



Agenda

Ordinary Meeting

Tuesday, 9 May 2023

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

Scenic Rim Regional Council
Ordinary Meeting
Tuesday, 9 May 2023
Agenda

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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 - 18 April 2023
- 9 Business Arising from Previous Minutes**

10 Consideration of Business of Meeting

Executive

10.1 Audit and Risk Committee Meeting 2 March 2023

Executive Officer: General Manager Council Sustainability

Item Author: Principal Specialist Internal Audit and Improvement

Attachments:

1. Report to Council - Audit and Risk Committee 2 March 2023 [↓](#) 

Executive Summary

The Audit and Risk Committee (ARC) meets regularly in accordance with the established Annual Meeting Planner. As per the *Local Government Regulation 2012*, there is a requirement for the Chief Executive Officer (CEO) to provide a report to Council following each ARC meeting. This report provides the report to Council of the ARC Meeting held on 2 March 2023.

Recommendation

That Council note the report provided on the Audit and Risk Committee Meeting held on 2 March 2023.

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 24 January 2023 (Item 10.5), Council resolved "*That Council note the report provided on the Audit and Risk Committee Meeting held on 17 November 2022*".

Report / Background

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

The ARC has been established to support good governance of Council, and provide advice to Council on the matters within its responsibilities. The ARC is not a decision making body. Any recommendation by the ARC that requires a decision will be presented separately to an Ordinary Meeting for consideration and resolution.

The Report to Council contains an executive summary of each matter considered by the ARC, a summary of discussion on the matter and the ARC Recommendation. This structure is intended to comprehensively address the legislative requirements and should provide sufficient assurance to the community on the effective operation of the ARC. The Report to Council of the ARC Meeting held on 2 March 2023 is provided as Attachment 1.

Budget / Financial Implications

There are no budget implications associated with this report.

Strategic Implications

Operational Plan

Theme: 3. Open and Responsive Government

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

Legal / Statutory Implications

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

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

Risks

Strategic Risks

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

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

Risk Assessment

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

Consultation

All relevant stakeholders were present at the meeting.

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

Conclusion

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

The ARC meeting agendas are established based on an agreed Annual Meeting Planner, which provides assurance and coverage of all items required for review by the ARC. This report provides information on the matters reviewed, a summary of discussion and the Committee's recommendations from the ARC Meeting held on 2 March 2023.

REPORT TO COUNCIL



Audit and Risk Committee Meeting

Date	Thursday, 2 March 2023	commencing at 9:30 am
Chair	Stephen Coates	
Committee Members in Attendance	Melissa Jacobs, External Representative Mayor Greg Christensen (via teleconference) Cr Michael Enright	
Apologies	Cr Jeff McConnell, Deputy Mayor	
Other Attendees	Representatives of External Audit, the Governance Advisor, the Chief Executive Officer, members of the Executive Team and other staff	

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

5.1 Action List Status Update

Executive Summary:

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

Summary of Discussion:

The Chair enquired about the progress on updating the Quality Management System. The General Manager Asset and Environmental Sustainability responded that they have continued to struggle with resources, including some contractors involved being diverted to other projects. The General Manager agreed that more effort is needed.

The Chair noted that the item to present alternative approaches to controls assurance has been deferred several times, and that for the Committee to meet their responsibilities, they need comfort that controls are operating; need this to be addressed at the next meeting.

The Chair also noted the progress on the project management review. He posed the question, "*Do we have robust project management or are we exposed?*" The Principal Specialist Internal Audit and Improvement stated that the work so far has identified a number of risks. The Chair emphasised that it is important that this be presented at the next meeting.

Recommendation:

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

5.2 Information Security Management - Internal Audit Report and Response

Executive Summary:

To complete an action requested in the November 2022 Audit and Risk Committee meeting, the report presented a response to each of the 10 points listed in the Executive Summary of the internal audit report.

Summary of Discussion:

As part of the introduction to the report, it was recognised that the internal audit report had also been presented to a Councillor and Executive Workshop. Cr Enright was asked to summarise the views of the Councillors. Cr Enright advised that the Councillors are "*moderately comfortable*" with the responses provided and recognised they are high risk issues.

There was detailed discussion on a number of items including: recruitment of the ICT Coordinator position, development of updated IT Security policies, inventory of ICT assets, risk management and definition of responsibilities.

The Chair advised that the Committee is feeling exposed and would appreciate progress in the near future and further updates to future meetings.

Recommendation:

That the Audit and Risk Committee note the additional information provided in the Manager Information Services and Technology's response regarding the findings and the progress toward improving Council's cyber security posture.

5.3 Agreed Actions Arising from External Procurement Review

Executive Summary:

At the November 2022 Audit and Risk Committee meeting, a report was included to present the reports from the external consultants for stage one and two of the consultant's procurement framework review. The Audit and Risk Committee requested that the recommendations from the stage two report be recognised as agreed audit findings and added to the action tracking process. This report provides the list of recommendations along with other details on the actions to be taken.

Summary of Discussion:

The General Manager Council Sustainability noted that the external consultant has been progressing Stage Three of their work, particularly the development of draft policy and procedures, in parallel with the recruitment of the new Coordinator Procurement role.

The Chair and the External Representative queried progress on specific items. It was requested that the actions be tracked separately and presented to a future meeting at which point they may be transferred into the ongoing tracking process.

Recommendation:

That the Audit and Risk Committee note the agreed actions and progress on addressing the risks identified in the external procurement review.

6.1 Audit and Risk Committee Annual Work Plan

Executive Summary:

The report presents an acquittal of the items planned for the meeting in the Audit and Risk Committee Annual Meeting Planner against the items included in the Agenda.

Summary of Discussion:

There was discussion on the initial categorisation of the agenda items in the Audit and Risk Committee Annual Meeting Planner within an ESG Framework (Environmental, Social and Governance). Cr Enright queried whether the important items of economic and technological risk should be separated from the Governance group. The Chair noted that within this model this is where they fit but agreed that after this has been used for a period there can be a review and potentially adjustments made.

Recommendation:

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

6.2 Governance Update

Executive Summary:

The update provides high level comments under the following headings: Fraud and Corruption Update, Risk Reference Group, Strategic Risk Register Review, Loss or Damage of Council Facilities and Annual Governance Plan Update.

Summary of Discussion:

The Chair queried whether lost and/or damaged items over the relevant value are reported to the Queensland Audit Office. The Principal Specialist Governance and Assurance confirmed those that meet the criteria have been reported with spreadsheets utilised to track incidents with allocated responsibility to ensure accountability for all steps.

Cr Enright requested clarification on the change in approach to the review of risks on Council's Strategic Risk Register. The Principal Specialist Governance and Assurance advised that the General Managers are now responsible for reviewing and reporting on all of their portfolio's risks at least once per year, which is an increase to the frequency of formal reviews.

Recommendation:

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

6.3 Strategic Risks Review - Council Sustainability Portfolio

Executive Summary:

The General Manager has reviewed the Strategic Risks owned by the Council Sustainability Portfolio. Details of the review undertaken for each risk were attached to the report. Reasons for the proposed transfer of responsibility for two risks were also provided.

Summary of Discussion:

The External Representative noted that when reviewing the risks it is important to ensure there continues to be an integrated view of responsibility for the risks.

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Recommendation:

That the Audit and Risk Committee note the information contained in the Strategic Risk Review report.

6.4 Major Projects and Business Initiatives

Executive Summary:

This report provides an overview of Council's progress against the most significant major projects and business initiatives to be delivered in 2022-2023.

Summary of Discussion:

Positive comments were made regarding this report and the improvements to the Operational Plan.

The Chair outline a project at another Council, "For the Love of Lismore", which had been beneficial in matching people and their skills with vacancies. Discussion then covered some related initiatives being considered for this Council.

Recommendation:

That the Audit and Risk Committee note progress against the most significant major projects and business initiatives to be delivered in 2022-2023.

6.5 External Audit Update

Executive Summary:

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

Summary of Discussion:

Questions were asked regarding the status of previously reported issues. It was clarified that the status "resolved pending audit clearance" is used where management have indicated completion however the auditors will then sit with relevant officers to review process and data to determine if they agree that the issues have been addressed.

The new representatives of the Queensland Audit Office were introduced. Key points from the attached briefing paper were highlighted: risks related to cyber are continuing to increase along with an increasing number of control deficiencies identified across the sector, and the recent blog posts raising issues to be considered in relation to contract management.

An overview of the 2023 External Audit Plan was provided by the representative from Bentleys. Attention was drawn to the identified key areas of focus within the audit plan.

Recommendation:

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

6.6 Council Monthly Financial Report for December 2022

Executive Summary:

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

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Summary of Discussion:

The General Manager Council Sustainability noted the continuing trend of operational underspends in the monthly reports resulting in queries from the Elected Members. These variations are mostly associated with project delivery and resourcing issues to deliver services and projects.

The Chair queried employee expenses and whether the vacancies are saving Council money. Members of the Executive Team responded to explain that: a level of vacancy is factored into the original budget development, there are often additional costs for other resources to maintain delivery of services, different solutions may be required where there have been long term vacancies and the overall impact is being assessed in the December budget review.

Recommendation:

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

6.7 2022-2023 September Budget Review

Executive Summary:

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

Summary of Discussion:

There was a brief discussion recognising that this was a largely routine update. The impact of disaster response work was noted.

Recommendation:

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

6.8 2023 Land and Buildings at Valuation Asset Classes Revaluation - Progress Report

Executive Summary:

A key activity each year in preparing the financial statements is the revaluation of assets, with the classes examined on a rolling basis. For 2022-2023 there are two asset classes being revalued: Land and Buildings at Valuation.

Summary of Discussion:

The General Manager Council Sustainability noted that minimal changes are expected for these asset classes. Committee members noted the potential for change arising from newly identified land or where it may be determined that land Council is using may be owned by state entities. The General Manager also noted that the overall valuation process will also consider the appropriate indexation to apply to the roads asset class and this may involve a larger change in value.

Recommendation:

That the Audit and Risk Committee note this progress report on the 2023 Land and Buildings at Valuation Asset Classes Revaluation.

6.9 Internal Audit Update

Executive Summary:

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

Summary of Discussion:

Cr Enright queried the current projected shortfall in delivery of the plan and the prioritisation amongst the planned topics. The Principal Specialist Internal Audit and Improvement explained that with benefits in delaying two of the planned reviews the available resource can then be applied to the other topics without needing to re-prioritise. The Chair agreed, while noting that given the other work already occurring in the procurement space this is the first topic to be deferred. Committee members and Executive Team members raised a number of different risks within the area of Parks Maintenance which reinforced the value in performing that review.

Progress on the Capital Works and Project Management reviews was discussed, concluding with a request that these reports be distributed out of session once they are available.

Recommendation:

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

6.10 Continuous Assurance Update

Executive Summary:

This report provided an update on the Continuous Assurance testing being performed covering the period January to December 2022.

Summary of Discussion:

The Principal Specialist Internal Audit and Improvement explained that the first stage of testing has been completed with a number of issues identified that require further examination. It is uncertain at this point how long some of this might take. The Chair noted this, but with consideration to the importance of the review, requested the report be distributed out of session if it is ready in advance of the next meeting.

Recommendation:

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

6.11 Implementation of Audit Recommendations

Executive Summary:

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

Summary of Discussion:

The Chair noted there have been 36 actions added since November 2022. Overall, there need to be more responses provided and agreed with the internal auditors assessment that there was a lack of traction on the actions. Progress on a number of older actions was queried in detail with discussion on the current risks and how more progress can be achieved.

The Chair expressed concern that some items are not being followed up. A detailed update was requested for the next meeting that ensures that all items that are completed are recognised and that there are updated

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comments on the progress of all other items. General Managers were reminded to focus on the original recommendation and ensure actions are taken that address the recommendation and not shift to tracking broader actions.

Recommendation:

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

6.12 Complaints Management Update

Executive Summary:

This report provided information on the complaints management process along with some high-level statistics on Administrative Action Complaints (AACs) received and processed by the Governance Team.

Summary of Discussion:

The Chair noted that organisations not getting back to people is a significant public frustration. The External Representative noted that other publications show public trust of government is at an all time low. The organisation cannot control all aspects of an interaction, but can control the quality of communications, so that should be a focus.

The General Manager Asset and Environmental Sustainability commented that a number of complaints occur due to the customer not being happy with Council's original response. Cr Enright queried whether these could be separated in the data. The Principal Specialist Governance and Assurance explained that a complaint of that type falls within the definition of an AAC and is therefore managed under the same process as any other type of complaint.

It was further explained that the statistics presented here have not been available previously. This is the start of work to understand this better.

Recommendation:

That the Audit and Risk Committee note the information contained in the Complaints Management Update .

6.13 Regulator Activities

Executive Summary:

The purpose of the report was to provide the Committee with an overview of the interactions between Council and the various regulatory bodies.

Summary of Discussion:

There was minimal discussion on this item with some questions asked to clarify the brief descriptions provided of some potential regulator activities.

Recommendation:

That the Audit and Risk Committee receive this information on Regulator Activities and provide feedback on any additional information they want to receive on this topic.

6.14 Legal Issues Report

Executive Summary:

This report provided an update on legal matters and any emerging issues that have the potential to adversely impact on Council.

Summary of Discussion:

Cr Enright noted the importance of the organisation learning from the case of *Goondiwindi Regional Council v Tait*. The Principal Specialist Governance and Assurance indicated that discussions with the relevant operational teams have been continuing and further training or advice is being considered.

In regard to current legal matters, it was noted by the CEO that there are financially material claims in some cases. The actual costs are uncertain and there are associated insurance claims. The Chair requested a confidential briefing on key matters prior to commencement of the next meeting.

Recommendation:

That the Audit and Risk Committee note the information contained in the Legal Issues report.

6.15 Performance Reporting

Executive Summary:

The purpose of this report was to provide an update about the performance reporting arrangements which are in place at Council. This report focuses on the reporting related to the operational plan and service delivery, however, there are other regular reporting mechanisms which are presented to the Committee separately.

Summary of Discussion:

The General Manager People and Strategy highlighted the linkages between the Operational Plan, service delivery of business as usual and the delivery of specific strategies. There is ongoing work to improve how all of this is brought together in performance reporting.

The External Representative acknowledged the work that has been done in this area, in particular the report cards on delivery of strategies.

The Chair commented that he liked the reporting style and appreciated that the report to the Committee included the section "Issues and Barriers to Efficient Reporting", which the Committee could then focus on.

Recommendation:

That the Audit and Risk Committee note the overview of Council's performance reporting arrangements and provide feedback.

6.16 Organisational Culture

Executive Summary:

This report provided some background regarding organisational culture and outlined the plans to measure, influence and track organisational culture in the coming years.

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Summary of Discussion:

The General Manager People and Strategy summarised the history within the report and confirmed that Council has now gone out to market and shortlisted for a supplier to conduct an employee survey. The Chair encouraged management to make the survey count, noting it is important to use clear terminology to make analysis of the feedback more effective.

The CEO agreed the questions included in the survey need to be carefully considered. The CEO explained the "Postcards to the CEO" process that has been established since his commencement and observed that in the 60 or so received to date, only four were positive. Overall this is about creating a level of trust within the organisation.

The External Representative noted the difference between gauging employee satisfaction versus a cultural test of the organisation. The CEO outlined some of his discussions with staff about the organisation's values and expected behaviours and noted that the survey process will empower and engage staff.

Recommendation:

That the Audit and Risk Committee:

1. Note actions planned to assess organisational culture, refresh corporate values and design programs of work to develop leadership capability and progress the workforce towards a targeted culture; and
2. Note that the outcomes of this work will be reported to a future Audit and Risk Committee meeting.

6.17 Quality and Environmental Update - Asset and Environmental Sustainability

Executive Summary:

The report provided an overview of the current operation of the Quality Management System, which includes the environmental management system. An update was also provided on work to review and update the system. Initial details on one reportable incident were also provided.

Summary of Discussion:

The Chair commented positively on the report provided to the Committee and emphasised the importance of continuing to work on this area.

The External Representative noted an overall level of comfort from this report and the ongoing discussions in the Committee meetings. The value of inclusion of the Quality Management Team Meeting Minutes was also noted.

Recommendation:

That the Audit and Risk Committee note:

1. The Quality Management System review, which includes the Environmental System, is progressing; and
2. A report detailing reportable incidents for the 12-month period will be provided to a future Audit and Risk Committee meeting.

6.18 Scenic Rim Region Biosecurity Plan

Executive Summary:

The *Queensland Biosecurity Act 2014* (Act) legislates a state-wide push to manage weeds and pest animals, where these species are managed in unison with disease and pathogens. The Act places an obligation on local governments to develop a plan to manage biosecurity threats in their local government areas. The report outlined how Council is meeting its obligations under the Act.

Summary of Discussion:

The Chair commented that he found the questions from Biosecurity Queensland and Council's responses to be informative. The information on budgeted expenditure on different aspects was also useful.

Recommendation:

That the Audit and Risk Committee note this report and the activities being undertaken by Council to prepare the Scenic Rim Region Biosecurity Plan 2023-2028 to meet its obligations under the *Queensland Biosecurity Act 2014*, to ensure biosecurity challenges are being addressed throughout the Scenic Rim region.

7 Other Business

Resignation of Division 1 Councillor Derek Swanborough

The CEO advised the Committee that Cr Derek Swanborough resigned his position on 21 February 2023. The CEO outlined the subsequent steps that will occur including a by-election and subsequent induction processes. The CEO observed that change brings uncertainty and a degree of risk.

2023-2024 Budget

The CEO raised that there have been changes to the budget development process to enable inclusion of a community consultation stage. There will be three community workshop sessions, in Boonah, Beaudesert and Tamborine Mountain, as well as communications via 'Let's Talk Scenic Rim'. Feedback will be collated and presented to an Ordinary Meeting, then reviewed by the Mayor and Chief Executive Officer as to whether there is any material impact on the draft budget.

Value of the Audit and Risk Committee at this meeting

The Chair facilitated a brief exercise asking all meeting participants to consider and comment on the value delivered by the Committee at this meeting. A variety of responses were provided. The Chair thanked the participants for the contributions and comments.

Committee Members' Business

A closed session with the Chief Executive Officer was conducted at the conclusion of the Committee Meeting.

Customer & Regional Prosperity

10.2 2022-2023 Community Grants Program Round 2 - Minor Grants

Executive Officer: General Manager Customer and Regional Prosperity

Item Author: Principal Specialist Community Development

Attachments: Nil

Executive Summary

This report advises of applications made to Council's 2022-2023 Scenic Rim Community Grants Program Round Two - Minor Grants and outlines the recommended distribution of grant funds.

Recommendation

That:

1. Council approve the allocations for the Community Grants Program 2022 - 2023 Round Two - Minor Grants for a total of \$90,264.86 for 26 projects as outlined in the following table:

Minor Community Grants

Name organisation	Project Title	Amount Recommended
Aratula Community Sports Centre	Security Cameras	\$3,500.00
Beaudesert Community Kindergarten	Kindergarten Security	\$5,000.00
Beaudesert and District Community Meals on Wheels	Redevelop website	\$5,000.00
Beaudesert Genealogy	Internal Door in Westwood Cottage to protect documents	\$990.00
Boonah and District Cultural Foundation	Boonah Arts Festival	\$5,000.00
Fassifern Tennis Association	Paint Clubhouse and upgrade children's play area	\$1,806.41
Harrisville Neighbourhood Watch Rural Association	Production, printing and posting of quarterly newsletter for one year	\$2,900.00
Harrisville Women's Shed - Anglican Parish of Boonah-Harrisville	2023 Christmas Carols Evening	\$2,700.00
Hayes Oval	Blinds for Commentary Box	\$5,000.00
Historical Society of Beaudesert	Upgrade Computer	\$2,240.00
Kalbar Progress Association	2023 Light Up Kalbar Festival	\$5,000.00
Kalbar School of Arts and Memorial Hall	Kalbar School of Arts Centennial Ball for the community	\$2,900.00

Name organisation	Project Title	Amount Recommended
Kerry Memorial Hall	Kerry Memorial Hall Renovations	\$5,000.00
Kooralbyn Mountain Bike Club	Purchase of equipment for maintenance	\$4,594.00
Moogerah Passion Play Association	Wireless microphones for stage performances	\$1,532.00
Peak Crossing Public Hall Association	Curtains and Fans	\$4,470.00
Probus Club of Beaudesert	Computer and Data Projector	\$1,808.00
Rathdowney Swimming Club	Lifeguard and First Aid Training	\$1,397.00
Roadvale Progress Association	Roadvale Spring Market and Father's Day Breakfast	\$1,306.36
Rotary Club of Beaudesert	Polish timber meeting room floor and provide training for volunteers	\$5,000.00
Rotary Satellite Club of Coomera River and Tamborine Mountain	Conduct Car Show	\$2,943.00
Starting Strong	Community Garden	\$1,270.00
Tamborine Mountain Chamber of Commerce	Tamborine Mountain Artisan Fayre	\$4,765.00
Tamborine Mountain Community Kindergarten	New Website	\$4,500.00
Tamborine Mountain Little Athletics	Community Playgroup at Tamborine Mountain State School	\$4,843.09
The Scout Association of Australia Queensland Branch Inc - Tamborine Mountain Scout Group	Power and shelving for Tamborine Mountain Scout Shed	\$4,800.00
	Total	\$90,264.86

2. Council provide relevant feedback and advice to the unsuccessful grant applicant to continue building the capacity of that organisation and the community sector.

Previous Council Considerations / Resolutions

At the Ordinary Meeting held on 11 October 2022, it was resolved that:

1. Council approve the allocations for Minor Grants in the amount of \$115,192.07 (34 projects) and for Major Grants in the amount of \$121,275.15 (7 projects) under the Community Grants Program 2022-2023 Round One for a total of \$236,467.22; and
2. Council note the increased budget allocation in 2022-2023 has allowed more projects to receive full funding which provides more certainty for community groups with project delivery and the ability to achieve the desired project outcomes; and
3. Council provide relevant feedback and advice to unsuccessful grant applicants to continue building capacity of the community sector in their quest for funding.

At the Ordinary Meeting held on 19 July 2022, it was resolved that:

4. Council note that the 2021-2022 Scenic Rim Community Grants Program - In-Kind contributions are provided to a broad range of community groups and organisations, representing a total of \$36,338.75 (54 requests),
5. Council note that In-Kind support was also provided to community groups and organisations in the form of photocopying, tent and marquee 'hire' and banner signage; and
6. Council acknowledge that the 2021-2022 Scenic Rim Community Grants Program - In-Kind contributions is essential in supporting community groups and organisations to develop and deliver programs that benefit the Scenic Rim community.

At the Ordinary Meeting held on 13 April 2022, it was resolved that:

- 1 Council approve the allocation of Minor Grants under the 2021-2022 Scenic Rim Community Grants Program Round Two for a total of \$61,699.14 (20 projects); and
2. Council provide relevant feedback and advice to unsuccessful grant applicants to continue building capacity of the community sector.

At the Ordinary Meeting held on 21 September 2021, it was resolved that:

1. Council approve the allocation of Minor and Major grants under the Community Grants Program 2021-2022 Round One for a total of \$176, 752.77 as follows:
 - Minor Community Grants - \$79,222.77 (23 projects)
 - Major Community Grants - \$97,530.00 (six projects)
2. Council provide relevant feedback and advice to unsuccessful grant applicants to continue building capacity of the community sector to apply for community grants.

At the Ordinary Meeting held on 27 April 2021, it was resolved that:

1. Council approve the allocation of Minor Grants under the 2020-2021 Scenic Rim Community Grants Program Round Two for a total of \$60,045 (18 projects); and
2. Council provide relevant feedback and advice to unsuccessful grant applicants to continue building capacity of the community sector.

At the Ordinary Meeting held on 26 October 2020, it was resolved that:

1. Council approve the allocation of Minor and Major grants under the Community Grants Program 2020-2021 Round 1 for a total of \$202,461.31 as follows:
 - Minor Community Grants - \$76,492.31 (26 projects)
 - Major Community Grants - \$125,969 (nine projects)
2. Council also resolved to approve retrospectively the allocation of two Minor Community Grants under the Community Grants Program 2020-2021 Round 1 for a total of \$4,034.00 (two projects), which have been awarded due to the imminent timing of events and activities.
3. Council acknowledge relevant feedback and advice will be provided to unsuccessful grant applicants to continue building capacity of the community sector.

At the Ordinary Meeting held on 11 May 2020, it was resolved that Council note the in-kind assistance provided to a broad range of community organisations, outside the Grant Round, to the value of \$20,507.79 and that Council approve the allocation of grants under the Community Grants Program 2019-2020 Round 2 for a total of \$81,029.67 (33 projects).

At the Ordinary Meeting held on 23 September 2019, it was resolved that Council approve the allocation of grants under the Community Grants Program 2019-2020 Round One for a total of \$93,735.00 (38 projects).

Report / Background

The aim of Council's Community Grants Program is to provide assistance to local not-for-profit community groups and organisations who make a positive contribution to the quality of life in the Scenic Rim. The program includes stream one for Minor Community Grants and stream two for Major Community Grants. The maximum amount of funding for Minor Grants is \$5,000 and the maximum amount of funding for Major Grants is \$20,000.

This report advises of applications for the 2022-2023 Minor Community Grants Program Round Two.

Applications were called from the community for Round Two Minor Grants on 1 February 2023 and closed on 28 February 2023. The grants program was promoted on Council's website and other online platforms, as well as targeted email reminders to Scenic Rim community groups.

Face-to-face and online grant information sessions were provided to assist with any grant related enquiries. Community groups can also contact Council Officers directly if they want a more detailed conversation about their respective projects. Based on feedback from community groups, the opportunity to discuss potential projects is valued and the quality of applications often improves following attendance at a workshop or having a detailed conversation with Council Officers.

A total of 27 Minor applications were received for Round Two, valued at \$92,566.71.

