



## MINUTES

### Planners Meeting No. 49 held on Friday 6 May 2016 at 10am

| <b>ATTENDEES</b> |   |
|------------------|---|
| Darlene Irvine   | FNQROC  |
| Teresa Schmidt   | FNQROC  |
| Tracy Haynes     | LGAQ (via teleconference)   |
| Luke Hannan      | LGAQ (via teleconference)   |
| Robin Clark      | Department of Infrastructure Local Government and Planning  |
| Brett Nancarrow  | Department of Infrastructure Local Government and Planning  |
| Brian Millard    | Mareeba Shire Council   |
| Carl Ewin        | Mareeba Shire Council   |
| Sarah Cook       | Cairns Regional Council   |
| Gary Warner      | Cairns Regional Council   |
| Dean Davidson    | Tablelands Regional Council   |
| Dan Horton       | Cassowary Coast Regional Council (via teleconference)   |
| Liz Taylor       | Planning consultant representing Croydon Shire Council, Burke Shire Council and Carpentaria Shire Council |
| <b>APOLOGIES</b> |   |
| Kelly Reaston    | Cairns Regional Council   |
| Paul Cohen       | Cairns Regional Council   |
| Paul Want        | Tablelands Regional Council   |
| Patrick Clifton  | Tablelands Regional Council   |
| Julie Coleman    | Douglas Shire Council   |
| Susanna Andrews  | Douglas Shire Council   |
| Diana Russell    | Torres Shire Council  |

#### 1. Welcome

Teresa Schmidt welcomed everyone to the meeting, which started at 10.02am.

#### 2. Update from DILGP (Brett Nancarrow)

##### Planning reform

- Planning Bill Expecting to be debated and may go through parliament next week (week commencing 9 May 2016).
- Regional engagement expected to occur during July and August
- Announcements regarding transition support to follow passage of the bill

##### State Planning Policy (SPP)

- [Recent version](#) commenced on 29 April 2016
- A track changes version will be uploaded to the web
- No significant changes.
- Noted that the majority of planners were unaware of the amendments

#### Vegetation Management Bills

- Enquiries from Local Government are being referred to DNRM
- Cairns Regional Council lodged submission to the parliamentary enquiry
- FNQROC has also lodged a submission and has been invited to talk at the public hearing.
- DNRM acknowledge unforeseen issues with Schedule 1 which has introduced a new line regarding prohibited development. Resulting in an issue for development application for MCU.

#### North Queensland Regional Plan

- Supported by all Local Governments in the Townsville region
- They will be having a regional planning advisory committee

#### Wind farm Code

- Close to being finalised
- Aiming for July 2016 commencement
- Will result in new version of State Development Assessment Provisions (SDAP) and amendments to the Sustainable Planning Regulation.

#### SARA fees

- Commencement in July
- Increase by CPI

#### Reviews

- SARA customer satisfaction survey occurring
- Integrated internal review of SPP, SPP referral triggers and SDAP occurring, which includes review of coastal triggers

*Dean Davidson arrived 10.17*

#### Vegetation management referral fees

- General discussion regarding the high application fees for referral for Vegetation Management triggers
- Robin advised that she could raise the issue at the Strategic Management Group meeting that meets monthly
- There is also a SARA team forum being held in Brisbane in May
- The high fee for Coastal triggers was also raised

**Action: FNQROC write to Robin Clark requesting that she raise in the Department review meetings the concerns with the high referral agency application fees.**

#### Coastal Planning reform

- Initial targeted consultation concluded, further consultation to occur more broadly.

### **3. Update from LGAQ – Tracy Haynes and Luke**

#### Coastal planning workshop

- Discrete round table held in Brisbane with peak industry representatives
- Broad consultation with Councils end of May

#### Planning Bill

- Bills to be debated in parliament next week.
- Disappointed with recommendations of the Committee report, didn't address any of the priority issues
- Preliminary discussions with the Department on what funding is available for the transition
- Looking at formal partnership arrangements to outline how funds are to be spent
- DA rules. There will be changes which LGAQ haven't seen yet

#### DA monitoring project

- Follow on from DA improvement project
- A number of Council's within the region are participating

#### **Action: Luke Hannan to confirm which Councils in the region are participating**

#### QCoast 2100 – Coastal Hazard Adaptation Program

- Funding from State Government to assist Councils to do Adaptation planning
- 12 million over 3 years
- LGAQ running on behalf of State Govt.
- Launch about to occur
- LGAQ writing to Mayors and CEO's re the Project
- Minimum standards and guidelines workshop (in Cairns 27 May 2016)– walk through on how to apply for funding
- Requirement for co-contribution from Council
- Evan Raymond, consultant to assist Councils in developing proposals

#### LGAQ running elected member updates

- Tracy Haynes in Cairns – Monday (9 May) and Thursday (12 May) next week

#### Northern Australia Infrastructure Facility (NAIF)

- Recent change - Councils will be consulted on major projects
- Bill Shannon elected to the Board

#### Housing strategy consultation

- feedback to State due 20 May.
- Draft submission from LGAQ to be completed by COB today (Friday 6<sup>th</sup>) . Contact Tracy Haynes if you would like to comment

#### Active and accessible transport study

- contact Tracy Haynes if you would like to discuss.

