



The Hon. Cameron Dick MP
Minister for State Development, Manufacturing,
Infrastructure and Planning

Our ref: MBN19/1798

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17 October 2019

Mr David Farmer
Chief Executive Officer
Ipswich City Council
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IPSWICH QLD 4305

Email: david.farmer@ipswich.qld.gov.au

Dear Mr Farmer

I refer you to the collaborative partnership for managing development assessment within the Ripley Valley Priority Development Area (PDA) in the form of an instrument of delegation and direction (IoDD), made by me as Minister for Economic Development (MEDQ) in favour of the Ipswich City Council (the council). As a result of amendments to the *Economic Development Act 2012* (ED Act), I have signed a new IoDD in favour of the council (enclosed) which comes into effect when the amendments take effect with the anticipated proclamation date being 9 December 2019).

The *Economic Development and Other Legislation Amendment Act 2019* (EDOLAA) was passed on 11 April 2019 and included amendments to the plan making and development assessment provisions under the ED Act. The plan making amendments commenced when the EDOLAA was assented to, while amendments related to development assessment will commence on a date to be fixed by a proclamation regulation. A new IoDD, signed by the MEDQ in favour of each current delegate, is necessary to reflect the amendments to the ED Act and to ensure current delegations remain in effect. The delegations need to be in place, together with any instruments of sub-delegation, by the proclamation date.

In relation to development assessment powers and functions, new powers under EDOLAA are delegated to issue PDA exemption certificates and to undertake enforcement actions. For the assessment of PDA development applications, the relevant division in the ED Act is delegated in its entirety, including the new EDOLAA provisions.

I draw your attention to the delegation of the MEDQ's entire decision-making powers for a PDA development application, including the consideration of state interests and determining whether to impose conditions on an approval or to refuse an application. A direction in the IoDD requires consultation regarding state interests, in accordance with the process described in a practice note published by Economic Development Queensland (EDQ). The process in *Practice Note 14: State interests in development assessment in priority development areas* (draft enclosed) has been revised and the final version of the practice note will apply from the date the IoDD takes effect.

It is my expectation that as a delegate of the MEDQ, the council will exercise these and all other delegated powers and functions judiciously, as a representative of the State, in accordance with the ED Act. As a delegate, the council must ensure that when sub-delegating the MEDQ's powers, all sub-delegates are appropriately qualified and that suitable training and operational arrangements are in place for all sub-delegates.

The delegation of the MEDQ's powers and functions does not prevent me from giving a direction on a specific matter. This delegation also does not prevent me from choosing to perform a delegated function or exercise a delegated power myself. You will note that the directions in the IoDD identify circumstances when a delegate must notify or consult EDQ. These communications, in addition to six-monthly reporting, provide me with the opportunity to oversee delegate performance and monitor delegate decision making. A new format for reporting will be provided to the delegates for the June 2020 report.

Furthermore, in circumstances where the council is carrying out development in the PDA, appropriate arrangements must be in place to clearly separate the respective functions of the council as the MEDQ delegate and as the development proponent.

I would also like to emphasise that EDQ plays an important role in assisting delegates execute delegated powers and functions under the ED Act. A number of EDQ guidelines have been prepared to facilitate the development outcomes sought by the Ripley Valley PDA Development Scheme. In addition, the Certification Procedures Manual offers a streamlined operational works process to promote the efficient delivery of development within PDAs. EDQ can provide guidance on administrative aspects (such as forms, fees and registers); bring delegates together to share learning and experiences; and work with applicants and delegates to resolve disputes. All communications with EDQ may be sent to: MEDQdelegations@dsdmip.qld.gov.au.

I encourage the council's ongoing collaboration with EDQ to achieve the outcomes sought under the ED Act for the Ripley Valley PDA.

If you require any further information, please contact my office on (07) 3719 7200 or email statedevelopment@ministerial.qld.gov.au.

Yours sincerely



CAMERON DICK MP
Minister for State Development, Manufacturing,
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