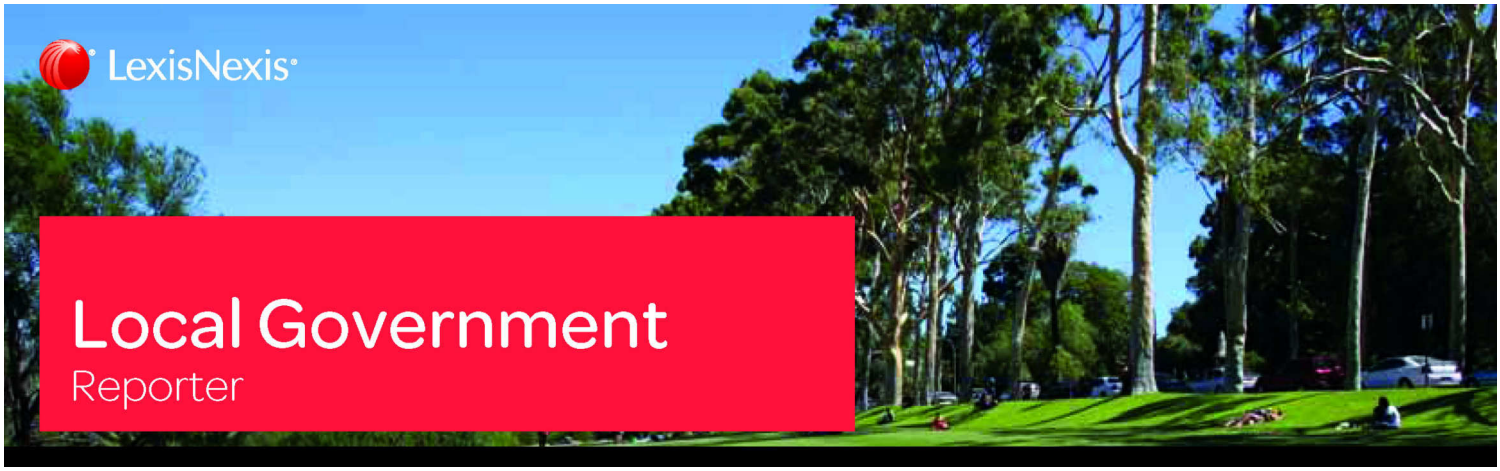

Local Government Reporter

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LexisNexis Butterworths

Local Government
Reporter

New planning principle for assessing impacts on neighbouring properties

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Introduction

The purpose of this article is to examine the Land and Environment Court's new planning principle for assessing impacts on neighbouring properties, as articulated in *Davies v Penrith City Council* (*Davies*).[1]

The planning principle in *Pafburn Pty Ltd v North Sydney Council* (*Pafburn*)[2] is well known, and, for obvious reasons, is one of the more regularly referenced planning principles. It laid down a five step process for assessing impacts on neighbouring properties. However, in the recent case of *Davies*, the court had reason to review the planning principle in *Pafburn* and laid down a new, slightly-adjusted principle, but an important adjustment nonetheless.

Before examining the new planning principle, it is convenient to reflect briefly on what planning principles are and how they are used by decision-makers when undertaking a development assessment.

A quick refresher — what are planning principles (and what are they "not")?

Senior Commissioner Moore in *Alphatex Australia v Hills Shire Council (No 2)*[3] comprehensively reviewed the proper role of planning principles in the court's decision-making process.[4] He identified two "categories" of planning principles — namely, "definition oriented" planning principles and "process oriented" planning principles. A definition oriented planning principle describes what might be regarded as the "answer" when a planning instrument proposes that an undefined performance criterion must be achieved.[5] A process oriented planning principle, on the other hand, provides guidance for decision-makers on how to consider an issue where there is no detailed approach in the relevant planning instrument.[6]

Senior Commissioner Moore also described what planning principles are "not". Relevantly, he recognised that they are:

> … evolutionary and can change or grow as circumstances in particular cases give rise to matters where members of the court collectively consider a further statement of generality (either by revision to or expansion of an existing planning principle) is desirable…[7]

He also said, inter alia, that planning principles cannot automatically displace or override the provisions of a local environmental plan or a development control plan that deals with the topic of a particular planning principle in a fashion differing from that enunciated by the planning principle itself.[8] That approach was recently endorsed in *Bachir v Kogarah City Council*.[9]

Accordingly, recognising that planning principles can evolve, including by revision of an existing principle, Senior Commissioner Moore in *Davies* has adjusted what the court said in *Pafburn*. This is outlined below.

