

## GROWTH INFRASTRUCTURE AND WASTE COMMITTEE LATE REPORTS

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**GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2**

**9 MARCH 2023**

LATE REPORTS

8. **\*\*NEW IPSWICH PLANNING SCHEME (DRAFT) - STAGE 1: PLANNING SCHEME PREPARATION AND STAGE 2: PUBLIC ENGAGEMENT**

At its meeting of 28 July 2022 Council endorsed the draft new Ipswich Planning Scheme and draft Planning Scheme Policies (Ipswich Plan 2024 (Draft)) and the progression of the draft scheme to first State Interest Review in accordance with the provisions of the *Planning Act 2016*, the *Planning Regulation 2017* and the *Minister's Guidelines and Rules 2020*.

This report is intended to facilitate Council's endorsement of a revised draft of the Ipswich Plan 2024 (Draft) to enable completion of the first state interest review.

The preparation of the *Ipswich Plan 2024 (Draft)* has included:

- Public consultation on the Statement of Proposals (including a draft Strategic Framework) in 2019 including a review of public submissions and preparation of a consultation report used to guide the policy direction and drafting of the new planning scheme;
- Numerous workshops and briefing sessions with the Mayor & Councillors from April 2020 to February 2023;
- Preparation of detailed studies on key issues to inform the preparation of the draft planning scheme including-
  - a. Flooding;
  - b. Bushfire;
  - c. Mining;
  - d. Biodiversity;
  - e. Commercial and retail supply and hierarchy;
  - f. Industrial land supply;
  - g. Housing range, supply and availability;
- Submission of the draft new planning scheme and draft planning scheme policies to the Department of State Development, Infrastructure, Local Government and Planning for Review in July 2022;
- In September 2022, the Department of State Development, Infrastructure, Local Government and Planning provided a request for further information and a pause notice and information request (Information Notice) to Council, to permit the opportunity for a range of issues to be discussed and addressed; and

- Continued engagement with the Department of State Development , Infrastructure, Local Government and Planning (DSDILGP) to address questions and issues arising from the state interest review.

This report is intended to address the Information Notice and associated comments from the DSDILGP received during the first phase of the State Interest Review through a revised *Ipswich Plan 2024 (Draft)*. This will permit the completion of the first State Interest Review and allow progression to public consultation as soon as possible. If all steps proceed as expected, public consultation of the (Ipswich Plan 2024 (Draft)) is anticipated to commence in April 2023.

A new Local Government Infrastructure Plan will form part of the (Ipswich Plan 2024 (Draft)). It is currently under preparation and will follow a different process to obtain state government approval for consultation. It is anticipated that this will be submitted to Council for endorsement in the coming weeks.

### RECOMMENDATION

- A. That Council endorse the revised *Ipswich Plan 2024 (Draft)* and draft Planning Scheme Policies as contained in Attachments 4 to 12 for the purpose of the continuation of the first state interest review.
- B. That following receipt of the Chief Executive's (DSDILGP) endorsement of the *Ipswich Plan 2024 (Draft)*, the Chief Executive Officer (ICC) undertake steps to comply with any conditions of the Chief Executive's endorsement and undertake the necessary steps to commence the public consultation of the *draft planning scheme and planning scheme policies*.

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9. NOTICE OF MOTION - UPGRADE OF MEMORIAL HONOURING THE LIFE OF DEIDRE KENNEDY

This is a joint notice of motion submitted by Mayor Teresa Harding and Division 3 Councillors (Councillors Marnie Doyle and Andrew Fechner) proposing an upgrade to the memorial currently located near Bill Paterson Oval, Limestone Park which honours the life of Deidre Kennedy.

On the night of 13 April 1973, 17-month-old Deidre Kennedy was abducted from her Ipswich home and murdered. It was a crime that shook the nation and sent a wave of fear and despair across Ipswich.

Almost 50 years on, this joint Notice of Motion proposes to upgrade the existing memorial plaque which is currently attached to a rotunda in Limestone Park.

The scale and location of the existing memorial plaque does not adequately represent the significance of this sad moment in Ipswich's history. In its current position, the Kennedy family, friends and residents are unable to leave fitting tributes and floral arrangements to celebrate and honour Deidre's life.

Therefore, Mayor Teresa Harding and Division 3 Councillors Marnie Doyle and Andrew Fechner are seeking Council's support to upgrade the current plaque, reattach it to a sandstone block or similar base, and relocate it to the neighbouring garden bed.

It is hoped this would serve as an appropriate and longstanding memorial of Deidre Kennedy's life, creating a suitable place for Deidre's family to come together with the community on the upcoming 50<sup>th</sup> anniversary on Thursday 13 April 2023.

This proposal is supported by the Kennedy family, who would welcome Council's ongoing support in ensuring Deidre's memory will never be forgotten.

**Image 1: Existing memorial memorial**



**Image 2: Example of upgraded memorial**



Mayor Teresa Harding and Councillors Marnie Doyle and Andrew Fechner gave notice of their intention to move the following motion at the Growth Infrastructure and Waste Committee Meeting of 9 March 2023:

## RECOMMENDATION

### MOTION

That Council upgrade the current memorial honouring Deidre Kennedy's life, currently located at Bill Paterson Oval, Limestone Park and resolve to:

- a) Upgrade the existing plaque to a large brass/bronze plaque or similar, with the design and inscription of the new plaque to be confirmed by Mayor Harding and Councillors Marnie Doyle and Andrew Fechner, on behalf of the Kennedy family.
- b) Relocate the new memorial plaque to the garden bed adjacent to the existing plaque, mounted on a sandstone base.
- c) To have these works completed before 13 April 2023.

