

SUBMISSION TO THE ESTABLISHMENT AND COORDINATION COMMITTEE

- 1.0 Primary file number**
140/520/466/29
- Relevant subject matter files**
Not applicable
- 2.0 Title**
Local Government Association of Queensland – 2023 Annual Conference – Motions for Debate
- 3.0 Issue/Purpose**
To seek approval to submit motions for debate at the Local Government Association of Queensland's 2023 Annual Conference.
- 4.0 Proponent**
Divisional Manager, City Administration and Governance
- 5.0 Submission prepared by**
Senior Policy Officer, Governance, Council and Committee Services, City Administration and Governance
- 6.0 For E&C information or approval**
For E&C approval
- 7.0 If for E&C approval, please provide details of the relevant delegation**
Not applicable
- 8.0 Recommendation**
That E&C approves the motions set out in Attachments B through O for submission to the Local Government Association of Queensland for debate at the 2023 Annual Conference.
- 9.0**
I note the submission is being forwarded to E&C.



Tim Wright
DIVISIONAL MANAGER
CITY ADMINISTRATION AND
GOVERNANCE



Councillor Fiona Cunningham
CIVIC CABINET CHAIR
FINANCE AND CITY GOVERNANCE COMMITTEE

10.0 Background

The Local Government Association of Queensland (LGAQ) 2023 Annual Conference will be held in Gladstone, Queensland, from 16 to 18 October 2023. This year's theme is 'Stronger Councils, Stronger Communities'. The Annual Conference is Council's opportunity to contribute to local government policy in Queensland, and to develop Council's thinking on the many challenges that local governments in Queensland are facing.

Motions are due to the LGAQ by Wednesday 9 August 2023.

It is recommended that E&C approves the motions set out in Attachments B through O for submission to the Local Government Association of Queensland for debate at the 2023 Annual Conference.

List of Attachments:

- Attachment A: Summary of decision
- Attachment B: Submission to LGAQ 2023 Annual Conference – Consistency in timing of payment of Financial Assistance Grants
- Attachment C: Submission to LGAQ 2023 Annual Conference – Regulation of Short-Stay Accommodation
- Attachment D: Submission to LGAQ 2023 Annual Conference – Create an offence provision for non-compliance with a notice for stormwater connection
- Attachment E: Submission to LGAQ 2023 Annual Conference – Update on the review of *Building Act 1975* offences
- Attachment F: Submission to LGAQ 2023 Annual Conference – Proposed amendment to section 106 of the *Transport Operations (Road Use Management) Act 1995*
- Attachment G: Submission to LGAQ 2023 Annual Conference – Disability parking permits
- Attachment H: Submission to LGAQ 2023 Annual Conference – Funding for Zero Emission Bus Fleet
- Attachment I: Submission to LGAQ 2023 Annual Conference – Support Betterment Funding Programs
- Attachment J: Submission to LGAQ 2023 Annual Conference – Electric Vehicles and Fire Safety
- Attachment K: Submission to LGAQ 2023 Annual Conference – Electric Vehicle Private Charging Facilities
- Attachment L: Submission to LGAQ 2023 Annual Conference – Amendment to the *Planning Regulation 2017* – new definition for Build-to-rent
- Attachment M: Submission to LGAQ 2023 Annual Conference – Amendment to the *Planning Regulation 2017* – conditioning of covenants on property titles
- Attachment N: Submission to LGAQ 2023 Annual Conference – Amendment to the *Planning Regulation 2017* to include a definition for Small scale attached residential
- Attachment O: Submission to LGAQ 2023 Annual Conference – Enabling hazard reduction burning on council-managed lands containing marine plants

11.0 Consultation

- A/Chief Legal Counsel, City Legal, City Administration and Governance (21 July 2023)
- General Manager, City Communication, City Administration and Governance (21 July 2023)
- Chief Financial Officer, Corporate Finance, Organisational Services (21 July 2023)
- General Manager, Governance, Council and Committee Services, City Administration and Governance (20 July 2023)

All are in agreement with the recommendation.

12.0 Options

- Option 1: Approve the recommendation
- Option 2: Not approve the recommendation
- Option 3: Amend the recommendation

Option 1 is the preferred option.

NB: If the officer's recommendation is not followed, then the reasons for departure from that recommendation should be recorded here.



ESTABLISHMENT AND COORDINATION COMMITTEE SUBMISSION
***"LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND – 2023 ANNUAL
CONFERENCE – MOTIONS FOR DEBATE"***

FROM THE MEETING OF MONDAY 31 JULY 2023

At the meeting of Monday 31 July 2023, the Establishment and Coordination Committee approved motions for submission to the Local Government Association of Queensland for debate at the 2023 Annual Conference.

ATTACHMENT B

**SUBMISSION TO LGAQ 2023 ANNUAL CONFERENCE – CONSISTENCY IN TIMING OF PAYMENT OF
FINANCIAL ASSISTANCE GRANTS**



**Every Queensland
community** deserves
to be a liveable one

2023 LGAQ Annual Conference – Motions template

Please use this template to prepare and submit your motion using the link below.
Please use text only – no images or tables.

