

TITLE: [PR-CM] Planning Reform Unit Works Program 2013

SUBMITTED BY: Planning Reforms



Civic Leadership

SUMMARY OF REPORT:

This report seeks Council's endorsement of the Planning Reform Unit's Work Program 2013/2016.

This report was preceded by a Councillor Workshop relating to the revision of the works program held on 4 April 2013.

The report acknowledges the competing resource commitments and limitations that were raised at the April workshop and in particular the high level of requests arising from Council's commitment to improving strategic land-use planning for the Tweed as well as the need to allocate resourcing for shorter-term development through planning proposals originating from the private sector.

The works program is an essential project management tool. It assists staff in providing more accurate estimates of the Council's planning resource capability in their advice to the development industry, who require greater certainty and confidence on which their preparation of commercial scheduling and planning for future projects and forecasts can be based.

It also provides an insight into the current direction in the Shire's strategic land-use planning and the key projects on which it is comprised, in a format that can be readily understood by the broader community.

The report concludes that it is essential to maintain a balanced work program to assist with the ongoing resource allocation to key strategic projects and for providing greater certainty in the timing and allocation of resources for accepting private planning proposals and delivering important strategic projects.

The report identified a current imbalance in the available resources and the demand for them and recommends strategies for managing an efficient work stream that is balanced and aims to deliver the greatest utility in the shortest time. It concludes as a consequence that there will typically be a small number of projects that will be held-off in the shorter term to make way for those with a higher net benefit or priority and that this is an acceptable project management response.

RECOMMENDATION:

That:

- 1. Council approves the Planning Reform Unit's Work Program 2013/2016 identified as Tables 2-4 in this report.**
- 2. Council approves Recommendation 1 - *Planning Proposal PP10/0006 225 Terranora Road* within the report relating to the reprogramming of projects.**

3. **Council approves Recommendation 2 - *Planning Proposal PP10/0004 Enterprise Avenue* and Recommendation 3 - *Planning Proposals PP10/0002 & PP10/0005* within the report and the proponent(s) of the projects detailed are, on request, to provide to the Coordinator Planning Reform a sufficiently detailed schedule demonstrating a commitment to progress the project(s) through to completion within an agreed timeframe and a failure to comply within a reasonable time or to show adequate commitment to the completion of the project(s) will terminate Council's resourcing of the project(s).**
4. **A mid-year Work Program review and update be reported to Council no later than February 2014.**

REPORT:

As part of the on-going project management of Council's strategic land-use planning resources the Planning Reform Unit's Work Program is reviewed annually and where appropriate revised to reflect and 'match' resource-to-commitment. First adopted in June 2009 it has been successfully utilised to manage expectations arising from speculative requests and investigations as well as genuine development opportunity proposals arising either through Council or from the private sector.

Preceding this report a Councillor's workshop was held on 4 April 2013 to enable Council officers to provide an up-date on the work program and how project commitment targets were being met as well as providing an overview of current resourcing and funding allocations and shortfalls for existing and future projects.

One of the key issues raised was the current over-commitment of resources, which had been consistently increasing over the preceding 12 months driven by several factors, including:

- i. The ongoing advancement and amendment of the Draft LEP 2012 which draws significant resources both from within the Planning Reform Unit as well as from other Divisional work areas and which is a major contributor in the delay and consequent reprogramming of several key strategic projects.
- ii. There has been a tendency to over rely on external consultants to assess and prepare planning proposals that was based on an initial estimated resource commitment regarding project management and administration. The use of consultancies has undoubtedly proved to be beneficial both in terms of planning outcome and the number of proposals able to be advanced. However, the project management and resourcing required of council staff has proven to be in excess of initial estimates and quite significant with some of the more complex projects.

Consequently the ability of the Unit to progress/undertake planning proposals needs also to be balanced against the resourcing required to both administer, project manage and assist in the preparation of project planning proposals efficiently. This is essential within a user-pays system where the expectation on service delivery is higher.

- iii. Some of the more recent larger and complex policies have generated the need for post project resourcing to assist council staff and external clients with effective implementation. This has generated the need for additional guiding plans or policy in some instances.

