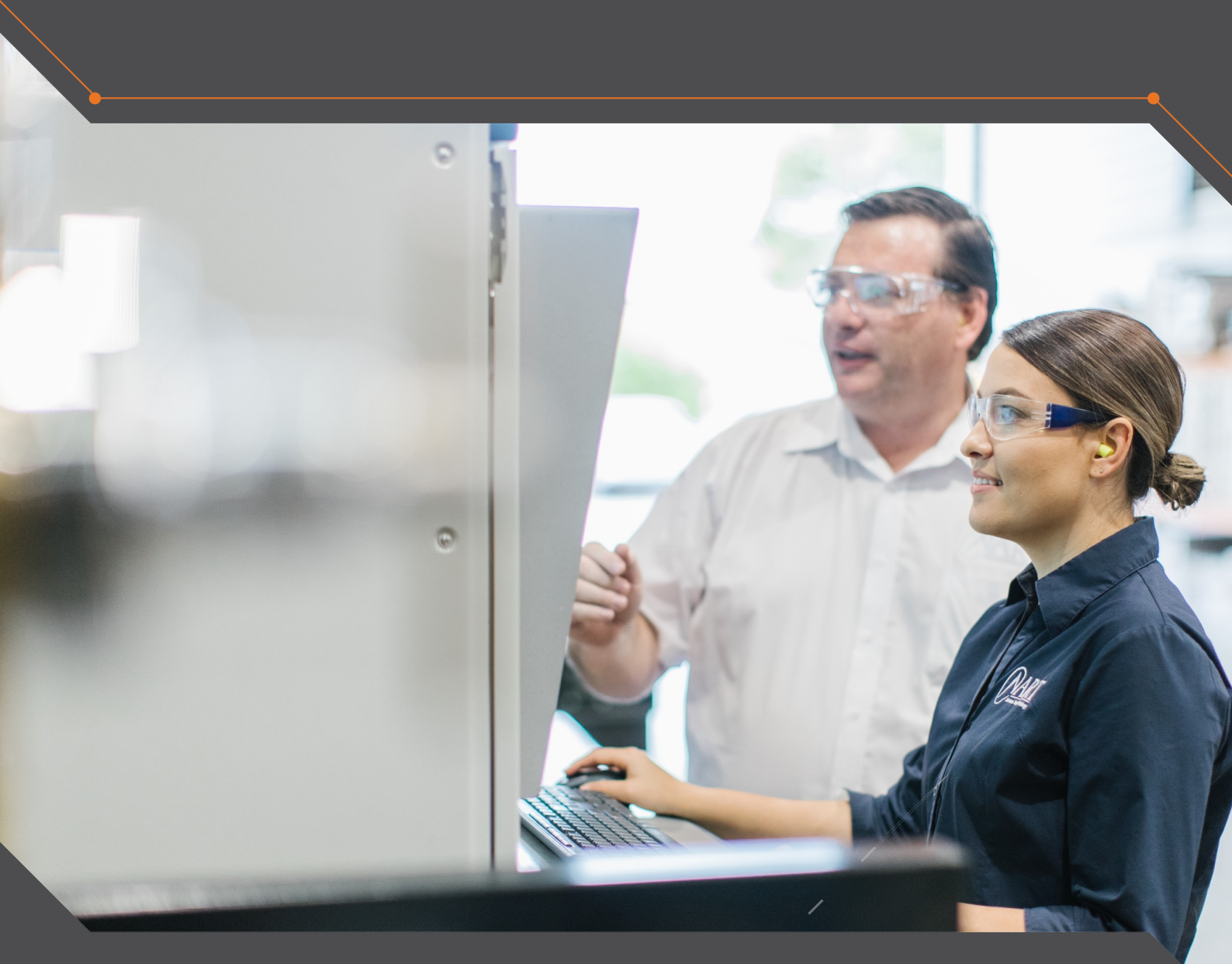


RPI Act

Statutory Guideline 01/14

How to make an assessment application for a regional interests development approval under the *Regional Planning Interests Act 2014*



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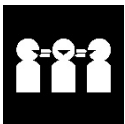


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Department of State Development, Manufacturing, Infrastructure and Planning
PO Box 15009 City East, Queensland 4002.

1 William Street Brisbane Qld 4000 (Australia)

Phone: 13 QGOV (13 7468)

Email: info@dsdmip.qld.gov.au

Web: www.dsdmip.qld.gov.au

Overview

This guideline has been prepared to provide assistance to applicants on how to make an assessment application for a regional interests development approval (RIDA) required under Part 3 division 2 of the *Regional Planning Interests Act 2014* (RPI Act). This guideline should be read in conjunction with the specific provisions of the RPI Act.