The following Minor Community Grant applications are recommended for approval totalling **\$90,264.86**:

Community Group	Project	Amount Requested	Decision	Amount Recommended
Aratula Community Sports Centre	Security Cameras	\$3,500.00	Full Funding	\$3,500.00
Beaudesert Community Kindergarten	Kindergarten Security	\$5,000.00	Full Funding	\$5,000.00
Beaudesert and District Community Meals on Wheels	Redevelop website	\$5,000.00	Full Funding	\$5,000.00
Beaudesert Genealogy	Internal Door in Westwood Cottage to protect documents	\$990.00	Full Funding	\$990.00
Boonah and District Cultural Foundation	Boonah Arts Festival	\$5,000.00	Full Funding	\$5,000.00
Fassifern Tennis Association	Paint Clubhouse and upgrade children's play area	\$1,806.41	Full Funding	\$1,806.41
Harrisville Neighbourhood Watch Rural Association	Production, printing and posting of quarterly newsletter for one year	\$2,900.00	Full Funding	\$2,900.00
Harrisville Women's Shed - Anglican Parish of Boonah-Harrisville	2023 Christmas Carols Evening	\$2,700.00	Full Funding	\$2,700.00
Hayes Oval	Blinds for Commentary Box	\$5,000.00	Full Funding	\$5,000.00
Historical Society of Beaudesert	Upgrade Computer	\$2,240.00	Full Funding	\$2,240.00

Community Group	Project	Amount Requested	Decision	Amount Recommended
Kalbar Progress Association	2023 Light Up Kalbar Festival	\$5,000.00	Full Funding	\$5,000.00
Kalbar School of Arts and Memorial Hall	Kalbar School of Arts Centennial Ball for the community	\$2,900.00	Full Funding	\$2,900.00
Kerry Memorial Hall	Kerry Memorial Hall Renovations	\$5,000.00	Full Funding	\$5,000.00
Kooralbyn Mountain Bike Club	Purchase of equipment for maintenance	\$4,594.00	Full Funding	\$4,594.00
Moogerah Passion Play Association	Wireless microphones for stage performances	\$1,532.00	Full Funding	\$1,532.00
Peak Crossing Public Hall Association	Curtains and Fans	\$4,470.00	Full Funding	\$4,470.00
Probus Club of Beaudesert	Computer and Data Projector	\$1,808.00	Full Funding	\$1,808.00
Rathdowney Swimming Club	Lifeguard and First Aid Training	\$1,397.00	Full Funding	\$1,397.00
Roadvale Progress Association	Roadvale Spring Market and Father's Day Breakfast	\$1,306.36	Full Funding	\$1,306.36
Rotary Club of Beaudesert	Polish timber meeting room floor and provide training for volunteers	\$5,000.00	Full Funding	\$5,000.00
Rotary Satellite Club of Coomera River and Tamborine Mountain	Conduct Car Show	\$3,443.00	Part Funding (Logistical costs ineligible)	\$2,943.00
Starting Strong	Community Garden	\$1,270.00	Full Funding	\$1,270.00
Tamborine Mountain Chamber of Commerce	Tamborine Mountain Artisan Fayre	\$4,765.00	Full Funding	\$4,765.00
Tamborine Mountain Community Kindergarten	New Website	\$4,500.00	Full Funding	\$4,500.00
Tamborine Mountain Little Athletics	Community Playgroup at Tamborine Mountain State School	\$4,843.09	Full Funding	\$4,843.09
The Scout Association of Australia Queensland Branch Inc - Tamborine Mountain Scout Group	Power and shelving for Tamborine Mountain Scout Shed	\$4,800.00	Full Funding	\$4,800.00
				\$90,264.86

A rigorous selection process was undertaken by Council's grant assessment panel and all submitted applications were scored against the same criteria. The applications with the highest rating from the Grant Panel have been recommended for funding. One application could not be funded on this occasion.

The following Minor Community Grant application was not successful and is **not recommended** for approval. Council Officers will provide relevant feedback and advice to the unsuccessful applicant, to continue building capacity of this community organisation.

Unsuccessful Minor Grants:

Community Group	Project	Amount Requested	Rationale
Scenic Rim Sportsdog Club	Equipment	\$1,801.85	Low assessment score. Project has limited capacity to deliver broader community benefit

Budget / Financial Implications

Council has allocated \$400,000 to the Scenic Rim Community Grants Program in 2022-2023.

Council allocated a total of \$236,467.22 (\$115,192.07 for Minors plus \$121,275.15 for Majors) for Round One, and this report recommends \$90,264.86 for Round Two, leaving a balance of \$73,267.92 in the Community Grants budget for In-Kind requests.

At the time of preparing this report, Council has received 65 In-Kind requests valued at \$38,478.24, leaving a balance of \$34,789.68 to facilitate any additional In-Kind requests for the remainder of this financial year.

By comparison, Council received 54 In-Kind requests in 2021-2022 totalling \$36,338.75.

A full update on Council's In-Kind allocations is presented as a separate report at the end of the financial year.

For noting, the increased budget allocation in 2022-2023 has allowed more projects to receive full funding which provides more certainty for community groups to achieve project deliverables.

Strategic Implications

Operational Plan

Theme: 7. Healthy, Engaged and Resourceful Communities

Key Area of Focus: Enduring social connectedness that drives positive community participation and contribution

Legal / Statutory Implications

Section 194 *Local Government Regulation 2012*, Grants to community organisations:

A local government may give a grant to a community organisation only:

- (a) *if the local government is satisfied*
 - (i) *the grant will be used for a purpose that is in the public interest; and*
 - (ii) *the community organisation meets the criteria stated in the local government's community grants policy; and*
- (b) *in a way that is consistent with the local government's community grants policy*

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
Reputation, Community & Civic Leadership Negative perception from unsuccessful applicants	2 Minor	Unlikely	Low	Community Grants Program has a robust framework including Grants Policy and Procedures, grant assessment process and formal reporting of final outcomes to Council	Low
Financial/Economic Misappropriation of grant funds	2 Minor	Unlikely	Low	Acquittal reports required for all grants and register maintained for all funded projects	Low
Infrastructure, Assets & Service Delivery Funding used to create or acquire assets where future maintenance is not adequate	3 Moderate	Unlikely	Medium	Community Works on Council Land Policy in place. Consultation with relevant Council Business Units to address any potential compliance or maintenance issues	Low

Consultation

The applications were administratively assessed by a Grant Panel of Council officers from the Customer, Community and Culture and the Biodiversity and Climate Change teams.

Face-to-face and online grant information sessions were provided to assist with any grant related enquiries from community organisations wishing to apply to the Scenic Rim Community Grants Program via the SmartyGrant portal.

Conclusion

Council recognises that supporting community organisations through financial assistance is essential in helping them develop and deliver programs, activities and projects that provide cultural, recreational and community development opportunities in the region.

The increased budget allocation in 2022-2023 for the Scenic Rim Community Grants Program has allowed more projects to receive full funding, which provides more certainty for community groups with project delivery and the ability to achieve the desired project outcomes.




The community projects funded under the 2022-2023 Scenic Rim Community Grants Program ultimately build resilient, adaptive and vibrant communities while contributing to the social wellbeing of local Scenic Rim residents. It is therefore recommended that Council approve the allocations for the Community Grants Program 2022-2023 Round Two - Minor Grants for a total of \$90,264.86 for 26 projects.

10.3 MCU22/088 Development Permit for a Material Change of Use involving Short-Term Accommodation and Function Facility at 84 Eagle Heights Road, Tamborine Mountain

Executive Officer: General Manager Customer and Regional Prosperity

Item Author: Principal Specialist Development Assessment and Engineering

Attachments:

1. Appendix A - Conditions of Approval [↓](#) 
2. Proposal Plans [↓](#) 
3. Statement of Landscape Intent [↓](#) 

Executive Summary

Council is in receipt of application for a Development Permit for a Material Change of Use involving Short-Term Accommodation and Function Facility at 84 Eagle Heights Road, Tamborine Mountain, formally described as Lot 2 on RP131356.

Pursuant to the Scenic Rim Planning Scheme 2020 (Planning Scheme), an Impact Assessable application is triggered as the proposal is seeking Function Facility in the Minor Tourism Zone. The Use is considered a 'Potentially Consistent' use with the Zone.

The application seeks to develop short-term accommodation for up to 12 rooms and 39m² of conference room space applied for as a Function facility.

The applicant has submitted a Planning Report, Architectural Plans, Landscape Plan, Traffic Impact Assessment, Site-based Stormwater Management Plan, and On-Site Wastewater Treatment Report in support of the application.

The proposed development has demonstrated compliance with the relevant assessment benchmarks of the Planning Scheme through the submitted material within the application. As such, it is recommended that Council approve the proposed development for short-term accommodation and function facility at 84 Eagle Heights Road, Tamborine Mountain, formally described as Lot 2 on RP131356, subject to reasonable and relevant conditions as outlined in Appendix A of this report.

Recommendation

That:

1. Council receive and note the report titled "MCU22/088 Development Permit for a Material Change of Use involving Short-Term Accommodation and Function Facility at 84 Eagle Heights Road, Tamborine Mountain";
2. Council approve development application MCU22/088, subject to the imposition of reasonable and relevant conditions in Appendix A; and
3. Council note that any subsequent requests for a negotiated decision notice and/or change applications to the approval (MCU22/088) will be processed via delegated authority where the changes would not significantly alter the original decision.

Previous Council Considerations / Resolutions

Not applicable.

Report / Background

Applicable Planning Scheme	Scenic Rim Planning Scheme 2020
Applicant	Dat Property Investments Pty Ltd ATF The Dat Trust
Owner(s)	Dat Property Investments Pty Ltd ATF The Dat Trust
Site Address	84 Eagle Heights Road Tamborine Mountain
Real Property Description	Lot 2 RP131356 Lot 21 SP159255
Site Area	2,392m ²
Relevant Zone and Precinct	Minor Tourism Zone
Proposal	Short-term accommodation and Function facility
Assessment Level	Impact ('potentially consistent')
Approval Type	Development Application for Material Change Of Use
Public Notification	15 days
Submissions Received	141 properly made (147 total)
Date Application Deemed Accepted	14 October 2022

Proposal

The proposed development comprises a short-term accommodation establishment containing 12 units being a mix of one and two bedroom suites. Car parking associated with the development is located at ground and basement level with vehicle access from Cook Road. A communal lounge area and small Function facility component comprising two meeting rooms is also located at Ground Level. The lounge and meeting rooms are intended purely for use by guests of the development.

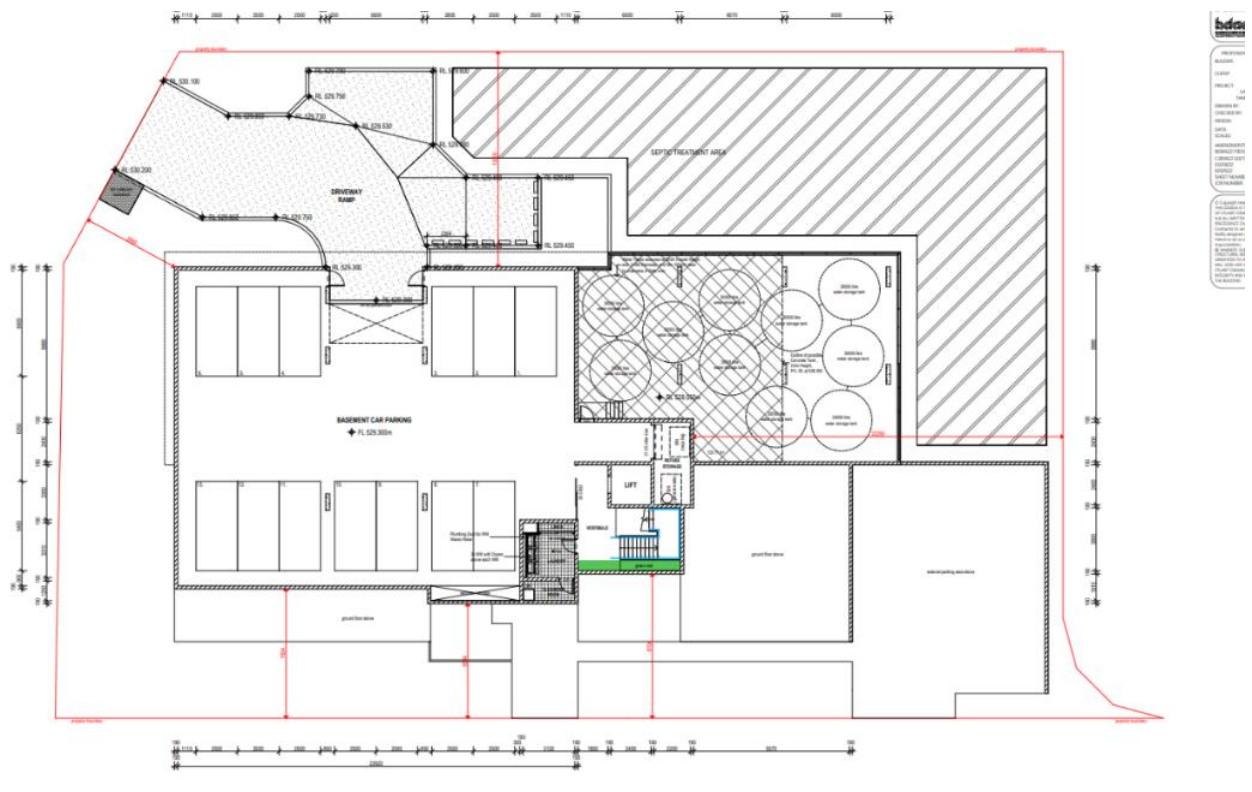


Figure 1: Ground Floor

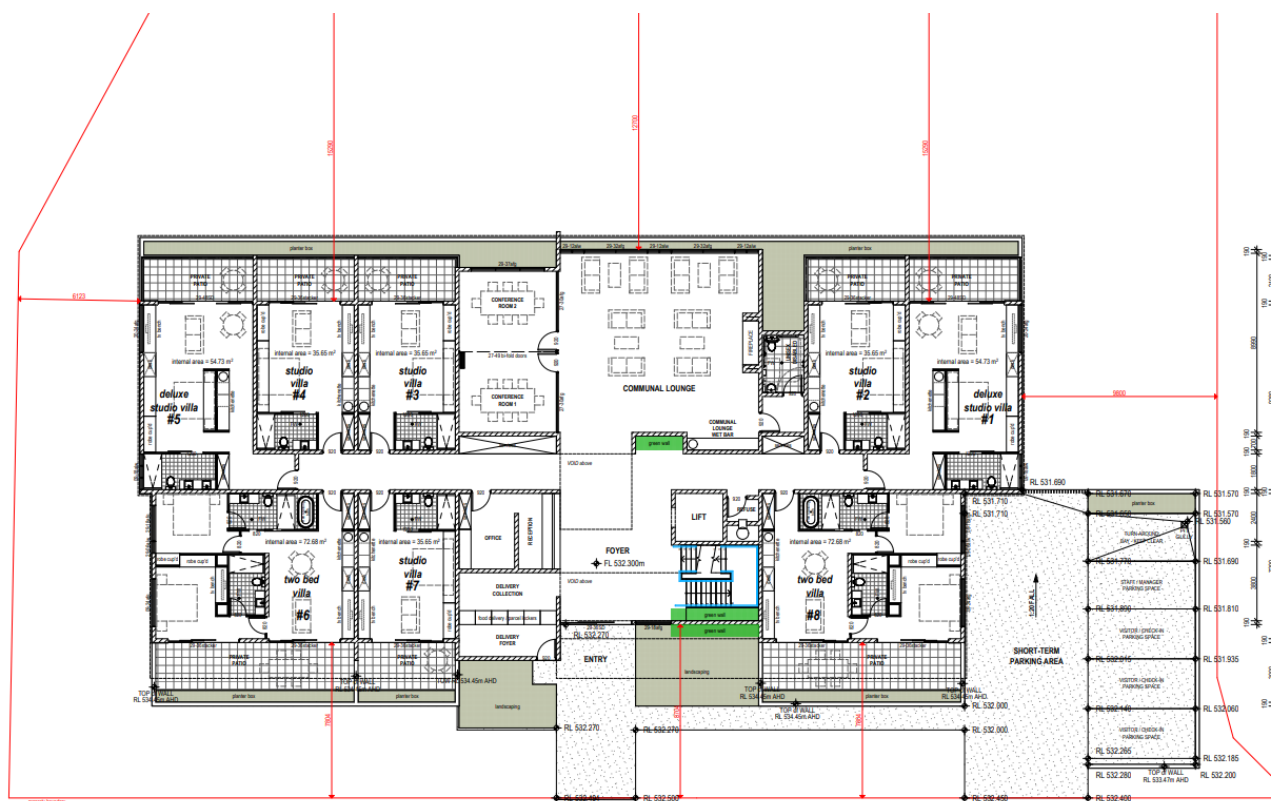


Figure 2: First Floor

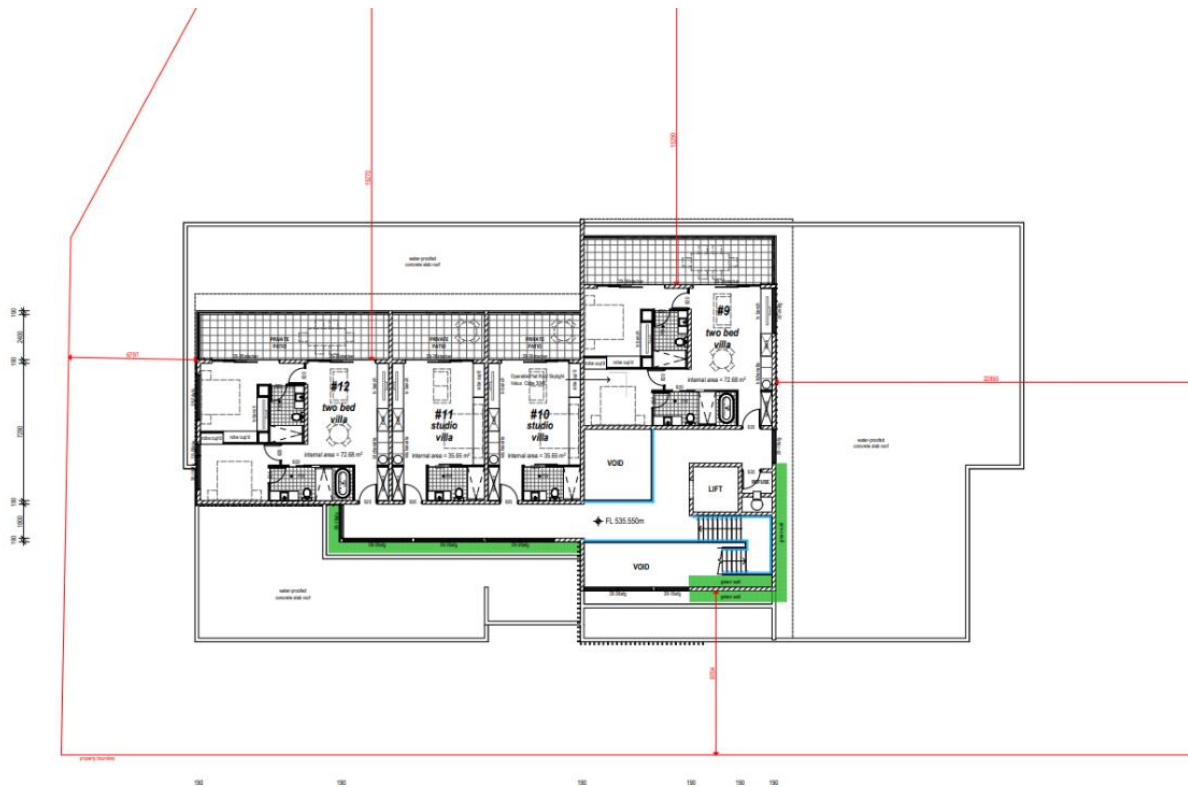


Figure 3: Second Floor

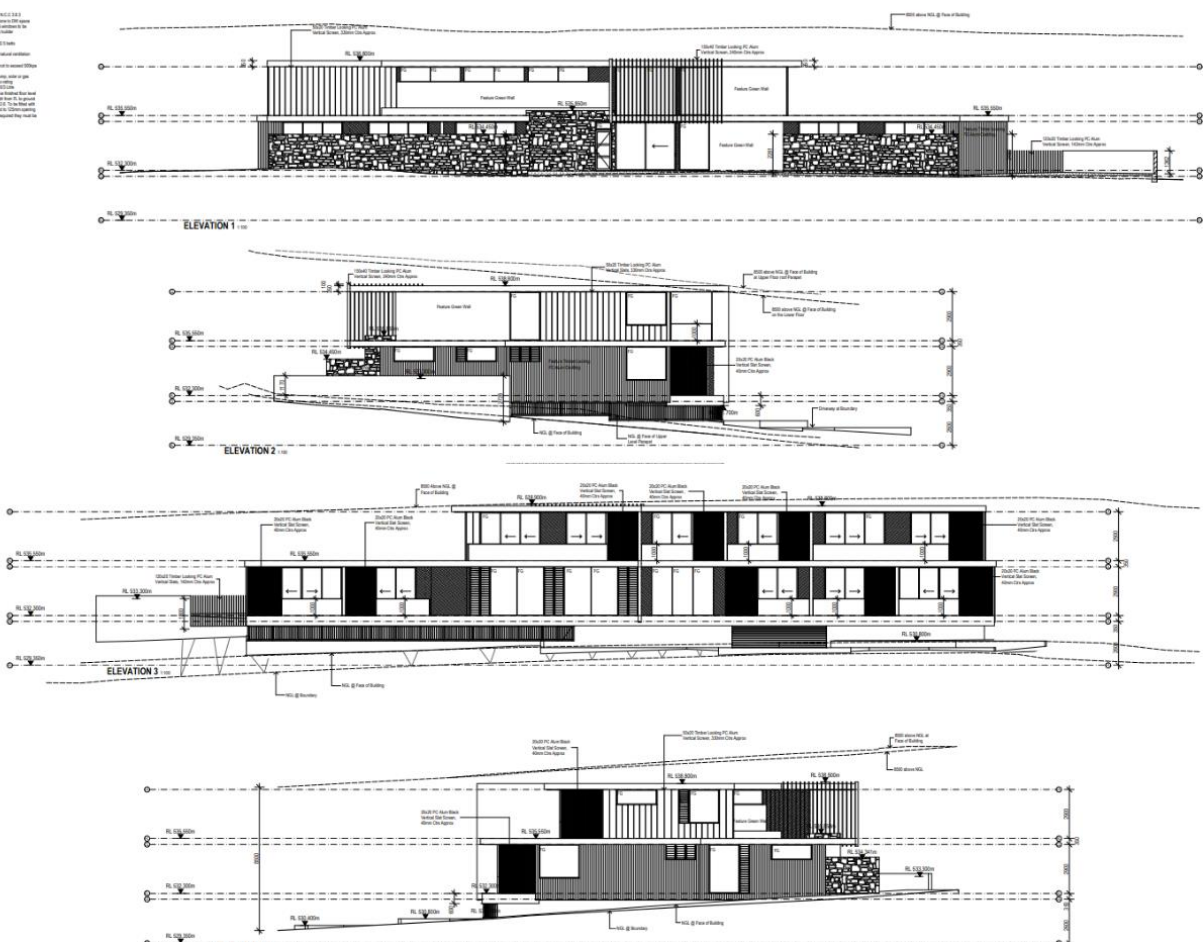


Figure 4: Elevations

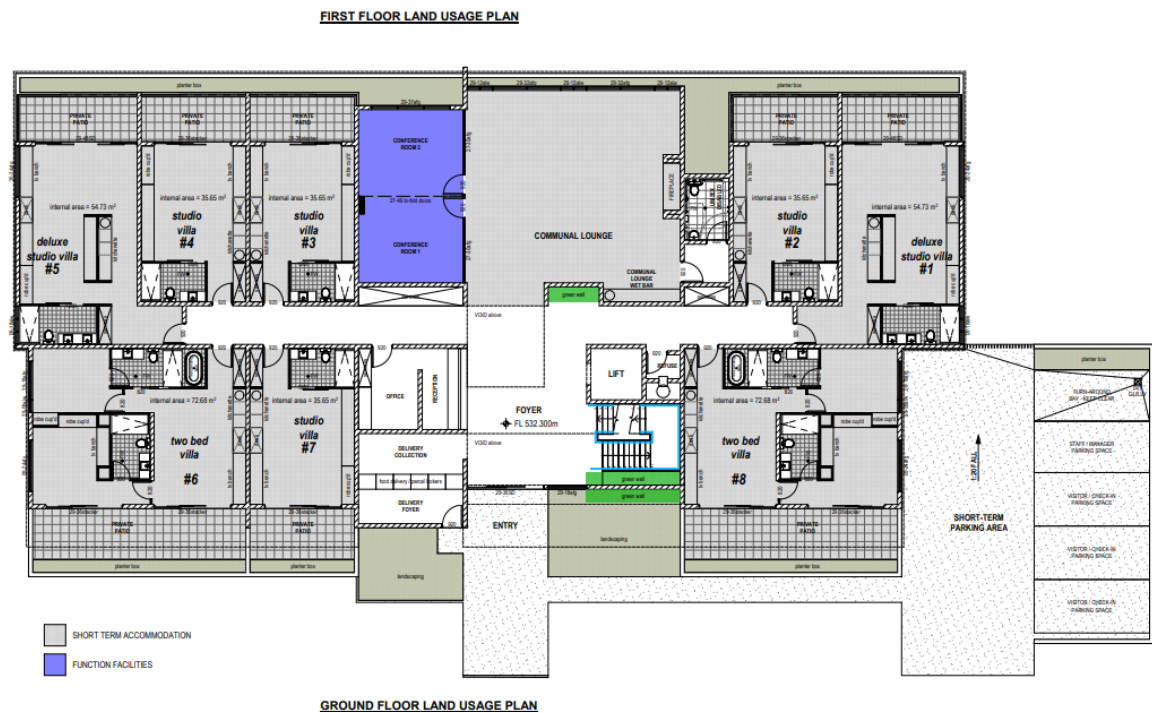


Figure 5: Proposed Total Use area of Function Facility (in purple)

Site Visit Evaluation

On 14 October 2022, a site inspection was undertaken of the subject site to ascertain the site conditions and surrounding locale. The site comprises a mix of primarily detached dwellings on larger allotments, and small-scale townhouse and dual occupancy developments scattered throughout the neighbourhood. The Tamborine Mountain National Park intersects parts of the neighbourhood, resulting in pockets and larger areas of rainforest fracturing the developed areas of the broader neighbourhood. Refer to Figure 6.



Figure 6: Proposed site

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*

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

PLANNING REGULATION 2017 DETAILS	
Assessment Benchmarks:	Nil
ShapingSEQ South East Queensland Regional Plan 2017 Designation:	Urban Footprint

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:	<i>Scenic Rim Planning Scheme 2020</i>
Zone:	Minor Tourism Zone
Consistent/Inconsistent Use:	'Potentially consistent'
Assessment Benchmarks:	<p>The Planning Scheme as a whole, more specifically:</p> <ul style="list-style-type: none"> • Strategic Framework • Minor Tourism Zone Code • Tourism Uses Code • Earthworks, Construction and Water Quality Code • General Development Provisions Code • Infrastructure Design Code • Landscaping Code • Parking and Access Code

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

It is noted that the development despite being impact assessment, is deemed to be a 'potentially consistent' use in the Minor tourism zone. The significance of the proposal being identified as 'potentially consistent' in the underlying zone means the proposal starts from a position of positive intent for this land use outcome.