By way of example, the Tweed City Centres LEP, gazetted in January this year, has necessitated the preparation of policy to manage the process and outcomes for the new clauses relating to the 'key sites: architectural design competition' and 'architectural roof features'. The adoption of the Community Based Heritage Study has led to internal staff and external community group workshops and consultations, and further work on the guidelines and explanation / interpretation of the project outcomes to achieve effective implementation of the processes it triggers for development applications and works. The 'Area E' locality based DCP has necessitated ongoing support for other Units' and prospective developers with the effective implementation and interpretation of its aims and design orientated outcomes, as has several of the other recent detailed strategic policies.

- iv. The slowed progression of some projects driven by the reprioritisation of commercial priorities and realities of some proponent developers, which is undoubtedly driven by prevailing economic conditions. This situation presents project management challenges for the work program because proponents are unwilling to relinquish their place in the queue once work has commenced

because there is typically no guarantee that the project will be resourced at a later time convenient to them. This risk is heightened with projects that have a relatively long lead time because the currency of information can change, become obsolete, and costly to update.

The flow on effect creates a barrier to the reallocation of resources to other like projects because there is a risk that those resources may need or be expected to be allocated back to the original project when the proponent is again ready. Given the absolute uncertainty attaching to the pre-gateway assessment stages of most planning proposals about how long a given project is 'likely' to take and what level of resourcing will be required there can typically be no assurance about when a deferred project may recommence.

The better practice remains to keep the resource allocation or terminate the project and in exceptional circumstances defer the project subject to a combination of agreed time frames and automatic termination milestones established in advance.

When preparing the 2013-2016 work program the direction provided by Councillors at the workshop in conjunction with the Tweed Shire Council Community Strategic Plan 2013-2023, Delivery Program 2011/2015 and Operational Plan 2012/2013 were taken into account.

From the above, three salient limitations for acting on a range of projects and or acting on those within certain timeframes are guided by:

1. The direction the Council seeks to take with any given project;
2. The availability of financial resources; and
3. The availability of human resources to either undertake a project or project control external consultancies.

There are several projects identified within this report that have previously been identified as important strategic projects and which the Council has indicated should be pursued. There are however one or more of the limitations mentioned above operating to impact on the progression of all projects simultaneously or within the same time horizon and consequently the works schedules have been developed using available knowledge and indicators to determine the base project priorities from where further refinement or reprioritisation of projects can be made by Council.

The works program is premised on a presumption that any additional projects introduced by the Council will result in the deferral of another project of the same kind off the work schedule to a later date (reprioritisation) rather than displacing the allocated resources to current projects. The exception to that presumption being the allocation of additional resources commensurate with those required to accommodate the new project.

The Works Program serves as an important and helpful project control tool, in particular:

- i. It is normal practice during any given year that new projects will come to light and will be reported to Council. These occurrences take into account the impact on the Work Program and the Unit's ability to resource the project. In that way the Work Program is not intended to be immovable or to raise a barrier to important projects that the Council wishes to prioritise but instead is designed to aid Council with those decisions;
- ii. It provides a medium through which Council can identify additional and future projects; and
- iii. It can be used to guide decisions regarding future budgetary considerations and or allocations.

The allocation and redistribution of budgetary funds available within the Planning Reform Unit was addressed in the previous work program report in May 2012 and the related projects were programmed. There are no additional or available funds.

The Work Program Generally

The revised works program has taken into account four key project constraining and opportunity factors:

- i. Total PRU staff resources;
- ii. Committed resource allocation;
- iii. Current funding & commitments; and
- iv. Potential future funding.

Based on those four elements and the feedback from the 4 April Councillors' workshop the Tables below provide a proposed work program for the period 2013-2016.

As mentioned above, and with most work programs of this kind, it is in a constant state of change as projects both come and go and it needs to be sufficiently flexible to allow for projects that are not completed within the projected timeframe and rollover into successive program schedules.

Based on the above, the program is based on the same format previously used, which utilises a 'traffic light system'. This is designed to allow a more flexible measure of resourcing at a given point in a project's lifecycle. For example, a project that has a long lead time to its proper commencement or a project that is nearing its completion generally requires less resourcing than one that has a deferred commencement or is in its peak development and so is correspondingly shown with a red or amber 'indicator or light'.

