

## **A NEW NSW PLANNING SYSTEM NEEDS A WHOLE NEW ATTITUDE:**

### **RESPONSE TO THE GREEN PAPER ON A NEW NSW PLANNING SYSTEM**

‘Definitions are of course hazardous things, but one feels impelled at least to attempt one.’ (Carew, ‘The Language of Money’ (1996) citing Sykes, ‘The Law of Securities’)

### **THE GREEN PAPER DEALS BADLY WITH THE PRACTICAL EXPECTATIONS FOR PLANNING DIRECTION AND IMPLEMENTATION**

The NSW Government Green Paper (July 2012), ‘A new planning system for NSW’ leaves one wondering what is in practice required of anybody involved in planning, or in the practical implementation of planning in regard to any development proposal or development assessment. The Paper appears full of aim-free, undefined planning expectations, which float directionless above real land and real life, in the absence of any clear indication of who is expected to be doing what with whom, or to whom or under whom or why. One has no idea, for example, about the proposed objects of ‘a new Planning Act’ (p. 3) which is to be generated by the Green Paper. One is told there is a lack of confidence in the current planning system and fundamental reform is needed to reduce complexity, costs and delays and to improve transparency in decision making (p. 13). The Green Paper appears to be part of that problem, not part of the solution.

**After discussion of the Green Paper, see direction later below and attached for some things you always wanted to know about planning but were too afraid to ask**

Planning requires broader geographic and structural analysis and related project planning, development and evaluation processes which may be driven and undertaken for social, environmental and/or economic reasons in one or more places. Choose more broadly thoughtful cooperation and competition in the open to meet social, environmental and economic goals on many regional industry and community investment bases. The concept and requirements of the City of Sydney Council Shared Zone, the National Disability Insurance Scheme and related insurances are discussed in key area and risk management contexts. Think globally as state direction is ideally conceptualised as part of the whole. The ageing Australian population and the Strategic Review of National Health and Medical Research goals are naturally addressed in related regional contexts. See [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au) , for the following and other articles and attachments:

From the Constitutional Past to the New Educational Ideal, *Public Administration Today*, Issue 12, Oct.-Dec. 2007.

A healthier approach to justice and environment development in Australian communities and beyond, *Public Administration Today*, 9, Oct.-Dec. 2006

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## **THINK GLOBALLY FIRST WHEN PLANNING REGIONAL DEVELOPMENT**

***In regard to the Green Paper which is evaluated below:***

- 1. Get clear regional and related organizational aims (social, environmental, economic), with key definitions and supporting management practices which are clearly and openly supported or contested for clearly explained reasons*
- 2. Build a National Disability Insurance Scheme and related building insurances in open 'Shared Zone' (area, place) management and personal contexts to improve service delivery while controlling many costs and business instability better*
- 3. Study the aims, structure and service delivery of Medicare, workers compensation, industry superannuation and other non-profit, charitable and Sharia compliant financing models and operations to build better competition.*
- 4. Business Sunday, on ABC TV, likes Navitas stock and I do too: Go forward in education, entertainment and related development through English language, vocational education and SBS or other media open globally to all. Light pools?*
- 5. Bereft of Beruf? We can work it out with a dictionary, a little self and place analysis and some new work, training or related exercise. Get rid of lawyers.*

## **WHAT ARE NSW PLANNING AIMS AND HOW ARE THEY EXPECTED TO RELATE TO NATIONAL AIMS AND TO PURELY COMMERCIAL AIMS?**

The Council of Australian Governments (COAG) Reform Council appeared to ask a similar question to the above, in regard to the lack of apparent practical direction and clear definition of the expected treatment of any land or project proposal, when it stated:

The system contains strong planning and policy content, however, it lacks the hard-edged accountability, performance and implementation measures to drive these policies (p. 34).

Achieving the above goals requires broader geographic and structural analysis and related project planning, development and evaluation processes which may be openly driven and undertaken for social, environmental and economic reasons. This is discussed later.

One also assumes COAG was referring to 'strategic' plans when it made the statement above. One wonders how these are expected to be different from other planning. One also wonders where they are and who may be expected to put them forward to whom. The NSW Business Chamber stated:

The lack of clear nexus between strategic and statutory plans leaves NSW highly exposed when attempting to plan for and manage urban growth (p. 36).

From reading the Green Paper, God alone knows who is expected to make ‘strategic’ plans and why. I can only guess that many strategic plans are seen as being ‘commercial in confidence’ so nobody outside the organisation knows what is in them and no public servant or politician would ever feel empowered by the system to ask. However, Green Paper writers and others appear to regard them as vital. It states that strategic planning will become the cornerstone of all planning decisions and that they will be prepared collaboratively with local councils and approved by the whole of government (p. 27). One wonders if all private sector organizations make strategic plans and how they relate to any other key organizations, whether in government or not. We did it in WorkCover and I taught a little of what we did in the Sydney University Faculty of Health Sciences.

A triangular diagram (p.14) suggests the Productivity Commission thought there should be more emphasis in the system on strategic planning and less on development assessment. One wonders how broad this ‘system’ is supposed to be. For good planning to take place, Australia is ideally thought of as a national planning environment existing in an international planning environment. The United Nations (UN) provides very good directions and definitions for many purposes. This is discussed later. NSW is a region in these broader contexts. This incapacity to address strategic planning clearly and broadly in geographic and related contexts is one of many absences making the Green Paper appear a boy’s mysterious, ethereal treat or fancy. (Don’t be too polite, girls. Hop on.)

Secrecy is no panacea against corruption. On the other hand, openness and the open justification of action as being conducted in the community interest are protective of communities in any environments which have a broader conscience and intelligence than brethren and families sticking together against the rest or outsiders. The assumption that ignorance of surrounding environments is protection is feudal. These are structures based on mafia expectations. They expect ignorant following of narrow rules and orders unless they are making secret plans with brothers who aim to protect and advance each other against rulers of the land or in jobs denied to outsiders. This is an old system from more knowledgeable, scientific, democratic and empathetic perspectives which are normally the luxury of wealth – noblesse oblige. Our court with James in Glebe is here to help. Share your lands more broadly, with wild animals. Royals everywhere should be first. (We discuss our direction in Glebe with the City of Sydney Council later, possums.)

The Green Paper provides no clear guiding philosophy and objects expressed for expected planning, development project proposals or assessment action, other than that ‘*the NSW Government’s priority is to drive economic growth*’ and related sets of buzz words under the heading Objectives (p. 17). Many of these buzz words will not be met, for example, ‘*Simple: reduce complexity and remove red tape.*’ They must be kidding. The Green Paper can only make the current situation, whatever it is, more confusing. There are six other wishes also defined rather like highly contestable pie in the sky. Jump in and grab as much as possible early in the project before it has gone. The meaning for ‘*transparent*’ for example, appears taken to be ‘*base decisions on strong community participation and evidence*’. Decisions could be based on ‘strong community participation’ (whatever that is) but not be transparent if no clear reason is given for

making them. The definition of key words should be clear in law and usually reflect key definitions in UN standards and common dictionaries or confusion will reign and be treated expensively in courts. Will these objectives and definitions be in legislation or will other words instead take their slow, secret, expensive course through lawyers?

On page 3 one is told the Green Paper will lead to a new Act which will be an ‘enabling’ (sic.) Act. One naturally wonders who is ideally being enabled to do what and how. The Act apparently will not include detailed prescriptive controls but instead these details will be covered by guidance and good practice advisory notes. Lawyers will soon fix that as they are dab hands at turning words into more feudally reified, Godly utterance wherever there is any dispute or lack of clarity. Codes are discussed in this context later. Are they laws unto themselves? The Green Paper states:

The objectives of the Act will emphasise in particular the role of planning in facilitating wand (sic.) managing growth and economic development (p. 3).

They appear to want to turn us into fairy godmothers. However, the Green Paper does not give key information about any required or ideal directions for sustainable development globally and nationally. This means that anybody who is expected to be involved in planning or its implementation may have little idea about how proposed development on any particular ground or of any structures should be judged. Take pot luck in the stupid market instead? No thanks. It appears full of lying or ignorant bastards creaming off as much of our money as possible while the things one loves, like monkeys, are being destroyed and we become increasingly unstable. Help them with their homes. We hope the Vietnamese/Australian commercial home and pension deal our family did recently is Sharia compliant. Land equity swaps, women only towns in the UAE next?

