



15 November 2019

Mr Peter Achterstraat AM  
NSW Productivity Commissioner  
NSW Productivity Commission  
Via email  
[ProductivityFeedback@treasury.nsw.gov.au](mailto:ProductivityFeedback@treasury.nsw.gov.au)

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Dear Mr Achterstraat,

**Qube Holdings' submission to the NSW Productivity Commissioner in relation to the review of the Independent Planning Commission**

We welcome the NSW Productivity Commission's review (the review) of the role and operations of the Independent Planning Commission (IPC) within the NSW planning system.

We understand the review will examine, among other things, whether it is in the public interest to maintain an IPC as well as the current operations and processes of the IPC in the context of the NSW planning system.

Qube Holdings has had numerous dealings with the IPC (and its predecessor the Planning Assessment Commission [PAC]) and the NSW Department of Planning, Industry and Environment (DPIE) over a long period.

Our experiences within the planning system relate primarily to our efforts to develop and operate the \$2 billion Moorebank Logistics Park – a nationally significant intermodal terminal facility in southwest Sydney and a key component of both the New South Wales and Commonwealth freight strategies.

We commenced the environmental assessment process back in 2010 in the hope and expectation that the NSW planning system would deliver a timely determination to enable the delivery of this important facility.

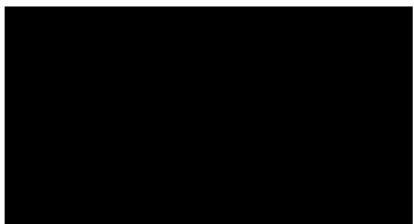
Unfortunately, almost a decade on, we still remain captive to a planning system that has required multiple pre and post approval assessment processes both within DPIE, government agencies and the IPC while the significant environmental, economic, and road to rail modal shift benefits the project will deliver are yet to be fully realised.

We trust the information and specific experiences we highlight in our submission will assist the Productivity Commission in completing this important review and hope it will lead to meaningful and positive change in the NSW planning system for the benefit of NSW and Australia.



Should you require any further information, please contact [REDACTED] (Mob: [REDACTED]) or our Director of Infrastructure & Property, [REDACTED] (Ph: [REDACTED]) and we will be happy to assist.

Yours sincerely,

A large black rectangular redaction box covering the signature area.

Managing Director



## **Qube Holdings' submission to the NSW Productivity Commissioner in relation to the review of the Independent Planning Commission's role and operations**

### **KEY RECOMMENDATIONS**

1. The current planning and assessment process needs to be significantly streamlined to avoid the double or triple handling that currently occurs between the Department of Planning Industry & Environment (DPIE), the IPC, and various government agencies.
2. State Significant Development (SSDs) designation assigned to projects of significant importance to the economy and State should be afforded with special status and genuine priority for planning assessment and delivery. Currently the SSD designation does not seem to provide any more urgent or prioritised assessment process than any other development application under a different name.
3. There should be an assessment process that is commensurate with the scale, nature and extent of likely impacts for the scope of the development under application. Particularly when the project is nationally significant and aligns with both Federal and State governments' strategic objectives.
4. All submissions made on exhibited planning applications should have a hard and enforceable submission close date, including for government agencies.
5. The Environmental Planning and Assessment Regulation 2000 should be amended to give DPIE the authority to require government agencies to meet an agreed timeframe within which they must respond and conclude consultation with Proponents on planning applications or management plans required by conditions of consent. Presently agencies are not held to any account in relation to the time taken to review and endorse planning documentation as meeting their requirements.
6. If agencies fail to meet agreed statutory timeframes within which their submissions and consultation should have been concluded, DPIE should provide the Proponent with a documented process of escalation to ensure unreasonable delays have a light cast on them and these all too regular planning assessment 'road blocks' are removed.
7. There should be one (known) approval body for SSD and subsequent project applications, where the determining factor for the planning pathway is not the arbitrary application of community submission numbers or one objection from a council.
8. There should be a 'single assessment of consistency' against the scope of a Concept Plan approval rather than subsequent applications having to go through the entirety of the process again.
9. Further commercial acumen needs to be developed within the approval bodies to have a greater understating of project costs and implications of delays. These do not appear to be skills that currently exist to the extent required within the planning profession. The assessment of costs and delays is especially relevant when the projects are those which are ultimately paid for, in part or in full, by the taxpayer.
10. A more efficient post-approvals process is required that does not unnecessarily burden either the department's or the applicant's resources or delay commencement of work

under any development approval. The focus should be on verifying that the relevant conditions of consent have been, or will be, met without replicating the original assessment and consultation process. To this extent, Proponents bear the responsibility of compliance with conditions of consent and should be given the ability to undertake works in the knowledge of that obligation.

