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State Development, Tourism, Innovation and
Manufacturing Committee
Parliament House
George Street
BRISBANE QLD 4000

Via email: sdtimc@parliament.qld.gov.au

8 June 2020

Dear Committee Secretary,

Re: Submission Regarding the Forest Wind Farm Development Bill 2020

I refer to the Forest Wind Farm Development Bill 2020 (the Bill) that was introduced into the Queensland parliament on 20 May 2020 by the Hon. Kate Jones MP and subsequently referred to the State Development, Tourism, Innovation and Manufacturing Committee for detailed consideration.

On behalf of the Ipswich City Council, I make the attached submission to the Bill. The Council's submission relates to the proposed amendments to the *Planning Act 2016* detailed in Part 8, Division 4 of the Bill. The details of this submission are contained within Table 1 attached to this correspondence.

If you require further information or clarification in relation to any part of this submission, please contact myself by email [REDACTED]

Yours faithfully

A handwritten signature in black ink, appearing to read 'P Tabulo'.

Peter Tabulo
GENERAL MANAGER (PLANNING AND REGULATORY SERVICES)

Attachment – Table 1 – Ipswich City Council Submission Details

Table 1 – Ipswich City Council Submission Details

Section	Council Submission
275V(3)	The Council acknowledges the discretion provided to it under subsection (3), however the Council seeks guidance as to how the words " <i>materially affects</i> " and " <i>impracticable</i> " are to be interpreted by it when exercising its discretion.
275W	<p>In Council's opinion, this section requires plan applications to be "consistent with" the preceding master planning framework.</p> <p>The Council submits that the term "consistent with" is inconsistent with the drafting of section 60 of the Planning Act (Deciding development applications) which uses the phrase "comply with". Council requests that the terminology be amended to be consistent with section 60 of the <i>Planning Act 2016</i>. In the alternative, Council requests that clarity be given as to the bounds of "consistent with" so Council decisions can be more transparent.</p>
275X, 275Y & 275Z	As a consequence of including these sections, the Bill duplicates the consultation process provided for by section 2.2.4.6 of the Springfield Structure Plan. Council submits that this results in an inefficient outcome by requiring an applicant to provide the non-SCG plan application to SCG which is additional to those requirements for the Council under the Springfield structure plan. Council submits that the Bill be amended to address this issue by preventing Council from having to duplicate this process.
275Y	<p>The Council submits the following amendment be made (underlined) to give clarity to subsection 275Y(1):</p> <p><i>A non-SCG plan application <u>made to the local government</u> must be accompanied by- [...]</i></p>
275Z(1)	<p>The Council considers the scope of representations that "SCG must give" about particular matters are subjective in nature and outside of matters which SCG has responsibility for pursuant to the Springfield Infrastructure Agreement.</p> <p>The Council submits that the following amendments be made:</p> <p>(a) subsection 275Z(1)(a), the words "<i>adverse impact on the structure plan area</i>" should be replaced with "<i>whether the plan application complies with sections 275W(3) and 275W(5)</i>"; and</p> <p>(b) subsection 275Z(1)(b) should be restricted to "<i>whether the premises are or will be serviced by infrastructure that has been accommodated for within the approved water and sewerage master plans or whether infrastructure needs to be augmented by the distributor-retailer to facilitate the development; and</i>".</p>
275Z(2)	<p>The Council submits the following amendment (underlined) be made to give clarity to subsection 275Z(2):</p> <p><i>In deciding the non-SCG plan application, the local government must have regard to <u>a statement that complies with subsection (1)</u>.</i></p>

275ZD	<p>The Council submits the following amendment (underlined) be made to give clarity to subsection 275ZD(1):</p> <p><i>This section applies if a person gives a dispute notice, <u>under section 275ZE(3)(b)</u>, to the local government in relation to a development application or change application.</i></p>
275ZE(3)(a) & 275ZF	<p>The Council submits that the Bill be amended to provide consistency with subsection 275ZE(3)(b) by allowing interested parties, who Council may seek a submission from pursuant to section 2.3.1 of the Springfield Structure Plan, the ability to give a dispute notice and elect to join a dispute.</p>
353(1)	<p>The Council submits that subsection 353(1) be expanded such that section 275ZB does not apply to a development application properly made to the local government, but not decided, before the commencement of the Bill.</p> <p>The Council submits that this would allow the Council to continue to assess the properly made development application following the commencement of the Bill and allow the applicant to proceed with the development under that development approval, if given by the Council.</p>