


Tabled and presented to Council at its 4724 Meeting held on: 24/10/23
Tabled by: Lord Mayor
 Chairperson of Council

The Public and Active Transport Committee.
Councillor OWEN.
Councillor JOHNSTON: Point of order, Mr Chair.
Chair: Thank you, everyone.
Councillor JOHNSTON: Point of order, Mr Chair.
Chair: Point of order to you, Councillor JOHNSTON.
Councillor JOHNSTON: Yes, Mr Chair, I seek leave to suspend Standing Orders to move the following urgency motion—
Chair: Can I please—can I just conclude my statements, and then I will go straight to you, but I was in the middle of speaking.
It's been moved by Councillor OWEN, seconded by Councillor HUANG, that the Report of the Public and Active Transport Committee meeting dated Tuesday 26 May 2020 be adopted.

PUBLIC AND ACTIVE TRANSPORT COMMITTEE

Councillor Angela OWEN, Deputy Chair of the Public and Active Transport Committee, moved, seconded by Councillor Steven HUANG, that the report of the meeting of that Committee held on 26 May 2020, be adopted.

Chair: Is there any debate?
Councillor OWEN.
Point of order, Councillor JOHNSTON.

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At that juncture, Councillor Nicole JOHNSTON moved, seconded by Councillor Jared CASSIDY, that the Standing Rules be suspended to allow the moving of the following motion—

That this Council urgently develops an approval process for the Lord Mayor's Community Fund, similar to the Footpath and Parks Trust Fund, that will not require funding cuts as announced by the Lord Mayor at Council today.

Chair: Councillor JOHNSTON, three minutes to urgency, please.

Councillor JOHNSTON: Yes, thank you, and I have sent the urgency motion through. I don't think the LORD MAYOR is present, so that is a bit of a worry. He clearly is labouring under the misapprehension that the changes to the City of Brisbane Act regulations will prevent this Council from distributing funds to community groups. Very clearly today he has announced that he wants to cut the Lord Mayor's Community Fund. He is blaming the State Government for this, but let me be clear: he has made it very plain today that he intends to cut the Lord Mayor's Community Funds in the upcoming Council budget.

Now, there have been some changes to the City of Brisbane Act, and that does place some limits on the amount of discretionary funding that can be allocated by councils. Section 193B(5) of the regulations says that that is a total of 0.1% of Council revenue—that being rates. However, instead of finding a way to adapt or overcome to ensure that Councillors can continue to support the good works of community groups in Brisbane, this LORD MAYOR has announced he wants to cut the funding. Well, he also said earlier today that there is no other way. Clearly that is an untrue statement. He is operating under a very serious misapprehension—

DEPUTY MAYOR: Point of order—
Chair: Point of order; Councillor ADAMS.
Councillor JOHNSTON: —that he—

- Chair: Please, point of order, Councillor ADAMS.
- DEPUTY MAYOR: Just—clarification, did you allow misleading as being a point of order at this point of time?
- Chair: I said that it's been an accepted convention of this place for some time, while not at that time expressly identified in the work I found.
- DEPUTY MAYOR: Therefore, I would like to raise misleading then as a point of order. She's claiming that the LORD MAYOR wants to cut—that is misleading the Chamber.
- Chair: Okay, thank you. Councillor JOHNSTON, I've allowed a great deal of leeway in your comments, but I must insist that you recognise that point of order, but more importantly, that you limit your comments to why this matter is urgent and why it must be dealt with urgently. Thank you.
- Councillor JOHNSTON: Nice to see the DEPUTY MAYOR running interference. It's very clear that the LORD MAYOR announced today that he is going to cut the Lord Mayor's community funds. He said that is the only thing that he can do. That was an untrue statement. The way in which we can deal with this matter in a very practical and sensible way to ensure all Councillors can continue to support their local community groups is to put in place a very simple approvals process.
- We already have funds that are allocated through the Footpath and Parks Trust Funds. There are approvals at both officer and Committee level, depending on the amount of expenditure. We could easily look at a similar scheme for the Lord Mayor's community funds.
- So, let me be clear: there is no reason to cut this funding. We can put in place a very simple approvals process to ensure that community groups can continue to receive this funding. The LORD MAYOR has unilaterally announced it today. It will devastate community groups who rely on this funding—
- DEPUTY MAYOR: Point of order, Mr Chair.
- Chair: Point of order, Councillor ADAMS.
- DEPUTY MAYOR: Councillor JOHNSTON continues to mislead the Chamber. He did no such thing.
- Chair: Thank you. Look, Councillor JOHNSTON, you've got 14 seconds.
- Please just finalise your comments as to why this matter is urgent.
- Councillor JOHNSTON: It's urgent because the LORD MAYOR announced today that the Lord Mayor's community funds are going to be cut. They do not need to be. We need a simple approvals process to be put in place so we meet our legislative requirements, and I urge all Councillors to support this motion.
- Councillor interjecting.*
- Chair: On the matter of urgency.