- d) Report back to the GIW Committee, following 13 April 2023, on the cost and timeline for any additional embellishments the Kennedy family proposes for this site, for Council's consideration.

Doc ID No: A8679908

ITEM: 8

SUBJECT: NEW IPSWICH PLANNING SCHEME (DRAFT) - STAGE 1: PLANNING SCHEME PREPARATION AND STAGE 2: PUBLIC ENGAGEMENT

AUTHOR: MANAGER, CITY DESIGN

DATE: 19 FEBRUARY 2023

### EXECUTIVE SUMMARY

At its meeting of 28 July 2022 Council endorsed the draft new Ipswich Planning Scheme and draft Planning Scheme Policies (Ipswich Plan 2024 (Draft)) and the progression of the draft scheme to first State Interest Review in accordance with the provisions of the *Planning Act 2016*, the *Planning Regulation 2017* and the *Minister's Guidelines and Rules 2020*.

This report is intended to facilitate Council's endorsement of a revised draft of the Ipswich Plan 2024 (Draft) to enable completion of the first state interest review.

The preparation of the *Ipswich Plan 2024 (Draft)* has included:

- Public consultation on the Statement of Proposals (including a draft Strategic Framework) in 2019 including a review of public submissions and preparation of a consultation report used to guide the policy direction and drafting of the new planning scheme;
- Numerous workshops and briefing sessions with the Mayor & Councillors from April 2020 to February 2023;
- Preparation of detailed studies on key issues to inform the preparation of the draft planning scheme including-
  - a. Flooding;
  - b. Bushfire;
  - c. Mining;
  - d. Biodiversity;
  - e. Commercial and retail supply and hierarchy;
  - f. Industrial land supply;
  - g. Housing range, supply and availability;
- Submission of the draft new planning scheme and draft planning scheme policies to the Department of State Development, Infrastructure, Local Government and Planning for Review in July 2022;
- In September 2022, the Department of State Development, Infrastructure, Local Government and Planning provided a request for further information and a pause

notice and information request (Information Notice) to Council, to permit the opportunity for a range of issues to be discussed and addressed; and

- Continued engagement with the Department of State Development , Infrastructure, Local Government and Planning (DSDILGP) to address questions and issues arising from the state interest review.

This report is intended to address the Information Notice and associated comments from the DSDILGP received during the first phase of the State Interest Review through a revised *Ipswich Plan 2024 (Draft)*. This will permit the completion of the first State Interest Review and allow progression to public consultation as soon as possible. If all steps proceed as expected, public consultation of the (*Ipswich Plan 2024 (Draft)*) is anticipated to commence in April 2023.

A new Local Government Infrastructure Plan will form part of the (*Ipswich Plan 2024 (Draft)*). It is currently under preparation and will follow a different process to obtain state government approval for consultation. It is anticipated that this will be submitted to Council for endorsement in the coming weeks.

#### **RECOMMENDATION/S**

- A. That Council endorse the revised *Ipswich Plan 2024 (Draft)* and draft Planning Scheme Policies as contained in Attachments 4 to 12 for the purpose of the continuation of the first state interest review.**
- B. That following receipt of the Chief Executive’s (DSDILGP) endorsement of the *Ipswich Plan 2024 (Draft)*, the Chief Executive Officer (ICC) undertake steps to comply with any conditions of the Chief Executive’s endorsement and undertake the necessary steps to commence the public consultation of the *draft planning scheme and planning scheme policies*.**

#### **RELATED PARTIES**

There are no related parties associated with this report.

#### **IFUTURE THEME**

Vibrant and Growing

#### **PURPOSE OF REPORT/BACKGROUND**

The current Ipswich Planning Scheme (2006) was prepared under the *Integrated Planning Act 1997* and took effect in 2006. At the time of the adoption of the current Planning Scheme, Ipswich had a population of around 130,000 people. Ipswich’s current population is now more than 245,000 people, meaning that the current Ipswich Planning Scheme (2006) has provided the framework to manage the growth of the community by 115,000 people (more than 85% growth). Since the commencement of the current Ipswich Planning Scheme (2006) there have been many planning scheme amendments and also significant changes in the Queensland planning system, including a new *Planning Act 2016, ShapingSEQ* Regional

Plan and changes in state and commonwealth government planning policy that have necessitated the preparation of a new planning scheme for the city.

### **Preparing the New Ipswich Planning Scheme**

Council (under Interim Administration) resolved to prepare a new planning scheme in October 2018. Further background information regarding the Council resolutions relating to the preparation of the new planning scheme are detailed below.

Council has also resolved to prepare a new Local Government Infrastructure Plan (LGIP) to plan for and ensure the provision of infrastructure to support growth, development and the needs of the community. The preparation of a new LGIP follows a different statutory process to that of preparing a new planning scheme however, it is anticipated that the draft new LGIP will be placed on public consultation concurrently with the *Ipswich Plan 2024 (Draft)*.