11. Consideration should be given to what role technology or innovation can play in either the assessment or compliance process. New technology has the potential to improve the efficiency of the assessment process – providing real-time evidence that allows agencies to satisfy themselves with more confidence about the factors they are assessing and produce a decision with improved certainty and confidence.

## Background

Qube Holdings is Australia's largest integrated provider of import and export logistics services. It operates in more than 130 locations across Australia, New Zealand and South East Asia with a workforce of over 6,500 employees.

An ASX listed Top 200 company, Qube Holdings is comprised of three business units: Ports, Bulk and Logistics division; Infrastructure and Property division and Strategic Assets division.

The Infrastructure and Property business unit is responsible for the key expansion projects and asset investments for Qube, including the intermodal terminal development of the 243-hectare site at Moorebank, NSW.



**Figure 1: Location of Moorebank Logistics Park**

The Moorebank Logistics Park being developed by Qube was identified by Infrastructure Australia as a nationally-significant priority project and, on completion, will be Australia's largest intermodal terminal facility.

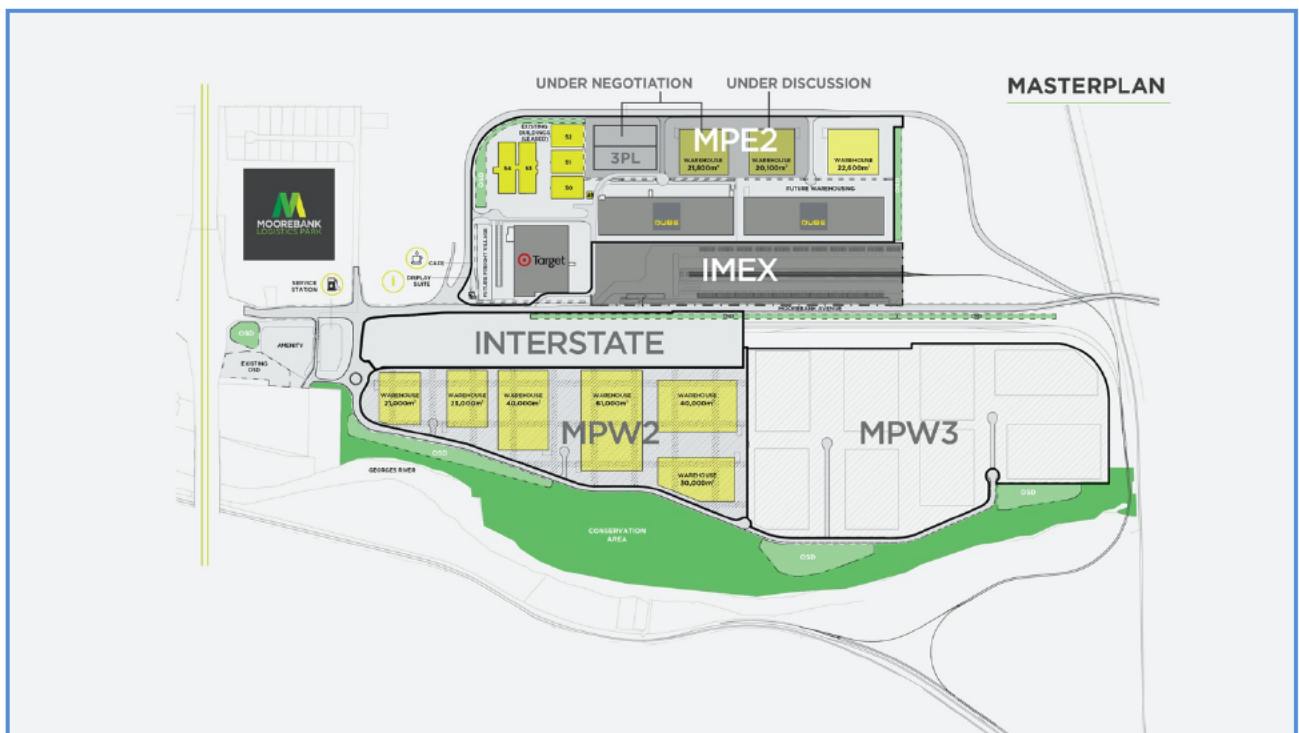
Rail connections to the Southern Sydney Freight Line have been completed, providing a direct link for the movement of containerised freight to the site by rail from Port Botany.



