



# Agenda

## Ordinary Meeting

**Tuesday, 20 June 2023**

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

**Scenic Rim Regional Council  
Ordinary Meeting  
Tuesday, 20 June 2023  
Agenda**

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<b>1</b>	<b>Opening of Meeting .....</b>	<b>3</b>
<b>2</b>	<b>Attendance and requests for leave of absence .....</b>	<b>3</b>
<b>3</b>	<b>Apologies .....</b>	<b>3</b>
<b>4</b>	<b>Prayers .....</b>	<b>3</b>
<b>5</b>	<b>Declarations of Prescribed or Declarable Conflict of Interest by Members.....</b>	<b>3</b>
<b>6</b>	<b>Announcements / Mayoral Minutes .....</b>	<b>3</b>
<b>7</b>	<b>Reception of Deputations by Appointment / Presentation of Petitions .....</b>	<b>3</b>
<b>8</b>	<b>Confirmation of Minutes.....</b>	<b>3</b>
<b>9</b>	<b>Business Arising from Previous Minutes .....</b>	<b>3</b>
<b>10</b>	<b>Consideration of Business of Meeting .....</b>	<b>4</b>
	<b>Executive.....</b>	<b>4</b>
	<b>10.1 Show or Special Holiday 2024.....</b>	<b>4</b>
	<b>Customer &amp; Regional Prosperity .....</b>	<b>8</b>
	<b>10.2 Scenic Rim Economic Snapshot 2021-2022.....</b>	<b>8</b>
	<b>10.3 Adoption of a Major Amendment (Amendment No. 3) and Administrative Amendment (Amendment No. 7) to the Scenic Rim Planning Scheme 2020 .....</b>	<b>22</b>
	<b>Asset &amp; Environmental Sustainability.....</b>	<b>123</b>
	<b>10.4 Community and Recreational Asset Recovery and Resilience Program .....</b>	<b>123</b>
	<b>10.5 Emergency Response Fund - Price Creek Bridge, Illinbah .....</b>	<b>126</b>
	<b>10.6 Flood Management Funding Update.....</b>	<b>129</b>
	<b>10.7 Pig and Calf Saleyards Heritage Appeal Update.....</b>	<b>134</b>
	<b>Council Sustainability .....</b>	<b>140</b>
	<b>10.8 Council Monthly Financial Report for May 2023 .....</b>	<b>140</b>
<b>11</b>	<b>Confidential Matters .....</b>	<b>154</b>
	<b>11.1 Land Acquisition for Infrastructure Upgrade Purposes [Closed s.254J(3)(h)].....</b>	<b>154</b>

- 1 Opening of Meeting**
- 2 Attendance and requests for leave of absence**
- 3 Apologies**
- 4 Prayers**
- 5 Declarations of Prescribed or Declarable Conflict of Interest by Members**
- 6 Announcements / Mayoral Minutes**
- 7 Reception of Deputations by Appointment / Presentation of Petitions**
- 8 Confirmation of Minutes**  
Ordinary Meeting - 6 June 2023
- 9 Business Arising from Previous Minutes**

## 10 Consideration of Business of Meeting

### Executive

#### 10.1 Show or Special Holiday 2024

**Executive Officer:** Chief Executive Officer

**Item Author:** Senior Executive Assistant -  
Office of the Mayor and Chief Executive Officer

**Attachments:**

1. Letter - Office of Industrial Relations - 15 May 2023 [↓](#) 

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### Executive Summary

Each year, in accordance with the *Holidays Act 1983*, local governments are invited to request special holidays to be observed during the following year for districts in their area.

### Recommendation

That:

1. Council note the community feedback of May 2022 that the first Monday of the annual Royal Queensland Show is the preferred public holiday for the Scenic Rim region; and
2. Council therefore nominate Monday, 12 August 2024 as a public holiday for the Scenic Rim region for 2024.

### Previous Council Considerations / Resolutions

At the Ordinary Meeting held 19 July 2022, Council resolved that:

1. Council thank the community for their feedback regarding future Royal Queensland Show holidays for the Scenic Rim region as detailed in the attached report;
2. Council confirm the first Monday of the annual Royal Queensland Show as the preferred public holiday for the Scenic Rim region; and
3. In response to the current request from the Office of Industrial Relations, Council therefore nominate Monday, 14 August 2023 as a public holiday for the Scenic Rim region for 2023.

**Report / Background**

The Office of Industrial Relations has recently written to invite Council to request special holidays to be observed during 2024 for districts in this local government area. A copy of that correspondence is attached for reference.

Submissions are due no later than 3 July 2023.

During May 2022, the Scenic Rim community was engaged in consultation on the preferred date for the Royal Queensland Show (EKKA) holiday from 2023 onward. The community's preference was Monday, the first week day of EKKA week.

The 2024 EKKA is scheduled for 10 to 18 August 2024, therefore Monday, 12 August 2024 would be the recommended date.

**Budget / Financial Implications**

Not applicable.

**Strategic Implications***Operational Plan*

Theme: 3. Open and Responsive Government

Key Area of Focus: Strengthened community engagement and partnerships that improve shared expectation and commitment

*Legal / Statutory Implications*

Not applicable.

**Risks**Strategic Risks

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

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

Risk Assessment

<b>Category</b>	<b>Consequence</b>	<b>Likelihood</b>	<b>Inherent Risk Rating</b>	<b>Treatment of risks</b>	<b>Residual Risk Rating</b>
Reputation, Community & Civic Leadership  Adverse impact on Council's reputation due to inattention to statutory obligations and responsibilities.	3 Moderate	Possible	Medium	Monitor and respond to State Government correspondence in a timely manner.	Low

**Consultation**

Community engagement was undertaken during May 2022.

**Conclusion**

It is recommended that Council nominate Monday, 12 August 2024 as a public holiday for the Scenic Rim region for 2024.



Office of  
Industrial Relations

Department of Education

15 May 2023

Dear Chief Executive Officer,

As you may be aware, each year in accordance with the *Holidays Act 1983* local governments are invited to request special holidays to be observed during the following year for districts in their area.

If you wish to request special holidays to be observed during 2024 for districts in your local government area, please complete the attached request form and submit via email to [info@oir.qld.gov.au](mailto:info@oir.qld.gov.au) by no later than **Friday, 3 July 2023**.

A local council requested special holiday is a public holiday only if it is in respect of an agricultural, horticultural or industrial show. Under federal industrial relations legislation, on a public holiday employees are, without loss of ordinary pay, entitled to be absent from work or refuse to work in reasonable circumstances. Employees who work on a public holiday are entitled to penalty rates in accordance with their award or agreement.

A special holiday for any other reason is not a public holiday but is a bank holiday only and under the *Trading (Allowable Hours) Act 1990*, is only a holiday for banks and insurance offices and under a directive of the *Public Service Act 2008*, a holiday for public service employees unless otherwise determined by a chief executive.

Upon receiving Ministerial approval, the holidays will be published in the Queensland Government Gazette. Confirmation of the approved special holidays together with a link to the Queensland Government Gazette will be emailed to your office.

Should you require further information regarding this process, please contact Ms Patricia Faulkner, Office of Industrial Relations on (07) 3406 9845 or email [patricia.faulkner@oir.qld.gov.au](mailto:patricia.faulkner@oir.qld.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'A J James'.

**A J (Tony) James**  
Assistant Director-General  
Office of Industrial Relations

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## Customer & Regional Prosperity

### 10.2 Scenic Rim Economic Snapshot 2021-2022

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

**Item Author:** Acting Principal Specialist Regional Prosperity

**Attachments:**

1. Scenic Rim Economic Snapshot 2021-2022 [↓](#) 

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### Executive Summary

The annual economic indicator data update for the Scenic Rim region has recently been released via .id (the population experts).