#### **Planning Scheme Resolution 1:**

Following the resolution in October 2018, Council advised the state government of its decision to prepare a new planning scheme. As required by the *Planning Act 2016*, in January 2019 the Chief Executive of the Department provided Council with a Notice pursuant to Section 18 of the Act setting out the procedural steps and timeframes as a tailored process for the making of the new planning scheme as follows:

##### **Stage 1: Planning Scheme Preparation**

(original estimated start date 16/11/2018 to 29/03/2019)

##### **Stage 2: State Interest Review**

(original estimated start date 18/11/2018 to 28/02/2020)

##### **Stage 3: Public Consultation**

(original estimated start date 04/05/2020 to 08/09/2020)

##### **Stage 4: Minister's Consideration**

(original estimated start date 07/09/2020 to 9/10/2020)

##### **Stage 5: Adoption**

(original estimated start date 12/10/2020 to 18/12/2020)

Following this resolution, the process to prepare a new planning scheme commenced with the preparation of a Statement of Proposals (including a draft Strategic Framework) that expressed numerous policy ideas and options and was used for early engagement with stakeholders, the community and the development industry to guide the policy direction for the new planning scheme. Engagement was also undertaken with state agencies.

Following the election of the Council in 2020, it became clear that the overall timeframe was not going to be achieved, and a subsequent request was made to the Chief Executive for a revised program timeline as detailed below.



### **Planning Scheme Resolution 2:**

A revised program timeline for the preparation of the new planning scheme as a tailored process was prepared and presented to Council in September 2021. The revised program comprised:

**Stage 1: Planning Scheme Preparation**

(until June 2022)

**Stage 2: State Interest Review**

(July - December 2022)

**Stage 3: Public Consultation**

(March - May 2023)

**Stage 4: Minister's Consideration**

(September - October 2023)

**Stage 5: Adoption**

(November/December 2023)

The revised program also included a range of other activities that went beyond the original program, the subject of Resolution 1. This included:

- A new Local Government Infrastructure Plan (LGIP) to be prepared in parallel to the preparation of a new planning scheme;
- Obtaining additional specialist technical input to update key technical and background information on key matters that directly inform the preparation of the new planning scheme; and
- Proposed incorporation of more extensive community and stakeholder engagement.

This resolution anticipated the finalisation of the new planning scheme for adoption in late 2023 and formal commencement in early 2024.

A Chief Executive Notice was provided to Council endorsing this program in December 2021 (Attachment 1). A timeline flowchart is included in Attachment 2.

### **Summary of Stage 1 - Planning Scheme Preparation**

In accordance with the Council resolution of 28 July 2022, a draft of the planning scheme and associated planning scheme policies were provided to the Department of State Development, Infrastructure, Local Government and Planning. Since that time, regular consultation has occurred with DSDILGP about drafting and policy matters and DSDILGP has provided an Information Notice (Attachment 3). Further to this notice, the DSDILGP have also provided a range of comments, questions, requests and suggestions for consideration in the preparation of a revision to the planning scheme. The response has resulted in amendments to the Ipswich Plan 2024 (Draft). A revised version of Ipswich Plan 2024 (Draft) is attached.

For clarity, the program is running approximately 1 month behind the projected timeline noted above and outlined in Attachment 2. Further mitigations may be required in respect to the timeline however these will be considered in the future.

### **Key Policy Issues from the DSDILGP Information Notice**

#### ***General Drafting***

General feedback was provided regarding a range of drafting advancements and policy positions aimed at improving the draft planning scheme and also to ensure the draft complies with the *Planning Act 2016*, *Planning Regulation 2017* and *Minister's Guidelines and Rules* guiding the preparation of planning schemes. Overall, core policy intent has not been changed.

#### ***Zoning Feedback***

Some specific feedback was provided regarding zones. These are largely minor amendments but do include some additional areas of medium density housing in response to suggestions contained in the Information Notice.

#### ***Housing***

A range of amendments to the *Planning Act 2016* and the *Planning Regulation 2017* have been made in respect to housing, specifically surrounding the definitions of Dwelling and Secondary Dwelling and the ability to regulate these types of dwelling product in planning schemes. These have been addressed and do shift the scheme policy but is consistent with the relevant legislation.

In addition, further advancements have been included in the revised draft planning scheme to address the range of housing necessary to provide housing choice, in response to feedback and the additional focus on housing provision in response to the housing crisis.

#### ***Flooding***

There were general comments about the policy position of the draft planning scheme regarding flooding and questions regarding the absence of a draft flood planning scheme policy. A draft planning scheme policy has now been provided and a range of amendments to the policy have also been provided. Core policy intent has not been changed.

#### ***Biodiversity***

Some adjustments to the language in the biodiversity provisions have been included, with a particular focus on consistency of policy intent with the terms 'Biodiversity' and 'Biological Diversity'.

### ***Waste***

Some adjustments have been made to the draft Resource Recovery and Waste Activity Code to respond to feedback regarding the policy intent and drafting.

### ***Character Controls***

Feedback was provided regarding the policy approach to the protection of character and the interactions between the *Planning Act 2016*, the draft planning scheme, and the *Heritage Act 1992*. These have been corrected to ensure that the policy is consistent with the relevant legislation and also ensures that there is clarity in the instrument.