Notwithstanding, whilst the Planning Scheme contemplates a short-term accommodation and function facility occurring in this zone, officers consider it necessary to highlight the relevance of the Strategic Framework supporting such use given the public submissions on the development.

Short-term accommodation under the Planning Scheme falls within a tourism activity. Tourism opportunities are envisaged under the planning scheme to occur within the Minor tourism zoned areas of Tamborine Mountain, as a tourist hub. This expectation is further expanded on under the following Strategic Outcome 3.5.2 - Tourism and Recreation (8):

"(8) The Minor Tourism Zone:

(a) facilitates a range of unique, small-scale tourist and visitor oriented activities, with a focus on:

(i) locally made or unique products;

(ii) accommodation;

(iii) appreciation of the natural environment; or

(iv) experiences and enjoyment for visitors;

...

(c) ensures land uses do not affect the amenity of adjacent residential areas;

(d) ensures urban design is diverse and attractive and provides landscaping and streetscaping consistent with the character of the local area;

...

(g) does not provide for Food and drink outlets involving a drive through facility;

(h) where located in Gallery Walk along Long Road, Tamborine Mountain, may support more intensive tourist activities where impacts to adjacent residential areas can be effectively mitigated;

(i) allows for the expansion of existing tourist uses which support the ongoing viability of these important regional assets where potential impacts are avoided or appropriately mitigated."

It is considered that the proposed development is consistent with the Strategic Framework in relation to the Minor Tourism Zone. Any potential impacts on the amenity of adjacent residential areas can be appropriately as further detailed in the assessment carried out against the assessment codes and relevant conditions.

The application has been assessed against each of the other themes of the Strategic framework and is found to be generally consistent with each matter.

Table 1: Strategic Framework

THEME	ELEMENT	COMMENTS
Regional Context – Tamborine Mountain		<p>COMPLIES</p> <p>The proposed development supports Tamborine Mountain's positioning as an area renowned for its national parks, creative communities and diverse local businesses catering for the local and tourist markets. This is achieved through the provision of short-term tourism accommodation at a scale that is reflective of that contemplated by the Planning Scheme and site context.</p>
Communities and Character	Settlement Pattern – Mountain Community	<p>COMPLIES</p> <p>The proposed short-term accommodation development supports the positioning of Tamborine Mountain as a key tourist area for the Scenic Rim and reflects the intended development pattern of the area. As outlined herein, the scale of the use is reflective of that envisaged to occur on the site by the Planning Scheme and the use is appropriately located within an established tourism precinct.</p>
	Housing Supply Built Form and Diversity – Housing Supply	<p>NOT APPLICABLE</p> <p>The subject site is for short-term accommodation only, not permanent housing. Nonetheless, the proposal provides a new accommodation option for visitors to the local area.</p>
	Housing Supply Built Form and Diversity – Built Form	<p>COMPLIES</p> <p>While this element primarily establishes a framework for new greenfield residential subdivisions, as outlined herein, the proposal has been designed to reflect the eclectic built form character of the locale and more specifically the tourism precinct in which the site is located and incorporates natural colours, tones, and materials to further reinforce the consistency with the established character.</p>
	Housing Supply Built Form and Diversity – Housing Diversity and Affordable Living	<p>NOT APPLICABLE</p> <p>The subject site is for short-term accommodation only.</p>
Growing Economy	Tourism and Recreation	<p>COMPLIES</p> <p>The proposed development supports the Planning Scheme's intent to grow the tourism industry in the locations identified in the Planning Scheme as being appropriate for such development. The zoning of the site in the Minor Tourism Zone supports this outcome. Additionally, as outlined herein, the scale of the proposed development is reflective of the established built form character within the surrounding locale and established tourism precinct.</p>

		The proposal also augments the current tourist accommodation offering within and surrounding the Gallery Walk tourist precinct, providing an accommodation type that is currently not available within the precinct.
Environment and Natural Hazards	Natural Environment and Regional Landscape Values	<p>COMPLIES</p> <p>The subject site is not mapped as containing any matters of environmental significance. It is acknowledged that the site is adjacent the Darlington Section of the Tamborine National Park with Eagle Heights Road separating the site and National Park. The proposal offers a highly landscaped interface between the street and national park and is not anticipated to result in any impacts on the national park. The design of the proposed development, including use of natural colours and materials, along with the scale of the development and location of the site also ensures that the proposal will not impact on the scenic amenity values of Tamborine Mountain.</p>
	Cultural Heritage	<p>COMPLIES</p> <p>The subject site is not mapped as being within an area of cultural heritage significance or as adjoining any heritage listed properties.</p>
	Natural Hazards, Risk and Resilience	<p>COMPLIES</p> <p>The subject site is not within an area mapped as being affected by natural hazards.</p>
	Emissions and Hazardous Activities	<p>COMPLIES</p> <p>The subject site is not mapped as being within an area of emissions or as adjoining any emissions and hazard activities. Further, the development, being primarily for short-term tourist accommodation, will not result in the creation of any emissions inconsistent with the established land use and built form character of the locale.</p>
Sustainable Infrastructure	Land Use and Infrastructure	<p>COMPLIES</p> <p>The subject site and Tamborine Mountain locality more broadly is not serviced by water and sewer networks. As such the proposed development has been designed to make provision for on-site sewer and water infrastructure.</p>

Planning Scheme Codes

The application has been assessed against each of the 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:

Compliance with the Minor Tourism Zone

Purpose and Overall Outcomes

The purpose of the Minor Tourism Zone is to provide for:

- a. *a variety of activities, facilities and places that:*
 - i. *are for or support tourism; and*
 - ii. *have less than 20 employees; and*
 - iii. *are in coastal, environmental, rural or urban areas; and*
- b. *permanent accommodation for employees, if required for the activities, facilities and places stated in paragraph (a) and appropriate for the area.*

Officer's comments: The proposed short-term accommodation and function facility development is seen to be generally compliant and consistent with the overall outcomes sought by the Minor Tourism Zone. Whilst the existing dwelling onsite will be removed to make way for a new, modern structure, officers recognise the structure is designed to address the corner of Cook Road and a State Controlled Road which faces a National Park.

The bulk and scale may appear 'heavier' due to the use of concrete, but the applicant has appointed a mixture of facade articulation, timber looking slats and landscaping to soften the overall appearance. The height of the structure technically reaches a height of three storeys due to a small section of the proposed basement car park sitting more than 1m above existing natural ground level. Despite the technical non-compliance with respect to the height in storeys, the proposal is 8.5m in overall height, and consistent with the intended building height of the Minor Tourism Zone.

The proposal complies with all the Minor Tourism Zone Code's Acceptable and Performance Outcomes, except as follows:

Minor Tourism Zone Code			
Performance outcomes	Acceptable Outcomes	Compliance with Acceptable Outcome	Compliance With Performance Outcomes
PO2 Development is of a low-rise character that does not affect the amenity and privacy of adjacent land.	AO2.1 Building height, excluding infrastructure activities, does not exceed 2 storeys and a maximum height of 8.5m.	No	Yes – refer below
PO1 Buildings are designed to: 1. address the street and public spaces; 2. provide opportunities for casual surveillance;	AO1.1 Development provides for the adaptive reuse of dwelling houses for tourism uses and supporting businesses.	No – AO1.1	Yes

Minor Tourism Zone Code			
Performance outcomes	Acceptable Outcomes	Compliance with Acceptable Outcome	Compliance With Performance Outcomes
3. use landscaping to visually soften the front setback area and create a landscaped setting; 4. incorporate attractive building facades; 5. where in Canungra, contribute to the traditional rural village character by incorporating design elements found in existing traditional buildings such as similar roof form, building materials, bulk and scale; 6. where in Tamborine Mountain, complement the existing built form and landscape setting of the surrounding area in terms of scale, roof form, building materials and colours.	AO1.2 Buildings are designed to address the street and public spaces. AO1.3 Windows and/or balconies are provided on all floors which overlook the street and public spaces to provide opportunities for casual surveillance. AO1.4 Building entrances are clearly visible and accessible from the street. AO1.5 Outdoor storage, utility, service and loading areas are not visible from public view. AO1.6 Aesthetic landscaping with a minimum width of 1m is provided along the front boundary.		

Officer's comments: as iterated above, the bulk and scale may appear 'heavier' due to the use of concrete, but the applicant has appointed a mixture of facade articulation, timber looking slats and landscaping to soften the overall appearance. The height of the structure technically reaches a height of three storeys due to a small section of the proposed basement car park sitting more than 1m above existing natural ground level. Despite the technical non-compliance with respect to the height in storeys, the proposal is 8.5m in overall height, and consistent with the intended building height of the Minor Tourism Zone. When viewed from the prevailing street frontage, the proposed short-term accommodation and function facility structure will present as a two-storey building.



Figure 7: Proposed 3D render of landscaping and building.

The proposed building will require the removal of the current dwelling on-site. The newer structure utilises a combination of building material, articulation, and landscaping to contribute to a high-quality visual and urban design outcome.

Compliance with the Tourism Uses 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.*

Officer's comments: The proposed short-term accommodation and function facility is designed to provide accommodation within the appropriate zone, whilst protecting environmental, landscape and scenic values and amenity. The siting along a State Controlled Road facilitates direct access for members of the travelling public to conveniently access the proposed development. The scale and intensity lends itself to being low impact with all of the activity wholly contained inside. It is not envisaged that the proposed use will impact nearby residential land uses. Council officers are of the view that the proposal is consistent with the outcomes sought by the Tourism Use's Code.

The proposal complies with all the Tourism Use Code's Acceptable and Performance Outcomes.

Compliance with the General Development Provisions Code

The proposal complies with all Acceptable and Performance Outcomes, except as follows:

General Development Provisions Code			
Performance outcomes	Acceptable Outcomes	Compliance with Acceptable Outcome	Compliance With Performance Outcomes
<p>PO15 Development involving a sensitive land use in close proximity to existing lawful land uses that generate noise, dust, odour and other emissions, are located and designed to not impede the operation of the existing lawful use.</p> <p>Editor's Note - Development design principles may include;</p> <ol style="list-style-type: none"> 1. locating open space and roadways to increase separation distances; 2. use of dense landscaping as a visual and particulate barrier; 3. reducing residential densities adjacent to impacting sites; 4. building design, including air conditioning; and 5. providing barriers to impacting sites. 	<p>AO15 No Acceptable Outcome is prescribed.</p>	No	Yes – refer below
<p>PO17 Where located outside a wastewater connection area, development is provided with sufficient on-site wastewater disposal, that is determined by a suitably qualified person, to meet the needs of residents and users.</p>	<p>AO17 No Acceptable Outcome is Prescribed</p>	No	Yes – refer below

Officer's comments: Council officers have reviewed the applicant's submission to PO15 which is an Acoustic Impact Assessment prepared by CRG Acoustics dated August 2022. Whilst officers can confirm the modelling defined within is generally consistent with the outcomes sought under the General Development Provisions Code, officers recognise that the report did not specify recommendations due to choices of plant equipment unresolved.

To mitigate this, officers have imposed a condition requesting an amended Acoustic Impact Assessment which details a list of Acoustic measures and recommendations prior to commencement of Building Works.

The applicant provided a Wastewater Assessment prepared by Countrywide Water dated August 2022. This is seen to generally comply with the General Development Provisions Code.

Compliance with the Landscaping Code

The proposal complies with all Acceptable and Performance Outcomes, except as follows:

Landscaping Code			
Performance outcomes	Acceptable Outcomes	Compliance with Acceptable Outcome	Compliance With Performance Outcomes
PO8 Buffer landscaping within the following zones is designed to minimise impacts on land in an adjoining residential zone having regard to visual amenity and privacy: 1. Community Facilities Zone; 2. District Centre Zone; 3. Local Centre Zone; 4. Major Centre Zone; and 5. Minor Tourism Zone.	AO8 On all common boundaries with land in a residential zone, development provides: 1. buffer landscaping with a minimum width of 2 metres designed and constructed in accordance with Planning Scheme Policy 2 - Landscape Design; or 2. a solid screen fence 1.8m high. Note: <i>In areas of MLES or MSES, fencing or buffer landscaping is designed to be wildlife-friendly.</i>	No	Yes – refer below

Officer's comments: Whilst the applicant has not elected to supply a buffer of 2m wide landscaping around the proposed development, the deep planting, softening of built form with green walling and cascading planting is seen to be sufficient in providing an effective buffer between the proposed uses and adjoining public realm and residential dwellings.

Compliance with the Parking and Access Code

The proposal complies with all Acceptable and Performance Outcomes, except as follows:

Parking and Access Code			
Performance outcomes	Acceptable Outcomes	Compliance with Acceptable Outcome	Compliance With Performance Outcomes
PO1 Development provides for sufficient vehicle and service vehicle parking on site to satisfy the expected demand for the number and type of vehicles likely to be generated by a use having regard to the particular circumstances of the premises including the: (1) nature, intensity and hours of operation of the use; and (2) the existing and expected future traffic conditions in the surrounding area.	AO1 Development provides the number of vehicle and service vehicle parking spaces on site identified in Table 9.4.5.3.3 - Car and Service Vehicle Parking. Note - Car parking for people with disabilities must be addressed in accordance with the provisions of the National Construction Code, Volume 1, Part D3.5 Accessible Carparking.	No	Yes – refer below

Applicant's response:

"The proposal provides a total of 17 parking spaces and is therefore marginally short of the above Acceptable Outcome. This is considered to be satisfactory given that the function facility is intended to be used by guests staying at the site.

Access is proposed to be gained via two vehicle crossovers, one on the Cook Road frontage and one on the Eagle Heights Road frontage. The proposed driveway off Eagle Heights Road will only provide access to four car parking spaces and is intended for occasional movements only such as guest check in. Guests will be advised to otherwise park in the basement during their stay".

Officer's comments: A review of Table 9.4.5.3.3 - Car and Service Vehicle Parking displays the following parking supply information.

<u>Land Use</u>	<u>General Supply</u>	<u>Loading Vehicles</u>
Short-term accommodation	1 space per unit; and 1 space per resident manager; and 1 space per employee	1 SRV space.
Function facility	1 space per 10m ² of TUA	1 SRV space.

The proposed short-term accommodation consists of eight x one-bed suites and four x two-bed suites, totalling in 12 suites. One space for a resident manager and two employees, for a total of 15 spaces. The function facility has a demand of four spaces, but currently provides two. Ordinarily, Council would seek the additional two, however, the function facility is not set up in a manner which allows independent use (ie. no commercial kitchen). The uses, whilst applied separately, present as a single offering. Hence, Council officers see fit to condition the car parking as tied, so as only paying guests of the suites can utilise the function facility. This will ensure that the scale of the function facilities does not exceed that which was anticipated (conference settings). Therefore, Council officers are of the view that the proposal generally complies with the Parking and Access Code.

In submission of support for a Development Application for Material Change of Use, Short-Term Accommodation and Function Facility.

Associated Reports
Statement of Landscape Intent prepared by Zone Planning Group dated August 2022.
Stormwater Management Plan prepared by DNBS Consulting Engineers dated July 2022.
Traffic Impact Statement prepared by Rytenschild Traffic Engineering dated July 2022.
Wastewater Assessment prepared by Countrywide Water dated August 2022.

The application is seen to generally comply with Strategic Framework, Minor Tourism Zone Code, Tourism Uses Code, Earthworks, Construction and Water Quality Code, General Development Provisions Code, Infrastructure Design Code, Landscaping Code, and Parking and Access Code.

Public Notification

The application was publicly notified for 15 days in accordance with the requirements of the *Planning Act 2016*. The applicant undertook public notification between the dates of 25 November to 16 December 2022 in compliance with the requirements of section 17 and Schedule 3 of the Development Assessment Rules.

The following public notification actions were undertaken:

- Published a notice in the Scenic News on 24 November 2022
- Placed one notice on the premises in the way prescribed under the Development Assessment Rules on 24 November 2022. The signs were removed on 17 December 2022; and
- Notified the owners of all lots adjoining the premises the subject of the application on 22 November 2022.

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.

Table 1: Public Submissions

	Properly made	Not properly made
In support	-	-
In objection	143	4
Neutral	-	-
Submitters likely to be directly affected (adjoining or in proximity to premises)	44	1

Forty-five 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:

Issue Raised	Officer comments:
Overdevelopment of the site	The site coverage envisaged under the Minor Tourism Zone allows for 50%. The proposed development utilises 39.5% of the site.
Inconsistent with other development within the Minor Tourism Zone	Whilst Council officers recognise that the proposed development be viewed as different or inconsistent with existing structures found within the Minor Tourism Zone, it can be acknowledged that the proposed structure contributes to the intent of the zoning using a mixture of facade articulation, timber looking slates and landscaping to soften the overall appearance.
Septic Absorption does not achieve necessary setbacks from boundaries	The Wastewater Assessment prepared by Countrywide Water dated August 2022 demonstrates that the site can cater for the waste loading by the proposed development within the curtilage of the site and will not impact adjoining properties.
Perceived height is too tall	The height of the structure technically reaches a height of three storeys due to a small section of the proposed basement car park sitting more than 1m above existing natural ground level. Despite the technical non-compliance with respect to the height in storeys, the proposal is 8.5m in overall height, and consistent with the intended building height of the Minor Tourism Zone.
Bulk and scale too large	Officers acknowledge that the use of concrete may provide an appearance that is visually denser or bulkier than surrounding structures, the proposed development provides appropriate setbacks, building articulation, mixture of building materials and landscaping to soften use of concrete.
Too many Airbnb's and accommodation providers on the Mountain	Not considered a relevant matter. Short-term accommodation developments are Code Assessable in the Minor Tourism Zone, and therefore envisaged by the Planning Scheme in the zoning.
No 'need' for the proposed development	Short-term accommodation developments are Code Assessable in the Minor Tourism Zone, and therefore envisaged by the Planning Scheme in the zoning. The Function Facility component contributes to a very small portion of the internal structure and caters for conference groups. As a 'potentially consistent' use, demonstration of planning need is not considered relevant in the context of this application.

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

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
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

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

The application was referred to the following Referral Agencies in accordance with the *Planning Act 2016* and the *Planning Regulation 2017*.

The Department is a referral agency for development within 25m of a state-controlled road corridor. The Department responded by letter dated 21 November 2022 stating that the proposed crossover and traffic impact assessment is approved.

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*.

Internal referrals

The application was internally referred to relevant departments of Council for consideration. Each relevant area has reviewed the application material and provided conditions which will part of the recommended conditions of approval.

Conclusion

The proposed development generally complies with the requirements of the Scenic Rim Planning Scheme 2020 and does not raise any significant issues that cannot be addressed by reasonable and relevant conditions. Therefore it is recommended that Council approve development application MCU22/088, subject to the imposition of reasonable and relevant conditions in Appendix A.

APPENDIX A - CONDITIONS OF APPROVAL

Real Property Description:	Lot 2 RP 131356 Lot 21 SP 159255
Address of property:	84 Eagle Heights Road TAMBORINE MOUNTAIN
Site area:	2,392m ²
Proposal:	Development Application for Material Change of Use (Short-term Accommodation & Function Facility)

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 (Short-Term Accommodation and Function Facility), subject to the following conditions:

No.	Condition	Timing																																				
1.	<p>PLANS & DOCUMENTS</p> <p>Undertake development generally in accordance with the following plan(s) and/or document(s); except as altered by other conditions of this development approval including any amendments wherever made in red on the approved plan(s):</p> <table><tr><th>Plan Name</th><th>Drawing No.</th><th>Prepared By</th><th>Plan/ Revision Date</th></tr><tr><td>Site Plan - Basement</td><td>4</td><td>Stuart Osman</td><td>Feb 2022 Rev 2</td></tr><tr><td>Basement Floor Plan</td><td>5</td><td>Stuart Osman</td><td>Feb 2022 Rev 2</td></tr><tr><td>Ground Floor Plan</td><td>6</td><td>Stuart Osman</td><td>Feb 2022 Rev 2</td></tr><tr><td>First Floor Plan</td><td>7</td><td>Stuart Osman</td><td>Feb 2022 Rev 2</td></tr><tr><td>Elevations</td><td>9</td><td>Stuart Osman</td><td>Feb 2022 Rev 2</td></tr><tr><td>First and Ground Floor Usage Plan</td><td>10</td><td>Stuart Osman</td><td>Feb 2022 Rev 2</td></tr><tr><td>3D Perspective</td><td>11-13</td><td>Stuart Osman</td><td>Feb 2022 Rev 2</td></tr><tr><td>External Finishes Palette</td><td>14</td><td>Stuart Osman</td><td>Feb 2022 Rev 2</td></tr></table>	Plan Name	Drawing No.	Prepared By	Plan/ Revision Date	Site Plan - Basement	4	Stuart Osman	Feb 2022 Rev 2	Basement Floor Plan	5	Stuart Osman	Feb 2022 Rev 2	Ground Floor Plan	6	Stuart Osman	Feb 2022 Rev 2	First Floor Plan	7	Stuart Osman	Feb 2022 Rev 2	Elevations	9	Stuart Osman	Feb 2022 Rev 2	First and Ground Floor Usage Plan	10	Stuart Osman	Feb 2022 Rev 2	3D Perspective	11-13	Stuart Osman	Feb 2022 Rev 2	External Finishes Palette	14	Stuart Osman	Feb 2022 Rev 2	At all times.
Plan Name	Drawing No.	Prepared By	Plan/ Revision Date																																			
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1a.	<p>PLANS & DOCUMENTS FOR ENDORSEMENT</p> <p>The applicant must submit to Council, for endorsement, an amended Acoustic Impact Assessment.</p> <p>The Acoustic Impact Assessment must provide a list of Acoustic measures and recommendations for the review and endorsement of Council.</p>	Prior to commencement of building works.
2.	<p>DEFINITION COMPLIANCE AND EXCLUSION</p> <p>The approved use and associated ancillary activities must at all times comply with the definition of <i>Short-term accommodation</i> and <i>Function facility</i> as identified under Schedule 1 – Dictionary, Part 1: Defined Uses of the <i>Scenic Rim Planning Scheme 2020</i>.</p>	At all times.
2a.	<p>LIMITATION OF USE (FUNCTION FACILITY)</p> <p>The approved use is limited to providing small-scale functions which are directly related to the conference rooms.</p> <p>The Function facility is limited to use by bona-fide guests staying as part of the Short-term accommodation only.</p> <p><i>Note:</i> This approval does not permit Wedding events (receptions or ceremonies).</p>	At all times.
3.	<p>SITE MANAGEMENT</p> <p>The site shall be maintained in a clean and orderly state.</p>	At all times.
4.	<p>SELF-ASSESSMENT OF CONDITIONS</p> <p>The Applicant must submit in writing to Council, a minimum of 2 weeks before the use is to commence, a complete self-assessment of the status of all the conditions of approval for review.</p>	Two (2) weeks prior to the commencement of use.
5.	<p>DURATION OF ACCOMMODATION</p> <p>Accommodation must only be supplied to guests on a temporary basis with the maximum during not exceeding 40 consecutive nights.</p>	At all times.
6.	<p>ADEQUATE WATER SUPPLY</p> <p>The development is to make provision for the establishment of an adequate water supply system capable of servicing the development. Details on the proposed method of providing an adequate water supply are to be submitted as part of a Development Application for Plumbing and Drainage Works</p>	Prior to the commencement of use.

7.	ADVERSE DRAINAGE IMPACT - GENERAL 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.
8.	STORMWATER DISCHARGE AND DISPOSAL The development must make provision for the discharge of stormwater drainage flows to a legal point of discharge. The Developer shall provide all necessary stormwater drainage; such drainage works shall be designed and constructed in accordance with the <i>Queensland Urban Drainage Manual</i> (QUDM).	At all times.
9.	EROSION CONTROL The development must implement erosion control measures designed to minimise soil movement and to minimise silt loads entering drainage lines and watercourses as a result of the development works / building works.	At all times.
10.	CAR PARKING NUMBERS The development must provide a total of seventeen (17) car parks including one (1) Persons with Disabilities space (PWD), Plus one (1) Small Rigid Vehicle space (SRV). The requirements of this condition are to be adhered to for the lifetime of the approved use. <i>Note: An application for operational works for a car park is not required.</i>	The car parking spaces must be available prior to the commencement of the use.
11.	CAR PARKING AND ACCESS DRIVEWAY - FLEXIBLE PAVEMENT WITH AC SEAL 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 the approved use.
12.	PAVEMENT DESIGN All pavements will be designed and constructed as either a rigid pavement (reinforced concrete pavement) or alternatively as a flexible pavement with provision for a 40mm asphaltic concrete (AC) seal.	Prior to the commencement of use.

13.	CAR PARKING ON-SITE 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.									
14.	VEHICLE LOADING / UNLOADING 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.	At all times.									
15.	VEHICLE MOVEMENTS All vehicle movements to and from the site, are to be conducted in forward gear.	At all times.									
16.	EARTHWORKS OPERATIONS All earthworks associated with the car-parking and access driveway(s) will be undertaken in accordance with Council's Planning Scheme Policy 1 - Infrastructure Design.	At all times.									
17.	ELECTRICITY 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.	The works required by this condition are to be completed prior to the commencement of the use.									
18.	NOISE DISTURBANCE The activity must be carried out by such practicable means necessary to prevent or minimise the emission of noise likely to cause environmental nuisance at any noise sensitive or commercial place.	At all times.									
19.	NOISE EMISSIONS LIMITS The activity must not exceed the levels prescribed by Table 1 (below). Table 1 <table border="1"> <thead> <tr> <th>Time Period</th><th>At dwelling or other sensitive land use</th><th>At commercial premises</th></tr> </thead> <tbody> <tr> <td>Daytime (7:00am-10:00pm)</td><td>Background +5dB(A)</td><td>Background +10dB(A)</td></tr> <tr> <td>Night time (10:00pm-7:00am)</td><td>Background +3dB(A) Background=LA90</td><td>Background +8dB(A) Background=LA90</td></tr> </tbody> </table>	Time Period	At dwelling or other sensitive 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=LA90	Background +8dB(A) Background=LA90	Prior to the commencement of the use and thereafter at all times.
Time Period	At dwelling or other sensitive 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=LA90	Background +8dB(A) Background=LA90									

	<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>	
20.	<p>HOURS OF OPERATION</p> <p>The Function facility is restricted to operate between the hours of 7:00am - 10:00pm.</p>	At all times.
21.	<p>LIGHT EMISSIONS</p> <p>Light sources at the premises must be positioned and shielded to prevent 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.
22.	<p>CAR-PARK LIGHTING & SECURITY GENERAL</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>	Prior to commencement of use and at all times thereafter.
23.	<p>AIR CONTAMINANTS</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>	Prior to the commencement of the use and thereafter at all times

24.	WASTE CONTAINER AREA Development provides: a) a dedicated area for refuse storage that is screened or otherwise located to avoid visual impacts on streetscapes, public spaces and adjoining properties; and b) Incorporate a means of locking the waste receptacles so as to discourage scavenging by wild life (i.e. possums); and c) an elevated stand for holding all waste containers at the premises; or d) an imperviously paved and drained area, upon which can be stood all waste containers at the premises; and e) a hose cock and hose in the vicinity of the stand or paved area.	Prior to the commencement of the use and thereafter at all times
25.	WASTE REMOVAL 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.	As indicated in the wording of the condition.
26.	RELEASES TO WATER Releases to water must not cause any visible oil slick or other visible evidence of oil or grease, nor contain visible, grease, scum, litter, or floating oil.	At all times.
27.	STORMWATER DISCHARGE AND DISPOSAL The applicant is to make provision for the discharge of stormwater drainage flows to a legal point of discharge. The applicant must provide all necessary stormwater drainage.	At all times.
28.	STORMWATER MANAGEMENT PLAN The applicant must adhere to all recommendations (found within the conclusion section 7.0) of the Stormwater Management Plan prepared by DNBS Consulting Engineers dated July 2022.	Prior to the commencement of the use and thereafter at all times
29.	LANDSCAPING The landowner must install and maintain in good condition for the lifetime of the use, landscaping generally in accordance with the Statement of Landscape Intent prepared by Zone Planning Group dated august 2022.	Prior to commencement of Use.
30.	AMENITY - SCREENING Install and maintain suitable screening to all air conditioning and plant and service facilities located on the top or external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the façade of the building.	At all times.

