

# COPY

MIN 48818.03

Mr Neil Laurie  
The Clerk of the Parliament (Acting)  
Parliament House  
Alice and George Streets  
BRISBANE QLD 4000

Dear Mr Laurie

Thank you for your letter of 28 November 2002, wherein you provide the wording of a petition relating to a development application currently before the Fitzroy Shire Council seeking approval to establish a feedlot at Alton Downs.

In regulations attached to the *Integrated Planning Act 1997* (IPA), numerous State agencies are nominated as “referral agencies” for various types of development. Referral agencies are then categorised as either a “concurrence agency” or an “advice agency”. For a relevant application, a concurrence agency has the power to advise a council to either impose a condition on an approval or require the application to be refused. In this situation, the Department of Primary Industries (DPI) is the concurrence agency for feedlots. Should the relevant officers of the DPI consider the technical merits of the proposed feedlot to be insufficient to warrant the support of DPI, I am confident advice requiring refusal will be issued. Conversely, if the technical merits of the proposal are acceptable, advice supporting an approval will be issued by the DPI. Should this eventuate, it will fall to the Fitzroy Shire Council to consider the wider planning merits of the proposal.

The IPA establishes the council as the assessment manager and provides for a process of public notification, lodging of submissions from the community, and the right of appeal to the Planning and Environment Court to challenge decisions. Only in the most exceptional circumstances, ie involving significant economic, social or environmental issues with implications for the State, would I intervene in the assessment and decision-making process.

The IPA empowers me to “call in” an application where I consider there are aspects of the proposal which will affect the social, economic or environmental interest of the State or a region. If I call in an application, I become the assessment manager. This is a significant departure from the principle of councils determining applications within their own jurisdictions and, consequently, is a decision which is not taken lightly. Many applications involve matters of State or regional interest, and I am inclined to call in only those applications which may have a significant impact.

I am satisfied the Fitzroy Shire Council has considered the application through the integrated development assessment system of the IPA in an appropriate and proper manner.

Yours sincerely

Prepared by: S Stewart Ext. 84077  
Endorsed by: L Scarpato Ext. 70666

**Nita Cunningham MP**  
**Minister for Local Government and Planning**