.id is a nationally recognised and widely used economic modelling tool which provides demographic and economic statistics for regions, including the ability to utilise an online economic and event impact calculator. Council subscribed to the service in February 2018, and it is available to Council and the public.

As outlined in the Scenic Rim Regional Prosperity Strategy 2020-2025 (the Strategy), it is important to track the performance of the economy through monitoring of a number of key performance measures which are available. In April 2023, Council published the progress of the implementation of the Strategy and Annual Report card, covering the period from 1 July 2021 to 30 June 2022.

Council is now presented with the Scenic Rim Economic Snapshot 2021-2022 (refer Attachment 1), highlighting the key economic indicators to provide insight into the performance of the economic during the 2021-2022 period.

### Recommendation

That:

1. Council acknowledge the progress of the implementation of the Scenic Rim Regional Prosperity Strategy 2020-2025 that has contributed to the region's growing prosperity as evidenced in the Scenic Rim Economic Snapshot 2021-2022;
2. Council note the Scenic Rim Economic Snapshot 2021-2022 will be published on Council's website; and
3. Council delegate authority to the Chief Executive Officer to make minor grammatical and formatting changes to the Scenic Rim Economic Snapshot 2021-2022, if required, after its adoption, and prior to publishing on Council's website for public access, noting any such changes will be advised to Councillors prior to publishing.



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

At the Ordinary Meeting held on 4 April 2023 (Item 10.5), Council acknowledged the progress of the implementation of the Scenic Rim Regional Prosperity Strategy 2020-2025 and Annual Report Card, covering the period from 1 July 2021 to 30 June 2022.

At the Ordinary meeting held on 10 May 2022 (Item 10.5), Council acknowledged the progress of the implementation of the Scenic Rim Regional Prosperity Strategy 2020 - 2025 that has contributed to the recovery and regional prosperity outlined in the Scenic Rim Economic Snapshot 2020-2021.

At the Ordinary Meeting held on 7 December 2021 (Item 10.6), Council resolved to acknowledge the progress of the implementation of the Scenic Rim Regional Prosperity Strategy 2020-2025 and Annual Report Card, covering the period since its adoption in February 2020 to 30 June 2021.

At the Ordinary Meeting held on 3 February 2020 (Item 11.1), Council adopted the Scenic Rim Regional Prosperity Strategy 2020-2025 and approved publishing it on Council's website and the Invest Scenic Rim website.

### **Report / Background**

The Strategy is aligned with the Scenic Rim Community Plan 2011-2026, Scenic Rim 2026 Corporate Plan and annual Operational Plan. The Strategy supports five key development pillars identifying a range of opportunities for the region, which are being achieved through an action/implementation plan and being measured by key performance indicators and key economic indicators.

The Strategy's strategic framework is designed to support the creation of valuable local jobs for local residents. It was constructed based on research, analysis and engagement with stakeholders and built upon the levers of influence and role of local government and other government agencies in facilitating economic development.

This Strategy is being monitored to ensure it achieves its goal of supporting and contributing to growing valuable local jobs for residents. It is important to recognise that Council cannot control the economy, investment decisions or the creation of jobs, however it can be, and is, an enabler. As such, Council is measuring and tracking progress in two ways:

- Progress against the implementation of the Strategy's action plan and the identified target outcomes, which is regularly reported, and
- Economic outcomes, progress towards achieving the identified goal of creating valuable local jobs for residents, which is the purpose of this report.

While no organisation can fully control what takes place in the local economy, being strategic, planning and taking proactive actions in accordance with identified needs and opportunities will both mitigate risk and maximise returns for the region.

The Scenic Rim Economic Snapshot 2021-2022 presents the results based on the recently released 2021-2022 financial year economic statistics available through the economy.id online platform. These highlights include Gross Regional Product (GRP), business and employment trends, industry contribution to the local economy, unemployment statistics and building approvals.

The region's economy is performing strongly, with growth across a number of industries which contributed to an overall 9.8% increase in GRP, along with the creation of 827 additional jobs in the region when compared to 2020-2021.

The local economy as at 30 June 2022:

- GRP of \$2.09billion (Scenic Rim growth of 9.8% almost double that of Queensland, which had a 4.99% increase over same period), the highest for the region in the past 20 years.
- 16,007 jobs located in the Scenic Rim. There were over 827 net local jobs (available in the Scenic Rim) added between 2020-2021 and 2021-2022, with strong growth in employment for Construction, Health Care and Social Assistance, Education industries, Accommodation and Food Services and Professional, Scientific and Technical Services.
- The largest industry in terms of economic contribution was Agriculture, Forestry and Fishing (\$316.9m), while the Healthcare and Social Assistance industry provided the most amount of jobs (2,017 jobs).
- 5.4% Unemployment Rate for the period (most current data indicates an unemployment rate of 4.8% as at end of December quarter 2022).
- The total value of building approvals was \$182m, which represents the highest value since a peak for the region in 2016-2017 of \$194.88m, and the second highest for the period between 2008-2009 to 2021-2022.
- 20,800 residents are employed. An increase of 1,133 or 5.76% (compared to 4.99% increase for Queensland). This can be a reflection of economic conditions improving outside the region as well as people moving to the region but still working outside (working from home).
- A total of 4,738 local businesses are in the region. Of these, it is estimated 4,660 are registered for GST, with a net total of 196 new GST registered businesses in the Scenic Rim since 1 July 2021 to 30 June 2022.

This data is collated by .id, a nationally recognised and widely used economic tool, which provides demographic and economic statistics for regions, including the ability to utilise an online economic and event impact calculator. Council subscribed to the service in February 2018.

This tool allows Council to gain an in depth understanding of the region by reviewing key statistics in the local economy and compare these to State and National trends. The economic and event impact calculator utilise a simple input/output model which is utilised by Council Officers to assess events and where considered appropriate, recommend the provision of letters of support, as well as provide information to assist in the preparation of internal grant applications. In addition to Council officers, members of the public can access the demographic and economic statistics via the online platform on Council's website.

The .id system is used by over 300 local governments and regional authorities around Australia to provide a source of local demographic and economic data which is made available to the community. This is a 'public access' tool, which means that in addition to members of Council, our business community or potential investors can access the tool via the online platform, and download relevant statistics to assist with their research, modelling and investigations.

The economic and event impact calculator is only accessible by Council officers via username and password and used for internal purposes to do modelling that supports Council and local businesses applying for grants and funding.

The subscription to the platform provides Council with access to three different tools:

1. Economic Profile - Australia's leading economic modelling and detailed industry data at the local level. The tool partners with National Economics and also pulls ABS Census data, housing and development data, tourism and agricultural surveys, industry sector reporting and workforce information relevant to the region. This tool is particularly useful for economic development planning, workforce development, strategic planning and grants funding submissions.
2. Community Profile - A socio-demographic profiling tool. It presents data from the last five ABS Censuses, describes the role and function of our LGA and each town or hamlet within it, how they are changing over time and in comparison to other relevant areas.

3. Social Atlas - It delivers Census data in a suite of powerful thematic maps which show how target populations are distributed across a local government area. Over 180 councils across Australia subscribe to this information resource.

Additionally, as a subscriber to the economy.id package, Council can utilise the economic impact tool to model the direct and flow-on impacts (ie. economic productivity and jobs creation) of new investment in a region, or alternatively the loss of a business. As previously mentioned, Council also has the option of utilising the event impact tool to model the direct and flow-on impacts of hosting an event in the region.

The benefit of the .id tool is it uses independent modelling from the National Institute of Economic and Industry Research to show localised flow-on effects of economic productivity and jobs creation resulting from the impact of a project to other sectors and the total economy.