31	AMENITY – BUILDING WORKS 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.	At all times.
32.	CONSTRUCTION ACTIVITY & NOISE Construction activity and noise must be limited during earthworks and construction of the approved development to the hours of 06:30 to 18:30 Monday to Saturday, with no work to occur on Sundays or public holidays.	At all times.
33.	CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN The applicant must submit a Construction and Environmental Management Plan (CEMP) to Council for review and approval. The CEMP must be prepared by a suitably qualified professional and adequately demonstrate how the development will: a) How traffic and parking generated during construction activities and works will be managed to minimise impacts on the surrounding amenity; b) Implement best practice waste management strategies during the construction phase; and c) Mitigate potential adverse impacts associated with dust, noise and lighting emissions, sediment and stormwater run-off on ALC Class A and B land, flora and fauna management, pest and weed management and cultural heritage.	Prior to commencement of construction.
34.	COMMENCEMENT OF CONSTRUCTION WORKS Work must NOT commence on the construction of any works described within until: a) A pre-start meeting has been completed and approval to commence the works has been issued. b) The Principal Contractor has accepted the contract in writing and has been appointed as such within the provisions of the <i>Workplace Health and Safety Act 2011</i> . c) Acceptance of Principal Contractor by Council as advised prior to the pre-start meeting. d) A copy of the Principal Contractor's Work Cover and Public Liability insurance are submitted to Council.	Prior to commencement of works

35.	RESPONSIBILITY OF WORKS This Approval is based on the information, reports, plans and other information supplied for assessment by the Applicant and/or their Consultants or authorised representatives: a) Works must be undertaken generally in compliance with the submitted and accepted reports and other supporting documents as listed in Condition 1 of this approval. b) If, after approval is issued, errors, omissions, or insufficient details are noted on the construction plans, such deficiencies are to be made good during construction and Council reserves the right to withhold acceptance of construction until such remedies are complete. c) It does not extinguish or diminish the responsibility of the Applicant and/or RPEQ Engineer in regard to be wholly responsible for the designs, plans, reports or specifications in complying with any legal, government or Council requirements, or any omissions in this regard.	Prior to commencement of works
36.	DAMAGE TO SERVICES Any damage to other services is to be made good by the Applicant at the Applicant's expense, as soon as practically possible.	As indicated in the condition
37.	ENGINEERING DOCUMENT PACKAGE - CARPARK All completed forms, certifications and As Constructed engineering drawings are to be submitted to Council as a complete package prior to completion of the works.	Prior to the commencement of use
38.	RPEQ CERTIFICATION Certification shall be submitted to Council by the supervising RPEQ certifying that the works have been constructed in accordance with Council's Planning Scheme Policies and in compliance with the approved plans and specifications. Council's "Consulting engineer's certificate and as-constructed certification" form must be duly completed. The RPEQ must undertake the necessary inspections of all constructed assets to make this certification. a) As constructed drawings must be submitted to Council and approved, a minimum of two (2) weeks prior to Practical Completion inspection. As Constructed information is to be submitted as one set of A3 drawings and/or in electronic PDF format on GDA 94 coordinates. b) An Audit Checklist demonstrating compliance with the conditions of the Development Approval (conditions 4-8), is to be included in the submission, prior to Practical Completion.	Prior to requesting Practical Completion of the works

	c) A Practical Completion meeting must be on-site between the Principal Contractor, RPEQ Engineer and Council.	
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3. Referral Agency Conditions

Refer to Letter dated 21 November 2022 served by Department of Transport and Main Roads.

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) **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*.
- c) **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).
- d) **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.
- e) **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.
- f) **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.

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. Should the existing houses be retained on site and decommissioned, a change of classification will be required.
- b.** A Plumbing and Drainage approval is required for all / any plumbing and drainage works associated with the proposed development, prior to undertaking any plumbing and drainage works on the subject property.
- c.** An application for Property Access Location Approval for lots accessing a Council controlled road is to be lodged for approval of any existing and/or any proposed accesses.
- d.** A Property Access Permit and Road Corridor Use Permit Applications are to be lodged with Council prior to undertake any access/road construction works.



Designed by us,
inspired by you.

PROPOSED DEVELOPMENT
PROJECT CLIENT
MS. W. Le NOBLE
NUMBER 84-86
EAGLE HEIGHTS ROAD, TAMBORINE MOUNTAIN
JOB NUMBER
8971



STUARTOSMAN.COM.AU FACEBOOK INSTAGRAM LINKEDIN



PROPOSED DEVELOPMENT

PROJECT CLIENT
MS. W. Le NOBLE

NUMBER 84-86 JOB NUMBER
EAGLE HEIGHTS ROAD, TAMBORINE MOUNTAIN 8971

IMAGES ARE DIAGRAMMATIC ONLY - REFER TO ELEVATIONS FOR DETAILS

JOB NUMBER - 8971

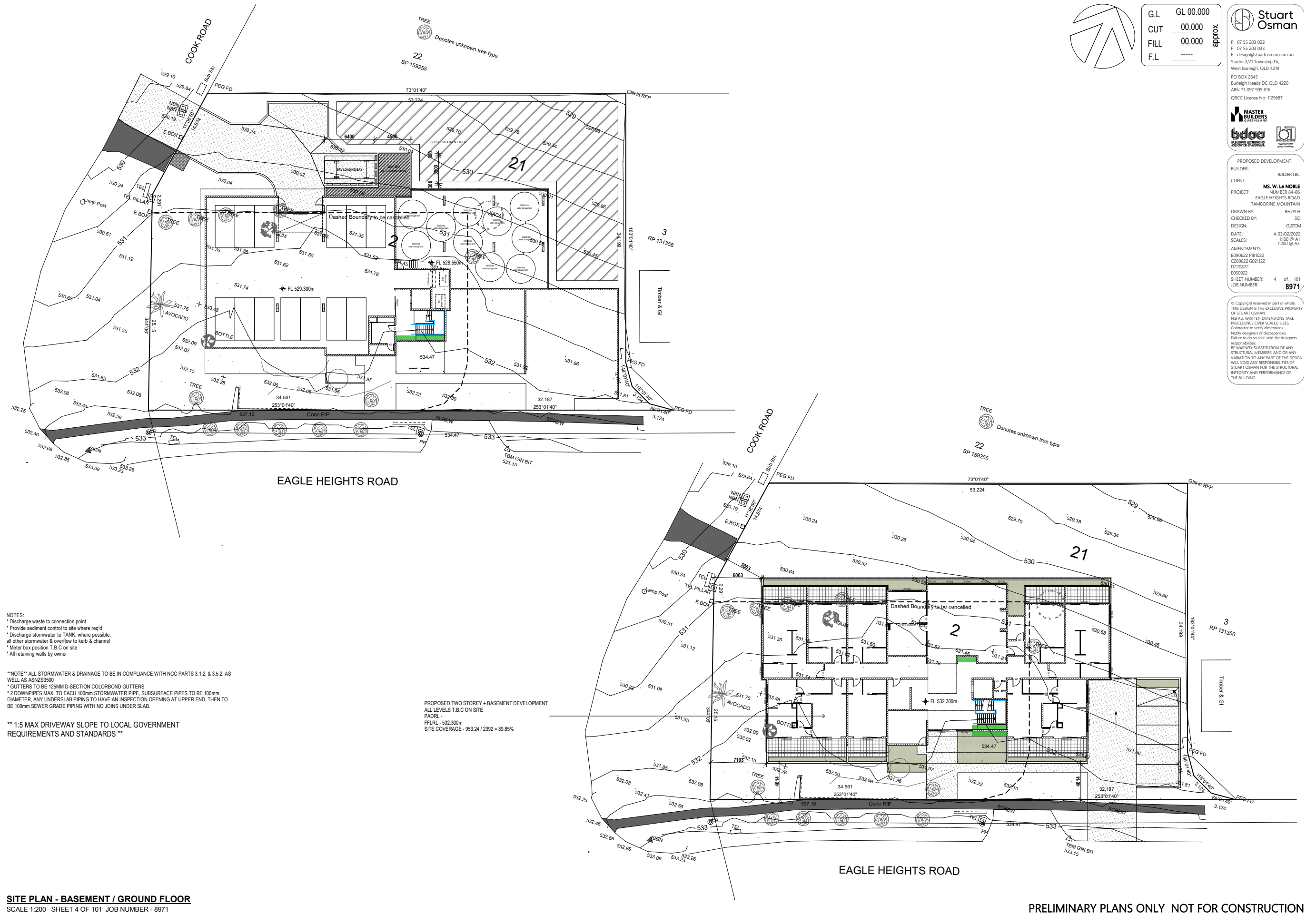
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JOB NUMBER - 8971

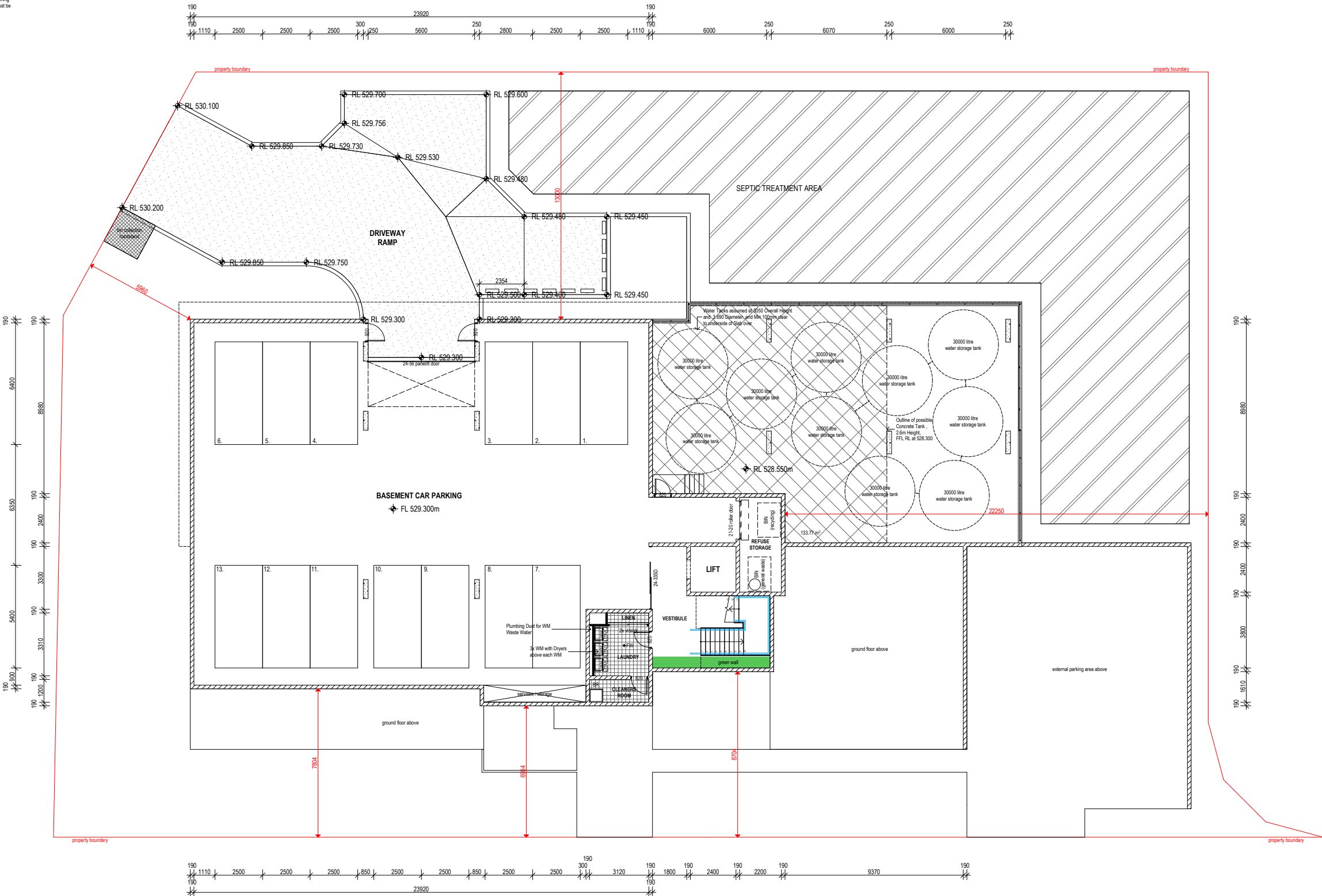
REPORT STATUS	DATE
WORKPLACE HEALTH & SAFETY REPORT COMPLETED - DISCUSSED WITH & PROVIDED TO CLIENT ALONG WITH WORKING DRAWINGS	03/02/2022

The owner is responsible for the selection of surface finishes in the pedestrian trafficable areas of this building. Surfaces should be selected in accordance with AS HB 197:1999 and AS/NZ 4586:2004.

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NOTES:
1. Let off hinges to WC door, as per N.C.C 3.8.3
2. Provide GPO & cold water provisions to DW space
3. ALL External and Internal doors & windows to be measured on site and confirmed to builder
4. Sinking to external walls
5. Insulation to ceiling (living only) R2.5 batts
6. All windows & SGD to be fitted
7. Mechanically vent rooms without natural ventilation
8. All shower roses to be AAA rated
9. Maximum water supply pressure not to exceed 500kpa at any outlet
10. Hot water system shall be heat pump, solar or gas
11. Water supply outlets to have WEIs rating
12. Toilet cisterns to have dual flush, 6/3 litre
13. All handrails to be 1000mm above finished floor level
14. Bedroom windows w. 2m fall height from FL to ground below must comply with N.C.C 3.8.2.6. To be fitted with non-removable screens or restricted to 125mm opening
15. If more than one smoke alarm is required they must be interconnected as per N.C.C 3.7.5



Stuart Osman

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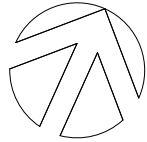
PROPOSED DEVELOPMENT
BUILDER: BUILDER TBC
CLIENT: **MS. W. Le NOBLE**
PROJECT: NUMBER 84-85
EAGLE HEIGHTS ROAD
TAMBORINE MOUNTAIN
DRAWN BY: RH/PLH
CHECKED BY: SO
DESIGN: CUSTOM
DATE: A 03/02/2022
SCALE: 1:100 @ A1
1:200 @ A3
AMENDMENTS:
B090622 F181022
C280622 G021122
D220822
E050922
SHEET NUMBER: 5 of 101
JOB NUMBER: **8971**

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3
4 2
1
ELEVATIONS
BASEMENT FLOOR PLAN
SCALE 1:100

PRELIMINARY PLANS ONLY NOT FOR CONSTRUCTION

- NOTES:
 - * Lift off hinges to WC door, as per N.C.C 3.8.3
 - * Provide GPO and cold water provisions to DW space
 - * All External and internal doors & windows to be measured on site and confirmed by builder
 - * Sarking to external walls
 - * Insulation to ceiling (living only) R2.5 batts
 - * All windows & SOD to be fitted
 - * Mechanically vent rooms without natural ventilation
 - * All showers to be ADA
 - * Maximum water supply pressure not to exceed 500kpa at any outlet
 - * Hot water system shall be heat pump, solar or gas
 - * Water supply outlets to have WELS ratings
 - * Toilet cisterns to have dual flush. 6/3 litre
 - * All handrails to be 1000mm above finished floor level
 - * Bedroom windows = 2m fall height from FL to ground below must comply with N.C.C 3.9.2.6. To be opened from non-removable screens or restricted to 125mm opening
 - * If more than one smoke alarm is required they must be interconnected as per N.C.C 3.7.5



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PROPOSED DEVELOPMENT

BUILDER: BUILDBERTBC

CLIENT:

PROJECT: **MS. W. Le NOBLE**
NUMBER 64-85
EAGLE HEIGHTS ROAD
TAMBORINE MOUNTAIN

DRAWN BY: RH/PLH

CHECKED BY: SO

DESIGN: CLSTOM

DATE: A 03/02/2022

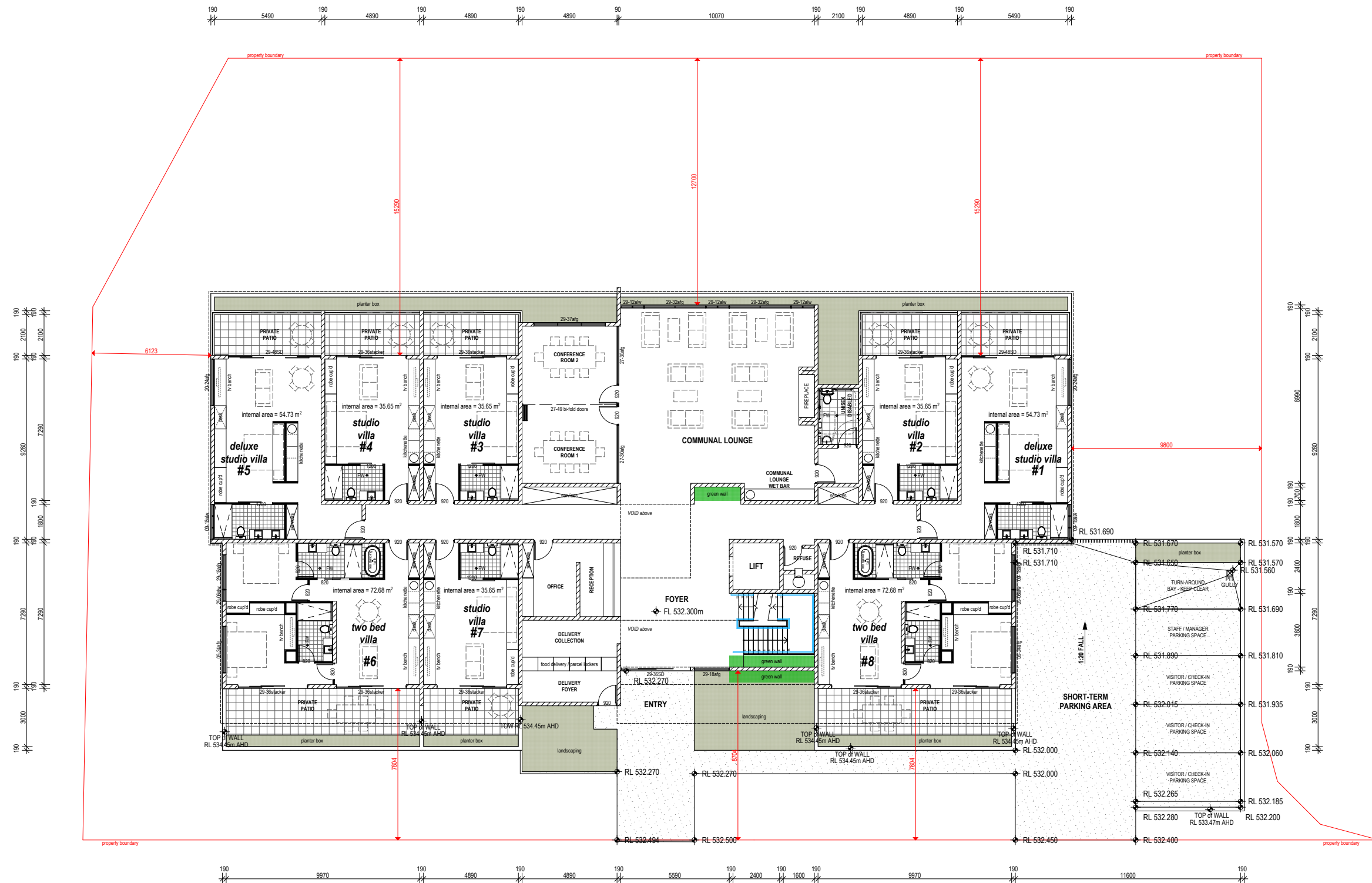
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1:200 @ A3

AMENDMENTS:
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E050922

SHEET NUMBER: 6 of 101

JOB NUMBER: **8971**

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ELEVATIONS

GROUND FLOOR PLAN

SCALE 1:100

<u>FLOOR AREAS</u>	
	Area (m ²)
BASEMENT	536.33
GROUND FLOOR	896.51
FIRST FLOOR	428.92
TOTAL	1861.76 m²

PRELIMINARY PLANS ONLY NOT FOR CONSTRUCTION

NOTES:
* Let off hinges to WC door, as per N.C.C 3.8.3
* Provide GPO & cold water provisions to DW space
* ALL External and Internal doors & windows to be measured on site and confirmed to builder
* Sinking to external walls
* Insulation to ceiling (living only) R2.5 batts
* All windows & SGD to be fitted
* Mechanically vent rooms without natural ventilation
* All shower roses to be AAA rated
* Maximum water supply pressure not to exceed 500kpa at any outlet
* Hot water system shall be heat pump, solar or gas
* Water supply outlets to have WE/La rating
* Toilet cisterns to have dual flush, 6/3 litre
* All handrails to be 1000mm above finished floor level
* Bedroom windows w. 2m fall height from FL to ground below must comply with N.C.C 3.8.2.6. To be fitted with non-removable screens or restricted to 125mm opening
* If more than one smoke alarm is required they must be interconnected as per N.C.C 3.7.5



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PROPOSED DEVELOPMENT

BUILDER: BUILDER TBC

CLIENT: **MS. W. Le NOBLE**

PROJECT: NUMBER 94-95
EAGLE HEIGHTS ROAD
TAMBORINE MOUNTAIN

DRAWN BY: RH/PLH

CHECKED BY: SO

DESIGN: CUSTOM

DATE: A 03/02/2022

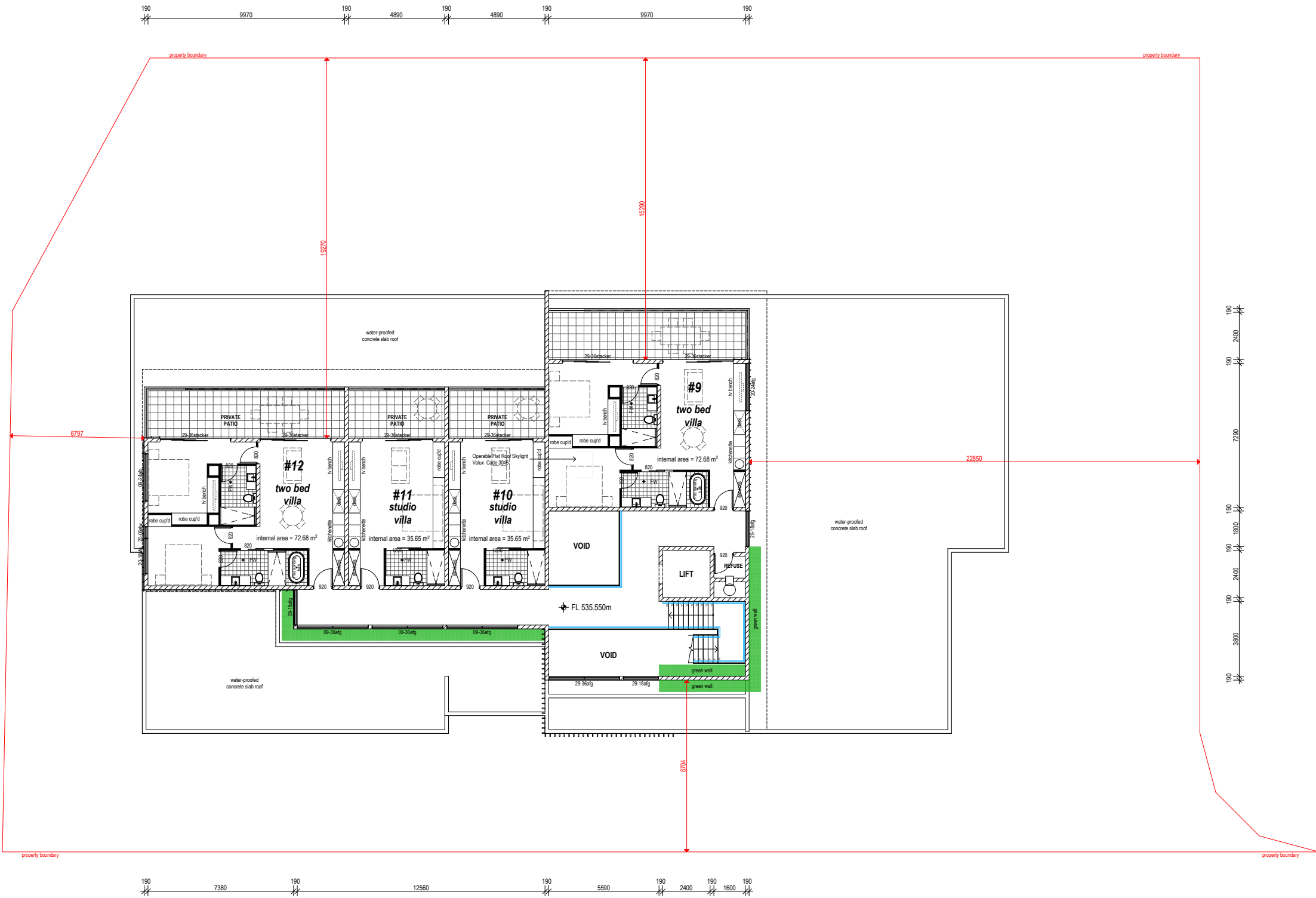
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
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JOB NUMBER: **8971**