The project has Concept Plan approval for the movement of 1.55 million containers annually and at full capacity will removing thousands of heavy vehicle movements from Sydney's road network every day.

An additional rail terminal servicing regional NSW and interstate freight movement is due for completion in the next two years. The NSW Government has identified the Moorebank facility as key in its efforts to meet an ambitious road-to-rail modal shift target for freight movement.

As recently as August 2019, NSW Minister for Transport and Infrastructure Andrew Constance described Moorebank Logistics Park and its related rail upgrades as a "game-changer that will see more freight moved by rail across NSW".



**Figure 2: Moorebank Logistics Park Masterplan overview**

A total of 850,000sqm of warehousing will be delivered progressively across the site over the next decade, allowing major importers and retailers to co-locate their regional and national distribution centres with the rail terminal. The terminal will also incorporate a range of low carbon emission technology, the latest automated freight handling technology, and is already home to the largest roof-mounted solar power system in the southern hemisphere.

The Clean Energy Finance Corporation has provided a loan facility to the development, describing it as the model for future low carbon emission infrastructure projects.

**At full capacity, Moorebank Logistics Park will:**

- Remove more than 3,000 heavy truck movements from Sydney's roads each day.
- Reduce truck emissions by more than 110,000 tCO<sub>2</sub>e (tonnes of carbon dioxide equivalent) per year.
- Reduce the distance travelled by container trucks on Sydney's road network by 150,000 kilometres every day, and the distance travelled by long distance interstate freight trucks by 93,000 kilometres every day.

- Deliver net annual carbon emission savings equivalent to removing 11,000 vehicles from the road for a full year or burning 25,000 tonnes of coal.
- Generate 65,000 MWh/year from renewable energy sources installed on site, capable of powering more than 10,000 homes.
- Create 6,800 jobs.
- Create around \$11 billion in economic benefits over 30 years, including \$120 million a year for the economy of southwest Sydney, through the improvements to productivity as well as reduced business costs, reduced road congestion and better environmental outcomes.

Qube is delivering the Moorebank project under a 99-year lease arrangement with the Moorebank Intermodal Company (MIC), a wholly-owned government business enterprise of the Commonwealth.

The agreement delivers Qube all development, management and operational rights to the Moorebank precinct for 99 years. As such, Qube is the proponent under the *Environmental Planning and Assessment Act 1979 (Act)* for all project planning applications.

That planning process commenced back in 2010 with the issuing of initial Director General Requirements (DGRs) for the environmental assessment of the initial Concept Plan.

Since then, numerous State Significant Development (SSD) applications and Modification applications have been lodged with the NSW DPIE (formerly DP&E), which has conducted detailed environmental assessment before providing its recommendations to the IPC for further assessment. Applications are divided into Moorebank Precinct East and Moorebank Precinct West to identify the two parcels of land on either side of the existing Moorebank Avenue.

Several SSDs have now been approved, but a large number of future planning processes are still required before Qube can commence all of the construction required to deliver the project and its benefits in full.

*The pictures below show current works (November 2019) on the Moorebank Precinct East site.*







## Comment

In Qube's experience, there are a number of factors that contribute to the lack of effectiveness of the NSW planning system both as it relates to the IPC specifically and to the State Significant Development (SSD) process.

Giving consideration to the terms of reference as provided by the NSW Productivity Commissioner, we have divided our submission into two key sections:

1. Is it in the public interest to maintain the IPC?
2. Recommendations in relation to the mechanisms by which State Significant Development is assessed and determined

### **IS IT IN THE PUBLIC INTEREST TO MAINTAIN THE IPC?**

The IPC (formerly PAC) was established with key functions to:

- determine State Significant Development applications where there is significant opposition from the community,
- conduct public hearings for development applications and other planning and development matters, and
- provide independent expert advice on any planning and development matter, when requested by the relevant Minister or departmental secretary.

