



OFFICE OF THE
LORD MAYOR
Brisbane

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Office
157 Ann Street
Brisbane 4000
Tel 07 3403 4400
Fax 07 3403 9930
LORDMAYOR@brisbane.qld.gov.au
Postal
GPO Box 2287
Brisbane Qld 4001 Australia

23 January 2012

Ms Bernice Watson
The Research Director
Industry, Education, Training and Industrial Relations Committee
Parliament House
George Street
BRISBANE QLD 4000

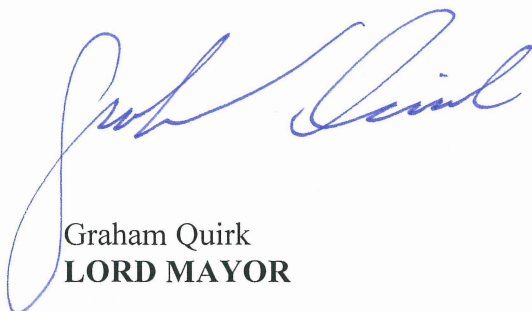
Dear Ms Watson

Brisbane City Council is pleased to provide the Queensland Parliament's Industry, Education, Training and Industrial Relations Committee with a submission on the *Resources Legislation (Balance, Certainty and Efficiency) Amendment Bill 2011* (Resources Legislation). Please find enclosed a copy of our submission.

Council supports the declaration of an urban resource area across the *SEQ Regional Plan 2009 – 2031* area plus a 2km buffer. However, the most significant issue for Council arising from the Resources Legislation is that as Council decisions about resource activities can be appealed through the Land Court and the Minister can override Land Court recommendations. The appropriateness of these Ministerial powers to override the recommendations of the Land Court and the lack of certainty that it creates is of concern to Council.

Should you require any further information about Council's submission please contact Ms Erica Gould, Council's Regional Planning Coordinator on 3178 1363 or email erica.gould@brisbane.qld.gov.au.

Yours sincerely



Graham Quirk
LORD MAYOR

Ref: LM02501-2012

Att.

Brisbane City Council Submission on Resources Legislation (Balance, Certainty, Efficiency) Bill 2011

Brisbane City Council welcomes the opportunity to provide the Queensland Parliament's Industry, Education, Training and Industrial Relations Committee with a submission regarding the Resources Legislation (Balance, Certainty, Efficiency) Bill 2011 (Resources Bill).

Key aspects of the Resources Bill are not relevant for Brisbane City therefore Council's submission primarily focuses on the Urban Restricted Areas (URAs) Policy introduced by the Queensland Government in August 2011.

Specific comments:

Council wishes to highlight that it will be a stakeholder for the review of the Draft State Planning Policy when released, which is intended to provide a consistent approach to recognising key coal, mineral and petroleum resources, as well as mapping of URAs.

The declaration of the URA across the SEQ Regional Plan 2009- 2031 area plus a 2km buffer is supported by Council, as well as the approach to prevent resource activities in URAs unless written approval from the relevant local government is provided.

The URA provisions, outlined in the Resources Bill, enable Council to have an assessment role for resource activities proposed to be carried out within a URA.

Within the Brisbane City Council area, the URA clearly overlaps with the current exploration permit for petroleum in the Mt Crosby area. As Council decisions about resource activities can be appealed through the Land Court and the Minister has the power to override Land Court recommendations (even if a local government did not consent to the activities occurring in an URA), both the appropriateness of the Minister's powers to override the recommendations of the Land Court and the lack of certainty that this creates is of concern to Council.

With respect to water transport corridors, the Bill makes provision for the registration of easements for the transportation of water required in the extractive operation. This may give rise to the construction of additional pipelines in Brisbane. Under the *Sustainable Planning Act 2009*, such pipelines are likely to be assessable development should they be laid above ground. If laid underground it is unlikely that Council would have any jurisdiction.

Future input:

Should the Committee require any further information about Council's submission, please contact Ms Erica Gould, Regional Planning Coordinator on telephone 3178 1363, or via email to erica.gould@brisbane.qld.gov.au or via postal address GPO Box 1434, Brisbane Qld 4001.