



PLANNING & DEVELOPMENT COMMITTEE MEETING

AGENDA

27/10/2015

Your attendance is required at a meeting of the Planning & Development Committee to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 27/10/2015 commencing at 1.30pm for transaction of the enclosed business.

A handwritten signature in black ink, appearing to be "C. R.", is positioned above the printed name of the Chief Executive Officer.

CHIEF EXECUTIVE OFFICER
20 October 2015

Next Meeting Date: 10/11/2015

Please note:

In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

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1 OPENING

2 PRESENT

Members Present:

The Mayor, Councillor M F Strelow (Chairperson)
Councillor C E Smith
Councillor C R Rutherford
Councillor G A Belz
Councillor S J Schwarten
Councillor A P Williams
Councillor R A Swadling
Councillor N K Fisher

In Attendance:

Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES

Minutes of the Planning & Development Committee held 13 October 2015

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

6.1 BUSINESS OUTSTANDING TABLE FOR PLANNING AND DEVELOPMENT COMMITTEE

File No: 10097

Attachments: 1. Business Outstanding Table for Planning and Development Committee

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Evan Pardon - Chief Executive Officer

SUMMARY

The Business Outstanding table is used as a tool to monitor outstanding items resolved at previous Council or Committee Meetings. The current Business Outstanding table for the Planning and Development Committee is presented for Councillors' information.

OFFICER'S RECOMMENDATION

THAT the Business Outstanding Table for the Planning and Development Committee be received.

BUSINESS OUTSTANDING TABLE FOR PLANNING AND DEVELOPMENT COMMITTEE

Business Outstanding Table for Planning and Development Committee

Meeting Date: 27 October 2015

Attachment No: 1

Date	Report Title	Resolution	Responsible Officer	Due Date	Notes
28 April 2015	Montgomerie Street	THAT the previous report regarding Montgomerie Street be presented to the next Planning and Development Committee meeting for Councillors information.	Robert Holmes	12/05/2015	Matter is being further investigated and the modelling has now been obtained from the developer's consultants to assist in the review.
25 August 2015	Development Impacts on Council's Hunter Street Property	THAT Council seek an extension of time of the decision making period to allow the completion of modelling work for a fully developed airport precinct.	Martin Crow	08/09/2015	Applicant was contacted but was not agreeable to an extension of time for council to complete it's modelling work. Applicant advised that they would be resubmitting a modified flood report utilising the reduced footprint of their first stage development rather than the whole property. Applicant was going to allow a 30 day EOT for them to resubmit the application and have a decision made.

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 MAJOR AMENDMENT TO ROCKHAMPTON REGION PLANNING SCHEME

File No: RRPS-PRO-2010/01/01/05
Attachments: Nil
Authorising Officer: Russell Claus - Executive Manager Regional Development
Author: Robert Truscott - Coordinator Strategic Planning

SUMMARY

The report proposes the preparation of a major amendment to the Rockhampton Region Planning Scheme. The changes are in response to an internal review undertaken by strategic planning and initial feedback from internal and external users.

OFFICER'S RECOMMENDATION

THAT

1. Council prepares a major amendment to the Rockhampton Region Planning Scheme in accordance with section 117 under the *Sustainable Planning Act 2009* and *Statutory guideline 04/14 – Making and amending local planning instruments*.
2. Council provide a written statement to the Minister advising that a major amendment has commenced, including the nature and details of the changes.

COMMENTARY

The new planning scheme commenced on 24 August 2015. Since that time Council officers have been and will continue to undertake a review of the contents to ensure continual improvement is achieved. This review has focused on providing greater clarity and usability (including online) of the scheme and incorporating feedback from stakeholders (external consultants, internal Council departments and the like). More specifically these changes include the following:

- Updated neighbourhood character area extent and provisions (to be workshopped with councillor's).
- Interpretation and minor policy changes resulting from an external peer review undertaken by Buckley Vann Town Planning Consultants.
- Updated State government mapping changes.
- Internal department review (including development assessment).
- General comments and feedback from applicants and industry groups.
- Other minor matters to ensure clear and consistent application of the new planning scheme, particularly usability of the online environment.

Specific detail of all proposed changes will be presented to Council for consideration prior to proceeding to the next stage of State Interest Review. It is now likely that the submission to the State will not occur until after the local government elections next year.

