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Our Ref: PLN-SPOLA

Date: 12 October 2012

Attn: State Development, Infrastructure and Industry Committee
Parliament House
George Street
BRISBANE QLD 4000

Via: Mail and Email (sdiic@parliament.qld.gov.au)

Dear Sir/Madam

**RE: SUBMISSION ON THE SUSTAINABLE PLANNING AND OTHER LEGISLATION
AMENDMENT BILL 2012**

Thank-you for the opportunity to make a submission to the State Development, Infrastructure and Industry Committee regarding the *Sustainable Planning and Other Legislation Amendment Bill 2012* (the Bill). Primarily, the Bill will amend the *Sustainable Planning Act 2009* (the Act) to commence a reform process we consider necessary to simplify Queensland's planning system to deliver better outcomes for our communities, environment, jobs and regions.

ABOUT RPS

RPS Australia East Pty Ltd (RPS) is an international consultancy active in the urban growth, energy and resources, environment and infrastructure sectors. Globally, we employ over 4500 people with more than 600 staff located in Australia. Our offices extend throughout Queensland, with local staff in Brisbane and many regional centres from the Gold Coast to Cairns.

Since the late 1970s, RPS's planning team has had a deep involvement in the Queensland planning and property sectors. We work with a diverse selection of companies across the resources and urban development sectors, State Government agencies and Local Governments.

SUBMISSION

The Amendment Bill addresses a number of issues within the Act that unnecessarily complicate the planning process. RPS generally supports the changes proposed, however considers that there are a number of operational issues which will be important to the successful implementation of the amendments. These are elaborated upon in this submission.

Our comments on the proposed amendments are as follows.

Proposed SPOLA Bill Amendments

- Removal of Master Planning – RPS supports this proposed change.
- Removal of State Resource Entitlement – RPS supports this proposed change.
- Discretion on Properly Made – RPS supports this proposed change.
- Assessment Manager and Referrals (SARA) – RPS supports this proposed change to a coordinated State involvement.
- Appeals and Mediation – RPS supports this proposed amendment.

- Court Costs – RPS is supportive of the proposed changes.

Operational Considerations

We consider the following issues to be important to the success of these proposed amendments include the following.

SARA

- RPS supports the opportunity to enhance the State's input on development and streamline assessment timeframes. We see that it is imperative for the SARA to be appropriately funded and resourced to ensure that the agency can proactively guide the State's involvement in the planning process. We recognise there are necessary changes to the *Sustainable Planning Regulation 2009* (SPR) to implement the SARA, and it is these changes that will be critical to the success or failure of this intention.
- Where a S.242 Preliminary Approval exists, the Preliminary Approval should address referral matters and there should, in most cases, be no subsequent referrals in the later application(s) for a Development Permit(s). State agency matters should be clearly expressed in the Preliminary Approval and resolved by conditions or further Local Government assessment (unless otherwise agreed to by the applicant).
- We would expect that:
 - » Where a Development Application triggers only one concurrence matter, the operational arrangements would ensure there is no delay in the application reaching the relevant staff;
 - » The arrangements must maintain technical skills and specialist knowledge within the agency best equipped to address specific issues; and
 - » The SARA acts in an effective manner and does not simply become a conduit or postbox for other State input.

Appeals and Mediation

- In regard to appeals and mediation matters, to facilitate the effective action by Alternative Dispute Resolution (ADR) Registrar, sufficient funding and support will of course be necessary to facilitate this aspect of the Planning and Environment Court.

RPS would be happy to elaborate to the Committee on the matters outlined above or provide further information as needed.

We trust this information is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact the writer by telephone.

Yours faithfully

RPS

A handwritten signature in black ink, reading 'Désirée Houston-Jones'.

DÉSIRÉE HOUSTON-JONES
Technical Director – Planning