

# NOOSA PARKS ASSOCIATION Inc.

Noosa Parks Association  
Environment Centre  
Wallace Park  
Wallace Drive, Noosaville  
WEB: [www.noosaparks.org.au](http://www.noosaparks.org.au)



All mail to:  
Secretary  
P.O. Box 836  
Noosa Heads Qld 4567  
Email: [office@noosaparks.org.au](mailto:office@noosaparks.org.au)

10 October 2012

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

Greetings

**RE: SUSTAINABLE PLANNING AND OTHER LEGISLATION AMENDMENT BILL 2012**

This letter comprises a submission regarding the *Sustainable Planning and Other Legislation Amendment Bill 2012* and in particular provisions which seek to move away from each party bearing its own costs in Planning & Environment Court matters.

The current provisions recognise the public interest nature of environmental and planning laws and ensure community organisations and citizens are not discouraged from applying to the Court due to fear of a crippling costs order. Changes to this system which has operated successfully in Queensland for decades now will reduce opportunities for justice and the necessary testing of decisions and dissuade local governments from defending decisions made under their planning schemes.

The Noosa Parks Association (NPA) has participated successfully in many appeals over the past three decades and has been able to do so because it has had the ability to control its own costs. At times, by electing to become a co-respondent with Noosa Council, it has been able to keep Noosa Council committed to defending the planning decision that is in contention. At other times, it has been able to have Council planning decisions that were contrary to its planning scheme overturned.

Noosa would be very different today if NPA had judged that, despite having a legitimate planning case to argue, it could not with confidence control its own legal costs, and as a consequence, it could not participate in the planning appeal process. For example, sections of today's Noosa National Park and Cooloola Section of the Great Sandy National Park that are so valued by residents and tourists alike would be sprawling suburbs and Noosa would have high-rise buildings along its foreshores.

The changes proposed under the *Sustainable Planning and Other Legislation Amendment Bill 2012* will make it more difficult for community organisations such as the NPA keep their local council honest in implementing the planning scheme in the future.

The current provisions of the [Sustainable Planning Act 2009](#) should not be altered.

Yours faithfully,



Faith Godefroy  
Honorary Secretary  
Noosa Parks Association Inc

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