Referring to Table 1 below the indicators may be summarised as:

Green light: typically signifies a project in peak development and requiring a significant resource allocation. These are projects typically prepared in-house or where the project is outsourced but the complexity and size of the project requires a significant contribution to both project control and preparation/assessment of related studies and the like.

Yellow light: a project that requires a moderate allocation of resources. This could be a comparatively simple project or one that has a long lead in or lead out time that is predominately administrative. It is also used to indicate the level of resourcing required to project control least complex or contentious projects that are outsourced to consultancies.

Red light: typically used to indicate a project that is yet to start, or be reported to Council, or is in the final stage of completion but nonetheless involves administration and project management. This might for example include the raising of invoices, contract preparation, report to Council, meeting advice and the like.

Black light: projects that have been brought to attention through various media, e.g. proponents of development, Council's delivery and operational plans, community advocacy for key projects and or topics, and the Council, but that are not proposed to be commenced within the specific work program period. These projects are listed to firstly maintain an awareness of them and also because it provides a more seamless and transparent transition of the proposed work stream between the work program schedules (years).





Rating Schedule	
Current Projects (Resourced)	
Current Projects (moderate resources)	
Project Pending / finalising (minor resources)	
Not proceeding at this stage / Future Project	

Table 1 - Work Program Project Resources Rating

Work Program Schedules 2013/2016

The following schedules have been prepared taking into account the considerations and factors discussed above. Several projects are identified as requiring a funding allocation or that require Council's endorsement before they can be commenced. This appears as an initialism abbreviation following the project title description:

- (SCA) Subject to a costs and expenses agreement.
- (SCR) Subject to Council resolution.
- (STF) Subject to funding.
- (STGF) Subject to grant funding approval.

Table 2 - 2013/2014

Planning Proposals (PPs)		CSP Code	Strategic Plans		CSP Code	General Tasks	
Total (weighting)	15.5		Total (w)	15.0		Total (w)	6.8
PP10-0007 Mooball (Perlo)	●	1.5	Rural Lands Strategy	●	1.5, 3.1, 3.2, 4.5	Briefing notes, workshops & presentations or similar (public & internal)	●
PP12/0002 Mooball No.2	●	1.5	LGMS	●	1.5, 3.1, 3.4	Meetings / Committees / workshops / Seminars	●
PP10-0005 Hundred Hills	●	1.5	Murbah Main street Heritage Project (STGF)	●	1.5	General Corro, GIS & s149 support	●
DLEP 85 Pottsville Employment	●	1.5	Com-Retail Dev. Strategy (STGF)	●	1.5, 3.1	Student / University Programs assistance	●
PP10- 0002 Marana Street	●	1.5	Kingscliff Locality Plan	●	1.5, 2.2	Strategic Planning Advice (internal & external) (NOMs)	●
PP11/0005 Club Banora T/Towns	●	1.5, 3.1	FNCRS Review	●	1.5, 2.2	DA comments	●
DLEP Shirewide 2012	●	1.5	ACHMP	●	1.5, 2.1	Grant & Funding Applications	●
		1.5	Tyalgum Locality Plan	●	1.5, 2.2	NSW Housing Monitor / SEPP Compliance GIS	●
		1.5	Rural Villages DCP	●	1.5, 2.2	Post Project Works, Contracts & Agreements	●
Environmental Zones / Koala LEP Amendment	●	1.5, 4.1, 4.2	DCP A5 (subdivision) Review	●	1.5, 2.2	Procurement	●
			Housing Adaptability	●	1.5, 2.2		●
Total ALL Task							37.3
Parked - stalled			Work Program Items				
DA10/0737 s72J BP Chinderah	●	1.5, 3.1	Policy Maintenance	●	1.5		
PP10/0006 225 Terranora (SCA)	●	1.5	Seabreeze (Stage 2)	●	1.5		
PP10/0004 Enterprise Ave (SCA)	●	1.5, 3.1	CBHS Heritage DCP	●	1.5, 2.1		
Total Resource Allocation 2013/2014							120.5%
Facilitating Planning Proposal			Facilitating DCP (From LEP/PPs)				
Hastings Point LDCP	}	1.5, 2.2	Industry & Business Park DCP	●	1.5, 3.1		
Pottsville LDCP		1.5, 2.2	Key Sites: Architectural Design Comp (LEP2009)	●	1.5		
Cabarita LDCP		1.5, 2.2	Architectural Roof Features (LEP 2009)	●	1.5		
Review Caba Village Controls		1.5					
Planning Proposal / Project (notified)			Other (from Council)				
Border Park - Bunnings Rezoning Request (SCA)(SCR)	●	1.5, 3.1					
Palms Village Rezoning (SCA)(SCR)	●	1.5					
Tweed City S/Centre Height Rezoning (SCA)(SCR)	●	1.5, 3.1	Iconic Landscapes DCP	●	1.5, 2.2		
Elrond Drive (SCA)(SCR)	●	1.5					
West M/bah Industrial (TUELRS Area 6) (SCA)(SCR)	●	1.5, 3.1					

