

17 January 2014

Submission No. 030

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11.1.14

State Development, Infrastructure and Industry Committee
Parliament House
George St
Brisbane QLD 4000
sdiic@parliament.qld.gov.au

Dear Committee Chair and Members

REGIONAL PLANNING INTERESTS BILL 2013

I am currently a volunteer and Ambassador at the Australia Zoo Wildlife Hospital and am on the Corporate Advisory Board for Wildlife Warriors.

It is in this capacity that I wish to make a submission on the above Bill and will confine my remarks to the sections as they relate specifically to Strategic Environmental Areas.

Whilst I support the general intention of the Bill as it pertains to the declared intention of preserving and protecting the Steve Irwin Wildlife Reserve (SIWR), I do have some concerns about the drafting of the Bill. My concerns relate to the media announcements by Hon Campbell Newman MP, Hon Jeff Seeney MP and Hon Andrew Powell MP in relation to proposed protection for the SIWR and the facilitation of this protection "in perpetuity" under this Bill, even though these sentiments aren't reflected in the Bill as it stands.

I would particularly like to draw to the attention of the Committee the following points:

1. After reading the Bill in its entirety, I am concerned with the inter-dependence that this Bill places on itself and a variety of Regional Plans (some of which have yet to be finalised). The Draft Cape York Regional Plan contains a map which shows the SIWR in a Strategic Environment Area. When this plan (using the current draft map) is in place, the SIWR is protected. As the Committee would know, Regional Plans must be reviewed on a regular basis which allows the opportunity for changes to designations and maps to be made. I would therefore state that the SIWR has no ongoing certainty as to its protected status.
2. I refer now to Section 11 (1) on page 12 – "Strategic Environmental Area". Whilst the current plan to protect the SIWR would fall under S11(1)(a), I have pointed out above that this protection can be altered. I would therefore request that a subsection (c) be inserted at Section 11 to separately name the SIWR. Then there could be no doubt whatsoever

about the continuing protection of the Reserve, which is in line with the public statements made by the Government.

3. Section 25 – an Exemption is listed for small scale mining activity. On checking the Environmental Protection Act 1994 – it states that this is allowed to affect up to 20 hectares with 5 hectares being allowed to be significantly disturbed. Whilst this Act says mining cannot be conducted in a wild river high preservation area or special floodplain management area – my understanding is that the Wild Rivers Legislation is to be revoked, so this protection would not, therefore, be afforded to the SIWR after this time. I note the draft Cape York Regional Plan also allows small scale mining activity within the Strategic Environmental Areas – so I feel this exemption clause needs to be removed as it relates to the SIWR.
4. I have been advised that applications for a Regional Interests Authority must be made to the Chief Executive and that notification to the land owner must occur. Further to this, it would appear that if an unscrupulous mining company wished to ignore this provision then this would, in no way, rule out their application going ahead. I feel these sections need to be changed to ensure procedural fairness to property owners across Queensland. I am referring to Sections 29, 30, 31, 35 and 36.
5. There is also no mention made in the Bill of how an application will be assessed and there doesn't appear to be any appeal rights for the owner of the land once a decision has been made. Again, this appears to be an oversight that impacts on any sense of fairness for Queensland property owners.

In summary, the only way that the Steve Irwin Wildlife Reserve Nature Refuge can be protected with any certainty is to have it included and named in the Bill as an area that **MUST** be preserved in perpetuity – with no mining of any kind being allowed to be conducted on the Reserve.

I would ask that the Committee investigates this matter (and the others I have raised in the points above) to its satisfaction and puts forward a recommendation as part of its report on the legislation supporting the nomination and inclusion of the Steve Irwin Wildlife Reserve into the Bill - in line with the media statements made by the Premier and various Cabinet Ministers.

Yours sincerely



Carolyn Male

(previously State Member for Glasshouse and Pine Rivers)