

13<sup>th</sup> July 2015

Submission No. 032  
11.1.13

Research Director  
Infrastructure, Planning and Natural Resources Committee  
Parliament House  
George Street  
BRISBANE QLD 4000

Sent via email: [ipnrc@parliament.qld.gov.au](mailto:ipnrc@parliament.qld.gov.au)

Dear Sir / Madam,

RE: Planning and Development (Planning for Prosperity) Bill 2015 Submission

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Thankyou for the opportunity to make a submission to the Planning and Development (Planning for Prosperity) Bill 2014. Details of Council's submission can be found below.

Broadly, Council welcomes the review of the planning legislation to ensure Queensland's planning framework is improved and is the most efficient in Australia. However, Council is cautious the introduction of new planning legislation will render its draft planning scheme obsolete or unmanageable before or soon after it is adopted. Council has made significant investment in the development of its draft planning scheme (currently in step 8 of the Process for Making or Amending a Planning Scheme) and hopes the scheme will be adopted in the second half of the year. Any changes to the planning legislation must be workable with current and draft planning schemes including transitional provisions that do not undermine the function and the desired outcomes of local planning instruments. Furthermore the new act must enable Councils to quickly amend planning instruments to safeguard locally important planning outcomes.

Beyond ensuring any new legislation works with existing and draft planning schemes, Council identifies the below matters as important elements that need to be addressed by new planning legislation.

#### **Infrastructure Charging**

1. Council believes the current infrastructure charging regime needs to be reviewed to a fairer and more equitable system. The proposed charging regime within the P & D Bill continues the inequity within the SPA in that costs are shifted to Councils (then ultimately to the local community) through offsets and refunds that do not provide for final costs to be reviewed. Section 134 of the P & D Bill needs to allow for completion costs to be verified so costs and offsets are fairly apportioned.

#### **Compensation Associated with Natural Hazards**

2. Compensation should not be available where a local planning instrument is made or amended to manage risks associated with natural hazards, including flood, bushfire, landslide, stormtide inundation and coastal erosion. Section 25 should be amended to

exclude Councils from compensation claims that result because of the introduction of a planning instrument that appropriately reflects the State Interest with regard to natural hazards.

### **IDAS System**

3. Chapter 3 of the draft P & D Bill proposes new categories of development and categories of assessment. Council believes these changes are not necessary as the current IDAS system broadly works and is accepted by the industry. It is the opinion of Council that these changes will provide little benefit and will impose transition costs on Councils and the industry as a whole.
  
4. Section 43 appears to allow the Minister to nominate an alternative assessment manager to the Local Government. Council objects to this provision. Any such provision to nominate an alternative assessment manager should be at the discretion of Council.

Aside from the above points, I note the LGAQ made a submission, dated the 6 February, 2015, to the previous 'Planning and Development Bill 2014'. While it is acknowledged that the 2014 bill has lapsed it is similar to the current bill and the content of the LGAQ submission remains relevant with regard to matters that are important to Local Government. Council broadly supports the recommendations raised within the LGAQ's submission and urge the State to work closely with the LGAQ in the preparation of the new planning legislation.

Please don't hesitate to contact either myself [REDACTED] or Hugh Byrnes, Senior Strategic Planner [REDACTED] to discuss these matters further.

Yours faithfully,

  
Evan Fritz  
Manager Strategic Planning