Resource Commitment by Project Area

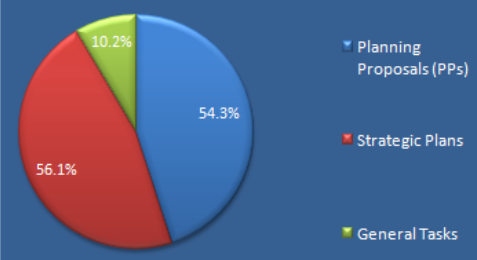


Table 3 - 2014/2015

Planning Proposals (PPs)	CSP Code	Strategic Plans	CSP Code	General Tasks	CSP Code								
Total (weighting)	7.7	Total (w)	13.7	Total (w)	6.8								
PP10-0007 Mooball (Perlo)	●	1.5.3.1 Rural Lands Strategy	●	2.2.2.1 Briefing notes, workshops & presentations or similar (public & internal)	2.1.2.2 ●								
PP12/0002 Mooball No.2	●	1.5.3.1 LGMS	●	3.3.1.1 Meetings / Committees / workshops / Seminars	●								
PP10-0005 Hundred Hills	●	1.5.3.1 Murbah Main street Heritage Project (STGF)	●	1.5.2.2 General Corro, GIS & s149 support	2.1.2.2 ●								
DLEP 85 Pottsville Employment	●	1.5.3.1 Com-Retail Dev. Strategy (STGF)	●	2.1.2.3 Student / University Programs assistance	●								
PP10- 0002 Marana Street	●	1.5.3.1 Kingscliff Locality Plan	●	2.2.1.1 Strategic Planning Advice (internal & external) (NOMs)	●								
PP11/0005 Club Banora T/Towns	●	1.5.3.1 FNCRS Review	●	3.4.1.1 DA comments	●								
DLEP Shirewide 2012	●	2.1.2.3 ACHMP	●	3.2.1.2 Grant & Funding Applications	●								
		1.1.1.2 Tyalgum Locality Plan	●	2.6.1.1 NSW Housing Monitor / SEPP Compliance GIS	3.4.1.1 ●								
		1.1.1.2 Rural Villages DCP	●	4.4.2.1 Post Project Works, Contracts & Agreements	●								
Environmental Zones / Koala LEP Amendment	●	1.5.3.1 DCP Murwillumbah (South)	●	2.1.2.3 Procurement	●								
		1.5.3.1 Housing Adaptability	●	2.3.7.1									
		1.5.3.1 Chinderah Locality Plan (STF)	●	2.3.7.1									
Total ALL Task					28.2								
Parked - stalled		Work Program Items											
DA10/0737 s72J BP Chinderah	●	1.5.3.1 Policy Maintenance	●	1.5.2.2									
PP10/0006 225 Terranora (SCA)	●	1.5.3.1 Seabreeze (Stage 2)	●	1.5.2.2									
PP10/0004 Enterprise Ave (SCA)	●	1.5.3.1 CBHS Heritage DCP	●	2.3.7.1									
				1.5.2.2									
				2.3.7.1									
Facilitating Planning Proposal		Facilitating DCP (From LEP/PPs)											
Hastings Point LDCP		2.3.7.1 Industry & Business Park DCP	●	1.5.2.2									
Pottsville LDCP		2.3.7.1 Key Sites: Architectural Design Comp (LEP2009)	●	1.5.2.2									
Cabarita LDCP	●	2.3.7.1 Architectural Roof Features (LEP 2009)	●	1.5.2.2									
Review Caba Village Controls		2.3.7.1 Pottsville Employment Lands DCP	●	1.5.2.2									
Planning Proposal / Project (notified)		Other (from Council)											
Border Park - Bunnings Rezoning Request (SCA)(SCR)	●	1.5.3.1		1.5.2.2									
Palms Village Rezoning (SCA)(SCR)	●	1.5.3.1		4.4.2.1									
Tweed City S/Centre Height Rezoning (SCA)(SCR)	●	1.5.3.1	●	1.5.2.2									
Elrond Drive (SCA)(SCR)	●	1.5.3.1		2.3.7.1									
West M/bah Industrial (TUELRS Area 6) (SCA)(SCR)	●	1.5.3.1											
Total Resource Allocation 2014/2015													
88.5%													
Resource Commitment by Project Area													
<table border="1"> <caption>Resource Commitment by Project Area</caption> <thead> <tr> <th>Project Area</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Strategic Plans</td> <td>51.4%</td> </tr> <tr> <td>Planning Proposals (PPs)</td> <td>27.0%</td> </tr> <tr> <td>General Tasks</td> <td>10.2%</td> </tr> </tbody> </table>						Project Area	Percentage	Strategic Plans	51.4%	Planning Proposals (PPs)	27.0%	General Tasks	10.2%
Project Area	Percentage												
Strategic Plans	51.4%												
Planning Proposals (PPs)	27.0%												
General Tasks	10.2%												

