

Environment and Development Directions Alert (Qld)

Queensland Government releases draft State Planning Policy

WHAT YOU NEED TO KNOW

- The Queensland Government yesterday released a draft State planning policy for public consultation.

WHAT YOU NEED TO DO

- Any party who wishes to make a submission to the Queensland Government about the draft State planning policy must do so in writing by Wednesday, 12 June 2013.

Introduction

As part of the ongoing process of reforming Queensland's planning and development system, the Queensland Government has released a draft State planning policy ("Draft SPP") for public consultation.

When finalised, it is intended that the single State planning policy ("SPP") will replace the numerous existing SPPs and will simply and clarify State interests.

What is a SPP?

The *Sustainable Planning Act 2009* (Qld) ("Act") allows the Minister administering the Act to make SPPs, which are statutory instruments which articulate the State's policy about a matter of State interest.

Local governments are required to draft planning schemes to ensure that SPPs are reflected in the planning schemes and other local planning instruments.

Local governments and State agencies involved in the assessment of development applications are supposed to assess applications against, among other documents, SPPs which are not identified in the planning scheme as being appropriately reflected in the planning scheme.

The purpose of a move to a single SPP

There are currently 13 SPPs, which cover a broad range of topics such as the conservation of agricultural

land, development in the vicinity of airports and aviation facilities, the protection of extractive resources and the conservation of koalas in south east Queensland.

The Queensland Government considers that a single SPP, which expresses the State's interests in planning and development, will provide local governments with clarity about:

- how to make and amend local planning instruments and, in particular, allow local governments to reflect and balance State interests "up front" in local planning instruments; and
- how to assess development applications and allow for the approval of the right development in the right location without undue process and delays.

It is also considered that a single SPP will also assist developers preparing development applications.

How the Draft SPP is designed to work

The State interests identified in the Draft SPP

The Draft SPP sets out a range of 18 State interests which are grouped as follows:

- **Housing and liveable communities:**
 - Amenity and community wellbeing
 - Land development and housing supply

- **Economic growth:**

- Agriculture
- Development and construction
- Mining and extractive resources
- Tourism

- **Environment and heritage:**

- Biodiversity
- Coastal environment
- Cultural heritage
- Healthy waters

- **Hazards and safety:**

- Air, noise and other emissions
- Hazardous materials
- Natural hazards

- **Transport and infrastructure:**

- State infrastructure and services
- State transport infrastructure and networks
- Strategic airports and aviation facilities
- Strategic ports
- Water supply catchment and infrastructure.

In addition to a detailed description of each identified State interest and references to supporting material, the Draft SPP also includes provisions detailing how the State interest is to be reflected in making or amending local planning instruments, how a local government is to take the State interest into account in assessing and deciding a development application and how the Queensland Government will take the State interest into account in assessing a development application.

The Draft SPP also includes guidance on how competing State interests should be managed.

Making local planning instruments

The Draft SPP sets out the following principles designed to support and guide the development of efficient and effective planning instruments:

1. support the efficient approval of appropriate development;
2. facilitate the delivery of sustainable planning outcomes;

3. protect and enhance Queensland's natural and built environments and places;
4. maximise transparency and accountability of planning instruments and decisions;
5. enable positive responses to change, challenges and opportunities; and
6. consider infrastructure needs designed to support development.

These principles are supported by implementation strategies, to which local governments and the Queensland Government will also have regard in making local planning instruments.

Assessment of development applications

When finalised, the Draft SPP will apply to the assessment of development applications where:

- the SPP is not identified in the relevant planning scheme as having been appropriately reflected in the planning scheme; and
- the development application is of a kind referred to in the Draft SPP.

The Draft SPP includes guidance about managing competing State interests, based on the following objectives:

1. considering the State interests in their entirety;
2. supporting innovative and locally appropriate solutions; and
3. empowering and supporting local governments to make the best planning decisions for their communities.

The local government and, where relevant, the Queensland Government, will be required to assess the application against the identified State interests.

The Draft SPP makes specific reference to the assessment of development applications on behalf of the Queensland Government by the Single State Assessment and Referral Agency. The Queensland Government is currently preparing amendments to the *Sustainable Planning Regulation 2009* to include State Development Assessment Provisions which detail how this assessment is to occur. It is intended that those provisions will be in effect later this year.

Next Steps

The Minister must consider all properly made submissions about the Draft SPP in preparing the final SPP.

Submissions about the Draft SPP must be made by 5pm on Wednesday, 12 June 2013.

[View the Draft SPP](#) at the Qld Department of State Development, Infrastructure and Planning website.

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