Who is the key contact for this motion? (required)	Cr Fiona Cunningham Civic Cabinet Chair
Submitting council (required)	Brisbane City Council
Supporting organisation (if applicable)	
Does this motion have state-wide relevance? (This is a required field) Yes	
Title of motion (required)	Consistency in timing of payment of Financial Assistance Grants
Motion (required)	The LGAQ calls on the Commonwealth Government to establish and maintain consistency in payment timing for Financial Assistance Grants
What is the desired outcome sought? (required) 200 word limit	For Financial Assistance Grants to be paid in a consistent pattern each year and for advice of the timing of payment to be confirmed in the prior financial year.
Background (required) 350 word limit	<p>Over recent years there has been significant variation in timing of payment of annual Financial Assistance Grants.</p> <p>Accounting standards require that this general-purpose funding be recognised by Councils as revenue at the time it is received. Changes to the timing of payments can significantly impact Council Financial Statements causing significant variations from year to year.</p> <p>In addition to the unpredictable impacts on operating capability, these changes can impact cashflow and borrowings.</p> <p>With appropriate notice, Councils can plan to mitigate these impacts and budget appropriately.</p>





<p>Case study/ Example (optional) 350 word limit</p>	<p>For the 2021-22 allocation approximately 49% of the amount was paid in the prior financial year.</p> <p>In 2022-23, approximately 79% of the annual payment amount was paid in June 2022, the prior financial year.</p> <p>In May 2023, the Commonwealth Government announced a change in the proposed timing of these grant payments for the 2023-24 year. Proposed changes suggested 100% of funding would be paid during 2023-24. A few weeks later, this position was changed, with advice that 100% of the funding would be paid by 30 June 2023.</p>
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Briefing note provided by

<i>Name</i>	Elizabeth West
<i>Position</i>	Principal Revenue and Grants
<i>Branch</i>	Corporate Finance
<i>Contact</i>	07 3178 5453 Elizabeth.west@brisbane.qld.gov.au

Briefing note supported by

<i>Divisional Manager</i> <div> <div>Yes / No</div> <div>Signature: </div> </div>	
<i>Civic Cabinet Chair</i> <div> <div>Yes / No</div> <div>Signature: </div> </div>	

ATTACHMENT C

SUBMISSION TO LGAQ 2023 ANNUAL CONFERENCE – REGULATION OF SHORT-STAY
ACCOMMODATION

2023 LGAQ Annual Conference – Motions template

Please use this template to prepare and submit your motion using the link below.
Please use text only – no images or tables.

Who is the key contact for this motion? (required)	Andrea Kenafake Principal Advisor Short-Stay Accommodation Taskforce
Submitting council (required)	Brisbane City Council
Supporting organisation (if applicable)	
Does this motion have state-wide relevance? Yes	
Title of motion (required)	Regulation of Short-Stay Accommodation
Motion (required)	The LGAQ calls on the State Government to work with Councils seeking to better regulate the growth and impact of short-stay accommodation.
What is the desired outcome sought? (required) 200 word limit	<ul style="list-style-type: none"> • That the State Government actively collaborate with Councils to understand the impact of short-stay accommodation on amenity of neighbours and the availability of long-term rental stock within Cities. • That where required, the State Government make amendments to the <i>Planning Act 2016</i> and the <i>Body Corporate and Community Management Act 1997</i> or any other relevant legislation to address the issues. • That the State Government shares the research commissioned with Queensland University regarding the impact of short-stay accommodation on housing availability and affordability with Councils in Queensland.





<p>Background (required) 350 word limit</p>	<p>The Lord Mayor announced the establishment of a Short-Stay Accommodation Taskforce (SSAT) on 14 June. The SSAT responsibilities are to review the options afforded by the State legislation which form the basis of Council's current ability to regulate short-stay accommodation, conduct benchmarking of other jurisdictions' approaches to short-stay accommodation regulation; engage with stakeholders and peak bodies, including a public submission process; identify the desired economic and tourism and health, safety and amenity outcomes and to identify and recommend best practice approaches to managing short-stay accommodation in Brisbane.</p> <p>Council's levers to regulate short-stay accommodation are limited to City Plan amendments, rating policy and Local Laws. Whilst changes to these may occur as a result of the SSAT, other amendments may be required to the <i>Planning Act 2016</i> or the <i>Body Corporate and Community Management Act 1997</i> or other relevant legislation to address the issues. Additionally, the operators of short-stay accommodation platforms are calling for a State-wide approach, such as has occurred in New South Wales, Victoria, Tasmania and Western Australia.</p>
<p>Case study/ Example (optional) 350 word limit</p>	<ul style="list-style-type: none"> • Properties in Greenslopes (Officers unable to successfully prove the elements of the offence). • Apartments in South Brisbane (building manager let 63 units to short-stay accommodation without Body Corporate consent. Significant amenity impacts to permanent residents. P&E Court challenge found in Council's favour that Body Corporate Consent was required). • Apartments in Newstead. (Short-stay accommodation operating without a development approval. Body Corporate complaints about impact to amenity and Council's inability to take action).

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Briefing note provided by

<i>Name</i>	Andrea Kenafake
<i>Position</i>	Principal Advisor, Short Term Accommodation Taskforce
<i>Branch</i>	Divisional Manager's Office, Organisational Services
<i>Contact</i>	(07) 3178 0965 andrea.kenafake@brisbane.qld.gov.au

Briefing note supported by

<i>Divisional Manager</i>	<input checked="" type="checkbox"/> Yes / No Signature: 
<i>Civic Cabinet Chair</i>	<input checked="" type="checkbox"/> Yes / No Signature: 

ATTACHMENT D

**SUBMISSION TO LGAQ 2023 ANNUAL CONFERENCE – CREATE AN OFFENCE PROVISION FOR
NON-COMPLIANCE WITH A NOTICE FOR STORMWATER CONNECTION**

2023 LGAQ Annual Conference – Motions template

Please use this template to prepare and submit your motion using the link below.

Please use text only – no images or tables.

Who is the key contact for this motion? (required)	Glenn Davidson, Principal Policy and Legislation Officer Built Environment, Compliance and Regulatory Services
Submitting council (required)	Brisbane City Council
Supporting organisation (if applicable)	N/A
Does this motion have state-wide relevance? Yes	
Title of motion (required)	Create an offence provision for non-compliance with a notice for stormwater connection
Motion (required)	The LGAQ calls on the State Government to amend the <i>City of Brisbane Act 2010</i> (COBA) and the <i>Local Government Act 2009</i> (LGA) to include a clear offence provision for owners who do not comply with a written notice to connect a property to local government stormwater infrastructure, and consequently amend the <i>State Penalties Enforcement Regulation 2014</i> (SPER) to enable local governments to issue an infringement notice for the offence.
What is the desired outcome sought? (required) 200 word limit	That the State Government amend the COBA, the LGA and consequentially the SPER to enable local governments to issue an infringement notice where a property owner has not complied with a written notice (under s 84(1) COBA and s 77(1) LGA) requiring a property to be connected to a stormwater installation to connect to a local government stormwater drain.
Background (required) 350 word limit	Under s 84(1) COBA Council may, by written notice, require the owner of a property to connect a stormwater installation for the property to a Council stormwater drain in the way, under the conditions and within the time stated in the notice.

