

## 6.19. FUNDING OPPORTUNITY - SCHEME SUPPLY FUND

<b>REPORT AUTHOR</b>	Acting Manager Environment and Planning
<b>MANAGER</b>	General Manager TC Jasper Corporate and Communities
<b>DEPARTMENT</b>	Environment and Planning
<b>RECOMMENDATION</b>	

### That Council:

1. **retrospectively endorses the submission of the Expression of Interest (EOI) seeking to secure grant funding to assist with the Planning Scheme amendment process under the Scheme Supply Fund;**
2. **endorse the preparation of a further submission to the competitive application stage;**
3. **acknowledges the requirement to allocate funds within future Operational Budget to advance the Planning Scheme amendments; and**
4. **delegates authority under s 257 of the *Local Government Act 2009* to the Chief Executive Officer to finalise all matters associated with the Projects if successful.**

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## EXECUTIVE SUMMARY

The purpose of this report is to advise Council of funding opportunities that have been made available to assist Local Governments with amending their Planning Schemes to improve functionality, reduce red tape and ultimately assist with the provision of additional housing supply being one of the principle drivers of the funding initiative.

The initiative is referred to as the Scheme Supply Fund – an initiative under the Homes for Queenslanders plan.

An Expression of Interest (EOI) was submitted to the former Department of Housing, Local Government, Planning and Public Works in September 2024 in relation to a funding opportunity.

A maximum amount of \$350,000 is being made available per Local Government Area (LGA) with a co-contribution requirement of 25%.

Council was advised on 12 February 2025 that the submitted EOI is compatible with the Fund's objectives and that the project is now suitable to advance through to the competitive application stage for the funding.

## COMMENTS

The project to amend the Planning Scheme has been an active project for some time with a number of amendments having been drafted.

The release of the funding stream is timely with Council's initiative to amend the Planning Scheme. The EOI highlighted a number of the outcomes that would be achieved through undertaking amendments to the Planning Scheme which aligned with the Fund's aims and objectives which were as follows:

- Align with the recommendations and findings of the Douglas Shire Residential Needs Analysis undertaken by Bull & Bear Economics in June 2023 and adopted by Council in September 2023.
- Update hazard mapping with respect to the delivery of well-located housing. Various flood investigations have been commissioned post Tropical Cyclone Jasper event.
- Deliver outcomes that are identified in Council's adopted Local Housing Action Plan.
- Facilitate the completion of the Return to Country Local Plan that reflects and advances First Nations aspirations with respect to getting back on Country.
- Review Tables of Assessment and various codes with the intent to not capture development (in particular residential development) unnecessarily. Avoid duplication and uncertainty in development outcomes expressed within the codes.
- Investigate opportunities to deliver and incentivise a mix of housing types in new residential developments.

Over the coming weeks, a submission will be prepared that further details how the project aligns with the Fund's aims and objectives and will specifically address a number of the criteria listed in the Fund Guideline. Applications close on 16 April 2025.

## PROPOSAL

That Council:

1. retrospectively endorses the submission of the EOI seeking to secure grant funding to assist with the Planning Scheme amendment process;
2. endorse the preparation of a further submission to the competitive application stage;
3. acknowledges the requirement to allocate funds within future Operational Budget to advance the Planning Scheme amendments.
4. delegates authority under s 257 of the *Local Government Act 2009* to the Chief Executive Officer to finalise all matters associated with the Projects if successful.

## FINANCIAL/RESOURCE IMPLICATIONS

Council made provision of \$150,000 to advance the Planning Scheme amendments in the 2024/2025 Operational Budget and is therefore able to satisfy the co-contribution requirement as it currently stands. The project will continue to be supported under the 2025/2026 Operational Budget.

## RISK MANAGEMENT IMPLICATIONS

Being an existing project, the Planning Scheme amendment process is not reliant on the funding application being successful. However, the availability of additional funds would provide additional resources to undertake a more comprehensive review.

## SUSTAINABILITY IMPLICATIONS

- Economic:** The Planning Scheme review process has positive economic implications through streamlining the development application process and improving the functionality of the document.
- Environmental:** The Planning Scheme review will continue to recognise and preserve the environmental features of the Shire. The review process will also provide for an opportunity where mapping can be updated to reflect the outcomes of flood studies where there is an ability to do so.
- Social:** The Planning Scheme ultimately reflects the desires and expectations of the community. Draft amendments to the Planning Scheme will be placed on public notification in due course.

## CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

### Corporate Plan 2019-2024 Initiatives:

#### Theme 1 - Celebrating Our Communities

Douglas Shire Council embraces the diversity of our communities and values the contribution that all people make to the Shire. We recognise that it is a core strength of the region. We acknowledge our past so that it may guide us in the future. We recognise the wrongs done to our Indigenous community and we actively seek to reconcile so that we may all benefit from and enjoy our Shire. We acknowledge early European settlers who forged an agricultural base for our economy and we welcome all new arrivals as part of our broader community.