#### **4. Actions from previous meeting**

| <b>Action</b>  | <b>Responsible Person(s)</b> | <b>Status</b>   |
|--|------------------------------|---|
| Enquire with DILGP the possibility of obtaining a copy of the results of the recent survey on Council's needs with the pending introduction of the proposed Planning legislation . | FNQROC                       | No further action.<br><br>Depart. did not collate survey results for each council |
| Distribute updated planners group contact list   | FNQROC                       | A FNQROC Technical Committee spreadsheet developed – available on request         |
| Access the Planners Group portal on the FNQROC website to be arranged for Tracey Haynes  | FNQROC                       | Completed   |

| Action   | Responsible Person(s) | Status   |
|--|-----------------------|--|
| Details of the funding opportunities to develop interactive planning scheme mapping (similar to Murweh Shire Council) to be provided to FNQROC to distribute | DILGP                 | Mapping on Depart website. Only suitable for schemes without overlays. Townsville regional office working with Burke Shire to use as a pilot |
| Letter to be sent to the Deputy Premier regarding delays with approval of the Planning Schemes   | FNQROC                | Complete Letter of response received. Emailed to Dean Davidson and Brian Millard   |
| Extend invitation to Yarrabah Aboriginal Shire Council for representative to attend Planners Group meetings.   | FNQROC                | Completed  |

**Action: DILGP to confirm if proposed MyDAS2 can be used by Councils for electronic lodgment of development applications.**

**Response from DILGP provided after the meeting**

- MyDAS2 will not have an electronic lodgement facility to allow lodgement with local governments.
- MyDAS2 will, however, have an ability to electronically prepare relevant DILGP forms and upload all relevant development application documents. From this MyDAS2 will email the applicant/local government a zip file of the forms and documents for lodgement with the local government.

**5. General Business:**

**5.1 Presentation by Robin Clark on Planning Scheme adoption process**

Robin Clark from DILGP was invited to discuss the planning scheme approval process through the Department and respond to issues raised by Councils regarding delays being experienced.

- Robin acknowledged delays with the adoption of planning schemes.
- Delays due to a combination of factors
- Not just this region, experienced throughout the state
- There are good working relationships with the department at the regional level
- Recommend to engage in informal discussions with the Department at the regional level before formally submitting scheme for approval
- Concerns raised in the meeting that the Department officers cannot tell the Council officers where the planning scheme is at or provide contact details of those officers.
- Robin confirmed that it is not the Department's protocol to identify where in the internal review process the planning scheme is at.
- Tracy from LGAQ advised that if Council's are having problems with obtaining contact details, LGAQ can assist
- Robin confirmed that contact numbers for departmental officers can be provided however direct contact numbers for Ministerial Advisors cannot. All enquiries should go through the Minister's Office.

## Additional information from DILGP provided after the meeting

The general number for the Minister's Office is (07) 3719 7100.

To assist in understanding the internal approval process through the Department, Brett Nancarrow provided the following;

The internal approval process for planning scheme within DILGP involves review by the following officers:

Case Officer (Planning officer in regional office)



Manager



Director



Executive Director



Deputy Director General



Director General



Minister

While we have internal performance indicator timeframes for each officer, I note these are currently under review and get a bit complex for the various MALPI processes. In simple terms the above approval chain applies to all MAPLI processes including Confirmation of State Interests, State Interest Review and Public Consultation Approval and Approval to Adopt.

- Another factor that contributes to delays is the new government's policy position on matters of state interests and community engagement
- Changes to the SPP may also affect the review, in particular where the Planning Scheme has been drafted under an earlier version of the SPP
- New executive team including Director General, Deputy Director General and Executive Director (Regional Services Planning). Expect that timeframes will improve as staff get settled into their roles

### SPP mapping

- Department is looking into anomalies re consultation for state mapping. This is being reviewed.
- The group asked if there is a responsibility for the state to do consultation on changes to SPP mapping

### **Planning schemes for Aboriginal Shire Councils**

- Tracy from LGAQ confirmed that the issues for these Schemes have not been resolved and there will be a different process for transition of these planning schemes. Joint effort between DATSIP and DILGP.

### **Issue of what constitutes significantly different also causing delays**

- Issue with MSC and TRC schemes
- Department working with Councils to identify information needs to demonstrate that proposed scheme is not significantly different from public consultation version
- MALPI requires councils to confirm that it does not believe the scheme is significantly different, but Minister must also be satisfied on the changes
- Future amendments to MALPI will address the detail of information that needs to be provided

### **Amendment to MALPI**

- Next amendment expected July 2016 to tighten up wording regarding minor amendments to reflect a change in natural hazard overlay
- Includes new requirements for LG to inform property owners affected by changes and where to obtain further advice.
- Other amendments also being considered prior to the Planning Act commencing to clarify provisions for significantly different issue and other matters.

