



MINUTES

Meeting No	52
Meeting	FNQROC Planners Group Meeting
Date	11 November 2016
Time	10 am
Venue	Cairns Regional Council, Level 3, Committee Room

The meeting opened at 10:00am.

1. Attendance

Name	Organisation
Teresa Schmidt	FNQROC
Gary Warner	Cairns Regional Council
Paul Cohen	Cairns Regional Council
Brian Hortin (student)	Cairns Regional Council
Byron Jones	Cassowary Cook Shire Council
John Harrison	Cook Shire Council
Liz Taylor (consultant)	Carpentaria Shire, Burke Shire and Croydon Shire
Jenny Elphinstone	Douglas Shire Council
Gerhard Visser	Hinchinbrook Shire Council
Brett Nancarrow	Department of Infrastructure, Local Government and Planning
Tracy Haynes	LGAQ

2. Apologies

Name	Organisation
Darlene Irvine	FNQROC
Sarah Cook	Cairns Regional Council
Peter Boyd	Cairns Regional Council
Deb Wellington	Cairns Regional Council
Carl Ewin	Mareeba Shire Council
Brian Millard	Mareeba Shire Council
Patrick Clifton	Tablelands Regional Council
Paul Want	Tablelands Regional Council
Peter Pattison	Tablelands Regional Council

3. Guests

Name	Organisation
Allison Anderson	CQ University

4. Actions from Previous Minutes

No.	ACTION	OWNER	COMPLETED?
50.4	FNQROC to collate examples of applications lodged with Council that have triggered referrals that are considered unnecessary and/or excessive referral fee for level of assessment required.	Councils and FNQROC	Refer discussion 5.1 – ongoing
51.1	FNQROC to distribute a copy of the Planning Act 2016 fact sheets with the minutes.	FNQROC	<i>Completed</i> – distributed with the minutes
51.2	FNQROC to contact Scott Smith of SEQ Council of Mayors to get an update on the DA systems improvement project.	FNQROC	<i>Completed</i> Scott Smith advised that there is no progress on this matter and awaiting the State to make a decision on the funding
51.3	DILGP to follow up and provide a response to the following: <ul style="list-style-type: none"> - <i>What are the limitations on changes which can be made to development approvals under s82 of the Planning Act? (including can it include different types of development and changes to a different defined land use)</i> - <i>Will submitters for the development application need to be provided a copy of the notice of decision for other changes if they made a submission on the development application but not the change application?</i> - <i>Will there be further fact sheets or guidance material regarding change applications?</i> - <i>What else is on ‘the list’ to be amended in the act and associated instruments documents prior to commencement?</i> 	DILGP	<i>Completed</i> Response emailed to the group 30 August 2016
51.4	Advise FNQROC if you are or someone within your Council is intending to nominate for the Planning and Development Advisory Group	Councils	Peter Boyd, CRC nomination accepted
51.5	FNQROC to resend the email seeking input from the Planners group on a discussion paper to be presented to the FNQROC Board.	FNQROC	<i>Completed</i> Email distributed with the minutes
51.6	Council planning officers to contact Teresa to discuss any ideas or opportunities for the group.	Councils	Ongoing

4.1. Excessive and/or unnecessary referral agency fees

- General discussion regarding the issue.
- Teresa reiterated that FNQROC is happy to provide examples with DILGP as discussed with Stuart Moseley and Adam Yem (DILGP) at the FNQROC Planners Group meeting held on 20 June 2016.

- It is up to Councils to provide examples of either applications that have been submitted or proposed developments that have not progressed due to the referral agency fees
- Teresa has had discussions with a number of planning consultants to provide examples
- Need to focus on applications that are consistent with the Planning Scheme
- Example of a café in an existing building triggering referral fees and the difference between referral agency fees for private and public pontoons
- Brett advised that the Department is considering putting information on their website regarding the process for requesting refunds and partial refunds of referral agency fees

ACTION 52.1: DILGP to follow up and advice on DILGP consideration of putting information on their website on process for refund/partial refund of referral agency fees

(Note: Brett confirmed after the meeting that refund information is on the [DILGP website](#)).

