

Draft amendment to the State Planning Policy July 2014

FACT SHEET

Summary of proposed changes

A draft amendment to the State Planning Policy (SPP) July 2014 has been released for public consultation reconfirming the government's commitment to retain the SPP as the pre-eminent state planning instrument in the Queensland planning framework.

The draft amendment to the SPP includes changes to:

- ensure the SPP supports a balanced planning system focussed on liveability, sustainability and prosperity
- improve clarity, such as updating state interest information so that it is easier to understand
- update outdated information, for example consequential amendments resulting from new or amended legislation and administrative references such as the department's name
- align with government policy and urgent priorities.

In accordance with the *Sustainable Planning Act 2009*, the draft amendment will be publicly notified for a period of 20 business days, from Monday, 9 November 2015 until 5pm, Friday, 4 December 2015.

Invitation for written submissions and requirements for submissions

Written submissions about any aspect of the draft SPP amendment may be made by any person to the Deputy Premier, Minister for Transport, Minister for Infrastructure, Local Government and Planning and Minister for Trade, from Monday 9 November 2015.

Submissions are required to:

- be made to the Deputy Premier, Minister for Transport, Minister for Infrastructure, Local Government and Planning and Minister for Trade;
- state the name and residential or business address of each person making the submission;
- be made in writing and, unless the submission is made electronically, be signed by each person who has made the submission;
- state the grounds of the submission and the facts and circumstances relied on in support of the grounds; and
- be received during the consultation period.

Submissions close at **5pm Friday 4 December 2015**.

Submissions can be sent by:

Post: The Honourable Jackie Trad MP
Deputy Premier, Minister for Transport, Minister for Infrastructure, Local
Government and Planning and Minister for Trade
c/- State Planning Policy Feedback
Planning Group
Department of Infrastructure, Local Government and Planning
PO Box 15009
CITY EAST QLD 4002

Email: SPP@dilgp.qld.gov.au

Electronically: www.dilgp.qld.gov.au/spp

The detailed list of the draft amendments are contained in the following table.

STATE PLANNING POLICY AMENDMENT PACKAGE 2015

Note: Omitted text is identified with ~~strikethrough~~. New text is identified with underline, e.g. Department of ~~State Development, Infrastructure, Local Government~~ and Planning

ITEM #	SECTION	AMENDMENT RATIONALE	INSTRUCTION
1.	Front cover	Update of Department name. Update of published date as a consequence of the 2015 amendment.	Amend as follows: Department of State Development, Infrastructure, Local Government and Planning Omit as follows: State Planning Policy July 2014 A new published date of the SPP will be determined following public notification and subject to approval by the Planning Minister
2.	Inside cover	Update of published date as a consequence of the 2015 amendment.	Amend as follows: <i>Editor's note: The State Planning Policy July 2014 (published date to be determined) is an amendment to the State Planning Policy December 2013 <u>July 2014</u>.</i>
3.	Page 4 Part A: Introduction and policy context	Update department website details.	Amend as follows: In addition to the SPP document, a range of supporting material and mapping is available at www.dsdlp.qld.gov.au/spp www.dilgp.qld.gov.au .
4.	Page 8 The relationship between the SPP and the State Assessment and Referral Agency (SARA)	Update of information to clarify the relationship between the SPP and SARA and to ensure currency.	Amend as follows: The relationship between the SPP and the State Assessment and Referral Agency (SARA) In certain cases, a development application may need to be submitted to the state as a referral agency or assessment manager because the application involves a particular matter of interest to the state. This is required for matters over which the state has jurisdiction (such as state controlled roads or a place on the Queensland Heritage Register).

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			<p>Previously, this meant that an applicant was required to refer the application separately to each individual state agency. Since 1 July 2013, the Department of State Development, Infrastructure and Planning (DSDIP) <u>Infrastructure, Local Government and Planning</u> is the single lodgement and assessment point for all development applications involving matters of interest to the state.</p> <p>These applications are assessed by SARA, delivers <u>delivering</u> a coordinated, whole-of-government approach to the state's assessment of development applications. The State Development Assessment Provisions (SDAP) provide the state's criteria for assessing these development applications in one publicly available document.</p> <p>When the chief executive is an assessment manager or a referral agency for a development application, the planning Act provides that the chief executive must, to the extent relevant and within the limits of the jurisdiction, assess the development application against the SPP, to the extent the SPP is not appropriately integrated in the local government's planning scheme.</p> <p>Unlike the local government development assessment requirements outlined in the SPP, the requirement for a development application to be assessed against the SDAP does not fall away once the state interests outlined in the SPP have been appropriately integrated into a local government planning scheme.</p> <p>Unlike the interim development assessment requirements outlined in the SPP, a development application triggered for assessment by SARA is still required to be assessed against the SDAP regardless of whether the state interests outlined in the SPP have been appropriately integrated into a local government planning scheme.</p> <p>Further information about SARA and copies of the SDAP can be accessed at www.dsdip.qld.gov.au/sara www.dilgp.qld.gov.au/sara.</p>

