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State Development, Infrastructure and Industry Committee

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Dear Committee Members,

The Koala Action Group (KAG) has grave concerns about the implications of the proposed changes in the Sustainable Planning and Other Legislation Amendment Bill 2012. There may be a short-term economic boost to a small sector under the banner of removal of so-called 'red tape' but the long-term effects on environmental sustainability will be profound and irreversible threatening the very fabric of our society. We implore you to think of the future of this state, not short-term expediency and reconsider the more damaging changes. Our particular concerns include:

1. The lack of community consultation in making such profound changes.

Most of the community are completely unaware of the proposed changes and what they will mean. There has been apparently no attempt to consult those affected by the bill. The summary given on the Parliamentary website sounds relatively benign and gives little indication of the sweeping changes proposed:

The Bill seeks to:

- improve the coordination and responsiveness of state government in dealing with particular development applications (proposing development within or partially within state jurisdiction);
- remove ineffective master planning and structure planning arrangements;
- reduce regulatory 'red tape' for development applications involving a state resource;
- provide some flexibility in the requirements for supporting information accompanying a development application;
- provide that certain provisions within the Queensland Planning Provisions also apply to local government planning schemes made under the Integrated Planning Act 1997 (repealed);
- give the Planning and Environment Court general discretion in relation to costs; and
- introduce an alternative dispute resolution process in the Planning and Environment Court for minor disputes.

These points do not represent the changes adequately and thus has no doubt limited the number of submissions as not many members of the public have the legal knowledge to plough through the lengthy acts involved.

2. The changes to the costs in the Queensland Planning and Environment Court (QPEC) will make it prohibitive for genuine cases to go to court.

The present rules have made it possible for community groups to challenge poor planning decisions in the QPEC although this has been a fairly rare event. Even so there are examples where improved environmental outcomes have resulted from the community's involvement in QPEC proceedings including Alternative Dispute Resolution under the present system. Few, if any ordinary people will be in a position to risk their homes and future. Thus an important part of the democratic process will

be denied to the community under the proposed changes. KAG has been involved in several cases where koala habitat has been protected through their actions in the QPEC.

State Government Agencies have in the past been supported by community groups in upholding the law and planning schemes. The community can perform an on-ground role as the eyes and ears of agencies. The proposed system will leave the onus totally on the State Government departments. It is doubtful whether this will be effective as the agencies will presumably also be liable for costs and will be less likely to enforce the rules. It is also unclear whether this role will even be open to the agencies under the single state assessment model (see below). If this is the case it will be an open invitation for developers to ignore environmental requirements.

3. Concerns about the provision of a single state assessment manager/referral agency

While convenient for developers this is unlikely to give good environmental outcomes. It is more than likely that environmental issues will be subsumed by other departmental views. KAG would like to see assurances in the legislation that environmental factors will be properly considered. It is potentially dangerous and undemocratic to concentrate power in one department.

4. Removal of master/structure planning provisions

The removal of these provisions could mean a return to *ad hoc* development with loss of properly planned and funded infrastructure. The community could potentially be left with the costs of poorly planned developments. Greenspace could also be lost to the community if master planning provisions are removed leading to social and quality of life problems as well as the loss of biodiversity.

Conclusion

Our group feels that the proposed changes are extremely biased towards the development industry and the democratic process of appeal by the community to QPEC will be completely compromised. Once the broader community understand the negative significance of these changes, it is anticipated that there will be wide spread angst and the political fallout will be profound. The government would do well to remember that they represent all Queenslanders and not just those who look to make a profit at the detriment of our precious wildlife.

Yours sincerely,

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