



# Minutes

## Ordinary Meeting

**Tuesday, 21 February 2023**

**Time: 9.15 am**

Meeting adjourned at 9:37 am  
Meeting resumed at 9:42 am

Meeting adjourned at 10:26 am  
Meeting resumed at 10:45 am

**Location: Council Chambers**

**82 Brisbane Street**

**BEAUDESERT QLD 4285**

**Scenic Rim Regional Council**  
**Ordinary Meeting**  
**Tuesday, 21 February 2023**  
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## **1 Opening of Meeting**

The Mayor, Cr Greg Christensen, as Chair of the Meeting, declared the Meeting open and acknowledged the traditional owners of the lands of the Scenic Rim Regional Council area. The Mayor paid respect to their elders, past, present and future, and extended congratulations to them on their continued nurturing of their culture.

## **2 Attendance and the granting of leaves of absence**

Cr G R Christensen, Mayor  
Cr R D Swanborough  
Cr J J S McConnell, Deputy Mayor  
Cr V A West  
Cr M J Enright  
Cr M J Chalk  
Cr D A McInnes OAM

### **Executive Officers**

D Keenan, Chief Executive Officer  
C McMahon, General Manager People and Strategy  
D Howe, General Manager Customer and Regional Prosperity  
C Gray, General Manager Asset and Environmental Sustainability  
O Pring, General Manager Council Sustainability

### **Staff**

G Stevenson, Advisor  
S Keepence, Business Support Officer, Office of the Mayor and Chief Executive Officer  
J Pukallus, Principal Specialist Governance and Assurance  
S Oberle, Desktop Support Officer, Information Services and Technology  
J Kirkwood, Principal Specialist Development Assessment and Engineering /  
Acting Manager Regional Development, Health and Biodiversity (Items 10.2 and 10.3)  
H Nelson, Principal Specialist Strategic Planning (Item 10.2)  
B Walker, Manager Regional Prosperity and Communications (Item 10.4)  
S Osman, Manager Maintenance and Operations (Item 11.1)

## **3 Apologies**

Nil

## **4 Prayers**

Pastor Josh Cocks from Beaudesert Baptist Church attended, via teleconference, to offer prayers

## **5 Declarations of Prescribed or Declarable Conflict of Interest by Members**

Nil

## 6 Announcements / Mayoral Minutes

### 6.1 Supporting Our International Family

Cr Greg Christensen:

*"Councillors,*

*I would ask you for your support in acknowledging the recent devastation experienced by, firstly, our neighbours in New Zealand, particularly resulting from the aftermath of Cyclone Gabrielle.*

*And also further afield with the catastrophic impacts of Earthquakes in Turkey and surrounding countries. I note that further significant tremors were reported overnight.*

*Our region is home to many residents with family origins in these affected areas. Many also still have relatives in these areas.*

*We also offer our appreciation and support to the Australian teams who have gone to New Zealand to provide much-needed assistance at this challenging time.*

*On behalf of Scenic Rim Regional Council, I ask you to join me in offering our heartfelt thoughts and prayers of support for our residents and also their families so horribly impacted."*

Cr Greg Christensen invited Pastor Josh Cocks to lead prayers.

### 6.2 Scenic Rim Clydesdale Spectacular

Cr Greg Christensen:

*"It is appropriate this morning to enjoy the pleasure of announcing that the Scenic Rim Clydesdale Spectacular, which is considered one of Queensland's most significant events has added another accolade to its merits.*

*On behalf of Council and the community, I want to congratulate organisers of the Scenic Rim Clydesdale Festival 2022 event following their Silver win in the category of Best Festival or Event in the Grey Nomad Awards announced in an online presentation on Friday night, 17th February.*

*Scenic Rim Regional Council, we're pleased to have been be part of the success of this landmark event. We provided \$10,000 to support the staging of the two-day festival in June 2022.*

*Considered the richest Clydesdale event in the Southern Hemisphere, annually it showcases the heritage and history of the Clydesdale breed, which was used by pioneering Scottish and German families to transform the Scenic Rim's bushland into a leading agricultural area.*

*Over two-days, it features a range of heavy horse competitions and driving displays, demonstrations of rare trades by harness makers, blacksmiths and wheelwrights, workshops, working dog and horse displays, rides, live entertainment, markets, and traditional Scottish food.*

*Attracting competitors, participants and spectators from around Australia, as well as overseas, the Scenic Rim Clydesdale Spectacular continues to grow adding some \$2.3 million to the regional economy.*

*The Grey Nomad Awards are presented to the events, attractions and destinations which best cater for mature-age visitors and are judged by mature-age tourism professionals including those who have lived the grey nomad lifestyle.*

*Now for those wanting to partake in this award-winning event, tickets are now on sale for the Clydesdale Spectacular 2023, which will be held again in the Boonah Showgrounds on the 17th and 18th June 2023. Surely, an event not to be missed."*