The economic impact model takes a bottom-up approach and is specifically tailored to the Scenic Rim economy, utilising a local input-output matrix that describes how the different industries in an economy interrelate and how supply chains operate in the local area. The impact of local production on areas outside the region is also modelled, based on Journey to Work information from the Census, updated for known recent employment projects.

### **Budget / Financial Implications**

Subscription to this product is included in the adopted 2022-2023 Regional Prosperity Operational budget. The subscription is a cost of \$32,500 per year and represents a valuable return on investment to be able to gather such telling data and track the performance of the local economy.

### **Strategic Implications**

#### *Operational Plan*

Theme: 2. Sustainable and Prosperous Economy

Key Area of Focus: 2.1.1 Guide and optimise the future economic prosperity of the region

#### *Legal / Statutory Implications*

Not applicable.

### **Risks**

#### Strategic Risks

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

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

Risk Assessment

<b>Category</b>	<b>Consequence</b>	<b>Likelihood</b>	<b>Inherent Risk Rating</b>	<b>Treatment of risks</b>	<b>Residual Risk Rating</b>
Financial and Economic  Not setting or reaching achievable growth targets for our economy and regional prosperity. Local business and economic recovery following COVID-19	Moderate	Possible	Medium	Ensuring all a range of actions are implemented to assist in the recovery of our local economy post-COVID-19.	Low

**Consultation**

The Regional Prosperity team have continued ongoing engagement with .id regarding availability of data, enquiries and economic modelling.

In May 2023, .id representatives provided the Councillors with an outline of key economic indicators, trends, performance of the Scenic Rim and made comparisons to the performance of other regions.

In March 2023, the Regional Prosperity team provided an update of activities delivered under the Strategy for the period from 1 July 2021 30 June 2022, which informed the development of the Strategy Annual Report Card July 2021-2022.

In November 2022, .id representatives provided the Councillors with an in-depth overview of the results from 2021 Census data for the Scenic Rim, including any trends and significant changes from 2016 and comparisons to other regional areas, Queensland and Australia.

In March 2022, .id representatives provided the Councillors an outline of key economic indicators, trends, performance of the Scenic Rim and made comparisons to the performance of other regions.

In October 2020, .id representatives provided the Councillors with a further in-depth analysis of COVID-19 impacts and overview of the event and economic modelling tool.

In August 2020, .id representatives provided the Councillors with a concise and targeted local economic analysis of COVID-19 impacts.

In May 2020, Preliminary results utilising the COVID-19 Economic Outlook Tools were referenced in the report on the Economic Stimulus Package Update, which was presented to the Councillors.

**Conclusion**

The annual economic data update for the Scenic Rim has recently been released via .id (the population experts). This economic data informed the development of the Scenic Rim Economic Snapshot 2021-2022.

It is the intention to maintain Council's ongoing subscription to the .id platform. The tool is 'open source', which means that members of our business community, community organisations or potential investors in the Scenic Rim region can access the data via the online platform to assist with their modelling and investigations.

The Regional Prosperity team will continue to utilise the modelling tools to assist in supporting grant applications, letters of support and the sponsorship/financial assistance for significant events and also respond to any data requests and to model the impacts of Council activities and initiatives.

As outlined in the Strategy, it is important to track the performance of the economy through the monitoring of a number of key performance measures which are available.

Representatives from the Regional Prosperity team will present the final designed version of the Scenic Rim Economic Snapshot 2021-2022, which highlights key economic indicators that provide insight into the performance of the economy during the 2021-2022 period. Once adopted by Council this will be shared on Council's website.






















### 10.3 Adoption of a Major Amendment (Amendment No. 3) and Administrative Amendment (Amendment No. 7) to the Scenic Rim Planning Scheme 2020

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

**Item Author:** Principal Specialist Strategic Planning

**Attachments:**

1. Letter from Hon Steven Miles MP giving approval to adopt Amendment No.3 [↓](#) 
2. Scenic Rim Planning Scheme Amendment No.3 [↓](#) 
3. Scenic Rim Planning Scheme Amendment No.7 [↓](#) 

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#### Executive Summary

On 19 April 2023, Council received notice from the Deputy Premier that the proposed Major Amendment to the Scenic Rim Planning Scheme 2020 (Amendment No.3) may be adopted. This report outlines the details of this notice and the recommended adoption and commencement of the Major Amendment.

An Administrative Amendment is also proposed for adoption and commencement in concurrence with the Major Amendment in order to correct some minor errors and inconsistencies that have been identified through the implementation of the Scenic Rim Planning Scheme 2020.

A commencement date of 30 June 2023 is proposed for both amendments.

#### Recommendation

That:

1. Council adopt the proposed Major Amendment to the Scenic Rim Planning Scheme 2020 (Amendment No.3) for commencement on 30 June 2023, in accordance with the *Planning Act 2016* and the Minister's Guidelines and Rules; and
2. Council adopt the proposed Administrative Amendment to the Scenic Rim Planning Scheme 2020 (Amendment No. 7) for commencement on 30 June 2023, in accordance with the *Planning Act 2016* and the Minister's Guidelines and Rules.

#### Previous Council Considerations / Resolutions

- At the Ordinary Meeting held on 6 December 2022, Council resolved to:
  1. Note the Draft Amendment 3 Consultation Report;
  2. Adopt the proposed changes to the draft Scenic Rim Planning Scheme 2020 Amendment No.3;
  3. Request approval from the Minister for State Development, Infrastructure, Local Government and Planning to adopt the proposed amendment in accordance with the requirements of the Planning Act 2016 and Chapter 2, Part 4 of the Minister's Guidelines and Rules;
  4. Rename the definition of 'mountain community' in the Draft Amendment No. 3 and further consequential changes to the Scenic Rim Planning Scheme 2020, to 'Tamborine Mountain Community', should that be possible within the scope of the current amendment process and timetable, otherwise to be referred for consideration in the next available Major Amendment Pack.

- At the Ordinary Meeting held on 10 May 2022, Council resolved to endorse undertaking public consultation of the attached Scenic Rim Planning Scheme 2020 Draft Amendment No.3 in accordance with the requirements of the Planning Act 2016 and Chapter 2, Part 4 of the Minister's Guidelines and Rules.
- At the Ordinary Meeting held on 21 September 2021, Council resolved to:
  1. Endorse the Scenic Rim Planning Scheme 2020 Draft Amendment No.3 to undertake a state interest review in accordance with the requirements of Chapter 2, Part 4 of the Minister's Guidelines and Rules; and
  2. Request approval from the Minister for State Development, Infrastructure, Local Government and Planning to undertake public consultation on the draft amendment package following the state interest review in accordance with the requirements of the Planning Act 2016 and Chapter 2, Part 4 of the Minister's Guidelines and Rules.
- At the Ordinary Meeting held on 9 February 2021, Council resolved to prepare a Major Amendment to the Scenic Rim Planning Scheme 2020 in accordance with Section 18 of the *Planning Act 2016* and Part 4 of the Minister's Guidelines and Rules.

## Report / Background

### Major Amendment (Amendment No. 3)

In keeping with Council's commitment to continually amend the Scenic Rim Planning Scheme 2020 (Planning Scheme) to ensure it remains up to date and relevant, a Major Amendment has been prepared that includes a variety of changes to improve policy matters identified in the first year of its implementation. The proposed amendments also aim to resolve a number of outstanding matters that were raised during the public consultation of the draft instrument in 2018 and 2019.

