.</p>	This issue is outside the scope of the Bill.

**11 Confidential Matters****11.1 Land for Police Citizens Youth Club (Beaudesert) [Closed s.254J(3)(g)]**

**Executive Officer:** General Manager Asset and Environmental Sustainability

**Item Author:** Manager Maintenance and Operations

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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.