

John Bloomfield

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State Development, Infrastructure and Industry Committee
Parliament House
Brisbane
Qld 4000

11/10/2012

SPOLA Bill 2012

Dear Committee,

I am writing this submission as an individual, regarding my concerns about what appear to be large changes to current legislation. I must confess I do not understand all of what is proposed as I am not a lawyer nor a town planner. Actually I wonder if anyone fully understands the proposed Bill in its entirety!

However I do understand the section regarding P&E costs being awarded to the successful party. As an individual, and as a member of some small organisations who care about the environment, I am very concerned that this part of the Bill will intimidate us into not proceeding with actions to try and protect our small part of the world from inappropriate large developments.

I understand that a reason given for this change is to stop 'frivolous or vexatious' actions. Surely that claim is totally unreasonable due to the very small number of such incidences occurring. It appears to be a large sledge-hammer to crack a very small nut.

I can see that even Councils will have to think twice before they take on large developers or the State Government, to try and maintain control over infrastructure.

As individuals we are at the paying end of any battle. If councils take on government we residents are paying for those actions with our rates and also paying the government via our taxes, a lose, lose scenario. If as individuals or small organisations we are unable to negotiate an outcome, we have to risk massive costs of the opponent's barristers, as opposed to our own small, often volunteer or pro-bono assistance. There is the old adage of 'Never take on the government' they have very deep pockets (of our money). Once again we pay twice. How can this be fair?

In conclusion, I would like to see the P&E costs section removed from the bill as I feel it is unnecessary and opens a legal door which could stifle reasonable process.

Yours faithfully
John Bloomfield