



14 April 2016

The Research Director
Legal Affairs and Community Safety Committee
Parliament House
Brisbane QLD 4000

Thank you for the opportunity to comment on the possibility of enacting Human Rights legislation in Queensland.

We live in a beautiful old area of Brisbane which is so historically significant, that Wikipedia contains a whole section on it. The area is also a wonderful example of the Garden Cities movement and has a style of housing named after the area, the Ashgrovian. We are now seeing some disastrous town planning developments in my area where whole blocks are taken up by large houses and what little private green space is left is covered with concrete and bitumen. Large blocks are being cut up to allow the construction of small lot houses with separate granny flats all contained on one lot. One lovely old block in this character housing area has now been completely overdeveloped with four of these types of dwellings.

Large trees, which provide homes for native birds and animals, are being knocked down to allow these developments to proceed. These recent developments are punching holes in the urban fabric and destroying the character of our suburb.

We support the idea of a Queensland Human Rights Act but it must include the right for "peaceful enjoyment of possessions" to protect the amenity and privacy of ordinary people.

This will hopefully encourage amendment of planning processes whereby code assessable developments are not publicly notifiable and people do not know what is happening in the area until the bulldozers roll up. We know that developers argue that people can have a say in what happens to their neighbourhood through the development of planning schemes so that code assessable developments can then be automatically approved. This is a nonsense. People do not get involved in the development of neighbourhood plans unless there is a community minded person around who lets people know that these planning processes are happening.

We also support those recommendations developed by the Queensland Environmental Defenders' Office with a few amendments:

- *“Through introducing a human right to healthy ecosystems, the government will be required to consider in a more fulsome way how proposed legislation or policy might impact on people, including the ecosystem those people are dependent on for their livelihoods or health.*
- *By including a human right for consideration of the impacts of Climate Change to be at the forefront when governments are making decisions which involve the preservation and maintenance of healthy and sustainable eco systems at a State and national level.*
- *By providing a requirement for the consideration up front of the impact a proposed project, law or policy might have on the human right to healthy ecosystems, there is less chance that litigation might be undertaken to challenge that project, law or policy on the basis of the impacts to the right to healthy ecosystems.*
- *By including a right for the protection of cultural heritage buildings and places as a means of retaining connections with our social and cultural history.*
- *Too often the rights of more marginalised Queenslanders are not given as strong a weight as the rights of others; for example, rural Queenslanders, including indigenous people, frequently suffer impacts to their air and water quality which would not be allowed to occur in urban Queensland. A Human Rights Act would help to address this imbalance in the concern for the ecosystem needs of marginalised people versus those in cities.*
- *A Human Rights Act would help to ensure that the Government gives appropriate consideration to the rights of all Queenslanders to transparency and accountability in governance, through ensuring rights such as the right to access to information, such as monitoring data, or the right to have your concern’s heard with respect to development proposals that might affect you.”*

We think that a Human Rights Act if adopted would improve the drafting of legislation, and the development of policies which affect in particular planning and environment legislation and decision making. I think a Human Rights Act would ensure that we are all treated with dignity, equality, fairness and respect when we are involved in or dealing with public administration processes.

Yours sincerely



Margot and Louis Salzman



“Blue-Green Cities aim to reintroduce the natural [water cycle](#) into [urban](#) environments and provide effective measures to manage [fluvial](#) (river), [coastal](#), and pluvial ([urban runoff](#) or surface water) [flooding](#) ^[1] while championing the concept of multi-functional greenspace and landuse to generate multiple benefits for the environment, society, and the economy.” Wikipedia on Blue-Green Cities Strategy.

An increase in hard surface in suburban areas has a cumulative effect on urban runoff.