The Chair submitted the motion for the suspension of the Standing Rules to the Chamber and it was declared **lost** on the voices.

Thereupon, Councillors Nicole JOHNSTON and Jared CASSIDY immediately rose and called for a division, which resulted in the motion being declared **lost**.

The voting was as follows:

AYES: 7 - The Leader of the OPPOSITION, Councillor Jared CASSIDY, and Councillors Kara COOK, Peter CUMMING, Steve GRIFFITHS, Charles STRUNK, Jonathan SRI and Nicole JOHNSTON.

NOES: 18 -

The DEPUTY MAYOR, Councillor Krista ADAMS, and Councillors Greg ADERMANN, Adam ALLAN, Lisa ATWOOD, Fiona CUNNINGHAM, Tracy DAVIS, Fiona HAMMOND, Vicki HOWARD, Steven HUANG, Sarah HUTTON, Sandy LANDERS, James MACKAY, Kim MARX, Peter MATIC, David McLACHLAN, Angela OWEN, Steven TOOMEY and Andrew WINES.

Chair:

Councillor OWEN, the Public and Active Transport Committee, please.

Councillor OWEN:

Thank you, Mr Chair. Last week's Committee presentation was on e-Scooters in Brisbane. As was stated in the presentation, a smart city is one that provides a menu of transport options for residents and visitors to enjoy. When e-Scooters first arrived in Brisbane, there was a lot of excitement, and now they are maturing as a core part of the transport in our city.

To put this in context for the Councillors who weren't at the Committee presentation, the use of e-Scooter devices in Brisbane was made legal by the Queensland Government in December 2018. Council then conducted an e-Scooter trial until June 2019. Following this, through a competitive tender process, Council entered into operating agreements with two operators, Lime and Neuron, to provide e-Scooter services from July 2019 to July 2020, with an option to extend for two periods of 12 months.

Having two operators in Brisbane has helped drive innovation, compliance, enhanced services and price competitiveness. There has been a strong demand for e-Scooter use, with more than 2.5 million trips by more than 54,000 riders to date. On average, five to six trips are being taken per scooter per day, with a median trip length of eight to 10 minutes. This is within the industry benchmark of four to six trips per vehicle per day.

Most e-Scooters users travel around the inner city, South Bank, the Howard Smith Wharves and the surrounding riverside precinct, where there is more foot traffic required to access those areas. There is no doubt that e-Scooters are helping people move around Brisbane during the coronavirus pandemic. E-Scooter trips have remained relatively stable since 29 March 2020, at an average of 1,200 trips per day.

So, during COVID-19, e-Scooters are providing an alternative mode of transport and assisting in achieving social distancing measures. Neuron has also rolled out free passes for healthcare workers. We have seen more than 500 healthcare workers take that offer up, and that's a significant number that have been using the service.

Safety and compliance is of the utmost importance to this Council, and we continue to pay close attention to this. To ensure safety, Council's rapid response group conducts daily audits of e-Scooters out on the streets. We have a team going out every single day looking at where the e-Scooters are being placed and providing direct feedback to the operator where they are not complying. Operators have also had their own foot patrol employees walking around the city making sure that the scooters are where they need to be and repositioning them if necessary.

