



Queensland Planning Provisions public consultation fact sheet

What are the Queensland Planning Provisions?

The Queensland Planning Provisions (QPPs) are a new planning tool designed to make it easier for local governments and their communities to prepare and manage new land use planning schemes. The Queensland Planning Provisions are a set of standard planning scheme provisions that local governments use to develop their own planning schemes and tailor to their community's needs and vision for the future.

The Queensland Planning Provisions are also a key element of **Qplan**—Queensland's planning, development and building system. They reflect the partnership between state and local governments working together to deliver more sustainable planning outcomes and create better communities.

The Queensland Planning Provisions will make it easier for the community to get involved in plan making, to understand their local planning scheme and to see how it guides development.

Why is there public consultation on the draft Queensland Planning Provisions?

Your views and comments on the draft Queensland Planning Provisions will help shape the final version that all local governments will use to prepare their new planning schemes.

Ultimately, the Queensland Planning Provisions will be a statutory instrument under the *Sustainable Planning Act 2009*. This means the Queensland Government is committed to seeking your feedback on the Queensland Planning Provisions before they are finalised and implemented.

Over the past year, the Queensland Government has already worked closely with representatives of state agencies, local governments and planning professionals to develop the draft version.

Why do we need standard planning scheme provisions?

Throughout the Queensland Government's 2006 review of the state's planning system, stakeholders often said planning schemes were too complex and inconsistent in their format, structure and terminology across different local government areas.

There was strong endorsement for the planning Minister to make standard planning scheme provisions and stakeholders pointed to similar approaches used to great effect elsewhere in Australia. Stakeholders also noted that the community has little understanding of how the planning and development system works and that a standard approach across Queensland would create greater community involvement in preparing and amending planning schemes.



In 2007, the Queensland Government released a planning reform agenda outlined in *Planning for a Prosperous Queensland – a Reform Agenda for Planning and Development in the Smart State*. It included an action to develop standard planning scheme provisions.

Since August 2007, a series of working groups, including local governments, have been working on draft versions, resulting in the release of this version for public consultation.

Are the Queensland Planning Provisions the standard planning scheme provisions referred to in the *Sustainable Planning Act 2009*?

The standard planning scheme provisions, mentioned in the *Sustainable Planning Act 2009*, have been named the Queensland Planning Provisions (QPP) for operational use. The Queensland Planning Provisions are a state planning instrument under the Act and set out a consistent framework and format for all planning schemes in Queensland, as well as the inclusion of state interests in land use and other administrative planning matters.

Where can I get a copy of the Queensland Planning Provisions?

Copies of the draft standard planning scheme provisions are available from the Department of Infrastructure and Planning at 63 George Street, Brisbane.

Submissions must be made in writing or online at www.getinvolved.qld.gov.au on or before 23 November 2009.

For more information about how to make a submission please visit www.dip.qld.gov.au/qpp. To find out more phone 1800 153 262, go online at www.dip.qld.gov.au or email planning@dip.qld.gov.au.

Local government to maintain lead role

The Queensland Planning Provisions set out the structural components for the preparation and administration of a local government planning scheme. They also provide standard land use definitions to make planning schemes simpler and more consistent across the state.

A local government uses the Queensland Planning Provisions to prepare a new local government planning scheme that reflects the local community's vision for the local government area. As per previous arrangements, the local government prepares its land use vision and development plan, through consultation with their community. The planning scheme will include local policies and development assessment criteria that reflect the character of the local area.

Also, as per previous arrangements, the local government works in partnership with the state to ensure the planning scheme reflects the state land use interests, expressed in state planning policies or regional plans. This ensures that the planning scheme reflects the integrated development intent for the local government area.



A local government planning scheme is made by a local government to achieve a framework that integrates planning and development assessment in a way that is ecologically sustainable—the purpose of the *Sustainable Planning Act 2009*.

In advancing this purpose, the role of the planning scheme is to integrate and coordinate land use and development, infrastructure and valuable features of the area. The planning scheme provides direction about development within the context of the local government's strategic policy intentions and is an important tool for local governments.

Although a planning scheme is developed for a 20-year planning horizon, it can be reviewed periodically to ensure that it responds appropriately to the changes in the community, at a local, regional and state level.