There is currently no offence if the owner does not take action to comply with a notice issued under s 84(1) (COBA).

Under s 84(5) COBA, if a person connects a stormwater installation under a requirement or approval of the council, the person must comply with the requirement or approval, unless the owner has a reasonable excuse. While this subsection includes offence provisions for non-compliance with a Council requirement, the subsection can only be applied where a person has first connected a stormwater installation under a requirement. As such it cannot be applied where a person has taken no action under a s 84(1) notice.

It would appear the absence of an offence provision may be a drafting error as it is inconsistent with the intent of the COBA, as described in the City of Brisbane Bill 2010 explanatory votes, which stated:

'The council has a power to regulate the connection of stormwater installations to stormwater drains, and there are penalties for a person who does not comply with the council's requirements or approval for the connections.'

It would appear there is similar oversight in the LGA.

Section 956(1) of the repealed *Local Government Act 1993* provided the power for a Local Government, by written notice, to require the owner of a premises to connect a stormwater installation for the premises to the local government's stormwater drainage in the way, under the conditions and within the time stated in the notice. Section 956(3) made non-compliance with s 956(1) an offence stating:

The owner must comply with the notice, unless the owner has a reasonable excuse.



Maximum penalty for subsection (3)—
165 penalty units.

Case study/ Example (optional) 350 word limit	N/A
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Briefing note provided by

<i>Name</i>	Paula Sundholm
<i>Position</i>	A/General Manager
<i>Branch</i>	Compliance and Regulatory Services
<i>Contact</i>	Paula.sundholm@brisbane.qld.gov.au

Briefing note supported by

<i>Divisional Manager</i>	<input checked="" type="radio"/> Yes / <input type="radio"/> No Signature: 
<i>Civic Cabinet Chair</i>	<input checked="" type="radio"/> Yes / <input type="radio"/> No Signature: 

**SUBMISSION TO LGAQ 2023 ANNUAL CONFERENCE – UPDATE ON THE REVIEW OF *BUILDING ACT*
1975 OFFENCES**

2023 LGAQ Annual Conference – Motions template

Please use this template to prepare and submit your motion using the link below.
Please use text only – no images or tables.



Who is the key contact for this motion? (required)	Glenn Davidson, Principal Policy and Legislation Officer Built Environment, Compliance and Regulatory Services
Submitting council (required)	Brisbane City Council
Supporting organisation (if applicable)	N/A
Does this motion have state-wide relevance? Yes	
Title of motion (required)	Update on the review of <i>Building Act 1975</i> offences
Motion (required)	The LGAQ calls on the State Government to provide local governments with an update on what has been done, or is being done, to address inconsistencies in the enforcement powers that were identified in the <i>Building Act 1975</i> (the Act) and raised in 2020.
What is the desired outcome sought? (required) 200 word limit	Review and where appropriate amend the Act and/or <i>State Penalties Enforcement Regulation 2014</i> (SPER) to ensure agencies have appropriate jurisdiction and consistent enforcement powers for offences against the Act for which it has prosecutorial jurisdiction.
Background (required) 350 word limit	<p>LGAQ's Advocacy Action Plan 2021, Action Item 108, called upon the State Government to ensure local governments have the appropriate jurisdiction and consistent enforcement powers for offences against the Act.</p> <p>There are currently discrepancies in the Act and SPER which creates a situation where the Queensland Building and Construction Commission can issue infringement notices for certain offences, but not prosecute the offences.</p> <p>Conversely, local governments may prosecute the same offences but not issue infringement notices for the offence.</p>

Case study/ Example (optional) 350 word limit	N/A
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Briefing note provided by

<i>Name</i>	Paula Sundholm
<i>Position</i>	A/General Manager
<i>Branch</i>	Compliance and Regulatory Services
<i>Contact</i>	Paula.sundholm@brisbane.qld.gov.au

Briefing note supported by

<i>Divisional Manager</i>	<input checked="" type="radio"/> Yes / <input type="radio"/> No Signature: 
<i>Civic Cabinet Chair</i>	<input checked="" type="radio"/> Yes / <input type="radio"/> No Signature: 

ATTACHMENT F

**SUBMISSION TO LGAQ 2023 ANNUAL CONFERENCE – PROPOSED AMENDMENT TO SECTION 106 OF
THE *TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) ACT 1995***

2023 LGAQ Annual Conference – Motions template

Please use this template to prepare and submit your motion using the link below.
Please use text only – no images or tables.