The new planning principle in *Davies*

In *Davies*, the court considered a development application for a carport structure, which was intended to be attached to a residential dwelling. The carport structure was intended to be situated partly behind and partly forward of the front building line. The council's development control plan did not allow carport structures forward of the front building line (which is a common feature in many development control plans).

The applicant, Mr Davies, gave evidence during the course of the site inspection that he considered it was necessary to have a covered area for additional vehicles on his property as his wife suffered from muscular dystrophy and that he considered it necessary that it be possible for her to access a vehicle undercover. The court ultimately granted development consent for a carport structure which was wholly situated behind the front building line, being the agreed position of the applicant and the council.

However, as the applicant's case was, in part, based on what was described as the necessity for the structure, in light of the personal circumstances of the applicant's wife, it was necessary to review the planning principle in *Pafburn*. In *Pafburn*, the court, as part of the five step

process for considering impacts on neighbouring properties, posed the question: "How necessary and/or reasonable is the proposal causing the impact?". The council had submitted in *Davies* that it was not relevant to the court's consideration of the development application that the applicant's wife had a personal need for a carport structure. The court found that the words "necessary and/or" raised the risk of an "anthropocentric interpretation" of that element of the planning principle.[10] That is, that prudent and proper environmental planning demands that decision-makers ought not have regard to what might be personally "necessary" for any present or proposed occupants or the beneficiaries of any development consent in the assessment and determination of development applications.[11]

Accordingly, the court adjusted the planning principle by deleting the words "necessary and/or" from the five step process. In doing so, the court recognised that there are of course some planning considerations that may be "necessary" for a particular development (such as potable water supply and proper sanitation, for example, for a residence), however those considerations would be taken into account in assessing the reasonableness of any proposal. Accordingly, the five step process for considering impacts on neighbouring properties now poses, inter alia, the question: "How reasonable is the proposal causing the impact?".

Conclusion

It is a well known tenet of planning law that environmental planning is concerned with the use of land and not with the identity of the user (*Moslem Alawy Society Ltd v Canterbury Municipal Council*).[12] A development consent operates in rem (that is, it "runs with the land"). Put another way, a development consent is not personal to the applicant, but rather it is for the benefit of subsequent owners and occupiers and in some respects equivalent to a document of title (see *House of Peace Pty Ltd v Bankstown City Council*).[13]

That planning law is concerned with the use of land and not with the identity of the user, also focuses attention upon the functions of environmental planning instruments and consents. They are concerned with physical use, environmental impact and amenity. The risk that decision-makers may have regard to the personal "needs" of occupants or owners of land at any particular point in time, based on the content of the planning principle as expressed in *Pafburn*, thus justified the revision of that principle in *Davies*.

Consistency in the application of planning principles has been described by the Court of Appeal as a "desirable objective" (*Segal v Waverley Council*).[14] Thus, environmental planners should now have regard to the planning principle in *Davies* where the assessment of a development application calls for consideration of the matters identified by that principle in the particular circumstances of the case. Indeed, the court will now consider the planning principle in *Davies* (as opposed to the manner in which it was expressed in *Pafburn*) where it is necessary to do so.

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Footnotes

1. *Davies v Penrith City Council* [2013] NSWLEC 1141; BC201311453.
2. *Pafburn Pty Ltd v North Sydney Council* [2005] NSWLEC 444; BC200505895.
3. *Alphatex Australia v Hills Shire Council (No 2)* [2009] NSWLEC 1126; BC200903430.
4. Above, n 3, at [37]–[61].
5. Above, n 3, at [41].
6. Above, n 3, at [43].
7. Above, n 3, at [55].
8. Above, n 3, at [59].
9. *Bachir v Kogarah City Council* [2013] NSWLEC 1124; BC201311030 at [46], and [69]–[75].
10. Above, n 1, at [119].
11. Above, n 1, at [120].
12. *Moslem Alawy Society Ltd v Canterbury Municipal Council* (1983) 51 LGRA 79 at 82.
13. *House of Peace Pty Ltd v Bankstown City Council* (2000) 48 NSWLR 498; 106 LGERA 440; [2000] NSWCA 44; BC200001039 at [22]–[24].
14. *Segal v Waverley Council* (2005) 64 NSWLR 177; [2005] NSWCA 310; BC200507440 at [96].