- Consider that if the planning scheme includes the latest state mapping – advocate for reduced referral agency fee or no fee.
- Concern that existing unlawful activities are being deterred from lodging development applications due to high referral agency fees
- Gerhard raised concern with delay's occurring with TMR inspecting and signing off works. Delays appear to be occurring due to high staff turnover in Townsville TMR office. Other Councils are not experiencing these delays as many TMR approvals are drafted so that sign off is not required. Gerhard advised that a meeting has been arranged with TMR officers next week to discuss

ACTION 52.2: Gary Warner to forward to FNQROC to distribute to the group recent UDIA document on development application fees

ACTION 52.3: Gerhard Visser to contact FNQROC if further support is required regarding timing of sign off from TMR.

5. Presentation by Allison Anderson, CQ University – Tourism Planning Workshop

- Allison provided an overview of research she has done on tourism planning.
- Focus on the importance of urban design spaces to tourism
- Allison (CQU) and Nikki Huddy (PlanZ Town Planning) are seeking feedback, level of interest from the group in attending a Tourism Planning workshop (outline of workshop to be distributed with minutes)
- Option to arrange as a PIA accredited professional development opportunity and extend invitation to the tourism industry. A FNQ PIA event similar to the recent one held in Townsville could be an option. Allison to discuss with PIA.
- Option to identify tourism projects for Councils that CQU students can work on
- Use of technology to open up areas that tourists don't normally visit
- Expand invitation to the workshop to the tourism industry

ACTION 52.4: FNQROC to distribute tourism presentation and proposed Tourism planning workshop with the minutes of the meeting.

6. Update from DILGP – Brett Nancarrow

6.1. DA rules out for consultation – submissions close 19 December

- Few enquires received to date
- Brett understands the Department will be running DA examples through the rules
- Opt out option – Councils still have the opportunity to send further issues letters

ACTION 52.5: DILGP to confirm if the Department is running example DA's through the DA rules. If so, DILGP to provide copies of those examples to FNQROC to distribute to the group

6.2. Integrated Review Process - Planning Regulations, SDAP, SPP

- 9 December 2016 consultation session in Cairns
- Expected formal release date of documents, 21 November 2016 (TBC)
- SDAP includes redrafted codes to suit Planning Act.
- SPP Guidance material and model codes will not be released with the SPP but are currently being prepared

6.3. Planning Scheme – Alignment Amendment rules

- Expected release soon

6.4. Discussion paper on Poultry Farms

- Discussion papers to be released at some stage.
- Consultation occurring with SEQ Councils
- Motion passed at the recent LGAQ Annual conference
- Teresa raised that TRC and MSC previously did a lot of work on poultry farms and confirmed that Kirsty Lamperd (TRC) is happy to discuss with LGAQ

ACTION 52.6: FNQROC to pass on contact details for Kirsty Lamperd (TRC) to LGAQ regarding previous work down on poultry farms on the Tablelands

6.5. Indigenous Planning discussion paper

- Discussion paper to be released soon
- Robin Clark (DILGP) is leading an indigenous planning discussion paper
- Flows on from the inclusion of Cultural Heritage Act statements in the purpose statement of the proposed Planning Act
- Robin has requested to present at the next FNQROC planners group meeting

ACTION 52.7: Robin Clark to be contacted to present at the next FNQROC Planners group meeting to discuss the Indigenous Planning discussion paper

6.6. Planning scheme transitions and business readiness tools

- DILGP thanked all Councils for responding
- In summary, CRC, DSC and CCRC – advised that they will do the transition drafting internally with in-kind support from the Department
- TRC & MSC (Etheridge & Croydon?) - requested DILGP panel of consultants transition option.
- Cook engaging existing consultant
- Torres Shire Council – funded by DATSIP to do new planning scheme
- Hinchinbrook - negotiating with DILGP on what approach to take
- Separate process for Indigenous Councils

