

9 April 2020

M E M O R A N D U M

TO: MR STEVE GREENWOOD-INTERIM ADMINISTRATOR

FROM: PETER TABULO

**RE: TEMPORARY LOCAL PLANNING INSTRUMENTS NO. 1 AND NO. 2 OF 2020
(WASTE ACTIVITY REGULATION)**

Steve, it has come to our attention that there was a discrepancy in the dates for the commencement of the TLPI No. 2/2020, from what was approved by the Minister, to what was presented to Council in Attachment 4 that accompanied the report to Council on the 24.3.2020.

While the date was not explicitly mentioned in the Minutes, the fact there is a difference between the Minister's approval and the document that Council produced, we consider that it best to err on the side of caution and ensure that the two dates align to avoid any confusion. To this end we seek confirmation from you as Interim Administrator that you concur with the request to have Attachment 4 in the Minutes of the Council meeting amended accordingly. A recommendation is provided at the end of this memo.

The following are the relevant sections of the documentation relevant to this matter:
Letter from the Minister 18.3.2020.

Additionally, I wish to advise that the council's request for an earlier effective date in accordance with section 9(4) of the Planning Act has been approved. As such, TLPI No. 2 of 2020 will be effective from 28 January 2020, the date the council resolved to make the instrument, and will be valid for a period of up to two years.

Council Minutes 24.3.2020

**TEMPORARY LOCAL
PLANNING
INSTRUMENTS NO. 1
AND NO. 2 OF 2020
(WASTE ACTIVITY
REGULATION)**

The Interim Administrator of the Ipswich City Council resolves:

- A. That Council adopt Temporary Local Planning Instrument No. 2 of 2020 as included in Attachment 4 in accordance with correspondence from the Minister for State Development, Manufacturing, Infrastructure and Planning dated 18 March 2020 approving the making of the instrument.
- B. That the Manager, City Design, be requested to attend to the relevant matters associated with the implementation of the temporary local planning instrument, including:
1. amending the relevant documents and Council databases;
 2. placement of public notices of the temporary local planning instrument; and
 3. forwarding notification of the adoption of the temporary local planning instrument to the Chief Executive of the Department of State Development, Manufacturing, Infrastructure and Planning pursuant to the provisions of the Planning Act 2016 and the Minister's Guidelines and Rules.

The motion was put and carried.

Attachment 4**PART 4 – DURATION OF TLPI**

- 4.1 In accordance with section 9(3)(a) of the *Planning Act 2016* (the Planning Act) the effective day for the TLPI is 7 April 2020.
- 4.2 This TLPI will have effect in accordance with the Planning Act for a period not exceeding two years from the effective day or such longer period as may be permitted by law or unless otherwise repealed sooner.

Recommendation

That for the purpose of correcting an administrative error with respect to the effective day of commencement of the TPLI No.2/2020 so that it aligns with the Minister's approval of the 18.3.2020, that the Minutes of Council's Ordinary Meeting dated 24/3/2020 be amended by in Attachment 4, clause 4.1 by deleting "7 April 2020" and replacing it with "28 January 2020", so it reads as follows:

4.1 In accordance with section 9(3) (a) of the Planning Act 2016 (the Planning Act) the effective day for the TLPI is 28 January 2020.



Peter Tabulo

9/04/2020

General Manager

Planning and Regulatory Services

I concur with this recommendation

Steve Greenwood

Interim Administrator