At this stage all changes being considered are continuous improvement and not a result of a failure of the new scheme. Even so many will greatly assist the legibility, function and efficiency of the scheme so it is important to undertake the major amendment as soon as possible.

The State government is working towards the introduction of new planning legislation (Planning Act), which may further complicate matters and the process for undertaking a

major amendment to a planning scheme that is compliant with the *Sustainable Planning Act 2009* if we delay too long.

Once a decision has been made to undertake the major amendment, we must advise the Minister by providing a written statement about the nature and details of the amendment.

LEGISLATIVE CONTEXT

The process for undertaking a major amendment to the planning scheme is detailed under section 117 of the *Sustainable Planning Act 2009* and the *Statutory guideline 04/14 – Making and amending local planning instruments*. It is important to note that the State government is currently working on a draft planning bill, which includes a new statutory guideline for making and amending local planning instruments), which may further complicate matters regarding this amendment process.

CONCLUSION

In accordance with section 117 under the *Sustainable Planning Act 2009* and *Statutory guideline 04/14 – Making and amending local planning instruments*, Council must formally resolve to decide to make a major amendment to the Rockhampton Region Planning Scheme. In addition, once the decision has been made to undertake a major amendment, a written statement is required to be provided to the minister that outlines the nature and details of the amendment.

8.2 PREPARATION OF A LOCAL GOVERNMENT INFRASTRUCTURE PLAN (LGIP) AMENDMENT

File No: 11344
Attachments: Nil
Authorising Officer: Russell Claus - Executive Manager Regional Development
Author: Robert Truscott - Coordinator Strategic Planning

SUMMARY

The report proposes that Council makes a Local Government Infrastructure Plan in accordance with the Sustainable Planning Act 2009 and associated Statutory guidelines.

OFFICER'S RECOMMENDATION

THAT Council make a Local Government Infrastructure Plan in accordance with the Sustainable Planning Act (SPA) 2009.

COMMENTARY

In accordance with new statutory requirements described below for the making of a LGIP Council has prepared a draft LGIP. Council has appointed Buckley Vann to independently review the draft LGIP. An initial response and series of questions and requests for additional information has been received from Buckley Vann.

In preparation for taking the next statutory steps to progress the draft LGIP Council must decide to make a LGIP as per Stage 1, Step 1 of the process.

A LGIP amendment follows a very similar process to a major amendment of the planning scheme, the exception being the independent external review. The nominal time allowed is 12 months. A firm schedule can be provided upon receipt of the formal notice from the independent reviewer to inform what additional steps Council may have to take prior to submission to the State.

The value of the statutory independent review is currently estimated at \$30,000. This is comparable to costs being reported by other councils. Sufficient funds have been included in the 2015/16 budget for this work.

LEGISLATIVE CONTEXT

SPA and associated statutory instruments were amended in 2014. The amendments included a requirement for local governments to adopt a LGIP prepared in accordance with Statutory guidelines 03/14, Local government infrastructure plans and 04/14, Making and amending local planning instruments. After 30 June 2016 councils were not able to issue an Infrastructure Charges Notice (ICN) or condition for necessary infrastructure in the absence of a compliant LGIP. The Minister has now proposed to extend that deadline by up to 2 years, subject to an agreed program for completion of the LGIP.

Up until commencement of the amendments Council was preparing a Priority Infrastructure Plan (PIP). Transitional arrangements included with the SPA amendments provided for the PIP to automatically become a LGIP upon commencement of the new Planning Scheme. However the resultant LGIP is not compliant until updated in accordance with Statutory guideline 03/14.

The new guideline contains a checklist of requirements for a compliant LGIP. One of these is a Schedule Of Works (SOW) that includes new and existing trunk infrastructure. The LGIP has to be externally reviewed by an independent reviewer, appointed and paid for by Council from a prequalified statutory panel established by the government.

CONCLUSION

So as not to limit Council's ability to issue ICNs and conditions for necessary trunk infrastructure Council must make a compliant LGIP by 30 June 2016 or such other date agreed with the Minister, but no later than 30 June 2018.

9 STRATEGIC REPORTS

9.1 DEVELOPMENT AND BUILDING SECTION - SEPTEMBER OPERATIONS REPORT

File No: 7028
Attachments: 1. Monthly Report - September 2015
Authorising Officer: Robert Holmes - General Manager Regional Services
Author: Tarnya Fitzgibbon - Manager Development and Building

SUMMARY

The monthly operations report for the Development and Building Section as at 30 September 2015 is presented for Councillors information.