**Goal 2 - We will deliver programs and services that protect and enhance the liveability of our beautiful Shire.**

#### Theme 3 - Leading Environmental Stewardship

Our visitors and residents deeply value the unparalleled environment in which we live. We recognise our responsibility in protecting and preserving our natural world for generations to come. We understand the strong link between the environment and the economy: they are interdependent. Douglas Shire will be at the forefront of environmental protection by developing strategies, setting policies, and working with all stakeholders to become the envy of and to inspire locations across Australia and the World.

**Goal 1 - We will protect our sensitive environment and plan for the impact of climate change.**

#### Theme 4 - Inclusive Engagement, Planning and Partnerships

In delivering for our communities, economy and environment, Douglas Shire will ensure open and transparent engagement and communication. We will develop robust strategic plans and we will partner with our community and key stakeholders.

**Goal 1 - We will implement transparent decision making through inclusive community engagement and communication.**

**Goal 2 - We will develop forward looking strategies for the future of our communities and we will ensure balanced and appropriate planning decisions.**

## Operational Plan 2024-2025 Actions:

Planning Scheme Amendments to align the Scheme with the Planning Act 2016 and improve the functionality of the Scheme.

## COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

<b>Regulator</b>	Council has a number of statutory obligations detailed in numerous regulations and legislative Acts. Council also makes local laws to ensure that the Shire is well governed. In fulfilling its role as regulator, Council will utilise an outcomes based approach that balances the needs of the community with social and natural justice.
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## CONSULTATION

<b>Internal:</b>	Previous discussions and workshops have been held with internal stakeholders and the former elected representatives. The project will be subject to further workshops and internal engagement as the project advances.
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<b>External:</b>	Government agencies will be consulted through the State Interest process. Once the State Interest review is completed, draft amendments will be placed on public notification as per statutory requirements.
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## COMMUNITY ENGAGEMENT

The Ministers Guidelines and Rules outlines the process when preparing and amending a Planning Scheme which includes community engagement. The Planning Scheme amendment process will be undertaken in accordance with such requirements.

## ATTACHMENTS

1. ssf-guideline [6.19.1 - 22 pages]

# Scheme Supply Fund

Fund Guideline – August 2024

*An initiative of the Homes for Queenslanders plan*



# Scheme Supply Fund for Housing

## Guideline

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## 1.0 Introduction

The \$12.5 million Scheme Supply Fund (the fund) is an initiative under the Homes for Queenslanders plan. The fund will facilitate key improvements to local government planning to remove regulatory barriers and identify areas to unlock new supply for more homes, faster.

## 2.0 Overview

<b>Guidelines released:</b>	27 August 2024
<b>Pathway 1 applications open:</b>	29 August 2024
<b>Pathway 2 Expression of Interest (EOI) open:</b>	2 September to 16 September 2024
<b>Pathway 2 EOI department feedback provided:</b>	Late September 2024
<b>Pathway 2 detailed applications open:</b>	Successful EOI applicants will be advised
<b>All projects to be completed:</b>	30 June 2026
<b>Budget:</b>	\$12.5 million
<b>Enquiries:</b>	Schemesupplyfund@dsdilgp.qld.gov.au

The \$12.5 million is available under two funding pathways (Pathway 1 and Pathway 2).

Pathway 1 is a non-competitive, allocation-based funding pathway to deliver planning outcomes in eligible local government including those related to endorsed Local Housing Action Plans or Local Housing Plans. Pathway 1 is limited to western and regional local governments identified as Group 3 in Attachment 4. Applications must provide details of how the project meets the relevant criteria and a targeted project proposal using the DHLGPPW's eGrant system. Successful applicants will receive a funding allocation of up to \$100,000.

Pathway 2 is a competitive process open to all local government areas where applicants must demonstrate how the proposed project meets relevant criteria in this guideline. Pathway 2 aims to support eligible local governments and partnerships to improve planning outcomes for new residential development through planning scheme amendments.

Pathway 2 will be opened with a two week expression of interest (EOI) period from 2 September to 16 September 2024. The department will review EOIs before providing advice to applicants about eligibility and any further information needed to support a fund application. Local governments successful through the EOI process will be invited to make Pathway 2 applications and will be advised when the detailed application stage opens.

Local governments have been divided into three groups for funding allocation and these groups are based on their size and financial capacity. The larger local governments (Group 1 and 2) are required to provide co-contributions, Group 3 are not. Applications will be assessed against the weighted criteria set out in the fund guidelines. The maximum funding allocation and co-contributions are included in section 4.1 of this guideline.

To be eligible for funding, a project must:

- (a) be consistent with the Fund's aims and objectives
- (b) result in the applicant submitting a planning scheme amendment for:
  - (i) review in accordance with Section 18 of the *Planning Act 2016*; or
  - (ii) a Qualified State Interest Assessment



(c) the work being funded must be ready to commence within three months from the date of execution of a funding agreement - eligible projects that have started previously or have later stages but have stalled or been delayed due to funding constraints will also be considered.

