



The Hon Sussan Ley MP

Assistant Minister for Regional Development and Territories
Federal Member for Farrer

Ref: MC18-008301

14 DEC 2018

Dear Mr

Thank you for your email of 14 November 2018 regarding Norfolk Island planning legislation.

The *Planning Act 2002 (NI)* has been amended to help enable the development of important public infrastructure to support the Island's future growth and sustainability. The new two-stage approval process for significant public infrastructure projects has been designed to include more local input to planning decisions to ensure maximum benefit for the Norfolk Island community.

This means that before I make a decision to approve a project through this process, I will be considering recommendations from the Norfolk Island Regional Council and submissions from the community. If there are any concerns raised, I can set conditions on the development.

The new development approval and review process has been based on similar processes for public infrastructure in other jurisdictions. In New South Wales, decisions made in relation to State Significant Infrastructure developments are not subject to merits review. You can find more information about State Significant Infrastructure on the NSW Government Planning & Environment website at www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Planning-Approval-Pathways/State-Significant-Infrastructure.

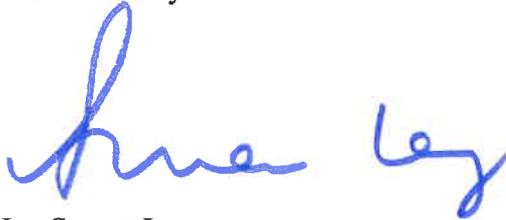
In Queensland, appeal rights may be limited for decisions made in relation to development schemes in declared state development areas. An example of this is the Abbot Point State Development Area Development Scheme. More information can be found on the Queensland Government Department of State Development, Manufacturing, Infrastructure and Planning website and at www.statedevelopment.qld.gov.au/resources/plan/cg/abbot/apsda-development-scheme-2014.pdf

With regard to the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act), anyone taking an action which is likely to have a significant impact on a matter of national environmental significance, the environment on Commonwealth land, or the environment in general (for actions taken by a Commonwealth agency) must refer their action to the Minister for the Environment for approval.

Under the EPBC Act, the Minister for the Environment's decisions are subject to review, but certain criteria may need to be met to be eligible for such a review. This topic is best addressed by the Department of the Environment and Energy. More information is available on its website at www.environment.gov.au/protection/environment-assessments.

Thank you for bringing your concerns to my attention and I trust this is of assistance.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Sussan Ley". The signature is fluid and cursive, with the first name "Sussan" written in a larger, more prominent script than the last name "Ley".

Hon Sussan Ley