

From: [REDACTED]
To: [State Development Infrastructure and Industry Committee](#)
Subject: FW: State Development Infrastructure and Planning (Red Tape Reduction) and Other Legislation Amendment Bill 2014
Date: Thursday, 26 June 2014 4:03:39 PM

[Please find submission below](#)

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From: Alan Vico
Sent: Thursday, 26 June 2014 4:01 PM
To: 'sdiic@parliament.qld.gov.au'
Subject: FW: State Development Infrastructure and Planning (Red Tape Reduction) and Other Legislation Amendment Bill 2014

The Research Director,

Far North Queensland Ports Corporation Ltd (Ports North) wishes to submit comment on the State Development, Infrastructure and Planning (Red Tape Reduction) and Other Legislation Amendment Bill 2014.

We note firstly, for reasons yet to be ascertained, that we have only recently become aware of the status of the Bill and the imminent deadline for comments.

Our review and comments are therefore limited to immediately obvious matters of critical importance.

These relate to Part 3 - Amendment of State Development and Public Works Organisation Act 1971.

Clause 31 of this Part reduces current timeframes to the lapsing of declaration of project to 18 months from receipt of the final TOR to CGs declaration of its acceptance as a Final EIS. A Final EIS is deemed an EIS which requires no further comment or information. The current applicable timeframe is 24 months from receipt of the final TOR to submission of the DRAFT EIS. This proposed new timeframe is extremely tight in terms of data collection, including the collection of seasonal data and assessment required to write a draft EIS, ensuring an EIS is robust and comprehensive and, then allowing sufficient time to for public comment and address any other information requirements in a potential supplementary EIS and final adjudication on whether the CG deems the EIS to be final. The timeframes associated with this cannot be defined or

anticipated in advance, and thus creates an area of uncertainty and risk for planning and conduct of EIS work.

Part 4 of Clause 31 does allow for extensions of time requests, however this still holds a level of risk and uncertainty.

In particular relevance to Ports North's current EIS for the Cairns Shipping Development Project this clause does not provide any assistance, as although the current lapsing date for the declaration is November 2014, the project TOR were finalised over 18 months ago from now and so the commencement of the Bill may immediately cause the lapsing of the declaration.

We expect that transitional clauses were intended to protect against this issue above however note that Clause 66 (Transitional Provisions) are unclear and potentially reinforce the immediate lapsing of our project declaration. This clause refers to Former Part 4 continuing to apply but in this short time frame to comment we have not able to determine what this refers to.

Ports North therefore have valid concerns that if the Bill is enacted with its current provisions it could result in our current Cairns Shipping Development EIS lapsing and would result in us having to restart the EIS process. We therefore believe the Bill in its present form to be unworkable on these matters and requires revision.

Regards,
Alan

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