At the end of the page 17 objectives, one is told ‘the achievement of sustainable development will remain the main objective of the Act’. One is left wondering what objects in legislation are proposed to guide a new NSW planning system and how they will relate to the objects of the Environmental Planning and Assessment Act (1979), the Protection of the Environment Operations Act (1997), or subordinate legislation such as regulations, codes, guidance notes, or to government or other views, evidence or reports. The objects of the current version of the Environmental Planning and Assessment Act, (No. 203 for July 2012) which are discussed later seem good because they may encourage treatment of Australia in many regional planning frameworks which are also supported by projects driven openly by many public/private/ voluntary partnerships. This direction is discussed later in national, regional and local zoning related contexts.

The Green Paper states that when it was made, the Environmental Planning and Assessment Act (1979) was considered best practice in Australia, which transformed town planning practices into the broader environmental planning framework. Since it was introduced it has been amended around 150 times and has become ‘overly legalistic and difficult to navigate’ (p. 13). An excellent new legislative direction, which reflected the need to balance social, environmental and economic project aims consultatively, is

now impossible to read. Legal practice often inhibits broadly thoughtful and informed direction in favour of apparently meaningless rules for ‘fair’ fights with lawyers.

In general, one wonders how legally prescriptive and narrowly commercially driven planning and development approaches are expected to be. From reading the Green Paper one wonders how strategic plans, plans for sustainable development, plans for growth and other plans are expected to relate in practice. One also wonders whether the Green Paper authors intend that definitions of key words in this paper and in law should normally be consistent with key UN definitions and common dictionaries. Their meanings should not be left to lawyers and courts. One is angry that so many outdated professional assumptions are supported in laws which appear designed to increase professional specialisations and costs by uniformly applying an increasing number of controlling rules upon the market, rather than by addressing more objectively direct evidence about the particular project case in the open. The Threshold Standard (2011) of the Tertiary Education Quality and Standards Assessment (TEQ&SA) Act is discussed in this context later. Secret collegiate business wastes huge amounts of time and money. Show and tell it openly. Any wanting to put their case with supporting evidence are ideally welcomed.

The unclear objects for the new planning system legislation are ideally replaced by closer consideration of the current objects of the Environmental Planning and Assessment Act, which appear good to assist development of shared zones, projects, jobs, and also development of the National Disability Insurance Scheme, supported by more jobs, useful training and research. For more sustainable development, one ideally expects increasing management synergies within and across many organizations, communities and lands, to deliver regional services more effectively and fairly through small or large businesses, including those designed to meet the needs of children, youth, the disabled and the old, who usually become disabled towards death. Open up with clear contracts.

Today, as a result of feudal history, planning direction may be addressed largely in shrouded financial terms, for the benefit of legal and financial service providers, on the pretense they are thus being driven effectively for all in the community. For example, in mid 2010 newspapers carried notices seeking expressions of interest (EOI) in the NSW government sale of the waste management business WSN, prepared by UBS Investment Bank, acting for government. UBS stated on no account should anyone:

*‘express interest directly or indirectly approach WSN or the Government, their officers, officials, employees, customers or suppliers in relation to any matter relating to this Invitation, the EOI stage or Process, without the prior written approval of UBS...On no account should Recipients of this Invitation directly or indirectly approach elected members of the Government or officers of the Government with a view to obtaining information in respect of any part of their response to the Invitation..... Any such approach or attempted approach.....may lead to their exclusion from the Process ( p. 14).*

This is an ignorant, narrow, expensive approach to doing business. One ideally expects the NSW government would support its legislated aims. In the case of WSN sites, under any management, the most relevant aims seem to appear in the Environmental Planning

and Assessment Act (1979); the Waste Avoidance and Resources Recovery Act (2001) and the Protection of the Environment Operations Act (1997). The sale of WSN and any related documentary request for expressions of interest in its purchase are ideally designed efficiently to serve these aims which are social and environmental. UBS, Treasury, etc. hold better practice back by reversion to control of the ignorant bid.

As the managing director of Boulderstone once pointed out, huge wastage occurs when government calls for competitive tenders for major projects. This requires a great amount of work to be done and much related information provision for every bid, including for those which fail. He argued more open management alliances are a better way forward and teams from the public and private sectors should openly work together with shared objectives towards common goals to reduce conflict and allow more appropriate risk sharing (Australian Financial Review, 24.9.07, p. 71). In contrast with trades in construction or in the case of many other contractors, the lawyer, the doctor and others are privileged in not being subjected by government to the quote or to the expectation of providing any information to anyone, unless for a fee. Academic labour markets are also comparatively protected by government regulation and public subsidies. Many of these are broadly dysfunctional and should be replaced by more open use of plain English communication for students and others who can access computers, newspapers, TV, etc. One learns a lot from Business Sunday. Light pools seem a good idea from Marcus.

One would like to believe we are all more nationally and internationally directed now. One also assumes the ideal industry planning direction is in more open regional community contexts where we are concerned about reversing deforestation and loss of biodiversity, preserving land and water quality, reducing carbon pollution, avoiding rural and urban under or over-population and fixing related lack of employment, education and access to many other basic goods and services that avoid disorder, so all have better situations. Communication, energy and public transport systems are crucial support. What do project proposals and contracts need to look like to fit in with the environment? As a Glebe resident I guess City of Sydney Council has the most key information and processes to find out. There is a lot of Australian Bureau of Statistics and related data. In my classes in health sciences at Sydney University students learned to use some of it. If one were any good at statistics we could rule easier relying on related common sense. Every time I have seen people from the ABS perform I have been very impressed.

In 2008, first due to US housing construction direction and the related treatment of risk, the limits of many professionally driven assumptions about growth are being exposed and expressed more clearly globally and locally. There often appear to be overcrowded markets and a necessity to redirect funds and producers into greener, more sustainable fields, like cleaner energy and related biodiversity and heritage protection. Partly as a result of what Australians have learned about health and disability insurance, investment, international financial policy and its implementation over the past fifty years, Australian government has overseen stable, debt free, full employment policies since the US lead the world into global financial crisis in 2008. Australia, like many countries and cross border regional communities, must now understand and work with social and environmental directions of major and minor trading partners and many other communities. Otherwise

our nation may be left behind (whatever that means) because of earlier development of economies of scale in US English speaking communications, as well as behind Asia in manufacturing and behind both areas in related financial development – (not happy, Jan.)

The paper, ‘A new planning system for NSW’ and earlier recent NSW experience suggest the key danger is that new requirements for the planning system and its administration will not be clearly grasped and addressed by politicians, bureaucrats or developers, or anyone else, thus creating more problems. Complexity, red tape and cost yet again appear likely to be increased rather than reduced. No clear aims or definitions, no sense. We recommend tackling this problem partly through the concept of more shared zones and projects. As discussed later, these can assist us address many risks better, while helping to reduce disability and improve vocational education with more flexible jobs. Everybody needs better organized management related to risk and insurance practice.

Shared zones are not mentioned in the Green Report, but they are discussed later in regard to the City of Sydney Council footpath gardening policy. Whether they are developed on small or large scales, shared zones appear to be a logical way of harmonizing many service and related insurance types related to land, buildings and individuals in a way which reduces cost and promotes better jobs and care throughout the life cycle of any being, sentient or not. Related forms of risk management are discussed later in particular relationship to work, implementation of the National Disability Insurance Scheme and better education for health and heritage protection and more sustainable development locally, regionally and globally. (*‘Ask Asshole’ - as traders apparently said at Enron before it collapsed. Do it different, more openly and better. I’d like more wattle trees and birds in our close streets like the beauties in Orphan Creek. This here’s the wattle - the emblem of our land. You can stick it in a bottle, etc. etc. etc.*)

## **OPENLY IMPLEMENT THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT DIRECTION NATIONALLY AND REGIONALLY**

Clear aims, (social, environmental and economic); clear key definitions and closely related project implementation approaches are necessary to support more sustainable development. Many matters cross state borders into other jurisdictions, so cannot be dealt with well from any closed state, departmental, commercial or local perspectives. On the other hand, NSW state and local administrations have practiced with the people longer and more closely than those in Canberra have done. Mixing them up is resisted. This is a great pity in terms of the potential to place people more effectively at work.

