

MC05.2752 - TPA23473
P/05/01727

Mr Neil Laurie
Clerk of the Parliament
TableOffice@parliament.qld.gov.au

Dear Mr Laurie

Thank you for providing me with a copy of the wording of petition no. 472.05 regarding Redland Shire Council's decision to approve a residential development at 401 Redland Bay Road, Capalaba.

I have responded directly to the principal petitioner Mr S Baltais and a copy of my reply is attached for your information.

Yours sincerely

Desley Boyle MP
Minister for Environment
Minister for Local Government and Planning
Minister for Women

Att.

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Mr Simon Baltais
Principal Petitioner
29 Estelle Street
BIRKDALE QLD 4159

Dear Mr Baltais

The Clerk of the Parliament has forwarded me a copy of the wording of your petition, lodged with the Legislative Assembly of Queensland on 9 August 2005, regarding Redland Shire Council's decision to approve a residential development at 401 Redland Bay Road, Capalaba.

On 26 July 2005, I discussed a number of planning and development matters relating to the actions of Council with you and other members of the Community Alliance for Responsible Planning (CARP) Redlands Incorporated. Following this meeting, I wrote to Lavinia Wood, President and Spokesperson of CARP, addressing the concerns she raised in CARP's submissions to me.

Council's decision to approve the application at 401 Redland Bay Road, Capalaba was used as one of a number of examples by CARP highlighting their concern with the conduct of some of the Redland Shire Councillors supporting applications that in the community's view contravene the planning scheme without sufficient planning grounds. CARP also raised concerns with the proposal's conflict with koala conservation values.

In February 2005, the Government released a draft Code of Conduct for Councillors, and I have also personally called on councillors to conduct themselves appropriately. I take allegations about inappropriate actions of councillors very seriously as such behaviour can undermine the community's confidence in their local government.

In terms of overriding Council's decisions, I have certain powers under the *Integrated Planning Act 1997* such as Ministerial direction and call in powers. However, these are not used routinely or often, and may only be exercised if I am satisfied that an interest of economic or environmental significance to the State is affected, or the efficiency, effectiveness and accountability of the planning and development assessment system is affected.

At this stage, I am monitoring this application closely to determine whether environmental interests to the State are affected or Council's administrative process was efficient, effective and accountable.

In relation to your request for a public inquiry into Council's actions of on planning and development related matters, any allegations of official misconduct or misuse of power by a particular Councillor or Council employee should be referred to the Crime and Misconduct Commission (CMC), the independent body established to investigate misconduct in the Queensland Public Sector, including local government. The CMC can be contacted on (toll free) telephone number 1800 061 611.

Yours sincerely

Desley Boyle MP
Minister for Environment
Minister for Local Government and Planning
Minister for Women