OFFICER'S RECOMMENDATION

THAT the Development and Building Section report for September be received.

COMMENTARY

The monthly operations report for the Development and Building Section is attached for Council's consideration. The performance information contained within the attached report relates directly to the adopted 2015/16 Operational Key Performance Indicators.

The Manager's performance summary for each of the units is provided below.

Development Assessment

The Development Assessment Unit has achieved all targets for acknowledgement notices, information requests, decisions and decision notices. There were a low number of applications received for the month. This may have resulted in part from the introduction of the new planning scheme where a lot more development is self-assessable or exempt.

Building Compliance

There were a steady number of building and plumbing applications for the month. The percentage of applications decided within the 20 business day period has increased to 82% for building and 90% for plumbing.

CONCLUSION

It is recommended that the monthly operations report for Development and Building Section be received.

DEVELOPMENT AND BUILDING SECTION - SEPTEMBER OPERATIONS REPORT

Monthly Report - September 2015

Meeting Date: 27 October 2015

Attachment No: 1

MONTHLY OPERATIONS REPORT
PLANNING SECTION
Period Ended SEPTEMBER 2015

VARIATIONS, ISSUES AND INNOVATIONS

Innovations

Nil.

Improvements / Deterioration in Levels of Services or Cost Drivers

Nil.

LINKAGES TO OPERATIONAL PLAN

1. COMPLIANCE WITH CUSTOMER SERVICE REQUESTS

The response times for completing the predominant customer requests in the reporting period for *September* are as below:

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	Under Long Term Investigation	Completion Standard (days)	Avg Completion Time (days) Current Mth		Avg Completion Time (days) 6 Months		Avg Completion Time (days) 12 Months		Avg Duration (days) 12 Months (complete and incomplete)	Avg Completion Time (days) Q1	
			Received	Completed												
Building Enquiry - General Info/Admin etc	64	3	58	22	97	0	5		2.82		5.91		8.24	5.02		3.87
Other Building Compliant Issue	85	3	4	1	85	0	1		7.00		12.85		27.14	31.58		10.67
Planning Compliance Request/Enquiry	91	13	16	7	87	0	45		0.43		15.35		25.05	16.85		7.31
Duty Planner (New Enquiry)	12	8	204	197	11	0	1		0.54		0.55		0.46	0.46		0.51
Telephone Enquiry (Existing Application/Call Back)	0	0	25	23	2	0	1		0.65		0.65		0.69	0.34		0.68
Plumbing Issues General	20	3	12	8	21	0	5		1.50		8.09		10.91	4.59		4.25

Comments & Additional Information

2. COMPLIANCE WITH STATUTORY AND REGULATORY REQUIREMENTS INCLUDING SAFETY, RISK AND OTHER LEGISLATIVE MATTERS

Safety Statistics

The safety statistics for the reporting period are:

	FIRST QUARTER		
	July	Aug	Sept
Number of Lost Time Injuries	0	0	0
Number of Days Lost Due to Injury	0	0	0
Total Number of Incidents Reported	0	0	0
Number of Incomplete Hazard Inspections	0	0	0

Risk Management Summary

Example from Section Risk Register (excludes risks accepted/ALARP)

Please Note: The risks listed below are 'what if' scenarios and do not necessarily reflect what has occurred.

Potential Risk	Current Risk Rating	Future Control & Risk Treatment Plans	Due Date	% Completed	Comments
Failure to address general long term planning needs for the community will result in lower quality development, less development overall, continued poor economic and community performance indicators, and lost opportunities in pursuit of achieving elevation of Rockhampton's reputation to an exceptional regional city.	Very High	Develop strategies to address threat, train existing staff to address, and hire staff with required skill sets. Educate community, develop strategic partnerships, and identify external resources.	31/12/2014		
Changes to State law that reduce revenues for essential Council services, e.g. Development Assessment will result in less capacity to provide planning services, requiring supplemental funding from other sources, e.g.	High 4	Monitor and respond when and as appropriate	N/A		