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ELEVATIONS

FIRST FLOOR PLAN

SCALE 1:100

PRELIMINARY PLANS ONLY NOT FOR CONSTRUCTION

NOTES:
* Let off hinges to WC door, as per N.C.C 3.8.3
* Provide GPO & cold water provisions to DW space
* ALL External and Internal doors & windows to be measured on site and confirmed to builder
* Sarking to external walls
* Insulation to ceiling (living only) R2.5 batts
* All windows & SGD to be fitted
* Mechanically vent rooms without natural ventilation
* All shower roses to be AAA rated
* Maximum water supply pressure not to exceed 500kpa at any outlet
* Hot water system shall be heat pump, solar or gas
* Water supply outlets to have WELs rating
* Toilet cisterns to have dual flush, 6/3 litre
* All handrails to be 1000mm above finished floor level
* Bedroom windows w. 2m fall height from FL to ground below must comply with N.C.C 3.8.2.6. To be fitted with top-removable screens or restricted to 125mm opening
* If more than one smoke alarm is required they must be interconnected as per N.C.C 3.7.5



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PROPOSED DEVELOPMENT

BUILDER:

BUILDER TBC

CLIENT:

MS. W. Le NOBLE

PROJECT:

NUMBER 84-85
EAGLE HEIGHTS ROAD
TAMBORINE MOUNTAIN

DRAWN BY:

RH/PLH

CHECKED BY:

SO

DESIGN:

CUSTOM

DATE:

A 03/02/2022

SCALE:

1:100 @ A1
1:200 @ A3

AMENDMENTS:

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C280622 G021122
D220822
E050922

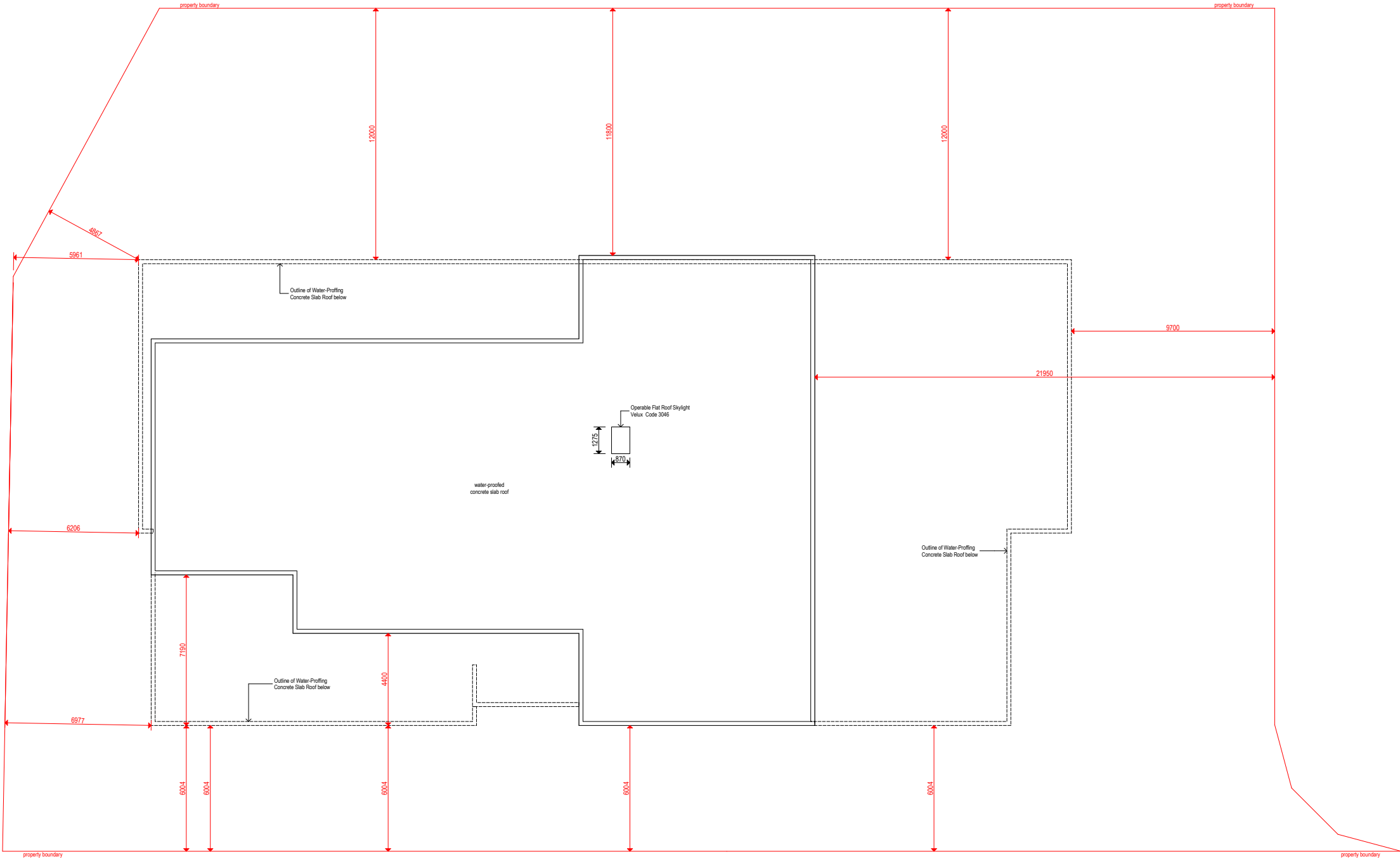
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JOB NUMBER:

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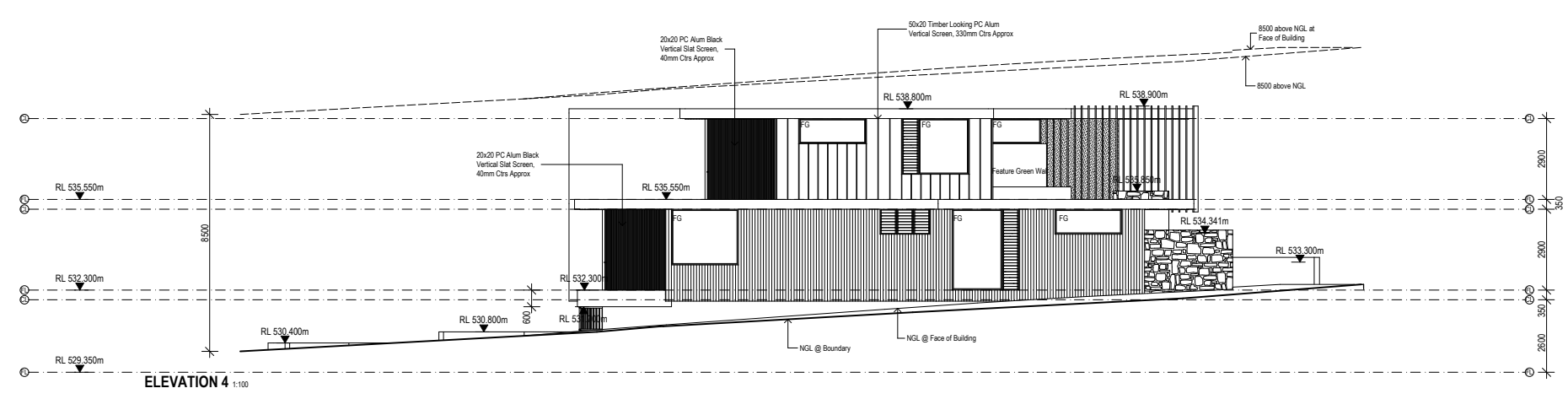
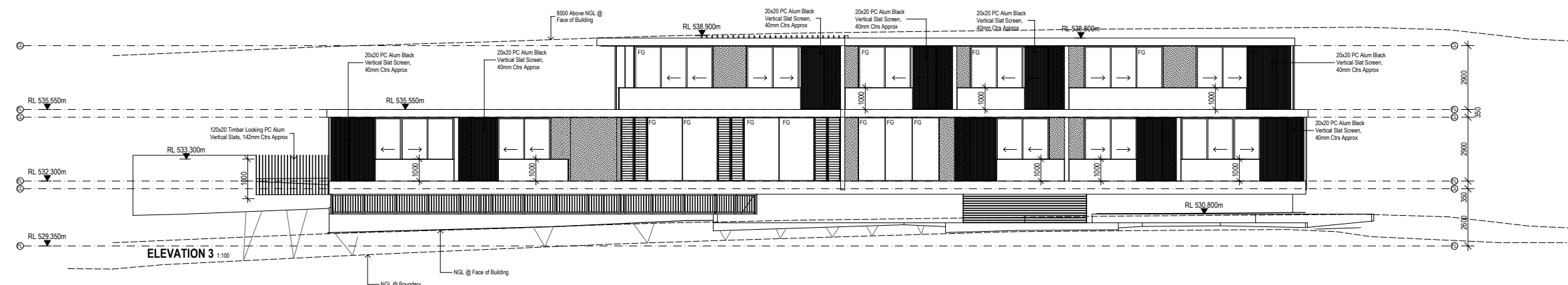
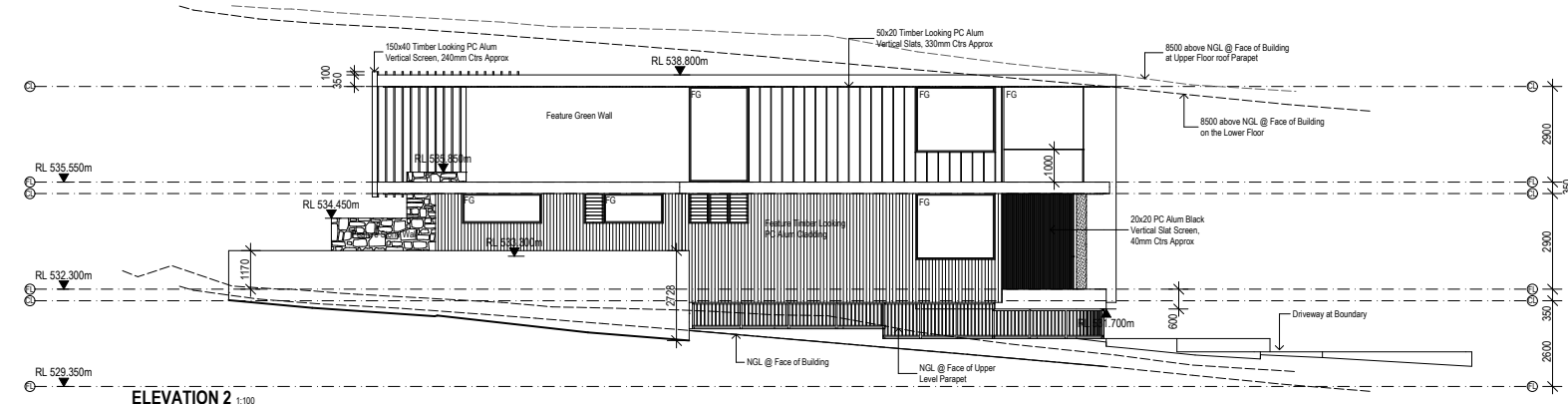
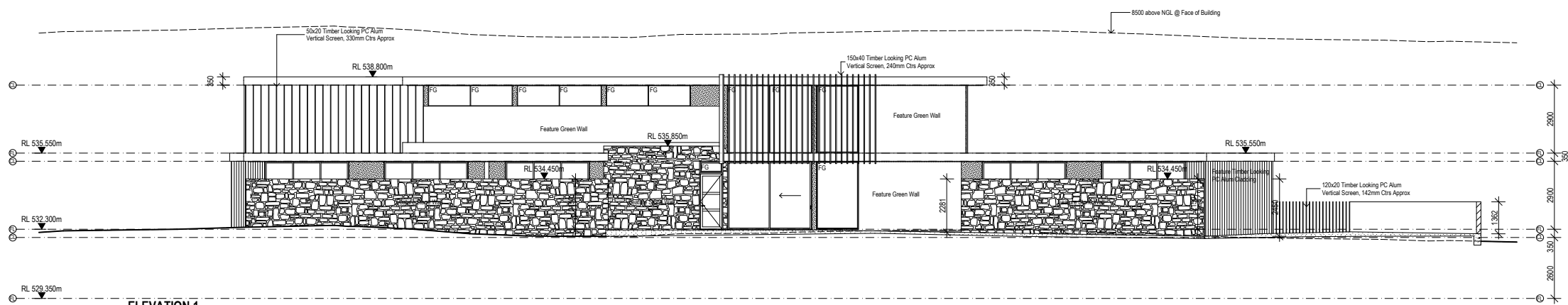
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ELEVATIONS
ROOF PLAN
SCALE 1:100

PRELIMINARY PLANS ONLY NOT FOR CONSTRUCTION


NOTES:
1. Lift off hinges to WC door, as per N.C.C 3.8.3
2. Provide GPO & cold water provisions to DW space
3. ALL External and Internal doors & windows to be measured on site and confirmed to builder
4. Sarking to external walls
5. Insulation to ceiling (living only) R2.5 batts
6. All windows & SGD to be fitted
7. Mechanically vent rooms without natural ventilation
8. All shower roses to be AAA rated
9. Maximum water supply pressure not to exceed 500kpa at any outlet
10. Hot water system shall be heat pump, solar or gas
11. Water supply outlets to have WEIs rating
12. Toilet cisterns to have dual flush, 6/3 litre
13. All handrails to be 1000mm above finished floor level
14. Bedroom windows w. 2m fall height from FL to ground below must comply with N.C.C 3.8.2.6. To be fitted with top-removable screens or restricted to 125mm opening
15. If more than one smoke alarm is required they must be interconnected as per N.C.C 3.7.5





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**MASTER
BUILDERS
QUEENSLAND**

bdoo
BUILDING DESIGN
CONSULTANTS OF AUSTRALIA

PROPOSED DEVELOPMENT

BUILDER: BUILDER TBC

CLIENT: **MS. W. Le NOBLE**
NUMBER 94-95
EAGLE HEIGHTS ROAD
TAMBORINE MOUNTAIN

DRAWN BY: RH/PLH

CHECKED BY: SO

DESIGN: CUSTOM

DATE: A 03/02/2022

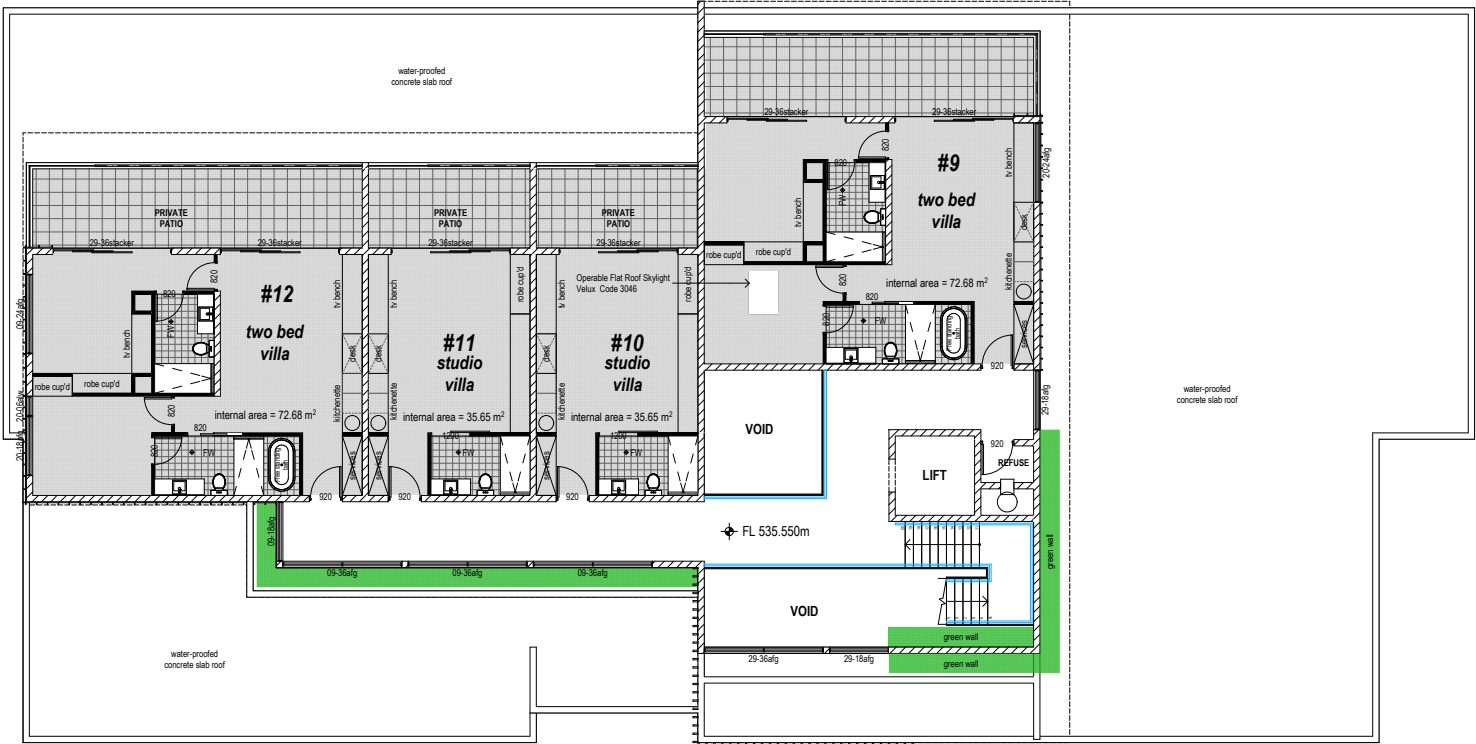
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1:200 @ A3

AMENDMENTS:
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E050922

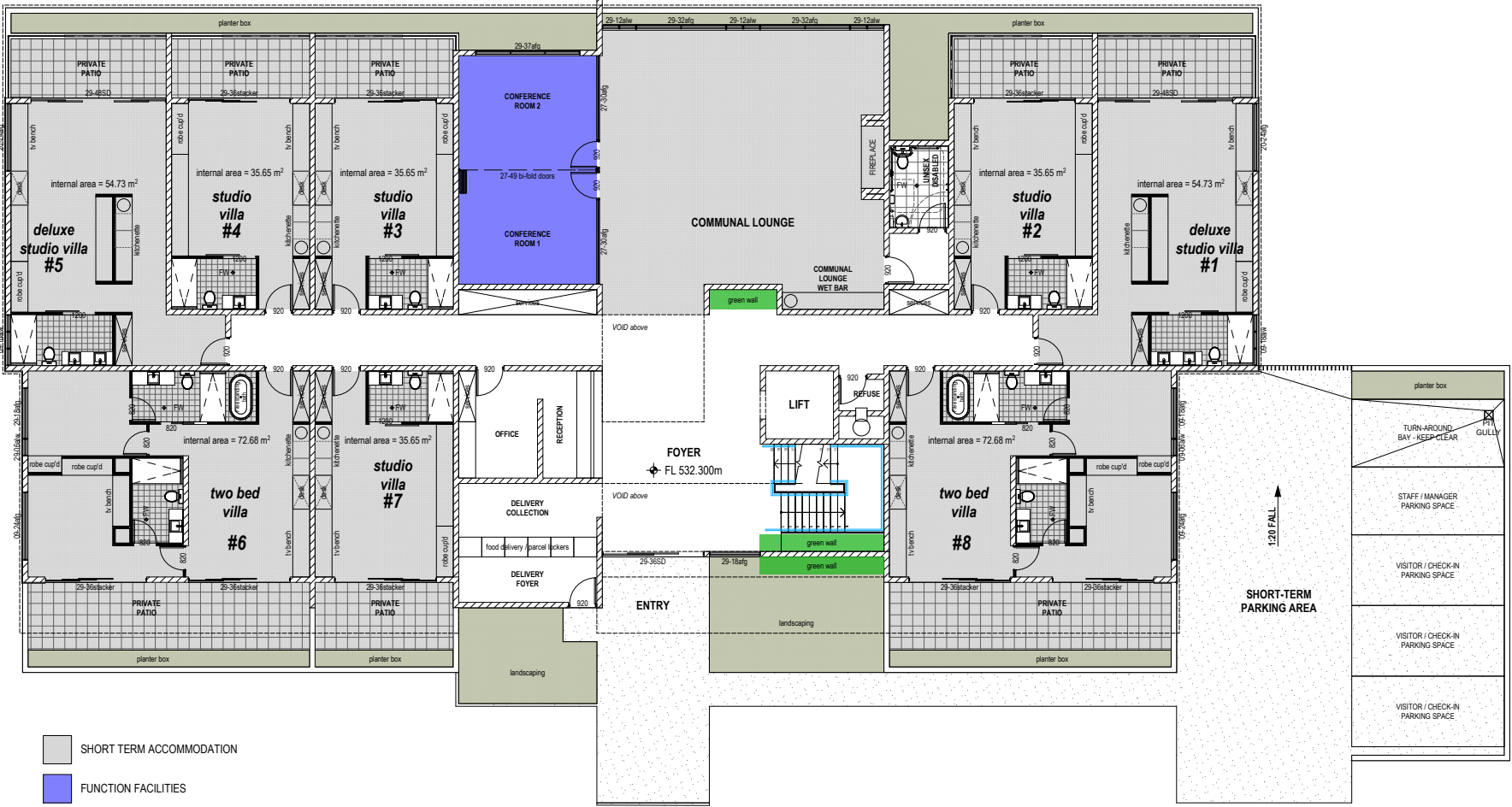
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JOB NUMBER: **8971**

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PRELIMINARY PLANS ONLY NOT FOR CONSTRUCTION



FIRST FLOOR LAND USAGE PLAN



GROUND FLOOR LAND USAGE PLAN



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ABN 73 097 995 616
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PROPOSED DEVELOPMENT
BUILDER: BUILDER TBC
CLIENT: MS. W. Le NOBLE
PROJECT: EAGLE HEIGHTS ROAD
TAMBOURINE MOUNTAIN
DRAWN BY: RH/PLH
CHECKED BY: SO
DESIGN: CUSTOM
DATE: A 03/02/2022
SCALE: 1:100 @ A1
1:200 @ A3
AMENDMENTS:
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ELEVATIONS

LAND USAGE PLANS
SCALE 1:100

SHORT TERM ACCOMMODATION
FUNCTION FACILITIES

PRELIMINARY PLANS ONLY NOT FOR CONSTRUCTION



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ABN 73 097 995 616
QBCC License No: 1129687



PROPOSED DEVELOPMENT
BUILDER: BUILDER TBC
CLIENT: MS. W. Le NOBLE
PROJECT: EAGLE HEIGHTS ROAD
TAMBORINE MOUNTAIN
DRAWN BY: RH/PLH
CHECKED BY: SO
DESIGN: CUSTOM
DATE: A 03/02/2022
SCALE: 1:100 @ A1
1:200 @ A3
AMENDMENTS:
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JOB NUMBER: 8971

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PROPOSED DEVELOPMENT
BUILDER: BUILDER TBC
CLIENT: **MS. W. Le NOBLE**
PROJECT: NUMBER 84-85
EAGLE HEIGHTS ROAD
TAMBORINE MOUNTAIN
DRAWN BY: RH/PLH
CHECKED BY: SO
DESIGN: CUSTOM
DATE: A 03/02/2022
SCALE: 1:100 @ A1
1:200 @ A3
AMENDMENTS:
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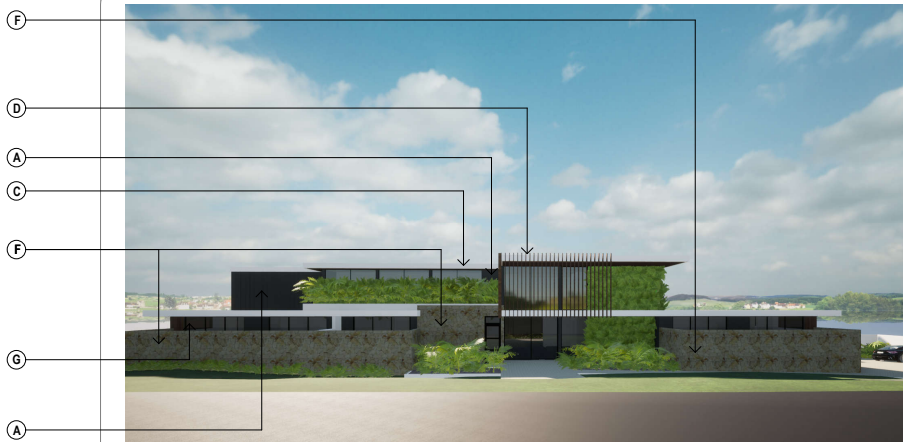
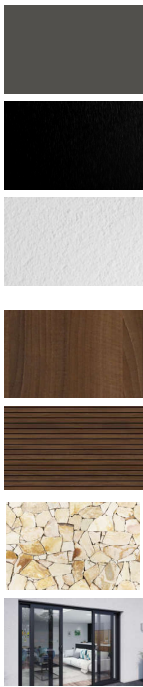
PROPOSED DEVELOPMENT
BUILDER: BUILDER TBC
CLIENT: MS. W. Le NOBLE
PROJECT: NUMBER 84-85
EAGLE HEIGHTS ROAD
TAMBOURINE MOUNTAIN
DRAWN BY: RH/PLH
CHECKED BY: SO
DESIGN: CUSTOM
DATE: A 03/02/2022
SCALE: 1:100 @ A1
1:200 @ A3
AMENDMENTS:
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D220822
E050922
SHEET NUMBER: 13 of 101
JOB NUMBER: 8971

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EXTERNAL FINISHES PALETTE

- A DULUX MONUMENT / RENDER
- B BLACK ALUMINIUM
- C WHITE RENDER
- D WALNUT COLOR 120x50mm alum. battens (330mm gap)
- E WALNUT TIMBER BOARDS COLOR
- F STONEWORK WALL - FREE FORM CRACKENBACK
- G BLACK PC. ALUM. WINDOW / DOOR FRAMES / TINTED GLAZING



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PROPOSED DEVELOPMENT
BUILDER: BUILDER TBC
CLIENT: MS. W. Le NOBLE
PROJECT: NUMBER 84-85
EAGLE HEIGHTS ROAD
TAMBORINE MOUNTAIN
DRAWN BY: RH/PLH
CHECKED BY: SO
DESIGN: CUSTOM
DATE: A 03/02/2022
SCALE: 1:100 @ A1
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JOB NUMBER: 8971

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2.0

Landscape Design.