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5.	Page 12 Part B: Application and Operation Operation of the SPP Supporting material	Update to department website details.	Amend website details, as follows: The SPP Interactive Mapping System is located at www.dsdlp.qld.gov.au/spp-mapping www.dilgp.qld.gov.au/spp-mapping . The guidance material is located at www.dsdlp.qld.gov.au/spp-guidelines www.dilgp.qld.gov.au/spp-guidelines .
6.	Page 14 Table 1: Guiding principles	Amend the first dot point of the 'Outcome focussed' guiding principles to reflect the government's commitment to a balanced planning system.	Amend first dot point, as follows: <ul style="list-style-type: none"> Queensland's economic development is supported through decision-making Decision-making which integrates and balances the economic, environmental and social needs of current and future generations.
7.	Page 15 Part D: The state interests and plan making policies DIAGRAM	Amend the centre of the wheel diagram to reflect the government's commitment to a balanced planning system.	Omit 'Producing a prosperous Queensland' Replace with <u>'Producing a liveable, sustainable and prosperous Queensland'</u> An example of this amended diagram is provided as Attachment 1.
8.	Page 20 Planning for economic growth	Updates to reflect the Palaszczuk Government's election commitments/urgent priorities.	Amend as follows: Planning plays a critical role in achieving economic growth. The government's four pillar economic policy is about building on Queensland's traditional strengths in resources, agriculture, construction and tourism. Encouraging growth in <u>Queensland's traditional strengths of resources, agriculture, construction and tourism</u> these sectors will provide benefits to the economy and to the people of Queensland. While the four pillars form the backbone of the Queensland economy, there There are many other competitive, emerging and innovative sectors that also contribute to Queensland's strong economy, for example research and development, education and manufacturing <u>education, manufacturing, knowledge-intensive industries (research and development, biotechnology) and the services economy.</u> These sectors and the four pillars all rely upon a strong economy for viability.

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9.	Page 20 Part D: The state interests and plan making policies Agriculture	Remove references to previous government commitments.	Amend as follows: Agriculture is central to Queensland’s economic productivity, employment and the supply of food, fibre, fish, timber and foliage for domestic and international markets. The Queensland Government is committed to doubling the state’s agricultural production by 2040.
10.	Page 23 Part D: The state interests and plan making policies Mining and extractive resources	Include additional wording in the SPP introductory final paragraph to provide greater clarity in relation to this state interest.	Amend as follows: The state has an interest in ensuring that mining and other resource activities are considered in land use planning, because of the economic benefits to Queensland and the contribution to our quality of life. <u>The purpose of identifying key resource areas is to protect important extractive resources from incompatible land uses. The key resource area is not a development approval for extracting the resource.</u> This interest acknowledges that development decisions will require the careful consideration of competing interests.
11.	Page 28 Part D: The state interests and plan making policies Coastal environment	Amendment to provide explicit reference to climate change (sea level rise) in the context of the coastal environment.	Amend the 6th paragraph of ‘why is the coastal environment of interest to the state?’, as follows: As the coastal environment is highly dynamic and may be impacted by coastal erosion and storm-tide inundation, planning and development decision-making should employ risk-management approaches that take into account the projected impacts of a variable climate <u>change</u> .
12.	Page 29 Part D: The state interests and plan making policies State interest – Cultural heritage Policy 6	Amend wording to improve clarity of meaning and for consistency of terminology.	Amend policy 6, as follows: (6) including requirements that development on or in heritage places of local cultural heritage significance or heritage areas: <ul style="list-style-type: none"> (a) avoids, or otherwise minimises, adverse detrimental impacts on the cultural heritage significance of the place or area, and (b) does not compromise the cultural heritage significance of the place or area.