(d) be completed by 30 June 2026.

In determining project eligibility, applicants should identify and allow sufficient time and resources to engage with key stakeholders such as the community, Registered Native Title Bodies Corporate (RNTBC), peak bodies, and the Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts (DTATSIPCA).

In addition, eligible projects must meet the relevant eligibility criteria specific to the delivery pathways as provided below.

## 2.1 Aims and objectives

The aims and objectives of the fund are to provide financial assistance to local governments to:

- respond to Queensland's changing population
- remove regulatory barriers to boost housing supply
- increase the amount of land zoned for residential development or the capacity of existing residential zoned land
- reduce of levels of assessment or refining assessment benchmarks and codes
- facilitate inclusionary planning
- refine overlays or constraints with finer grain mapping
- integrate land use and infrastructure planning
- action plan making outcomes identified in an endorsed Local Housing Action Plan (LHAP) or Local Housing Plan (LHP) or housing outcomes in Queensland's Aboriginal and Torres Strait Islander council areas
- support integration of residential expansion and living on country areas
- support infrastructure upgrades identified in master plans by Aboriginal and Torres Strait Islander local governments or RNTBC
- integrate community development plans for precinct planning
- monitor the performance of planning schemes in relation to residential development.

## 2.2 Pre-lodgement assistance

Pre-lodgement assistance will be available on request to support applicants to refine the project scope and provide advice on how to address the assessment criteria.

## 3.0 Pathway 1

It is acknowledged there are different challenges and opportunities for Queensland's regional and remote communities. This pathway builds on the work done to prepare Local Housing Action Plans (LHAPs) and Local Housing Plans (LHPs) and recognises the need to facilitate planning for housing outcomes in Aboriginal and Torres Strait Islander council areas.

### 3.1 Applicant eligibility

The 47 local governments listed in Local Government Group 3 (Attachment 2) are eligible to receive funding under Pathway 1. Only one application per local government will be accepted.

### 3.2 Eligible projects

To be eligible, applicants must show an intent to deliver outcomes directly related to actions in endorsed LHAPs or LHPs. Funding will also be provided for housing outcomes relevant to Aboriginal and Torres Strait Islander councils that do not have a LHAP or LHP in place.

Local governments may include secondary elements in their projects that result in additional improvements to their planning instruments as long as the primary focus delivers housing outcomes within the Fund's overall application and funding parameters.

### 3.3 Application requirements

The funding is provided through the local government eGrant Portal. To access the funding, councils must complete the online application form at <https://egrants.powerappsportals.com/> and provide all the information requested.

Local government Chief Executive Officers (or delegated officer) are responsible for ensuring applications are complete and accurate. Giving false or misleading information is a serious offence which may exclude the local government from funding consideration or result in any funds granted needing to be repaid.

Funding will be open until the funding is exhausted or it becomes apparent that no further applications will be made. The department will advise local governments of any pending closure of Pathway 1.

A fund application must be completed using the guidance provided on the fund website and include:

- a project title and description
- the project's link to an LHAP or LHP action/s, or a description of the housing outcomes where for an Aboriginal or Torres Strait Islander local government
- details about whether the project previously commenced but stalled
- if the project has previously received state or commonwealth funding
- if the project includes other aspects or secondary elements not related to the actions of the endorsed housing plan
- how the project will result in a planning scheme amendment by 30 June 2026, including the proposed timeframes for investigations and drafting of a scheme amendment; and
- the proposed pathway to undertake project (i.e. consultants/contractors).

To assist local governments provide the requested information for submission through the eGrant Portal, a Pathway 1 Scheme Supply Fund Project Proposal Form has been developed and is available via the Fund webpage.

Questions about the eligibility of proposed projects should be addressed to [schemesupplyfund@dsdilgp.qld.gov.au](mailto:schemesupplyfund@dsdilgp.qld.gov.au) or the council's regional Planning and Development Services team in the department.

### 3.4 Project assessment

The pathway is not competitive, and applications will be assessed as either being eligible or ineligible. Applicants will be advised of any ineligible projects and provided opportunity to submit replacement or refined project proposals where necessary. Successful councils will be notified by the department's delegate following endorsement of project eligibility by the department.

## 4.0 Pathway 2

Pathway 2 is a competitive, application-based funding pathway. Applicants must demonstrate how the proposed project meets relevant criteria. If funding remains, new rounds will be opened and local governments will be advised.

### 4.1 Applicant eligibility

Queensland local governments, local government bodies or regional organisations of councils can apply for funding under the Pathway 2.

When funding is sought for a partnership of local governments or organisations, then:

- a) all councils must be identified in the application for funding; but
- b) a single council must be nominated as the lead contact, who will be the contracting party and will be responsible for contract management and delivery
- c) partnering councils will need to provide a letter of support or agreement confirming their support of the project.