The Green Paper claims planning policies will provide the policy setting and framework for planning outcomes to be delivered in regional, sub-regional and local plans in areas such as: *Housing supply and affordability; employment; biodiversity conservation; agricultural resources; mining and petroleum extraction; coastal management; retail development; tourism; regional development; infrastructure* (p. 32).

The current objects of the Environment Planning and Assessment Act, commencing August 2012, are (a) *‘to encourage the proper management, development and*

*conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment.* This and related aims under (a) may help develop a regional framework for shared land and shared projects. Object (b) is to promote the sharing of the responsibility for environmental planning between the different levels of government in the State and (c) is to provide increased opportunity for public involvement in environmental planning and assessment.

The Financial Accountability Review discussion paper ‘Is Less More?’ states the review seeks an overhaul of the entire Commonwealth financial framework. This should assist integrated national, state and local planning directions as we live on common ground. However, the review issues paper shares many of the problems in the Green Paper in that both reports are so unclear they could be made to mean almost anything lawyers wanted. Nevertheless, proposals include introduction of integrated portfolio management; multi-year appropriations, especially for major programs and projects; pooled agency funding; reviews of special appropriations; and a recasting of budget related documents.

A new planning system needs a whole new attitude towards regional environment (i.e. a land, place, zone) or related geographic and community concepts, which are more broadly and openly informed of related potential project opportunities and threats to address them one way or another. After consideration of the Green Paper and its problems, one deals later with the related place, industry, project and person based planning, risk management and insurance structures necessary to secure greener, fairer and more sustainable development globally, regionally and locally. This supports key UN and Australian government directions in planning for health and sustainable development. The implications for shared zone and related project planning and quality management are discussed in international and other regional contexts later.

Writing plans is a comparatively unchallenging activity compared with implementation. The latter ideally requires making and being held accountable for decisions leading to action in appropriate relationships between the broadly general state or statement, and a particular case with particular actors and surroundings. This is discussed later in regard to some key professional problems. Infrastructure Partnerships Australia state (p. 16):

Public sector projects are generally delivered on the basis of *net-benefit* for the community and aim to produce returns for the greater good. For this reason they ought to be assessed under alternative criteria to those developments with purely profit seeking motives.

On page 78 the Green Paper states while some councils use the ‘*net present value*’ financial model, others use a *return on investment* approach. I spent ten years in the NSW Department of Industrial Relations and WorkCover Authority, followed by eleven teaching in health sciences at Sydney University. I’ve never heard of the above three financial approaches being used in government and could not apply them. One wonders what any of the above methodologies should mean, if anything, for people who have to decide about proposed projects, whoever they are expected to be and wherever they are.

I attended an excellent research symposium called Resilience: Can our Environment keep bouncing back? at the Faculty of Agriculture, Food and Natural Resources at Sydney University. However, I couldn't understand the Professor of Economics at the Australian National University where he is the ANU-UNESCO Chair holder in Water Economics and Transboundary Water Governance and Director for the Centre for Water Economics, Environment and Policy. Never do what one cannot roughly understand and explain. On the other hand, Michael Harris referred to INFFER, a simple investment framework for environmental resources and a related tool for planning and prioritizing public investments in natural resources and the environment. INFFER requires decision makers to be explicit in their assumptions and start planning with regional maps in which significant public assets are ideally identified and simply graded in terms of high or low significance and related threat, prior to making recommendations for action to improve their nature and resilience. Planning requires broader knowledge than driving numbers.

When Harris discussed the INFFER system he appeared to use the regional framework to address benefits and threats to private activity, as well as public benefits and threats related to the natural environment. He pointed out that the resilience of an environment should ideally be judged in the context of prior directions to achieve the broader ideal aims for that environment, which one assumes may ideally be related to public and private partnerships to achieving common environmental, social and economic goals. He supported the earlier view of Jane Belnap, a scientist with the US Department of Interior in Utah, that management goals for any natural environment need to be clearly understood before 'resilience', defined as 'how easily the system bounces back', can be effectively studied or achieved. Risk management and insurances are addressed in similarly linked land, building and personal contexts later. NSW governments pioneered more sustainable direction in workers' compensation insurance. A related discussion of health, Medicare and non-profit industry superannuation funds is also undertaken later.

Paramatta City Council states (p. 16):

Infrastructure plans need to be integrated into the planning system and supported with funding. The system should enshrine a new whole of government approach to the provision and planning of infrastructure which is a fundamental component to the acceptability of increased densities in both residential and commercial development.

One hopes the above is not a vote for increased densities and population everywhere for this will destroy biodiversity and lead to many related social problems, such as violence driven by increasing inequality, corruption and the related instability of boom and crash. Like Dick Smith we think that too fast population growth will reduce our quality of life.

For women, freedom of choice (independence) depends first on effective birth control, to enable taking up better work and education. Wealthier, freer women have chosen this globally. For the Western economist, however, many financially driven consumers and producers are never enough. The point of using the term 'sustainable development' is to

balance the outdated assumption that financially driven ‘growth’ always delivers social benefits best. From many of these outdated and narrowly blinkered professional views, increased population anywhere to increase domestic consumption, production and undercut wages is always good. In China, women in particular have done well with the reverse population assumptions and a one child policy which was necessary to support those on the land while making huge transitions to urban manufacturing with better education, health care, communication and housing. The Western urge to mine in Africa, etc. does not mean manufacturing jobs will follow but election violence probably will. Peace and health lie in wildlife protection and greener local development – help it and us. Bill Gates made a related point on opening his Reinvent the Toilet Fair. We all poop.

All Australian and NSW planning, service delivery, farming, manufacturing, and mining direction now occur in a global climate of financial crisis and confusion led in the US housing market in 2008. Old and new paradigm differences must be understood for effective planning and not ignored as in the Green Paper. One wonders, in this context, what is meant by the concept of Contestable Infrastructure Provision (p. 69) as in:

The reforms to improve infrastructure funding and delivery involve:

Embedding the principle of contestability into the core infrastructure planning and delivery process to maximise innovation, diversity, choice and best value

Who will actually decide in practice – Humpty Dumpty? One wonders whether anyone will understand the carefully ambiguous speech of the Green Paper and professional documents like it other than those in the know heading toward court with lawyers. The ‘vibe’ of the Environmental Planning and Assessment Act clearly led towards public/private and related community partnerships, not multiple secret, professionally driven pursuits of sectional advantage, leading towards perfect ignorance as in 2008. A new act does not stop actions of those making a living by their secrets, laws and courts. *(We send a new holy message to troops from our court with James: Contestable you, given ‘em hell, in line with page 69. Get onto it while I go off to Turkey and Greece).*

### **DEVELOPMENT PROPOSALS SHOULD FACE A CLEAR ASSESSMENT SYSTEM BUT THE GREEN PAPER DOES NOT MAKE CLEAR HOW IT SHOULD HAPPEN IN PRACTICE OR INDICATE ANY SKILL BASE FOR IT**

Development proposals are ideally designed in the light of broader international, national and regional directions and should face a clear assessment system. However, the Green Paper does not make clear how assessment ideally happens and what should be skill bases for it. Perhaps because of comparative ignorance of local government operations, the assessment requirements in the Green Paper seem largely incomprehensible, as they also were to me in the earlier NSW government discussion paper ‘Improving the NSW Planning System (2007)’, and the report of the Legislative Council Standing Committee on State Development entitled, ‘New South Wales Planning Framework (2009).

What is the practical meaning of the terms ‘*deemed SEPPS, 117 sections, precinct envelope, building envelope, code assessable, merit assessable and full merit assessable*’? One wonders how they may change the earlier classification concepts ‘*exempt and complying*’ or the apparently related classifications, ‘*exempt development; prohibited development; self-assess; code assess; merit assess and impact assess*’? How are *Joint Regional Planning Panels* and *Regional Planning Boards* related? What is a *gateway*? How are strategic planning on one hand and development assessment and compliance on the other, expected to relate to each other in practice? How is growth to be treated? I have never understood what anyone is doing. Why not write it more clearly?

Problems with the Green Paper, which appears impossibly vague, are reflected in the International Review of Best Practice in Planning Law statement:

The most significant problem with a system of development control is that decision makers do not know the intention of the plan makers except by interpretation of the regulatory instruments and policies. As the regulatory instrument is fundamentally one of restriction and control, it is not a fulsome explanation of the basis of planning for a locality. (p. 41).

