

Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025

Submission No: 514
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Submitter Comments:

1. My apologies for this submission after 12 midday. I trust you will receive and consider it. 2. I am a Retired Barrister at Law who was in private practice for 39 years (1977-2016) during which time I developed a specialization in Planning Law. In addition to Litigation, I was involved in advocating for better access to negotiation and facilitation (including Mediation + Alternative Dispute Resolution (ADR)). I am still interested in improving how the law works.3. I note Hon JP Bleijie (Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations) referred in Parliament on 1 May 2025 to making renewable projects subject to consistent, robust consideration like mining and gas projects while improving the participation opportunities of local and regional communities as part of the Bill.4. As you will know the Land Court deals with complex issues for many land and resource projects and it is the second oldest Court in Queensland.5. The stakeholders who the Deputy Premier is concerned about should have the choice of proceeding to the Land Court or the Planning and Environment Court.6. While there are similarities between Planning and Environment Court and Land Court proceedings there are important differences in some approaches (like a negotiated outcome, case management style in preparing the parties for a hearing and dealing with expert witnesses), it is important for the Stakeholders to be able to choose between the two Courts.7. Access to Justice involves a number of issues like the cost of litigation and the time it takes to litigate (including delivering judgment).8. Disputes about what should be included in social impact agreements will arise once this Bill is passed, so the methods for dealing with those disputes will be a challenge for the Stakeholders and the Courts which can be expected to create new or improved procedures (including which save time and cost). Kind regardsJohn Haydon