



Hon Jeff Seeney MP
Deputy Premier

Minister for State Development, Infrastructure and Planning

Our ref: MC12/1437
PET 300512

- 8 JUN 2012

Mr Neil Laurie
The Clerk of the Parliament
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Dear Mr Laurie

Thank you for your letter of 23 May 2012 about Petition No 1859-12 and Petition No 1871-12 requesting me to exercise my Ministerial call in powers under the *Sustainable Planning Act 2009* (SPA) and call in a development application located at 50 Tinaroo Falls Dam Road, Kairi. I note the Petitions were originally tabled in the Queensland Parliament on 14 February and 16 February 2012, however the Legislative Assembly was dissolved for a general election prior to the initial ministerial response due date. Consequently, the petitions have now been forwarded to me for response as the responsible Minister under the new administrative arrangements.

I understand the development application was impact assessable under the *Atherton Shire Planning Scheme 2002* and was approved by Tablelands Regional Council through a negotiated decision notice on 8 February 2012.

Under the SPA, I may only call in a development application if it involves a state interest, and if the provisions of the SPA allow me. The timeframes under the SPA, which allow me to exercise my Ministerial call in powers have now lapsed, therefore I am unable to call in the development application.

I am advised, there are currently two submitter appeals filed with the Planning and Environment Court (P&E Court). The P&E Court is the independent body established to resolve disputes about planning and development matters. This is the appropriate avenue to resolve disputes about development proposals and the means for the view of local governments, applicants and submitters to be heard, tested and determined.

If you require any further information, please contact Matthew Adams, Senior Policy Advisor, on 3224 4600, who will be pleased to assist.

Yours sincerely

JEFF SEENEY MP
DEPUTY PREMIER
Minister for State Development, Infrastructure and Planning