There are 20 items included in the amendment (refer Attachment 2), which are listed as follows:

1. Facilitation of small-scale craft breweries and distilleries;
2. Amendment to facilitate groundwater extraction for water supply in the Rural Zone - Tamborine Mountain Precinct;
3. Amendment to enable subdivision of land divided by a State-controlled road in the Rural Zone;
4. Amendments to the Dual Occupancy Code and level of assessment for Dual Occupancies;
5. Inclusion of Lot 2 on RP27261 in the Rural Zone;
6. Amendment to floor level requirements for non-residential buildings in the Flood Hazard Overlay Code;
7. Amendment to Animal Keeping requirements in the Low Density Residential Zone - Mountain Residential Precinct;
8. Reduction of side and rear setbacks for lots 1 hectare or less in the Rural Zone (Where no precinct applies);
9. Amendment to include Local utility as Accepted development for Operational Work involving a car park;
10. Amendment to make Animal Keeping involving Kennels an inconsistent use in the Township Zone (Township Residential Precinct);
11. Inclusion of an Administrative Definition and map to define the Tamborine Mountain Community area;
12. Inclusion of a note to Domestic Outbuilding Definition;
13. Inclusion of a new boundary realignment definition in Schedule 1;
14. Amendment to Table of Assessment for Overlays to clarify waterway buffer triggers;

15. Amendment to Bushfire Hazard Overlay Code to include additional requirements for safe access;
16. Amendment to the Table of Assessment for Tourist Parks in the Rural Zone;
17. Amendment to enable extensions to Dwelling Houses as accepted development in the Major Centre and Mixed Use Zones;
18. Amendments to Industry Thresholds for industrial use definitions;
19. Inclusion of a new Administrative Definition for Mobile Vendors; and
20. Amendments to the Strategic Framework to clarify support for tourism activities in the Township Zone.

The draft Major Amendment underwent public consultation in accordance with the requirements of the Minister's Guidelines and Rules (MGR) between 18 May 2022 and 3 July 2022 (33 business days).

Changes were made in response to matters raised in submissions and on 6 December 2022, Council endorsed the updated draft amendment and sought approval from the Deputy Premier (Minister) to adopt the proposed amendment in accordance with the requirements of the *Planning Act 2016* and Chapter 2, Part 4 of the MGR.

On 19 April 2023, the Minister advised that Council could adopt the proposed amendment and there were no conditions attached to this advice (refer Attachment 1).

The correspondence from the Minister also commended Council for making amendments that aim to increase water security and resilience for the Tamborine Mountain community and notes that Council is endeavouring to further improve water security on Tamborine Mountain by considering increasing the size of mandated water tanks for new developments. This matter continues to be investigated by Council officers and is an implementation action of the Scenic Rim Growth Management Strategy 2041 and included in the adopted Strategic Planning Program 2022-2027.

#### Administrative Amendment (Amendment No.7)

An Administrative Amendment (refer Attachment 3) is proposed to correct some minor errors and inconsistencies that have been identified through the implementation of the Planning Scheme.

Consistent with the scope of an Administrative Amendment prescribed in the MGR, minor corrections are proposed that will correct or change:

- a) an explanatory matter;
- b) the format or presentation;
- c) a spelling, grammatical or mapping error in the planning scheme that does not materially affect the remainder of the planning scheme;
- d) a factual matter incorrectly stated in the planning scheme;
- e) a redundant or out-dated term;
- f) inconsistent numbering of provisions;
- g) incorrect cross-references; and
- h) terms used in the Planning Scheme to reflect amendments to the regulated requirements under the *Planning Act 2016*.

There are no changes proposed that affect matters of policy in the Planning Scheme.

It is proposed that the Administrative Amendment commence in concurrence with the Major Amendment to maximise efficiencies in the costs and resources associated with the publication of the Planning Scheme and public notices.



Commencement of amendments

The proposed commencement date for both amendments is Friday, 30 June 2023. This date aligns with the publication of the Queensland Government Gazette and enables Council officers to publish the updated version of the Planning Scheme on the ePlan and make updates to Council's website.

**Budget / Financial Implications**

Preparation of the amendments is included within existing Strategic Planning adopted 2022-2023 Operational Budget and resources.

**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 *Planning Act 2016* references a statutory instrument called the MGR, which sets out the process for making and amending local planning instruments. The amendments have been prepared in accordance with the statutory requirements of the MGR.

**Risks**

Strategic Risks

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

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

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

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Governance, Risk & Compliance  Failure to comply with statutory obligations and responsibilities	3 Moderate	Possible	Low	Ensuring the process for preparing the amendment to the Planning Scheme follows the requirements of the Planning Act 2016.	Low

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Reputation, Community & Civic Leadership  Ineffective, inaccurate or inappropriate external communications	3 Moderate	Possible	Low	Ongoing communication as the amendment progresses through the statutory process with key stakeholders.	Low

**Consultation**

The proposed amendments have been identified by the various business units in Council that use the Planning Scheme. The Major Amendment underwent public consultation in accordance with the requirements of the MGR and a review of submissions resulted in a number of changes to the draft amendment.

Due to its minor nature, the Administrative Amendment does not require public consultation, a State Interest Review, or Ministerial approval.

If adopted, Council must publish a public notice about the amendments and a copy of the amendments must be given to the chief executive of the Department of State Development, Infrastructure, Local Government and Planning within the timeframe prescribed in the MGR.

**Conclusion**

The Minister has advised that in accordance with the MGR, the proposed Major Amendment to the Scenic Rim Planning Scheme 2020 (Amendment No.3) may be adopted by Council. The amendment package was prepared in alignment with Council's commitment to continually update the Planning Scheme and provides for improvement in a variety of policy matters while supporting the achievement of the desired intent for development in the region. It is recommended that the proposed Major Amendment be adopted alongside the proposed Administrative Amendment for commencement on 30 June 2023.

























































































































































































































## **Asset & Environmental Sustainability**

### **10.4 Community and Recreational Asset Recovery and Resilience Program**

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

**Item Author:** General Manager Asset and Environmental Sustainability

**Attachments:** Nil

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#### **Executive Summary**

The joint Australian and Queensland government-funded (50:50) Community and Recreational Asset Recovery and Resilience Program (CRARRP) is an exceptional circumstances Category C and D funding package approved under the Disaster Recovery Funding Arrangements (DRFA) to support community and recreational assets impacted by the extraordinary disaster events of financial year 2021-2022 that are not eligible for other funding. Council has been successful in funding for 10 projects.

#### **Recommendation**

That Council acknowledge the funding from the Community and Recreational Asset Recovery and Resilience Program, jointly funded by the Australian and Queensland government, for the following projects:

- Land slip on fire trail in reserve behind Meridian Way, Beaudesert;
- Land slip on fire trail in Guanaba Park, Tamborine Mountain;
- Land slip in The Shelf Rd Reserve, Tamborine Mountain;
- Land slip at Lahey Tunnel, Canungra;
- Removal of silt from ponds at Tamborine Mountain Botanical Gardens;
- Car park surfacing at Moriarty Park Dog Agility Facility, Canungra;
- Road reconstruction at Tom Enright Drive, Beaudesert; and
- Access road surfacing at Hayes Oval, Harrisville.

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

Nil.

#### **Report / Background**

The joint Australian and Queensland government-funded (50:50) CRARRP is a component of a jointly funded exceptional circumstances Category C and D funding package approved under the DRFA to support local government areas impacted by the extraordinary disaster events of financial year 2021-2022. One-hundred million dollars is available and all works must be complete by 30 June 2024.

The key objective of the DRFA Category C CRARRP is to provide funding to assist local governments, state agencies, and non-profit sport and recreation associations to clean-up and/or repair or build resilience of eligible community and recreational assets and facilities that have been damaged by the extraordinary disaster events of financial year 2021-2022 and are considered ineligible for DRFA Category B funding.