Table 1 below, identifies the maximum funding that can be provided and the minimum co-contribution that must be made towards the project. Note: council co-contributions can be financial or in-kind or a combination of both.

Local Government Group	Minimum Council Co-contribution	Max. Queensland Government funding
Local Government Group 1	50%	\$200,000
Local Government Group 2	25%	\$350,000
Local Government Group 3	Nil	Uncapped

**Table 1: Maximum contribution and minimum co-contributions**

### 4.2 Project eligibility

To be eligible to submit, applicants have received the department's endorsement through the EOI process, as outlined below.

### 4.3 Expression of Interest

Applicants must complete an EOI Application Form during the EOI period. The EOI Application form is available on the Fund webpage and requires information about how the project addresses the assessment criteria in this Guideline and will result in key improvements to the local government planning scheme to deliver more homes, faster.

In addition, applicants are required to provide information on the project delivery timeframe and whether the applicant intends to use the fast-track section 18 or Qualified State Interest Assessment planning scheme amendment process.

Local governments will be advised by the department's delegate of the project's compatibility with the fund's aims and objectives and its suitability to progress to the competitive application process.

Priority will be given to those local governments making changes to their planning that unlocks new and realistic supply for homes on the ground.

## 4.4 Application requirements

Applicants must complete the online application form on the eGrant Portal at <https://egrants.powerappsportals.com/> and submit before the closing date and time. The form requires the applicant to provide a project plan which includes:

- a) a project summary
- b) an assessment of the proposal against all relevant eligibility and assessment criteria
- c) detailed costings and cashflows
- d) timeframes for delivery and key milestones
- e) any risks or dependencies
- f) evidence of how they will make the required co-contribution.

## 4.5 Project assessment

A Fund Reference Group (FRG) will assess applications against the assessment criteria using the weighting indicated (see Attachment 3) and against other applications, having regard to how each project supports the delivery of the Fund aims and objectives.

The FRG will make final recommendations to the department's delegate decision maker. The FRG and the decision maker have discretion to recommend and to determine funding the project at a lower level to what was applied for by the eligible local government or entity.

Local governments may be asked to clarify or provide additional information that will not change the nature of the application.

The department has discretion in funding decisions and is under no obligation to consider applications made after the designated closing date and time.

Nothing in this section limits the State's discretions under section 8.0 of this guideline.

## 5.0 General

### 5.1 Funding arrangements

- a) Successful applicants will be required to execute a Project Funding Schedule (PFS) under the Applicant's Head Funding Agreement with the State.
- b) Once executed, the Program Guideline, the Project Funding Schedule and the Head Funding Agreement will constitute the Project Funding Agreement with the applicant.
- c) The State has no obligation to provide program funding to an applicant until the Project Funding Agreement is fully executed.
- d) An applicant undertakes a project at its own risk. Any financial or other commitments in relation to a project made by an Applicant prior to a Project Funding Agreement being properly entered into by the parties is at the sole risk of the applicant.
- e) Payment of program funding to councils will be made in accordance with the provisions of the Project Funding Agreement and in accordance with the Milestone Schedule set out in the Project Funding Schedule.

Note: After project endorsement, the department may request councils to provide additional information to demonstrate on-time delivery of projects. Documents may include Project Management Plan, Gantt Chart and other supporting documentation.

### 5.2 Payment claim requirements

The department will make payments according to the following schedule for Pathway 1:

- 30% total project funding upon execution of the PFS.
- 30% total project funding upon demonstration of 30% expenditure.
- 30% total project funding upon demonstration of 60% expenditure.
- 10% total project funding upon demonstration of project completion.

The department will make payments according to the following schedule for Pathway 2:

- 50% total project funding upon execution of the PFS.
- 40% total project funding upon demonstration of 50% expenditure.
- 10% total project funding upon demonstration of project completion.

### 5.3 Project monitoring, acquittal and evaluation

All projects will be monitored by the department to ensure progress against agreed milestones. Councils must comply with the reporting, records and audit obligations in the Project Funding Agreement, which includes the provision of quarterly progress reports. Progress reports are to be submitted via the department's e-Grants system. The department's Planning and Development Services team will liaise with applicants and monitor progress outside of specified reporting periods.

The Project Completion and Acquittal Report and any supporting documents must be provided to the department before 30 June 2026.

The department reserves the right to require a council, through a condition in the Project Funding Schedule, to establish a dedicated bank account for the purposes of managing its funding allocation. This may also include the requirement to provide quarterly, or more regular, bank statements or other reports for the account including invoices or other proofs of expenditure.

## 5.4 Extensions of time and withdrawn projects

Projects funded under the Fund must be delivered by 30 June 2026. As councils have two years to deliver endorsed projects, extensions of time will only be considered under exceptional circumstances.

## 5.5 Eligible and ineligible project costs

### 5.5.1 Eligible project costs

- a) Program funding may only be used for 'eligible project costs', which includes direct costs only.