Who is the key contact for this motion? (required)	Rosalynn Fergusson, Principal Policy and Legislation Officer City Safety, Compliance and Regulatory Services
Submitting council (required)	Brisbane City Council
Supporting organisation (if applicable)	N/A
Does this motion have state-wide relevance? No	
Title of motion (required)	Proposed amendment to section 106 of the <i>Transport Operations (Road Use Management) Act 1995</i> (the Act)
Motion (required)	The LGAQ calls on the State government to amend section 106 of the Act to allow multiple infringements to be issued to the responsible person where the infringement notices are not physically placed on the vehicle (to account for the use of emerging technology (i.e. mobile enforcement vehicles) to identify paid parking offences).
What is the desired outcome sought? (required) 200 word limit	That section 106 of the Act be amended to include a provision where mobile enforcement vehicles and future technology improvements can be used to issue multiple infringements to the responsible person for each further time the vehicle remains parked in the paid parking space. Ideally, the provision will remove the need to physically place an infringement notice on a vehicle as is currently required by section 106(3) of the Act.
Background (required) 350 word limit	Under section 106(3) of the Act, if: <ul style="list-style-type: none"> a) a person commits an offence by parking a vehicle in a designated parking space for a time longer than permitted on the maximum time indicated on the official traffic sign installed for the space; and b) an infringement notice for the offence is placed on the vehicle; and





	<p>c) the vehicle remains parked in the space after the notice is affixed, the person commits a separate and further offence for each further time (equal to the maximum time indicated on the official traffic sign installed in relation to the space) that the vehicle remains parked in the space during the fixed hours.</p> <p>At present, section 106(3) only applies in instances where an infringement notice is physically placed on or attached to the vehicle. With changing technology and the increased use of mobile enforcement vehicles there should be consideration for how these technological advancements (beyond foot patrols and physically placing infringements on vehicles) can be effectively incorporated into parking regulation.</p> <p>Reviewing this provision will place greater responsibility on the vehicle driver to take note of the requirements and will assist in increasing availability of parking spaces for all members of the community.</p>
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Briefing note provided by

Name	Paula Sundholm
Position	A/General Manager
Branch	Compliance and Regulatory Services
Contact	Paula.sundholm@brisbane.qld.gov.au

Briefing note supported by

Divisional Manager	Yes / No Signature: 
Civic Cabinet Chair	<u>Yes</u> / No Signature: 

SUBMISSION TO LGAQ 2023 ANNUAL CONFERENCE – DISABILITY PARKING PERMITS

2023 LGAQ Annual Conference – Motions template

Please use this template to prepare and submit your motion using the link below.
Please use text only – no images or tables.



Who is the key contact for this motion? (required)	Rosalynn Fergusson, Principal Policy and Legislation Officer City Safety, Compliance and Regulatory Services
Submitting council (required)	Brisbane City Council
Supporting organisation (if applicable)	N/A
Does this motion have state-wide relevance? No	
Title of motion (required)	Disability parking permits
Motion (required)	<p>The LGAQ calls on the State government to:</p> <ul style="list-style-type: none"> a) amend the disability parking permits conditions to improve local government's ability to undertake regulatory enforcement b) advocate to the Federal Government to explore adopting a digital permit scheme that is recognised nationally and internationally.
What is the desired outcome sought? (required) 200 word limit	<p>The desired outcomes are for:</p> <ul style="list-style-type: none"> a) consistency in how disability parking permits are displayed on vehicles (via a condition of the permit itself), to reduce the regulatory burden on local governments and permit holders when infringement notices are issued and appealed b) consideration to be given to adopting a digital permit scheme.
Background (required) 350 word limit	<p>The Queensland Government are responsible for issuing disability parking permits to eligible Queensland residents and businesses. All disability parking permits issued, including those issued interstate and internationally, are recognised nationally.</p> <p>At present, permit holders are advised to clearly display the permit, however there is no uniform location on the vehicle where a permit must be displayed. This causes</p>

	<p>difficulties with permit detection, for officers on foot patrols and for mobile enforcement vehicles.</p> <p>As technology emerges the Federal government should consider how technology changes could apply to disability parking and digital permits.</p>
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Briefing note provided by

<i>Name</i>	Paula Sundholm
<i>Position</i>	A/General Manager
<i>Branch</i>	Compliance and Regulatory Services
<i>Contact</i>	Paula.sundholm@brisbane.qld.gov.au

Briefing note supported by

<i>Divisional Manager</i>	Yes / No Signature: 
<i>Civic Cabinet Chair</i>	Yes / No Signature: 

SUBMISSION TO LGAQ 2023 ANNUAL CONFERENCE – FUNDING FOR ZERO EMISSION BUS FLEET

2023 LGAQ Annual Conference – Motions template

Please use this template to prepare and submit your motion using the link below.
Please use text only – no images or tables.

Who is the key contact for this motion? (required)	brendan.okeeffe@brisbane.qld.gov.au
Submitting council (required)	Brisbane City Council
Supporting organisation (if applicable)	
Does this motion have state-wide relevance? Yes	
Title of motion (required)	Funding for Zero Emission Bus Fleet
Motion (required)	The LGAQ calls on the State government to accelerate funding for replacement of bus fleets to zero emission vehicles.
What is the desired outcome sought? (required) 200 word limit	For the State Government to provide additional funding to enable local governments to comply with the target that every new TransLink bus added to the fleet is required to be a zero emission bus from 2025 in South East Queensland and from 2025-2030 across regional Queensland.
Background (required) 350 word limit	<p>Under the State Government's Zero Emission Vehicle Strategy 2022-2032 every new TransLink bus added to the fleet is required to be a zero emission bus from 2025 in South East Queensland and from 2025-2030 across regional Queensland.</p> <p>This target will require significant lead time and additional funding to undertake the necessary electrical infrastructure upgrades, as well as additional costs for purchasing battery electric buses. Further, staff training costs and new safety considerations for emergency services and tunnel infrastructure will need to be included in the planned transition to zero emission buses.</p> <p>One of the goals of the Queensland Zero Emissions Vehicle Strategy 2022-2032 is to build local EV manufacturing and supply chain capability. Additional State Government funding is required to enable local governments to comply with the Zero Emissions Vehicle Strategy 2022-2032 targets.</p>

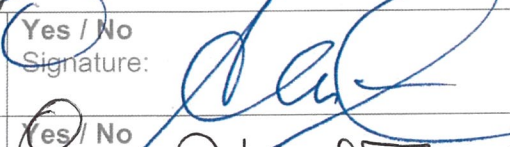
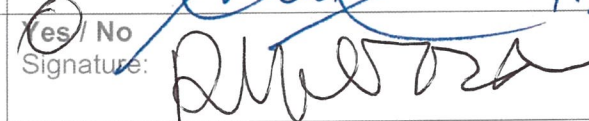