Table 4 - 2015/2016

Planning Proposals (PPs)	CSP Code	Strategic Plans	CSP Code	General Tasks	CSP Code
Total (weighting) 9.5		Total (w) 13.3		Total (w) 6.8	
Dunloe Park Residential (TUELRs Area 7) (SCA)(SCR)	1.5.3.1	Rural Lands Strategy	2.2.2.1	Briefing notes, workshops & presentations or similar (public & internal)	2.1.2.2
Cudgera Road Residential (TUELRs Area 5) (SCA)(SCR)	1.5.3.1	LGMS	3.3.1.1	Meetings / Committees / workshops / Seminars	
Pottsville Employment (TUELRs Area 7) (SCA)(SCR)	1.5.3.1	DCP Murwillumbah (South)	1.5.2.2	General Corro, GIS & s149 support	2.1.2.2
Spare	1.5.3.1	Com-Retail Dev. Strategy	2.1.2.3	Student / University Programs assistance	
Spare	1.5.3.1	Kingscliff Locality Plan	2.2.1.1	Strategic Planning Advice (internal & external) (NOMs)	
Spare	1.5.3.1	Housing Adaptability	3.4.1.1	DA comments	
PP10/0006 225 Terranora	2.1.2.3	Chinderah Locality Plan (STF)	3.2.1.2	Grant & Funding Applications	
PP10/0004 Enterprise Ave	1.1.1.2	Review TUELRs	2.6.1.1	NSW Housing Monitor / SEPP Compliance GIS	3.4.1.1
		Rural Tourism DCP	4.4.2.1	Post Project Works, Contracts & Agreements	
		Housing Affordability Strategy (STF)	2.1.2.3	Procurement	
		Urban Design Charter	2.3.7.1		
			2.3.7.1		
				Total ALL Task	29.6
Parked - stalled		Work Program Items			
		Policy Maintenance	1.5.2.2		
		Heritage Advisor Project Officer	1.5.2.2		
			2.3.7.1		
			1.5.2.2		
			2.3.7.1		
Facilitating Planning Proposal		Facilitating DCP (From LEP/PPs)			
	2.3.7.1	Spare	1.5.2.2		
	2.3.7.1	Spare	1.5.2.2		
	2.3.7.1				
	2.3.7.1				
Planning Proposal / Project (notified)		Other (from Council)			
West M/bah Industrial (TUELRs Area 6)	1.5.3.1	Iconic Landscapes DCP	1.5.2.2		

Total Resource Allocation 2015/2016
93.1%

Resource Commitment by Project Area

- Planning Proposals (PPs)
- Strategic Plans
- General Tasks

Balancing Public - Private Interests

The work program is limited by several factors as mentioned above. Ultimately there will always be a limit on capacity and a corresponding body of work commitments.