### **6.3 Cr Derek Swanborough - Resignation**

Cr Derek Swanborough:

*"Mr Mayor, I have a written announcement, which I would like to read and I'll distribute that announcement to all Councillors on concluding.*

*Councillors, I wish to announce that under Section 162(1)(f) of the Local Government Act 2009, I hereby inform the Chief Executive Officer in writing of my intention to resign effective today when I leave the premises. I will not be staying for the remainder of the meeting, and if I can pass that note over to the Chief Executive Officer.*

*This is a decision I am most reluctant to make but I have regretfully come to the view that I am unable to provide the level of service to my constituents that they deserve. One issue that has precipitated my decision is this, the unprecedented level of internally generated OIA complaints, 70 plus at last count, and I might add I received another one yesterday, that have been levelled against me. Responding to these complaints consumes an inordinate amount of my time and as a consequence compromises my capacity to effectively carry out my duties as Scenic Rim Councillor.*

*It is in the public interest that I resign now to trigger a by-election in my division under Section 166(1)(b) of the Local Government Act and section 161(4) to allow a yet unencumbered person to provide the strongest representation that Tamborine Mountain Division One, the largest population centre in the Scenic Rim, deserves.*

*It has been an honour to represent my division. I am proud of what has been achieved. It has also been pleasing to provide a voice to many other deserving causes extending across the wider Scenic Rim region from Boonah to Beaudesert. I worked very hard with many of my Council colleagues in an endeavour to achieve higher levels of performance, greater efficiency, lower rates and improved levels of customer satisfaction but above all, transparency in decision making. All these issues are still very much a work in progress with much more to do. These efforts have not been received well by some of my elected colleagues and the administration. I sincerely believe the culture of the organisation needs transformational change and this most likely will occur only at the political level.*

*Tamborine Mountain voted in the household plebiscite by a super majority of 65 percent to move to the Gold Coast and regrettably this has not been able to be achieved for the 2024 elections. It will now be a long game and move to the political level for the next elections in 2024 to give a voice to the majority of residents. The household plebiscite did, however, provide evidence that the population of Tamborine Mountain in Division One and Two believe their community of interest was not the Scenic Rim but the Gold Coast and they expected Council to do a lot better and be fairer in the matter of rates, levels of service efficiency and capital expenditure.*

*My career in local government began in 1977 as a labourer on a construction gang in the Ipswich City Council during my University holidays and my first full-time position as a trainee local government clerk commenced in 1979. Since then I have worked in virtually all departments of local government. This includes 25 years in executive management positions in some large councils in southeast Queensland and northern New South Wales over a period of 42 years, including the former Beaudesert Shire Council as Corporate Services Director for a continuous 16 years of service. Today that career ends and with it the opportunity to use my expertise and local knowledge for the benefits of all of the residents of the Scenic Rim.*

*I say farewell today and offer my assistance and best wishes to whoever the voters choose to be the next Tamborine Mountain Councillor. I would like to thank my constituents, residents of the Scenic Rim, colleagues and former colleagues, persons who have assisted me in carrying out my duties as Councillor."*

**Motion**

That this announcement be tabled and my resignation be received.

Moved: Cr Derek Swanborough

Carried unanimously

**Attachment (tabled)**

1. Letter of Resignation - Cr Derek Swanborough, Division One Councillor

21st February 2023

Cr Derek Swanborough  
Scenic Rim Regional Council.  
Division 1 – Tamborine Mountain.

The CEO  
Scenic Rim Regional Council  
82 Brisbane St  
Beaudesert Q

Dear CEO,

**Re Resignation from the position of Councillor Division 1**

Dear Sir,

I regret I am unable to continue as a councillor representing my Division.

I hereby advise of my resignation in accordance with section 162 (1) (f) of the Local Government Act 2009.

My resignation will have immediate effect from when I leave the premises today. I will not be staying for the remainder of the Council meeting.

I have returned all Council issued equipment including, vehicle, two fuel cards, (BP and Ampol) entry tag, Computer, IPAD and phone with sim. Other incidental equipment including hard hat, 2 Jabra earphones , safety vest etc are in the vehicle.

I would like to thank my constituents, residents of the Scenic Rim, my many present and former colleagues and persons who have assisted me in carrying out my duties as councillor.

I wish my successor every success in representing Division 1 in the future.

Kind Regards

Cr Derek Swanborough.

Meeting adjourned at 9:37 am

At 9:39 am, Cr Derek Swanborough left the meeting.

Meeting resumed at 9:42 am

## **7 Reception of Deputations by Appointment / Presentation of Petitions**

Nil

## **8 Confirmation of Minutes**

### **Recommendation**

That the Minutes of the Ordinary Meeting held on 7 February 2023, be adopted.