Further policy advancement may be considered in the future to include a Heritage Register pursuant to the *Heritage Act 1992*. However, this can either be a future amendment to the scheme or be introduced outside of the planning scheme as an independent instrument. This will be considered in the future as part of the overall heritage program.

### ***Aboriginal and Torres Strait Islander Interests***

Some comments were also made on the incorporation of Aboriginal and Torres Strait Islander Interests into the draft planning scheme.

Section 5(2)(d) of the *Planning Act 2016* expresses as a purpose of the Act the valuing, protecting and promoting of Aboriginal and Torres Strait Islander knowledge, culture and tradition. The new Ipswich Planning Scheme must demonstrate how it advances this purpose.

The *ShapingSEQ* Regional Plan was prepared with significant amounts of time and effort being contributed by Aboriginal and Torres Strait Islander people. It recognises that the Traditional Owners in South-East Queensland have an ongoing and unique connection to their ancestral lands and have responsibilities to the land and sea under their traditional customs and laws and that both Traditional Owners and historical and contemporary residents are important stakeholders with differing needs and aspirations.

Council has a long history of engagement with Traditional Owners, including through its Indigenous Land Use Agreement (ILUA), one of the first to be entered.

It is recognised that the draft planning scheme includes Aboriginal and Torres Strait Islander interests but there is more to do in this space. Further engagement with Traditional Owners and cultural groups is encouraged and welcomed. It is expected that further engagement on this subject will extend beyond the life of the preparation of the new planning scheme and may form a future focussed amendment to the draft planning scheme.

***Additional Issues***

A further review of the draft planning scheme was undertaken by a range of officers whilst responding to matters arising from the Information Notice. This has resulted in a range of further adjustments to the draft planning scheme. These adjustments are also captured in a track changes in the version of the revised draft of the planning scheme - Ipswich Plan 2024 (Draft)(refer Attachment 4).

There are also some suggested zone adjustments which have been undertaken through the drafting process.

A register of the comments from DSDILGP has been maintained for reference to understand the scope, extent and scale of commentary made on the Draft Planning Scheme by DSDILGP to date.

**The Steps to Finalise the New Ipswich Planning Scheme**

Subject to the completion of the first State Interest Review by the DSDILGP, public consultation will occur. After public consultation is completed, Council will consider submissions received and make deliberations accordingly. The Ipswich Plan 2024 (Draft) will need to be further amended as required to accommodate Council’s responses to submissions. The further amended draft planning scheme will then be sent to DSDILGP for a final state interest review.

Following the final state interest review process and Council’s consideration of any matters arising, Council will then be in a position to formally resolve to adopt the Ipswich Plan 2024 (Final) as the new planning scheme.

**LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions:

*Planning Act 2016.*

**RISK MANAGEMENT IMPLICATIONS**

A risk to Council exists should the program experience further delays. At this point in time the project has been managed to accommodate the realised delays. Further mitigations may be required.

**HUMAN RIGHTS IMPLICATIONS**

<b>HUMAN RIGHTS IMPACTS</b>	
<b>OTHER DECISION</b>	
(a) What is the Act/Decision being made?	Recommendations A, B, C and D relate to the endorsement of the <i>Ipswich Plan 2024 (Draft)</i> and draft planning scheme policies for state interest review and for Council resolution to undertake public notification of the draft planning scheme and planning scheme policies.

(b) What human rights are affected?	The recommendations of this report seek Council to endorse the revised <i>Ipswich Plan 2024 (Draft)</i> for progression of the first state interest review in accordance with the <i>Planning Act 2016</i> . A formal statutory public consultation process is required to be undertaken including assessment of public submissions prior to final adoption of the new planning scheme. Prior to the final adoption of the new planning scheme it will be necessary for a thorough assessment of human rights to be considered and provided to Council as a component of the final report seeking Council’s resolution to formally adopt the new planning scheme.
(c) How are the human rights limited?	Not Applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not Applicable
(e) Conclusion	The decision is consistent with human rights.

**FINANCIAL/RESOURCE IMPLICATIONS**

There are finance and resource implications associated with preparation of the *Ipswich Plan 2024* and the associated parallel new Local Government Infrastructure Project. Project plans are in place, and budget has been considered in the 2022-2023 budget and will be further considered in the 2023-2024 budget.

**COMMUNITY AND OTHER CONSULTATION**

**Stakeholder Engagement and Public Notification**

The previous Council reports on this matter noted the need to undertake thorough community engagement of the draft planning scheme. A specialist consultant has been engaged to assist with the execution of this program and preparations are underway to deliver an engagement program consisting of:

- statutory notices and letters;
- advertising and social media;
- an updated web site;
- education material including educational videos and guidelines;
- a Shape your Ipswich page, seeking additional membership to assist in targeted engagement and communications; and

- a series of events including ability to talk to a planner to engage with stakeholders and the community.

Several items are already live, including:

- An updated web site;
- Education material on that web site including educational videos; and
- The 'Shape your Ipswich' page is live.

Planning issues can be emotive, and it is critical that the engagement with the community is as extensive and informative as possible. Importantly, the engagement program intended to be executed will exceed the requirements of the *Planning Act 2016* and the communications strategy approved by the Chief Executive of the Department of State Development, Infrastructure, Local Government and Planning and be the most extensive engagement processes undertaken by Council for a planning instrument. Preparation for this engagement will be the focus of the team following this resolution.