Since its establishment, the IPC's relevance and the effectiveness of its processes and procedures have not evolved appropriately and, in our view, are no longer fit-for-purpose.

Our experience is that the IPC, in practice, largely duplicates the lengthy environmental assessment processes for SSDs already undertaken through DPIE.

This often adds significant cost and time delays to the delivery of projects as well as delaying or even jeopardising the macro-economic, social and sustainability benefits that projects of this scale and nature can bring.

The figure below provides some context around timeframes we have experienced in seeking to deliver the Moorebank project.

Approval	DGRs Issued	Exhibition commenced	Months from DGRs to Exhibition	Approval Date	Months from exhibition to determination
<b>Moorebank Precinct East</b>					
MPE Concept Approval	24/12/2010	04/09/2013	33*	29/09/2014	13
MPE Stage 1 SSD	08/12/2014	28/5/2015	6	12/12/2016	19
MPE Stage 2 SSD	27/05/2016	13/12/2016	6	31/01/2018	13
<b>Moorebank Precinct West</b>					
MPW Concept and Stage 1 SSD	27/02/2012	8/12/2014 and 28/5/2015	34	03/06/2016	13
MPW Stage 2 SSD	14/07/2016	26/10/2016	3	11/11/2019	36

**Figure 3: Overview of planning applications**

On average, Moorebank Logistics Park SSD applications have taken more than 18 months to progress from public exhibition to approval.

As a developer delivering projects on a national scale, the significant cost and time delay creates uncertainty and risk which inevitably damages NSW's reputation with global investors and project delivery companies, making it harder to attract them to NSW for State Significant Developments.

This is particularly the case where a Concept Approval initially assessed by DPIE and then later determined by the IPC is followed by subsequent SSD applications that go through a highly replicated assessment process, revisiting and dissecting environmental issues already considered and conditioned.

Rather than placing reliance on the Concept Approval as providing the relevant permissibility for the development and streamlining of subsequent approvals for development applications, the IPC process compels and invites a re-assessment of permissibility by agency, stakeholders and community alike.

More often than not, given regular staff movements in various government agencies involved in this new assessment, the reopening of previously assessed outcomes by new departmental officers can result in entirely new positions being taken which contradict or are in significant conflict with previous assessments.

In our experience, the result is frustration on all sides, confusion, determination paralysis and delay, all threatening the economic viability of the project delivery.

### **Multiple reassessment processes**

The duplication of assessment processes is evident in our two Concept Approvals. Every material component of the original concept assessment and approval has been reassessed in subsequent SSD applications.

This is, in part, driven by the broad range of future environmental assessment requirements included by DPIE and the IPC in the conditions attaching to each Concept Approval.

Instead of providing for a subsequent assessment regime that focuses on the key environmental values associated with the development, each SSD application process provides a replication of the DGRs (or subsequently the SEARs) that informed the original concept application. This process is repeated at each subsequent SSD application stage.

In summary, this is the NSW planning assessment process as we have experienced it in seeking approval to commence construction of the first stage of the Moorebank Logistics Park:

#### ***Assessment steps to achieve Concept Plan and SSD approval to commence works***

- 1. Qube lodges the development Concept Plan application with DPIE (November 2010)*
- 2. DPIE publicly exhibits EIS for government agency and public submissions*
- 3. DPIE provides agency submissions to Qube to prepare a response*
- 4. Qube required to consult with government agencies until all issues are resolved*
- 5. DPIE ensures agencies are satisfied with Qube response and concludes assessment*
- 6. DPIE sends Concept Plan application and draft recommendations to IPC*
- 7. IPC conducts public meeting to receive community feedback*
- 8. IPC meets Qube and interested parties and community*
- 9. IPC liaises with DPIE and seeks advice from DPIE and government agencies*
- 10. IPC concludes assessment and issues Concept Plan determination*