Weber, Kafka and Chekhov wrote a lot about similar bureaucratic problems. Catch up.

The Planning Institute of Australia stated about the development assessment (DA) system, which one assumes is ideally the implementation of any size of project:

The difficulty inherent in devising a new DA system is to balance the expectations for citizen engagement occurring at the right time, getting the right DA track for the assessment, ensuring that all of the necessary merit and technical issues are considered, ensuring that property and openness is observed and ensuring that a determination is not delayed by bureaucracy (49).

The Green Paper seems likely to make the above situation worse rather than better. Under the heading ‘Streamlined Approval’ (p. 4) the Green Paper promises *Increasing Code Assessment* ‘to reduce transactions costs and speed up approvals for complying development’. Recalling the paper, ‘Planning in NSW: Connecting the Community with the Planning System’ produced by the Total Environment Centre (TEC), one first wonders whether codes are legally enforceable documents which must be complied with like any legislative instruments – apparently like State Environment Planning Policies (SEPPS) and Local Environment Plans (LEPs) (TEC, p. 6). On the other hand, codes of practice under state occupational health and safety acts were first written to provide more informed and flexible work practices to meet the aims of the act for safe places of work.

Lawyers are adversarial creatures who like nothing to be simple. They like implications of the single case extended broadly and often so do underlings - safely adding new costs to every venture through new certification requirements, whether relevant to safe or good work completion in real life or not. The more specialized the professional gaze, the more expensive and perhaps poorly done the project, for the needs of poorer clients wanting

affordable homes, or anybody else. A lack of broadly appropriate professional focus on a problem provides an excuse to add new professional costs, through recommending new legal and/or professional certification requirements which may serve to narrow choices and hinder accountability. For example, NSW Treasury states to the Planning Review:

Information requirements should be streamlined where possible to minimize the regulatory burden on applicants. To improve the confidence of the system, (sic.) planning reports should be provided by consultants that are pre-approved or certified by the NSW Government. (p. 58)

There are people driving any social system, such as a market. Professionals, including bureaucrats, often see it as doing God's work to narrow the channels of choice to specified mates. The Green Paper does not tackle the issue of the grounds on which any consultant, certifier, or related producer should be approved for work. The legal mind often champions exclusion and secrecy apparently on the assumption that ignorance is a kind of independent bliss. Secrecy is often just another name for broader ignorance.

For example, in late 2011, the member for Bligh, Clover Moore, introduced into NSW Parliament a Strata Legislation Amendment Bill (2011) supposedly designed firstly to '*ban the original owner and the builder from holding the position of strata managing agent for ten years commencing on the completion of the final building work*'. One assumes a ban facilitates legal action. Like many others, this seems an unjustified exclusionary action which requires good supporting explanation not forthcoming. The original owner and builder know the place because they funded and built it. They have a lot of the information most necessary to manage it properly. If troubled or not, we need open books. The bill did not pass. It was unfair, unclear, unrealistic, and encouraged adversarial actions. We need more open, broader, better designed fund management based on service models initiated in embryo by government in workers compensation, Medicare and non-profit industry superannuation fund management. This partly drives our request to the City of Sydney Council for a Shared Zone in Glebe, discussed later.

The 'Consumer Building Guide – Essential information for anyone building or renovating their home' produced by the NSW Office of Fair Trading seems fairly helpful. The NSW Office of Fair Trading Home Building Contract also seems a clear, informative and helpful product. It must be filled in properly for quality management. Ideally, the people who originally called for the contract must see that it clearly reflects what they wanted most. Clause 11 of the contract is the *prime cost items schedule*. When filled in it should clearly display the required inputs and amounts related to the step by step achievement of the key conditions which originally led to the contract agreement and its expected production outcomes. Clause 12 provides the *progress payments schedule* which is also related to the staged and approved completion of the work. This may also relate to the later *schedule for inspections*. This may ideally ensure work quality, the resulting periodic payment and any related accreditation of skills development on the job.

In any market driven global context, one wonders how the Australian Tertiary Education Quality and Standards Act (2011) and the Higher Education Standards Framework

Threshold Standard, Section 4, which deals with the Primacy of Academic Quality and Integrity, will be implemented by vice chancellors and related fellows. One naturally assumes that the way to see if the aim '*to cultivate critical and independent thought and the capacity for learning throughout life*' is being achieved anywhere would be to openly sample and compare the staff and student product which is ideally made very broadly and cheaply available, like on TV. Utility is partly in the eye of the beholder.

Given the capacities of information technology and the views of those behind it, I'm guessing a lot more comparatively expensive and theoretically driven professional peer review will be expected to occur instead, behind curtains, plus more 'tick the box' exams and questionnaires. They will tell us in secret the way to think and how good they are. These assessments are easy to process and turn into numbers so academics may more easily see themselves as scientific instead of stupid or dodgy. Open development partnerships with Navitas, a provider of English language services for overseas students, discussed by Business Sunday on ABC TV, appears likely to be a vehicle to achieve practical vocational education more broadly, with more jobs, exercise and entertainment. The world is not reducible to numbers for big boys and tweets for little ones.

The position of the UK White Paper on Development, as stated by the Australian Law and Justice Evaluation Issues Paper (2010) is that the UK will treat security and access to justice as a basic service, on a par with education. One wonders how else such services could logically be seen in a modern era - as a gift from God, a lord or a queen? Article 3 of the 1948 Declaration of Human Rights states everyone has the right to life, liberty and security of person. The ideal point of legislation to remove discrimination is to allow all to be treated and to express themselves more equally and therefore openly, without fear of harm. Good communication is the key way to encourage communities to support this. Television, newspapers and related media are better than courts for assisting direction. They act ideally as honest and informative fourth estates - not as feudally silenced and narrow relics pretending that by stopping people from speaking they protect us well.

Certification is ideally based on the outcomes of practice in the field, or is highly informed by it. Instead, use of professionally driven multiple choice tests increases. They often pose as scientific when reduced to numbers, but may have little to do with practical achievement of wider community aims. For example, the Productivity Commission inquiry into the Vocational Education and Training (VET) Workforce supported the Certificate IV requirement for VET employees or contractors. However, the certificate value appears to lie mainly for those now working in vocational training and/or assessment, by giving them a new industrial capacity to inflate the apparent worth of their work while protecting their own jobs from better competition. Certificate IV manufactures skills shortages by certifying the apparent absorption of secret theoretical assumptions. Openly certify practical work capacities which appear necessary to achieve particular industry and related education aims instead. This will provide clearer results of more relevant performance. A better way in certification of the VET workforce would rely upon a candidate's capacity to openly demonstrate industry based skills to a required standard, to meet key requirements of the related work contract and risk management.

Let us see what people can do. From democratic and skill based perspectives the Green Paper looks more like part of the problem than the solution because the discussion of planning appears to demonstrate little related idea of the necessary nuts and bolts that householders and producers may require most in progressing through life. For example, I bet gymnastics or other coaching at Police Youth Clubs or schools would help young people more than doctors, psychiatrists, etc. Gymnastics would be a great help to work safely in construction and many other places, such as sport, health care or movies, as well as being preparation for living life without pain killers. This may come from better understanding about what one's body will deliver if one keeps on with any discipline. I guess gymnastics is as undervalued in real life as shorthand and typing for lawyers, etc. However, the Shanghai acrobats are amazing and a US black girl won the Olympic gym gold medal. Grow up, sport. All conduct improves with open evidence of performance.

A new planning system for NSW requires new management systems and attitudes which honestly promote an ideally common search for truth ahead of the proliferation of many narrowly blinkered individual, family, professional and related community searches for advantage, which is often addressed purely in professional and financial classification, or related numerical terms. Many professionally driving ideologies, which are often numerically expressed, are naturally assisted by good mates cheering them on through helpful predictions, to keep more grounded potential competitors out. One therefore wonders which kind of community representatives will be invited onto Regional Planning Boards and other places where decisions are being made, and what they will be expected to do that anybody else could not. This is important for any discussion of sustainable development because growth is typically gained by increasing the domestic consuming and working populations while spreading out to occupy more land and water. This is a process which does not value quality of life well. It favours the producers of guns, bad food, sprawl, cars, drugs, surgery, lawyers, financial advisers, colleges, all sold via TV.