The following projects were successful:

- Land slip on fire trail in reserve behind Meridian Way, Beaudesert \$2,233,359
- Land slip on fire trail in Guanaba Park, Tamborine Mountain \$587,687
- Land slip in The Shelf Rd Reserve, Tamborine Mountain \$139,030
- Land slip at Lahey Tunnel, Canungra \$145,321
- Removal of silt from ponds at Tamborine Mountain Botanical Gardens \$671,964
- Car park surfacing at Moriarty Park Dog Agility Facility, Canungra \$183,610
- Road reconstruction at Tom Enright Drive, Beaudesert \$38,461
- Access road surfacing at Hayes Oval, Harrisville \$52,384

Project planning has commenced for delivery of these projects alongside the flood recovery program.

**Budget / Financial Implications**

A Council contribution is not required for this program, but approved funding will be lump sum and any costs above the approved funding will be Council’s responsibility. Actual costs incurred prior to funding approval are eligible for reimbursement provided the project is approved for funding.

**Strategic Implications**

*Operational Plan*

Theme: 6. Accessible and Serviced Region

Key Area of Focus: Accessibility and reliability of Council-controlled transport, flood mitigation and drainage infrastructure, with enhanced resilience

*Legal / Statutory Implications*

Not applicable.

**Risks**

Strategic Risks

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

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

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Infrastructure, Assets & Service Delivery  Adverse impact to the community as a result of poor infrastructure	4 Major	Possible	High	10 Year Capital Works Program; Asset Management Plans; Long-term financial plans;	Medium

**Consultation**

A list of eligible projects for nomination was developed in consultation with the business units responsible for delivery of the identified projects, following receipt of the Program funding guidelines.

Feedback from the Queensland Reconstruction Authority regarding eligibility of projects was sought and given. Advice was subsequently received from the Queensland Reconstruction Authority announcing the list of successful projects.

**Conclusion**

Council has been successful in obtaining funding under Community and Recreational Asset Recovery and Resilience Program, for the following nominated projects:

- |  |             |
|--|-------------|
| • Land slip on fire trail in reserve behind Meridian Way, Beaudesert | \$2,233,359 |
| • Land slip on fire trail in Guanaba Park, Tamborine Mountain        | \$587,687   |
| • Land slip in The Shelf Rd Reserve, Tamborine Mountain              | \$139,030   |
| • Land slip at Lahey Tunnel, Canungra                                | \$145,321   |
| • Removal of silt from ponds at Tamborine Mountain Botanical Gardens | \$671,964   |
| • Car park surfacing at Moriarty Park Dog Agility Facility, Canungra | \$183,610   |
| • Road reconstruction at Tom Enright Drive, Beaudesert               | \$38,461    |
| • Access road surfacing at Hayes Oval, Harrisville                   | \$52,384    |

**10.5 Emergency Response Fund - Price Creek Bridge, Illinbah**

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

**Item Author:** General Manager Asset and Environmental Sustainability

**Attachments:** Nil

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**Executive Summary**

Council has been successful in securing funding under the Australian Government's Emergency Response Fund Program for the replacement of an existing low-level floodway on Upper Coomera Road, over Price Creek, at Illinbah.

**Recommendation**

That Council acknowledge the funding provided by the Australian Government through the Emergency Response Fund for construction of a new concrete bridge over Price Creek, on Upper Coomera Road, Illinbah.

**Previous Council Considerations / Resolutions**

Nil.

**Report / Background**

Following the 2021-2022 rainfall and flooding event, the Australian Government offered an additional \$150 million from the Emergency Response Fund (\$75 million for Queensland and \$75 million for New South Wales) to assist with recovery efforts.

The Emergency Response Fund is an investment fund to maximise the Commonwealth's capacity to support states and territories responses to major natural disasters into the future. Funding from the Emergency Response Fund complements existing sources of funding for emergency response and disaster recovery, including the Disaster Recovery Funding Arrangements, and the Australian Government Disaster Recovery Allowance. The Disaster Ready Fund replaces the Emergency Response Fund which terminates on 30 June 2023. Emergency Response Fund Programs will continue to be honoured.

The Australian Government recently announced that a total of seven projects in Queensland have been approved under the Emergency Response Fund, of which Council's Price Creek Bridge project was one. The funding is provided to assist recovery and post-disaster initiatives in communities significantly impacted by the South East Queensland Rainfall and Flooding, 22 February to 5 April 2022 event.

The Price Creek Bridge project involves the replacement of an existing low level floodway with a new concrete bridge (15 metre span) with raised deck height to increase flood immunity. This bridge provides the single route of access out of this community in a flood event.

The scope of this project also includes environmental works, traffic management and temporary works, public utilities adjustment, earth works, bridge cost, pavements, traffic signage and guard rail.

This project will:

1. ensure the community is not isolated during a flood event;
2. increase flood immunity, reducing the time following a heavy rainfall event that access is restricted;
3. increase road user safety with design to current engineering standards;
4. reduce future maintenance with design and construction of a robust concrete structure;
5. provide economic and social benefits by maintaining access and improved safety; and
6. provide environmental protection by increasing the waterway area at the crossing.

The project is expected to be completed by December 2024.

### **Budget / Financial Implications**

Council has been successful in securing funding under the Emergency Response Fund. The funding stream does not require complementary funding from Council.

At the time of application (September 2022) the project was estimated to cost \$3,133,055; which matches the project cost estimate.

### **Strategic Implications**

#### *Operational Plan*

Theme: 6. Accessible and Serviced Region

Key Area of Focus: Accessibility and reliability of Council-controlled transport, flood mitigation and drainage infrastructure, with enhanced resilience

#### *Legal / Statutory Implications*

Not applicable.

### **Risks**

#### Strategic Risks

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

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

Risk Assessment

<b>Category</b>	<b>Consequence</b>	<b>Likelihood</b>	<b>Inherent Risk Rating</b>	<b>Treatment of risks</b>	<b>Residual Risk Rating</b>
Infrastructure, Assets & Service Delivery  Adverse impact to community and infrastructure due to poor infrastructure planning and management	4 Major	Possible	High	Core Asset Management Plans; Local Disaster Management Plan	Medium

**Consultation**

Following the South East Queensland Rainfall and Flooding, 22 February to 5 April 2022 event, and the announcement the Australian Government funding of \$150 million from the Emergency Response Fund, Council has been working with the Queensland Reconstruction Authority to make application and secure funding under the program.

Council continues to work with both Australian and Queensland Governments to successfully deliver the Price Creek Bridge project.

**Conclusion**

Through the Australian Government, and with the support of the Queensland Construction Authority, Council has been successful in securing funding for the construction of a new concrete bridge over Price Creek on Upper Coomera Road, Illinbah.



**10.6 Flood Management Funding Update**

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

**Item Author:** General Manager Asset and Environmental Sustainability

**Attachments:** Nil

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**Executive Summary**

The Scenic Rim sits at the headwaters of a number of catchments, resulting in rapid stream rises during intense rain events. Improved data on the potential impacts of rainfall and river heights is required and through recent successful funding opportunities Council will be in an improved position to understand the impacts of a range of rain events in each catchment.

The 2011 Queensland Floods Commission of Inquiry recommended that Councils develop floodplain management plans. Council has been working towards improved understanding risks from flooding to the community, with improved flood modelling to inform planning outcomes and investing in improved resilience in infrastructure.

**Recommendation**

That Council acknowledge the funding provided by the Australian and Queensland Governments through the Queensland Reconstruction Authority to supplement Council's budget in identifying and reducing risk caused by flooding.

**Previous Council Considerations / Resolutions**

Nil.

**Report / Background**

Understanding aspects of potential rain events and resultant flooding in such a complex environment is a vast task not achievable with Council's current budget. To provide the best value for money, Council has concentrated on the highest risk items and worked to identify external funding to complement Council's budget.

Over recent years, Council has undertaken flood studies in all catchments to define the 1 in 100 annual exceedance probability (AEP) flood event and continues to refine these studies. Council has identified and constructed many flood resilient assets including new concrete bridges and stabilised pavements on roads prone to flooding.