August 2022

Zone Landscape Architecture | L22074 | 84-86 Eagle Heights Road, Tamborine Mountain, QLD





2.3 Landscape Design Character Imagery

 Zone Landscape Architecture | L22074 | 84-86 Eagle Heights Road, Tamborine Mountain, QLD

August 2022



- Subject Site**
84-86 Eagle Heights Road, Tamborine Mountain
- 1 Existing Streetscape**
All streetscape works to tie into existing established streetscape finishes. Potential to incorporate additional street trees to tie into existing placements.
- 2 Hardstand**
All hardstands to stay consistent with architectural material and finishes palette. Refer to architectural package for further details.
- 3 Septic Treatment Area**
Refer to architectural package for further information.
- 4 General Planting Areas**
General planting bed areas to feature layered landscaping with accents to rear, mass planted ground-cover species. Ground cover species to the base of services. Slight lines to be considered when planting.
- 5 Permeable Access Pathway**
Permeable pathway proposed to be treated with pebble, turf or permeable pavers. Pathway treatment to be confirmed.
- 6 Open Lawn**
Open lawn to frontage to connect out to the verge. Potential to incorporate shade trees within this area for additional softening.

Landscape Design
2.2 Landscape Design Ground Level


August 2022

Zone Landscape Architecture | L22074 | 84-86 Eagle Heights Road, Tamborine Mountain, QLD





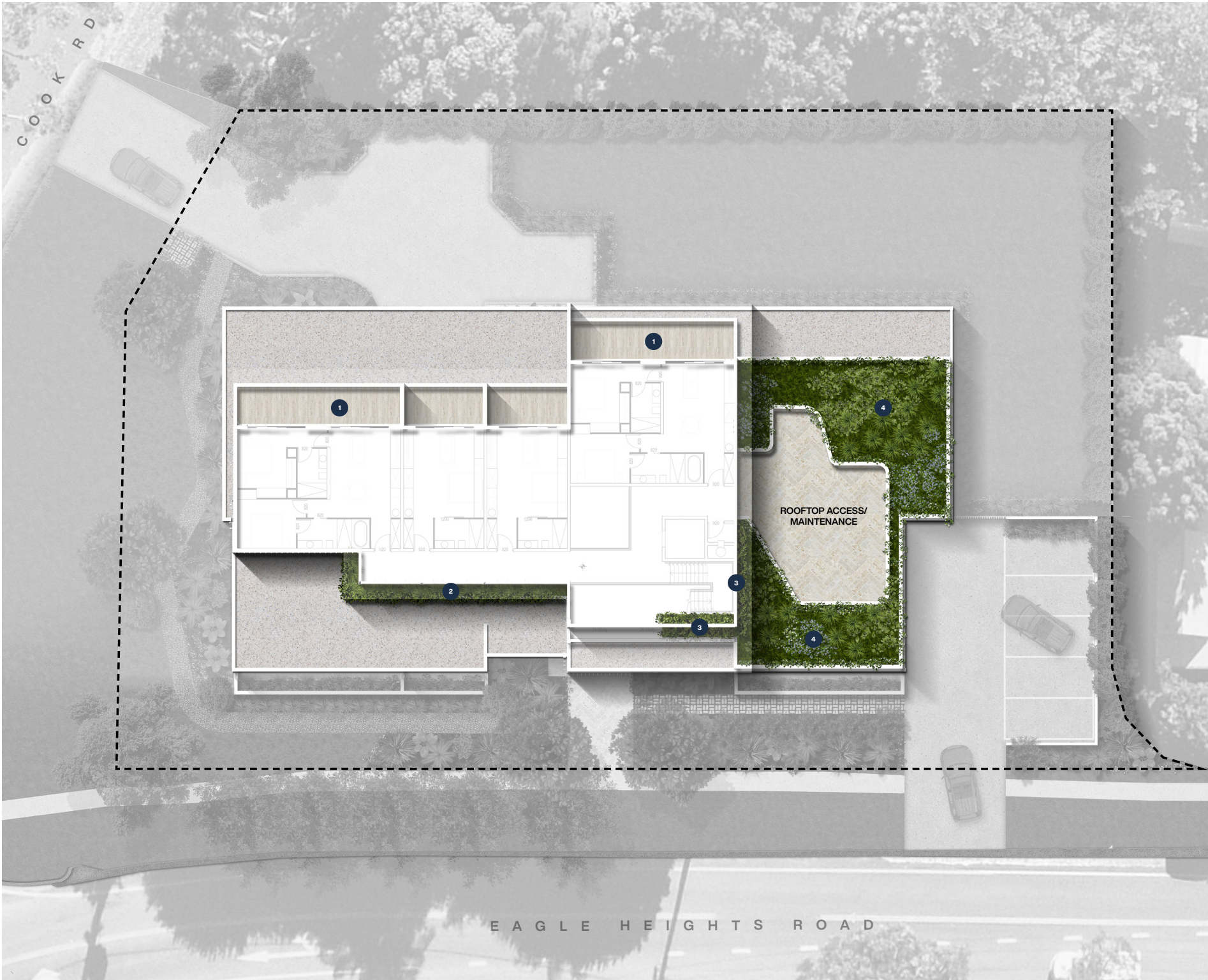
Landscape Design
2.3 Landscape Design Level 1

 **Zone Landscape Architecture** | L22074 | 84-86 Eagle Heights Road, Tamborine Mountain, QLD

- Subject Site**
84-86 Eagle Heights Road, Tamborine Mountain
- 1 Existing Streetscape**
All streetscape works to tie into existing established streetscape finishes. Potential to incorporate additional street trees along Eugaree Street. All street trees to comply with CoGC and Energex requirements.
- 2 Hardstand**
All hardstands to stay consistent with architectural material and finishes palette. Potential to incorporate contrasting hardstand finishes to delineate entry areas. Refer to architectural package for further details.
- 3 General Planting Areas**
General planting bed areas to feature layered landscaping with accents to rear, mass planted ground-cover species. Ground cover species to the base of services. Slight lines to be considered when planting.
- 4 Internal Planters**
Planting area to soften acoustic walls proposed with ground covers and climbing species.
- 5 Podium Planters**
Proposed Depth: 0.6m
Planting bed located to the building edge to soft the built form. Plantings of cascading and ground cover species to soften frontage. Potential to plant accent species where space allows.
- 6 Open Lawn**
Open lawn to frontage to connect out to the verge. Potential to incorporate shade trees within this area for additional softening.
- 7 Permeable Access Pathway**
Permeable pathway proposed to be treated with pebble, turf or permeable pavers. Pathway treatment to be confirmed.
- 8 Green Wall**
Proposed green walls to soften the development internal and external.



August 2022



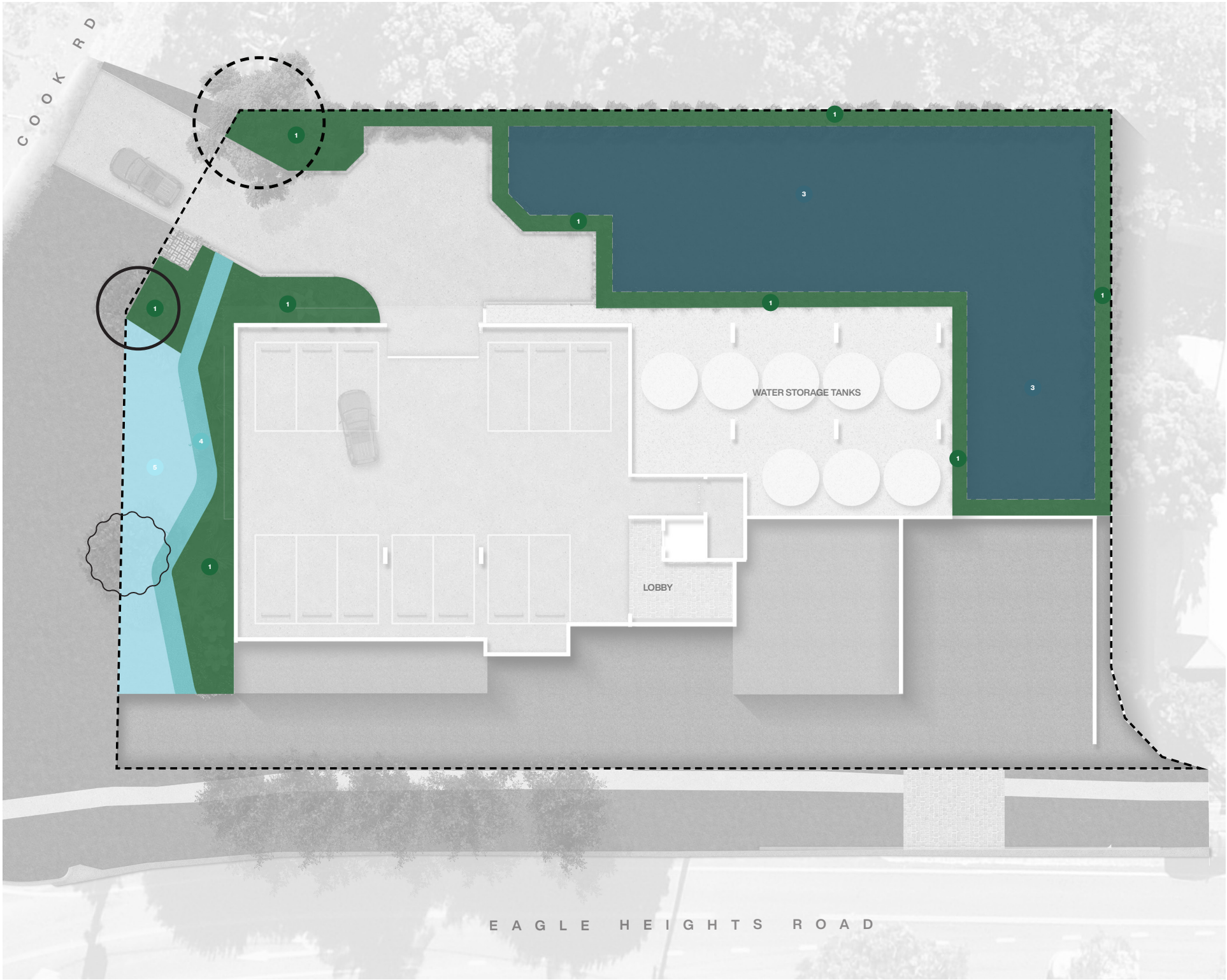
- Subject Site**
84-86 Eagle Heights Road, Tamborine Mountain
- 1 Hardstand**
All hardstands to stay consistent with architectural material and finishes palette. Refer to architectural package for further details.
- 2 Podium Planters**
Proposed Depth: 0.6m
Planting bed located to the building edge to soft the built form. Plantings of cascading and ground cover species to soften frontage. Potential to plant accent species where space allows. Climbing species to the base of trellis structure.
- 3 Green Wall**
Proposed green walls to soften the development internal and external.
- 4 Green Roof**
Proposed Depth: 0.4m
Proposed green roof to soften the development roof. To be planted with low ground covers only.

Landscape Design

2.4 Landscape Design Roof

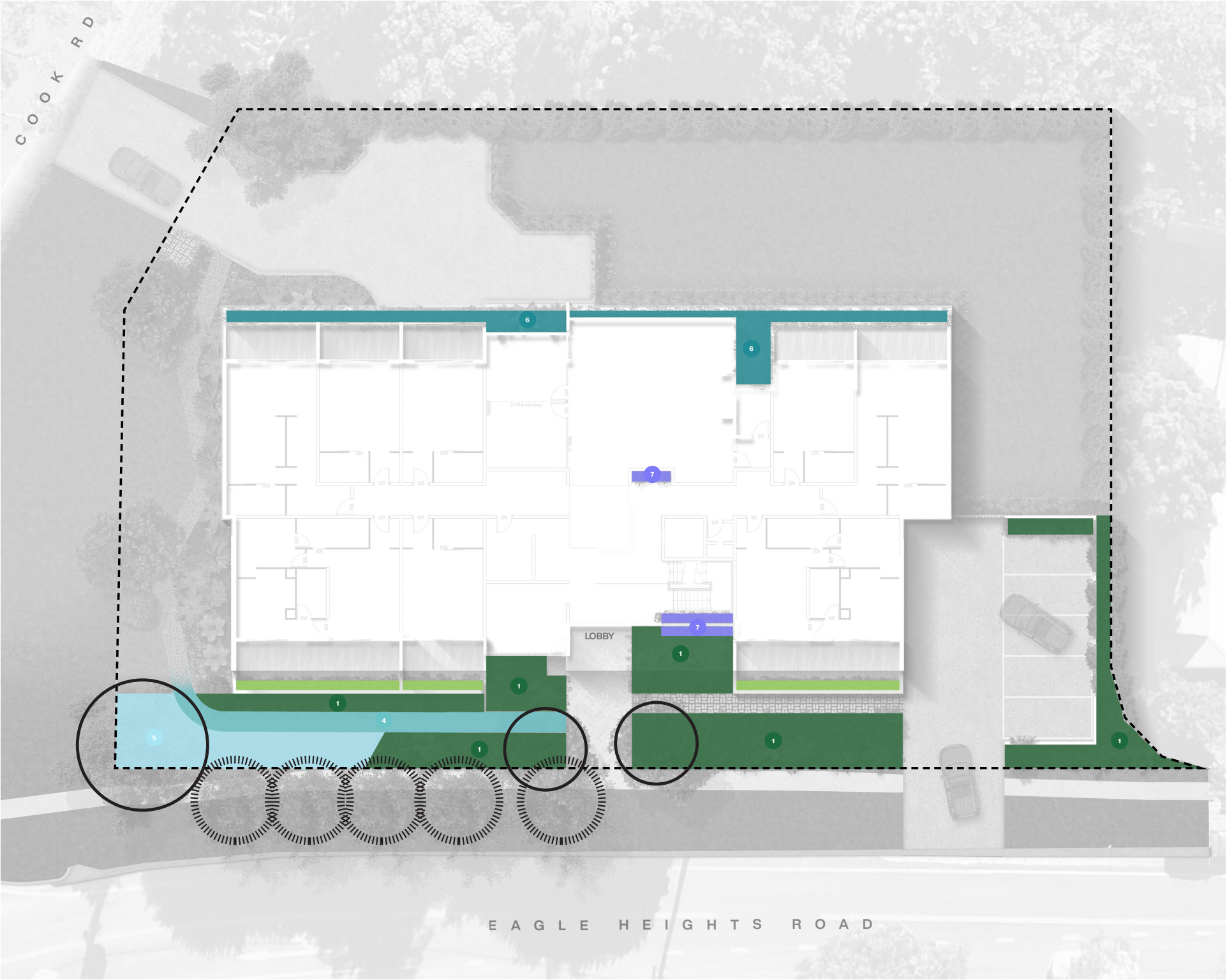
August 2022





- Subject Site**
84-86 Eagle Heights Road, Tamborine Mountain, QLD
- Building Line Over**
- Existing Street Tree Locations**
Potential to retain existing street trees where space allows.
- Proposed Shade Tree/ Feature Palm Locations**
Potential to implement shade trees where offsets allow.
- Potential Tree To be Retained**
Potential to retain existing avocado tree where offsets allow.
- Proposed Feature Gum Tree**
Potential to install large feature gum tree 8m off building line if services and space allows.
- General Planting Areas**
General planting bed areas to feature layered landscaping with accents to rear, mass planted ground-cover species. Ground cover species to the base of services. Slight lines to be considered when planting.
- Internal Planters**
Planting area to soften acoustic walls proposed with ground covers and climbing species.
- Septic Treatment Area**
Refer to architectural package for further information.
- Permeable Access Pathway**
Permeable pathway proposed to be treated with pebble, turf or permeable pavers. Pathway treatment to be confirmed.
- Open Lawn**
Open lawn to frontage to connect out to the verge. Potential to incorporate shade trees within this area for additional softening.
- Podium Planters**
Proposed Depth: 0.6m
Planting bed located to the building edge to soft the built form. Plantings of cascading and ground cover species to soften frontage. Potential to plant accent species where space allows.
- Green Wall**
Proposed green walls to soften the development internal and external.
- Green Roof**
Proposed Depth: 0.4m
Proposed green roof to soften the development roof. To be planted with low ground covers only.

Landscape Design
2.5 Landscape Plan Ground Level Treatment Areas



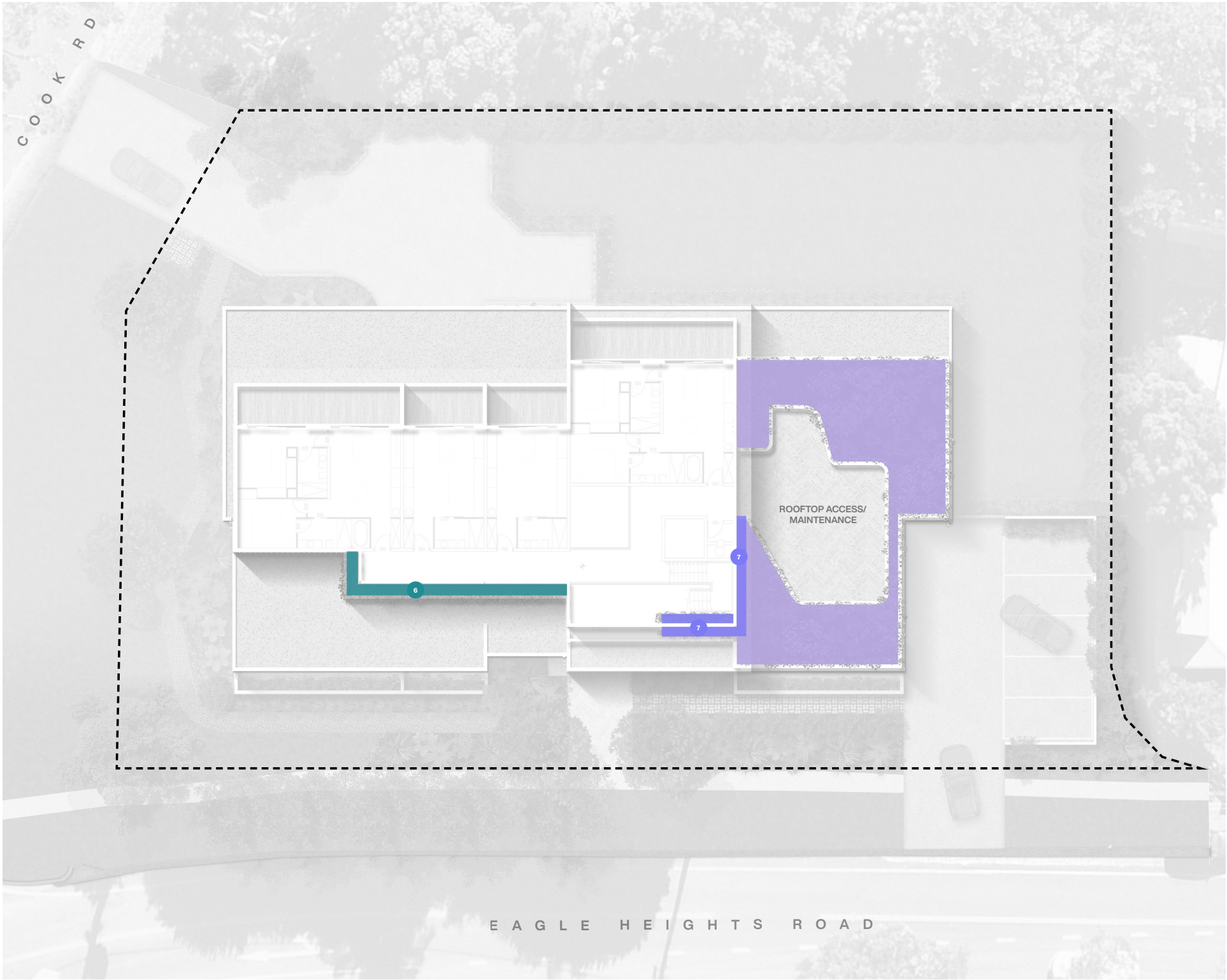
- Subject Site**
84-86 Eagle Heights Road, Tamborine Mountain, QLD
- Building Line Over**
- Existing Street Tree Locations**
Potential to retain existing street trees where space allows.
- Proposed Shade Tree/ Feature Palm Locations**
Potential to implement shade trees where offsets allow.
- Potential Tree To be Retained**
Potential to retain existing avocado tree where offsets allow.
- Proposed Feature Gum Tree**
Potential to install large feature gum tree 8m off building line if services and space allows.
- 1 General Planting Areas**
General planting bed areas to feature layered landscaping with accents to rear, mass planted ground-cover species. Ground cover species to the base of services. Slight lines to be considered when planting.
- 2 Internal Planters**
Planting area to soften acoustic walls proposed with ground covers and climbing species.
- 3 Septic Treatment Area**
Refer to architectural package for further information.
- 4 Permeable Access Pathway**
Permeable pathway proposed to be treated with pebble, turf or permeable pavers. Pathway treatment to be confirmed.
- 5 Open Lawn**
Open lawn to frontage to connect out to the verge. Potential to incorporate shade trees within this area for additional softening.
- 6 Podium Planters**
Proposed Depth: 0.6m
Planting bed located to the building edge to soft the built form. Plantings of cascading and ground cover species to soften frontage. Potential to plant accent species where space allows.
- 7 Green Wall**
Proposed green walls to soften the development internal and external.
- 8 Green Roof**
Proposed Depth: 0.4m
Proposed green roof to soften the development roof. To be planted with low ground covers only.

Landscape Design
2.6 Landscape Plan Level 1 Treatment Areas

August 2022

Zone Landscape Architecture | L22074 | 84-86 Eagle Heights Road, Tamborine Mountain, QLD

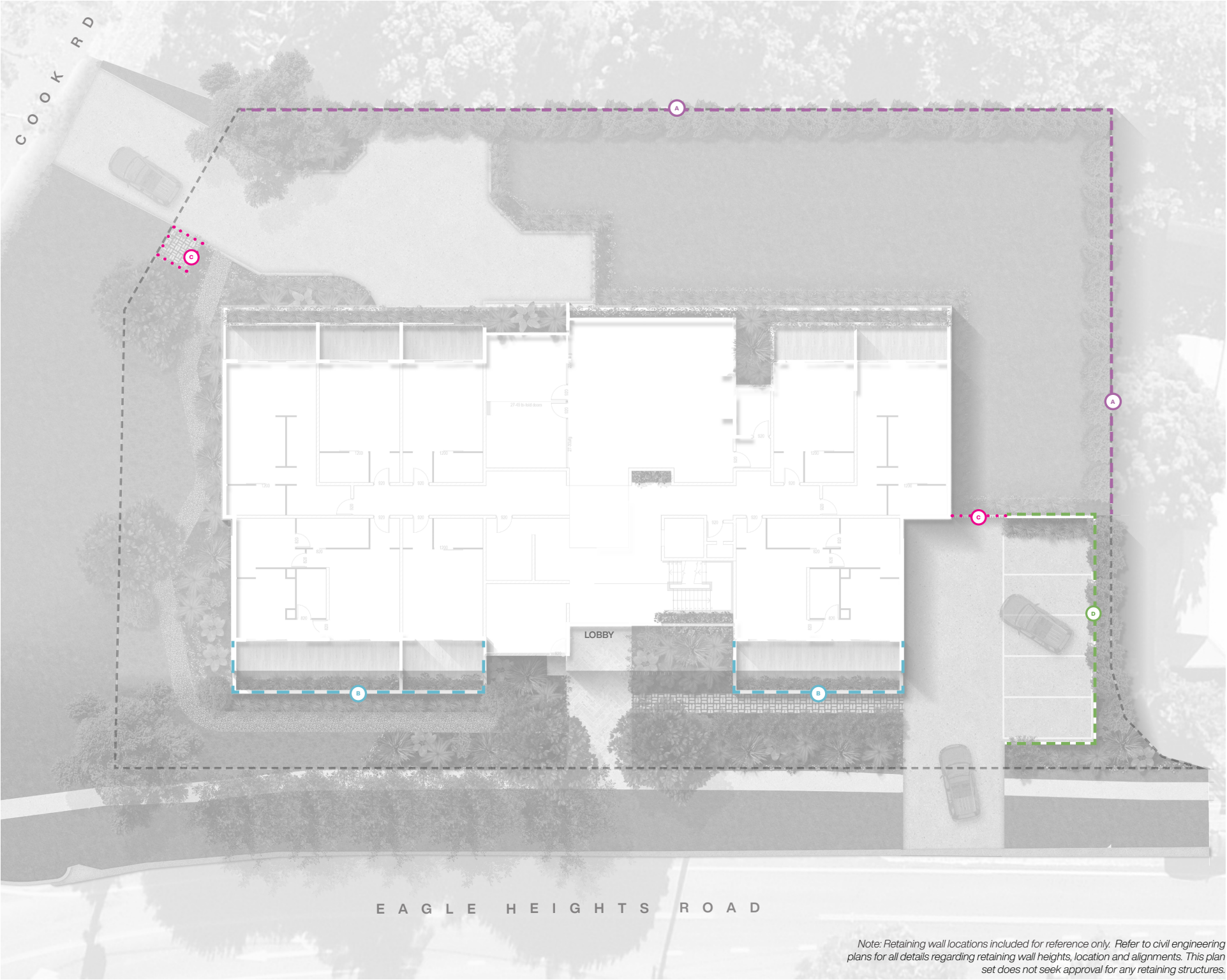




- Subject Site**
84-86 Eagle Heights Road, Tamborine Mountain, QLD
- Building Line Over**
- 1 General Planting Areas**
General planting bed areas to feature layered landscaping with accents to rear, mass planted ground-cover species. Ground cover species to the base of services. Slight lines to be considered when planting.
- 2 Internal Planters**
Planting area to soften acoustic walls proposed with ground covers and climbing species.
- 3 Septic Treatment Area**
Refer to architectural package for further information.
- 4 Permeable Access Pathway**
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Proposed green walls to soften the development internal and external.
- 8 Green Roof**
Proposed Depth: 0.4m
Proposed green roof to soften the development roof. To be planted with low ground covers only.