6.7. Business Readiness

- Timing is an issue for Councils – would like to know if there is any funding available as they need to engage consultants
- To date – no announcement on funding
- Discussed interest/opportunity for DILGP and Councils to do combined training/education workshops. Option for DILGP to focus on the Act and Council to talk about approaches the Council are taking.
- The Department has uploaded education material on their website
- CRC happy to do the training with the industry but would like the Department to develop the material to ensure consistent message. Would prefer to run training at least 6 weeks before the commencement of the Act.
- Engagement with private building certifiers through HIA and Master Builders and engagement of plumbers through QBCC.
- Opportunity for the Councils to share learning's and material for the education and engagement of the industry and community.
- Concern was raised if the Department is providing direct funding to IT suppliers. Concern that a particular service provider is not engaging with the Councils using their product
- Process mapping – group would like to see the Department do high level process mapping

ACTION 52.8: DILGP to follow up and advise whether the Department is considering releasing high level process mapping

- Opportunity for FNQROC to prepare a business readiness checklist for Councils to use to assist them in addressing all the actions that should be considered in preparing for the introduction of the Planning Act. The checklist may identify opportunities for consistency in approach across the group.

ACTION 52.9: FNQROC to prepare a business readiness checklist for Council to use in preparing for the introduction of the Planning Act

- Option to discuss or arrange a meeting with the DILGP transition team in Brisbane to get an update on arrangements with IT providers.

ACTION 52.10: FNQROC to request an update from DILGP on the arrangements with IT providers

- Opportunity to use the new Act to improve internal Council processes and improved standard of reports, summary of submissions etc
- Innovation Fund – no details released

6.8. E-planning and interactive mapping

- E-planning survey complete, DILGP considering results
- DILGP sent correspondence to Councils that don't have any Interactive mapping capability. Department offering opportunity for Council Planning Scheme mapping to be hosted by LGAQ
- Applies to DSC, MSC, Torres, Hinchinbrook, Cook (not Cassowary, Cairns or Tablelands)

- Free for the first period. Cost over long term will be dependent upon how many Councils take it up
- May have an opportunity for other councils to take up the offer. Contact Brett Nancarrow if other Councils interested
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6.9. Sustainable planning Regulations amendment

- Amendment in December – development adjoining heritage places to be included in referral trigger

6.10. Appointments in DILGP

- Graham Bolton appointed in the position of Executive Director Planning and Development Services (Adam Yem previously acting in that position)

6.11. Planning Act

- Issue if you search Planning Act in Google – doesn't come up with latest version
- Always access through Queensland legislation website – current legislation or DILGP planning reform site

6.12. Mapping improvement project

- Survey to be distributed soon
- Raised that bushfire mapping is considered very poor in some areas

ACTION 52.11: DILGP to follow up and confirm who the mapping improvement project survey is being distributed to

6.13. Draft Model Housing Code and draft Model Reconfiguring a Lot Code

- Formal consultation will be occurring at a later date
- LGAQ and Cairns Regional Council have been involved in this project. To date consultation has been very limited and kept confidential

ACTION 52.12: Gary Warner to provide an update on the draft model housing code and draft model reconfiguring a lot code at the next FNQROC Planners group meeting

7. Update from LGAQ – Tracy Haynes

7.1. DA Rules

- LGAQ prepared an informal submission to DILGP
- None of the recommendations within the submission were taken on board in the version currently out on public consultation
- LGAQ seeking any feedback on the informal submission
- Tracy to send a copy to FNQROC to distribute to group.

ACTION 52.13: LGAQ to forward a copy of the informal submission on the DA rules to FNQROC to distribute to the group.

ACTION 52.14: Councils provide feedback to Tracey Haynes, LGAQ on the informal submission if they have any issues/concerns.

7.2. Statutory instruments

- Consultation early in the new year

7.3. Transition

- Business systems – Council of Mayors taking lead. LGAQ supporting it. Waiting on ministerial decision before work on this can proceed.