Council has worked with the Queensland Reconstruction Authority (QRA) over recent years to maximise the use of a range of Disaster Relief Funding Arrangements funding streams, combined with Council's own funds, to continue to allow Council to make significant progress in understanding and eliminating risks from flooding.

A study funded by the Queensland Resilience and Risk Reduction Fund is underway to survey the location and height of all the Council-owned rainfall and river height gauges to recalibrate the minor, medium and major flood levels used to advise the community of the flood risk during an event, in collaboration with the Bureau of Meteorology.

Three additional roles have been funded by the Local Recovery and Resilience Grant including additional disaster management capacity and Catchment and Flood Management engineers.

The Flood Risk Management Program has provided funding for additional flood modelling of five creeks to understand the 1 in 500 AEP, 1 in 2,000 AEP and probable maximum flood events in five Scenic Rim creeks (Logan River, Purga Creek, Albert River, Warrill Creek and Teviot Brook), as well as development of a Flood Intelligence Strategy that will consult relevant stakeholders about what information should be available during an event, determine how to obtain the data, and establish a path to installing necessary infrastructure. The Flood Intelligence Strategy will also develop schematic catchment plans that will identify the location of existing rainfall and river height gauges, and corresponding impacted locations downstream. Implementation of the Guardian IMS Flood Intelligence Module is also funded, which will bring Council’s use of flood gauges and flood information into Council’s incident management system, Guardian.

The table below lists current funding either applied for or approved related to the recent flood events.

Name	Value applied for	Projects	Status
Local Recovery and Resilience Grant (Part 1)	\$750,000	<ul style="list-style-type: none"> <li>• Flood Plain Management Plan</li> <li>• Flood and Catchment Management Engineer</li> <li>• Flood Project Engineer</li> <li>• Disaster Management Specialist</li> </ul>	Approved
Local Recovery and Resilience Grant (Part 2)	\$250,000	<ul style="list-style-type: none"> <li>• Road Network Analysis - Flood Warning Signage</li> <li>• SES Local Controller Vehicle</li> <li>• Kooralbyn Community Hall - air conditioning</li> </ul>	Application submitted March 2023
Flood Risk Management Program WP3	\$ 637,560	<ul style="list-style-type: none"> <li>• Intelligence Strategy</li> <li>• Logan River Emergency Management Flood Modelling</li> <li>• Purga Creek Emergency Management Flood Modelling</li> <li>• Albert River Emergency Management Flood Modelling</li> <li>• Warrill Creek Emergency Management Flood Modelling</li> <li>• Teviot Brook Emergency Management Flood Modelling</li> <li>• Critical Council Infrastructure Identification and Mapping</li> <li>• Overland Flow Risk Studies (not successful)</li> <li>• Guardian IMS Flood Intelligence Module</li> </ul>	Approved February 2023
Flood Risk Management Program WP2	Not applicable	<ul style="list-style-type: none"> <li>• New Lidar survey of Scenic Rim region</li> </ul>	Delivered by QRA

Name	Value applied for	Projects	Status
Flood Warning Infrastructure Master Plan	Not applicable	<ul style="list-style-type: none"> <li>Multiple potential locations identified for flood cameras, automatic flood warning signs, rainfall gauges or river height gauges</li> </ul>	Awaiting funding announcement
Floodplain Management Plan	\$200,000	<ul style="list-style-type: none"> <li>Develop floodplain management plan</li> </ul>	In current SRRC budget
Riverine Flood Modelling Update	\$300,000	<ul style="list-style-type: none"> <li>Review 1 in 100 AEP flood studies</li> </ul>	In current SRRC budget
Queensland Resilience and Risk Reduction Fund 2021	\$89,000	<ul style="list-style-type: none"> <li>Calibration of BoM flood gauges</li> </ul>	Project underway

**Floodplain Management Plan**

The 2011 Queensland Floods Commission of Inquiry recommended that councils develop floodplain management plans. Council has been working towards improved understanding risks from flooding to the community, with improved flood modelling to inform planning outcomes and investing in improved resilience in infrastructure. The aim of the floodplain management plan is to eliminate, contain or at a minimum be aware of the risks of flooding. The basis of the floodplain management plan is to collect data about the floodplain, model potential events, and communicate risks to internal and external stakeholders. This information will assist with improving outcomes by controlling the direction of construction of resilient infrastructure and help to guide correct planning decisions.

Council is aware of the importance of management of floodplains; given the region's topography an equal or greater risk is as a result of flash flooding. Through the identified projects, as listed in this report, the aim is to finalise the floodplain management plan and develop an improved understanding of flash flooding impacts to the Scenic Rim community in a prioritised manner. A body of work has already been undertaken to address an outstanding item with the Queensland Audit Office, being development of a floodplain management plan.

It is envisaged that the finalisation for a floodplain management plan and the Flood Intelligence Strategy, which will outline the impacts of flash flooding with identified limitations, will be completed by 30 June 2024.

**Budget / Financial Implications**

As outlined in the body of this report, Council has been successful in its application for funding relating to recent flooding events. There are also a number of funding streams that are yet to announce successful nominated projects.

Where a success project require a financial contribution from Council, a budget allocation has been provided.

**Strategic Implications**

*Operational Plan*

Theme: 6. Accessible and Serviced Region

Key Area of Focus: Accessibility and reliability of Council-controlled transport, flood mitigation and drainage infrastructure, with enhanced resilience

*Legal / Statutory Implications*

Not applicable.

**Risks**

Strategic Risks

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

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

SR45 Inadequate, ineffective or unintegrated Disaster Management Framework to enable an appropriate and coordinated response to a significant disaster event.

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

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

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Infrastructure, Assets & Service Delivery  Adverse impact to community and infrastructure due to poor infrastructure planning and management	4 Major	Possible	High	Core Asset Management Plans; Local Disaster Management Plan;	Medium
Governance, Risk & Compliance  Non-compliance to legislative requirements	4 Major	Possible	High	Local Disaster Management Plan; Planning Scheme; Core Asset Management Plans;	Medium

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Reputation, Community & Civic Leadership  Adverse impact to Council's reputation due to poor decision-making	4 Major	Possible	High	Local Management Plan; Disaster Planning Scheme; Core Asset Management Plans; Floodplain Management Plan	Medium

**Consultation**

Council's response to flood management has always been approached collaboratively, both within the realm of the organisation and with government agencies and neighbouring local government authorities.

The identification and development of flood-specific projects has involved stakeholders across the organisation, including but not limited to Disaster Management, Strategic Planning, Planning and Development, Community Development, Capital Works and Asset Management, as well as the Executive Team.

**Conclusion**

Through the support of the Australian and Queensland Governments, Council continues to enhance its ability to understand and respond to rainfall events and resultant flooding within the Scenic Rim region. In particular, the Local Recovery and Resilience Grant has provided Council the opportunity to develop and deliver a floodplain management plan for the region.

**10.7 Pig and Calf Saleyards Heritage Appeal Update**

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

**Item Author:** Manager Resources and Sustainability

**Attachments:** Nil

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**Executive Summary**

In the matter of *Scenic Rim Regional Council vs Queensland Heritage Council*, set before the Planning and Environment Court, a judgement by Her Honour Judge Kefford was handed down on 28 October 2022.

The decision of the Queensland Heritage Council to enter the Beaudesert Pig and Calf Saleyard on the Queensland Heritage Register as a State Heritage Place was set aside and replaced with a decision not to enter the saleyards on the Register.

Council will engage with the community to achieve an amicable compromise based around building a Beaudesert Pig and Calf Saleyards heritage display.