Victorian planning scheme reforms — residential zoning reforms update

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The Victorian State Government, led by its reformist planning minister, Matthew Guy, has continued at pace with the introduction of substantial reforms to residential planning controls throughout the state.

On 1 July 2013 the powerful planning scheme amendment, suitably titled "V8", introduced the residential growth, general residential and neighbourhood residential zones into the Victoria Planning Provisions.

Mr Guy has indicated that Victorian municipalities have the discretion to apply the new suite of zones as they choose following community input. A 12 month period from 1 July 2013 applies for application of the new zones in each municipality.

The City of Glen Eira is the first Melbourne council to implement the new neighbourhood residential zone with new controls that came into effect on 23 August 2013. Under the new neighbourhood residential zone, around 90% of residential land within the municipality of Glen Eira, covering the well-heeled suburbs of Caulfield, Elsternwick, Carnegie, Ormond, Murrumbeena, McKinnon, Bentleigh and Moorabbin, was restricted to mandate new development to a maximum of eight metre building heights and a maximum of two dwellings per lot regardless of the size of the development site. This represents a substantial limitation on potential development yields within the municipality than what was potential under the previous zoning controls.

A further amendment, VC100, amended the residential 1, residential 2, residential 3, mixed use, township and low density residential zones on 15 July 2013 and applied cl 55 of the Victoria Planning Provisions to residential development up to and including four storeys.

The most recent amendment is VC104 which was approved by gazettal on 22 August 2013. VC104 implements the Victorian Government's commitment to including transitional provisions in the residential zones as recommended by the government's advisory committee's report on residential zones of March 2013. This is to ensure that existing applications will not be disadvantaged by the new provisions included in the new residential zones and the consequential changes to cl 55 applying to four storey residential development.

The amendment amends cl 32.07 (residential growth zone), cl 32.08 (general residential zone) and cl 32.09 (neighbourhood residential zone) of the Victorian Planning Provisions to include transitional provisions for an existing application to construct or extend residential development of four storeys or more to be exempt from the requirements of cl 55 gazetted in amendment VC100.

Amendment VC104 also amends cl 32.09 (neighbourhood residential zone) to include transitional provisions ensuring that approved development is not prohibited from being subdivided (cl 32.09-2) and that existing applications lodged, but not yet decided, are not subject to the maximum number of dwellings (cl 32.09-3) and maximum building height provisions (cl 32.09-8).

Amendment VC104 also amends cl 32.01 (residential 1 zone) and cl 32.02 (residential 2 zone) to update the reference for development exempted from cl 55 from four to five storeys to be consistent with other residential zones.

Finally, amendment VC104 amends cl 34.01 (commercial 1 zone) to ensure that neighbourhood and site description and design response plans are provided for residential development subject to cl 55 and to delete an unnecessary reference to precinct structure plans.

It is anticipated that over time, these transitional zones will be removed from the planning controls, although there may be a need for more permanent transitional provisions for subdivision in the neighbourhood residential zone to allow for the subdivision of flats and other types of existing residential development in the inner and middle suburbs dating from the post-war era.

We await with interest the response of other metropolitan councils to the process for rollout of the new residential zones, particularly to see whether the response of metropolitan councils is largely to adopt the approach of the city of Glen Eira to place a large proportion of the municipality within the neighbourhood residential zone and arguably unduly limit each municipality in reaching its residential development potential.

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Newly gazetted local environmental plan — the weight to be given when saving provisions apply?