### 5.5.2 Ineligible project costs

- a) costs incurred prior to the Project Start Date identified in the signed Project Funding Agreement, including any otherwise eligible expenditure
- b) legal expenses
- c) core business (business as usual) costs, including:
  - i. ongoing costs for local government administration, operation, maintenance or engineering
  - ii. corporate overheads and on-costs, including travel and accommodation
  - iii. remuneration costs of council employees.
- d) projects fully funded under other state or federal grants programs
- e) projects not directly related to a local planning scheme, such as internal local government administrative processes such as asset management, rating activities, etc.
- f) capital works, land acquisition, asset purchasing or leasing, etc.
- g) any other costs as determined by the department to be ineligible.

The above list identifies common examples of ineligible costs and is not intended to be definitive. If there is any doubt about ineligible projects or costs, please contact the department by emailing [schemesupplyfund@dsgilgp.qld.gov.au](mailto:schemesupplyfund@dsgilgp.qld.gov.au).

The Department of Housing, Local Government, Planning and Public Works will determine eligible and ineligible project costs associated with an application in line with financial delegations.

## 5.6 Goods and Services Tax (GST)

Provision of grant funding to councils is not considered a taxable supply and therefore Goods and Services Tax (GST) is not applicable. All costs associated with the projects must be excluding GST.

## 5.7 Other requirements

- a) Council's funding is not to be used by the council as their contribution towards other State or Commonwealth Government funding programs.
- b) Projects can be a stage of a larger project, where delivery of the identified project stage can be achieved within program period and meets the project eligibility requirements. The staged component must be identifiable as a discreet component/project within the larger project.

## 5.8 Communications

All media enquiries or public announcements relating to the grant program will be coordinated and handled by the department's media team.

As far as practicable, all media and communications will be undertaken jointly with successful applicants.

Applicants must seek and obtain the State's approval before contacting the media to discuss any information regarding successful or unsuccessful applications for funding support under or in connection with the grant program, prior to project endorsement.

## 5.9 Confidentiality, privacy and use of information

The State will maintain controls in relation to the management of confidential information provided by councils. Councils should specifically mark any information the applicant considers to be confidential.

During the application, assessment and approval process, councils must keep confidential its application/s and its dealings with the State about these but may make disclosures if required by law or to its representatives or advisors who are under an obligation of confidentiality.

Councils must also keep confidential any information designated by the State as confidential. The State may disclose information, including confidential information, of or provided by councils:

- a) to its representatives and advisors for any purpose
- b) to any government agency or authority and its representatives and advisors, including for the purpose of assessing and verifying such information
- c) to comply with or meet applicable standards of accountability of public money or established government policies, procedures or protocols, or
- d) if required to be disclosed by law.

The State intends to publicly disclose the names of applicants, information about projects, the amount of funding granted to each council and details about the anticipated economic outcomes and benefits of successful projects.

Any personal information submitted as part of an application will not be used by the State or disclosed to any third party for a purpose other than in connection with the assessment of the application without a council's consent, unless required by law or in accordance with the *Information Privacy Act 2009*.

For audit purposes, the State is required to retain applications and other supplied supporting material. Successful applications will be retained for seven years, and unsuccessful applications retained for two years.

The provisions of the *Right to Information Act 2009* apply to documents in the possession of the State.

## 5.10 Complaints

The decision in relation to an application is final and may not be appealed. If, however, a council has any concerns in relation to the application or assessment process, a council may raise their concerns in writing by contacting: [schemesupplyfund@dasilgp.qld.gov.au](mailto:schemesupplyfund@dasilgp.qld.gov.au).

## 6.0 Enquires and Contact Details

Councils can email [schemesupplyfund@dasilgp.qld.gov.au](mailto:schemesupplyfund@dasilgp.qld.gov.au) or contact their departmental regional Planning and Development Services team in relation to general questions, requests for clarification and requests for further information.



The department is not able to assist in the preparation of applications but can provide general guidance and clarify the eligibility criteria including pre-lodgement assistance.

## 7.0 Acknowledgement of the funding

In accordance with the Head Funding Agreement, recipient councils must adhere to the department's Funding Acknowledgement Guidelines recognising Queensland Government funding in all media and other communications. This includes acknowledgement in publicly made statements, on websites, on social media or other appropriate documentation.