Potential Risk	Current Risk Rating	Future Control & Risk Treatment Plans	Due Date	% Completed	Comments
increased rates.					
Failure to collect revenue results in fewer funds available and lack of confidence in Council business practices.	High 5	Process and workflow to address has been developed and approved by Council.	31/12/2015		
Continuing changes to state legislation and regulatory requirements on Council increase the risk of Council not being able to fully comply with all requirements. Consequences include possible fines, further limitations on Council functions, failure to provide essential resources to enable Council to achieve regional development objectives.	Moderate 5	Respond as events occur and provide submissions to articulate impacts on RRC operations	N/A		
Failure to manage hazard conditions and negative impacts on environmental resources will result in increased property damage and loss of environmental functionality and aesthetic amenity which will damage the reputation of Council for management of these services, as well as possible lawsuits for property damage.	Moderate 5	Have incorporated relevant measures in proposed Planning Scheme. Provided information to citizens and Councillors re purpose for inclusion and impacts.	31/12/2015		

Legislative Compliance & Standards

Legislative Compliance Matter	Due Date	% Completed	Comments
Outdated employee immunisations, tickets, and/or licenses	Various	87%	
Outdated legislative compliance mandatory training and/or qualifications	Various	91%	

Legislative Compliance Matter	Due Date	% Completed	Comments
Overdue performance reviews	Various	87%	

3. ACHIEVEMENT OF CAPITAL PROJECTS WITHIN ADOPTED BUDGET AND APPROVED TIMEFRAME

No capital projects are relevant to the Planning Section.

4. ACHIEVEMENT OF OPERATIONAL PROJECTS WITHIN ADOPTED BUDGET AND APPROVED TIMEFRAME

Project	Revised Budget	Actual (incl. committals)	% budget expended	Explanation
Rockhampton Regional Planning Scheme	N/A	N/A	N/A	<i>This project is a large operational plan that spans over several years</i>

5. DELIVERY OF SERVICES AND ACTIVITIES IN ACCORDANCE WITH COUNCIL'S ADOPTED SERVICE LEVELS

Service Delivery Standard	Target	Current Performance
Development Assessment		
Applications received: 6		
Applications decided: 18		
Acknowledgement notices (where required) sent out within 10 business days of application being properly made	100%	100%
Information requests (where required) sent out within timeframes required under SPA	100%	100%
Decisions are made within 20 business day timeframe once decision stage commences (or extended timeframe permitted under SPA)	100%	100%
Decision notices are issued within 5 business days of the decision being made	100%	100%
Building		
Applications received: 25		
Applications decided: 22		
Building Approvals - Decisions are made within 20 business day timeframe	100%	82%
Plumbing		
Applications received: 34		
Applications decided: 39		
Compliance request are decided within 20 business day timeframe	100%	90%

FINANCIAL MATTERS

	Adopted Budget \$	Revised Budget \$	EOM Commitments \$	YTD Actual \$	Commit + Actual \$	Variance %
REGIONAL SERVICES						
DEVELOPMENT & BUILDING						
<i>Development Assessment</i>						
Revenues	(1,755,500)	0	0	(206,950)	(206,950)	12%
Expenses	1,620,559	0	148,593	351,110	499,702	31%
Transfer / Overhead Allocation	35,000	0	0	5,768	5,768	16%
Total Unit: Development Assessment	(99,941)	0	148,593	149,928	298,520	-299%
<i>Building Compliance</i>						
Revenues	(825,000)	0	0	(208,617)	(208,617)	25%
Expenses	930,368	0	0	217,536	217,536	23%
Transfer / Overhead Allocation	(102,342)	0	0	(26,221)	(26,221)	26%
Total Unit: Building Compliance	3,026	0	0	(17,302)	(17,302)	-572%
<i>Development & Building Management</i>						
Expenses	385,243	0	7,158	91,396	98,553	26%
Total Unit: Development & Building Management	385,243	0	7,158	91,396	98,553	26%
Total Section: DEVELOPMENT & BUILDING	288,328	0	155,750	224,021	379,772	132%
Total Department: REGIONAL SERVICES	288,328	0	155,750	224,021	379,772	132%
Grand Total:	288,328	0	155,750	224,021	379,772	132%

10 NOTICES OF MOTION

Nil

11 URGENT BUSINESS/QUESTIONS

Urgent Business is a provision in the Agenda for members to raise questions or matters of a genuinely urgent or emergent nature, that are not a change to Council Policy and can not be delayed until the next scheduled Council or Committee Meeting

12 CLOSURE OF MEETING