11. Qube prepares new EIS and lodges SSD application under the Concept Plan approval
12. DPIE publicly exhibits the SSD EIS and seeks submissions
13. Qube required to consult with government agencies and resolve any issues
14. DPIE ensures agencies satisfied and concludes assessment
15. DPIE provides SSD and draft recommendations to IPC
16. IPC reviews SSD, meets with Qube, conducts public meeting for community feedback
17. IPC seeks advice from DPIE and various government agencies
18. IPC finalises assessment and issues determination
19. DPIE requires Qube to enter post-approval process where environmental management plans must be individually approved by DPIE to ensure compliance with conditions
20. Qube drafts post-approval environmental management plans and seeks endorsement from the on-site Environmental Representative (acting as DPIE representative)
21. Qube then required to consult with government agencies to seek their agreement that management plans meet the conditions of consent
22. Once agencies are satisfied, DPIE then reviews each individual post-approval plan (on average between 20-30 documents)
23. DPIE approves the various post-approval management plans as they each become available
24. Once all management plans are approved, Qube can commence work on the development (July 2017)

Qube's application for the Moorebank Precinct East Concept Plan was lodged on 9 November 2010 and determined by the Planning Assessment Commission (now IPC) on 29 September 2014.

Immediately following Concept Plan approval, Qube lodged the first State Significant Development application to seek approval to commence construction on 24 October 2014.

It was approved by the PAC on 12 December 2016. The post-approval process with DPIE to review and approve a large number of post-approval management plans was completed mid-2017. Qube commenced demolition work on the site in July 2017.

**The 24-step planning approval process above took 6 years and 8 months to complete.**

The various steps over that time period has seen environmental values, impacts and management controls of the various development documents related to the application assessed **up to seven times** before enabling development works were able to commence.

This is clearly of significant concern given the enormous resource and time costs the current approach is placing on the government agencies and consent authorities charged with appropriately assessing and determining major planning applications to ensure the best possible environmental and social outcomes.



## **Lack of understanding of the procurement and delivery implications of delays in planning approvals**

The nature of the project delivery process is that construction contracts are let with a commencement date based on DPIE's expected timeframes for the planning approval.

Our experience is that the planning approval process rarely meets DPIE/IPC's estimated timeframes, and even providing for significant time contingency, we regularly find that we have engaged contractors who are unable to work on site, resulting in cost and time delays to projects.

The MPW Stage 2 SSD application is an example. This application remained under assessment for approximately **36 months after coming off public exhibition**.

MPW Stage 2 has remained caught in a process of assessment and reassessment, again and again.

This is not, in our view, due to a focus on ensuring the most robust assessment possible of the application, but rather due to no agency in the government planning system – including DPIE, other departments and State agencies, the IPC and on-site Environmental Representative – being willing to, or empowered to take accountability for decision-making.

The prescriptive interpretation of some conditions of consent with minimal flexibility also constrains the progress of the development and forces the proponent to seek modifications to inflexible conditions to enable the development to continue even when the consent authority accepts the objective of the condition could have been met in an alternative way. At times this can present a significant lag and disproportionate risk to progressing the development.

It also imposes even further pressure on the limited resources of the departments, agencies and consent authorities who then must deal with those modification applications. Again, instead of a straightforward amendment being agreed with DPIE, one objection from a local council then means this modification must be sent for IPC assessment and determination.

## **Examples of Modification applications**

Qube currently has two such modification applications being assessed by DPIE: MPE 2 Mod 1 was lodged in January 2019, with response to submissions completed in April 2019. As of the date of this submission, no approval has been issued in respect of this application, despite the requested modification relating to **administrative changes** to the conditions of consent.

The second example, MPE 2 Mod 2, was lodged on 15 March 2019, finished exhibition at the end of July and is also yet to be determined. The application sought to extend the southern boundary of MPE Stage 2 by 1.5 ha on an existing disturbed area to provide the drainage basin design sought by the DPIE's recommended condition of consent. Visual details of the boundary change are presented below.



DPIE requested Qube provide large volumes of additional information which appeared to go well beyond relevant issues to be assessed for the boundary change being sought in the application. Attempts to reduce the material being sought were rejected by DPIE, which believed the change being sought had broader implications which would be of significant interest to the community and external stakeholders.

It was DPIE's view that the modification would require IPC assessment.

As a result, the modification application that DPIE required to be placed on public exhibition stretched to almost 400 pages. Despite DPIE's concerns, **only 16 submissions were received and no local council objection was lodged.**

Subsequent consultation between DPIE and the council did result in a further submission being made by the council, but still not in the form of an objection. As a result, the exhibition did not trigger IPC referral.

Ongoing delay in approval of these two modifications are delaying urgently required intersection and road upgrades, preventing the effective retirement of biodiversity offset credits and preventing continuing construction of warehousing and stormwater infrastructure on the MPE 2 site.