### ***ePlanning***

The current Ipswich Planning Scheme (2006) is published on the Ipswich City Council web site as a series of PDF's with a separate product displaying planning scheme mapping.

In past planning scheme consultation, there has been a heavy reliance on static PDFs and in some cases, the community getting access to hard copy versions of the planning scheme in libraries and other council facilities. This has meant that the ability to interpret and engage on the planning scheme has been severely limited.

There has been a significant evolution in technology allowing the move away from the use of a hard copy, printed scheme. An ePlanning platform will enable significant improvements in functionality and the publishing of an interactive electronic planning scheme and associated mapping. It is anticipated that this will change the way in which the community can get access to planning information.







In addition, the draft planning scheme has been prepared in a format that will provide better property-based information and enquiries, and the *Developmenti* system has been launched to provide better development information to the community and make using the planning scheme much more user friendly and accessible.

### **CONCLUSION**

It is recommended that Council resolve to endorse the revised draft Ipswich Planning Scheme (*Ipswich Plan 2024 (Draft)*) and associated maps and draft planning scheme policies for the purposes of progression of the first state interest review in accordance with the *Planning Act 2016*.

A new Local Government Infrastructure Plan (LGIP) is being prepared in parallel to the new planning scheme. In the near future a report to Council will seek endorsement of the draft LGIP for purposes of review by the Minister and public notification.

#### ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Chief Executive Notice (amended) proposed Ipswich City Council Planning Scheme  
2.	Project Timeline  
3.	Pause Notice and Information Request  
	CONFIDENTIAL
4.	Draft Ipswich Planning Scheme ( <i>under separate cover</i> )
5.	Strategic Framework Maps ( <i>under separate cover</i> )
6.	Zone and Precinct Maps ( <i>under separate cover</i> )
7.	Overlay Maps 1-4 ( <i>under separate cover</i> )
8.	Overlay Maps 5-7 ( <i>under separate cover</i> )
9.	Overlay Maps 8-11 ( <i>under separate cover</i> )
10.	Overlay Maps 12-16 ( <i>under separate cover</i> )
11.	Springfield Structure Plan Maps ( <i>under separate cover</i> )
12.	Planning Scheme Policy Figures ( <i>under separate cover</i> )

Brett Davey  
**MANAGER, CITY DESIGN**

I concur with the recommendations contained in this report.

Peter Tabulo  
**GENERAL MANAGER PLANNING AND REGULATORY SERVICES**

***“Together, we proudly enhance the quality of life for our community”***



Department of State Development, Infrastructure, Local  
Government and Planning

## Chief Executive Notice

### Amended Notice about the process for making a planning scheme under section 18(3)(b) of the *Planning Act 2016*

#### Proposed Ipswich City Council Planning Scheme

##### Part A – Preamble

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In accordance with section 18(4) of the *Planning Act 2016* (the Planning Act), the delegate of the Chief Executive of the Department of State Development, Infrastructure, Local Government and Planning (the Chief Executive) has considered the matters stated within the Minister's Guidelines and Rules (MGR) when preparing this notice under section 18(3)(b) of the Planning Act. The summary matters relevant to this decision are:

1. The notice given by Ipswich City Council (the council) under section (18)(2) of the Planning Act dated 9 September 2021.
2. Parts B of this notice comprise the provisions and process that apply to the proposed making of this planning scheme in accordance with section 18(6) of the Planning Act.
3. Unless stated otherwise, the process described in Appendix 1 of this notice is to be undertaken in the order in which it is prescribed. This does not preclude the need for steps to be repeated should changes be made to the proposed planning scheme for example.
4. In accordance with section 18(5) of the Planning Act, a communications strategy that the council must implement about the instrument is described in this notice.

##### Part B – Operative Provisions

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This part prescribes additional matters that are to be read in conjunction with the requirements set out in Appendix 1.

###### 1. Requesting Information

- 1.1 The Minister for Planning (the Minister) or the Chief Executive, as relevant to the process, may, at any time, give the council a notice requesting further information.

###### 2. Managing Timeframes

- 2.1 The Minister, the Chief Executive, or the council, may pause a timeframe (except for the public consultation timeframe) for an action for which they are responsible, by giving notice to any other party



in the relevant step of the process. This notice must state how long the timeframe will be paused and a date upon which the timeframe will restart.

- 2.2 If a notice to pause a timeframe is given, the process is paused from the day after the notice is given until the date stated in the notice, unless the notice is withdrawn by the party that gave the notice.
- 2.3 If a notice to pause a timeframe is withdrawn, the process restarts from the day after the withdrawal notice is given.
- 2.4 Despite section 2.1, if a notice to pause a timeframe is given with a request for further information as per section 1.1 above, the timeframe is paused until the request is satisfied.
- 2.5 The duration of a pause notice may be extended by the giving of another pause notice before the paused period ends.

