

HANDOUT #4

Governance and Planning Policy Settings Gold Coast City Council (GCCC)

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1. A Brief Overview of Governance Arrangements

The following material has been drawn from Queensland Government websites.

Governance arrangements for local government in Queensland is laid out in the website of the Queensland Department of Local Government, Racing and Multicultural Affairs - the relevant link is <https://www.dlgrma.qld.gov.au/local-government/governance.html>

The Local Government Act 2009 (<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2009-017>) (“the Act”) provides for a system of local government that is required to be accountable, effective, efficient and sustainable. This legislation is founded on five local government principles:

- Transparent and effective processes and decision-making in the public interest
- Sustainable development and management of assets and infrastructure, and delivery of services
- Democratic representation, social inclusion and meaningful community engagement
- Good governance of, and by, local government
- Ethical and legal behaviour of local government employees.

These principles apply to anyone—including mayors, councillors, CEOs and all council employees performing a responsibility under the Act.

The Act defines the responsibilities and powers of the executive arm (elected mayors and councillors) and the administrative arm (the CEO and other council employees).



As the executive arm, the mayor and councillors make local laws and determine policy and other matters at a strategic level. They are responsible for determining and setting the overall direction of the local government. The executive arm determines the way the council achieves the purpose and principles of local government. Ultimately, the executive arm is directly responsible to the community for its performance.

The role of the CEO includes implementing the decisions of the executive arm. In fulfilling this role, the CEO manages the day-to-day operations of the local government in accordance with the plans and policies determined by the executive arm.

Councillors should adopt a strategic approach and focus on the policy directions of the local government and delivery of services in the public interest. The Act recognises that the primary accountability of a local government is to its community, and that the decisions of the local government must be made with regard to the benefit of the entire local government area.

Councillors are responsible for planning for the future of their communities and developing strategies and policies to achieve those plans. Councillors need to demonstrate strategic vision and leadership by putting in place principles policies and local laws. A strategic focus helps ensure that the council can plan for and meet the future needs of its community. The Act specifies Councillors' responsibilities (<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2009-017#sec.12>)

The CEO is the senior (i.e. general) manager of the council and is responsible for implementing the policies and decisions of the local government and managing the council's day-to-day business and operation. The ACT specifies the responsibilities of employees including the CEO (<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2009-017#sec.13>)

An outline of how Queensland's new planning system works is in the department's website (<http://www.dlgrma.qld.gov.au/resources/planning/better-planning/new-planning-system-fact-sheet.pdf>). It is clear from this document that the GCCC has a considerable role in determining many facets within the planning codes for its local area.

Therefore, under Queensland's new planning system, it is within the power of the council to set certain planning policies (such as those outlined below) to be implemented by Council employees when considering DAs and making recommendations to the council.

2. Possible Policy Settings for Consideration of Development Applications (DAs)

In considering DAs and making recommendations to Councillors and relevant Council Committees, staff shall do so within the policy framework outlined below.

1. Development applications (DAs) will adhere to the requirements prescribed in the published city plan.
2. GCCC will only consider DAs that do not meet these requirements in the following circumstances
 - a. If the DA had been classified as a code assessable, it will be reclassified as impact assessable
 - b. The proposed setbacks and site coverage are no more than 5% less than that required under the current City Plan
 - c. The proposed development is 500m or less from a light rail station
 - d. The DA has been endorsed by relevant traffic, fire and other relevant authorities
3. Substantial changes to DAs will be treated as a new DA and a new process will commence with its own timeframes
4. Timeframes established at the beginning of a process will be maintained to allow appropriate community consultation to occur

5. DAs will not rely on adjacent blocks to achieve required separation of towers for light, air shadowing etc
6. Where there is apparent conflict of planning codes the following precedence will be observed
 - a. The current City Plan
 - b. The High-Density Residential Code
 - c. The Light Rail Urban Renewal Code