



QUEENSLAND
FARMERS'
FEDERATION



Submission to
DEPARTMENT OF INFRASTRUCTURE, LOCAL
GOVERNMENT AND PLANNING

DRAFT PLANNING BILLS

October 2015

The united voice of intensive agriculture



11 October 2015

Mr Greg Chemello
Deputy Director-General, Planning Group
Department of Infrastructure, Local Government and Planning
PO Box 15009, City East, Queensland 4002
bestplanning@dilgp.qld.gov.au

Dear Mr Chemello,

Thank you for the opportunity to provide comments on the Planning Reform Draft Planning Bills.

Queensland Farmers' Federation

The Queensland Farmers' Federation (QFF) is the united voice of our state's intensive agriculture industries. We are a federation that represents the interests of 16 of Queensland's peak rural industry organisations, which in turn collectively represent more than 13,000 primary producers across Queensland. Our member organisations are:

- CANEGROWERS,
- Cotton Australia,
- Growcom,
- Nursery & Garden Industry Queensland,
- Queensland Chicken Growers Association,
- Queensland Dairyfarmers' Organisation,
- Burdekin River Irrigators Area Committee,
- Central Downs Irrigators Limited,
- Fitzroy Basin Food & Fibre,
- Flower Association of Queensland Inc,
- Pioneer Valley Water Co-operative Limited,
- Pork Queensland Inc,
- Queensland Chicken Meat Council,
- Queensland United Egg Producers,
- Australian Organic; and
- Queensland Aquaculture Industries Federation,

Our agricultural sector is critical to the success of the Queensland economy making up around 5.1% of the State's GDP, or \$14.5 billion. Agriculture in Queensland has bright future and is well placed to take advantage of the expanding population in key Asian markets.

QFF engages in a broad range of economic, social, environmental and regional issues of strategic importance to the growth, profitability and sustainability of the agricultural sector. Our aim is to achieve a strong and sustainable agricultural industry that can capitalise on future opportunities.

General Comments

QFF would like to commend the Department for its progress in pursuing the reform of the planning legislation in Queensland. It is important that the momentum of reform over the past couple of years be maintained.

QFF supports the following outcomes in the new Planning Bills:

1. **Purpose:** Maintain the emphasis of the planning framework on 'ecological sustainability' which aims to balance economic growth, environmental protection and community wellbeing.
2. **Flexibility:** Simplify the hierarchy of State planning instruments while maintaining the State's ability to direct consistency in planning schemes through statutory regional plans. There is need for a balance between providing flexibility for local governments to prepare local planning schemes with consistency in plans and policies to protect assets of state interest. QFF strongly supports the retention of statutory provisions in regional plans to define an Urban Footprint and minimum subdivision sizes in rural areas.
3. **Development assessment:** Setting the level of assessment appropriate for development proposals within simplified development categories.
4. **Notification and public comment on applications:** Provide effective and genuine levels of public engagement and comment on draft planning schemes and development proposals.

Community participation

QFF supports the period of public notification remaining at 30 business days where the application involves a variation to the planning scheme. However QFF does not support the shorter public notification period of 15 days for major developments requiring involvement of 3 or more referral agencies. All public notification periods should be 30 business days.

QFF believes that public notification should include newspaper notices, particularly in rural communities where populations are dispersed and site signage may not reach a large proportion of the population.

Costs rule in appeals

QFF supports the principle that parties to an appeal in the Planning and Environment Court should bear their own costs. Therefore, as part of ensuring an open, transparent and accountable planning system, landholders and community group submitters should have third party appeal rights on all publicly notified applications without exposure to an award of litigation costs against them.

Urban encroachment

QFF supports the retention of urban encroachment provisions that restrict the rights to take legal action against a registered business that is operating lawfully in regard to emissions. However, QFF believes that rather than a reference to previous legislation, these provisions should be explicitly included in the Act.

Planning principles for agriculture

As a guide to the best approach to planning for agriculture, QFF commends the following nine planning principles for both local and regional plans to achieve a healthy agriculture sector:

1. **Recognise the importance of agriculture to a sustainable regional economy and urban communities** by including references to agriculture in the vision and objectives of planning documents.
2. **Identify and protect the natural resource base for agriculture** by defining areas of suitable land and excluding incompatible land uses, particularly urban or rural-residential uses, mining and petroleum extraction, permanent plantations and infrastructure corridors, from these and other areas important for local or specialised agricultural production.
3. **Avoid fragmentation of agricultural land and other pressures of urban growth** by setting appropriate lot sizes in agricultural areas consistent with the economics of local and regional production systems.

4. **Land use conflict**
 - a. **Avoid land use conflict and provide for compatible rural uses** by defining areas for compatible agricultural production, particularly intensive animal industry* and intensive horticulture*, preventing the location of incompatible uses in and adjacent to agricultural production areas and where necessary requiring buffer areas between incompatible uses.
 - b. **Manage existing land use conflict** by giving preference to pre-existing lawful and lawfully operating agricultural land uses when dealing with complaints.
5. **Encourage sustainable land and water use and practices** by promoting agricultural production on suitable land and promoting sustainable land and water use practices.
6. **Encourage value-adding and diversification in agriculture** by recognising the complexity and diversity of modern agricultural enterprises and providing for efficient development approval processes for small scale tourism activities and on-farm handling, processing and sale of agricultural produce.
7. **Provide and maintain needed and efficient transport, energy and water infrastructure to support agriculture** by identifying and planning for critical and strategic rural infrastructure that supports primary production and access to processing or supply chain services.
8. **Provide economic, employment and social support services for agriculture in compact, self-contained rural towns and villages** by providing for the growth of these settlements within clearly defined urban boundaries.
9. **Protect the multiple values of agricultural land** by recognising the ecosystem services provided by and attractiveness of agricultural production areas for tourism and avoid land use elements that would reduce these values.

We would welcome any further opportunities to assist the Department with its preparation of the new Planning Bills.

Yours sincerely,



Joanne Grainger
President

Queensland Farmers' Federation
Primary Producers House, Level 6 183 North Quay, Brisbane QLD 4003
PO Box 12009 George Street, Brisbane QLD 4003
qfarmers@qff.org.au | (07) 3837 4747