Case study/ Example (optional) 350 word limit	Council announced in the 2023-24 Budget it is planning to invest almost \$150 million over the next four years in zero emissions buses. Council has also put forward a major joint investment proposal to TransLink to commence building these buses.
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Briefing note provided by

<i>Name</i>	Courtney Williamson
<i>Position</i>	Manager, Policy Strategy and Planning
<i>Branch</i>	Transport Planning and Operations
<i>Contact</i>	Courtney.Williamson@brisbane.qld.gov.au

Briefing note supported by

<i>Divisional Manager</i>	<input checked="" type="radio"/> Yes / No Signature:  11/7/2023
<i>Civic Cabinet Chair</i>	<input checked="" type="radio"/> Yes / No Signature:  12/7/2023

SUBMISSION TO LGAQ 2023 ANNUAL CONFERENCE – SUPPORT BETTERMENT FUNDING PROGRAMS

2023 LGAQ Annual Conference – Motions template

Please use this template to prepare and submit your motion using the link below.
Please use text only – no images or tables.

Who is the key contact for this motion? (required)	Adelaide Anderson
Submitting council (required)	Brisbane City Council
Supporting organisation (if applicable)	
Does this motion have state-wide relevance? Yes	
Title of motion (required)	Support Betterment Funding Programs
Motion (required)	The LGAQ calls on the Australian federal Government to support betterment funding programs and consider the opportunity for improvements to increase support. This motion proposes an ongoing betterment funding program be implemented to increase the resilience of assets and communities in the event of future natural disasters.
What is the desired outcome sought? (required) 200 word limit	Mitigating the impact of future disaster events to our communities and networks is a critical focus in supporting human welfare, homes, businesses, supply chains and essential public infrastructure. Improving the resilience of our infrastructure for future events provides opportunity to recover our communities and critical networks sooner and better.
Background (required) 350 word limit	<p>With weather events predicted to become more severe and more frequent, increased resilience in local government owned networks and infrastructure is vital to minimising impacts to local communities, functionality of cities and local and regional supply chains.</p> <p>In recent years communities across Australia have been affected by an increased frequency and severity of disaster events, including flooding. Local governments are at the forefront of preparing for and recovering from disaster events. Funding packages provided to assist in the recovery of natural disaster events are generally in favour of rebuilding essential public assets to pre-disaster standard. Inquiries with relevant industry bodies have concluded that current disaster recovery funding arrangements are systematically biased against betterment or improved resilience outcomes and instead favour rebuilding like-for-like infrastructure when recovering from flood events. The Productivity Commission, in its report (2014) identified five specific barriers to the use of the Betterment clause:</p>

Case study/ Example
(optional) 350 word limit

- The Australian Government does not allocate specific funds for Betterment. Funding has to be offset by savings elsewhere.
- The Australian Government contributes a lower proportion of the cost of Betterment works than for works to rebuild damaged assets to their pre-disaster standard.
- Betterment funding is only available if the Australian Government is 'satisfied with the cost effectiveness of the proposal'. This means that the administrative burden is higher than is required to rebuild to the pre-disaster standard.
- Communities place a high value on getting 'back to normal'. If betterment actions take longer, they are less likely to be favoured by disaster affected communities.
- Perception of "gold-plating" projects are resulting in some local governments being discouraged by State Governments and Australian Government agencies from applying to use the Betterment clause.

With support for like-for-like infrastructure to be restored, even in cases where current design standards have developed, it is common that similar asset types, and in some cases the same asset, may be destroyed in repeated natural disaster events far before end-of-life approaches. This reduces opportunities for communities and networks to minimise severe impacts and recover sooner, in future events.




¹Productivity Commission 2014 Natural Disaster Funding Arrangements p101 Volume 1 - Natural Disaster Funding Arrangements (pc.gov.au)

Brisbane City Council's experience in restoring and rebuilding Brisbane City after the Feb-22 Flood and Weather event, including experiences of collaborating and negotiating with State agencies who operate on behalf of the Australian Government, is consistent with the Productivity Commission's findings in their 2014 report, *Natural Disaster Funding Arrangements*. Refer above for key findings.

Briefing note provided by

Name	Adelaide Anderson
Position	Program Director, Program Management
Branch	Transport Planning and Operations
Contact	07 31789913

Briefing note supported by

Divisional Manager	Yes / No Signature: 	11/7/2023
Civic Cabinet Chair	Yes / No: Infrastructure Signature: 	<input checked="" type="radio"/> Yes / No: Transport Signature: 

12/07/2023

July 23

SUBMISSION TO LGAQ 2023 ANNUAL CONFERENCE – ELECTRIC VEHICLES AND FIRE SAFETY

2023 LGAQ Annual Conference – Motions template

Please use this template to prepare and submit your motion using the link below.
Please use text only – no images or tables.

Who is the key contact for this motion? (required)	brendan.okeeffe@brisbane.qld.gov.au
Submitting council (required)	Brisbane City Council
Supporting organisation (if applicable)	
Does this motion have state-wide relevance? Yes	
Title of motion (required)	Electric Vehicles and Fire Safety
Motion (required)	The LGAQ calls on the State government to educate the community on the fire safety risk of battery electric vehicles.
What is the desired outcome sought? (required) 200 word limit	For the State Government to develop an education campaign to improve the community's perception of the fire risk of electric vehicles (EVs) particularly in multi-unit dwellings.
Background (required) 350 word limit	<p>As part of the Queensland's Zero Emission Vehicle Strategy 2022-2032 the State Government has set a target that 50% of new passenger vehicle sales be zero emission by 2030, and 100% by 2036.</p> <p>The Strategy identified several barriers to EV adoption including price, charging accessibility, limited model availability and low public awareness of an EVs benefits and, seeks to overcome them by 2032.</p> <p>In June 2023, Council hosted a Zero Emissions Transport Roundtable to inform and direct Council's efforts towards unlocking zero emission transport outcomes and support the private sector and community. The roundtable discussion identified community perception of the fire safety risk of EVs as a potential barrier to wide adoption of zero-emissions vehicles, particularly relevant in multi-unit dwellings.</p> <p>While there is no evidence to suggest the EVs pose a greater fire risk than internal combustion engines, the perception in the community has the capacity to impact consumer behaviour and the adoption of EVs.</p>