Making an assessment application

Assessment applications are made to the chief executive of the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) and must be:

- made in the approved form
- accompanied by a report containing essential supporting information
- accompanied by the applicable fee.

To make an assessment application under the RPI Act, you must be:

- the person who intends to carry out a regulated activity in an area of regional interest, or
- an eligible person.

An eligible person is someone who holds, or has applied for, or can apply for an environmental authority or a resource authority for the resource activity.

(Note that the terms '*regulated activity*' and '*resource activity*' are defined in section 17 and section 12(2) of the RPI Act respectively and are also described in the FAQs. Regulated activities are only relevant where the application relates to a strategic environmental area).

The application may be:

- emailed to RPIAct@dsdmip.qld.gov.au
- posted to:
 - RPI Development Assessment team, DSDMIP
 - PO Box 15009
 - City East QLD 4002
- hand delivered to the RPI Development Assessment team, DSDMIP, Level 13, 1 William Street, Brisbane

Where applications are submitted by email, the application will only be considered after the paper copies of the application have been received and the fees have been paid.

The application will be made publicly available on the DSDMIP website from the time the application is made.

When to apply

The RPI Act does not specify when an application for a Regional Interest Development Approval (RIDA) must be lodged (e.g. before or after the granting of a resource authority or an environmental authority (EA), if applicable).

The ability to make an assessment application for a RIDA will depend on when the appropriate level of information is available about the nature and extent of the surface impact of the activity on the existing land use or attribute of the area of regional interest.

The timing of available information may be different for different activities. For example, surface impacts for an open cut coal mine may be able to be identified much earlier than those for gas wells.

In some areas of regional interest it may be appropriate to submit an assessment application for a RIDA before undertaking an Environmental Impact Statement (EIS) or making an application for an EA. This may apply, for example, in strategic environmental areas (SEAs).

An assessment application for an activity on a Priority Agricultural Land Use (PALU) will rely on consideration of

the specific impact of an activity on that PALU and in this case, the necessary information may only be available at a later stage in the approval process for the proposed activity.

The approved form

To make an application, the applicant must complete all sections of the assessment application form for a regional interests development approval. The assessment application form, (version 3.1 dated 19 August 2019), is approved by the chief executive and is available from the DSDMIP website:

<https://planning.dsdmip.qld.gov.au/planning/regional-planning-interests-act>.

The form sets out the detailed information required to be submitted with an assessment application. The form also documents the supporting information that must accompany the form.

When completing the form, real property descriptions and contact details for the owner of the land must be provided. The land that is the subject of the application comprises all lots/properties including any part of a lot on which the activities are proposed.

In all instances locality maps and site plans showing the locations of the land that is the subject of the application and the lots on plan will be necessary.

Supporting information

Under section 29 of the RPI Act an assessment application is required to be accompanied by an assessment application report. Other supporting information outlined in the form includes maps, site plans, GIS data files and other relevant documents.

The report

Detailed information on the location, nature, extent (in hectares) and duration of the surface impacts of the proposed activity is required to enable the assessment of the impact of the activity on the area of regional interest.

The report accompanying the assessment application must include a description of the impact of the proposed activities on the feature, quality, characteristic or other attribute of the area and a table identifying the location and surface area of each proposed activity.

The report must also include an explanation of how the proposed activity will meet the required outcome/s and address the prescribed solution/s contained in the assessment criteria for the area of regional interest.

Guidelines are available on the DSDMIP website on how to apply the assessment criteria in each of the areas of regional interest. Supporting information requirements will depend on the assessment criteria for the particular area of regional interest.

It is recommended that as much information is included in the original application so that DSDMIP does not have to issue a requirement notice seeking additional information. This process may delay your approval as it extends the statutory timeframes for a decision.

Applications in a Priority Agricultural Area

Where an application proposes a resource or regulated activity in a priority agricultural area (PAA), and the applicant is required to provide information about the productive capacity or operation of a PALU to address the prescribed solutions in the Regional Planning Interests Regulation 2014 (RPI Regulation), Schedule 2, Part 2, the information is to be provided in a separate document attached as an appendix to the assessment application report. The application must:

- identify the source of the information provided, including whether the information was provided by an owner other than the applicant
- state whether an owner other than the applicant agrees to the information being made publicly available on the DSDMIP website

- if so, provide the express written agreement of that owner to the information being made publicly available on the DSDMIP website.

