

Your reference  
Our reference  
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The Hon. Cameron Dick MP  
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4 December 2019

Dear Minister

Thank you for your letter of 21st November 2019 regarding the Springfield Structure Plan and your consideration of a section 26 direction.

Ipswich City Council is very supportive of reaching a mutually agreeable solution between ourselves and Springfield City Group (SCG) in respect to these matters.

In respect to the actions proposed, Council provides the following comments (in the same order as those proposed in your correspondence):

**1. Mandatory Planning Process**

It is considered that whilst this process may appear to be rational from a theoretical planning perspective, the suggested process to embed the planning process as described is actually inconsistent with the findings of the Cherish appeal. In doing this, there is a risk that this process is taking away the established rights of other parties and introducing new rights for SCG, contrary to the findings of the Court of Appeal. It is also unclear what problem is trying to be corrected by instituting this step in the process, especially noting the below points (including consultation and ADR) which can be utilised to identify and determine any inconsistencies with previous approvals or established instruments.

**2. Views of SCG sought and considered as part of preparing a precinct plan**

It is recommended that this process be suggested but not mandatory. In the event this does not occur, this can be resolved in point 3.

**3. Views of SCG sought and considered in assessing a precinct plan**

This process occurs currently but is not transparent and does not have clear governance. It is considered that there should be an appropriately transparent process in order to facilitate this outcome, including time limitations. A process should be developed to achieve this as part of any subsequent amendments and such a process should be appropriately governed, transparent and coordinated by the assessment manager as part of the lodgement process of an application.

**4. Do not approve plans unless SCG has provided advice to the assessment manager that adequate infrastructure has been provided**

This additional requirement would be unnecessary given items 2 and 3, and given that whilst there are infrastructure agreements in place, it is the responsibility of both the assessment manager and Urban Utilities to ensure that adequate provision is made for infrastructure to service individual developments.

**5. Alternate dispute resolutions provisions apply to changes described above**

Agreed.

**6. Alternative dispute resolution process is limited to applicant and SCG**

Agreed, however there are other gaps in this process that require adjustment to promote certainty and transparency. I anticipate that any subsequent amendments would address the following limitations:

- Institution of an ADR can be by SCG or the applicant for the specific proposal;
- Whomever institutes must notify other parties (including the assessment manager);
- The process must be commenced within 14 days of the proposal being determined by the assessment manager.

Again, thank you for the opportunity to comment. In the event clarification is required, officers of your department can contact Brett Davey on (07) 3810 6258.

Kind regards,



Greg Chemello

**INTERIM ADMINISTRATOR**