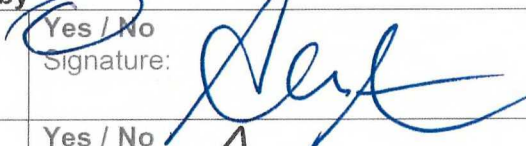



	The State Government is best placed to use its communication systems to educate the community. This may assist in encouraging greater adoption of zero-emission vehicles and to realise the community social, environmental and economic benefits of EVs.
Case study/ Example (optional) 350 word limit	

Briefing note provided by

<i>Name</i>	Courtney Williamson
<i>Position</i>	Manager, Policy Strategy and Planning
<i>Branch</i>	Transport Planning and Operations
<i>Contact</i>	Courtney.Williamson@brisbane.qld.gov.au

Briefing note supported by

<i>Divisional Manager</i>	<input checked="" type="radio"/> Yes / No Signature:  4/7/2023
<i>Civic Cabinet Chair</i>	<input type="radio"/> Yes / No Signature: 

SUBMISSION TO LGAQ 2023 ANNUAL CONFERENCE – ELECTRIC VEHICLE PRIVATE CHARGING FACILITIES

2023 LGAQ Annual Conference – Motions template

Please use this template to prepare and submit your motion using the link below.
Please use text only – no images or tables.

Who is the key contact for this motion? (required)	brendan.okeeffe@brisbane.qld.gov.au
Submitting council (required)	Brisbane City Council
Supporting organisation (if applicable)	
Does this motion have state-wide relevance? Yes	
Title of motion (required)	Electric Vehicle Private Charging Facilities
Motion (required)	The LGAQ calls on the State government to amend the <i>Body Corporate and Community Management Act 1997</i> (Qld) to enshrine that a body corporate cannot refuse the reasonable request of a resident to access EV charging facilities within the premises.
What is the desired outcome sought? (required) 200 word limit	For the State Government to amend the relevant legislation to facilitate and support the adoption of zero emission vehicles in Queensland.
Background (required) 350 word limit	<p>As part of the Queensland's Zero Emission Vehicle Strategy 2022-2032 the State Government has set a target that 50% of new passenger vehicle sales be zero emission by 2030, and 100% by 2036. A number of barriers consumers have to purchasing EVs will have to be overcome to ensure this target is met.</p> <p>The Strategy identified a number of these barriers including price, charging accessibility, limited model availability and low public awareness of an EVs benefits and, seeks to overcome them by 2032.</p> <p>In June 2023, Council hosted a Zero Emissions Transport Roundtable to inform and direct Council's efforts towards unlocking zero emission transport outcomes and supporting the private sector and community. The roundtable discussion identified an additional barrier to wide adoption of zero-emissions vehicles as being the limited availability of charging in multi-unit dwellings, particularly in existing building stock.</p>

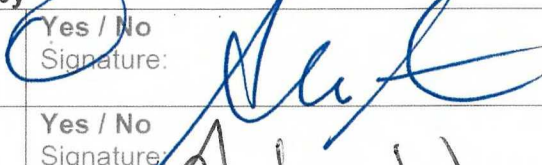
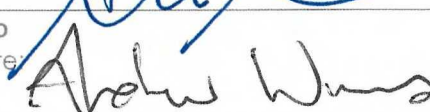


	<p>The cost of retrofitting, the support of body corporates and the investment in infrastructure all stand as barriers and will be an ongoing challenge, particularly for common and private property.</p> <p>Ensuring and enabling the quantity of charging infrastructure is accelerating at a similar pace to the expected sudden growth in EV ownership will be a challenge. This requires intervention by government to remove barriers so that any short-term deficit in infrastructure is minimised.</p> <p>The State Government is responsible for administering <i>Body Corporate and Community Management Act 1997</i> (Qld). Amending the legislation such that body corporates cannot refuse the reasonable request of a resident to access EV charging facilities within the premises may assist in facilitating greater adoption of zero-emission vehicles and to realise community social, environmental and economic benefits of EVs.</p>
<p>Case study/ Example (optional) 350 word limit</p>	<p>There are approximately 119,000 apartment dwellings across Brisbane. 36% of these currently do not have an EV charger located within 2km. Most of the charge points are not 'public' as they are linked to commercial premises. Residents in buildings that do not provide charging facilities, and those with on-street parking will rely entirely on public charging stations.</p>

Briefing note provided by

Name	Courtney Williamson
Position	Manager, Policy Strategy and Planning
Branch	Transport Planning and Operations
Contact	Courtney.Williamson@brisbane.qld.gov.au

Briefing note supported by

Divisional Manager	<p>Yes / No</p> <p>Signature:  11/7/2023</p>
Civic Cabinet Chair	<p>Yes / No</p> <p>Signature: </p>

ATTACHMENT L

**SUBMISSION TO LGAQ 2023 ANNUAL CONFERENCE – AMENDMENT TO THE *PLANNING REGULATION*
2017 – NEW DEFINITION FOR BUILD-TO-RENT**

2023 LGAQ Annual Conference – Motions template

Please use this template to prepare and submit your motion using the link below.
Please use text only – no images or tables.

