



Submission No. 040
11.1.13

Ms Erin Pasley
Research Director
Infrastructure, Planning and Natural Resources Committee
Parliament House
George Street Brisbane Qld 4000

13 July 2015

By Email: ipnrc@parliament.qld.gov.au

Re: Feedback on the **Planning and Development (Planning for Prosperity) Bill 2015**

Dear Ms Pasley,

The Noosa and Hinterland Greens (Noosa Greens) call on the State Government to ensure adequate planning protections are in place to maintain the sustainability of Queensland's ecologically sensitive areas, such as the Noosa Biosphere. We also call on the Government to increase, rather than diminish, community consultation on important planning matters in all regions of Queensland.

Specifically, we are concerned with amendments to the Sustainable Planning Act (SPA) introduced by the previous LNP State Government and further proposed amendments tabled in State Parliament in early June 2015, by the now shadow LNP Minister for Planning and Development, MP Mr Tim Nicholls.

The Noosa Greens take a keen interest in responsible and environmentally sustainable planning policy and are actively involved in community consultation regarding the effect planning policy has on the natural and built environment of the greater Noosa region.

As you are aware, in 2007 Noosa was granted Biosphere Status under the UNESCO "Man and the Biosphere" program. We believe the community's right to have a say in planning matters is of paramount importance and was instrumental in facilitating the types of sustainable development outcomes that enabled Noosa to be granted Biosphere Status by UNESCO.

The Noosa economy is underpinned by its internationally recognised tourism brand which is synonymous with environmental conservation, balanced with low impact development.

Despite not being borne out by their actions, we note the following commitment made by the previous Queensland LNP State Government to the United Nations World Heritage Committee in January 2014:

"The underlying policy intent of the Queensland Government Program is to achieve ecologically sustainable development (ESD) throughout the GBR coastal zone."

The Noosa Greens believe this principle must form the basic criteria for development assessments in all regions of QLD. We are concerned this principle was undermined by the LNP State Government with their amendments to the Sustainable Planning Act, the Nature Conservation Act and the Vegetation Management Act

Therefore on behalf of our membership we appreciate the opportunity to raise the following concerns with the above “Planning & Development Bill 2015” and the preceding LNP State Government the P&E Court Bill:

1. The LNP Government’s State Planning Policies failed to emphasise Ecologically Sustainable Development as a primary objective. Should the questionable planning policies implemented by the previous administration not be addressed, we have concerns the future development approval process will maintain a bias in favour of applicants. The status quo provides developer’s an unfair advantage over communities and individuals who oppose inappropriate development, care for their environment or have an interest in achieving best practice development outcomes.
2. The Noosa Greens are opposed to any planning policy that diminishes the opportunity for public consultation. Genuine public consultation is absolutely vital for communities to shape their local government planning instruments. In addition, adequate community feedback mechanisms provide constructive input for elected representatives in the development application decision making process.

The Noosa community has a reputation of being proactive in determining Local Government policy and through extensive public consultation, has established the Noosa Planning Scheme.

The Noosa Plan is uniquely based on the principle of limiting development to the sustainable carrying capacity of the environment in which it occurs.

We therefore believe an appropriate period of public consultation for any Council to amend its Local Government Planning Scheme should be a **minimum** of 40 business days. This provides stakeholders and interested parties adequate time to raise community awareness regarding proposed planning amendments, as well as providing the opportunity to make submissions to the relevant authority or representatives.

3. The Noosa Greens strongly support mechanisms in State and Local Government Planning Policies that allow community feedback and involvement in individual development applications. Alternatively it is apparent from the LNP State Planning Policies and the P&D Bill 2015, that preference is given to the removal of “red tape” or “green tape” to the advantage of applicants in the interests of so-called “prosperity”, over local and wider community concerns with specific development applications.
4. We believe that developers must not be able to significantly alter the scale or intensity of proposals after public consultation periods have been finalised. In such circumstances, any State or Local Government approval granted by elected representatives or planning bureaucrats, without further consultation, would be tainted by the perception of applications being rubber stamped behind closed doors.

Leaving loopholes for applications to be redefined after lodgement without re-notification, encourages deceptive behaviour by applicants so as to avoid community input into proposals. Should it be possible for the legislation to be exploited in this way, there is no incentive for developers to explain their actual intentions in initial applications.

5. The Noosa community takes its right to public consultation very seriously and as mentioned above has a history of active engagement in the development approval process. The Noosa Greens have concerns regarding previous amendments to the Nature Conservation Act in 2013 and the State legislation's relationship with the Vegetation Management Act as outlined in the Noosa Planning Scheme.

Should planning policy be allowed to be amended as described in the abovementioned P&D Bill, in conjunction with previous amendments to the Nature Conservation Act, it is apparent Noosa's ability to retain our hard fought protections of the natural landscape would be significantly diminished.

6. The Noosa Greens recognise the importance of the SPA's Regulatory Provisions and their role in limiting the urban sprawl in South East Queensland. We are concerned that any weakening of these provisions will result in further erosion of the inter-urban break between Brisbane and the Sunshine Coast.
7. There is widespread community opposition to any State legislation that impacts on the right of individuals and community organisations to access the facility of the Planning & Environment Court. The LNP amendments to the States Planning policies in 2012 regarding costs rules are an unnecessary disincentive for individuals and community groups to act on their own behalf, or as co-respondents with Council to oppose inappropriate development.

The Noosa and Hinterland Greens thank the Department of Infrastructure Planning and Natural Resources for this opportunity to provide feedback and look forward to your response. Should you have any questions regarding this matter please do not hesitate to telephone our Convenor, Mr Steve Haines [REDACTED]

Yours Sincerely,

Secretary

Noosa and Hinterland Branch
Queensland Greens

Contact: noosa@qld.greens.org.au