Further information on acknowledgement requirements, including the use of the Queensland Government logo, is available on the Department's website at

<https://www.statedevelopment.qld.gov.au/local-government/grants/acknowledgement-requirements>

## 8.0 Terms and conditions

### 8.1 Reservation of rights

- a) Despite any provision of these guidelines to the contrary, the State reserves the right to administer the grant program and conduct the process for the assessment and approval of applications to the grant program in such manner as it thinks fit, in its absolute discretion.
- b) Without limiting paragraph (a), the State retains all rights and powers to make all decisions and actions in order to achieve the program objectives and the State reserves the right, in its absolute discretion and at any time, to:
  - i. change the structure, procedures, nature, scope or timing of, or alter the terms of participation in the process or overall grant program (including submission and compliance of applications), where in such circumstances notice will be provided to applicants;
  - ii. consider or accept, or refuse to consider or accept, any application which is lodged other than in accordance with these guidelines or is lodged after the relevant date for lodgement, or which does not contain the information required by these Guidelines or is otherwise non-conforming in any respect;
  - iii. vary or amend the eligibility or assessment criteria;
  - iv. take into account any information from its own and other sources (including other government agencies and other advisors);
  - v. accept or reject any application, having regard to these guidelines, the eligibility criteria, the assessment criteria or any other item, matter or thing which the State considers relevant, including the limitations on the funds available for the Grant Program;
  - vi. give preference by allocating weighting to any one or more of the eligibility criteria or assessment criteria over other criteria;
  - vii. conduct due diligence investigations in respect of any applicant and subject applications to due diligence, technical, financial and economic appraisals;
  - viii. require an applicant to clarify or substantiate any claims, assumptions or commitment contained in an application or provide any additional information;
  - ix. terminate the further participation of any applicant in the application process;
  - x. terminate or reinstate the grant program or any process in the grant program;

- xi. not proceed with the grant program in the manner outlined in these guidelines, or at all; amend the nature, scope or timing of the grant program;
  - xii. allow the withdrawal of an applicant;
  - xiii. seek presentations from or interviews with any applicant and conduct negotiations with any one or more applicants after the applications have been lodged;
  - xiv. publish the names of applicants to the grant program; and
  - xv. take such other action as it considers in its absolute discretion appropriate in relation to the grant program processes.
- c) Where, under these guidelines, it is stated that the State may exercise a right or discretion or perform any act or omit to perform any act, then unless stated otherwise the State may do so at its sole and absolute discretion and will not be required to act, or be restrained from acting, in any way or for any reason nor to take into account the interests of any third party (including an applicant).

## 8.2 Relationship

The State's obligations in connection with the application process are limited to those expressly stated in these guidelines.

No contractual or legal relationship exists between the State and an applicant in connection with the grant program, these guidelines or the application process or any stage of the grant program.

An applicant, or its representatives:

- (a) has no authority or power, and must not purport to have the authority or power to bind the State, or make representations on behalf of the State;
- (b) must not hold itself out or engage in any conduct or make any representation which may suggest to any person that the applicant is for any purpose an employee, agent, partner or joint venturer with the State; and
- (c) must not represent to any person that the State is a party to the proposed project other than as a potential funder, subject to the application process detailed in these guidelines.

## 8.3 No action

To the extent permitted by law, no applicant will have any claim of any kind whatsoever against the State (whether in contract, tort (including negligence), equity, under statute or otherwise) arising from or in connection with:

- a) any costs, expenses, losses or liabilities suffered or incurred by the applicant in preparing and submitting its application (including any amendments, requests for further information by the State, attendance at meetings or involvement in discussions) or otherwise in connection with the Grant Program;
- b) the State at any time exercising or failing to exercise, in its absolute discretion, any rights it has under or in connection with the grant program; or
- c) any of the matters or things relevant to its application or the grant program in respect of which the applicant must satisfy itself under these guidelines.

Without limiting paragraph (a), if the State cancels or varies the grant program at any time or does not select any applicant following its assessment of the applications, or does (or fails to do) any other thing referred to under section 8.1 of these guidelines, no applicant will have any claim against the State arising from or in connection with any costs, expenses, losses or liabilities incurred by the applicant in preparing and submitting its application or otherwise in connection with or in relation to (whether directly or indirectly) the grant program.

For the avoidance of doubt, each applicant:

- a) participates in the grant program at its own risk; and
- b) is wholly responsible for its costs of applying for, participating in, or otherwise in connection with, the grant program.

## 8.4 Non-exhaustive

These guidelines do not contain all of the information that applicants may require in reaching decisions in relation to whether or not to submit an application. Applicants must form their own views as to what information is relevant to such decisions.

Applicants must make their own independent investigations of the information contained or referred to in these guidelines. Applicants must obtain their own independent legal, financial, tax and other advice in relation to information in these guidelines, or otherwise made available to them, during the application process.

## 8.5 Disclaimer

The State makes no warranty or representation express or implied, and does not assume any duty of care to the applicants that the information in these guidelines, or supplied in connection with the grant program (Information) is accurate, adequate, current, suitable or complete, or that the Information has been independently verified.

The State accepts no responsibility whether arising from negligence or otherwise (except a liability that cannot lawfully be excluded) for any reliance placed upon the Information or interpretations placed on the Information by applicants.

## 8.6 Intellectual property

Any intellectual property rights that may exist in an application will remain the property of an applicant or the rightful owner of those intellectual property rights. Any part of an application considered to contain intellectual property rights should be clearly identified by an applicant.