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The application and construction of savings provisions within local environmental plans, being environmental planning instruments that govern land use and development pursuant to the Environmental Planning and Assessment Act 1979 (the Act), has been a contested issue in various decisions of the Land and Environment Court over the previous 12 months, culminating in the decision of Pepper J in *Maygood Australia Pty Ltd v Willoughby City Council* (*Maygood*).[1]

This article will discuss the application of the savings provision in the various decisions by commissioners of the Land and Environment Court that resulted in the successful appeal before a judge of the court in *Maygood*.

This article concludes that the appeal decision in *Maygood* represents an application of the savings provision that promotes a proper planning response to changing land use provisions in environmental planning instruments and, accordingly, achieves the objects of the Act.

Consideration of instruments under the Act

Section 79C(1) provides that:

> In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:
>
> (a) the provisions of:
>
> (i) any environmental planning instrument, and
>
> (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
>
> …
>
> (e) the public interest.

Pursuant to s 79C(1)(a)(ii), a draft local environmental plan is a mandatory consideration, but the weight that it is given is determined by its certainty and imminence.[2] In the decision of *Terrace Towers Holdings Pty Ltd v Sutherland Shire Council* (*Terrace Towers*),[3] the Court of Appeal found that it was appropriate for a consent authority, or the court on appeal, to give significant weight to a plan that commenced after the making of the development application. It was observed by Mason P that:

> The cases acknowledge that (as regards a proposal) the relevant instrument is not to be treated as made. But the terms of the transitional provision and the command of s 79C(1)(a)(ii) themselves require proper regard to be given to draft instruments that have been exhibited. The cases recognise that proper regard means that some draft instruments are entitled to significant weight.
>
> Cowdroy J did not err in law in paying significant weight to the fact that local environmental plan 2000 was actually in force at the time of the proceedings before him. It remained a draft instrument as far as the proposal was concerned, by virtue of the command of the transitional provision. Section 79C(1)(a)(ii) nevertheless authorised the consent authority to pay regard to relevant provisions in a draft instrument. Its provisions had become certain and its commencement imminent (in relation to the date of lodgment of the instant development application). Common sense explains why significant regard may be given to one whose commencement is imminent and whose terms have become certain. "Imminence" indicates close temporal proximity of application, but stops short of "presence" or "arrival".[4]

Savings provisions have the effect of providing some fairness to applicants for development consent, by ensuring that their applications are assessed by the prevailing controls and standards at the time of their application. However, it was noted by Spigelman CJ in *Terrace Towers* that:

> Where a draft instrument seeks to preserve the character of a particular neighbourhood, that purpose will be entitled to considerable weight in deciding whether or not to reject a development under the pre-existing instrument, which would in a substantial way undermine that objective.[5]

Accordingly, it has been considered that the weight afforded to an instrument, where gazetted but not applicable by dint of a savings provision, should be considerable so as to ensure that the approval of the application will not conflict with the desired planning intention of the locality. This mandatory consideration, albeit a question of weight, would apply in controlling permissible land uses as well as standards for built form such as height and density.

The savings provision

The Standard Instrument (Local Environmental Plan) Order 2006 (the Standard Instrument) was introduced in 2006 in response to concerns that there were diverse approaches to land use zoning and development standards contained within the local environmental plans in the NSW planning system.[6]

The Standard Instrument does not contain a savings provision. However, it has been a regular occurrence in new standard instruments for local environmental plans to include a savings provision at cl 1.8A. In the cases concerned, the local environmental plans contained, at cl 1.8A, a savings provision which stated that:

> If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, **the application must be determined as if this Plan had not commenced**. (emphasis added)

Despite the intention that the Standard Instrument was to provide consistent terminology and application across all new local environmental plans, the savings provision has been one area where inconsistencies have appeared. As seen in the Canada Bay Local Environmental Plan 2008 and the Sydney Local Environmental Plan 2012, the following provision appears at cl 1.8A:

> If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, **the application must be determined as if this Plan had been exhibited but had not commenced**. (emphasis added)

The commissioners' decisions

The first decision that considered the effect of the savings provision containing the phrase "the application must be determined as if this Plan had not commenced" was that of Commissioner Dixon in *Alamdo Holdings Pty Ltd v Hills Shire Council* (*Alamdo*).[7]

A fundamental issue before the court was the weight to which the new local environmental plan should be afforded, if any, to the fact that the newly gazetted instrument prohibited the land use for which it was applied. It was argued by the council that the certainty and imminence of the new local environmental plan meant it ought to be given significant weight in line with the authority in *Terrace Towers*.