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13.	Page 32 Part D: The state interests and plan making policies Planning for safety and resilience to hazards	Remove references to previous government policies.	<p>Amend 4th paragraph of introductory text, as follows:</p> <p>Planning for safety and resilience to hazards will enable positive responses to challenges and change. By utilising an evidence-based, risk management approach which encourages innovation, planning can help ensure the continued prosperity of Queensland, the wellbeing of people and the protection of property, the environment and infrastructure.</p>
14.	Page 34 Part D: The state interests and plan making policies Natural hazards, risk and resilience	Amendment to provide explicit reference to climate change in the context of resilience and planning for the impacts of natural hazards.	<p>Amend the introductory text as follows:</p> <p>Why is <u>are</u> natural hazards, risk and resilience of interest to the state?</p> <p>A natural hazard is a naturally occurring event that may cause harm to people and our social wellbeing, damage to property and/or infrastructure and impact our economy and the environment. The natural hazards that can be prepared for <u>effectively avoided or mitigated</u> through land use planning and development decisions are flood, bushfire, landslide, storm tide inundation and coastal erosion.</p> <p>Planning for these natural hazards through land use planning can also significantly reduce the financial and other resource pressures placed on all levels of government, industry and the community, to respond to and recover from natural disasters. For this reason, there is a shared responsibility to manage the impact these natural hazards may have to people, social wellbeing, property, the economy, the environment and infrastructure.</p> <p><u>The effects of climate change are projected to impact on the footprint, frequency and intensity of natural hazards. Projected sea level rise for example, will increase the risk from coastal hazards, progressively cause the permanent inundation of low lying land and extend the risk of storm tide inundation to new areas. Increased temperatures will increase the likelihood and extent of area affected by bushfires.</u></p>

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			<p>The state’s interest in natural hazards, risk and resilience seeks to ensure natural hazards are properly considered in all levels of the planning system, community resilience is increased, and where hazards are avoided or the risks are mitigated to an acceptable or tolerable level, <u>increasing community resilience and minimising the burden for emergency management</u>.</p> <p>Key to achieving these outcomes is an integrated, evidence-based process that empowers local government and the community to plan for their local circumstances and contributes to achieving a safer and more resilient Queensland.</p>				
15.	Page 36 Part D: The state interests and plan making policies Energy and Water Supply	Amendment to reference the importance of creating opportunities for renewable energy technologies.	<p>Insert at the end of the first paragraph of ‘why is energy and water supply of interest to the state?’:</p> <p>Providing safe, reliable, sustainable and affordable energy and water supply is vital to meeting the basic needs of communities and for Queensland’s economic prosperity to ensure a liveable, sustainable and prosperous Queensland. <u>This includes opportunities for renewable energy technologies.</u></p>				
16.	Page 40 Part D: The state interests and plan making policies Strategic airports and aviation facilities: Table 2	Amendment to update names of Proserpine strategic airport. Reorder strategic airports to be listed alphabetically in the table.	<p>Amend name of Proserpine airport, as follows:</p> <ul style="list-style-type: none"> Proserpine <u>Whitsunday Coast Airport - Proserpine</u> <p>Update table to list strategic airports in alphabetic order, including:</p> <ul style="list-style-type: none"> Sunshine Coast airport to appear below RAAF Base Scherger in the table <u>Whitsunday Coast Airport – Proserpine</u> to appear below Weipa airport. 				
17.	Page 42 Part D: The state interests and plan making policies Strategic ports: Table 3	Amendment to correct local government areas in which the Port of Weipa is located.	<p>Update reference to Weipa strategic port in Table 3 as follows:</p> <table border="1" data-bbox="1182 1166 1912 1299"> <thead> <tr> <th data-bbox="1182 1166 1550 1214">Strategic Port</th> <th data-bbox="1550 1166 1912 1214">Local government area</th> </tr> </thead> <tbody> <tr> <td data-bbox="1182 1214 1550 1299">Weipa</td> <td data-bbox="1550 1214 1912 1299">Weipa Town Authority <u>Cook Shire</u></td> </tr> </tbody> </table>	Strategic Port	Local government area	Weipa	Weipa Town Authority <u>Cook Shire</u>
Strategic Port	Local government area						
Weipa	Weipa Town Authority <u>Cook Shire</u>						

