

Second Compliance Check of Toowoomba Regional Council's Local Government Infrastructure Plan

Appointed Reviewer Statement

Prepared by: PIE Solutions Pty Ltd

Version	Date	Reviewer name and signature	
Final	24 March 2017	JASON MILLER	

1.1 Introduction

PIE Solutions has been engaged by Toowoomba Regional Council to undertake a second compliance check of its proposed Local Government Infrastructure Plan (LGIP).

PIE Solutions is required to:

- (1) consider whether the proposed LGIP complies with the requirements outlined under the statutory guideline for making and amending planning instruments (MALPI) and Statutory guideline 03/14 – Local government infrastructure plans, including the LGIP template, the SOW model and the LGIP Checklist
- (2) consider whether the proposed LGIP appropriately complies with any conditions imposed by the Minister as part of the first compliance check
- (3) consider whether the proposed LGIP is not significantly different to a version which has undergone public consultation
- (4) consider whether the proposed LGIP is consistent with the State Planning Scheme Provisions
- (5) complete the checklist in accordance with the statutory guidelines for LGIPs; and
- (6) provide a written statement and the completed checklist to the local government detailing the findings of the second compliance check and confirming that the proposed LGIP appropriately complies with and addresses any relevant requirements identified in the statutory guideline for LGIPs.

Scope exclusions

The following items are outside the scope of this review:

- A verification of the accuracy of individual inputs used in the preparation of the proposed LGIP.
- A review of the local government's Long Term Financial Forecast (LTFF) or asset management plan (LTAMP) other than to determine the extent of their alignment with the proposed LGIP.

Compliance check process

The process used to undertake the second compliance check comprised the following steps:

Stage	Description
<u>Engaged</u>	<ul style="list-style-type: none"> PIE Solutions were engaged to undertake both the first and second compliance checks in May 2015
<u>Review</u>	<ul style="list-style-type: none"> Documents and other information for the second compliance check were provided by Toowoomba Regional Council on 20 March 2017. PIE Solutions commenced its second compliance check on 21 March 2017 A further information request was made to TRC officers on 22 March 2017 The requested further information was received from TRC on 22 March 2017 The second compliance check was finalised on 24 March 2017
<u>Final report</u>	<ul style="list-style-type: none"> The final checklist and reviewers statement was issued on 24 March 2017

The following local government personnel were involved in the second compliance check:

Name	Title	Date of discussion (s)	Scope of discussion
Peter Berkeley	Senior Infrastructure Project Officer – Strategic Planning and Economic Development	21 st , 22 nd & 23 rd March 2017	Compliance with conditions imposed by the Minister
Josie Raftery	Principal Planner – Infrastructure and Environment		Checklist responses

Compliance check findings

The second compliance check focused on the changes made to the proposed LGIP by TRC following the:

- the Minister's review; and
- public consultation.

TRC advised that eleven conditions were originally imposed by the Minister following the first compliance check. However following discussions with the Department of Infrastructure, Local Government and Planning and amendments being made to the draft LGIP, the Minister agreed to remove six of these conditions and change a seventh condition to advice only.

The remaining conditions required TRC to:

- Prepare projections for ultimate development through the use of a bottom up approach to identify capacity within each urban town area.
- Provide additional information in the LGIP extrinsic material demonstrating the relationship between the planning assumptions, demand projections and the PIA
- Remove references to public artwork in desired standards of service for parks as well as references to standards that require 'agreement' with Council
- Revise the SOW model to include specified functionality as well as ultimate demands
- Include as extrinsic material, the relevant source document detailing how the discount rate was arrived at

The second compliance check undertaken by PIE Solutions found that the proposed LGIP, SOW model and extrinsic material have been amended to comply with these conditions.

In this regard, TRC has:

- prepared projections for ultimate development using a 'bottom-up' capacity approach. The LGIP and SOW model have been amended to include projections of ultimate development and demand as necessary. The extrinsic material has also been amended to provide a description of the methodology used by TRC to prepare the projections of ultimate development.
- demonstrated that the relationship between the planning assumptions, demand projections and the PIA is adequately explained in the LGIP and accompanying extrinsic material.
- updated various maps within the LGIP to remove inconsistencies, amended drafting errors in clause 4.1(3)(b) and clause 4.3(1) and has removed references to public artwork and references to Council agreement being required in the standards of service for the parks network.
- revised the SOW model to align catchment allocations with those contained in the LGIP and provided advice on where information required by the Minister is located within the SOW Model.

TRC also advised that following public consultation, six submissions were received. Of the 31 separate comments made, TRC considered that only three minor amendments were necessary to the LGIP and SOW Model. These were:

- amend clause 4.3(1) to make consistent with the network planning identified in the PFTI. It was also found that a similar drafting error occurred at clause 4.1(3)(b) and this was also amended

- amend the PIA maps to ensure that the PIA boundary aligns with property boundaries
- amend the SOW Model to remove a formula error. This error was found to have no material impact on the financial sustainability analysis

PIE Solutions found that the amendments undertaken to the proposed LGIP and SOW model address the matters raised in the submissions. PIE Solutions agrees that the remaining comments did not require an amendment of the LGIP, SOW Model or extrinsic material. The amendments made to the LGIP and SOW model are considered to be consistent with the statutory guidelines for LGIPs.

PIE Solutions also determined that:

- the proposed LGIP is not significantly different to the version which was released for public consultation and that it was not necessary for TRC to repeat public consultation on the amended document
- the proposed LGIP is consistent with the State Planning Scheme Provisions
- the proposed LGIP appropriately complies with and addresses any relevant requirements identified in the statutory guideline for LGIPs

Detailed commentary on the compliance of the proposed LGIP against the checklist requirements has been provided against each item of the checklist. A memorandum providing additional information about the SOW model is referenced in the relevant part of the checklist.

Conclusions

Toowoomba Regional Council has prepared a LGIP which is compliant with:

- the conditions imposed by the Minister as part of the first Ministerial review
- the requirements outlined under the statutory guideline for making and amending local planning instruments (MALPI) and Statutory guideline 03/14 – Local government infrastructure plans, including the LGIP template, the SOW model and the LGIP Checklist
- the State Planning Scheme Provisions

Recommendations

PIE Solutions recommends to Toowoomba Regional Council that the LGIP should **proceed unchanged**.

Recommended conditions to be imposed

It is recommended that no conditions be imposed