Since both companies began operating in July 2019, the frequency and volume of customer feedback has decreased, which suggests greater community acceptance and normalisation of this mode of transport. Upon the review of the agreement, Council is satisfied with the level of compliance from the operators. Council is also working with these operators to ensure that users are parking and storing the scooters correctly, and that helmets are made available.

Operators have also implemented a number of initiatives and innovations. For example, one of the operators has a feature that will advise them if a scooter has fallen over. There is also an emergency button that pops up on the rider's phone with an option to connect through to emergency services in an emergency situation.

Operators have also been undertaking safety forums at different community events, such as university open days. This allows them to engage with the public,

Councillor interjecting.

Councillor HOWARD:

—have sadly become a political plaything for a scheming and self-indulgent Labor Party. Rather than finding new ways for Councillors to support their local communities, the State Labor Government spent more than a year working on these disappointing local government law changes. That's what Labor's law changes means to Brisbane. It means that the essential community funds like the Lord Mayor's Community Fund must now be capped at a mere 0.1% of Council's revenue from general rates from the previous year. So, what does this mean in practice?

For Brisbane, that means that Council has been forced to slash next year's Lord Mayor's Community Fund to meet this arbitrary amount. Why is it that the Labor State Government feels the need to target our community groups? Why do they attack our community events and the thousands of families that enjoy them each and every year?

There can only be one reason, Labor does not think that our communities are important and they do not trust their own Councillors to spend their discretionary funding appropriately. Now, this is a slap in the face for the more than 1,000 community initiatives and events that this fund supports every year. Those opposite have the hide to imply that the LORD MAYOR is somehow responsible for changes being made to these funds. Labor's position is made very clear in their own legislation. Their amendments in section 193(b) of the *City of Brisbane Regulation 2012* state, and I quote, 'changes under subsection (5) now requires that prescribed amounts of those funds in a financial year to be 0.1% of the Council's revenue from general rates for the previous year.' That is a direct quote.

It means that Brisbane residents are left significantly worse off in discretionary funds from their local Councillor. Council has been assessing the impact of the State Labor's restrictions on the support we are permitted to provide the Brisbane community. So, Mr Chair, no matter what tricky games State Labor plays, this Schrinner Administration is committed to finding a way through to support Brisbane communities. Thank you.

Chair:

Further questions?

Councillor interjecting.

Chair:

Councillor GRIFFITHS.

Councillor JOHNSTON:

Point of order, Mr Chair.

Chair:

Point of order, Councillor JOHNSTON.

Councillor JOHNSTON:

Point of order, Mr Chair.

Chair:

I've already called you.

I've called you twice, Councillor JOHNSTON.

Councillor JOHNSTON:

Oh, thank you. Something was wrong with the sound.

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At that juncture, Councillor Nicole JOHNSTON moved, seconded by Councillor Kara COOK, that the Standing Rules be suspended to allow the moving of the following motion—

That this Council urgently develops an approval process for the Lord Mayor's Community Fund, similar to the Footpath and Parks Trust Fund, that will not require funding cuts as announced by the Lord Mayor.

Councillors interjecting.

Chair:

Are you able to distribute that?

Councillor JOHNSTON:

Yes, Mr Chair. It is being sent right now. Oh gosh, this is just a bit—

LORD MAYOR:

Point of order, Mr Chair.

Councillor JOHNSTON:

There we go. Okay, that's been sent through.

Chair: Point of order to you, LORD MAYOR.

LORD MAYOR: I think that this is something that we should get some legal advice on before debating, because I believe that Councillor JOHNSTON is deliberating trying to circumvent State Government legislation, which is a very serious issue indeed.

Chair: I appreciate that, LORD MAYOR.

I'm going to have to—

Councillor interjecting.

Chair: No, no. The motion before us is about urgency, not about the substance of the matter.