### 3. Public Consultation

In addition to any steps relating to public consultation included in Appendix 1 of this notice and in accordance with section 18(5) of the Planning Act, the council is required to:

- 3.1 Publish at least one public notice about the proposal to make the planning scheme in a newspaper circulating in the council's local government area and on the council's website.
- 3.2 Keep the instrument available for inspection and purchase for a period (the consultation period) stated in the public notice of at least 40 business days after the day the public notice is published.
- 3.3 Give the Minister a notice containing a summary of the matters raised in the properly made submissions and stating how the council dealt with the matters as per Step 20.

### 4. Communications Strategy

The council is required to:

- 4.1 Comply with the minimum public consultation standards prescribed in the Planning Act.
- 4.2 Identify the relevant key stakeholders for the purposes of public consultation.
- 4.3 Undertake a range of consultation methods that can be considered 'best practice' and are fit-for-purpose, generally in accordance with the Communications Strategy (New Ipswich Planning Scheme (including New Local Government Infrastructure Plan)).
- 4.4 Prepare a report on public consultation for the Minister, to accompany the proposed planning scheme for adoption.
- 4.5 Undertake its engagement process detailed below in line with the principles detailed in part 1 of the Department of State Development, Infrastructure, Local Government and Planning's (the department) *Community Engagement Toolkit for Planning*.

### 5. Changing the Proposed Planning Scheme

- 5.1 The council may make changes to the proposed planning scheme to—
  - 5.1.1 address issues raised in submissions;
  - 5.1.2 amend a drafting error;
  - 5.1.3 address new or changed planning circumstances or information; or
  - 5.1.4 address a matter or the Minister's condition raised during state interest review to appropriately integrate a state interest.
- 5.2 The council must ensure any changes made to the proposed planning scheme continue to appropriately integrate and address relevant state interest/s, including those identified in a state interest review.
- 5.3 If the council changes the proposed planning scheme and the change results in the proposed planning scheme being significantly different (having regard to schedule 2 of the MGR) to the version released

for public consultation, and public consultation has started or been completed, the council must repeat the public consultation required for the proposed planning scheme.

- 5.4 If public consultation is required to be repeated as a result of changes which result in the proposed planning scheme being significantly different, the council may limit the public consultation to only those aspects of the proposed planning scheme that have changed.
- 5.5 If public consultation is required to be repeated, the timeframes established in Step 18 apply.

**6. The Chief Executive Actions**

- 6.1 For the Chief Executive actions given in this notice under section 18 of the Planning Act, the Chief Executive includes the Director-General, the Planning Group Deputy Director-General, Executive Director, Director, and Manager of the Planning Group in the department.

APPENDIX 1 - Tailored process – Ipswich City Council – Notice about the process for making a planning scheme under section 18(3) of the *Planning Act 2016*

Step	Type of action	Summary of action	Specific actions	Commentary	Entity responsible for task	Recommended timeframe (business days)
Step 1	Planning and preparation	Local government notifies the Chief Executive of preparation & requests confirmation of state interests and early state interest review	The local government must give notice to the department of the nature and details of the proposed planning scheme and requests confirmation of state interests and early state interest review.	It is proposed that the confirmation of state interests (early state interest review) will occur as part of the preparation and consultation on the draft Strategic Framework. (refer to Steps 2, 3 and 4).  Step 1 completed when the Chief Executive provides a Notice under section 18(3) of the Planning Act and which sets out the process that Ipswich City Council must follow during the plan-making process.	Local Government	Completed
Step 2		Local government prepares draft planning scheme	The local government must prepare a draft planning scheme.	Preparing the draft planning scheme will be staged: 1. Initial focus on preparing and consulting on the draft Strategic Framework (Statement of Proposals)- 2. Finalisation of draft Strategic Framework and preparation of draft detailed zoning and operational provisions (draft of the balance of the planning scheme).	Local Government	12 months
Step 3		Local government consults with the department	The local government must consult with the department (who will coordinate state agency input) while preparing the draft planning scheme.	Engagement and consultation with the department will occur throughout preparation of the planning scheme (refer to the Communications Strategy for information on engagement with the department).	Local Government	None
Step 4		State comments on draft planning scheme	Whole of state agency comments provided to the council about the draft strategic framework.	A coordinated written response containing state agency comments will be provided the council.	Chief Executive	None
<b>State interest review</b>						
Step 5	State interest review	Local government provides notice to commence the state interest review process	The local government must give a notice to the Chief Executive to commence the state interest review that includes— 1. An electronic copy of the proposed planning scheme in the format identified by the department. 2. An electronic copy of the proposed planning scheme in the format identified by the department. 3. A written statement addressing the state interests in the relevant regional plan and SPP which includes— a. how the state interests are integrated in the planning scheme; b. reasons why any state interests have not been integrated in the planning scheme; and c. any state interests that are not relevant.	The state interest review will be substantially informed and addressed through the early state interest review undertaken during the preparation of the draft planning scheme.	Local; Government	None