However, Commissioner Dixon agreed with the applicant's submission that the savings provision ought to be considered strictly on its wording. She held that the savings provision contained in the new local environmental plan was different from that in *Terrace Towers* and that it was a clear intention in the drafting of the local environmental plan.[8]

On that basis, Commissioner Dixon found that the new local environmental plan must be considered as though it had not been exhibited. Thus, the new local environmental plan had no legal basis under the Act.

Commissioner Dixon did find that the new local environmental plan was a matter of relevance under s 79C(1)(e) in that it formed part of the public interest.[9] However, it was given no consideration in that respect.

Commissioner Dixon's rationale was adopted by Senior Commissioner Moore in *Wang v Canterbury City Council* (*Wang*).[10] The circumstances there were similar to *Alamdo*, in which the gazetted instrument prohibited the land use for which consent was sought. Senior Commissioner Moore applied the rationale in *Alamdo* and gave no weight to the prohibition, either under s 79C(1)(a)(ii) as draft instrument or under s 79C(1)(e) under the public interest.[11]

The facts and circumstances were vastly different in the decision of Commissioner Tuor in *Maygood Australia Pty Ltd v Willoughby City Council*.[12] There, an applicant sought consent for alterations and additions to an approved but unbuilt residential flat building. The issue revolved around the appropriate height for the building where the limit under the Willoughby Local Environmental Plan 1995 was nine storeys, but the limit under the Willoughby Local Environmental Plan 2012 was 34 metres.

In determining the weight to which the newly gazetted instrument was to be given, the reasoning from *Alamdo* was applied by Commissioner Tuor.[13] This was despite submissions from the applicant that such a conclusion results in an absurdity that ought to be avoided.

Although the fact that the new instrument was afforded no weight under s 79C(1), Commissioner Tuor did have regard to it in assessing an objection to the development standard for height imposed under the 1995 instrument, as it was relevant to the future character of the site.

Despite the new instrument having been given some regard in the overall assessment, Commissioner Tuor dismissed the appeal on the basis that the height and bulk were inappropriate, having regard to the 1995 instrument.

Determination on appeal

The construction of the savings provision at cl 1.8A by Commissioner Tuor formed the basis of the appeal before Pepper J, in which an error of law was alleged.[14] Her Honour concluded that Commissioner Tuor had misconstrued the savings provision and therefore failed to have regard to a mandatory consideration under s 79C(1)(a)(ii) of the Act.

The savings provision, while omitting several words, did not expressly state that the plan was to be read as

though it had never been exhibited. Justice Pepper, in forming a contrary conclusion to that in *Alamdo*, held that the words "as if this Plan had not commenced" did not equate with the words "as if this Plan had not existed".[15] Her Honour followed by stating:

> … cl 1.8A is a deeming provision that does no more than fictitiously set the 2012 LEP back to a point in time immediately before its commencement. At that moment the 2012 LEP is a "proposed instrument" and must be considered pursuant to s 79C(1)(a)(ii) of the EPAA. In other words, the LEP becomes a mandatory relevant consideration under that Act, assuming, of course, that the proposed instrument has been the subject of public consultation and proper notification to the consent authority, and failure to take it into account will give rise to jurisdictional error.[16]

Supporting this conclusion is the fact that the gazettal of the instrument assumes that it had been exhibited and been through the required public consultation under the Act.

Second, her Honour found no evidence of an intention by the legislature to reverse the reasoning in *Terrace Towers* and the decisions that followed it.[17]

The absurdity and irrationality of the construction in the *Alamdo* line of reasoning was also considered by Pepper J. Her Honour noted that a draft instrument would be a mandatory consideration prior to its gazettal, but yet would be given no weight in an assessment of the application following its coming into force.[18]

Finally, her Honour found that the newly gazetted instrument would nevertheless be a matter of relevance in the public interest and that only clear and unequivocal language was required to displace a matter's consideration under this element of s 79C(1).[19]

Analysis

Had the line of reasoning in *Alamdo* continued, a consent authority could be faced with a strange situation where a development application, if determined prior to an exhibited draft instrument being made, could give weight to that draft instrument, yet no weight once gazetted and in force (despite the fact that its terms and provisions can be considered certain and imminent).