If an owner other than the applicant does not provide express written agreement, the information will not be made available on the DSDMIP website with the other application information.

Maps and site plans

Locality map

Where practical, a locality map should identify the following:

- the land that is the subject of the application
- cadastral boundaries of all properties including the subject of the application and adjoining properties
- the area of regional interest, and the feature, quality, characteristic or other attribute of the area of regional interest
- the existing land use and infrastructure within the area of surface impact (for example, structures, roads, power lines, irrigation channels)
- the existing land use on surrounding land within a one-kilometre radius of the boundaries of the land which is the subject of the application
- areas identified for special consideration (for example, restricted land around residences, critical business infrastructure, vegetation and regional ecosystems, natural or modified watercourses and wetlands protected under state legislation)
- a north point, scale and contours.

If all information is not legible on one locality map, multiple maps will be required to clearly demonstrate the information requirements.

Site plans

Site plans will need to indicate the location, nature and extent of each proposed activity in relation to:

- the land which is the subject of the application, and the expected area of impact
- the area/s of regional interest
- the feature, quality, characteristic or other attribute of the area of regional interest e.g. each PALU or each environmental attribute
- existing infrastructure e.g. a house, shed, roads, access ways, easements, existing CSG well
- overland flow and drainage paths
- property boundaries
- land constraints e.g. vegetation, underground infrastructure, electricity transmission lines
- a north point, scale and contours.

Spatial information should be provided in a form that is easily incorporated or imported into a GIS program (preferably ArcGIS). This data may be provided as either or a combination of shapefiles, geodatabases, MapInfo tab files or projected AutoCAD (.dxf or .dwg) files. A projected coordinate system of GDA94 (geographic) is preferred.

Other information

Other documents may be provided to help the government understand the impacts of the proposed activity on the particular area of regional interest, and the applicant's proposed solutions. This may include:

- constraints analysis and assessment of alternative sites
- analysis of the existing agricultural enterprise
- soil analysis report
- hydrology report
- subsidence report
- engineering report
- traffic and access report
- fauna and flora reports.

This list is not exhaustive, and the mix of reports will depend on the application.

A pre-application discussion may help inform the types of supporting documents that would be relevant.

Prescribed fee

An assessment application must be accompanied by the applicable fee. The assessment application fees are prescribed under the RPI Regulation and are calculated on the expected area of impact within each area of regional interest.

The expected area of impact may be smaller than the area that is the subject of the application in cases where the expected area of impact does not extend across entire lots/properties. Justification for the calculations of the area is required.

The assessment application fees vary based on the area of regional interest in which the activity is proposed. A fee applies for impacts in each area of regional interest.

Fees are payable when the application is made or a request for an amendment to an application is received. Obligations to assess the application are suspended until the applicable fee is paid.

The definition of an *expected area of impact* for an assessment application means the area in which:

- the activity is proposed to be carried out; and
- carrying out the activity is likely to have an impact.

Pre-application discussion

It is recommended that the applicant makes an arrangement to meet with the RPI Development Assessment team to discuss the application requirements, particularly if the development is complex or the applicant is unfamiliar with the RPI Act assessment process.

A pre-application meeting is an opportunity to discuss any issues that could potentially affect the assessment of the application.

Pre-application discussions can provide advice on:

- the factors to be considered in the assessment of a proposed activity within an area of regional interest
- the information to be submitted
- notification by the applicant
- the likely assessment agencies and their requirements
- the assessment process
- the application fee.

A pre-application discussion can also help to streamline the development assessment process, thereby saving time and money. To arrange a pre-application discussion, please call the RPI Development Assessment team on 1300 967 433.

Notification

If notification is required, the applicant must:

- publish a notice about the application at least once in a newspaper circulating generally in the area of the land; and
- if the applicant is not the owner of the land, give the owner a notice about the application.

Further information is provided in **RPI Act Guideline 06/14: Public notification of assessment applications**, which has been prepared to help applicants understand when public notification may be required and what is required.

Decision

A RIDA may not always be granted. For example, the chief executive may decide to refuse an assessment application for a resource activity or approve an application in part, subject to conditions imposed in the RIDA.
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Further information

Visit: <https://planning.dsdmip.qld.gov.au/planning/regional-planning-interests-act>

Phone: 1300 967 433

Email: RPIAct@dsdmip.qld.gov.au



Department of State Development,
Manufacturing, Infrastructure and Planning
PO Box 15009 City East Qld 4002 Australia
tel 13 QGOV (13 74 68)
info@dsdmip.qld.gov.au
www.dsdmip.qld.gov.au