The applicant grants to the State (and will ensure relevant third parties grant) a non-exclusive, royalty free and irrevocable licence to use and reproduce the intellectual property for the purpose of administering the grant program.

## 8.7 Law

These guidelines are governed by the laws applicable in Queensland.

## Attachment 1 – Glossary

Act	means the <i>Planning Act 2016</i> .
Co-contribution	means a financial or in-kind contribution made by local government/s based on a proportion of the project cost.
Eligible local government body	means a local government body constituted under the <i>Local Government Act 2009</i> and the <i>City of Brisbane Act 2010</i> .
Endorsed strategy or plan	includes the following where they have been endorsed by the Queensland Government: <ul style="list-style-type: none"> <li>• Regional plans</li> <li>• Council master plans e.g. Mornington Island Master Plan 2020, Yarrabah Master Plan 2019</li> <li>• local government housing strategies</li> <li>• Local housing action plans</li> <li>• The Queensland Housing Strategy Action Plan 2021 – 2025</li> <li>• The Aboriginal and Torres Strait Islander Local Housing Plan 2019 – 2023.</li> </ul>
Fund webpage	means <a href="https://www.planning.qld.gov.au/planning-issues-and-interests/scheme-supply-fund">https://www.planning.qld.gov.au/planning-issues-and-interests/scheme-supply-fund</a>
Gentle density	refers to the gradual, incremental approach to development that limits abrupt changes in scale, density or character that might disrupt existing communities. Gentle density includes housing products in low-density and low-medium density zoned areas and can include: <ul style="list-style-type: none"> <li>• small studios or Fonzie flats</li> <li>• duplexes</li> <li>• row or terrace houses</li> <li>• triplexes or quadruplexes</li> <li>• multiple dwellings (i.e. low-rise townhouses or units – 1 to 3 storeys).</li> </ul>
Guideline	means this guideline for the Fund.
Head Funding Agreement	means the agreement entered into between the State and the applicant that sets out the terms and conditions under which the State will enter into project specific arrangements to provide funding for specific projects to local government applicants, if the applicant is successful in an application for funding under a grant program.

Milestone Schedule	means, for a project, the schedule of dates for achievement of specified milestones, as set out in the relevant Project Funding Schedule.
Planning scheme amendment	means, an amendment to a local planning instrument or the preparation of a new planning scheme in accordance with the Act.
Project	a project includes the entire scope of works identified in the application.
Project Funding	means the funds to be provided by the State to an applicant who is successful in an application for funding under the grant program.
Project Funding Schedule	means the schedule prepared by the State and executed by the parties in accordance with the Head Agreement, for the provision of project funding.

## Attachment 2 – Eligible local government funding groups

Local Government Group 1	Local government Group 2	Local government Group 3
Brisbane City Council Gold Coast City Council Ipswich City Council Logan City Council Moreton Bay City Council Redland City Council Sunshine Coast Council	Bundaberg Regional Council Cairns Regional Council Cassowary Coast Regional Council Central Highlands Regional Council Charters Towers Regional Council Douglas Shire Council Fraser Coast Regional Council Gladstone Regional Council Gympie Regional Council Livingstone Shire Council Lockyer Valley Regional Council Mackay Regional Council Mareeba Shire Council Noosa Shire Council Rockhampton Regional Council Scenic Rim Regional Council Somerset Regional Council Southern Downs Regional Council Tablelands Regional Council Toowoomba Regional Council Townsville City Council Western Downs Regional Council Whitsunday Regional Council	Aurukun Shire Council Balonne Shire Council Banana Shire Council Barcaldine Regional Council Barcoo Shire Council Blackall-Tambo Regional Council Boulia Shire Council Bulloo Shire Council Burdekin Shire Council Burke Shire Council Carpentaria Shire Council Cherbourg Shire Council Cloncurry Shire Council Cook Shire Council Croydon Shire Council Diamantina Shire Council Doomadgee Shire Council Etheridge Shire Council Flinders Shire Council Goondiwindi Regional Council Hinchinbrook Shire Council Hope Vale Shire Council Isaac Regional Council Kowanyama Shire Council Lockhart River Shire Council Longreach Regional Council Mapoon Shire Council Maranoa Regional Council McKinlay Shire Council Mornington Shire Council Mount Isa City Council Murweh Shire Council Napranum Shire Council North Burnett Regional Council Northern Peninsula Area Regional Council Palm Island Shire Council Paroo Shire Council Pormpuraaw Shire Council Quilpie Shire Council Richmond Shire Council South Burnett Regional Council Torres Shire Council Torres Strait Island Regional Council Winton Shire Council

		Woorabinda Shire Council Wujal Wujal Shire Council Yarrabah Shire Council
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## Attachment 3 – Pathway 2 Assessment Criteria

### **Assessment Criterion 1 – Addressing the housing needs of Queensland (weighting 40 per cent)**

Demonstrate this by identifying one or more of the relevant components of criterion **A**:

