



12 October 2012

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

Dear Research Director and Committee,

RE: Sustainable Planning and Other Legislation Amendment Bill 2012

Thank you for the opportunity to provide comments to the review of the Australian Renewable Energy Target.

I support the points and recommendations outlined by the Environmental Defenders Office of Queensland (EDO Qld) and the Environmental Defenders Office of Northern Queensland (EDO-NQ), in their joint submission to the State Development, Infrastructure and Industry Committee for this review. Amongst other things, the EDO points out that:

The Bill will:

- deny all but the most wealthy the ability to take legitimate cases before the Queensland Planning and Environment Court, through fear of crippling costs orders;
- tip the scales of negotiation and dispute resolution in favour of large Councils and developers who can afford the risk of going to trial; and
- with negligible consultation, overturn a 20+ year rule which has served an important public interest of community involvement in planning decisions which affect everyone.

The Bill will not:

- reduce appeals by commercial competitors which have too much to gain to be dissuaded from “delay and obstruct” tactics, and are already at risk of costs orders;
- reduce appeals that lack reasonable planning grounds as they are already rare and subject to the risk of costs orders;
- improve early resolution of appeals which are already resolved 95% of the time before trial; or
- meaningfully improve development assessment as less than 0.1% of development applications are delayed by third party trials.

If you would like further information or should you have any queries, please do not hesitate to contact me as per the details provided below.

Yours sincerely,



Joe Hallenstein

