



Mackay Conservation Group

Inc.

Environment Centre
156 Wood St
(PO Box 826)
Mackay Qld 4740
ABN: 41 123 903 975

Tel: (07) 4953 0808
Fax: (07) 4953 0153
Email: admin@mackayconservationgroup.org.au
Web: www.mackayconservationgroup.org.au

Peter McCallum
Coordinator
Mackay Conservation Group
PO Box 826
Mackay Qld 4740

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RTI and Privacy Review
Department of Justice and Attorney-General
GPO Box 149
Brisbane QLD 4001
By email: FeedbackRTIandprivacy@justice.qld.gov.au

Submission by Mackay Conservation Group on RTI review

Thank you for the opportunity to comment on the review of Right to Information processes in Queensland.

Mackay Conservation Group has used the Public Register of documents that is established by Sections 540 and 541 of the Environmental Protection Act 1994 to obtain information about mines in operation in our region.

The Dept of Environment and Heritage Protection (DEHP) website says that the purpose of this register is to:

allow public access to information about individual sites/businesses which the department has given approval to, so that the public can satisfy itself that businesses are conducting themselves appropriately and/or have the correct approval in place.

The EP Act (section 542) allows for free access to the register and reasonable charges for copying documents. That means that the cost of obtaining documents from the public register is far less than through the RTI system. It is also much faster than RTI searching.

However, there are some issues with this system. Firstly, the public register does not formally exist, so officers of DEHP must search for relevant documents for each request made. It would be far more useful if documents were automatically placed on a public register website to make it easy for members of the public to view.

A second issue is that the EP Act requires that any documents required to be **given** to the department as a condition of an environmental authority must be placed on the public register. In some cases, documents that are required to be prepared by the holder of an environmental authority are not required to be given to DEHP. In that case the department strictly interprets the legislation and does not make those documents available through the public register process. In the first instance the department requires an RTI request for such documents. This is both time consuming and costly.

It would be far more time and cost effective and in line with the policy of transparency if the DEHP required any documents that must be produced as a condition of an environmental authority to be given to the department and for those documents to be placed on a public website. That would reduce the workload of officers of the department, reduce the number of RTI requests and vastly improve public access to documents.

Regards

