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Submission No. 076  
26 June 2014  
11.1.22

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The Research Director  
State Development, Infrastructure & Industry Committee  
Parliament House  
George Street  
Brisbane QLD 4000  
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To the Research Directory,

### **Submission on State Development, Infrastructure & Planning (Red Tape Reduction) and Other Legislation Amendments 2014**

Thank you for the opportunity to submit on the proposed State Development, Infrastructure & Planning (Red Tape Reduction) and Other Legislation Amendments Bill 2014. Please find Council's submission below.

#### Economic Development Act

The proposed amendments do not detail how an infrastructure expenses recoupment charge is determined, the type and scale of infrastructure to be provided, the components of the infrastructure costs considered and the calculation / apportionment methodology is not detailed. A Local Government will ultimately inherit any infrastructure provided for a Priority Development Area. The relevant Local Government should be consulted in the determination of the infrastructure and an infrastructure expenses recoupment charge for a PDA. Particularly if the PDA is revoked as the infrastructure expenses recoupment charge is taken to have been made and levied by the superseding public sector entity for the relevant land; and the superseding public sector entity may continue to make and levy the infrastructure expenses recoupment charge.

#### Sustainable Planning Act

The *Local Government Act* provides a process for establishing a local law for dealing with the noise related issues associated with party houses. The proposed amendments introduce a process which appears to be a duplication of existing process and does not contemplate the interaction with the *Local Government Act* provisions.

The proposed amendments are 'opt in' provision and the consequences of not 'opting in' are not addressed. For example in the context of interpreting existing use rights, if a local government does not 'opt in' and a party house exists, does this party house have continuing use rights for a 'development' which does not have any conditions of approval? Likewise, if a Local government 'opts in' for identifying part of a planning scheme area as a party house restricted area, does a party house outside of the party house restricted area have existing use rights?

Notwithstanding, the impacts sought to be regulated (noise, offensive behaviour) under these proposed amendments generally relate to behaviour which is traditionally a policing matter. Does the initiation of a party house definition and process for assessing them under a planning scheme devolve the responsibility for regulating them (noise, offensive behaviour) to a local government?

Should you have any further enquiries or require additional information, please contact Sarah Cook from Council's Strategic Planning team on the above phone number.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Peter Boyd', with a stylized, flowing script.

Peter Boyd  
A/General Manager, Planning & Environment