### **Stop the clock and informal discussions**

- Suggestion to engage in informal discussions with regional officers to resolve things
- Use of the stop the clock provisions

### **Consultation on amendments to state mapping**

- Currently not all changes to state mapping go through public notification
- Cairns Regional Council experienced the problem where the Council was initially advised that they would have to notify the public on amendments to the SPP erosion prone area mapping prior to adoption of the scheme. This condition was later removed.
- Where SPP mapping changes – for existing SPA schemes – Councils can do a minor amendment to the scheme. (see Minor amendment definition (pg 6-7). Amendments to MALPI may require notification to property owners for natural hazards changes.
- The Deputy Director General, Mr Stuart Moseley is keen to find solutions and better ways to deal with the issues.

### **LGIP**

- DILGP has 20 business days to provide a response to the request for an extension. If no response is provided within that period it will be automatically extended. TRC has not yet received a response.
- Extension requests are not being dealt with through the regional office.
- Cassowary Coast Regional Council has received a response and needs to revisit the proposed staging

**Action: Brett Nancarrow to follow up response to TRC for extension to LGIP.**

### **Response from DILGP provided after the meeting**

- TRC provided with a copy of approval

### **Take home message**

- Work as much as possible informally with the Department before formally submitting draft scheme to Minister for approval.

**Tracy advised that she is planning to attend in person the next Planners group meeting in July.**

## **6. Council Updates**

### Cairns Regional Council

- Planning scheme adopted
- New projects – hazard study for erosion prone areas (looking at funding through LGAQ Coastal Hazard Adaptation program), developing a number of local plans

### Douglas Shire Council

- Douglas scheme approved for public notification

### Cassowary Coast Regional Council

- Coastal hazard mapping and climate change risk assessment being done
- Interviews 16 May for Aletta Nugent's position

### Mareeba Shire Council

- Applied for extension to LGIP.
- Project to review the proposed planning scheme – matters of environmental significance

### Tablelands Regional Council

- Waiting for planning scheme
- Induction done with Councillors
- Open space strategy – completion in July
- Workshop to Council – itinerant workers accommodation. Dean asked how other Council's are dealing with it.
- Dean happy to share the information that TRC puts together on the issue

*Brett Nancarrow and Robin Clark left 1pm*

### Croydon Shire Council

- New planning schemes for Carpentaria and Croydon commencing project in the new financial year.

## **7. Coastal Hazard Adaptation Program**

Travis Sydes, FNQROC Regional Natural Asset Management and Sustainability Coordinator provided an update on the program being run through LGAQ

- Guidelines needed to be improved with clarity for smaller councils. Internal governance issues.
- Travis through FNQROC has accepted a place on the National Climate Change Adaptation Research Facility (NCCARF)
- Opportunity for Planners to engage with Travis in the area of Coastal Hazard management
- NCCARF project will assist with Council's to identify priorities. Launch of tool within the next couple of months.
- Dan Horton confirmed that Cassowary Coast Regional Council is doing a risk assessment of Council assets
- TSRA has done a pilot study 'A Coastal Vulnerability Assessment Methodology for Torres Strait Communities'. Contact Teresa if you would like a copy.

**Action: Travis to touch base with individual Council's to develop an understanding of where each Council is at**

**8. Update from FNQROC**

- Response received from the Deputy Premier regarding delays being experienced with the adoption of Planning Schemes
- FNQROC Economic Development group has identified two priority projects, Mobile Blackspots and RV Strategy
- FNQROC has a spreadsheet of all Council representatives that attend FNQROC technical committees and groups. Contact Teresa if you would like a copy.
- Stuart Moseley, Deputy Director-General, Planning Group, has accepted an invitation to attend the FNQROC Board meeting on the 20 June 2016. A planners group meeting will be arranged in the afternoon to provide the opportunity from Stuart to address the group.

**9. Next meeting dates: Friday 29 July 2016**

**10. Meeting closed – 1.12 pm**

**ACTION ITEMS**

| <b>Action</b>  | <b>Responsible Person(s)</b>  |
|--|---|
| Write to Robin Clark requesting that she raise in Department review meetings the concerns with the high referral agency application fees.        | FNQROC  |
| Luke Hannan to confirm which Councils in the region are participating in the DA monitoring project.  | LGAQ<br><i>Completed – Luke confirmed CRC and TRC invited. TRC initially deferred</i> |
| DILGP to confirm if proposed MyDAS2 can be used by Councils for electronic lodgment of development applications.                                 | DILGP<br><i>Completed - response documented in minutes</i>                            |
| Brett Nancarrow to follow up response to TRC for extension to LGIP.  | DILGP<br><i>Completed – response provided to TRC</i>                                  |
| Travis Sydes to touch base with individual Council's to develop an understanding of where each Council is at regarding Coastal Hazard Management | FNQROC  |