Better planning outcomes for all Queenslanders

The objective of the Queensland Planning Provisions is to provide a clear and consistent framework for planning schemes in Queensland and to assist in the expression of state, regional, local and community expectations for areas and land uses. The Queensland Planning Provisions will achieve this through:

- making the use and review of planning schemes more efficient and effective, particularly for those dealing with multiple schemes
- making the preparation process more efficient by reducing the time required for negotiation with and decision making by local governments and the Department of Infrastructure and Planning, allowing more time for research, strategic planning and stakeholder consultation and ultimately, faster adoption of a new planning scheme
- providing a common structure and language for schemes that allow for state legislation, planning policy and advice to relate more effectively
- improving communication between the various participants in the planning and development assessment systems throughout the state
- facilitating the efficient storage, retrieval and analysis of information using planning and related databases.

These elements will enable those involved in plan making and development assessment to focus efforts on the planning outcome, rather than debating definitions, land use zones and structure of the planning scheme.

The consistency of language and definitions within the Queensland Planning Provisions will facilitate:

- improved communication between the various participants in plan making and the planning and development assessment systems throughout the state
- better planning policy development through the exchange of information across local and state agencies and through common use terms
- ease of use through a common format and layout of a planning scheme.

Standardisation does not prevent a local government from preparing versions of the planning scheme for the community that reflect their own unique branding. Rather, the standardised document presentation will aid readability of the document and will make it easier to access planning schemes online.



Components of the Queensland Planning Provisions

During consultation on the reform of Queensland's planning system, stakeholders identified the need for planning schemes to:

- have a clear structure to make planning schemes easier to understand and use
- include a strong focus on strategic components
- include organisation and consistency between the parts of the planning scheme
- have consistency in the strategic component across planning schemes whilst allowing for local governments to express their local aspects.

To achieve this, the Queensland Planning Provisions incorporate:

- a strategic component setting out the long term (more than 20 years) strategic intent of land use within the local government area, giving more certainty and informing the specific criteria used to determine development applications
- strategic land use themes which identify the way in which planning issues will be framed or grouped together under broad policy areas, and subsequently in the remainder of the scheme
- consistent terminology
- emphasis on the integration of the purpose and core matters of the Act
- integration of state, regional and local planning matters within the strategic component
- a measure of consistency in how this is managed within planning schemes.

Strategic framework

The strategic framework in the Queensland Planning Provisions is a new mandatory element and widely welcomed by stakeholders. This ensures local government planning schemes take a long term view and enables the integration of state and local government interests to deliver the community vision via the planning scheme.

The strategic framework (and its supporting mapping) is therefore central to the planning scheme and identifies the way the local government seeks to achieve ecological sustainability over the life of the planning scheme.

The strategic framework is made up of seven themes, each with its own section. The themes come from headings already used in a cross section of existing planning schemes and together they form the overall policy direction for development within the planning scheme area. The seven themes are:

1. Settlement pattern
2. Natural environment
3. Community identity and diversity
4. Natural resources and landscape
5. Access and mobility
6. Infrastructure and services
7. Economic development.

The themes are based on identified state interests and reflect broad policy groupings for planning matters inherent in planning schemes across Queensland and nationally and internationally. They also



reflect the desired regional outcomes of the regional plans and the state's planning principles of ecological sustainability.

Standardisation of themes assists not only with protection of state interests in a consistent and readily identifiable manner across Queensland but also in reducing the time taken by the state to review the planning scheme.

The themes detailed in the Queensland Planning Provisions are as follows:

- a statement of the intent to apply across the state and in the local government context
- elements that comprise the particular theme, including a list of the broad policy areas within the Queensland Planning Provisions that guide local government and help to ensure that state interests are properly reflected in the strategic framework
- strategic outcome statements for the elements to express the outcomes to be achieved within the planning scheme area
- land use strategies that enable planned outcomes
- mapping to provide a conceptual spatial representation of the theme and the overall strategic framework.

The strategic outcomes form the basis for the hierarchy of outcomes for the planning scheme. The hierarchy of outcomes ensures that the strategic intent of the planning scheme flows through the planning scheme components and is consistent with criteria used to assess development applications. For example, the strategic outcomes for the Natural environment theme will be reflected in zone purpose and performance outcomes of the code and may include a planning overlay (where it is relevant to express the detail within the scheme area).

