

22 September 2014

Online Response

Department of State Development, Infrastructure and Planning
63 George Street
BRISBANE QLD 4000



Environment
Institute of
Australia and
New Zealand
SOUTH EAST QLD DIVISION

Re: EIANZ's Comments on the Draft Planning and Development Bill 2014

The Environment Institute of Australia and New Zealand (EIANZ) South East Queensland Division is pleased to submit its comments on the Draft Planning and Development Bill 2014. The Institute acknowledges the efforts being made by the Queensland Department of State Development, Infrastructure and Planning to reform planning and development assessment within Queensland. The Institute considers that there is more that needs to be done to ensure that these conditions meet the needs of industry and the people of Queensland.

The EIANZ is the leading professional body in Australia and New Zealand for environmental practitioners, and promotes independent and interdisciplinary discourse on environmental issues. On all issues and all projects the Institute advocates good practice environmental management delivered by competent and ethical environmental practitioners. EIANZ's comments (below) focus on the need to adopt standardized outcome-focussed mechanisms for achieving sustainable and best practice management of resource projects.

EIANZ questions whether the proposed legislation will actually reduce red tape from the development proponent's perspective. We are of the opinion that the Bill should focus on desired, measurable, community policy outcomes, rather than focus on the process used to achieve these outcomes.

The treatment of policy and guidelines through a separate mechanism to reduce the size of the Act does not necessarily lead to a reduction in red tape, and is only likely to lead to unnecessary confusion and time delays. Rather, EIANZ suggests that the current complexity in the Sustainable Planning Act was the result of past Governments (and their agencies) treating issues on a piecemeal basis, instead of on a consistent, whole-of-government basis.

While removing the need to make frequent changes to legislation has merit, reliance on regulation to address policy issues and guidelines is of concern to EIANZ unless the regulations are subject to informed community input. EIANZ is concerned that the Bill appears to have had limited input from environmental and NRM planners. Statutory Planners, from our experience, do not appreciate all aspects of planning and development assessment.

EIANZ questions the change to the purpose of the Bill. If its intent is essentially the same as that of the current legislation, then why change it? Owing to what is often a lack of community trust toward Government, EIANZ is of the opinion that such changes being proposed to the legislation may only reinforce the notion of ulterior motives being involved.

EIANZ is of the opinion that the Bill does not adequately address planning, when appropriate planning might otherwise eliminate unnecessary costs and minimize time delays being borne by development proponents that are currently the result of lodgement of inappropriate development applications.

To avoid confusion, EIANZ suggests that the development assessment process should continue to use the same terms as applied to the Sustainable Planning Act, unless the intent of that legislation has changed. Also, if red tape has in fact been minimised, why is there a need for a separate process to be used for "Government" developments. Likewise, why is there a need for three separate impact assessment processes in Queensland statutes? EIANZ suggests that Queensland should look to other jurisdictions, such as British Columbia, Canada. In BC, one piece of legislation, the BC Environmental Assessment Act, encompasses a single process that applies to all forms of development, whether they are government or private sector, across all industries. This would also assist in facilitating the environmental assessment bilateral agreement with the Commonwealth.

EIANZ also questions the ability of Government, development proponents and their consultants to meet the community expectations, as reflected in the Bill.

We acknowledge and thank you for the opportunity to contribute to the consultative process. Please contact me directly on 07 5429 8480 or at seq@eianz.org if you have any questions regarding our submission.

Yours faithfully,
EIANZ SEQ

A handwritten signature in black ink that reads "Vicki Brady". The signature is written in a cursive, flowing style.

Vicki Brady
President