The difficulties of gaining an effectively planned approach, in the light of the views on ideal projects from Infrastructure Partnerships Australia on one hand and Paramatta City Council on the other (p. 16), appear hard to overcome by anything in the Green Paper. We are not on the same page theoretically. This must be addressed rather than clouded over in vague professional distance. Similarly, the current NSW government issues paper entitled 'Reform of the Home Building Act' deals with home warranty insurance in the absence of related consideration of how this type of insurance ideally relates to other forms of building and maintenance related risk and insurance. This is addressed later.

As a self-funded retiree I pay no income tax. At 10/11 St James Court, I pay \$3892 yearly in body corporate fees and \$840 in rates. Does this reflect comparative value for money in regard to related land and building management issues? Our body corporate executive committee can have no idea, and is not designed to manage eighteen expensive town houses effectively, which is discussed again later and attached. If more people are to be encouraged into higher density living in cities, with more beautiful open space to give pleasure and protect biodiversity, as well as commercial access to land, energy and water, it will be vital to ensure planned, more affordable land and housing management.

## **PLANNING DIRECTION: APPLY MODERN, FLEXIBLE CODES OPENLY IN SHARED ZONES WITH PRIVATE, PUBLIC AND VOLUNTARY PARTNERS**

In the West, traders have traditionally been seen as acting in the interests of their families, those living in broader environments and future generations, when taking action based purely on price. This single minded, commercial in confidence, pursuit has also increased business uncertainty and social inequality, while adding major costs to doing business, further degrading natural environments where those poorest may also pay the greatest cost. Market driven approaches to delivering housing, health care, education, business loans and retirement pensions have become comparatively unsuccessful in the US and beyond. This is because risk, defined purely as financial, has been sold widely to others as an investment opportunity. Risk has nearly always been increased, not reduced in this process, generating the crash of 2008. The finance industry appears characterised by secret, hopeful, lying operations, driving closer towards ignorance than information.

As individuals, producers, consumers and investors, we often seek things related to quality of life more than money if we are above the breadline. For example, we may value health, knowledge, leisure, pleasure, self-determination or stability and will forego or part with money trying to get them. Hilmer's report 'National Competition Policy' and his definition of competition, which was 'striving or potential striving of two or more persons or organizations against one another for the same or related objects' ((1993 p.2) supported the concept of sustainable development because it did not automatically assume, as in traditional and dominating theoretical approaches to law, economics and finance, that competition is always and only for money. Hilmer's report was accepted by Heads of Government before reversion to earlier type in the Trade Practices Act.

It seems unlikely the continuation of risk management approaches which pass on risks, add to costs and also generate the increasing ignorance of all, will deliver cleaner environments cost-effectively. One wonders how the Green Paper expects any decision makers to relate to the above international dilemma, which it does not address. Same as usual I guess. Send in more lawyers to deal in secret. More sensible ways forward are discussed later. As an individual and member of St James Court body corporate executive, one has often thought about difficulties of managing strata title, especially if the strata manager, as far as I know, has never been on the property in daylight hours.

The history of Australian health care, workers compensation insurance, and non-profit industry superannuation shows risk management structures and practices often operate better when driven to achieve social and environmental goals of the key stakeholders, rather than goals of fund managers, like insurance companies and maybe the stockholders. Funds are ideally owned, underwritten, managed and invested openly and competitively in the interests of *key* stakeholders – those for whose benefit the fund was ideally established and those who pay in. Lawyers, fund managers and many related producers (stakeholders) often resist this. Nevertheless, traditional perceptions of risk increasingly appear to have led globally to comparatively higher costs and risks ending in market collapses which fund managers may walk away from richer, while investors, especially the elderly, cannot avoid substantial losses and so end dependant on government support.

Those who can pay bills slowly may unfairly wipe out others further down production chains. Typically they appear unaware of risks borne by others in related environments.

While the Green Paper offers the same old unclear red tape, Shared Zones, which are addressed later in regard to the City of Sydney Council footpath gardening policy, can help us devise much more broadly rational, fair and effective management of behaviour locally as well as globally, as a result of planning more openly. This is necessary to advance many diverse interests in affairs which are often common. A wide range of insurance payments which are currently required, supposedly to manage risk as distinct from increase it, should be discussed in this context. Partly in the light of concern about the operation of the new National Disability Insurance Scheme (NDIS) this discussion urges related development of more integrated, stable, competitive and cheaper insurance design on governments, those working in construction and those in related communities.

Insurance is an area where many communities would benefit from good harmonization, following the place and activity based risk management and analysis of state occupational health and safety acts introduced throughout Australia in the 1980s. They followed the British Robens report. The National Disability Insurance Scheme should be discussed in this place, building, home and personal context. There are many lessons to be learned from considering Medicare, NSW workers compensation insurance and related non-profit industry superannuation fund history as guides to more competitive financial services to serve the people who own, live and work on the land, in the buildings and for the funds. US fund management is conducted catastrophically. Do not confuse us more than we are already by lawyers and their mates. One wastes a lot of time and money in legal drivel. I guess the British gave up on the insurance direction they once were leading. They lost.

However, in 1987 in NSW twelve insurers were certified to collect workers compensation premiums, manage claims and invest premium funds henceforth jointly owned and overseen by NSW industry and government. This comparatively sound competitive system replaced consumer over-choice in overcrowded workers compensation insurance markets. Insurance company underwriters competing on premium price regularly collapsed. These underwriters also increased business instability by adding and offloading the real costs of their increasingly broad investments and brokerage onto more innocent others. Why give men a giant premium pool you could have owned yourself, and then see a lot of bad and adversarial management rewarded? The alternative is to keep owning the premium money and have the pools designed and competitively managed and invested to meet key social, environmental and economic goals on your behalf. If there is fault in situations it may or may not be shared.

Codes were ideally developed to encourage more knowledge and more flexible, evidence based, innovative action, given the requirements of the particular work circumstances. This was done to avoid the feudally prescriptive and ignorant view which often hinders more innovative development. God knows what codes have become since – perhaps the legalistic crap driving tradesmen as the safest and most lucrative way to keep themselves and those like them in easier work. One wonders how many of our contentious issues with roofs and water might be solved with an individual household down pipe with the

related assumption that we own our own roofs and will treat them any way we like, regarding the removal of leaves from our own gutters, fixing roof leaks, etc. Why the obsession with leaves? We need to get our common prejudices out into the open more. We all have different priorities in life. If we knew them we could work together better. The process of growing up is also finding out money is often involved at the bottom.

A body is like a house as it is produced and often continues in a place and social environment, ideal or not, from any perspective. Many employees or contractors may come to ply their trades on the body or house, as it ages, also supported by taxpayers, family, professional brethren, or not. This is the context in which trust is ideally built on information, not secretly driving practice, which those considered wisest may decide not to mention, or even know about. The NSW Government Green Paper was released by Brad Hazzard, the Minister for Planning and Infrastructure and Minister for Assisting the Premier on Infrastructure NSW. He will have a job getting good planning direction, so will need plenty of understanding unlikely to come from lawyers and related stakeholders and providers, including strata managers, estate agents, housing construction and a multiplicity of other maintenance contractors – from huge to tiny. Many of these appear trapped, however, in comparatively unstable and poor ways going forward for Australians and themselves. They've got to break free. Help them box out.

The Minister for Planning and Infrastructure seems likely to be working with Gary Sturgess, the NSW Premier's Chair of Public Service Delivery at the Australian and New Zealand School of Government, University of NSW. He was formerly a NSW Government Cabinet Secretary. In a recent article for the Australian Financial Review entitled 'On the front line', (AFR 23.3.12, p.1) Sturgess, a lawyer, seemed uninterested in history, in his own professional organization or in defining many related key terms. Thus he appears unable to see or address continuing implications of feudal practice in making 'us' the 'stewards of complexity', instead of more broadly productive servers of customers or anybody else. The Green Paper has a similar problem and will introduce even more complexity and cost. Closer discussions with City of Sydney Council and many related organizations may shed more light on better ways to go forward.

