

# Public notice, access to documents and submission requirements

This fact sheet provides an overview of amendments to the public notice, access to documents and submission requirements under the **Housing Availability and Affordability (Planning and Other Legislation Amendment) Bill 2023**.

## Why are changes needed?

Over recent years there has been a significant reduction in hard-copy newspaper circulation in Queensland, especially in regional areas. Consequently, it has become increasingly difficult for applicants and authorities to meet legislative requirements to publish notices for planning actions in newspapers 'generally circulating in the area'.

Further, lockdowns and movement restrictions during the COVID19 pandemic made it difficult or impossible for the community to access hard copy documents or ensure hard copy submissions were received by the due date.

It has also been identified that the process for making the Minister's Guidelines and Rules, designation process rules and the Development Assessment Rules is resulting in duplicate notice requirements.

## Key features:

- Public notices are no longer required to be in a hard copy newspaper in relation to state and local planning instruments and urban encroachment.
- A properly made submission may be given electronically, in the way stated in the notice for making submissions.
- A document that is required to be available for inspection or purchase may be given to a person as a copy electronically during a declared emergency.
- Removes duplicate notice requirements when the Planning Minister makes or amends the Minister's Guidelines and Rules, the designation process rules (which are included under the Minister's Guidelines and Rules), and the Development Assessment Rules.

## What does the bill do?

The Bill modernises requirements for publishing public notices, accessing documents and making submissions. It also simplifies requirements around publishing public notices for making or amendment Development Assessment Rules and Minister's Guidelines and Rules.

The change to public notice requirements aligns with changes to made to the *Financial Accountability Act 2009* in 2021 which override the Planning Act requirement for the state to publish public notices in hardcopy newspapers. This process improvement has been extended to other provisions in the Planning Act and planning legislation including the IRDA and the SCRA.

The Bill simplifies public notice requirements when the Minister has made or amended the Minister's Guidelines and Rules, the designation process rules, and the Development Assessment Rules so that these instruments take effect from the date prescribed in the Planning Regulation

Amendments are proposed the Planning Act and Minister's Guidelines and Rules.

Proposed amendments <sup>1</sup>	
Planning Act	<p>The Bill modernises the requirements for publishing public notices, accessing documents and making submissions by:</p> <ul style="list-style-type: none"><li>• removing the requirement that notices be published in a hard-copy newspaper in relation to:<ul style="list-style-type: none"><li>○ new or amended state planning instruments and local planning instruments</li><li>○ public notices required by urban encroachment provisions</li></ul></li></ul>

<sup>1</sup> The table below provides indication of the nature of the amendments.



	<ul style="list-style-type: none"> <li>• clarifying that a properly made submission can be signed in hard-copy or electronically in a way stated in the public notice</li> <li>• ensures that documents are publicly accessible during a public health emergency or disaster situation.</li> </ul> <p>The Bill simplifies requirements around publishing a notice for making or amending the Minister's Guidelines and Rules or Development Assessment Rules by requiring only a single public notice once the instrument or amended instrument is prescribed by the Planning Regulation 2017</p>
<p><b>Minister's Guidelines and Rules<sup>2</sup></b></p>	<p>The amendments proposed to the Minister's Guidelines and Rules include updating public notice requirements to reflect that a notice doesn't need to be published in a hard-copy newsletter.</p>

## Further information

For further information please contact the Department of State Development, Infrastructure, Local Government and Planning via [planning4housing@dsdilgp.qld.gov.au](mailto:planning4housing@dsdilgp.qld.gov.au).

---

<sup>2</sup> The amendments to the Minister's Guidelines and Rules will be subject to standard, statutory consultation.