#### **A. Responding to the housing needs of Queensland’s changing population**

The extent to which the proposal will deliver changes to the council’s planning scheme that:

- identifies and unlocks new supply in an LGA that is integrated with infrastructure planning
- reduces the level of regulation of housing supply
- removes barriers that boost realistic supply
- implements housing outcomes identified in an endorsed strategy or plan
- facilitates housing choice by removing or simplifying development assessment requirements for Gentle density housing (categories of assessment and/or development, development assessment benchmarks)
- increases realistic and diversified supply of housing to meet the community’s needs
- supports living on country and provides culturally-responsive housing options
- supports development of appropriate housing that is recognised as an affordable housing choice and alternative living option on Aboriginal freehold land
- incentivises or facilitates the efficient delivery of affordable housing (as defined in the Planning Regulation 2017) including through
  - change to the category of development
  - change to the category of assessment
  - amended assessment benchmarks, including reduction in restrictions on height, parking, site cover, density, etc.
  - reduction of infrastructure charges where appropriate.
- integrates community development plans for precinct areas identified in local plans
- supports delivery of housing in regional areas through strategic infrastructure planning.

### **Assessment Criterion 2 – Strategic and key improvements to local planning instruments (weighting 30 per cent)**

Demonstrate this by identifying one or more of the relevant components in criterion **B, C and/or D**:

#### **B. Ensuring adequate land is available**

The extent to which the proposal will deliver changes to the council’s planning scheme that:

- ensures the supply of land for future housing is facilitated through updated strategic planning and or land allocated to residential or urban zones
- aligns local land use and infrastructure planning with a regional approach to infrastructure delivery.

#### **C. Efficient and cost-effective infrastructure planning and delivery**

The extent to which the proposal will deliver changes to the council’s planning scheme that:

- increases residential densities in areas well-served by infrastructure
- aligns land use planning with Local government infrastructure plans or Long term infrastructure plans



- aligns residential densities in areas well-served by infrastructure to address dwelling targets and other growth requirements under a relevant regional plan
- integrates residential expansion areas and supporting infrastructure upgrades identified in DTATSIPCA master plans for Indigenous local governments
- increases understanding about infrastructure capacity of existing assets (i.e. for regional councils without a Local Government Infrastructure Plan, undertaking a strategic infrastructure investigation and planning).

#### **D. Identifying and addressing issues that are delaying, preventing or adding costs to planning approvals**

The extent to which the proposal will deliver changes to the council's planning scheme that:

- refines natural hazard mapping and/or assessment benchmarks to tailoring the level of assessment and the need for site specific assessment and mitigation where appropriate
  - improves alignment between the strategic framework, categories of assessment, zone codes and assessment benchmarks, including non-critical overlays, to reduce regulation, provide certainty and promote greater housing supply and choice
  - removes unnecessary, duplicative or redundant local plan provisions
  - simplifies complex codes and assessment benchmarks
- improves alignment with the Queensland Development Code.

### **Assessment Criterion 3 – Community and local government benefits (weighting 20 per cent)**

Demonstrate this by identifying one or more of the relevant components of criteria in each of **E, F and G**:

#### **E. Project benefits – local government**

Demonstrate how the local government will benefit from the proposal including:

- efficient assessment timeframes
- reduction in number of development applications, and fewer applications requiring specialist review
- aligns local planning instruments with dwelling and diversity targets identified in relevant regional plans
- Local Government Infrastructure Plan updated with infrastructure required for new residential areas or to increase capacity of existing residential areas
- strategic infrastructure planning allows for better planning of capital works budgeting or seeking funding for key improvements in their community.

#### **F. Project benefits – industry and community**

Identify, in quantitative and qualitative terms, the benefit to the community in relation to:

- increases in types of housing available
- increased land available for housing
- improved housing affordability
- increased residential densities within high amenity areas such as within walking distance of major public transport infrastructure such as train stations or light rail stops or other public or community infrastructure and services (eg town centre, hospitals, shopping centre).

**G. Community impact of proposed solution**

Demonstrate the community impact of the proposal including:

- the housing need or opportunity the proposal will address
- how the proposal will address the need or opportunity and the expected benefits to the community.

**Assessment Criterion 4 – Local Government capacity (weighting 10 per cent)**

Demonstrate how the application addresses each of the criteria in **H, I, J and K**:

**H. Value for money**

Demonstrate:

- that delivery of the proposal has been costed
- that delivery of the proposal is feasible
- if relevant, how the council's co-contribution will be provided in line with **Table 1**.

**I. Fund impact**

Demonstrate by identifying:

- the likelihood the project would not proceed without the fund
- the positive impact the grant will have on the scope or timing of the project

**J. General**

Demonstrates sound consideration of:

- risk management
- key stakeholder and community support
- project readiness including status of required supporting documentation
- project reporting requirements

**K. Planning output**

Demonstrate project planning or timeframes that results in an amendment to the relevant local planning instrument through a relevant process under the *Planning Act 2016*.