One finds the real life expectations for approval described in the Green Paper are mysterious. On the other hand, the City of Sydney Council sends helpful information about any proposed new building near us. We may complain about it to no avail. However, some concerns we raised about chopping down trees, increased rubbish and traffic are perhaps now capable of being addressed under a new program apparently encouraging Shared Zones, based on the City of Sydney Council Footpath Gardening Policy. Lord Mayor Clover Moore also puts out a lot of useful information about local direction which I guess is what we often need most to gain broader understanding. However, as a result of studying land and planning reports and legislation to make responses, one concludes lawyers, state governments and others do not understand what anybody is doing and the reasons for it, or else do not want others to. What is going on now on the ground, what is expected to instead and why? Why is clear writing so hard?

Treasury and their legal, bureaucratic and academic allies often seem unaware that the 2008 global financial crisis and Australian policy experience have shown that pursuit of financial growth alone has often increased economic instability, not produced the predictability and certainty which appear to be NSW government objectives (p. 17). 'Contestable' issues in any business should be clear and lead to something apparently closer to the truth and the related common advantage, or the contest appears to be a waste of time, money or sport. Hilmer's report 'National Competition Policy' (1993) explained the problems clearly. Since the global crash in 2008 the press and TV have explained related problems. One wonders who will ever break this bad news to lawyers and mates.

Risk and peace of mind are often in the eye of a beholder and an absent financial controller. This is not a broadly evidence based land, building and project management approach which is necessary for more sustainable development. It seems Infrastructure Partnerships view of 'streamline development assessment' and Paramatta City Council's view of 'improving infrastructure funding and integration' (p. 16) may be much at odds. Their respective bodies and supporting members may therefore often be talking at many cross, costly, purposes to see how to gain a comparatively ignorant will best. On our body corporate at St James Court, we certainly know the feeling, yet each year at annual general meetings we go on accepting the proposed budget, levies, insurance brokers and underwriters, as if we know this is not only in agreement with the relevant act for the administrative and sinking fund and section 88(2) which deals with Fidelity Guarantee and Office Bearers – but in line with many other good choices. To be honest, Baby, we haven't a clue. We just pay the bills and trust. This is not good management of risk.

The creation of a Glebe Shared Zone on our block could provide information on many more sustainable ways forward, in relation to job provision, skills development, rehabilitation and other services. Many related community needs could be more clearly and broadly understood and met through consideration and action with the local aim of more sustainable development through more openly coordinated, fairer management of grounds, trees, energy, waste, home building, maintenance, plus accident, professional liability and other insurances, for residents, service providers or others passing through. Lessons from NSW workers compensation insurance about the driving costs of insurance brokers, whose actions also encourage greater business uncertainty, should be studied. The National Disability Insurance Scheme is a restructure and development opportunity.

Body corporate management structures appear designed to broaden and so increase the housing maintenance costs paid for by levies, without necessarily providing useful information or control to anybody who is expected to be managing the strata under relevant law. Getting three work quotes often hinders rather than helps more effective management for everybody. Processions of workers who have never seen the site before do too. New auditors' costs miss the main issues. A submission to the former NSW Ministerial Advisory Council on Ageing, used my personal experience of owning and living in one of the 18 three storey townhouses at 11 Rosebank St., Glebe, to point out the lack of choice, extra costs and inequities which may be forced on individuals living in town houses which have strata management, as distinct from when living in self-owned terrace houses, which are built in the same manner, in a row with common walls between.

Ideally we should be in charge of a place we own as much as we want, as individuals and as joint managers of places, which are nevertheless part of the wider community direction. As managers, we should not pretend to be accountable without relevant information or control. In this ignorant situation, lawyers and their mates may take us for a ride and laugh at us behind our backs. Many related questions about common management of lands, buildings and funds arise for testing. The power of strata managers, estate agents and related construction interests appear as major considerations in planning related to the attainment of more affordable housing and more secure work. This is a local manifestation of a range of larger planning and development issues.

To manage land and building more effectively for all - governments, the private sector and communities need to harmonize the management of many related zone (area) management and service concerns more effectively and broadly. This is also related to being in a position to tailor services and to compare service outcomes better, to provide more broadly sustainable variation, as well as more efficient general service or product throughput. All involved in the business of managing any land and buildings can add value to them by tailoring services to individual situations better or reducing group cost. From this perspective, as a householder on a body corporate, I should be able to live more the way I want, not be dragged in the direction of others' flights of fancy for us all, whether secretly pushed or not. Manage more openly in broader and personal interests. I guess Sydney City Council, real estate agents and strata managers have the information.

### **JUSTIFY A NEW PLANNING SYSTEM RELATED TO ATTAINMENT OF HEALTH WHICH IS QUALITY OF LIFE: SERVE THOSE POOREST FIRST**

At higher levels of development, planning ideally starts globally to protect vulnerable species habitat, which is otherwise lost to future generations. In related regions, many social, environmental and economic needs can be met better through many more open public/private/voluntary development and finance partnerships, project plans and service methods, which are ideally delivered more openly on the land and in regard to its grounds and buildings with broader supporting finances. Plan, train and deliver openly with China or others, as discussed later. The University of Sydney has a seminar on wills and estate planning soon. One assumes the methods shown can be made relevant for those seeking to support other forms of non-profit development. Many related trust and insurance issues are addressed again later in local, regional and global contexts.

As sensible people, we seek not primarily to abide by laws, regulations and certificates but to get our needs met as well as possible, which means we may seek to do so increasingly broadly and/or intimately, through the Internet and related communications. Chinese people have done a huge amount in a short time to raise the standard of living globally through provision of cheaper and better products and homes for all and for their own people, especially women. They seldom get credit for this successful planning and delivery. Ask for tips about their preferred ways of solving international problems, including deforestation, poor quality land, air and water, and loss of biodiversity, in order to plan and work better together. Consider greener toilets, water wise use, solar power,

better cooking stoves and fuel, heating, cooling and related housing for many people now caught in spirals of desertification or urban slum living. Communications will no doubt take care of themselves, as distinct from truth seeking and usefully applicable educational content. It seems promising that many Muslims support Sharia compliant financing, as discussed in a related documentary series on SBS TV. How do you learn and work best? Let us go green together. Come on Eileen. If you aren't in the party you're camping out.

This discussion also encourages recognition of the direction necessary to develop an effective national disability insurance scheme. This is vital as the Australian population is aging. Like many younger people in small businesses they disappear below the radar, likely to lose their business or pension nest-eggs to many market drivers more easily able to feather their own nests earlier, albeit in ways almost as ignorant as our own, but not nearly so careful of our money. In this context, which is kindly put, the development of the person-controlled, electronic personal health record, is strongly supported as a necessary step in national and regional, more openly evidence-based approaches to service and product delivery in future. Trust and financial support are addressed later. How might the diagnosis of anybody's problem, secret or not, be made better in the real world, rather than in a psychiatric fantasy that thinks what moves another can be known and treated effectively by some fly by night encounters in an office plus drugs. No wonder they revert to a medical model of society to get ahead - the friends of Thatcher.

The practical request for a local Shared Zone is accompanied by related submissions attached, including to the Strategic Review of National Health and Medical Research. This submission supports an Australian democratic way of life (ideally one more openly, broadly and rationally constructed regionally, rather than laid down by feudally driven forces and their backers). It also embraces directions outlined for government signatories to the World Health Organization Declaration of Alma-Ata, unless another approach appears better in particular circumstances. The Declaration has a regionally based, holistic view of development in which primary health care *'involves, in addition to the health sector, all related sectors and aspects of community development, in particular agriculture, animal husbandry, food, industry, education, housing, public works, communications and other sectors; and demands the coordinated efforts of all those sectors'*. Sustainable development ideally starts internationally and regionally on land and water to achieve related quality of life. Melinda Gates recently stated the Gates Foundation is now dedicated to family planning as a necessary start for women's development. It is necessary to support more education and better work for women.

However, the legal paradigm and those who uphold it in practice represent Australia's most powerful feudal and related tribal relics, which are naturally male, supported by women, at home or not. Until recently, women and children were mainly conceptualized as comparatively valuable or useless possessions. Birth control, education and good employment are an insurance policy for women's health and community wellbeing. These are key foundations for human rights, which are also about gaining greater equality of opportunity and choice for all. One cannot often understand economic or related political operations without also understanding their feudal and tribal origins in history, law, purchasing practice or any related action. To gain better quality of life, community

management relationships are ideally designed more widely and so media reflects diverse people as honestly as possible, to assist all searches for more useful, reliable, knowledge and pleasure. This is also discussed in the light of the pledge of the UN Secretary General at Hiroshima in 2010, to abolish nuclear weapons and reduce poverty, tackle climate change and make economic development more environmentally friendly.