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18.	Page 46 Part E: Interim Development Assessment Requirements Footnotes 12 and 13	The footnotes are renumbered as a consequential change.	<p>Amend footnote numbering as follows:</p> <p>For a development to which a local planning instrument requires an environmental offset: 12 13-14</p> <p>Any development application requiring an environmental offset under a local planning instrument (including a local government condition to provide an environmental offset) must be consistent with the <i>Environmental Offsets Act 2014</i>.</p>
19.	Page 46 Part E: Interim Development Assessment Requirements Footnote 12	New wording is required to be consistent with the changes to s 15 of the EO Act, made through the <i>Environmental Protection and Other Legislation Amendment Act 2014</i> (EPOLA 2014).	<p>Amend as follows:</p> <p>12,13 <i>The local government cannot condition for an environmental offset if the Commonwealth or state impose a condition (or choose not to impose a condition) for the same, or substantially the same, prescribed activity and prescribed environmental matter (Environmental Offsets Act 2014, Part 5, s15), may only impose an environmental offset condition for a matter of local environmental significance or another prescribed environmental matter that is further prescribed by regulation as relevant for s 15(4) of the Environmental Offsets Act 2014.</i></p>
20.	Page 46 Part E: Interim Development Assessment Requirements, Footnote 13	EPOLA introduced new sections under Part 13 of the EO Act which are also relevant. The amendment refers to the Part number. The footnote is renumbered as a consequential change.	<p>Update footnote number and omit reference to s94 and s95:</p> <p>13-14 . The <i>Environmental Offsets Act 2014</i> only applies if a development application was made on or after the commencement of the <i>Environmental Offsets Act 2014</i>, Part 13. s94 and s95</p>

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21.	Page 52 Part E: Interim Development Assessment Requirements State interest: state transport infrastructure	Update Appendix number to reflect order of the Appendices.	<p>Amend appendix number as follows:</p> <p>The development application is to be assessed against the following requirements:</p> <p>Development:</p> <ul style="list-style-type: none"> (1) integrates with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport, and (2) complies with the SPP code: Land use and transport integration (Appendix 3 <u>4</u>).
22.	Page 52 Part E: Interim Development Assessment Requirements State interest: strategic airports and aviation facilities	Update footnote reference to reflect consequential change. Update Appendix number to reflect order of the Appendices.	<p>Amend footnote reference as follows:</p> <ul style="list-style-type: none"> (6) A material change of use of premises which will result in work encroaching into the building restricted area of an aviation facility 44 ¹⁵ <p>Amend Appendix reference as follows:</p> <p>The development application is to be assessed against the following requirements:</p> <p>Development:</p> <ul style="list-style-type: none"> (1) complies with the SPP code: Strategic airports and aviation facilities (Appendix 4 <u>5</u>).

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23.	Page 52 Part E: Interim Development Assessment Requirements, Footnote 14	The footnote is renumbered as a consequential change.	Amend the footnote numbering, as follows: 44 ¹⁵ . Given the complex technical issues involved in determining encroachment within a building restricted area, it is recommended that local government take responsibility for determining whether triggers (7) and (8) apply to a development application (as opposed to the applicant). Advice about how to calculate possible encroachment by a development application can be found in the SPP guidelines or by contacting the Department of Transport and Main Roads or Airservices Australia.
24.	Page 59 Part F: Self-assessable development code AO11.1	Remove reference to the superseded Queensland Biodiversity Offset Policy 2011. and replace with reference to Queensland Environmental Offsets Policy 2014.	Amend as follows: AO11.1 Where environmental offsets are required as an acceptable outcome in this code, they must be provided in accordance with the Queensland Biodiversity Offset Policy 2011 <u>Queensland Environmental Offsets Policy 2014</u> .
25.	Page 60 Part G: Glossary Abbreviations	Update to department name following Machinery of Government.	Amend as follows: DSDIP DILGP Department of State Development, Infrastructure and Planning <u>Infrastructure, Local Government and Planning</u>

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26.	Page 62 Part G: Glossary Bushfire hazard area (bushfire prone area)	Change to definition to provide greater clarity in identifying the 'bushfire hazard area (bushfire prone area)' as being areas of hazardous vegetation and the 100m buffer as shown on the SPP Interactive Mapping System.	<p>Amend definition of bushfire hazard area (bushfire prone area) as follows:</p> <p>bushfire hazard area (bushfire prone area) means an area that is:</p> <p>(a) for Part D: The state interest and plan making policies; an area identified by a local government in its planning scheme as a bushfire hazard area (or bushfire prone area), on the basis of a fit for purpose bushfire study; or</p> <p>(b) for Part E: Interim development assessment requirements; an area shown on the SPP Interactive Mapping System as a bushfire hazard area (bushfire prone area).</p> <p><i>Editor's note: the bushfire hazard area (bushfire prone area) is land that is considered likely to support a significant bushfire and could be subject to impacts from a significant bushfire. <u>potentially affected by significant bushfires, including:</u></i></p> <ul style="list-style-type: none"> • <u>vegetation likely to support a significant bushfire; and</u> • <u>adjacent land that could be subject to impacts from a significant bushfire (i.e. potential impact buffer).</u>
27.	Page 63 Part G: Glossary Future transport corridor	Correction to administrative error.	<p>Amend definition as follows:</p> <p>Future <u>active</u> transport corridor means land identifies in a guideline made under the <i>Transport Planning and Coordination Act 1994</i>, section 8E, for active transport infrastructure. These are shown on the SPP Interactive Mapping System.</p>
28.	Page 63 Part G: Glossary Future state transport corridor	Correction to administrative error.	<p>Amend definition as follows:</p> <p>Future state transport corridor means any of the following:</p> <ul style="list-style-type: none"> • a future state-controlled road • future railway land • a future public passenger transport corridor