Moved: Cr Jeff McConnell

Seconded: Cr Virginia West

Carried unanimously

## **9 Business Arising from Previous Minutes**

### **9.1 Questions without Notice, Ordinary Meeting, 7 February 2023, Item 10.5 - Local Roads of Regional Significance**

The General Manager Asset and Environmental Sustainability referred to questions taken on notice at the Ordinary Meeting held on 7 February 2023, during discussion on Item 10.5.

In relation to the maintenance of Mount Flinders Rd, being a boundary road between Scenic Rim Regional Council and Ipswich City Council areas, the General Manager advised there is a Memorandum of Understanding between the two Councils, which outlines the responsibilities in relation to roads that form boundary roads. He confirmed that Ipswich City Council maintains both the sealed and unsealed sections of Mount Flinders Road.

In relation to the question as to whether Brookland Road and Teviotville Road would be considered 'Local Roads with Regional Significance', he advised they may not meet the current criteria, however, they may meet criteria into the future. The General Manager advised that the Regional Roads and Transport Group sets the criteria by which roads are assessed, and until those decisions are made, the eligibility of the roads could not be determined.

The General Manager confirmed that, in accordance with the resolution of Council in Item 10.5, a report will be presented to Council as to the future status of those two roads.

## 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

**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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### 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.

Moved: Cr Michael Enright

Seconded: Cr Jeff McConnell

That the General Manager People and Strategy's recommendation be adopted

Carried unanimously

## 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

**Attachments:**

1. Scenic Rim Planning Scheme 2020 Amendment No.5 

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## 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).

Moved: Cr Jeff McConnell

Seconded: Cr Virginia West

That the General Manager Customer and Regional Prosperity's recommendation be adopted

Carried unanimously

Meeting adjourned at 10:26 am

Meeting resumed at 10:45 am

**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

**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 

**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.

Moved: Cr Jeff McConnell  
Seconded: Cr Marshall Chalk

That the General Manager Customer and Regional Prosperity's recommendation be adopted

Carried unanimously

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

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

**Attachments:** Nil

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**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.

Moved: Cr Marshall Chalk  
Seconded: Cr Duncan McInnes

That the General Manager Customer and Regional Prosperity's recommendation be adopted

Carried unanimously

## **Council Sustainability**

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

**Executive Officer:** General Manager Council Sustainability

**Attachments:**

1. Monthly Financial Report January 2023 
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### **Recommendation**

That Council receive the unaudited financial statements for the period ended 31 January 2023 for the Financial Year 2022-2023.

Moved: Cr Michael Enright

Seconded: Cr Marshall Chalk

That the General Manager Customer Sustainability's recommendation be adopted

Carried unanimously

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

**Executive Officer:** General Manager Council Sustainability

**Attachments:**

1. Submissions on Electoral Caps 
- 

**Recommendation**

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

Moved: Cr Marshall Chalk  
Seconded: Cr Virginia West

That the General Manager Council Sustainability's recommendation be adopted

Carried unanimously

## 11 Confidential Matters

At 11:22 am, Council resolved into closed session, in accordance with Council's Meetings and Other Forums Procedure relating to closed Council Meetings and the provisions of Section 254J(3) of the *Local Government Regulation 2012*, to discuss confidential items relating to:

- (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

Moved: Cr Duncan McInnes  
Seconded: Cr Virginia West

Carried unanimously

At 11:45 am, following discussion in closed session, Council resumed in open session for the proposal of resolutions.

Moved: Cr Jeff McConnell  
Seconded: Cr Marshall Chalk

Carried unanimously

**11.1 Land for Police Citizens Youth Club (Beaudesert) [Closed s.254J(3)(g)]****Executive Officer:** General Manager Asset and Environmental Sustainability**Recommendation**

That:

1. Council acknowledge that a preferred site, located in Beaudesert, for the establishment of a Police Citizens Youth Club has been identified;
2. Council acknowledge the need for further investigations and actions to ensure compliance with the *Land Act* – SLM/2013/493 for the establishment of a Police Citizens Youth Club within this identified preferred site;
3. Council note at the appropriate time, community engagement will be undertaken to advise of the final outcome of the intention to utilise the preferred location subject to the outcomes of further investigation regarding the preferred site for purposes of establishing a Police Citizens Youth Club in Beaudesert; and
4. In accordance with clause 22.6.3 of the Scenic Rim Regional Council Standing Orders Procedure CM03.01PR.01, Council maintain confidentiality over the content of the report due to negotiations relating to a commercial matter involving the local government for which as public discussion would be likely to prejudice the interests of the local government. Noting that, as per the previous resolution of Council dated 5 July 2022 (Item 10.2), that the preferred location be discussed with the identified stakeholder as outlined in this report.

Moved: Cr Michael Enright

Seconded: Cr Jeff McConnell

That the General Manager Asset and Environmental Sustainability's recommendation be adopted

Carried unanimously

The Ordinary Meeting ended at 11:49 am.

To be confirmed on 7 March 2023.

**Cr Greg Christensen****Mayor**