Tweed Council is performing well and making good progress with new and updated strategic planning work and within the confines of the strategic planning resources. Like those before it, this work program seeks to strike a balance between planning proposals originating on demand from the private sector and broader community driven strategic planning policy. This can be further stated as that body of work that investigates and makes permissible new land-uses versus that other body of work which provides the guidelines for how that new development should best proceed.

Despite a large volume of planning proposals within the work program the greater part of the Unit's resources are being taken up by broader strategic policy work. This occurs for many reasons but noticeably is the Council's sustained commitment to good strategic land-use planning and the weaker economy which is both highlighting the need for stronger policy whilst at the same time reducing the pressure for new and more expedient planning decisions, tempered by reduced availability and access to funding for commercial projects.

Council initiated projects

Council, at the 13 December 2012 meeting, resolved to bring forward a report detailing the current planning reforms agenda and options for reprioritising the planning reforms agenda to include:

- a) *a Sustainability policy for Council*
- b) *a Sustainability Development Control Plan for new developments*
- c) *a National Iconic Landscapes Development Control Plan*

Item a)

This relates to a wider, corporate, policy for Council, the scope and extent of which is to be addressed at an upcoming Councillors' workshop by Council's Director Community and Natural Resources.

Item b)

This is a more specific and targeted approach than the broader 'whole of council operations' policy foreshadowed at Item a), and will be most effective when tailored to key and identifiable areas.

Council's Director Engineering Operations is evaluating how sustainable development principles can be incorporated into Council's subdivision DCP, which is currently being reviewed. The review will look at ways in which the sustainability criteria can be assessed, and benchmarked; acknowledging that performance and monitoring is a fundamental key to effective implementation a success of embedded sustainability. It is envisaged that these criteria will act as a precedent model for incorporation more widely into all development related policies and standards.

Item c)

A 'National Iconic Landscapes' DCP has been included within the Work Program for commencement in 2013-14, as shown in Table 2.

Benefits and Impacts with the Proposed Work Program

As with the previous work program this program proceeds with an emphasis on the maintenance of Council's current strategic planning policies, which is an area previously identified as lagging other areas of policy development.

A robust and informed planning policy framework has positive impacts not only on the ability to provide certainty to the development industry but it should also initiate and drive more

economically sustainable outcomes for the Tweed. This can occur through achievement of the best use of land in key delivery areas including; supply of lower cost and diverse housing, employment generating development, and a reduction on development pressure and release of further large Greenfield development, as well as, protection of agricultural and environmentally sensitive land.

There are several key strategic projects underway that will seek to address a number of those issues. However, there are still many policy challenges ahead that should not be underestimated and which will provide Council with an opportunity to improve the community participation rate in the preparation of important strategic projects as a means of managing decisions about Tweed's future.

As well as the State Government's agenda to reform the NSW planning legislation, which may present many new opportunities and challenges, there are regional issues that Council and community will need to participate in. In particular, the Far North Coast Regional Strategy (FNCRS) is set to recommence its review in April, with the Department of Planning and Infrastructure due to recommence high level meetings with representatives from each of the five councils on how best to inform and develop the Strategy, in-line with the Government's expectations.

The FNCRS is pivotal to the Council's long-term planning. It sets the tone for how the region should be developed, where the major and smaller centres are/will be, and what the population, employment and housing projections are for each local area.

The benefit with this work program is that it attempts to foreshadow some of the likely and probable events (by way of related project) and has sought to both inform processes by ensuring that Council's key strategies are in place (e.g. rural land strategy) and that others will follow suit and be aligned with any change (e.g. review of the TUELRs, local growth management strategy, heritage), ultimately with a view to improving the overall benefit from having a strong policy position and also as a means of lessening any direct impact or flow-on effect arising from the transition into a new legislative framework. This is achieved within the limitations set by this kind of program but remains instructive about the level and kind of policy work and change required.

The principle impact arising from the proposed work program in the shorter term results from there being a fixed resource base, which is out-stripped by project demand for it, and therefore requires projects to be reprogrammed or similar.

