

The Research Director  
State Development, Infrastructure and Industry Committee  
Parliament House  
George Street  
Brisbane QLD 4000

Email: [sdiic@parliament.qld.gov.au](mailto:sdiic@parliament.qld.gov.au)

Date: 25<sup>th</sup> February 2014

**Re: Submission to the Regional Planning Interest Bill 2013**

Dear Sir/Madam,

WWF-Australia welcomes the opportunity to provide the SDII Committee with this submission about the Regional Planning Interest Bill 2013. Whilst WWF-Australia broadly supports the objective of the Bill to alleviate conflict between mining, agriculture and other land uses, we are deeply concerned about several aspects of the Bill that we believe will lead to sub-optimal and unintended outcomes for the environment, community, primary production and mining alike.

Our key concerns and recommended solutions are outlined below.

**1. Key issues and recommendations**

**1.1 Failure to implement commitments addressing UNESCOs concerns**

UNESCO is currently considering reclassifying the GBRWHA as 'World Heritage in-danger' due to its unresolved concerns about the declining ecological condition of the GBR World Heritage property. In response to UNESCOs concerns, the Queensland and Australian Governments are conducting a Strategic Environmental Assessment of the GBR under the *Environment Protection and Biodiversity Conservation Act 1999*.

Under the Strategic Assessment, the Queensland Government is responsible for assessing impacts to the GBRWHA within the coastal zone, while the GBRMPA is responsible for assessing impacts to the GBRWHA within the marine zone on behalf of the Australian Government.

In its recently released draft Great Barrier Reef (GBR) Coastal Zone Strategic Assessment program report, the Queensland Government has committed to protecting, managing and enhancing the GBRWHA by including measures in regional plans that better identify, avoid and manage adverse impacts to the GBR and other Matters of National Environmental Significance (MNES).

Despite this commitment, the RPI Bill fails to include any specific provisions that will ensure that adverse impacts to the GBRWHA or other MNES are better identified, avoided and managed within regional planning instruments.

Specific measures that need to be incorporated in the RPI Bill to ensure the GBRWHA and other MNES are better considered in regional planning instruments include, but is not limited to:

- **Avoiding impacts:** Requiring that development in reef catchments does not cause adverse impacts to ecosystems services and functions that are critical to maintaining the health of the GBR and other MNES
- **Better identification:** Utilize GBRMPA Blue Maps to identify areas of reef catchments that are critical to maintaining the ecological condition of the GBRWHA
- **Improved management:** Targeting offsets and investment in high priority areas of reef catchments identified by GBRMPA Blue Maps

#### **Recommendation:**

The RPI Bill should include the above mentioned and other measures that identifies, avoids and manages adverse impacts to the GBRWHA and other MNES.

#### **1.2 Failure to protect environmental values in perpetuity**

In their joint media release of 20<sup>th</sup> November 2013 (see attachment 1), the Premier, Deputy Premier and Environment Minister announced in regard to the Regional Planning Interest Bill 2013 that:

- The Steve Irwin Wildlife Reserve (SIWR) and the Wenlock River on Cape York Peninsula would be declared as Queensland's first ever Strategic Environmental Area (SEA)
- The SIWR will be the first of many ecologically sensitive areas across Queensland to be declared a SEA
- When finalised, SEA declarations will protect unique areas from mining and other activities that risk widespread impacts to their ecological integrity
- By protecting the Steve Irwin Wildlife Reserve *in perpetuity*, the Newman Government recognises the value of protecting exceptional areas of biodiversity for future generations
- The LNP Government is committed to preserving ecologically significant parts of Queensland for future generations

Despite these statements, the RPI Bill fails to include any provisions ensuring that Strategic Environmental Areas designated under a Region Plan will be protected in perpetuity.

Measures that need to be incorporated into the RPI Bill to ensure ongoing protection of environmental areas includes but is not limited to:

- Prohibiting mining from existing and new nature refuges
- Legally securing the boundaries of Strategic Environmental Areas
- Only allowing no impact development to occur in SEAs and other sensitive environmental areas

### **Recommendation:**

The RPI Bill should incorporate the above mentioned and other measures to ensure sensitive environmental areas are protected in perpetuity.

### **1.3 Failure to safeguard state interests**

Queensland's state interests are identified in the Single State Planning Policy (SPP), which is a whole-of-government framework that directs how planning and development assessment systems must safeguard state interests.

Under the SPP, state interests are:

- **Livable Communities and Housing**, which includes Livable communities, Housing supply and diversity
- **Economic Growth**, which includes agriculture, development and construction, mining and extractive resources, tourism
- **Environment and heritage**, which includes biodiversity, coastal environment, cultural heritage and water quality
- **Hazard and safety**, which includes emissions and hazardous activities and natural hazards
- **Infrastructure**, which includes water and energy supply, transport, airports and ports

Under Queensland's planning and development assessment system, new generation regional planning instruments are utilised to ensure the state interests are safeguarded. As the primary legislation supporting new generation regional plans, the key role of the RPI Bill is to direct how the states interests are considered and expressed in new generation regional plans.

While the RPI Bill includes provision to safeguard the economic growth (mining) state interest, it fails to include any specific measures to ensure that Environment and Heritage and other non-economic state interests are also safe guarded.

Measures that need to be incorporated in the RPI Bill to ensure that Environment (biodiversity) and Heritage state interests are safe guarded includes but is not limited to:

- Measures requiring adverse impacts to matters of national and state environmental significance to be avoided and mitigated
- Legally securing the boundaries of Strategic Environmental Areas
- Measures regulating the types of development that can occur in SEAs and other sensitive environmental areas

**Recommendation:**

The RPI Bill must include the above mentioned and other measures to ensure that Environment and Heritage state interests are safeguarded.

**1.4 Omission of critical information**

The RPI Bill fails to include a wide range of critical information, which includes but is not limited to:

- Criteria for assessing Regional Interest Authority applications
- Criteria for ensuring resource developments coexist with agricultural in PAAs and environmental values in SEAs
- Criteria guiding DSDIPs Chief Executive's discretion to approve RIAs

**Recommendation:**

The above information must be provided in RPI Bill.

**2. Conclusion**

Of the above-mentioned matters, the failure to provided specific measures to safe guard the Environment and Heritage state interest by protecting biodiversity and ecological values in perpetuity is by far the most significant issue with the RPI Bill as it is currently drafted.

If possible, WWF-Australia would appreciate the opportunity to discuss the above-mentioned and other matters regarding the RPI Bill with the SDII Committee.

Yours sincerely,

Sean Hoobin  
Freshwater Policy Manager  
WWF- Australia  
0424 142 840