



LIN 24/007

**Social Security (Australian Government Disaster Recovery Payment—
South East Queensland Severe Storms and Flooding—December 2023 to
January 2024) (LIN 24/007) Determination 2024 (No. 1)**

I, Murray Watt, Minister for Emergency Management, make this instrument under subsection 1061L(2) of the *Social Security Act 1991*.

Dated 4/01/2024

Time: 6:16 p.m. AEST

Minister for Emergency Management

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1 Name

This instrument is the *Social Security (Australian Government Disaster Recovery Payment—South East Queensland Severe Storms and Flooding—December 2023 to January 2024) (LIN 24/007) Determination 2024 (No. 1)*.

2 Commencement

This instrument commences on the day it is signed.

3 Definitions

(1) In this instrument:

destroyed means damaged to the extent that:

- (a) for a residence—it must be demolished; or
- (b) for a major asset or assets—it is unusable.

immediate family member, of a person, means:

- (a) the person's partner; or
- (b) the person's natural child, adoptive child or step-child; or
- (c) the person's natural parent, adoptive parent or step-parent; or
- (d) the person's legal guardian; or
- (e) the person's brother, sister, step-brother or step-sister.

Note This term is used in a different sense to that used in the Act.

major asset means:

- (a) an asset, with a market value of at least \$20 000, located at the person's principal place of residence; or
- (b) assets, with a combined market value of at least \$20 000, located at the person's principal place of residence.

Examples Building, large fixed structure, motor vehicle, caravan, water tank, large scale machinery, heavy equipment.

major damage means:

- (a) for a residence:
 - (i) damage to the interior of the residence; or
 - (ii) that the residence is structurally unsound; or
 - (iii) damage to the residence that exposes the interior of the residence to the elements; or
 - (iv) sewage contamination of the interior of the residence; or
- (b) for a major asset or assets other than a water tank—that it is flooded, or damaged by severe weather to the extent that it needs to be replaced; or
- (c) for a major asset that is a water tank—damage to the extent that it needs to be repaired or cleaned, or the water replaced.

seriously injured, for a person, means:

- (a) the person has sustained an injury; and
- (b) because of the injury:
 - (i) the person was admitted to hospital; or
 - (ii) under normal circumstances, the person would have been admitted to hospital.

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- (2) A place of residence is a person's *principal place of residence* if:
- (a) the person regularly lives at the place with a degree of settled purpose; and
 - (b) the person has a lawful right to reside at the place; and
 - (c) the place is not:
 - (i) a prison or a place of detention; or
 - (ii) a secondary residence used for holidays.

Note It is possible for a person to have more than 1 principal place of residence.

4 Person adversely affected by a major disaster

- (1) This section applies to the major disaster being the severe storms and associated flooding that commenced on 24 December 2023 and continued into January 2024 in Queensland, affecting the suburbs outlined in Schedule 1.
- (2) For subsection 1061L(2) of the Act, a person is taken to be adversely affected by the major disaster if any of the following circumstances apply:
 - (a) the person is seriously injured as a direct result of the disaster;
 - (b) the person is an immediate family member of an Australian citizen or resident who is missing and presumed killed or killed as a direct result of the disaster;
 - (c) the person's principal place of residence has been destroyed or has major damage as a direct result of the disaster;
 - (d) a major asset of the person has been destroyed or suffered major damage as a direct result of the disaster;
 - (e) the person is a carer of a child to whom paragraph (a), (b), (c) or (d) applies.

Schedule 1—Affected Areas

4 List of Suburbs Affected

The following suburbs in column 2, within the local government areas in column 1, are the affected suburban areas for the purposes of section 4(1) of this instrument:

Column 1	Column 2
Gold Coast City	Arundel Biggera Waters Coomabah Coomera Gaven Guanaba Helensvale Hollywell Labrador Maudsland Mudgeeraba Nerang Oxenford Pacific Pines Paradise Point Runaway Bay Tallai Upper Coomera Wongawallan
Logan City	Cedar Creek Cedar Grove Cedar Vale Flagstone Jimboomba Mundoolun Tamborine
Scenic Rim Region	Tamborine Tamborine Mountain
