



Resource Centre Tozer Park Rd, Gympie
 Postal PO Box 1027, Gympie,
 Qld. 4570
 Telephone (07) 5482 4766;
 Fax (07) 5482 5642
 E-mail mrccc@ozwide.net.au
 Website www.mrccc.org.au

Working towards a sustainable and productive catchment

12th October 2012

VIA EMAIL (sdiic@parliament.qld.gov.au)
 State Development, Infrastructure and Industry Committee
 Queensland Parliament
 Parliament House
 Brisbane QLD 4000

Dear Sir/Madam,

Sustainable Planning and Other Legislation Amendment Bill 2012 (Qld)

The Mary River Catchment Coordinating Committee (MRCCC) is a community-based not-for-profit organisation with delegates from 25 industry, community and government sectors which co-operate to achieve Integrated Catchment Management outcomes within the Mary River Catchment. The MRCCC has operated effectively and continuously since 1995 and has developed a great deal of expertise in dealing with planning and resource management issues which impact on land management and the sustainable use of the natural resources of the Mary River Catchment. It is from this background that we would like to make the following comments on two of the legislative and procedural changes proposed in the *Sustainable Planning and Other Legislation Amendment Bill 2012*.

1. *Proposed changes to the 'own costs' rules for proceedings in the Queensland Planning and Environment Court.*

The MRCCC feels that clause 61 of the Bill is a backwards step and suggests that the Act retains the existing arrangement where parties meet their own costs in the Queensland Planning and Environment Court. Bringing in an arrangement where total costs may be awarded against the unsuccessful party is likely to deny ordinary litigants the ability to take legitimate cases before the Queensland Planning and Environment Court (through fear of destructive costs orders), and twist negotiation and dispute resolution procedures in favour of those wealthy litigants who can afford to commit to large legal expenditure

2. *Changes proposed 'to decouple the resource allocation or entitlement process from the development assessment process'*

The Bill amends a number of Acts which govern the sustainable use and management of State owned common natural resources, such as water, environment, minerals and fisheries resources, to 'decouple' the development assessment process from the procedures required for a resource allocation or entitlement under these other Acts.

*The MRCCC gratefully acknowledges the support of
 The Sunshine Coast Regional Council, Gympie Regional Council and Fraser Coast Regional Council,
 the Burnett Mary Regional Group, the Department of Main Roads, the Department of Agriculture, Fisheries and Forestry,
 the Department of Sustainability, Environment, Water, Populations and Communities,
 and landholders throughout the Mary Catchment.*

DONATIONS TO THE MARY CATCHMENT PUBLIC FUND ARE TAX DEDUCTIBLE

The MRCCC is concerned that it is not clear in the Bill how the process of meeting the requirements of these various acts for a particular development will be coordinated, if not as part of the development assessment under the Sustainable Planning Act.

The MRCCC hopes that the committee gives consideration to these comments which are made in good faith with the aim of improving the laws and procedures which govern the use of natural resources in Queensland.

A handwritten signature in black ink that reads "Mackay". The signature is written in a cursive, flowing style with a large initial 'M'.

Ian Mackay
Chair