Landscape Design

2.7 Landscape Plan Roof Treatment Areas



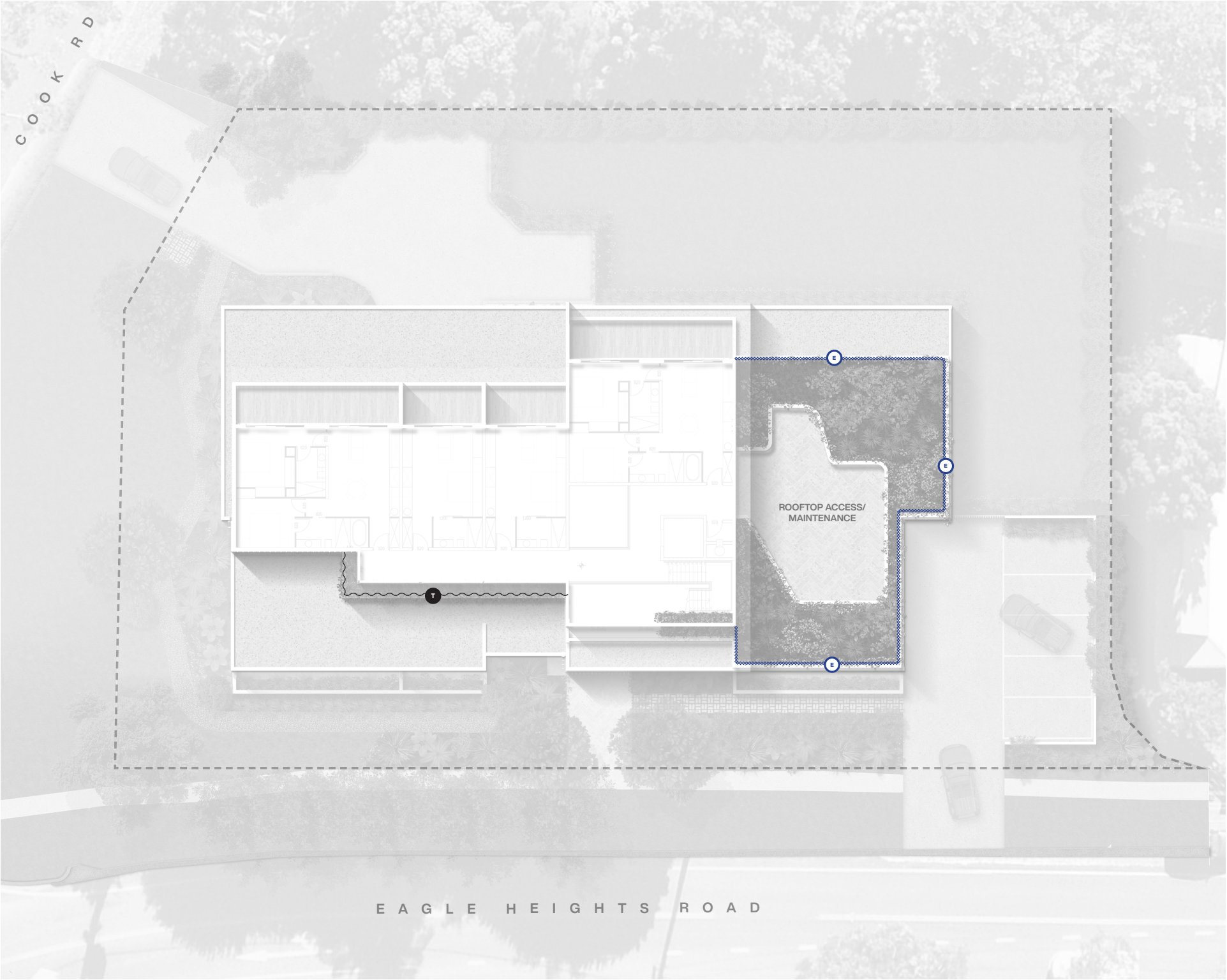
- Subject Site**
84-86 Eagle Heights Road, Tamborine Mountain, QLD
- Fence Type A**
Fence
Typical height: 1.8m
Fence to height 1.8m associated with the development boundary. Potential to retain existing boundary fences.
- Fence Type B**
Acoustic Wall
Typical height: 2.15m
Acoustic wall to height of 2.15m associated with the villas along Eagle Heights Road. Refer to Environmental Noise Impact Assessment provided by CRG Acoustics for further details.
- Fence Type C**
Batten Fence
Typical height: to be confirmed
Feature batten fence to height 1.8m located along external services.
- Fence Type D**
Block Work Wall
Typical height: to be confirmed
Feature Block work wall located along car park boundary.
- Fence Type E**
Balustrade
Typical height: 1m
Feature batten fence to height 1m located along building edge.
- Trellis**
Trellis Wires
Typical height: to be confirmed
Feature trellis to see climbing species planted to base.

Landscape Design
2.8 Landscape Plan Fence & Edges L1

August 2022

Zone Landscape Architecture | L22074 | 84-86 Eagle Heights Road, Tamborine Mountain, QLD

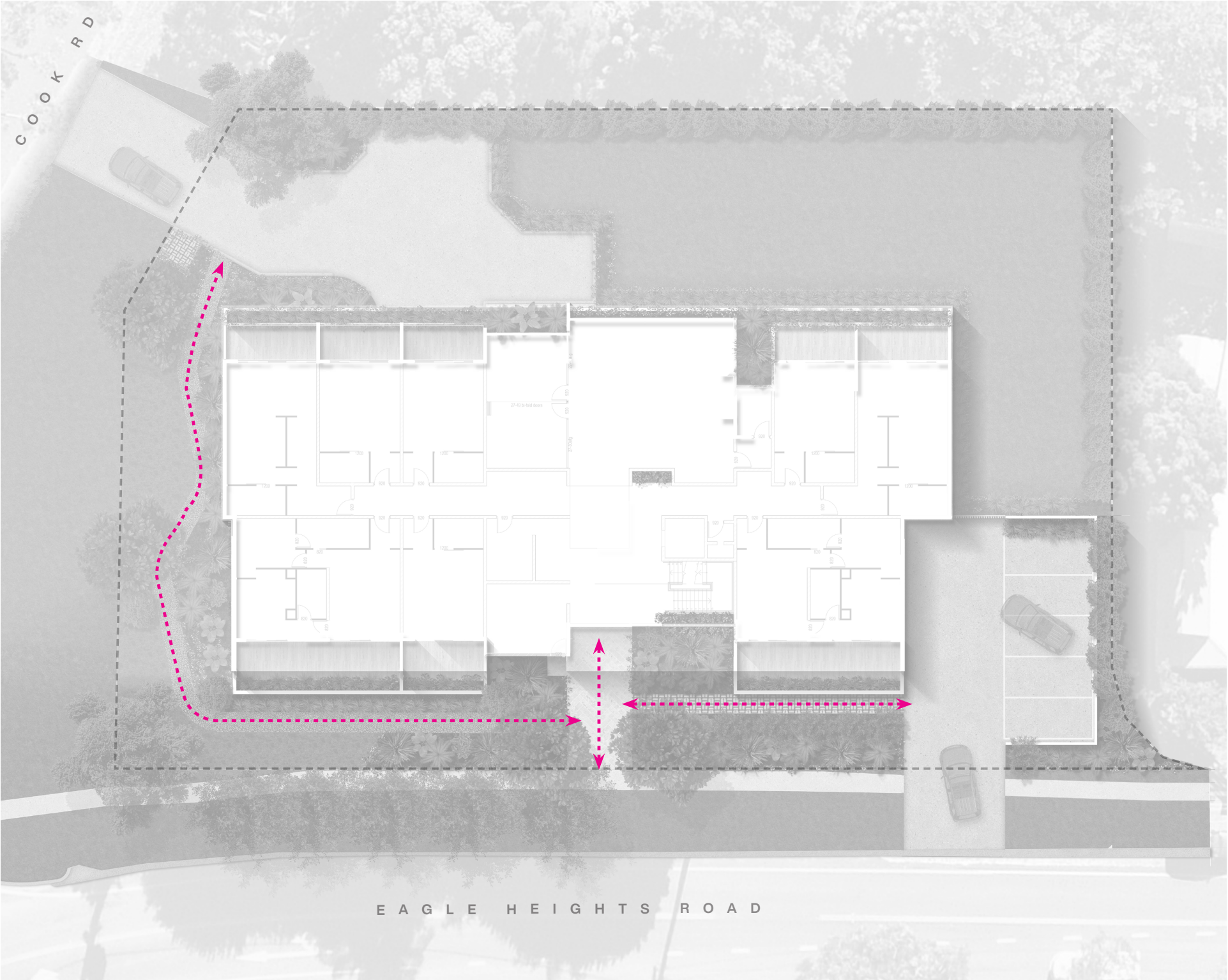






- Subject Site**
84-86 Eagle Heights Road, Tamborine Mountain, QLD
- Fence Type A**
Fence
Typical height: 1.8m
Fence to height 1.8m associated with the development boundary. Potential to retain existing boundary fences.
- Fence Type B**
Acoustic Wall
Typical height: 2.15m
Acoustic wall to height of 2.15m associated with the villas along Eagle Heights Road. Refer to Environmental Noise Impact Assessment provided by CRG Acoustics for further details.
- Fence Type C**
Batten Fence
Typical height: to be confirmed
Feature batten fence to height 1.8m located along external services.
- Fence Type D**
Block Work Wall
Typical height: to be confirmed
Feature Block work wall located along car park boundary.
- Fence Type E**
Balustrade
Typical height: 1m
Feature batten fence to height 1m located along building edge.
- Trellis**
Trellis Wires
Typical height: to be confirmed
Feature trellis to see climbing species planted to base.

Landscape Design

2.9 Landscape Plan Fence & Edges L2



-  **Subject Site**
84-86 Eagle Heights Road, Tamborine Mountain, QLD
-  **Pedestrian Access**
Car-park and primary entry to be accessible from the streetscape and internal pathways.

Landscape Design

2.10 Landscape Plan

Circulation plan

August 2022

Zone Landscape Architecture | L22074 | 84-86 Eagle Heights Road, Tamborine Mountain, QLD



3.0
Design Details.





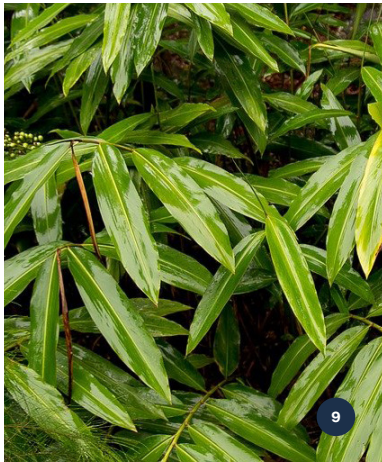
Groundcover

1	Trachelospermum Jasminoides	Star Jasmine
2	Hardenbergia violacea	Happy Wonderer
3	Ophiopogon japonicus	Dwarf Lillyturf
4	Dianella caerulea	Blue Flax Lilly
	Lomandra confertifolia	Matrush
	Viola banksii	Native violet
5	Grevillea 'Poorinda Royal Mantle'	Grevillea Royal Mantle
	Dichondra repens	Kidney weed



Shrubs & Accents

6	Crinum pedunculatum	Swamp Lily
7	Westringia fruticosa	Coastal Rosemary
8	Syzygium Hedges	Lilly Pilly Various
9	Alpinia sp	Native Ginger
6	Liriope 'Evergreen Giant'	Evergreen Giant



Trees & Palms

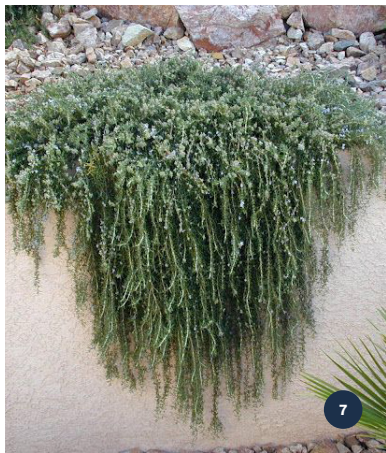
	Archontophoenix cunninghamiana	Banglaow Palm
10	Randia fitzlanii	Native Gardenia
11	Tristaniopsis laurina 'Luscious'	Luscious
	Waterhousia floribunda	Weeping Lilly Pilly
12	Melicope elleryana	Pink Euopia
	Corymbia tessellaris	Moreton bay ash

Design Details
3.1 Planting Palette

August 2022

Zone Landscape Architecture | L22074 | 84-86 Eagle Heights Road, Tamborine Mountain, QLD



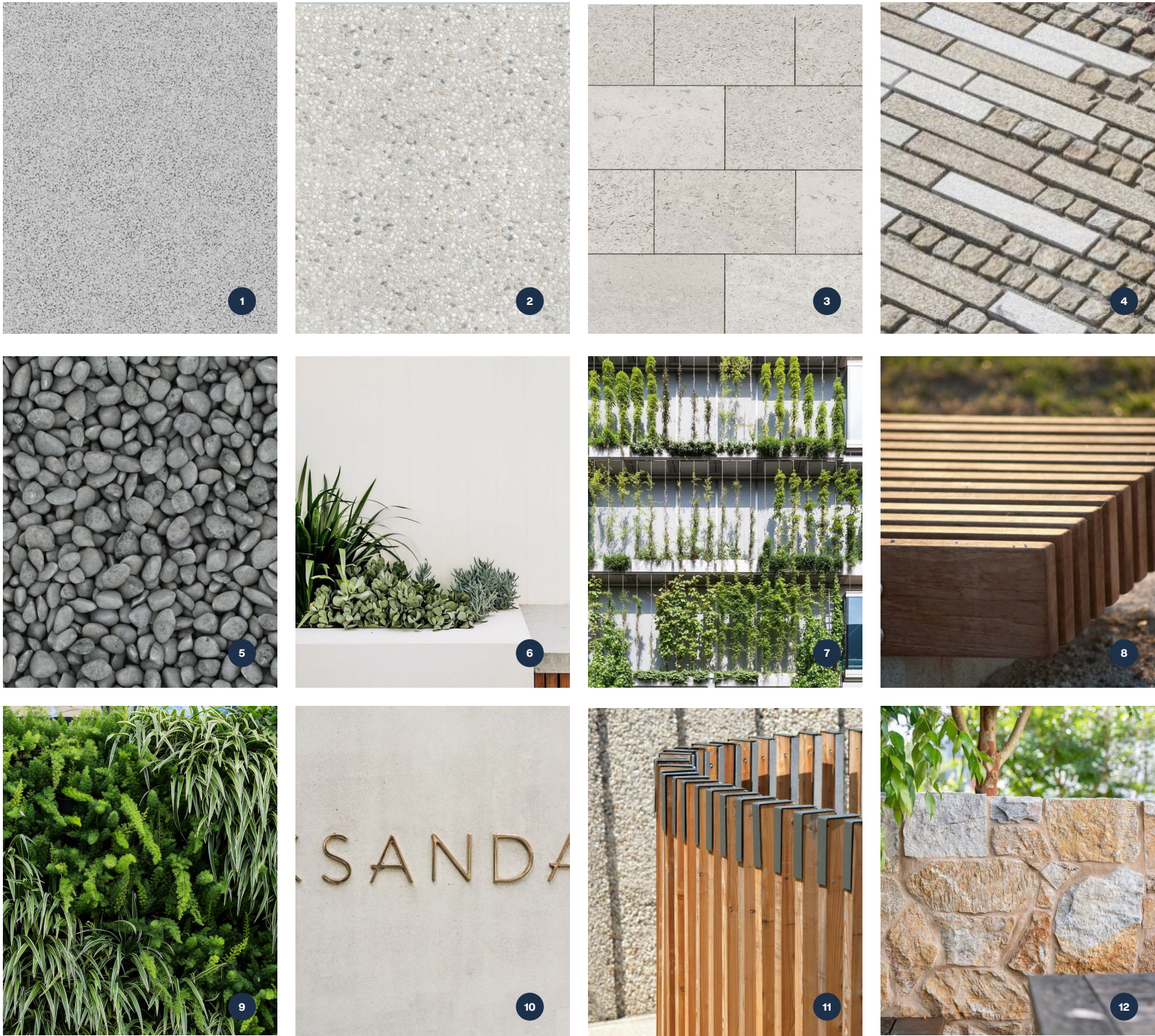


Cascading & Trellis

1	Leptospermum polygalifolium	Vertical Drop
2	Trachelospermum Jasminoides	Star Jasmine
3	Cissus antarctica	Kangaroo vine
4	Hardenbergia comptoniana	Native Wisteria
5	Dichondra repens	Kidney Weed
6	Casuarina glauca	Cousin It
7	Rosmarinus officinalis 'Prostratus'	Creeping Rosemary

Design Details

3.3 Planting Palette: Cascading Species



Surfaces & Materials

1	Hardscape Type 1	Concrete
2	Hardscape Type 2	Concrete/Exposed Aggregate
3	Hardscape Type 3	Feature Paving 01
4	Hardscape Type 4	Feature Paving 02
5	Gavel Type 1	Charcoal Pebble
6	Timber Type 01	Timber Decking
7	Feature Trellis	TBC
8	Seating 01	TBC
9	Green Wall	TBC
10	Signage	Refer to architectural plans
11	Feature Batten Screen	Refer to architectural plans
12	Feature Cladding	Refer to architectural plans

Typical finishes palette illustrated. Refer to Architectural documentation for all Architectural and built form finishes and general materials schedule.

Design Details

3.4 Materials & Finishes

August 2022





Prepared By Zone Landscape Architecture | www.zonelandscape.com.au

10.4 Infrastructure Charges - Request to waive charges for a Charitable Organisation - Returned Services League of Australia Beaudesert Sub-Branch (Administration and Wellness Centre)

Executive Officer: General Manager Customer and Regional Prosperity

Item Author: Technical Officer Planning and Infrastructure Charges

Attachments:

1. Infrastructure Advice Letter to Trustees RSL of Australia Beaudesert Sub-Branch dated 7 March 2023 [!\[\]\(4e333a6106fc298d0ae6dff272a736ef_img.jpg\) !\[\]\(97089f8e07e24e31baa67366e358a709_img.jpg\)](#)
2. Beaudesert RSL Sub-Branch Administration and Wellness Centre - Plans [!\[\]\(9496824b8cff3a19f59b81b37b57d8b6_img.jpg\) !\[\]\(ec8d0f7e486e2280c113cd85015a8548_img.jpg\)](#)

Executive Summary

Council is in receipt of a request to waive the infrastructure charges issued to RSL of Australia Beaudesert Sub-Branch (Administration and Wellness Centre) as part of their development approval, MCU22/104 - Development Permit for Material Change of Use - Office (Beaudesert Returned Services League (RSL) Sub-Branch Administration & Wellness Centre), on the basis they are a charitable organisation. The total amount of infrastructure charges issued at time of approval under MCU22/104 was \$25,371.27.

Under Section 11.3 of Council's Adopted Infrastructure Charges Resolution (v14 - January 2023), infrastructure charges may be considered for discount upon request and such applications would be assessed on a case-by-case basis, and in accordance with any relevant Council policies. A community organisation must be a non-profit and incorporated association or equivalent. Limits may apply as to the percentage and/or maximum value of such waivers.

Recommendation

That Council approve the waiver of all infrastructure charges (100%) for MCU22/104 totalling the maximum value of \$25,371.27, by way of donation, as issued in the Infrastructure Charge Notice to Trustees Returned Services League of Australia Beaudesert Sub-Branch dated 7 March 2023, and as provided for in Section 11.3 of Adopted Infrastructure Charges Resolution (version no.14) 31 January 2023.

Previous Council Considerations / Resolutions

Not applicable.

Report / Background

The Beaudesert RSL Sub Branch Inc. is a registered charitable organisation and was incorporated in 2009, where they conduct core objectives such as looking after the welfare and wellbeing of any Veterans and their families that requires assistance. The primary office located on Brayford Street, Beaudesert is called "Flanders House".

Development History:

1. 8 August 2008 - Council issued a Decision Notice approving a Development Permit for Material Change of Use for an intensification of the existing (Hotel/Club) RSL to facilitate an additional two storey extension, additional car parking and to demolish the existing subbranch building.
2. 28 October 2008 - Council issued a Negotiated Decision Notice approving the development while amending approved plans and Condition 10 regarding operating hours (Council Reference 020-030-002148). This approval did not eventuate within the extended currency period and subsequently lapsed.
3. 28 March 2018 - Council received a Request for a Change Application under section 78 of the Act to amend conditions of an existing development approval. The change sought to enable the RSL Club to erect an accommodation building on the subject site.
4. 7 December 2022 - Trustees RSL of Australia Beaudesert Sub-Branch submitted a Code Assessable development application to Council for the purposes of Office (Beaudesert RSL Sub-Branch Administration and Wellness Centre) 7 Brayford Street, Beaudesert - MCU22/104 (refer Attachment 2).
5. The purpose of the application was to obtain approval to establish an office building for the Beaudesert RSL Sub-Branch. The office will act as an Administration and Veterans Wellness Centre which will include a meeting area, reception area and several offices, along with staff amenities and storage room.
6. 6 March 2023 - Council by delegation approved development application MCU22/104, subject to imposition of reasonable and relevant conditions.
7. 7 March 2023 - An Infrastructure Charge Notice was issued in accordance with Council's Adopted Infrastructure Charges Resolution (v14 - January 2023), totalling \$25,371.27 (refer Attachment 1).

On 21 March 2023, Council received a written request from Mrs Joanne Crocker, Secretary/Office Manager on behalf of the Beaudesert RSL Sub Branch Inc requesting Council to waive all of the infrastructure charges issued on 7 March 2023 on the basis they are a charitable organisation.

Section 11 of Council's Adopted Infrastructure Charges Resolution (v14 - January 2023), provides 100% discount for community groups building infrastructure on Council controlled land. In this instance the proposed development does not meet this criteria as the land is privately owned and not council controlled. As such the waiver request can be considered under Section 11.3 of Council's Adopted Infrastructure Charges Resolution (v14 - January 2023), which states infrastructure charges may be considered for discount upon request and such applications would be assessed on a case-by-case basis and in accordance with any relevant Council policies. Limits may apply as to the percentage and maximum value of such waivers.

A search of Council records indicate that a request of this nature has not been received previously by this applicant.

As Beaudesert RSL Sub Branch, is a registered charitable organisation, and the proposed use exists solely to provide community needs, it is proposed to allow the maximum waiver of 100% of the infrastructure charges. This will recognise the development's benefit to the local community against its impact on infrastructure demands.

Budget / Financial Implications

In accordance with Section 11.3 of Council's Adopted Infrastructure Charges Resolution (v14 - January 2023), infrastructure charges may be considered for discount upon request from community organisation. Trustees RSL of Australia Beaudesert Sub-Branch is a registered charitable organisation.

Noting, any waiver of the \$25,371.27 in charges will reduce income which is directed toward trunk infrastructure, which would need to be funded through the general rate base.

Strategic Implications

Operational Plan

Theme: 6. Accessible and Serviced Region

Key Area of Focus: A sustainable program of local, higher order infrastructure delivery necessary to support population and economic growth

Legal / Statutory Implications

It is confirmed that Trustees RSL of Australia Beaudesert Sub-Branch is a registered charitable organisation and therefore meets the definitions of a community organisation within the Council's Adopted Infrastructure Charges Resolution (v14 - January 2023).

Risks

Strategic Risks

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

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

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Financial/Economic Reduce revenue for trunk infrastructure	2 Minor	Almost certain	Low	Funding to occur by the wider community via the general rate base.	Low
Governance, Risk & Compliance Wavering and reduction of infrastructure charges in accordance with Section 11.3 and 12 of the AIRC V13	2 Minor	Possible	Low	To process and undertake the applicants request in accordance with Council's Adopted Infrastructure Charges Resolution V13 and action via an Infrastructure Agreement for Non-trunk Infrastructure	Low

Consultation

Not applicable.

Conclusion

The undertaking of this development is solely to provide a beneficial community activity as part of the continued community support the RSL of Australia Beaudesert Sub-Branch Inc. has given to the Beaudesert community since the late 1950s. It is therefore recommended that Council approve the waiver of all infrastructure charges (100%) for MCU22/104 totalling \$25,371.27.

Infrastructure Advice Letter



Enquiries: Infrastructure Charges Team
Telephone: 07 5540 5111
File Ref: MCU22/104

7 March 2023

Trustees RSL of Australia Beaudesert Sub-Branch
PO Box 60
BEAUDESERT QLD 4285

Sent by email to: president@beaudesertslsubbranch.com.au

Development Application No:	MCU22/104
Application Type:	Development Permit for Material Change of Use - Office (Beaudesert RSL Sub-Branch Administration & Wellness Centre)
Planning Scheme:	Scenic Rim Planning Scheme 2020 (as amended 17 June 2022)
Location:	7 Brayford Street BEAUDESERT QLD 4285
RPD:	Lot 2 SP 316882

Dear Sir/Madam

I wish to advise that, on 6 March 2023 the above development application was approved by Council. It is advised that the development is subject to infrastructure charges and accordingly this infrastructure charge is calculated in accordance with the Adopted Infrastructure Charges Resolution (Version No.14) (which took effect on 14 February 2023) and the *Planning Act 2016*, as detailed below.

- Scenic Rim Regional Council has levied infrastructure charges for the transport, community purposes and stormwater trunk infrastructure networks. The Adopted Infrastructure Charges notice has been attached to this letter of advice.

In accordance with Section 11.3 of the AICR you may be eligible to apply to have these charges waived on the basis your organisation is deemed to be a charitable organisation. A community organisation must provide evidence of its non-profit and incorporated/registered status. This evidence shall include providing Council with a copy of its relevant constitution or governing documents and registration number under the *Associations Incorporation Act 1981*, *Collections Act 1966*, or equivalent as appropriate.

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

Council is supportive of the projects undertaken by charitable organisation and wishes Trustees RSL of Australia Beaudesert Sub-Branch continued success with the increase in service capacity.

Appeal Rights under the *Planning Act 2016*

You are entitled to appeal certain matters of this infrastructure charges notice, which are outlined in Schedule 1 of the *Planning Act 2016*. A copy of the relevant provisions from the planning act is attached.

If you wish to discuss this matter further, please contact Infrastructure Charges Team on the above telephone number.

Yours faithfully

R M Lohmann

R M Lohmann

MANAGER REGIONAL DEVELOPMENT, HEALTH AND BIODIVERSITY

Attachment 1 – Adopted Infrastructure Charges Notice – Council

Attachment 2 - Appeal Rights

Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 of the *Planning Act 2016* states –
 - (a) Matters that may be appealed to –
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) The person-
 - (i) who may appeal a matter (**the appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is –
 - (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note –

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund-
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and

each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and

- (e) for an appeal to the P&E Court – the chief executive; and
- (f) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
 - (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
 - (b) otherwise – 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.

- (1) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (2) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (3) In this section –
 - decision* includes-
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or failure to make a decision; and
 - (d) a purported decision ; and
 - (e) a deemed refusal.
 - non-appealable*, for a decision or matter, means the decision or matter-
 - (a) is final and conclusive; and
 - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
 - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.

Infrastructure Charges Notice

(Community Purposes, Stormwater & Transport)

Planning Act 2016 Section 121



This infrastructure charges notice is levied by Scenic Rim Regional Council.

This notice does not include the infrastructure charge payable for Water Supply and Sewerage networks levied by the Central SEQ Distributor-Retailer Authority trading as Queensland Urban Utilities in a separate charge infrastructure notice.

This infrastructure charge is calculated in accordance with the Adopted Infrastructure Charges Resolution (Version No. 14) (which took effect on 14 February 2023) and the Planning Act 2016.