Step	Type of action	Summary of action	Specific actions	Commentary	Entity responsible for task	Recommended timeframe (business days)
			<ol style="list-style-type: none"> <li>4. A written statement about how the key elements of a planning scheme mentioned in section 16(1) of the Planning Act have been addressed and if the planning scheme is consistent with the regulated requirements.</li> <li>5. A proposed communications strategy if one has not been given with the notice under section 18(2) of the Planning Act.</li> <li>6. Any background studies or reports that informed the preparation of the planning scheme, including any strategic study or report, or review required under section 25(1) of the Planning Act.</li> <li>7. Any natural hazards, risk and resilience evaluation report prepared having regard to the SPP.</li> <li>8. Any draft feasible alternatives report prepared for a planning change made to reduce the risk of natural hazards, including details of the potentially affected premises and any relevant supporting information.</li> <li>9. Shapefiles of any mapping.</li> <li>10. A summary of consultation with state agencies and the outcome of the consultation.</li> <li>11. Any other information considered relevant by the local government.</li> </ol>			
Step 6		Chief Executive undertakes the state interest review	The Chief Executive must undertake a state interest review.		Chief Executive	To commence within 5 days of receiving the notice to commence the state interest review
Step 7		Chief Executive considers key Act & Regulation matters	<p>As part of the state interest review, the Chief Executive must consider if the proposed planning scheme—</p> <ol style="list-style-type: none"> <li>a) advances the purpose of the Planning Act;</li> <li>b) is consistent with section 16(1) of the Planning Act;</li> <li>c) is consistent with the regulated requirements prescribed in the Planning Regulation;</li> <li>d) is well drafted and clearly articulated; and</li> <li>e) accords with the result of any strategic study or report, or review required under section 25(1) of the Planning Act.</li> </ol> <p>The Chief Executive may also consider the information given with the notice to commence the state interest review.</p>		Chief Executive	Concurrent with state interest review, to commence within 5 days of receiving the notice to commence to state interest review
Step 8		Chief Executive advises of changes required	<p>The Chief Executive may give notice to the local government advising of any changes—</p> <ol style="list-style-type: none"> <li>a) to the proposed planning scheme required to address state interests</li> <li>b) to the proposed communications strategy as a result of the state interest review.</li> </ol>		Chief Executive	During the state interest review period (60 business days from commencement of the state interest review)

Step	Type of action	Summary of action	Specific actions	Commentary	Entity responsible for task	Recommended timeframe (business days)
Step 9		Chief Executive provides outcomes of state interest review	The Chief Executive must give notice to the local government of the outcome of the state interest review.		Chief Executive	60 business days from commencement of the state interest review
Step 10		Chief Executive provides conditions of state interest review	The Chief Executive may include conditions that apply to the proposed planning scheme, including the timing on when the conditions must be complied with.		Chief Executive	Concurrent with the notice giving the outcome of the state interest review
<b>Public consultation</b>						
Step 11	Public consultation	Local government commences public notice as per the Planning Act, MGR, etc.	The local government must give public notice in accordance with: a) the public notice requirements prescribed in the Planning Act, Schedule 2, definition of public notice, paragraph (b); b) Schedule 4 of MGR; and c) the communications strategy, including any amended strategy requested by the Chief Executive.	Refer to the Communications Strategy for further information about the consultation.	Local Government	None
Step 12		Local government publishes a public notice - minimum 40 business days	The local government must publish a public notice about the proposal to make or amend the planning scheme. It must state that any person may make a submission about the instrument to the local government within the consultation period.	Refer to the Communications Strategy for further information about the consultation.	Local Government	The consultation period must be a minimum period of 40 business days, commencing after the day the public notice is published in a newspaper circulating in the local government area.
Step 13	Considering submissions	Local government considers all properly-made submissions	The local government must consider all properly made submissions about the proposed planning scheme.		Local Government	None
Step 14		Local government prepares written consultation report	The local government must prepare a written consultation report that is— • available to view and download on the local government’s website; and • available to inspect and purchase in each of the local government’s offices.		Local Government	Within 40 days of the close of the consultation period
Step 15		Local government notifies submitters about submissions consideration process	The local government must notify persons who made properly made submission about how the local government has dealt with the submissions.		Local Government	None
Step 16	Changing the proposed instrument	Local government makes changes as a result of submissions, changed circumstances, etc.	The local government may make changes to the proposed planning scheme to: • address issues raised in submissions; • amend a drafting error; or • address new or changed planning circumstances or information.		Local Government	None

Step	Type of action	Summary of action	Specific actions	Commentary	Entity responsible for task	Recommended timeframe (business days)
Step 17		Local government ensures changes made still meet relevant state interests	The local government must ensure any changes made to the proposed instrument continue to appropriately integrate and address relevant state interests, including those identified in a state interest review.		Local Government	None
Step 18		Local government restarts or repeats consultation due to scheme changes	If the local government changes the proposed planning scheme and the change results in the proposed scheme being significantly different (having regard to schedule 2 of the MGR) to the version released for public consultation, and public consultation has started or been completed, the local government must restart or repeat the public consultation required for the proposed scheme with the changes made.	If this step is required to be undertaken, then the starting and completing subsequent steps 20 to 25 will be changed by a corresponding time to that taken to complete steps 18 and 19.	Local Government	None
Step 19		Local government limits public consultation to only those aspects changed	If re-consultation is required as a result of changes which result in the instrument being significantly different, the local government may choose to limit the public consultation to only those aspects of the proposed planning scheme that have changed.	If this step is required to be undertaken, then the starting and completing subsequent Steps 20 to 25 will be changed by a corresponding amount of time to that taken to complete Steps 18 and 19.	Local Government	None
<b>Minister's consideration</b>						
Step 20	Minister's consideration	Local government requests adoption of scheme	The local government must give the Minister a notice to request adoption of the planning scheme that includes— a) an electronic copy of the planning scheme, clearly identifying any change that has been made to the proposed planning scheme since the state interest review b) a written consultation report c) the reasons why the local government doesn't consider the proposed planning scheme to be significantly different from the version for which public consultation has been undertaken.		Local Government	Within 40 days of the close of the consultation period
Step 21		Minister provides approval to adopt	The Minister must give the local government a notice stating— a) if the local government may adopt the proposed planning scheme; and b) the Minister's conditions, if any, that apply to the proposed planning scheme; or c) if the proposed planning scheme may not be adopted, the reasons why it may not be adopted.		Minister	Within 40 business days of receiving the notice from local government requesting adoption of the planning scheme
Step 22		Minister provides conditions of adoption	Any ministerial conditions stated on the notice given must be complied with before the local government may adopt the proposed planning scheme, unless stated otherwise in the notice.		Minister	None
<b>Adoption</b>						
Step 23	Adoption	Local government decides to adopt scheme	The local government must decide to adopt or not proceed with the proposed planning scheme.		Local Government	None