**Recommendation**

That Council acknowledge the further information provided with regard to the Judgement by Her Honour Judge Kefford, ordering that the decision of the Queensland Heritage Council to enter the Beaudesert Pig and Calf Saleyard on the Queensland Heritage Register as a State heritage place, be set aside and replaced with a decision not to enter the Beaudesert Pig and Calf Saleyard on the Queensland Heritage Register.

**Previous Council Considerations / Resolutions**

- At the Ordinary Meeting held on 7 February 2023 (Item 10.6), it was resolved that:
  1. Council acknowledge the Judgment by Her Honour Judge Kefford ordering that the decision of the Queensland Heritage Council to enter the Beaudesert Pig and Calf Saleyard on the Queensland heritage register as a State heritage place be set aside and replaced with a decision not to enter the Beaudesert Pig and Calf Saleyard on the Queensland heritage register; and
  2. Council acknowledge that further consultation is required to ascertain the future of the Beaudesert Pig and Calf Saleyard site.

- At the Ordinary Meeting held on 24 January 2023 (Item 9.3), Cr Derek Swanborough referred to a question taken on notice at the Ordinary Meeting held on 6 December 2022, in relation to the costs to date of Council's legal involvement in the Beaudesert Pig and Calf Saleyard. Cr Swanborough asked that the information be provided.

The General Manager Asset and Environmental Sustainability responded that officers are working through the actual total cost of the legal proceedings so he was not in a position to provide that information.

Cr Swanborough queried whether the costs were included in the budget statement released by Council. The General Manager responded that some of the costs were included in the budget document, but not clearly identified within the document.

Cr Swanborough queried whether the costs so far identified in relation to the matter, could be provided when the budget document on this Ordinary Meeting Agenda is considered.

The General Manager advised he was not in a position to provide a detailed answer to the question.

Cr Greg Christensen advised the matter would be dealt with at a future Ordinary Meeting.

- At the Ordinary Meeting held on 23 February 2021 (Item 10.6), it was resolved that:
  1. Council lodge an appeal to the Planning and Environment Court to the inclusion of the Beaudesert Pig and Calf Saleyards in the Queensland Heritage Register;
  2. When further information regarding the impact and implication of the Heritage Council listing is available, the matter be brought back to Council for consideration of further legal action;
  3. Council acknowledge that further investigations are required to fully understand the implications of inclusion of the Beaudesert Pig and Calf Saleyards in the Queensland Heritage Register on future upgrades, improvements and ongoing maintenance of the saleyards;
  4. Council acknowledge that further investigations are required to fully understand the implications of inclusion of the Beaudesert Pig and Calf Saleyards in the Queensland Heritage Register on the ongoing operations of the pig and calf sales and associated leasing arrangements;
  5. In conjunction with the appeal to the Planning and Environment Court, Council engage with community members responsible for the Beaudesert Pig and Calf Saleyards heritage application, to achieve an amicable compromise based around building a Beaudesert Pig and Calf Saleyards heritage display; and
  6. Following the results of the appeal, if lost or withdrawn, consideration be given by Council in the 2021-2022 budget for upgrading the Beaudesert Pig and Calf Saleyards to the appropriate standards of building, environment and safety, as required.
- At the Ordinary Meeting held on 12 October 2020 (Item 11.6), it was resolved that Council endorsed the submission made the Department of Environment and Science in response to an application made to place the Beaudesert Pig and Calf Saleyards on the Queensland Heritage Register.
- At the Ordinary Meeting held on 21 September 2020 (Item 11.3), it was resolved that:
  1. Council acknowledge advice from the Department of Environment and Science of an application for the Beaudesert Pig and Calf Saleyard to be included into the Queensland Heritage Register; and
  2. Council lodge a submission to the Department of Environment and Science, advising that the proposed inclusion of the Beaudesert Pig and Calf Saleyards into the Queensland Heritage Register is not supported, Council does not consider the Beaudesert Pig and Calf Saleyard has state-level heritage significance.
- At the Ordinary Meeting held on 17 August 2020 (Item 11.7), it was resolved that Council extend the current lease with Hayes & Co Pty Ltd over part of Lot 32 on SP113955, situated at Helen Street, Beaudesert, under current terms and conditions, until 31 December 2020.

- At the Ordinary Meeting held on 3 August 2020 (Item 12.1), Cr Derek Swanborough tabled a petition, containing 139 signatures, as follows:

*"The Scenic Rim Shire [sic] Council has proposed to discontinue the pig and calf sales at the current historic location. The pig and calf sale yards represents the historical development of Beaudesert's cattle industry and has acted as a centre for the country community to meet. The pig and calf sale yards create a commercial and social meeting place unique to an Australian country town. There is significant commercial benefit to the community to support the farmers and their families attending the sales in the same way as the farmers support the Beaudesert community. The 'country market' should continue to be held in the centre of town as this is the interface between town and country. The historic tradition of 'coming to town' from the farm creates a hub for tourists wanting to experience our country life. It can also provide a centre for other tourist operators providing a country experience for tourists in the Scenic Rim. We, the undersigned, are concerned citizens who urge the members of the Scenic Rim Shire [sic] Council to act now to ensure that the ongoing operation of the Pig and Calf Sale yards is continued in its current location."*

It was resolved that the petition be received and referred to the Chief Executive Officer for consideration and a report presented to Council at a later date.

- At the Ordinary Meeting held on 3 August 2020 (Item 12.2), Cr Derek Swanborough tabled a petition, containing 180 signatures, as follows, "Save the Beaudesert Calf and Pig yards scheduled for demolition on August September 2020". It was resolved that the petition be received and referred to the Chief Executive Officer for consideration and a report presented to Council at a later date.
- At the Ordinary Meeting held on 3 August 2020 (Item 12.3), Cr Derek Swanborough tabled a petition, containing 76 electronic signatures, as follows: "Stop the demolition of the Beaudesert saleyard and keep the pig and calf sale open". It was resolved that the petition be received and referred to the Chief Executive Officer for consideration and a report presented to Council at a later date.
- At the Ordinary Meeting held on 3 August 2020 (Item 12.4), Cr Derek Swanborough tabled a printed e-petition from Change.org, containing 853 electronic signatures, as follows, "Save the Beaudesert Pig and Calf Saleyards". It was resolved that the electronic petition be accepted, containing 853 electronic signatures, referred to the Chief Executive Officer for consideration and a report presented to Council at a later date.

## **Report / Background**

The Beaudesert Pig and Calf Saleyards occupy a small portion of land toward the middle of Lot 32 on SP113955.

Council subleases the land from the Department of Transport and Main Roads (TMR). The sublease commenced on 3 March 2008 and is for a period of 30 years.

The site of the Beaudesert Pig and Calf Saleyards and the wider area of Davidson Park and the former railway station have been identified as part of the Beaudesert Town Centre Revitalisation project. Council has received funding from both the Queensland and Commonwealth governments for this project. The project includes creating an amphitheatre, picnic shelters, harbours and shaded sitting areas behind the former Beaudesert station. The project initially involved the demolition/removal of the Beaudesert Pig and Calf Saleyards structure.



In July 2020, an application was made under Section 36 of the *Queensland Heritage Act 1992* to enter the site of the Beaudesert Pig and Calf Saleyards, Helen Street, Beaudesert, in the Queensland Heritage Register as a State heritage place (DEHP HRN: 650258) by an undisclosed applicant.

Cr Derek Swanborough tabled a petition at the Ordinary Meeting held on 3 August 2020, "Save the Beaudesert Pig and Calf Saleyards". The Beaudesert Pig and Calf Saleyards is located at Helen Street, Beaudesert, near the former Beaudesert Railway Station and west of the former railway line alignment.

Council as sub-lessee of the site is considered the owner of the site in terms of the provisions of the *Queensland Heritage Act 1992*. Council was notified by correspondence from the Heritage Branch of the Department of Environment and Science (the Department) on 6 August 2020.