To (Form 1 Applicant):	Returned & Services League of Australia (Queensland Branch) Beaudesert Sub-Branch Inc. C/- TJ Kelly Surveys
CC (Land Owner):	Trustees RSL of Australia Beaudesert Sub-Branch
CC (Consultant):	TJ Kelly Surveys Pty Ltd
Date of Issue:	7 March 2023
Application No:	MCU22/104
Application Type:	Development Permit for Material Change of Use - Office (Beaudesert RSL Sub-Branch Administration & Wellness Centre)

Note: This Infrastructure Charges Notice may be given to the applicant and/or the owner depending upon the type of application.

Property Details

The land to which the infrastructure charge applies

Site Address: **7 Brayford Street BEAUDESERT QLD 4285**

Property Description: **Lot 2 SP 316882**

The current total amount payable

****Total infrastructure charge (with deduction for offset where applicable): \$25,371.27**

Details of Infrastructure Charge Calculation

Total Infrastructure Charge =

**Proposed Demand – Credit for Existing Use (if applicable to the Development Application)
– Offset (if applicable).**

Proposed Demand

Use	No. of units	Unit of Measure	Charge Rate	Amount
Commercial (Office) - Office	164.7m ²	\$ per m ² GFA plus \$ per m ² impervious area	\$122.10	\$20,109.87
Commercial (Office) - Office (Impervious Area - Carpark)	474m ²	\$ per m ² impervious area	\$11.10 per m ² impervious area	\$5,261.40
Total				\$25,371.27

Existing Credit

Use	No. of units	Unit of Measure	Charge Rate	Amount
Not applicable				\$0.00
Total				\$0.00

Offset

Infrastructure	Timing	Cost
Not Applicable		\$0.00
Total		\$0.00

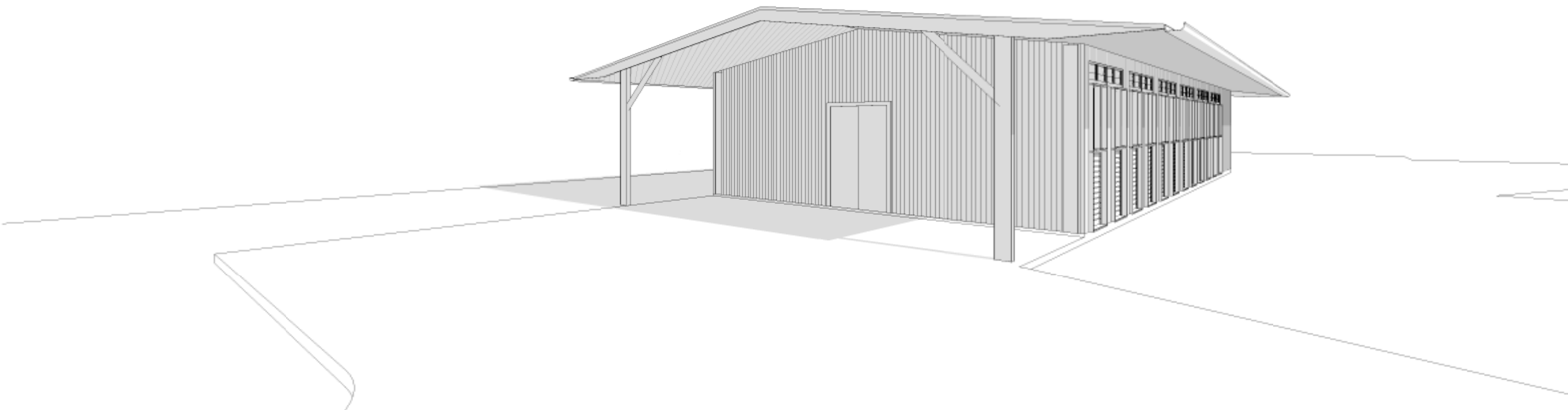
Total Charge	=	Proposed Demand	-	Existing Credit	-	Offset
	=	\$25,371.27		\$	-	\$0.00
	=	<u>\$25,371.27</u>				
Refund Applicable	=	\$ 0.00				

Enquiries	Enquiries regarding this Adopted Infrastructure Charges Notice should be directed to Infrastructure Charges Team on 07 5540 5111.
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IMPORTANT INFORMATION

Payment	This notice is due and payable by the due time shown. Cheques, money orders or postal notes should be made payable to Scenic Rim Regional Council and crossed "Not Negotiable". Change cannot be given on cheque payments. Payees will be liable for any dishonour fees.
Infrastructure Charges Taken To Be A Rate	<p>An infrastructure charge fixed by a local government is, for the purposes of recovery, taken to be a rate within the meaning of the <i>Local Government Act 2009</i>. This means:</p> <ol style="list-style-type: none"> Charges may be recovered by court action for debt; Charges may be recovered from the person for the time being owning the relevant land, regardless of who was the owner or other person upon whom the charges was imposed; Interest is payable on overdue charges; and If charges are unpaid for three (3) years, the land can be sold to recover the outstanding charges.
Automatic increase provision	<p>The infrastructure charge is subject to automatic increases.</p> <p>The amount of the infrastructure charge is to be escalated in accordance with the ABS PPI Construction Index – Queensland Roads and Bridges (on a three (3) year moving average) from the date of the notice to the payment date.</p>
Payment date of the infrastructure charge	<p>The infrastructure charge is payable in accordance with the timing stated in section 122 of the <i>Planning Act 2016</i> depending on the type of development application. In this instance, the infrastructure charge is payable:</p> <ul style="list-style-type: none"> material change of use - before the issue of a Compliance Certificate under the <i>Plumbing and Drainage Act 2002</i> or before the change of use happens (whichever occurs first); or as otherwise stated in the Infrastructure Charges Notice.
Payment Liability	<p>Under Section 119 (12 (c)) of the <i>Planning Act 2016</i>, a charge (levied charge) under an infrastructure charges notice:</p> <ol style="list-style-type: none"> is payable by the applicant; and attaches to the premises;
Payment of any applicable refund	The refund will be paid in accordance with the terms of a written agreement between the entity entitled to the refund and the Scenic Rim Regional Council.

Making a Payment	<p>Payment is to be made to Scenic Rim Regional Council 82 Brisbane Street, Beaudesert and may be made at any of Council's Customer Service Centres.</p> <p>Before paying the infrastructure charge you must request the infrastructure charge payable at the time of payment to consider escalation from the date of the notice to the payment date.</p> <p>This request must be made by email to mail@scenicrim.qld.gov.au.</p>
Goods and Services Tax	The Federal Government has determined that rates and utility charges levied by local government will be GST free. Accordingly, no GST is included in this infrastructure charges notice.
Offset/refund	Any offset or refund shown in this notice has been calculated in accordance with the method identified in the charges resolution.
Trunk Infrastructure Networks	If offset and refund amounts are applicable, trunk infrastructure networks include Community Purposes, Stormwater and Transport
Rights of Appeal	<p><u>Appeals about particular charges for infrastructure</u></p> <p>A person who has been given, and is dissatisfied with an Infrastructure Charges Notice or Negotiated Infrastructure Charges Notice has, under s229(1) and Schedule 1 of the <i>Planning Act 2016</i>, the right to lodge an appeal to the Planning and Environment Court or a Development Tribunal.</p> <p>The timeframes for starting an appeal in the Planning and Environment Court or Tribunal are set out in s.229(3) of the <i>Planning Act 2016</i>.</p> <p>Section 229(6) and Schedule 1 of the <i>Planning Act 2016</i> states the grounds for appealing an Infrastructure Charges Notice or Negotiated Infrastructure Charges Notice.</p>



3D VIEWS ARE INDICATIVE ONLY & NOT TO BE USED FOR CONSTRUCTION

PROPOSED BEAUDESERT R.L.S. SUB BRANCH OFFICE
AND WELLNESS CENTRE.
LOT 2 ANNA ST
BEAUDESERT





Franklin Constructions
Building Contractors and Steel House Frame Fabricators

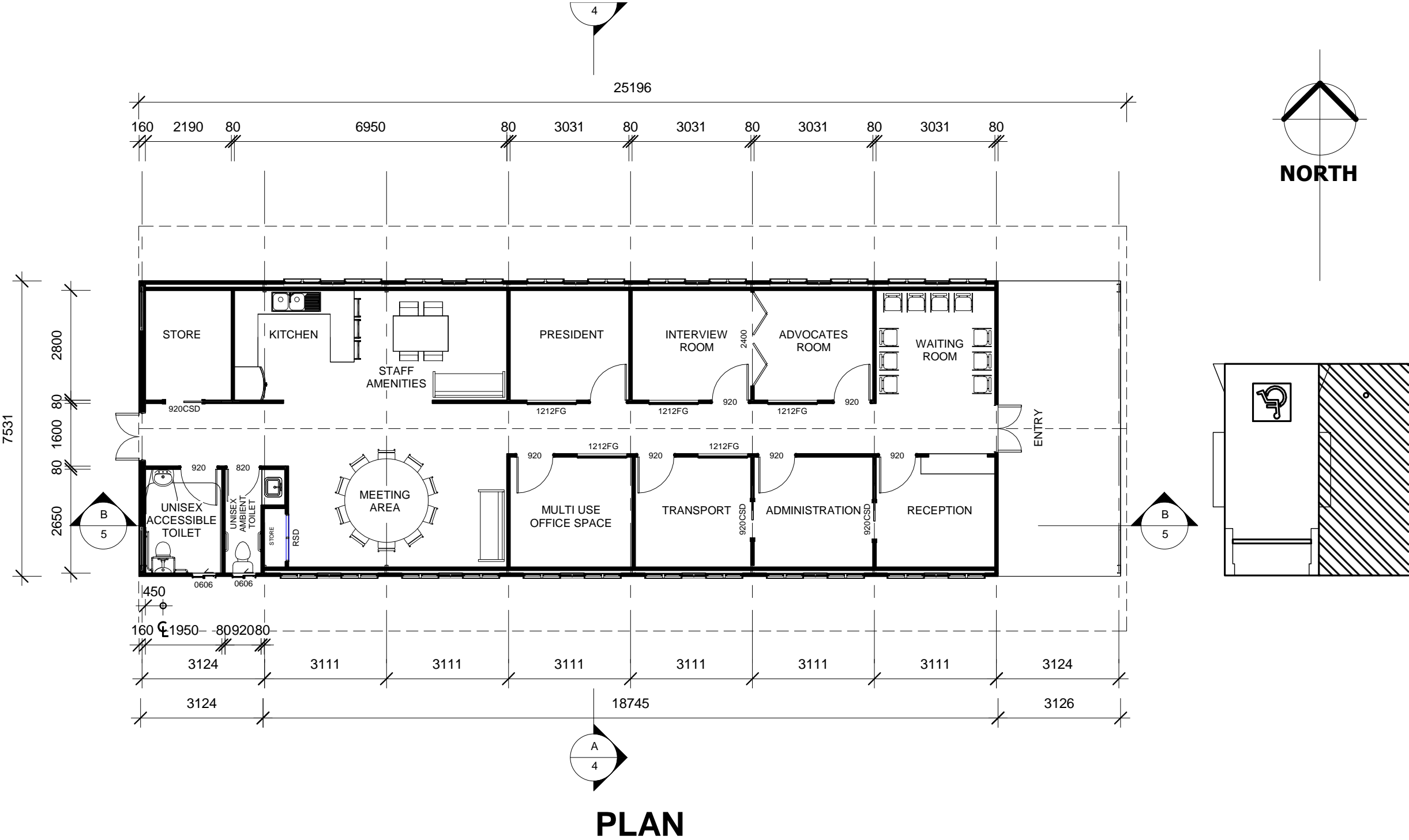
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PERSPECTIVES			
Project number	V1-Rev-C	1	
Date	25/08/2022		
Drawn by	W.J.S.	ISSUE	FOR COMMENT



PROPOSED BEAUDESERT R.L.S. SUB BRANCH OFFICE
AND WELLNESS CENTRE.

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166-168 Enterprise Dr

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(07) 5541 1301

Email: info@franklinsteelhomes.com.au
ABN: 85 837 579 589

FLOOR PLAN			
Project number	V1-Rev-C	2	
Date	25/08/2022		
Drawn by	WJS	ISSUE	FOR COMMENT


Asset & Environmental Sustainability

10.5 Changes to Waste Levy Payments

Executive Officer: General Manager Asset and Environmental Sustainability

Item Author: Manager Maintenance and Operations

Attachments:

1. Correspondence from Minister for the Environment and the Great Barrier Reef Minister for Science and Youth Affairs dated 21 June 2022 [↓](#) 

Executive Summary

From 1 July 2022, changes have been introduced by the Department of Environment and Science (DES) regarding the ongoing future management of the waste levy. The existing levy zone will be divided into two new zones, the levy rates will increase and there will be changes to the annual payments to councils.

Recommendation

That:

1. Council note the future operational costs associated with the waste levy with additional operational costs to be included within the 2023-2024 and ongoing budget submissions; and
2. As a result of proposed changes to the removal of levy exemption for clean fill as cover material, Council acknowledge the need to investigate alternative day cover options for waste at Council's Bromelton Landfill.

Previous Council Considerations / Resolutions

Not applicable.

Report / Background

From 1 July 2022, the DES made several changes to the way the waste levy operates.

The existing levy zone is being divided into two new zones:

- The metro zone — made up of the 12 local government areas in South-East Queensland:
 - Brisbane City Council;
 - Gold Coast City Council;
 - Ipswich City Council;
 - Lockyer Valley Regional Council;
 - Logan City Council;
 - Moreton Bay Regional Council;
 - Noosa Shire Council;
 - Redland City Council;
 - Scenic Rim Regional Council;
 - Somerset Regional Council;
 - Sunshine Coast Regional Council; and
 - Toowoomba Regional Council.

- The regional zone — made up of the remaining 27 local government areas in the current levy zone:
 - Banana Shire Council;
 - Bundaberg Regional Council;
 - Burdekin Shire Council;
 - Cairns Regional Council;
 - Cassowary Coast Regional Council;
 - Central Highlands Regional Council;
 - Charters Towers Regional Council;
 - Douglas Shire Council;
 - Fraser Coast Regional Council;
 - Gladstone Regional Council;
 - Goondiwindi Regional Council;
 - Gympie Regional Council;
 - Hinchinbrook Shire Council;
 - Isaac Regional Council;
 - Livingstone Shire Council;
 - Mackay Regional Council;
 - Maranoa Regional Council;
 - Mareeba Shire Council;
 - Mount Isa City Council;
 - North Burnett Regional Council;
 - Rockhampton Regional Council;
 - South Burnett Regional Council;
 - Southern Downs Regional Council;
 - Tablelands Regional Council;
 - Townsville City Council;
 - Western Downs Regional Council; and
 - Whitsunday Regional Council.

The non-levy zone will not change.

The current levies will increase at different rates in the two new zones. This reflects that South East Queensland landfills the most waste and has greater opportunities for recycling and resource recovery.

From 1 July 2022, all levy rates in the:

- metro zone will increase annually by \$10 per tonne, continuously each year, until the general levy rate reaches \$145 per tonne on 1 July 2027. All levy rates will then increase each year in line with the consumer price index; and
- regional zone will increase in line with the consumer price index each year.

Since the waste levy started, annual payments have been provided to councils to ensure the levy has no direct impact on households. The Queensland Government is the only government that provides this payment.

From 1 July 2022, all eligible councils continued to receive a 105 per cent annual payment.

From 1 July 2023, the annual payment will be reduced each year, until it reaches 20 per cent of the 2021-2022 payment for:

- councils in the metro zone; and
- regional councils in Bundaberg, Cairns, Fraser Coast, Gladstone, Mackay, Rockhampton and Townsville.

The annual payment for all other eligible councils will continue at 100 per cent from 1 July 2023.

Annual payments to councils will be further reviewed in 2025.

Impact of Waste Levy Rebate Removal

The table below shows the estimated impact of the waste levy rebate removal on Council. The following assumptions/caveats are made in formulating this table:

- Growth of 6.5% waste to landfill as baseline - this is consistent with 2021-2022 but conservative if previous years are considered;
- Introduction of additional diversion at sites from the beginning of 2024-2025 resulting in reduction in waste to landfill self-haul of 5% increasing 5% year on year to a max of 20% (this is based on estimates from the Waste Facilities Review); and
- Introduction of Food Organics Garden Organics (FOGO) 2025-2026 with servicing 50% current waste collection area with recovery rate of 40% overall, starting at 20% then 30% the following year.

There is no allowance factored in for waste reduction interventions or diversion through increased capture of co-mingled recycling. Only the rebate is examined, not other changes to costs associated with resource recovery. Consideration of changes to exemptions such as clean earth, is also not included.

	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29*	2029-30*	2030-31*
General waste levy rate	85	95	105	115	125	135	145	148	151	154
Applicable Council Rebate	105%	105%	95%	85%	70%	60%	50%	40%	30%	20%
Projected SRRC generated municipal solid waste (MSW) tonnes to landfill	22,946	24,437	26,026	27,718	29,519	31,438	33,481	35,658	37,976	40,444
Levy liability on current projections (additional cost to Council/Community)	-	-	\$136,637	\$478,136	\$1,106,963	\$1,697,652	\$2,427,373	\$3,166,430	\$4,014,063	\$4,982,701
Project SRRC generated MSW tonnes to landfill with Bromelton Circular Hub development	-	-	25,593	26,719	26,442	26,806	27,707	29,509	31,427	33,469
Levy cost on reduced projections	-	-	\$134,363	\$460,903	\$991,575	\$1,447,524	\$2,008,758	\$2,620,399	\$3,321,834	\$4,123,381
Reduction in levy liability	-	-	\$2,274	\$17,233	\$115,388	\$250,128	\$418,615	\$546,031	\$692,229	\$859,320

In addition, from 1 July 2023, the levy exemption for clean earth disposed to landfill will be removed. The Queensland Government is the only government that provides a levy exemption for clean earth, which is one of the most disposed waste types since the levy started. From this date, disposal of clean earth into landfill will be charged at the general waste levy rate of the levy zone it is generated in.

In addition, the rules for the levy exemption for waste used by landfill operators for operational purposes will also be reviewed, with changes to be in place by 1 July 2023. This will have an operational cost impact on Council as currently Council has a general exemption for use of clean earth as day cover. The general exemption will cease from 1 July 2023 onwards. If Council continues to use clean earth as day cover, this will attract the payment of the waste levy on this material if Council does not obtain on-site operational purpose (OSOP) exemption including the use of clean earth on-site. Council currently has an OSOP in place for waste materials that come in and can be used onsite.

Clean earth is not listed under this exemption as it is currently covered by the general exemption; however, from 1 July, Council will need to request an amendment to the existing OSOP exemption to include a nominated amount of clean earth that is intended to be used so that Council is levy exempt.

To avoid this levy payment, officers are exploring Alternative Day Cover (ADC) options such as landfill lids and tarp systems that have gained popularity over the past years due to the following reasons:

- Easy to operate and manage;
- Air space savings;
- Financial gain; and
- Reduction in levy payment.

The ADCs have shown several other benefits in relation to vector, birds, dust and fire management at the active landfill face. These ADC systems typically range from \$100,000 to circa \$350,000 to purchase, install, including mobilisation and have a life span of up to 10 years. Funding for an ADC has been included within Council's 10 Year Capital Investment Program.

To help achieve the waste reduction targets set by both the Queensland Government and individual councils, there are critical investment decisions that need to be made by local governments in the coming years. The Queensland Government therefore identified the upfront payment of the waste levy reimbursement to assist councils in timely planning and investment decisions to assist reducing waste generation and subsequently reduce waste to landfill.

As per the letter received from the Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs dated 21 June 2022 (refer Attachment 1), Council received a lump sum of \$6,685,242 to cover the next four financial years from 2022-2023 until 2025-2026 inclusive. The DES advises that *"A local government must use the amount paid to the local government to mitigate any direct impacts of the waste levy on households in the local government's local government area"*.

Based on the waste reduction targets set by the Queensland Government, it is envisaged that the funds will predominantly be used for waste minimisation projects, infrastructure developments and upgrades to enhance resource recovery.

The Waste and Recycling Funding Package will make an estimated \$1 billion available for annual payments. Funding available to local councils for resource recovery increased from 1 July 2022 under the \$1.1 billion Queensland Government Recycling and Jobs Fund. Council has nominated projects with the project management office (PMO) for consideration of funding.

Budget / Financial Implications

The general waste levy will increase to \$145 per tonne in \$10 increments. The annual payment that Council receives in lieu of the waste levy will reduce from 105 per cent down to 20 per cent resulting in increased operational costs.

- General Waste Levy amount (per tonne):
 - 2022-2023 – \$95
 - 2023-2024 – \$105
 - 2024-2025 – \$115
 - 2025-2026 – \$125
 - 2026-2027 – \$135
 - 2027-2028 – \$145

- 2028-2029 – \$148 *assuming CPI increase of 2.0%
- 2029-2030 – \$151 *assuming CPI increase of 2.0%
- 2030-2031 – \$154 *assuming CPI increase of 2.0%
- Annual Payment to Council reducing to 20 per cent:
 - 2022-2023 – 105%
 - 2023-2024 – 95%
 - 2024-2025 – 85%
 - 2025-2026 – 70%
 - 2026-2027 – 60%
 - 2027-2028 – 50%
 - 2028-2029 – 40%
 - 2029-2030 – 30%
 - 2030-2031 – 20%
- From 1 July 2023, the levy exemption for clean earth disposed to landfill will be removed. This will impact the cost to Council regarding clean earth as cover material (General Waste Levy will be applicable).
- Budget of \$300,000 has been included within the 10 Year Capital Investment Program to purchase the Alternative Day Cover.
- Council has received a lumpsum amount of \$6,685,242 to cover the next four financial years from 2022-2023 till 2025-2026 inclusive.

Strategic Implications

Operational Plan

Theme: 6. Accessible and Serviced Region

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

Legal / Statutory Implications

Waste Reduction and Recycling Act 2011
Environmental Protection Act 1994

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
Infrastructure, Assets & Service Delivery Inadequate infrastructure or services due to changing requirements and an inability to access investment	4 Major	Likely	High	Implement Waste Management and Resource Recovery Strategy, Alternative Day Cover	Medium
Environmental Low reduction in environmental impacts of waste management due to lack of investment in infrastructure	2 Minor	Possible	Medium	Implement Waste Management and Resource Recovery Strategy, Alternative Day Cover	Medium

Consultation

Information has been provided by the DES regarding the changes to the waste levy.

Maintenance and Operations and Resource and Sustainability business units have been involved in the development of this report.

Conclusion

Council has been classified as a metro council resulting in significant impacts on the management of the waste levy.

The general waste levy will increase in \$10 increments to \$145 per tonne by 2027-2028. The annual payment that Council receives in lieu of the waste levy will reduce from 105 per cent down to 20 per cent by 2030-2031.

Clean earth will no longer be exempt from the waste levy resulting in Council needing to investigate and implement a different day cover material to assist with managing the ongoing increased operational costs associated with the use of clean earth.



Minister for the Environment and the Great Barrier Reef Minister for Science and Youth Affairs

Our Ref: CTS 10469/22

1 William Street Brisbane Qld 4000
GPO Box 5078 Brisbane
Queensland 4001 Australia
Telephone +61 7 3719 7140
Email environment@ministerial.qld.gov.au

21 June 2022

Councillor Greg Christensen
Mayor
Scenic Rim Regional Council
PO Box 25
BEAUDESERT QLD 4285

Dear Mayor

The Palaszczuk Government's 2022-2023 Budget is delivering the first phase of the 10-year, \$2.1 billion waste package and waste levy changes announced on 11 December 2021.

As you know, annual payments have been provided to councils to ensure that the levy has no direct impact on households. Queensland is the only state government that provides this payment.

In this year's Budget, the Palaszczuk Government will bring forward the next four annual payments to local councils, with payment to be made directly to councils prior to 30 June 2022.

To help Queensland meet its waste targets and those set by many councils themselves, there are significant and critical investment decisions that need to be made by both the State and local governments in the coming years.

Bringing these payments forward as a lump sum payment provides councils with certainty for budget planning. It also enables greater flexibility for councils when making investment decisions to help reduce waste generation and increase resource recovery. Making this lump sum payment in advance will not preclude councils from accessing the Recycling and Jobs Fund. Bringing payments forward will also provide an opportunity for early adopters of waste diversion to redirect any potential advance payment savings into other resource recovery initiatives for their community betterment.

For your council, I can confirm that the total upfront payment being made to cover the next four financial years is \$6,685,242, with each year's allocated payment amount provided below:

	2022-2023	2023-2024	2024-2025	2025-2026
Annual Payment	\$1,777,072	\$1,717,860	\$1,683,416	\$1,506,894

The annual payment amounts were calculated using a similar method to previous calculations with the following changes:

- Waste Tonnage: a baseline tonnage of council's annual average levyable municipal solid waste disposed in 2019-2020 and 2020-2021, used in all years with reductions from 2023-2024 in line with the changes announced by the Queensland Government in December 2021 and published on the Queensland Government website at www.qld.gov.au/environment/management/waste/recovery/disposal-levy/about/from-1-july-2022
- Population Change: local government area population change indices in line with those currently published on the Queensland Government website at www.qld.gov.au/environment/management/waste/recovery/disposal-levy/councils

- Levy Rates: applicable levy rates based on the 1 July 2022 introduction of metropolitan and regional levy areas, with \$10 per annum increases for the metropolitan area and a consumer price index increase per annum of 4.3% (used for 2022-23) applied across all years.

As part of the \$1.1 billion Recycling and Jobs Fund announced last year, this Budget will also deliver:

- **\$77.8 million** for Regional Waste Management Plans
- **\$147.2 million** for Industry Development and infrastructure
- **\$16.5 million** for Statewide Behaviour Change programs
- **\$29.3 million** for circular economy initiatives
- **\$21 million** to bolster regulatory assessment and compliance.

These are all aimed at boosting recycling rates and creating jobs within a thriving Queensland circular economy.

This, combined with the advance annual payments funding, provides a unique opportunity for councils to forward plan, capitalise on co-investment opportunities for infrastructure and non-infrastructure activities and reduce waste generation through local programs.

To help you understand the advanced annual payments and to answer any questions your Chief Executive Officers or Chief Finance Officers may have, the Department of Environment and Science will host a briefing via Teams tomorrow, 22 June 2022. The briefing details are as follows:

Time: 9am – 10am
Date: Wednesday, 22 June 2022
Location: Online via Teams
RSVP: via email to director.general@des.qld.gov.au.

If your advisors require any further information, they can contact my Chief of Staff, Ms Clare Manton, on telephone 0432 446 268 or by email at clare.manton@ministerial.qld.gov.au.

Yours sincerely



Meaghan Scanlon MP
Minister for the Environment and the Great Barrier Reef
Minister for Science and Youth Affairs

11 Confidential Matters

Nil