The dilemma of how to support an ageing population exists for most countries which are parties to the Asia Pacific Economic Cooperation (APEC) Agreement, including China and Australia. The World Bank stated the combination of the one child policy and increasing life expectancy has meant China's population is ageing much faster than the regional norm, and by 2020 people over sixty will make up 16% of the population. The care of a rapidly aging population will be the major Chinese social welfare preoccupation for the future, as the school-age population is projected to decline by 23% during the next fifty years. In comparison, the school age populations of Nigeria and Pakistan are projected to increase by two thirds. The World Bank advised China to undertake early planning to ensure there are sufficiently high levels of growth and savings to prepare for future old age security. The government is trying to unify pension systems so enterprises and workers covered under separate pension plans or not covered at all are brought into a single system with common standards. Management is to be transferred from enterprises to government agencies, and service administration and fund management are being separated. However, such systems do not apply to the rural peasants or even the majority of the Chinese population. What cooperative directions should Australia take?

What do well regulated development priorities for Australia look like in the above global context where relative overpopulation, deforestation and poorer quality land and water combine to increase rural poverty and urban slums? A recent Weekend Australian magazine reported that in 2010 Hillary Clinton announced creation of a partnership led by the UN Foundation to provide 100 million cleaner and more efficient cooking stoves to the poorest people around the world by 2020. Ideally, this could provide many related opportunities for simple, innovative manufacturing and energy production for much broader consideration. She raised the stoves with China's top foreign-policy official, Dai Bingguo, in May 2011 over lunch at the State Department. After a year of discussion, Dai agreed, 'to put it on the agenda for their annual meeting this year in Beijing'. That seems too slow. In Africa, toilets and hot showers for wild animal tourists use up huge amounts of scarce water and wood in places where the habitat of endangered species is also threatened by many competing forces. Tourists are often the top sources of rare hard currency for locals yet catering to tourists may help strip the land. The common mining and guns combination encourages general corruption and violence towards elections.

More broadly planned development is necessary which is designed to benefit health, the old, the unemployed, the disabled, students, women and small business globally and locally. Mental health is related to achieving the Strategic Review of National Health and Medical Research goals and terms of reference. One seeks to escape the medical model in favour of one which recognises the broader autonomy of the patient by providing her with more of the apparent truth about her comparative historical and

geographical situation. The view of the French Existentialists, that one is *condemned to be free*, is also one which ideally promotes broader personal thought and accountability.

From this perspective, to be increasingly specialised and divided into certified steams is not necessarily becoming more expert, but more blindly disabled and disabling. The order of the strategic review terms of reference suggests those who wrote them were thinking locally and professionally first, perhaps also in the hope of acting regionally or globally to make a better living, while hopefully also improving health and ‘closing the gap’ between indigenous and non-indigenous community health statistics. Judging by the poor health state of many native and formerly hunter gathering people and their current settlements across the world, the latter have got Buckley’s under this direction, although a few more may go on to study and live in foreign parts, taking their skills away with them. Support planned settlements, perhaps like Mto wa Mbu near the Serengeti.

Many supposed educational reforms increase inequality, while many in richer countries may also grow fat and disabled comparatively rapidly through the expectation of travelling in cars and eating and watching rubbish on TV (or another screen if lucky). The Strategic Review of Health and Medical Research states the burden of disease has changed in Australia. Chronic diseases, including those associated with ageing and mental illness are now the leading causes of morbidity and mortality. Australians are often led badly by the US, through product, service and collegiate associations peddling bad food and drugs. The US market driven, consumer and voter view of health care quality and costs encourages control by many more narrowly specialised professional forces which also appear increasingly difficult to hold to much broader account. This competitive route also appears likely to end in more obese, sedentary, disabled people, consuming more expensive combinations of drugs and surgery, but often dying earlier in comparison with populations living in better planned, educated and democratic situations. Use the harmonization and consolidation of insurance practices to provide stable funds broadly for injury prevention and rehabilitation in any place where people work and live.

This follows more broadly and holistically planned and developed UN, WHO and Australian government and community directions. These produced the direction in ‘Better Health Outcomes for Australians: The National Goals, Targets and Strategies for Better Health Outcomes into the Next Century’ (1994). There are major problems with US market and related legally driving development trajectories. Where the new sale is always encouraged, as if the product or service provides new truth to wipe out the old, people are often encouraged to act in ignorant self delusion, seeing a new trust as a better protection. Probably they also see themselves as having little choice besides playing along with all more apparently controlling cats. Such people appear more likely to be injury victims in the longer run, through no fault of their own except lack of more stable knowledge or honest belief that can give them more real confidence. Do business openly with opportunities for health, work, exercise and education related primarily to the search for truth, personal or not. Following the US professionally driving, more narrowly blinkered direction, but with extra sclerosis, is not the best way forward. It adds cost.

The Shared Zone City of Sydney Council concept ideally allows open provision of more individually tailored services, jobs, exercise and understanding, which makes more sense for more sustainable development. These are healthier ways to go, as discussed attached. Tiffen and Gittins book 'How Australia Compares' is a useful reference which compares Australia with 17 other developed democracies on a wide range of social, economic and political dimensions. This place based approach assists anybody to conceptualise quality of life better, to improve it through work and play for communities and individuals. Ideally we regulate and classify to give people wider and deeper access to knowledge and pleasure. This is to help more rounded pursuit of improved democratic order and expression in regional communities and environments. Democracy is not buying votes.

A great many countries have no doubt been run by those a woman should not waste spit on. However, comparative OECD data and related information on the effects of guns, health care design, drugs and food in the US suggests Americans should probably be most frightened of themselves. Loss of consumer and voter control over market operations, however, is often successfully sold as the benefit of 'free' markets or choice. TV shields them from comparative knowledge. No doubt pain is as real for current and former US soldiers and their families living at home, as it is for Vietnamese, Cambodians, Laotians and other people whose lands, water and populations were for years saturated with US army defoliants and/or bombs. The effects, along with land mines, have been left as disabling presents for their future generations. Americans have a lot of gall to keep lecturing other cultures on the nature of human rights. Is this ironic?

### **ON TRUST AND THE GREEN PAPER ALTERNATIVE: MORE OPEN DEVELOPMENT ON COMMON GROUND**

The article 'Trust law reform delayed once again' (AFR 30.7.12, News 8) states the federal government has delayed an overhaul of trust rules. There are apparently 660,000 trusts in Australia, an area of law marked by controversy and claims of tax avoidance. Many former friends of US market direction may need sympathetic outside help or sticks to turn their boats around. More openly planned management contexts, with better potential for openly competitive service and product provision, variation and improvement, designed to operate in broader interests globally and locally are needed. This new management and investment direction appears ideally to start with a person (consumer), who is born, lives and dies in a *place*. This also appears necessary for implementation of the Universal Declaration of Human Rights and UN conventions and directions, as judged good or maybe needing some cultural correction. Discuss it openly.

The Superannuation Industry (Supervision) (SIS) Act (1993), which is a non-profit scheme run to benefit members, appears comparatively clear and logical for financial legislation as it has clear objects and usefully related definitions. However, even the SIS Act suffers in defining a trustee. It states that 'trustee, in relation to a fund, scheme or trust means:

- (a) if there is a trustee (within the ordinary meaning of that expression) of the fund, scheme or trust – the trustee; or

(b) in any other case – the person who manages the fund, scheme or trust’.

A clear simple scheme or project contract managed clearly in the open appears the best protection to me. Changes to expectations are acted upon with clear reasons recorded. This may also provide a research skeleton for a manager or others involved in a project.

When Sydney University Vice Chancellor and Principal, Dr. Michael Spence, said in the Sydney Alumni Magazine (July 12, p. 7) that the belief of our founders was we should be both public and secular we naturally cried about our direction – ‘Where is the mythic?’ In a flash we saw that truth is everywhere, like Abel and Cain and moving on through all the nastiest boys and their mates. Are they your close associates? If so, sort them out. At court and beyond we seek a world and economy where every child who wants to do so can often be filmed holding a koala, not where each has a right to a personal bomb called defensive. This is therefore a planned and market driven approach to the Green Paper, based first on those in a house and garden – like socialism in one room only different.

