

### **5.03. LOCAL GOVERNMENT INFRASTRUCTURE PLAN - PREPARATION AND APPLICATION FOR AN EXTENSION TO THE PREPARATION TIMEFRAME**

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**DEPARTMENT:** Operations

#### **RECOMMENDATION**

**That Council:**

- 1. Resolves to prepare a Local Government Infrastructure Plan in accordance with the requirements of the Sustainable Planning Act 2009; and**
- 2. Applies to the Minister for Infrastructure, Local Government and Planning for an extension to the timeframe to prepare the Local Government Infrastructure Plan in accordance with the attached project plan; and**
- 3. Delegates authority to the Chief Executive officer, in accordance with the Local Government Act 2009 to advance any and all matters associated with the preparation of the Local Government Infrastructure Plan.**

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#### **EXECUTIVE SUMMARY**

The infrastructure planning and charging framework in Queensland has been undergoing reform since 2010. Under the Sustainable Planning Act 2009 (SPA), Council is required to prepare a Local Government Infrastructure plan (LGIP).

The process to prepare a LGIP is set out in the *Statutory Guideline 04/14 – Making and amending local planning instruments*. Under this guideline, Council must resolve to make an LGIP. This step is included within this report and forms part of this resolution.

The Douglas LGIP will not be completed by the 1 July 2016 deadline set by the State Government for the preparation of a LGIP and therefore an extension to the timeframe is required.

SPA was amended in November 2015 to allow the Minister to approve a Local Government's application for an extension of the timeframe to prepare a LGIP from 1 July 2016 up to and before 1 July 2018.

The requirements for making an application for an extension to the LGIP timeframe are set out in Section 997 of SPA. The application must include:

- Evidence of a Council resolution to make the application (this report); and
- A project plan that demonstrates how the Local Government will finalise the LGIP within the extension timeframe, including a summary of the resources and timeframe (Attachment 1 of this report).

After receiving the extension application, the Minister will decide whether to approve or refuse the application.

The extension to the timeframe will not impact on the infrastructure charging regime as this is undertaken in accordance with the Adopted Infrastructure Charges Resolution 2015 (AICR) which was endorsed by Council at its Special Meeting held on 24 June 2015.

## BACKGROUND

The infrastructure planning and charging framework in Queensland has been undergoing reform since 2010. Various changes to the framework have occurred since that time, including the introduction of a set of maximum infrastructure charge rates that local government can levy upon development.

In 2014, various amendments were made to SPA including the requirement for Local Governments to prepare and adopt a:

- New Adopted Infrastructure Charges Resolution (AICR) by 1 July 2015; and
- Local Government Infrastructure Plan (LGIP) prior to 1 July 2016.

The new AICR was adopted by Council on 24 June 2015. The AICR is an interim measure until Council adopts a LGIP.

## COMMENT

The purpose of an LGIP is to:

- integrate infrastructure planning with the land use planning identified in the planning scheme
- provide transparency regarding a local government's intentions for the provision of trunk infrastructure
- enable a local government to estimate the cost of infrastructure provision to assist its long term financial planning
- ensure that trunk infrastructure is planned and provided in an efficient and orderly manner
- provide a basis for the imposition of conditions about infrastructure on development approvals

Infrastructure may only be identified in an LGIP if that infrastructure is development infrastructure which the local government has also determined is trunk infrastructure.

Development infrastructure is defined in the *Sustainable Planning Act 2009* and is limited to land and/or works for the following five networks that provide essential services for development:

- water supply
- sewerage
- stormwater
- transport
- public parks and land for community facilities.

The State Government provides Local Governments with technical assistance to assist in the preparation of their LGIPs in the form of a *Statutory Guideline 03/14 – Local Government Infrastructure Plans*. This statutory guideline sets out the minimum requirements that must be followed by a Local Government for preparing an LGIP, in accordance with Section 117 of *Sustainable Planning Act 2009*.

*Statutory Guideline 04/14 – Making and amending local planning instruments* sets out the statutory processes involved in preparing an LGIP, within Part B - Making or amending a planning scheme for a local government infrastructure plan.

SPA was amended in November 2015 to allow the Minister to approve a Local Government's application for an extension of the timeframe to prepare a LGIP from 1 July 2016 up to and before 1 July 2018.

The requirements for making an application for an extension to the LGIP timeframe are set out in Section 997 of SPA. The application must include:

- Evidence of a Council resolution to make the application (this report); and
- A project plan that demonstrates how the local Government will finalise the LGIP within the extension timeframe, including a summary of the resources and timeframe.

A copy of the project plan is included in Attachment 1.

## **PROPOSAL**

Under SPA, Council must decide to prepare a LGIP, and if the a LGIP cannot be adopted by 1 July 2016, then an application for an extension to the timeframe is required. Otherwise Council may not levy infrastructure charges or impose conditions about trunk infrastructure if an extension is not sought. Therefore, the proposal is to make an application for an extension to the LGIP timeframe in accordance with Section 997 of SPA up until 1 July 2018.

The application must be made by 27 May 2016.