**Loss of rental and freight storage/transfer costs aside, the costs for commencement lag and suspension of contractor works are in excess of \$500,000 per month (in liquidated damages, and ongoing).**

The MPE Stage 2 SSD is the third example. The MPE Stage 2 operation and layout, approved by the IPC in January 2018, is consistent with the MPE Concept approval issued in 2014.

It enabled DPIE's assessment to inform the PAC on 20 November 2017 and enabled the application to be forwarded to the PAC, some 9 months after coming off public exhibition on 24 February 2017.

The IPC took two months to affirm this assessment and provide the approval on 31 January 2018.

Despite this, the post-approval consultation requirements included in the consent continue to this time to prevent the development from undertaking the full scope of construction. The primary delays have been in relation to the inability to secure government agency and DPIE endorsement of environmental management plans pertaining to traffic management and urban design and landscaping.

Consultation obligations with the nominated agencies (Government Architect NSW and RMS and TfNSW) have taken approximately **14 months and 9 months respectively** as each agency undertakes a further opportunity to reassess, amend and ultimately provide a quasi-approval prior to enabling DPIE to progress.

The development is currently approaching **two full years** from receiving IPC consent and yet still remains unable to commence the full scope of construction as approved.

### **Outdated and arbitrary trigger levels for IPC referral**

Good working relationships often exist between project proponents and councils at officer level, however, the majority of Qube's SSD applications have met with a council objection, which has led to a referral to the IPC. Quite often, objections are driven by local political manoeuvring with no care for, or recognition of, the bigger state or national picture or a project's strategic importance.

Similarly, the threshold for referral of a project to the IPC on the basis of 25 community objections is open to manipulation by very small local interest groups or individuals. With the benefit of a basic understanding of the planning system and the opportunities of social media, small groups of individuals are able to drive a referral to the IPC without the integrity of their objections being substantiated.

The MPE 2 Mod 2 application was indicated by DPIE as being likely to be sent to the IPC, as the department was anticipating at least an objection from Liverpool City Council, if not 25 from the community. The belief of what was a likely outcome of the exhibition of the modification is considered to be what drove the DPIE officers to seek the extent of documentation that was required to progress the application. A total of 16 submissions were ultimately received, comprising 10 from the community and six from government agencies with no objection from council.

The innate and entrenched reliance on the IPC to avoid DPIE exercising its decision-making authority needs to be removed. Had the MPE Mod 2 been issued to the IPC, the seven-month process to assess the application would likely be extended by a further six months, inclusive of a further round of community and agency engagement. Avoidance and deferral is not a reasonable exercise of the decision-making authority provided to the DPIE or the IPC under the EP&A Act.

DPIE Secretary Jim Betts put this issue as eloquently as anyone possibly could when he told an Urban Taskforce function in July 2019:

*“One of the things I first observed when I first came in as secretary was the proliferation within the cluster of independent bodies: The Independent Planning Commission, The Natural Resources Commission, the Chief Scientist, etcetera.*

*“And when you see a lot of independent bodies around the joint you begin to ask yourself questions around whether the mainstream bureaucracy, which ought to be accountable for the performance of the planning system, has perhaps lost the confidence to step up and really be accountable to the community for the decisions in which it participates.”*

### **Issues with third party consultation (especially government stakeholders)**

Planning applications normally have a hard submissions close date. Our experience is that this date is irrelevant as stakeholders are allowed to submit at any time after the date and the applicant is required to treat that out of time submission equally and consistently with others.

A lack of responsiveness from government agencies is a major factor in approval process delays. There are presently no enforced timeframes within which an agency is required to finalise its comments and agree those comments have been incorporated into relevant planning documents.

Equally, DPIE appears to have no desire or authority to require agency responses to be timely. DPIE will not move forward with any approval process for as long as an agency indicates it has not concluded its review, regardless of whether that review has been ongoing for 9 or 12 months or more.

Clearly some of the issues relate to agency resourcing which, ironically, is only further stretched by the planning system itself requiring these multiple reviews and forced consultation processes relating to the same material many times over.

Delays in closing out agency consultation in a timely way makes the applicant's task of compiling submissions reports and undertaking detailed analysis near on impossible. In these circumstances, proponents are left in a state of limbo, where they are compelled to concurrently develop reports and analysis based on assumptions of agency responses, increasing the risk of redundant work being undertaken which increases project cost and also leads to further delays.