If the matter is deemed urgent and we do debate it today, then I will—then that point of order, LORD MAYOR, would be appropriate at that point—

Councillor interjecting.

Chair: —move to substance, we'll have to address that question.

Councillor JOHNSTON, to urgency, please.

Councillor JOHNSTON: Thank you, Mr Chair; you're just cutting in and out there as well, just so you're aware.

Mr Chair, I've moved this urgency motion again today and I moved it two weeks ago because the LORD MAYOR and now Councillor HOWARD are blaming the State Government for cuts to an essential Council funding program. I agree with Councillor HOWARD, that these are most critical grants that are available in our community. They are usually fairly small in size and they support a whole range of community activities, events, equipment purchases, projects of sporting clubs, small capital works projects now, they are absolutely and fundamentally critical for our community groups.

It is deceptive, in my view, that this Administration refuses to look at establishing a legal policy, a legal policy, that would allow an approvals process so the quantum of funding can stay the same and/or possibly be increased. When I started 12 years ago, the amount was \$125,000 and that was cut by Campbell Newman. At the moment it's at \$75,000. We all know how important this is. Clearly, we have a system that would work. It's called the Parks, Footpath and—Parks and Footpath Trust Fund.

The Committees approve expenditure over certain amounts and I'm quite certain that we could both practically, legally and sensibly develop a similar policy that would enable the Lord Mayor's Community Funds to be approved in a very simple way with oversight by the relevant Committee.

Chair: Councillor JOHNSTON, Councillor JOHNSTON—

Councillor JOHNSTON: That's not working—

Chair: —I appreciate what you're saying.

However, I do try to be even in these things, and I just ask that—your comments have been on substance for the last period; can you please come back to urgency.

Councillor JOHNSTON.

Councillor JOHNSTON: Well, it's critically urgent because the LORD MAYOR and the Chairperson in charge of this area have announced today that they want to cut these funds. There is no reason to cut the funds. We can establish a scheme that will create an approvals process that meets all of our legislative requirements to ensure that this critical funding can continue.

It is a ridiculous thing to blame the State Government when the LORD MAYOR has clearly announced he's going to cut this funding in the budget tomorrow and that's been confirmed again by Councillor HOWARD. So, it's critically urgent that we, as a Council, put in place an approvals process so that this important funding can continue, and we can continue to support local community sporting and a range of groups and activities in our wards.

The LORD MAYOR does not have to do this. There is an alternative. They say there's no alternatives—

Chair: Councillor JOHNSTON.
Councillor JOHNSTON—
Councillor JOHNSTON: There absolutely are.
Chair: —your time has expired.
Councillors, on the matter of urgency.

The Chair submitted the motion for the suspension of the Standing Rules to the Chamber and it was declared **lost** on the voices.

Thereupon, Councillors Charles STRUNK and Kara COOK immediately rose and called for a division, which resulted in the motion being declared **lost**.

The voting was as follows:

AYES: 7 - The Leader of the OPPOSITION, Councillor Jared CASSIDY, and Councillors Kara COOK, Peter CUMMING, Steve GRIFFITHS, Charles STRUNK, Jonathan SRI and Nicole JOHNSTON.

NOES: 20 - The Right Honourable, the LORD MAYOR, Councillor Adrian SCHRINNER, DEPUTY MAYOR, Councillor Krista ADAMS, and Councillors Greg ADERMANN, Adam ALLAN, Lisa ATWOOD, Fiona CUNNINGHAM, Tracy DAVIS, Fiona HAMMOND, Vicki HOWARD, Steven HUANG, Sarah HUTTON, Sandy LANDERS, James MACKAY, Kim MARX, Peter MATIC, David McLACHLAN, Ryan MURPHY, Angela OWEN, Steven TOOMEY and Andrew WINES.

Councillor SRI: Point of order, Chair.

Councillor interjecting.

Councillor SRI: Point of order, Chair. I think the connection is dodgy. I don't know if anyone else is having issues.

Councillors interjecting.

