

14 August 2014

Attention: Erin Pasley, Research Director

The Chair
State Development, Infrastructure and Industry Committee
Parliament House
By e.mail: sdiic@parliament.qld.gov.au

Your ref

Our ref Planning and Environment Law Committee

Dear Sir

Submission on the Regional Planning Interests Regulation 2014

Thank you for providing an invitation to the Queensland Law Society (QLS) to make a submission on the Regional Planning Interests Regulation 2014.

The following submission has been prepared by our Planning and Environmental Law Committee. The role of this Committee, in relation to legislative or policy reform proposals, is not to advocate for one sector of the community or another, but rather to assist with comments on legal issues such as reducing complexity, addressing unintended consequences, drafting issues, fundamental legislative principles (if applicable) and the like. This submission is not intended as a comprehensive submission, but only to highlight a couple of issues that were foreshadowed in our previous submission on the Bill.

In particular, Section 4 of our previous submission to your Committee, at the time of considering the *Regional Planning Interests Bill 2013*, was as follows:

'Gaps in providing a process for correcting incorrect mapping

As a matter of experience, it is normal for any major new mapping to contain inaccuracies, particularly if it has been rushed. For example, our QLS Planning and Environment Committee had experience with drawing attention to examples of some amusing errors in vegetation regrowth mapping, when that mapping was introduced by a previous government.

It would be prudent to provide a quick and simple process enabling errors to be corrected, including for applicants (such as landowners) to initiate corrections to errors. An example of a reasonably successful procedure (although noting that it does still

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have some flaws) is the process for landowners to apply for property maps of assessable vegetation under the Vegetation Management Act 1999.'

The Bill was not changed to provide such a process. There would still be an opportunity to provide this process in the Regulation. It would not be difficult to do this, given that a template for review could be copied from the *Vegetation Management Act 1999*.

The QLS also has a concern that the definition of 'broadacre cropping' is too ambiguous in Section 11. We do not know how 'extensive' cropping has to be to be regarded as 'the cultivation of extensive parcels of land under dryland or irrigated management for cropping.' Surely, a measurable area of contiguous land could be specified? Similarly, we would have thought that a minimum dam size could be specified in the definition of 'water storage (dam)', so as to avoid unintentionally capturing very minor storages, including for State Government purposes such as dust management 'turkey's nests'.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Ian Brown', written in a cursive style.

Ian Brown
President