Project Reprogramming & Notice of Commitment Recommendations

It is necessary, in order to maintain an appropriate level of resourcing to the key priority projects, to defer several others to be reprogrammed at a later stage. It is also essential that projects abandoned or not receiving an appropriate level of resourcing from the proponent be brought to account or terminated. This latter class of proposals is a significant drain on Council's resources and its ability to undertake other projects.

The projects identified below fall into one of those categories discussed.

Recommendation 1 - *Planning Proposal PP10/0006 225 Terranora Road*

This planning proposal request seeks to rezone land, which is about 10 hectares in area and currently zoned for the most part 7(d) Environmental Protection and part Rural 1(c), to expand or extend the Rural 1(c) zoning of the land. The request was informed in part by the environmental zones exhibited in the Draft LEP 2010, which resulted in a significant reduction of the environmental zoning and in its place a Rural 1(a) zoning.

The rezoning therefore seeks to reclassify the area land that was proposed to revert from 7(d) to 1(a), for rural living and utilising the standard instrument zoning of R5 Large Lot Residential.

Given the prevailing uncertainty about how these lands and in particular the rationalisation of environmental zoning will be managed through Council's future zone review or that currently being investigated through the Department of Planning and Infrastructure, it is recommended that this project should be deferred and reprogrammed in to the 2014-2015 work period.

Recommendation 2 - *Planning Proposal PP10/0004 Enterprise Avenue*

This planning proposal request sought certain lands in Tweed Heads South to be developed and re-developed for a large format retail precinct and waste transfer station, as well as to enable land to be used for direct factory outlet retailing.

Reported to Council's Meeting of 17 August 2010 it was resolved to notify the proponent that the project would not proceed without several key issues first being addressed. These items, including traffic, impact on Council's Banora Point waste water treatment plant and assessment of ecological constraints, remain to be addressed. Consequently the project remains unsuitable to proceed.

It is recommended that whilst the project has been reprogrammed for the 2014-2015 period that Council seek formal advice and commitment from the proponent to proceed with the project within an agreed timeframe, failing which it should be terminated and removed from the Work Program.

Recommendation 3 - *Planning Proposals PP10/0002 & PP10/0005*

Both of these planning proposals seek rezoning of the land for urban residential purposes. Whilst both have been underway for sometime their progress is slow and disjointed with no demonstration of a real commitment to complete the projects within a reasonable time.

Although it is recommended that they remain in the 2013-14 work period it is also recommended that Council seek a firm commitment from the respective proponents to finalise the projects within an agreed time, failing which they should be terminated and removed from the Work Program. This would free-up capacity to undertake other projects where that commitment exists and best utilises the use of Council's resources.

OPTIONS:

1. That the Work Program 2013-2016 presented in Tables 2-4 within this report and the recommendations presented in relation to the deferral of specific projects and proponent show cause notifications be approved; or
2. That any amendments to the Work Program be identified and the report deferred to allow amendments to be made and reported on.

CONCLUSION:

The benefits and impacts associated with the Planning Reform Work Program are discussed above in this report. Noticeably it serves as a means of project control for aiding decisions about resource allocation, budgetary considerations and allocations, and for identifying important key strategic projects.

The Work Program is a guide but nonetheless serves as a means of ensuring that changes and challenges originating externally, whether from government policy or the commercial sector, are foreshadowed, contemplated and managed through a transparent projection of the work needed to address emerging issues.

For the reasons discussed in this report the Work Program 2013-2016 is seen to be a balanced approach to managing the strategic land-use functions required of Council, within the resources available. It is suitable for approval.

COUNCIL IMPLICATIONS:

a. Policy:

This report seeks a clear direction and prioritisation of Council's strategic land-use planning program.

b. Budget/Long Term Financial Plan:

Forward budget estimates may arise from Council's endorsement of the Planning Reforms work program as key strategic projects are taken up.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
- 1.5 Manage and plan for a balance between population growth, urban development and environmental protection and the retention of economical viable agriculture land
- 1.5.2 Land use plans and development controls will be applied and regulated rigorously and consistently and consider the requirements of development proponents, the natural environment and those in the community affected by the proposed development
- 1.5.2.2 Planning Controls updated regularly

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.
