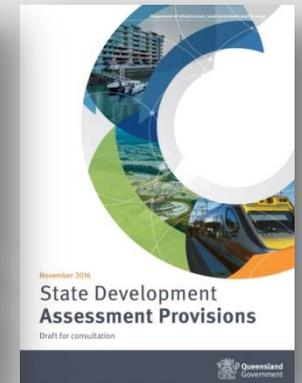
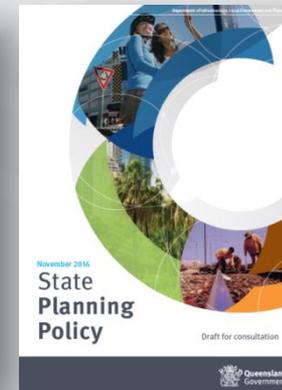


# Review of state interests



# What are state interests

Under the Planning Act, a 'state interest' is an interest the Minister considers:

- affects an economic or environmental interest of the State or part of the State
- affects the system for land use planning and development assessment operating and being able to operate in an efficient, effective, transparent, integrated and accountable manner (i.e. the purpose of the Act)



# How state interests are protected or given effect in the planning system

Primarily through:

- Planning Regulation
- State Planning Policy (SPP)
- State Development Assessment Provisions (SDAP)



# Renewed planning instruments

- Updated State Planning Policy (SPP) subject to statutory consultation
  - **21 November 2016 to 10 February 2017**
- Also available for comment during this time:
  - Draft Planning Regulation
  - Revised State Development Assessment Provisions (SDAP)



# Why review state interests?

- The *Planning Act 2016* provided a catalyst for change
- Need to ensure appropriate expression of state interests
- Remove duplication and improve workability of instruments
- Support key government priorities...



# Key principles informing the review

- State interests managed through most effective planning tool
- Planning framework deals with planning matters only
- State accountable for state matters; local government is accountable for local matters
- State involvement occurs only when essential
- No duplication or replication of regulatory approvals
- Amendments align with the purpose and intent of the Act and adopted government policy
- Enable clearer expression and greater understanding



# Planning Regulation

- Subordinate legislation under the new Planning Act
- Prescribes a range of matters permitted under the Planning Act
- Identifies the development matters that should be referred to the state (State Assessment and Referral Agency) for development assessment decisions or for advice



# State Planning Policy (SPP)

- Sets out state interest policies for plan-making and development assessment
- Development assessment benchmarks apply in certain circumstances where a local gov't planning scheme does not yet integrate the SPP
- SPP applies to:
  - Making or amending a local planning instrument
  - Making or amending a regional plan
  - Designating premises for infrastructure
  - Development assessment by LG (if relevant)



# State Development Assessment Provisions (SDAP)

- Contains the state's interests in development assessment
- Contains the matters that the State Assessment and Referral Agency (SARA) considers when assessing a development application



# Key changes

- Coastal reform
- Climate Change
- Biodiversity
- Vegetation management
- Mining and extractive resources



# What this means for schemes

- The effect of the updated SPP will vary across local government
- If a planning scheme is inconsistent with any part of the updated SPP
  - the SPP will apply to the extent of an inconsistency
  - SPP assessment benchmarks will apply in development assessment, only where relevant
  - local government may consider amending its scheme
- The Department will provide assistance and guidance material



## Next steps

- Closing date for submissions is **10 February 2017**
- Planning Regulation, SPP & SDAP to commence with *Planning Act 2016* on **3 July 2017**

## More information

To make a submission or access fact sheets and information videos , please visit: [www.qld.gov.au/planninginterests](http://www.qld.gov.au/planninginterests)



Thank you



# Coastal planning reform

- Reinstating **world-class coastal planning laws**, state-wide approach
- Improving **clarity regarding roles** of state & local government in assessment of development along our coastline
- Mandating the consideration of **projected climate change**
- Ensuring that **development in erosion prone areas is primarily avoided**, while retaining limited exemptions.
- Clarifying policies in relation to the development of **canals, dry land marinas or artificial waterways and reclamation** of land under tidal water
- Improving policies to strengthen **protection of biodiversity and best practice stormwater management**

# Climate change mitigation and adaptation

- State and local government to consider climate change in plan-making and development assessment. Changes to various state interests, including:
  - **Housing supply & diversity:** encourages resilient & adaptable housing, considering locational factors
  - **Liveable communities:** facilitates climate sensitive urban design & sustainable built form outcomes
  - **Agriculture:** acknowledges potential impacts of climate change on land suitability
  - **Coastal environment:** acknowledging climate change impacts, particularly in relation to GBR catchment
  - **Natural hazards, risk and resilience:** risks associated with the projected impacts of climate change should be avoided or mitigated
  - **Energy & water supply:** new renewable energy policy

# Biodiversity

- provide for the protection of matters of state environmental significance (MSES)
- strengthening the requirements to avoid impacts on matters of national environmental significance including the Great Barrier Reef
- supporting local governments to limit the fragmentation of biodiversity values by protecting matters of local environmental significance (MLES)
- Retain policy setting that council should facilitate a net gain in koala bushland habitat in SEQ region until koala expert panel has provided its recommendations to the Queensland Government



# Vegetation management

- The draft Planning Regulation incorporates a prohibition for material change of use (MCU) applications that involve the clearing of native vegetation where the clearing is deemed not to be for a relevant purpose under section 22A of the *Vegetation Management Act 1999* (VMA).
- This addresses an inconsistency in the existing regulatory requirements for vegetation clearing that allows for the approval of an MCU application involving what would effectively constitute prohibited vegetation clearing under the VMA.
- This prohibition complements the existing prohibition in Schedule 1 of the *Sustainable Planning Act 2009*, which prevents operational work applications that involve the clearing of native vegetation where the clearing is deemed not to be for a relevant purpose under section 22A of the VMA.
- The inclusion of this new prohibition establishes a clear and consistent basis for dealing with applications that involve the clearing of native vegetation.

# Mining and extractive resources

- Amendments to emphasise protection (& long term viability) of extractive resources, not just consideration
- Clarification that a Key Resource Area (KRA) is not an automatic development approval
- Clarifying assessment benchmarks for KRAs
- Ensuring consistency of development assessment requirements for state forests, timber reserves and forest entitlement areas under the *Forestry Act 1959*



# Other key changes

- **Urban design** - strengthening policies to support quality urban design outcomes, new state role in providing advice on the urban design outcomes of significant projects
- **Affordable and social housing** – clarifying requirements for council plan-making to support affordable housing
- **Indigenous communities** – identify further actions to better integrate Indigenous interests
- **Cultural heritage protection** – removal of duplicate assessment by state and local government, introduce new state role for development adjoining a Qld heritage place
- **Transport infrastructure** – simplifying referrals to the state and codes
- **Water quality** – strengthened construction phase erosion and sediment control requirements for development
- **Structural/drafting changes** – improving usability of documents