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6th October 2011

Project Manager - EPBC Strategic Assessment
Department of the Premier and Cabinet
Level 25 Governor Stirling Tower
197 St Georges Tce
PERTH WA 6000

Email: submission-strategicassessment@dpc.wa.gov.au

Dear Sir/Madam

**STRATEGIC ASSESSMENT OF THE PERTH AND PEEL REGION
DRAFT TERMS OF REFERENCE**

The Urban Development Institute of Australia (WA) is pleased to make this submission to the Western Australian Department of the Premier and Cabinet.

UDIA (WA) is the peak body representing the urban development industry in Western Australia. UDIA is a membership organisation with members drawn from the development, planning, valuation, engineering, environmental, market research and urban design professions. Our membership also includes a number of key State Government agencies and Local Government Authorities from across the state. Nationally, UDIA represents the interests of thousands of members and includes all the major land development companies, both public and private, and specialist consultancy firms.

UDIA welcomes the Strategic Assessment of the Perth and Peel Regions as a much needed first step in a long process towards speeding up approvals for urban development. Providing long term certainty and cutting red tape is

essential to developers and the community. The administrative burden of environmental regulations and requirements adds significant costs to developments and ultimately homebuyers.

UDIA members have provided in principle support for the draft Terms of Reference, with the bulk of feedback referring to potential issues during the development and implementation of the plan. The following commentary is provided for your information.

It is essential that the development of the MNES Plan for the Strategic Assessment does not impede the existing referral system under the EPBC Act

Considering the timeframe for the Strategic Assessment is 18-24 months, and may take longer, developers with projects in the Perth and Peel Region will continue to refer planned developments under the EPBC Act process. These projects must be assessed in a timely manner during the course of the Assessment. It is unreasonable to expect further delays to the approval of developments in view of the significant costs developers, and ultimately homebuyers, would incur.

Private landholders must be able to appeal incorrect data interpretation that impacts on the MNES Plan

The process of mapping matters of national environmental significance is inherently difficult, especially the mapping of habitats that extend to private landholdings. The experience in Victoria has demonstrated that the interpretation of data can be subjective and, on occasion, incorrect. It is essential that private landholders have recourse to appeal against the legitimacy of these interpretations. Although developers and private landholders will be able to refer projects under the existing EPBC Act process this would seem to defeat the purpose of the MNES Plan and Strategic Assessment process.

Potentially eligible matters of national environmental significance should not be included in the Strategic Assessment.

UDIA supports the assessment of potential matters of national environmental significance. It is, however, inappropriate for unrecognised matters of national environmental significance to influence the Strategic Assessment. It is essential that only the profiles of listed threatened species, flora or fauna are considered in the MNES Plan.

Furthermore, given the potential implications and significance of the impact assessment report, UDIA recommends that the suggested 28 days for public comment be extended. State environmental reports are usually open for public comment for up to 12 weeks.

We trust you will give this submission due consideration when finalising the terms of reference for the Strategic Assessment of the Perth and Peel Region.

We look forward to the release of the draft impact assessment report and MNES Plan.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Debra Goostrey', with a stylized flourish at the end.

Debra Goostrey
Chief Executive Officer