For the MPW 2 SSD application that has just been determined, the comment and submissions period ended initially on 26 June 2019. The IPC unilaterally, and without notice to the applicant, extended the public comment period by an extra week, enabling six community speakers to have further input (without applicant's right of reply) and then continued to receive and accept written comments from community members up to and including 26 September



2019 – three months after the submissions and comment period was intended to commence. Further, an additional meeting with RMS was held on 2 July 2019.

An approval initially anticipated in early August has been consequently delayed by three months. In terms of impact to the development and associated contractors, this situation has resulted in deferral of works, stand down of labour or loss of the immediate availability of labour. In the absence of timing certainty, our ability to re-engage a contracting labour force at short notice is limited, particularly leading into the Christmas break.

In general terms, a three-month delay from the anticipated start date costs us in the order of \$500,000 a month. The lag in seeking to re-engage a contractor work force to commence works at this time of year takes –three to six months with a full workforce potentially not available until March 2020. This represents a ballpark loss of \$1.5 million directly and a four-month lag to procurement and commencement of construction and associated indirect costs associated with this delay, compounded by representations to market regarding the ability to engage with the development, jeopardising future revenue.

The approval body should be given authority to ensure that government stakeholders meet their submission deadlines. And if it is still not met, the proponent should have a documented process of escalation to ensure submissions ‘road blocks’ are removed.

If the lack of agency response is a matter of additional resourcing, and giving consideration to massive costs of delays as articulated above, most proponents would happily contribute additional fees as part of their applications process in order to support additional resources being engaged to resolve what are currently unacceptably long delays in assessments.



**Figure 4: Progress on the construction of warehousing on MPE**



**Figure 5: A rail shuttle carrying containers arriving at Moorebank from Port Botany**

## **Technological improvements and Innovation**

The EP&A Act is itself now 40 years old. The original intent for the EP&A Act is understood to have been that it would provide for the assessment and review of approximately 16 EIS documents a year across the entire State. Times have changed but the Act has not necessarily kept pace. Over its life to date, there have been only two significant changes: firstly to introduce Part 3A circa 2005 and to remove Part 3A in 2011.

The internet has been in popular existence since 1995, making access to, and dissemination of, information easier, increasingly with the accessibility of personal computers, mobile devices, interactive websites and online feedback. Google Earth and 3D imagery became widely used in 2004. There needs to be a basic question asked: do the processes and methods established 40 years ago retain their currency in the age of immediate communication and universal connectivity?

While the primary tenets of environmental assessment remain consistent, i.e. a level of assessment commensurate with the scale, nature and extent of likely impacts, the means of assessment has not changed significantly from field assessment, 2D imagery and plans, and a copious quantum of documentation.

Documentation requirements have progressively increased over time as the respective agencies, and arguably applicants as well, seek to avoid the potential for challenge or dispute by enhancing the volume of already substantive assessments. To this extent it is demonstrable (as per the example above for MPE 2 Mod 2) that the assessment process is no longer commensurate to the nature scale and extent of likely impacts.



*"So the writer who breeds more words than he needs, is making a chore for the reader who reads." — Dr. Seuss*

As a result, affected community members complain about the volume of material to be read and understood to enable an informed response to be provided, increasingly so proportionate to their increase of access to information (locally and globally). In turn, in the interests of community input to a process most don't understand beyond the NIMBY effect, the actual decision-making process is delayed in order for "due consideration" to be demonstrated.

The underlying principles of environmental impact assessment (EIA) are linked to the law of torts which requires consideration of a foreseeable risk of harm. In EIA (and safety) language this consideration is demonstrated through identify (social and environmental values); assess (the likely impact); control (avoid or manage or offset the impact).

The Department of Planning missed a significant opportunity in 2015 when it commenced its revision of the NSW Planning portal which did little more than add another layer of makeup on the existing process of cataloguing documentation with an addition of a relatively-basic GIS layer.

With the availability of satellite imagery, use of meta data, 3D imagery and virtual imagery significant efficiencies in the access, assessment, and review processes could be achieved, perhaps more notably in reducing the onerous assessment requirements placed on projects that have a Concept Approval and modifications to approved projects.

ENDS