Councillor SRI: Can I propose that Councillor TOOMEY takes over as Deputy Chair until the connection issues are resolved?

Councillor interjecting.

At that time, 2.30pm, the Deputy Chair, Councillor Steven TOOMEY, assumed the Chair.

Deputy Chair: Are there any further questions?

Councillor CASSIDY: Yes.

Councillor JOHNSTON: Yes.

Councillor SRI: Point of order, Chair.

Deputy Chair: Councillor CASSIDY.

Councillor SRI: Point of order, Councillor TOOMEY.

Councillor interjecting.

Councillor SRI: Point of order.

Deputy Chair: I can't hear anyone.

Councillor CASSIDY: I don't know if you can hear me, you just called me, but there's a point of order from Councillor SRI.

Councillor SRI: Point of order.

allocate the Councillor's discretionary funds to a community organisation for a community purpose only if it is consistent with the Council's Community Grants Policy. The delegation is in respect to section 186 of the Regulation. Council Discretionary Funds for Community Purpose under section 194 are approved by the Councillor in accordance with AP120.

In regards to paragraph 46, the position is consistent with the sections outlined in that section, and reflects the position which is already provided in AP119. For further explanation, the disbursements out of the discretionary fund using AP120 must be consistent with AP119, and that is what paragraph 46 says. The Council's approach to providing grants to community organisations is set out—the requirements are set out in AP119, but the operations—and this isn't what's—this is my addition for your benefit—the operation of the discretionary fund is set out in AP120. Okay, all right.

Councillor JOHNSTON.

Councillor JOHNSTON:

Thank you, Mr Chair. Your comments disturb me even further, because it's very clear to me—sorry, I rise to speak with relation to item C. Your comments disturb me even further with respect to the statutory process that is unfolding here. I will just preface this by saying that I've raised two weeks ago, and again today, my concerns about the LORD MAYOR's decision to unnecessarily cut this funding.

It is very clear that this is a direct decision taken by the LORD MAYOR, Councillor Adrian SCHRINNER, and all of the LNP Councillors who support these cuts that are coming tomorrow for community groups in the Council budget. I do not. Nor do the LORD MAYOR's ridiculous and juvenile chidings that we can't make any changes to how we administer the grants scheme. That is completely incorrect, and it happens on a regular basis.

Clearly, we need a policy related to the Lord Mayor's Community Fund that is an approval process that meets our statutory requirements to ensure that the fund's amount can be kept without breaching the requirements of the State Government funding.

Now, yes, that might mean the nature of the funds have changed, but would I prefer that it takes an extra week to go through the Lifestyle Committee to get approval there, or would I prefer the funding to be cut—and they're the only two choices that I'm aware of—well, certainly it's the first one. I do not want to see the funding cut, and it's disgraceful that the LNP Councillors and the LORD MAYOR are preferring that option than a proactive decision to support a change in policy.

Now, with respect to item C before us today, I agree completely with all of the statutory provisions that were read out, but the fundamental problem has still not been addressed, and I'm going to address my comments to the fundamental problem.

One, AP120 is not mentioned anywhere in this document whatsoever, in the Council papers or in the attachments. All references to it today by the LORD MAYOR, by the Chair of Council, not referenced anywhere in here whatsoever. So, clearly, whatever this AP120 change or whatever that might be, it's not envisaged in this document. This is what the policy actually says that is being approved here today. I just urge all Councillors to remember; we are personally reliable for the expenditure of these funds.

Paragraph 46 says the following, '*AP119 Community Grants Policy* (the Policy) outlines Council's approach to providing grants to community organisations. The Policy also sets out the requirements for use of Councillor discretionary funds as required by section 194 of the Regulation which states that funds are allocated in a way that is consistent with Council's Community Grants Policy.' Fine. That means, number one, Councillor discretionary grants are covered by AP119. It's stated in black and white.

Now, the LORD MAYOR said earlier today they weren't. Apparently, the CEO of Council has written to the Leader of the Opposition saying they are not