



Submission No. 041  
17 January 2014  
11.1.14

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The Research Director  
State Development, Infrastructure and Industry Committee  
Parliament House  
George Street  
BRISBANE QLD 4000

Dear Sir/Madam

**Re: Regional Planning Interests Bill 2013**

The Local Government Association of Queensland (LGAQ) welcomes the opportunity to provide feedback on the Bill and is supportive of this proposed legislation. In particular, the LGAQ strongly supports the ability for a local government to condition and/or prohibit a proposed activity in part or all of a *priority living area* (PLA).

The LGAQ however, does request further information and clarity in response to the following matters:

- While it is understood that areas of regional interest are specifically defined in the Bill and will be based on locations with particular features and/or characteristics, the LGAQ requests assurance that the relevant local governments will be able to refine and 'localise' areas of regional interest during the development of their new generation regional plans. More specifically, the LGAQ seeks clarification in relation to the definition for *strategic environmental areas* (SEAs), and whether values such as 'scenic amenity' are to be considered in determining a SEA.
- The Bill is unclear whether there is an opportunity during the development/review of a regional plan for flexibility in the type of areas of regional interest. In other words, may a new generation regional plan define and incorporate for example a *priority tourism area* rather than (or in addition to) a *priority agricultural area* if deemed suitable?
- There are provisions throughout Queensland restricting resource development in urban or town areas such as *Urban Restricted Areas* (URAs), Urban Footprints, and now PLAs. While the LGAQ understands that URAs in particular were introduced as a temporary measure, further information is requested in relation to the transition to PLAs and again, assurance that the relevant local governments will be able to refine and 'localise' areas of regional interest during the development of their new generation regional plans.
- The LGAQ understands local governments are identified as a regional interest 'referral agency' only where an application is applicable to an identified PLA. However, the LGAQ requests clarification as to whether there are circumstances where the State Government intends for a local government to act as the regional interests authority and 'assessing agency'.
- The jurisdiction for assessment by a relevant local government will be articulated through their planning scheme and regional plan, but will likely also include matters yet to be prescribed by regulation. As it is currently unclear if a decision made under the Regional Planning Interests legislation would be subject to an appeal process, the LGAQ requests further information in relation to the procedure and grounds for an appeal. Additionally, the LGAQ requests clarification as to whether the regional interests authority would be the party responsible for any court proceedings related to such an appeal.



The LGAQ would like to express a strong interest in continued engagement along with an opportunity for further comment about this proposed legislation, given much of the detail related to Regional Planning Interests will be provided in the associated regulation, which is not yet available.

Should you have any questions or concerns in relation to this submission, please feel free to contact Tracy Haynes, Principal Advisor – Planning & Development by phone on (07) 3000 2291 or via email at [Tracy\\_Haynes@lgaq.asn.au](mailto:Tracy_Haynes@lgaq.asn.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Greg Hoffman', is written over a light blue horizontal line.

Greg Hoffman PSM  
GENERAL MANAGER - ADVOCACY