Who is the key contact for this motion? (required)	Sharon Nicol
Submitting council (required)	Brisbane City Council
Supporting organisation (if applicable)	
Does this motion have state-wide relevance? YES	
Title of motion (required)	Amendment to the <i>Planning Regulation 2017</i> – new definition for Build-to-rent
Motion (required)	The LGAQ calls on the Queensland Government, in consultation with local government, to include a new definition within the <i>Planning Regulation 2017</i> for Build-to-rent developments.
What is the desired outcome sought? (required) 200-word limit	That the <i>Planning Regulation 2017</i> is amended to include a new definition of Build-to-rent to distinguish it from a Multiple dwelling. This would be similar to the creation of a definition for 'Retirement Facility' which is for a residential use by members of a community with particular attributes.
Background (required) 350-word limit	<p>Build-to-rent developments are a specialised asset class where a management service is generally provided as part of the development. This means that onsite facilities can be optimised for use by building occupants.</p> <p>Build-to-rent developments have the potential to increase housing supply and respond to housing need in the form of better-quality long-term rental dwellings and greater surety for renters.</p> <p>A specific definition will provide greater certainty for industry and ensures that the specific business model needed to support long term managed assets can be recognised as part of financial arrangements and project costings.</p> <p>A specific definition will support planning scheme amendments to ensure these developments are well located in terms of public transport, employment and facilities.</p>

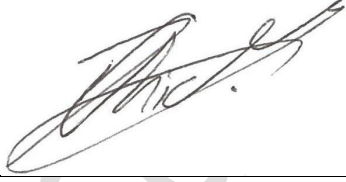
	<p>Other States have a separate land use definition to differentiate this form of accommodation model from built to sell units.</p> <p>Currently in Queensland, local government is assessing this new form the same way as a 'multiple dwelling' as there is no separate land use definition and therefore there is no certainty in the approval conditioning powers to ensure the building is maintained long term for rentals only.</p> <p>The impacts to the surrounding community of a 'built to rent accommodation' can be easier to mitigate due to the on-site management of car parking, communal open space etc. and so these forms are currently not being afforded due consideration of this given the uncertainty that a development approval could move between 'built to rent' and individually titled and owned units.</p> <p>Housing supply is a critical issue in Queensland, and in particular, housing for those needing to rent long term.</p> <p>Brisbane has been approving 'built to rent accommodation' as Multiple dwellings now for 1-2 years since the new model arose. Approval for performance outcomes is given based on the operating model being able to manage the impacts but ultimately Council cannot be too flexible with the risk that a building may not be maintained in this model without a separate land use definition. This is impacting the development feasibility of some developments and potentially hindering housing supply.</p>
<p>Case study/ Example (optional) 350-word limit</p>	<p>Brisbane City Council has received numerous applications for build to rent development, often with significant numbers of dwellings. There were approximately 7 new approvals in 2021/22 and 2022/23 financial years, yielding around 2,100 units.</p> <p>Concerns about the assessment benchmarks and change tenure will affect the ongoing operation of the building and impacts on the community. An example of this has been a development approval for Multiple dwelling (Multi-unit dwelling under City Plan 2000) at 25 Victoria Terrace, Annerley which required that a minimum of two (2) dwellings be affordable housing units.</p> <p>Conditions were set requiring a covenant and minimum 10 year continuous period to maintain the affordable</p>

housing requirement, however the Applicant now seeks to remove this component from the approval as per A006217574. Several performance outcomes were given based on the inclusion of affordable housing. While not a Build-to-rent model, it demonstrates the limited ability Council must ensure outcomes are maintained.

Briefing note provided by

<i>Name</i>	Suvela Tieken
<i>Position</i>	A/Manager, Strategic Planning
<i>Branch</i>	City Planning and Economic Development
<i>Contact</i>	3178 0065

Briefing note supported by

<i>Divisional Manager</i>	Yes / No Signature: 
<i>Civic Cabinet Chair</i>	Yes / No Signature: Supported

**SUBMISSION TO LGAQ 2023 ANNUAL CONFERENCE – AMENDMENT TO THE *PLANNING REGULATION*
2017 – CONDITIONING OF COVENANTS ON PROPERTY TITLES**

2023 LGAQ Annual Conference – Motions template

Please use this template to prepare and submit your motion using the link below.
Please use text only – no images or tables.


Who is the key contact for this motion? (required)	Sharon Nicol
Submitting council (required)	Brisbane City Council
Supporting organisation (if applicable)	
Does this motion have state-wide relevance? YES	
Title of motion (required)	Amendment to the <i>Planning Regulation 2017</i>
Motion (required)	The LGAQ calls on the Queensland Government, in consultation with local government, to pass legislation to support local governments to condition covenants on property titles to ensure that affordable or social housing outcomes in new developments are binding on successive owners of the dwelling.
What is the desired outcome sought? (required) 200-word limit	That councils have the legislative power to ensure that specific housing outcomes, secured as part of a development approval, apply to successive owners in the event of sale of the dwelling.
Background (required) 350-word limit	<p>Councils can approve developments on the basis that they provide a desired housing product (i.e., social or affordable housing, or build-to-rent) however, the continuation of this outcome may not be enforceable under the current conditioning framework and therefore be lost over time or if the dwelling is sold by the initial owner.</p> <p>To secure long term housing diversity, there is a need for a legislative control to maintain the intended purpose as part of the property titling. This will ensure that the approved housing outcome is binding on initial developers/owners and successive owners.</p>
Case study/ Example (optional) 350-word limit	Brisbane City Council has a build-to-rent infrastructure charges deferral policy to incentivise supply of build-to-rent developments in response to the current housing shortage. As part of this policy, infrastructure charges for eligible developments can be deferred for 5 years.

