

Officer: Peter Pallot  
Direct telephone: 5453 1515  
Email: [REDACTED]

Submission No. 094  
26 June 2014  
11.1.22

25 June 2014

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

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

Dear Sir/Madam

**Submission regarding the State Development, Infrastructure and Planning  
(Red Tape Reduction) and Other Legislation Amendment Bill**

Sunshine Coast Council welcomes the opportunity to make a submission to the State Development, Infrastructure and Industry Committee on the *State Development, Infrastructure and Planning (Red Tape Reduction) and Other Legislation Amendment Bill 2014* (the Bill).

This submission relates specifically to proposed amendments to Part 4 of the *State Development and Public Works Organisation Act 1971* (SDPWO Act) – in particular, the amendments to the Environmental Impact Statement (EIS) process for coordinated projects and the lapsing of coordinated project declarations under section 27A of the SDPWO Act.

Council wishes to bring to your attention the Bill may have unintended consequences for existing coordinated projects.

**Background - lapsing of coordinated project declarations**

Currently, a coordinated project declaration will lapse if a proponent does not provide its EIS to the Coordinator-General within 18 months after finalisation of the terms of reference for the EIS, or a later time fixed by the Coordinator-General.<sup>1</sup>

**Proposed amendments to lapsing of coordinated project declarations**

The Bill proposes to amend the EIS process for coordinated projects so that a coordinated project declaration will lapse if the Coordinator-General has not accepted the draft EIS as a final EIS:

---

<sup>1</sup> Sections 27A and 32(4) of the SDPWO Act

- within 18 months after finalisation of the terms of reference for the EIS; or
- if, before the declaration lapses, the Coordinator-General fixes a later period for the declaration to lapse – the later period.<sup>2</sup>

This will apply to existing coordinated projects, unless public notification of those projects had been undertaken prior to commencement of the Bill.

### **Consequences for existing coordinated projects**

The Bill may have the unintended consequence that, if an existing coordinated project had its terms of reference finalised 18 months prior, its coordinated project declaration will lapse **upon commencement** of the amendments.

For existing projects that have not yet reached the 18 month deadline, it is likely that there will be some cases where it is not feasible for a proponent to complete all the steps leading up to and including acceptance by the Coordinator-General of the draft EIS as a final EIS in the time remaining.

While the Bill includes transitional provisions, as currently drafted, these transitional provisions only apply to coordinated projects that have completed public notification prior to commencement.

To avoid the unintended consequence of lapsing of existing coordinated project declarations upon or shortly after commencement of the amendments, the transitional provisions would need to have wider application so that declarations for projects that have passed (or are near) the 18 month deadline do not lapse without a proponent being allowed reasonable opportunity to complete its EIS process or secure an extension from the Coordinator-General.

Thank you for considering Council's submission to the State Development, Infrastructure and Industry Committee. If you have any queries in relation to our submission, please do not hesitate to contact Peter Pallot, General Manager Sunshine Coast Airports, on

Yours sincerely



John Knaggs  
**Chief Executive Officer**

---

<sup>2</sup> Clause 31 of the Bill.