

11 July 2015

Research Director
Infrastructure, Planning and Natural Resources Committee
Parliament House
George Street
Brisbane QLD 4000
By email to: ipnrc@parliament.qld.gov.au

Dear Sir/Madam,

Submission on the Draft *Planning and Development (Planning for Prosperity) Bill 2015* and *Planning and Development (Planning Court) Bill 2015*

I appreciate the opportunity to make a submission on these Private Member Bills and offer the following comments.

Planning and development are critical activities to ensure a healthy, prosperous society, and a liveable community where the complexity of interests and issues are properly balanced both for now and in the future.

Contemporary planning frameworks must provide robust and transparent decision making processes, with clearly set out criteria to be complied with that does not enable discretion to erode those criteria. Similarly the legislation must provide for community rights to be aware of and have access to information about planning and development proposals, with the right to participate in decision-making through submission and appeal rights.

Unfortunately these Bills do not appear to provide these fundamental aspects of contemporary, democratic planning legislation.

More specifically, the Draft *Planning and Development (Planning for Prosperity) Bill 2015* weakens transparency in planning decision-making by relegating public access to information through 'access rules' which are not available to scrutinise. Public access to information, the types of information to be made available and the ways in which the public must be informed must be provided for in primary legislation, not in rules which may be changed administratively and which lack enforceable provisions. A Bill that weakens rules regarding access to information and allows for decisions regarding access to be made arbitrarily cannot be supported,

I note that Ecologically Sustainable Development (ESD) has been included in purpose the Bill, which is supported. However, in its present form it is a vague and unsupported concept, open to broad interpretation. To achieve the purpose, the principles of ESD must be provided for in the Bill along with a requirement that these ESD principles be advanced in decision making under the Act.

With respect to the *Planning and Development (Planning Court) Bill 2015*, I have been concerned about the previous changes to cost rules under the planning legislation which opened up the

possibility of costs applications against submitters, effectively limiting communities from standing up for their interests and despite the already established discretionary powers of the Court in preventing potentially frivolous actions. The current Queensland Government committed to review these changes, and to maintain the 'own costs' rule. This is not reflect in the Bill.

Consequently, as a concerned resident, I respectfully request that the Committee recommends that these Bills are not passed.

Yours sincerely

Leslie Shirreffs