	Eligibility criteria includes a minimum 10 year period for the development to remain as a built-to-rent development. The ability to include a covenant on the development approval would provide certainty for the implementation of the incentive scheme.
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Briefing note provided by

<i>Name</i>	Suvela Tieken
<i>Position</i>	A/Manager Strategic Planning
<i>Branch</i>	City Planning and Economic Development
<i>Contact</i>	3178 0065

Briefing note supported by

<i>Divisional Manager</i>	Yes / No Signature: 
<i>Civic Cabinet Chair</i>	Yes / No Signature: Supported

ATTACHMENT N

SUBMISSION TO LGAQ 2023 ANNUAL CONFERENCE – AMENDMENT TO THE *PLANNING REGULATION* 2017 TO INCLUDE A DEFINITION FOR SMALL SCALE ATTACHED RESIDENTIAL

2023 LGAQ Annual Conference – Motions template

Please use this template to prepare and submit your motion using the link below.
Please use text only – no images or tables.

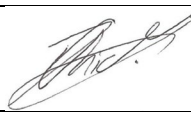
Who is the key contact for this motion? (required)	Sharon Nicol
Submitting council (required)	Brisbane City Council
Supporting organisation (if applicable)	
Does this motion have state-wide relevance? YES	
Title of motion (required)	Amendment to the <i>Planning Regulation 2017</i> to include a definition for Small scale attached residential.
Motion (required)	The LGAQ calls on the Queensland Government, in consultation with local government, to pass legislation to include a new definition for small scale attached residential development within the <i>Planning Regulation 2017</i> for Multiple dwellings developments, up to 6 dwellings.
What is the desired outcome sought? (required) 200-word limit	That the <i>Planning Regulation 2017</i> is amended to include a new definition for smaller scale attached housing developments to distinguish them from multiple dwellings. This distinction will provide greater clarity and certainty for community and industry and supports housing diversity and fine grained planning.
Background (required) 350-word limit	<p>As Queensland's population continues to grow, a greater portion of new dwellings will be some form of Multiple dwelling, as currently defined under the <i>Planning Regulation 2017</i>.</p> <p>A multiple dwelling can be a triplex through to a multi-storey tower.</p> <p>With increasing variation in building types and use configurations, and changes in community expectations and attitudes, there is a need for the ability to distinguish between locations appropriate for large scale and small scale attached housing developments.</p> <p>The introduction of a new definition will support delivery of housing diversity and a need for</p>

	smaller dwellings and provide development assessment services with an additional tool to secure appropriate development outcomes which are responsive to the local community and context.
Case study/ Example (optional) 350-word limit	<p>Any examples?</p> <p>A006034989 – Multiple dwellings 3 units at 88 CHAUCER ST MOOROOKA</p> <p>A006116628 - Multiple dwellings 3 units at 12 HANIFY ST ACACIA RIDGE</p>

Briefing note provided by

<i>Name</i>	Suvela Tieken
<i>Position</i>	A/Manager Strategic Planning
<i>Branch</i>	City Planning and Economic Development
<i>Contact</i>	3178 0065

Briefing note supported by

<i>Divisional Manager</i>	Yes / No Signature: 
<i>Civic Cabinet Chair</i>	Yes / No Signature: Supported

**SUBMISSION TO LGAQ 2023 ANNUAL CONFERENCE – ENABLING HAZARD REDUCTION BURNING ON
COUNCIL-MANAGED LANDS CONTAINING MARINE PLANTS**

2023 LGAQ Annual Conference – Motions template

Please use this template to prepare and submit your motion using the link below.
Please use text only – no images or tables.

Who is the key contact for this motion? (required)	Stacey McLean
Submitting council (required)	Brisbane City Council
Supporting organisation (if applicable)	
Does this motion have state-wide relevance? YES. Multiple local government authorities along the Queensland eastern seaboard are affected by the issue raised.	
Title of motion (required)	Enabling hazard reduction burning on council-managed lands containing marine plants
Motion (required)	The LGAQ calls on the State government to amend the <i>Planning Regulation 2017</i> (the Regulation), in consultation with local government, to remove regulatory burdens impacting local government bushfire risk management activities.
What is the desired outcome sought? (required) 200 word limit	Local government planned burns and related bushfire hazard management works on lands with marine plants be made accepted development under the Regulation, not requiring a development application and permit. Local government and State agencies develop agreed burn program guidelines to support this outcome.
Background (required) 350 word limit	Several Brisbane City Council large coastal natural areas support marine plants which are protected by the <i>Fisheries Act 1994</i> (Qld) (the Act). Marine plants include saltmarsh and mangroves, but also plants such as <i>Melaleuca</i> and <i>Casuarina</i> species <i>in adjoining vegetation communities</i> . Bushfire risk planning has identified some adjoining vegetation communities in these natural areas require bushfire hazard mitigation works, including planned burns, for public health and safety, and ecosystem management.

Council's on-going planned burning program is conducted in accordance with Queensland Government guidelines for significant vegetation communities such as those occurring in these natural areas.

There is a low risk that these bushfire risk management activities will impact some marine plants.

Queensland Government advice is that these planned burns constitute assessable development under the Regulation, requiring a development permit prior to being undertaken.

Significantly, the development application would need to be supported by a detailed survey of individual marine plants, amongst other investigations.

This regulatory obligation significantly impacts Council's ability to manage bushfire risk effectively and flexibly, especially in response to changing seasonal and climatic conditions.

Council has identified a practical solution that is compatible with achieving State interests and minimising the above regulatory burden to Council. Specifically, an amendment to the Regulation that has local government planned, not requiring a development, subject to meeting agreed burn program guidelines.

This would be a similar accepted development provision to that enabling Queensland Parks and Wildlife Service prescribed burns for health, safety, and ecosystem management.


This solution has been put to the Department of Agriculture and Fisheries, and Greater Brisbane Area Fire Management Group for discussion and support.

Case study/ Example
(optional) 350 word limit

Briefing note provided by

<i>Name</i>	Stacey McLean
<i>Position</i>	Senior Project Officer Bushfire Policy and Planning
<i>Branch</i>	NEWS
<i>Contact</i>	X34564; Stacey.mclean@brisbane.qld.gov.au

Briefing note supported by

<i>Divisional Manager</i>	Yes / No Signature: 
<i>Civic Cabinet Chair</i>	Yes / No Signature: