

# NOOSA PARKS ASSOCIATION Inc.

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Department of Infrastructure, Local Government and Planning

By email to [bestplanning@dilgp.qld.gov.au](mailto:bestplanning@dilgp.qld.gov.au)

## Submission to Better Planning for Queensland Directions Paper

Dear Sirs

Noosa Parks Association (NPA) is Noosa's premier environmental organisation, which provides a voice for the people of Noosa Shire about protecting Noosa's environmental, economic, social and cultural sustainability.

In order to ensure appropriate and sustainable development, the NPA is strongly committed to legislative and regulatory planning processes that safeguard:

- the autonomy of local planning and development
- the community having a say in local planning and development matters without penalty.

The NPA strongly supports the Government's initiative to deliver a better planning system and the Principles, Key Directions and Reform Priorities outlined in the Directions Paper.

However, NPA is greatly concerned that the three private member's Planning and Development bills, introduced by Shadow Minister Tim Nicholls, propose the same diminution of local autonomy and public participation as the lapsed LNP 2014 bills, which flies in the face of democratic process and could open the door to inappropriate development.

NPA is also concerned about legislation the LNP previously enacted, which inhibits effective planning and development outcomes.

We urge the Government to draw up legislation which clearly departs from the LNP's draft planning bills on elements that do not reflect the Government's Principles and Key Directions.

We also urge the Government, as part of instituting a better planning and development framework, to review all contiguous legislation that currently inhibits environmental and other community considerations.

In particular, we recommend the following actions to ensure alignment with Key Directions.

### **Key Direction: Enable better strategic planning and high quality development outcomes**

- Reject the LNP bills' transfer and increase of powers to the Minister over local planning and development matters.
- Restore the Department of Environment and Heritage Protection (DEHP) and the Department of Natural Resources and Mines (NMRM) as concurrence agencies with concurrence powers. Since the LNP's *Sustainable Planning and Other Legislation Amendment Act (No. 2) 2012* (SPOLAA), the Department of Planning is the Single State Assessment and Referral Agency (SSARA) with DEHP and NMRM only able to give advice.
- Review all relevant Acts to preclude unnecessary overriding of local council authority in planning decisions, such as:
  - *State Development and Public Works Organisation (SDPWO) Act 1971* (allows imposition of state development areas)
  - *Economic Development Act 2012* (allows imposition of priority development areas)
  - *Regional Planning Interests Act 2014* (denies protection of agricultural land and reduces rights of community members to have their say)

### **Key Direction: Ensure effective public participation and engagement in the planning framework**

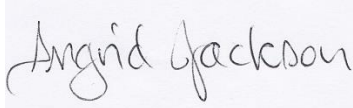
- Reject the LNP bills' expansion of the LNP's *Sustainable Planning and Other Legislation Amendment Act (No. 2) 2012* (SPOLAA) giving the Planning and Environment Court power to order costs against someone who has an interest in the proceeding but is not a party to the proceeding. This is a real disincentive to any party voicing a concern and discourages the community from having a say.
- Reject the LNP bills' reduction of public notification periods for applications and the removal of existing requirement for notifications to appear in local newspapers. This would lessen public awareness, reduce community ability to have a say, and lead to submissions being made in a rush before full information on proposed developments is available.

### **Key Direction: Create an open, transparent and accountable planning system that delivers investment and community confidence**

- Reject the LNP bills' introduction of appointments of assessment managers by the Minister, in place of by local councils.
- Reject the LNP bills' reduction of onus of proof on applicants to prove the merits of their proposals and justify inconsistencies with the local planning scheme.
- Reject the LNP bills' redefinition of 'material change of use' to apply only increases in scale and intensity of a development and not to reductions in the scale. Often reductions in scale can have significant impacts.
- Reject the LNP bills' extension of timeframes for reviving lapsed applications.

In conclusion, NPA strongly supports Government reform to improve the efficiencies of the planning and development system, while at the same time facilitating public input without penalty and safeguarding local council authority.

Yours sincerely,

A handwritten signature in black ink on a light grey rectangular background. The signature reads "Ingrid Jackson" in a cursive script.

Ingrid Jackson

Honorary Secretary

Noosa Parks Association