At the Ordinary Meeting held on 21 September 2020, Council resolved that it make a submission to the Department advising that the proposed entry of the saleyard site in the Queensland Heritage Register was not supported by Council, and that Council does not consider that the saleyard site has state-level heritage significance.

On 2 October 2020, the Council's submission to the proposed entry of the site was made to the Department, setting out the reasons why the site was not of cultural significance and should not be entered in the Queensland Heritage Register.

On 12 November 2020, the delegate for the Chief Executive of the Department recommended to the Heritage Council that the Beaudesert Pig and Calf Saleyards be entered in the Heritage Register as a State Heritage Place.

The Department recommendation was made to the Queensland Heritage Council under section 44 of the *Queensland Heritage Act 1992*, and notice of the recommendation was provided to Council in accordance with section 46. This notice was provided on 12 November 2020. Council advised the Department and the Queensland Heritage Council on 26 November 2020 that it would be making a written response (or heritage response) to the recommendation under section 50A of the *Queensland Heritage Act 1992*.

Holding Redlich Lawyers were engaged by Council to prepare a written submission and submitted to the Heritage Council on 15 January 2021. Subsequently, the Heritage Council met on 29 January 2021 and decided to enter the Beaudesert Pig and Calf Saleyards in the Queensland Heritage Register.

At the Ordinary Meeting held on 23 February 2021 (Item 10.6), it was resolved (among other resolutions) that, Council lodge an appeal to the Planning and Environment Court to the inclusion of the Beaudesert Pig and Calf Saleyards in the Queensland Heritage Register.

Council's legal representatives appeared before His Honour Judge Jones for the first mention of the Pig and Calf Saleyards Heritage Listing appeal on 26 May 2021. From that mention an Order was given, with a court date in September 2021 tentatively set to hear the matter, if mediation resulting in an acceptable outcome or withdrawal by either party had not occurred prior to this time.

Council's appeal was heard before the Court on 15 and 16 November 2021, 28 and 29 March 2022, and 2 June 2022. On 28 October 2022, Her Honour Judge Kefford delivered a judgement to the appeal, which included the following order:

*I order that the decision of the Queensland Heritage Council to enter the Beaudesert Pig and Calf Saleyard on the Queensland heritage register as a State heritage place is set aside and replaced with a decision not to enter the Beaudesert Pig and Calf Saleyard on the Queensland heritage register.*

The Queensland Heritage Council did not apply for leave to appeal to the Court of direction.

## **Budget / Financial Implications**

The costs associated with the Pig and Calf Saleyards Heritage Listing appeal, including the approximate expenditure breakdown for managing this matter are summarised below:

- \$98,446.00 (excluding GST) - Holding Redlich Lawyers;
- \$102,672.00 (excluding GST) - Christopher Hughes KC; and
- \$24,245.00 (excluding GST) - Expert fees.

There are still a number of financial obligations that are yet to be determined, which will be influenced by the outcomes from engagement with the community to achieve an amicable compromise based around building a Beaudesert Pig and Calf Saleyards heritage display.

## **Strategic Implications**

### *Operational Plan*

Theme: 5. Vibrant Towns and Villages

Key Area of Focus: Re-invigoration of town and village centres through significant vibrancy projects

### *Legal / Statutory Implications*

The appeal process was undertaken within 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:

- 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 issued opportunities, re-work, failure to deliver objectives and loss of confidence by community.
- SR51 Ineffective, inaccurate and/or inappropriate communication and relationship/stakeholder management impacting Council's ability to fulfil its strategic objectives.

Risk Assessment

Category	Consequence	Likelihood	Inherent Risk Rating	Treatment of risks	Residual Risk Rating
Reputation, Community & Civic Leadership  Adverse risk to the community due to ineffective, inaccurate and/or inappropriate communication and relationship/ stakeholder management impacting Council's ability to fulfil its strategic objectives.	4 Major	Possible	High	Communication strategy, community consultation	Medium
Reputation, Community & Civic Leadership  Adverse risk to the community due to 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 issued opportunities, re-work, failure to deliver objectives and loss of confidence by community.	Moderate	Likely	High	Authorisation and Delegation Framework; knowledge and compliance with relevant legislation and regulations	Medium

**Consultation**

Throughout the proceedings, Council has engaged with its legal representatives and other specialised persons, including Holding Redlich Lawyers and Urbis Design; as well as representatives of the Queensland Heritage Council, Crown Law and their experts.

In response to the application to include the Pig and Calf Saleyard on the Queensland Heritage Register, and the subsequent appeal, Council's Property Management team has liaised with various internal stakeholders, including the Capital Works and Asset Management, Regional Development, and Maintenance and Operations teams.

Council has also liaised with TMR on this matter in relation to their interest in the land.

**Conclusion**

The decision of the Queensland Heritage Council to enter the Beaudesert Pig and Calf Saleyards on the Queensland Heritage Register as a State Heritage Place was set aside and replaced with a decision not to enter the saleyards on the register.

Council will further engage with the community to achieve an amicable compromise based around building a Beaudesert Pig and Calf Saleyards heritage display.

## Council Sustainability

### 10.8 Council Monthly Financial Report for May 2023

**Executive Officer:** General Manager Council Sustainability

**Item Author:** Coordinator Financial Management

**Attachments:**

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

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### Executive Summary

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

### Recommendation

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

### Previous Council Considerations / Resolutions

Financial reports are presented to Council on a monthly basis.

### Report / Background

The Council monthly financial report provides information on Council's actual to budget performance. The graphical representation of key performance indicators provides key summary financial information.

Council begins each financial year with a budget with timings for projects built in. In balancing the needs of Council's delivery against weather impacts and further grant funded projects, the program - both capital and operating, may need to be altered. For instance, each successful grant funded project may alter the delivery of other projects and may be funded this year but delivered over a number of years, or in a future year. Flexibility is required.

### Budget / Financial Implications

The budget/financial implications are reflected within Attachment 1.

### Strategic Implications

#### *Operational Plan*

Theme: 3. Open and Responsive Government

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

*Legal / Statutory Implications*

Section 204 of the *Local Government Regulation 2012* requires the Chief Executive Officer to present a financial report to Council on a monthly basis.

**Risks**

Strategic Risks

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

SR47 Inadequate or lack of an appropriate Financial Management Framework (including systems, policies, procedures and controls) in place to adequately minimise risk of fraudulent action and to maximise financial sustainability.

Risk Assessment

<b>Category</b>	<b>Consequence</b>	<b>Likelihood</b>	<b>Inherent Risk Rating</b>	<b>Treatment of risks</b>	<b>Residual Risk Rating</b>
Financial and Economic  Inaccurate or untimely management reporting	Major	Likely	High	Actual performance is reported against budget on a monthly basis to the Executive Team and Council	Low
Financial and Economic  Failure to develop and implement procedures to manage cash and investments	Catastrophic	Almost certain	Extreme	Monthly investment report is provided to the Executive Team and Council that reports actual performance against investment limits	Low
Financial and Economic  Failure to manage outstanding debtors	Moderate	Almost certain	High	Monthly debtors report is provided to the Executive Leadership Team and Council including chart showing total outstanding debtors and debtors greater than 90 days overdue	Low

**Consultation**

The Chief Executive Officer, General Managers and Managers have reviewed the actual to budget performance for their relevant portfolios.

**Conclusion**

The monthly financial report provides information on the actual to budget position at financial statement level.





























**11 Confidential Matters**

**11.1 Land Acquisition for Infrastructure Upgrade Purposes [Closed s.254J(3)(h)]**

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

**Item Author:** Manager Resources and Sustainability

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This report is **CONFIDENTIAL** in accordance with Section 254J(3)(h) of the *Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following:

- (h) negotiations relating to the taking of land by the local government under the Acquisition of Land Act 1967.