The council had suggested to the court in *Wang* that having no regard to the new instrument and approval of the application would be to grant an existing use that is contrary to the planning intention of the zoning or locality, as the land use sought is now a prohibited use. While that conclusion would have an element of unfairness to an applicant for development consent, who sought consent to a use that was permissible at the time of the application, it nevertheless represents making good the principles espoused by the Court of Appeal in *Terrace Towers*.[20]

On the contrary, applying the principles under *Terrace Towers*, an applicant for development consent is entitled to the consideration of development standards which allow for an intensity of development that is contemplated as being desired for the future.

Regardless of the fairness afforded to an applicant for development consent, giving considerable weight to an instrument that is gazetted represents an appropriate planning response to assessing development applications where there is a planning intention for change. By doing so, the consent authority can make a determination which has regard to the future and desired character of the site and locality.

All things being equal, the objects of the Act can be attained, in particular, the promotion and coordination of the orderly and economic use and development of land.[21]

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Footnotes

1. *Maygood Australia Pty Ltd v Willoughby City Council* [2013] NSWLEC 142; BC201312674.
2. *Blackmore Design Group v North Sydney Council* (2001) 118 LGERA 290; [2001] NSWLEC 279; BC200107995.
3. *Terrace Towers Holdings Pty Ltd v Sutherland Shire Council* (2003) 129 LGERA 195; [2003] NSWCA 289; BC200305942.
4. Above, n 3, at [50]–[51].
5. Above, n 3, at [7].
6. See Department of Planning "Benefits of the LEP template" fact sheet (February 2008).
7. *Alamdo Holdings Pty Ltd v Hills Shire Council* [2012] NSWLEC 1302; BC201208477.
8. Above, n 7, at [20].
9. Above, n 7, at [21].
10. *Wang v Canterbury City Council* [2013] NSWLEC 1098; BC201302964.
11. Above, n 10, at [13]–[14].
12. *Maygood Australia Pty Ltd v Willoughby City Council* [2013] NSWLEC 1127; BC201311121.
13. Above, n 12, at [25]–[29].
14. Above, n 1.
15. Above, n 1, at [28].
16. Above, n 1, at [29].
17. Above, n 1, at [30].
18. Above, n 1, at [33].
19. Above, n 1, at [34]–[35].
20. Above, n 3.
21. Environmental Planning and Assessment Act 1979, s 5(a)(ii).

Backyard Blitz

New South Wales

NSW planning system reforms

The NSW Government is planning changes to the NSW planning system. In July 2012 details of proposed changes were released in a green paper (see Korber and McKelvey, "Let the reform begin: New South Wales planning reform green paper released" (2012) 10(9) *LGovR* 134).

On 16 April 2013 the NSW planning system white paper was released for public comment (see "Backyard Blitz" (2013) 11(7) *LGovR* 118). Data has been released confirming the extent of public consultation pertaining to the new planning system (see "Backyard Blitz" (2013) 11(9) *LGovR* 154).

Two Exposure Bills have been released — the Exposure Planning Bill 2013 and the Exposure Planning Administration Bill 2013, which are available for download at www.planning.nsw.gov.au.

The white paper contains six areas of reform:

1. delivery culture;
2. community participation;
3. strategic planning;
4. development assessment;
5. infrastructure; and
6. building regulation and certification.

The NSW Parliamentary Research Service has released "NSW planning reforms: sustainable development, Briefing Paper No 07/2013" (D Montoya; August 2013) which examines how "sustainable development" is conceptualised and proposed to be applied to the NSW planning system as part of the NSW planning reforms.

A copy of the briefing paper is available for download at www.parliament.nsw.gov.au.

The NSW Parliamentary Service has released "NSW planning reforms: infrastructure, Briefing Paper No 08/2013" (J Finegan; August 2013) which considers several aspects of infrastructure planning and delivery under the NSW planning system as part of the NSW planning reforms.

A copy of the briefing paper is available for download at www.parliament.nsw.gov.au.