Step	Type of action	Summary of action	Specific actions	Commentary	Entity responsible for task	Recommended timeframe (business days)
Step 24		Local government publicly notifies adoption	<p>If the local government decides to adopt the proposed planning scheme, the local government must publish a public notice in accordance with the requirements of the Planning Act, Schedule 2, definition of public notice, paragraph (c) that must state—</p> <ul style="list-style-type: none"> <li>a) the name of the local government;</li> <li>b) the decision made by the local government about the planning scheme;</li> <li>c) the date the planning scheme was adopted;</li> <li>d) the commencement date for the planning scheme (if different to the adoption date);</li> <li>e) the title of the planning scheme;</li> <li>f) if the planning scheme only applies to part of the local government area, a description of the location of that area;</li> <li>g) the purpose and general effect of the planning scheme; and</li> <li>h) where a copy of the planning scheme may be inspected and purchased.</li> </ul>	Step also includes preparing the final version of the adopted Ipswich Planning Scheme, systems updates and publication.	Local Government	None
Step 25		Local government provides public notice and copy of scheme to the Chief Executive	The local government must give the Chief Executive a copy of the public notice; and if adopted, a copy of the planning scheme.		Local Government	Within 10 business days of publishing a public notice

Dated this 9<sup>th</sup> day of December 2021



Kerry Doss  
State Planner  
Department of State Development, Infrastructure,  
Local Government and Planning

















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ITEM: 9

FROM: MAYOR TERESA HARDING, DIVISION 3 COUNCILLORS MARNIE DOYLE AND ANDREW FECHNER

RE: NOTICE OF MOTION - UPGRADE OF MEMORIAL HONOURING THE LIFE OF DEIDRE KENNEDY

DATE: 2 MARCH 2023

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This is a joint notice of motion submitted by Mayor Teresa Harding and Division 3 Councillors (Councillors Marnie Doyle and Andrew Fechner) proposing an upgrade to the memorial currently located near Bill Paterson Oval, Limestone Park which honours the life of Deidre Kennedy.

On the night of 13 April 1973, 17-month-old Deidre Kennedy was abducted from her Ipswich home and murdered. It was a crime that shook the nation and sent a wave of fear and despair across Ipswich.

Almost 50 years on, this joint Notice of Motion proposes to upgrade the existing memorial plaque which is currently attached to a rotunda in Limestone Park.

The scale and location of the existing memorial plaque does not adequately represent the significance of this sad moment in Ipswich's history. In its current position, the Kennedy family, friends and residents are unable to leave fitting tributes and floral arrangements to celebrate and honour Deidre's life.

Therefore, Mayor Teresa Harding and Division 3 Councillors Marnie Doyle and Andrew Fechner are seeking Council's support to upgrade the current plaque, reattach it to a sandstone block or similar base, and relocate it to the neighbouring garden bed.

It is hoped this would serve as an appropriate and longstanding memorial of Deidre Kennedy's life, creating a suitable place for Deidre's family to come together with the community on the upcoming 50<sup>th</sup> anniversary on Thursday 13 April 2023.

This proposal is supported by the Kennedy family, who would welcome Council's ongoing support in ensuring Deidre's memory will never be forgotten.

**Image 1: Existing memorial**



**Image 2: Example of upgraded memorial**



Mayor Teresa Harding and Councillors Marnie Doyle and Andrew Fechner gave notice of their intention to move the following motion at the Growth Infrastructure and Waste Committee Meeting of 9 March 2023:

### **MOTION**

**That Council upgrade the current memorial honouring Deidre Kennedy's life, currently located at Bill Paterson Oval, Limestone Park and resolve to:**

- a) Upgrade the existing plaque to a large brass/bronze plaque or similar, with the design and inscription of the new plaque to be confirmed by Mayor Harding and Councillors Marnie Doyle and Andrew Fechner, on behalf of the Kennedy family.**
- b) Relocate the new memorial plaque to the garden bed adjacent to the existing plaque, mounted on a sandstone base.**
- c) To have these works completed before 13 April 2023.**
- d) Report back to the GIW Committee, following 13 April 2023, on the cost and timeline for any additional embellishments the Kennedy family proposes for this site, for Council's consideration.**