7.4. Innovation fund

- Awaiting information from DILGP

7.5. Interactive mapping

- LGAQ to be host for the mapping
- Contact Brett Nancarrow (DILGP) if further information required

7.6. LGAQ Planning and Development Advisory Group

- First meeting scheduled for 25 November 2016
- Peter Boyd (CRC) representative on the group
- Contact Peter if you want him to discuss items at the meeting

7.7. Draft Model Housing Code and draft Model Reconfiguring a Lot Code

- LGAQ has been involved in informal consultation
- A lot of issues to be addressed before it progresses
- Could be an issue for Councils if the Codes are made mandatory

ACTION 52.15: LGAQ to provide a copy of their feedback on the draft Model Housing Code and draft Model Reconfiguring a Lot Code to FNQROC to distribute with the minutes.

ACTION 52.16: Councils to provide any feedback on the LGAQ submission on the draft Model Housing Code and draft Model Reconfiguring a Lot Code to Tracy Haynes, LGAQ.

8. Update from LGAQ advisory committee representative

9. General Business

9.1. Planning Reform – Development Assessment Rules (DA Rules)

- Open for comment from 24 October to 19 December 2016

9.2. Technology One – Queensland Planning Act Workshop (10 – 11 November 2016, Brisbane)

9.3. Update on Coast Adapt Toolkit – NCCARF (National Climate Change Adaptation Research Facility)

<https://www.nccarf.edu.au/content/coastal-tool-overview>

9.4. Department of Agriculture and Fisheries – One-Stop Service for agriculture planning and development

- Contact Angelika Ziehl – Angelika.Ziehl@daf.qld.gov.au

- Pilot due Dec 2016
- Envisage to comprise a web-based information portal and client management service

9.5. Update from Councils

- Carpentaria Shire Council – new acting CEO – Bob Holmes
- Cook Shire Council – second solar farm development

10. Next meeting

Next meeting to be advised.

The meeting closed at 12.52 pm.

Minutes prepared by FNQROC Teresa Schmidt, Office and Project Coordinator.

ACTION ITEM(S) –

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51.6	Council planning officers to contact Teresa to discuss any ideas or opportunities for the group.	Councils	<i>Ongoing</i>
52.1	DILGP to follow up and advice on DILGP consideration of putting information on their website on process for refund/partial refund of referral agency fees	DILGP	<i>Complete</i> Refer refund info on DILGP website
52.2	Gary Warner to forward to FNQROC to distribute to the group recent UDIA document on development application fees	Gary Warner	
52.3	Gerhard Visser to contact FNQROC if further support is required regarding timing of sign off from TMR.	Gerhard Visser	
52.4	FNQROC to distribute tourism presentation and proposed Tourism planning workshop with the minutes of the meeting.	FNQROC	Presentation and workshop info distributed with the minutes
52.5	DILGP to confirm if the Department is running example DA's through the DA rules. If so, DILGP to provide copies of those examples to FNQROC to distribute to the group	DILGP	
52.6	FNQROC to pass on contact details for Kirsty Lamperd (TRC) to LGAQ regarding previous work down on poultry farms on the Tablelands	FNQROC	Complete
52.7	Robin Clark to be contacted to present at the next FNQROC Planners group meeting to discuss the Indigenous Planning discussion paper	FNQROC	
52.8	DILGP to follow up and advise whether the Department is considering releasing high level process mapping	DILGP	
52.9	FNQROC to prepare a business readiness checklist for Council to use in preparing for the introduction of the Planning Act	FNQROC	

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52.11	DILGP to follow up and confirm who the mapping improvement project survey is being distributed to	DILGP	
52.12	Gary Warner to provide an update on the draft model housing code and draft model reconfiguring a lot code at the next FNQROC Planners group meeting	Gary Warner	
52.13	LGAQ to forward a copy of the informal submission on the DA rules to FNQROC to distribute to the group.	LGAQ	<i>Complete</i> Distributed with the minutes
52.14	Councils provide feedback to Tracey Haynes, LGAQ on the informal submission if they have any issues/concerns	All Councils	
52.15	LGAQ to provide a copy of their feedback on the draft Model Housing Code and draft Model Reconfiguring a Lot Code to FNQROC to distribute with the minutes.	LGAQ	<i>Complete</i> Distributed with the minutes
52.16	Councils to provide any feedback on the LGAQ submission on the draft Model Housing Code and draft Model Reconfiguring a Lot Code to Tracy Haynes, LGAQ	All Councils	