The NSW Parliamentary Service has released "NSW planning reforms: building regulation and certification, Briefing Paper No 09/2013" (D Montoya; September 2013) which examines the proposed reforms to building regulation and certification in the NSW planning system as part of the NSW planning reforms.

A copy of the briefing paper is available for download at www.parliament.nsw.gov.au.

Use of photomontages in Land and Environment Court proceedings

The Land and Environment Court of NSW has implemented new requirements for photomontages which apply to proceedings commenced on or after October 2013.

A copy of the requirements can be obtained from www.lec.lawlink.nsw.gov.au.

Dangerous dogs

The Division of Local Government, Department of Premier and Cabinet has issued a circular to councils advising of the NSW Government's intention to introduce new legislation to help manage the threat of dangerous dog attacks. The proposed legislation is envisaged to include the following measures:

- A new "menacing dog" control category, allowing councils to require owners to muzzle their dog in public, be on a leash, be under the control of someone 18 years of age or older and ensure that it is desexed.
- Stronger penalties, including maximum jail terms for owners whose dogs have been involved in an attack, increasing to a maximum of five years for owners whose dogs have attacked after the owner has failed to comply with a menacing, dangerous, or restricted dog control requirement by council.
- Enabling councils to seize immediately an unmicrochipped dog for which notice of intention has been issued to declare the dog as menacing, dangerous or restricted.

A copy of the circular is available at www.dlg.nsw.gov.au.

Corruption in public office in NSW

The NSW Parliamentary Research Service has released "Corruption offences" e-Brief 11/2013 (L Roth; September 2013) which outlines ICAC's role in investigating corruption including its latest investigation, the criminal consequences of corruption and past proposals to reform corruption offences in NSW and Australia.

A copy of the e-brief can be downloaded from www.parliament.nsw.gov.au.

For information regarding the SA ICAC, see Kelledy and Jones "The South Australian Independent Commissioner against corruption" (2013) 11(7) *LGovR* 110.

Victoria

Review of local government electoral system

A comprehensive review of the state's local government electoral system is underway. An independent review panel will examine the local government electoral process, voter participation, integrity and electoral representation, including the distribution of wards and ballot counting systems operating across the state. The panel will provide:

- A stage one report in January 2014 dealing with matters of legislative reform; and
- A stage two report in April 2014 dealing with electoral representation.

Further details of the review can be found at www.dpcd.vic.gov.au.

Queensland

"Queensland ecotourism plan 2013–2020" released

The Queensland Government has released the "Queensland ecotourism plan 2013–2020" which outlines the vision for ecotourism in Queensland as follows:

> Queensland is Australia's number one ecotourism destination and recognised as a world leader in ecotourism, delivering best practice nature-based experiences that contribute to the conservation of our natural resources and cultural heritage.

It is stated that the vision, which is to be achieved by 2020, will be achieved through the implementation of the following strategic priorities:

1. delivering world-class experiences;
2. facilitating best practice and innovation;
3. raising the profile of Queensland's ecotourism experiences;
4. fostering thriving operators; and
5. embracing a partnership approach between the tourism industry, government, community and traditional owners.

A copy of the plan is available for download at www.nprsr.qld.gov.au.

Commonwealth

National Local Government Workforce Strategy 2013–20

The Local Government Practice Unit of Local Government Managers Australia, on behalf of the Australian Centre of Excellence for Local Government, Workforce Development Program has released its *Future-Proofing Local Government: National Workforce Strategy 2013–20.* The strategy is designed to future-proof the challenges faced by local government and to move the sector towards a more sustainable workforce through retention, attraction and development to 2020 and beyond, at a time when Australia is confronted by decreasing supply and an increasing demand for skilled workers.

The strategy document has eight strategies, each with a number of associated actions, designed to be implemented over the course of the next seven years (to 2020) by the Australian Centre of Excellence for Local Government and other stakeholders. The strategies are:

1. improving workforce planning and development;
2. promoting local government as a place-based employer of choice;
3. retaining and attracting a diverse workforce;
4. creating a contemporary workforce;
5. investing in skills;
6. improving productivity and leveraging technology;
7. maximising management and leadership; and
8. implementation and collaboration.

A copy of the strategy document can be downloaded from www.lgma.org.au.

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