The system of planning should not appear so divorced from the system of development. One could say the same about a lot of professional education and related research activities. Place based approaches to risk and fund management appear likely to produce better services, products and jobs more fairly by thoughtfully cutting red tape where necessary to replace it with more knowledge and service related to the general and specific situation, which is ideally more openly shared and managed. Figures alone can seldom cut it. However, this new management view appears likely to require the adoption of many more scientific and empathetic management and service approaches like those tried out in medical diagnostic embryo in Medicare and Case-mix styles of management and funding, including for alternative or ‘top-up’ providers, ideally also acting on more informed, personal choice. This is a broadly innovative learning process.

Australian regional aims should be to identify greener service industry development and bargaining approaches to assist mining, primary industries and related manufacturing and community directions, also led or matched in construction, communication and transport. If one considers water treatment in regional contexts, the boundaries and ideal links between national parks, commercial developments and related non-profit ventures are ideally analyzed to gain agreement on how to improve the value of the land for native flora and fauna, including people. This is where many small business and government jobs and career paths seem likely to begin, with multi-skilling. Fit the teachers round the work and stop trying to force students to go to distant, new buildings put up slowly, so those who do so now, continue to drone on. They do not work well and are expensive. (Australian trains also seem far to go in timeliness by Asian and European standards.)

At the G20 Meeting of Finance Ministers and Central Bank Governors in Brazil, in November 2008, Xhou Xiaochuan, Governor of the Peoples’ Bank of China, pointed out conflicts of interest of financial ratings agencies and problems of the Nationally Recognized Statistical Rating Organizations structure, in which a handful of quantitative analysts’ financial models dominate and are correlated throughout the global financial system. This adds massively to systemic global instability. He argued the institutional

users of credit ratings, such as money managers and financial institutions, should be required to complement external pricing models with the internally developed capacity to judge risk. Organizations should be held accountable to their customers and shareholders by exercising their own judgment, not merely by outsourcing risk assessment to ratings agencies. He said to give organizations issuing financial products more incentives to better assess their risks, regulators should also ask them to retain a meaningful share of the underlying assets on their balance sheets to alleviate the problems associated with the 'originate to distribute' business model, which includes moral hazard and related fraudulent loan underwriting. (Peoples' Bank of China website.) Is this good to follow?

Shared Zones, which also imply many open government, private sector and community management partnerships provide opportunities to address related problems to increase quality of life and also productivity. The potential of Sharia compliant funding is ideally addressed in a related international context of planning with many trading partners. When we conceptualize human rights beginning with effective family planning all information related to protection of our wider social heritage and environments can spring more easily to mind, so more ignorant sectional battles may be more openly replaced by work performance and play which is also exercise, or sport. Consider work and life use in funding sport. From this perspective gymnastics and swimming seem best.

In an international energy context of global warming or not, any fuel which appears an improvement on an earlier one socially and environmentally, may appear good enough for the present. From this perspective, the environmental dangers of 'fracking' in the use of natural gas, which is a cleaner fossil fuel than coal, appear better seen and related to opportunities for gaining wildlife corridors along the banks of rivers or in many other places where wildlife and commerce have competed, to detriment and loss of the wild.

In contrast to any feudal perspectives, land and property may no longer be seen as theft, but celebrated the more they are shared to help protect the contractors, the surrounding communities and their heritage, so more wealth may grow while lands and seas flourish. We want Sharia compliant financing to benefit many related regions, not to undercut closed oppositions. As I understand it, equity based partnerships are favoured which are designed to increase the wellbeing of all those engaged in the venture, for the greater related benefit of all. Ideally, one person is not to benefit at the expense of another, which is why equity partnerships are preferred to interest bearing loans or financial trading and related gambling on the price of the known or unknown commodity or risk. Liquor, tobacco or other trading may be forbidden as against community interest. In Dubai, finance appears conventional in loan relationships, as HSBC profits from UAE operations rose 77% to \$575 million from \$324 million in 2010 (Gulf News, 28.2.12).

Open business up and redirect more funds to greener pastures on religious and charitable grounds. From this perspective, one assumes biographer Adele Ferguson would be among the first to see that for a very private person, Gina Rinehart, the richest woman in the world and also a global miner, has had a hugely mythic and richly illustrative life in comparison with other Australian leaders. Frankly, you lot made a big mistake treating her so badly when she was at Sydney Uni. You should have sent in Peter Groenewegen

to sweep her off her feet with his view of Hegel's inheritance and transformation of the dialectic, followed by implications of the new materialistic version Marx produced. Very few public servants could do it. Invite her to the Sydney Uni. event on wills and estate planning so she can hear how to help her heirs and safeguard their wishes. The family, their business and taxpayers might appreciate any openly coordinated help they can get.

A New Planning System for NSW requires new management systems and attitudes which honestly promote an ideally common search for truth instead of proliferation of many more narrowly blinkered individual, family, professional and related community searches for advantage, defined purely in financial or related numerical terms. Professionally driven forces, with related ideologies, often numerically expressed, naturally call on their best mates to cheer them on in self-helpful predictions of performance. However, many funds which government and industry have built up since the 1980s now appear ideally to be managed more openly in regional public, private and related community partnerships to try to balance and help achieve their key economic, social and environmental goals for current and future generations. Risks and insurances are ideally addressed in this context.

Consider Malcolm Turnbull's recent speech to the Melbourne Institute entitled 'A High Exchange Rate: Should we be concerned and what should be done?' Paul Howe called for the Reserve Bank to seek 'price stability and the real exchange rate'. If there is a 'real' as distinct from another kind of exchange rate, can it be most effectively recognised in clearly contracted production and prices designed flexibly, to meet the contract aims more broadly? Ideally, contracts appear best designed to gain longer term price stability and fairer treatment across a wider range of public and private sector boards and related communities for now or future generations. In global and related regional contexts, one wonders what Turnbull's unexplained term 'effective exchange rate sterilization' means and how that state, (which sounds great if it wipes off germs), might best be achieved.

From broader business and related community perspectives, it appears centrally relevant for gaining future prosperity to clearly address more of the apparent relationships between underwriting and market cycles, problem debt and inflation. This also seems necessary to achieve the national goals of inflation control and full employment. Labor governments under Hawke and Keating ended centralised wage fixation to reduce demands for higher wages in the strongest or most protected economic sectors (barring lawyers, etc.) as this was rapidly leading to uncompetitive wage structures, inflation and unemployment. That they floated the dollar surely does not imply to Turnbull or Howe that it settled in a perfect state, free from market interference, where all are well served with market clearings and not sudden crashes. We should openly plan to help green and sustainable global direction to be delivered here as other natives also now do it in theirs.

See small business project management directions for sustainable development attached, which start with living and work in a house and garden. This is ideally a regional context in which the comparative services and standards for workers may be scrutinized more openly, fairly and effectively in the interest of all. Turnbull, Howe, and others' representatives or members may in reality disagree on little or much. To the extent all feel capable of talking as clearly and honestly as possible, to design and deliver the

contract or any related aims or terms, the more it saves on useless drones. Preferred treatment is to plan more effectively to serve people in greener markets. Doing so requires place based management and related services and funds to which householders, employers, employees, subcontractors, trainees or volunteers may all contribute. Address global and national directions first and fit regional development into the larger picture.

One has now seen enough of life to be fed up to the back teeth with suits and sick to death of oral culture so we are headed towards personality disorder, possibly over the borderline. We also hate psychiatrists and their stupid medical models so have come to you to fix it. See the related website direction to Kevin Rudd and others after a visit to Japan, but he was deposed. What about Stephen Smith our lovely Defence Minister? He has a good head on his shoulders. We leave all that to you, however, while we give all those coming on board some better directions on the canon. As we watch our girls at work, skipping around the collegiate maypoles, gracefully weaving their ribbons around them, in and out, we are keenly aware that Stephen Smith spoke on ABC TV one recent Sunday, about his new Force Posture Report. This seems an exciting new opportunity for us all to get ahead. Many more may be questioned on their goals and progress. Tick lots of boxes or rate yourself on a scale from 1-10? (No thanks, I'd rather rip my ear off).

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(See more on [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au) for global, regional and local direction for sustainable development and related social, environmental and economic accounting).