## **FINANCIAL/RESOURCE IMPLICATIONS**

Expenditure will be required in order to complete the LGIP. Funds are available to prepare the draft LGIP. Further allocation may be required in the 2016/7 financial year. Budgeting will need to include allowances for:

- the preparation of the draft LGIP package
- project status meetings
- third party reviews
- amendment to the LGIP following reviews and / or public notification
- resourcing requirements for staff involved in all stages of the LGIP project

## **RISK MANAGEMENT IMPLICATIONS**

The request for the extension of time mitigates the risk of not completing the LGIP project by the 1 July 2016 deadline. The project plan takes a conservative approach in relation to timeframes and seeks an extension to 1 July 2018. The LGIP resource structure is set out in the project plan.

## SUSTAINABILITY IMPLICATIONS

**Economic:** Council's existing AICR 2015 ceases to have effect from 1 July 2016, and Council cannot levy infrastructure charges upon development from this date, unless an extension to the timeframe to prepare a LGIP is lodged by no later than 27 May 2016. This would have a significant financial impact on Council with respect to the provision of infrastructure and capital works revenue.

**Environmental:** Limited, if any, environmental considerations

**Social:** The inability to levy and collect infrastructure charges would have a negative impact on the ability for Council to maintain and fulfill community expectations with respect to the provision of suitable and functional infrastructure, being one of Council's core responsibilities.

## CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

### Corporate Plan 2014-2019 Initiatives:

#### Theme 2 – Building a Sustainable Economic Base

2.1.1 Develop management plans for all Council assets and adequately resource their implementation.

#### Theme 5 - Governance

5.1.1 Establish and develop long term financial, resource and infrastructure planning to ensure ongoing capacity to fund operations and capital works programs.

5.1.2 Implement a robust enterprise risk management culture to identify and manage potential risks.

### Operational Plan 2015-2016 Actions:

#### On-going activities

Ensuring compliance with relevant State legislation, Council Local Laws and the Shire Planning Scheme.

## COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

## CONSULTATION

**Internal:** Asset Steering Committee

**External:** Nil

## COMMUNITY ENGAGEMENT

Council is required to undertake public consultation on the draft LGIP in accordance with the Statutory Guideline.

### **ATTACHMENTS**

Attachment 1 - Project plan for the Douglas Local Government Infrastructure Plan Project





**Document Development History**

**Build Status:**

Version	Date	Author	Reason	Status
0.1	7 April 2016	Simon Clarke	Initial Release	Draft
1.0				
1.1				

**Amendments in this Release:**

Section Title	Section Number	Amendment Summary

**Distribution:**

Copy No	Version	Issue Date	Issued To
Electronic	1.0		
Electronic	1.1		

**Document Acceptance and Release Notice**

This document (769153) is the **Project Plan for the Douglas Local Government Infrastructure Plan Project**

The Project Management Plan is a managed document. For identification of amendments, each page contains a release number and a page number. Changes will only be issued as a complete replacement document. Recipients should remove superseded versions from circulation.



## 1.0 Project plan summary

The Sustainable Planning Act 2009 (SPA) was amended in November 2015 to extend the timeframe for the preparation of a Local Government Infrastructure Plan (LGIP) from before 1 July 2016 to before 1 July 2018. In order to receive the benefit of the extension, the local government must receive the approval of the Planning Minister through an application for an extension of its LGIP preparation timeframe.

Douglas Shire needs to continue developing its LGIP in accordance with statutory guideline 04/14, with a only a limited degree of progress already made to date. Council’s LGIP project establishes an internal organisational structure which clarifies the individual responsibilities of the various internal stakeholders and external consultants, to ensure effective and efficient project delivery.

This project plan forms part of Douglas Shire Council’s application for an extension of the LGIP preparation timeframe, outlines the tasks and expected timeline for delivery through to LGIP adoption. The plan also identifies the necessary management, resourcing and budgeting provisions which need to be implemented in order to ensure the LGIP is finalised and adopted within the proposed timeframe.

## 2.0 Project structure

The LGIP project is to be coordinated by planning officers with the assistance of external consultants for specialist guidance and the collation and preparation of the necessary LGIP documentation. Council has implemented an internal structure that provides open access between the key LGIP stakeholders, being the planning, engineering and finance departments. The structure provides clarity of individual responsibilities and ensures that issues related to the LGIP are given priority.

Project reporting is managed through regular contact between all parties to confirm project status, identify any outstanding requirements and raise any potential issues.

### 3.1 Resource structure and accountabilities

Council has allocated an experienced planning officer to the coordination of the LGIP project (the’ LGIP officer’). This officer is the primary point of contact for the external consultants and all of the key stakeholders in the project. The LGIP officer will have access to senior staff from within each infrastructure network, as identified in Figure 1 below. Designated network officers will be briefed on the LGIP project, with commitments made by Senior Management that officers will be made available as required by the LGIP officer and consultants as a matter of priority.

The LGIP officer will have access to members of the Asset Steering Committee as necessary to assist in decision making processes and clarification of high level Council policy / direction matters. As the project coordinator and primary point of contact for all stakeholders, the LGIP officer is knowledgeable of the status of all project tasks and is able to take responsibility for ensuring that all tasks are completed in accordance with proposed timeframes.



Nominally, \$120,000 will need to be budgeted in the 2016/17 financial year to progress the LGIP project, with further allocation in the 2017/2018 financial year.

#### 4.0 Project timeline

A LGIP project schedule is attached at Appendix A. This schedule has been developed based on the timeframes identified in statutory guideline 04/14 (MALPI). For scheduling purposes, additional time has been included within the schedule to mitigate the impact of unforeseen circumstances on the schedule.