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			<ul style="list-style-type: none"> a suture state-controlled transport tunnel a future active transport corridor.
29.	Page 64 Part G: Glossary Matters of State environmental significance (MSES)	The <i>Wild Rivers Act 2005</i> has been repealed and the existing reference is out-dated. 'High preservation areas of wild river areas' have been replaced by a 'designated precinct, in a strategic environmental area' through the Regional Planning Interests Regulation 2014.	<p>Omit the following dot point in the definition of MSES:</p> <ul style="list-style-type: none"> high preservation areas of wild river areas under the <i>Wild Rivers Act 2005</i> <p>Replace with following wording:</p> <ul style="list-style-type: none"> <u>a designated precinct, in a strategic environmental area under the Regional Planning Interests Regulation 2014, schedule 2, s 15(3)</u>
30.	Page 65 Part G: Glossary SPP Interactive Mapping System definition	Update to department name following Machinery of Government.	<p>Amend as follows:</p> <p>SPP Interactive Mapping System means the SPP Interactive Mapping System, as amended from time to time, published by the Department of State Development, Infrastructure and Planning Infrastructure, Local Government and Planning and located at www.dsdiq.qld.gov.au/spp-mapping <u>www.dilgp.qld.gov.au/spp-mapping</u>.</p>
31.	Page 67 Appendix 1 A01.1 and A01.2 in SPP Code: Fire Services in developments accessed by common private title	Reword A01.1 and A01.2 to remove reference to 'below ground' fire hydrants due to potential of below ground fire hydrants to adversely affect potable water supply.	<p>Amend A01.1 and A01.2 as follows:</p> <p>A01.1 Residential streets and common access ways within a common private title should have hydrants placed at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and should be situated above or below ground.</p> <p>A01.2 Commercial and industrial streets and access ways within streets serving commercial properties such as factories, warehouses and offices should be provided with above or below ground fire hydrants at not more than 90 metre intervals and at each street intersection. Above ground fire h Hydrants</p>

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			should have dual valved outlets.
32.	Page 76 Part H: Appendixes Appendix 4 Footnote 15	The footnote is to be renumbered as a consequential change.	<p>Amend footnote reference as follows:</p> <p>A01.1</p> <p>Roads catering for buses are major collector, arterial or sub-arterial roads 15 ¹⁶ or their equivalent.</p> <p>Amend the footnote numbering, as follows:</p> <p>15 ¹⁶. See Austroads Glossary of Terms 4th Edition (August 2010).</p>
33.	Page 78 Part H: Appendixes Appendix 5	Amendment to update effect date of Australian Standard 2021 and alignment with plan making policy.	<p>Amend dot point 4 of the purpose of the code, as follows:</p> <ul style="list-style-type: none"> is compatible with forecast levels of aircraft noise within the 20 ANEF contour and or greater (as defined by Australian Standard 2021-2000 ²⁰¹⁵: Acoustics – Aircraft noise intrusion – Building siting and construction (AS2021) as adopted 7 July 2000 ^{12 February 2015}).
34.	Page 78 Part H: Appendixes Appendix 5	Amendment to align with plan making policy.	<p>Amend item (3) under ‘Application of code’ as follows:</p> <p>(3) a material change of use of premises or reconfiguring a lot where any part of the land is within the 20 ANEF contour or greater for a strategic airport.</p>
35.	Page 83 Part H: Appendixes Appendix 5: Table D Editor’s notes	Amendment to correct typographical error.	<p>Amend editor’s note b. to refer to Table D, as follows:</p> <p>b. Australian Standard 2021 should be referred to by those seeking information/background on the basis of Table B D.</p>
36.	Page 84 Part H: Appendixes Appendix 5: Table E Editor’s notes	Amendment to update effect date of Australian Standard 2021.	<p>Amend Table E, editor’s note, as follows:</p> <p>Australian Standard 2021, as adopted 7 July 2000 ^{12 February 2015}, should be referred to for advice and information about indoor design sound levels in Table E.</p>

Attachment 1: Proposed amendment to diagram (Page 15 of SPP July 2014)



Note: It is proposed to amend the centre of wheel to read '[Producing a liveable, sustainable and prosperous Queensland](#)'.