Structure and format

A robust scheme structure with a greater focus on strategic planning and functionality has been developed as a result of significant stakeholder collaboration and in-depth research.

To cater for the diverse and expansive nature of Queensland, research included the review of numerous planning schemes from high-, medium- and low-growth councils across the state and an analysis of planning schemes in other Australian states, as well as American, Canadian and European local planning instruments.

Common use and administrative definitions

A list of standard use and administrative definitions is included within the Queensland Planning Provisions. This list has been developed and reviewed by planning professionals across Queensland. These definitions will provide consistency and clarity for all users and reduce time spent on administrative matters.

The current suite of use definitions within the Queensland Planning Provisions sets out 81 specific uses. These have been derived from planning schemes in Queensland, as well as the Victorian and New South Wales planning systems and the National Development Assessment Forum definitions. Where a new definition outside of the standard suite is required by a local government, the new definition can be added by the planning Minister to the Queensland Planning Provisions so that it can then be used in a consistent manner across all local government areas.



Consistent and limited prescription of levels of assessment

Development proposals should be directed into an assessment type that corresponds with the level of assessment required to make an appropriately informed decision. However, consultation has identified that the levels of assessment are not always used as intended, leading to either overly complicated and inefficient assessment processes or under-informed assessment processes which leads to poor planning outcomes.

Limited prescription of the levels of assessment through the Queensland Planning Provisions seeks a sensible means of providing simplicity, efficiency, certainty and clarity to the community and the development industry. At this stage, a limited number of types of development will have the level of assessment prescribed by regulation until all planning schemes in Queensland are based on the Queensland Planning Provisions.

All levels of assessment for development within the local government area are contained in Part 5 of the planning scheme.

Standard suite of zones to choose from

Land use zones identify areas of similar or compatible land uses and identify dominant land uses. A standard suite of zones has been developed for the Queensland Planning Provisions that are diverse enough to cater for the wide range of land uses within communities across Queensland, while also providing clarity and simplicity for the user.

The suite has been compiled by analysis of a large number of schemes across Queensland as well as the proposed standard suite of zones in New South Wales and the Victorian Planning Provisions. Local government consultation identified strong preference for a single suite of zones rather than different sets for small or large councils, rural or urban or low growth and high growth. The Queensland Planning Provisions delivers the preferred solution.

Suite of standard overlays

Overlays provide extra planning direction on development in areas that are subject to specific planning constraints such as flooding and bush fires. The standard suite of overlays allows local governments to choose overlays that are relevant to the planning scheme area. Overlays are able to change the level of assessment (where necessary, although not as standard practice) and provide additional assessment criteria through individual codes.

Some overlays will be required that are specific to the local government and the Queensland Planning Provisions is structured to enable these to be included where necessary.

Standardised development codes

The preparation of the development code format was informed by research of planning schemes across the state and provides a single template for all types of codes including zone, precinct, overlay, local plan and other codes. The code structure mandates a purpose statement, code overall outcomes and provides a clear link with the strategic outcomes in the strategic framework.

In addition, the draft Queensland Planning Provisions include a standard telecommunications facilities code. It is anticipated that a number of standard codes would be inserted into the Queensland Planning



Provisions over time as planning issues are addressed. These codes will seek to provide simplicity, efficiency, certainty and clarity to the community and the development industry.

Local plans

Local plans provide the detailed planning outcomes for specific localities in the planning scheme area. These plans represent local community-focussed planning and are sometimes called neighbourhood plans, master plans or precinct plans. Local plan is the generic term used to describe these.

Local plans must be divided into zones chosen from the standard suite and include the standard zone purpose statements along with local government purpose statements. Precincts may be used in local plans to further divide the zones.

Local plans are located within Part 8 of the planning scheme and include all local plans, neighbourhood plans and development control plans. This part of the Queensland Planning Provisions does not include declared master planning areas.

Structure of the Queensland Planning Provisions

The Queensland Planning Provisions are divided into modules.

Module A

This module provides the outline structure of a planning scheme including all components that may be used by local government. It contains the mandatory components that all local government planning schemes must include. Examples are the strategic framework, zones and tables of assessment. It instructs local government about incorporating components that are mandatory, optional or both. It also identifies where local government must include local policy content and those areas where local government may include local policy content.

Module B

This module contains the required drafting instructions for local government scheme drafters. It includes the standard suite of zones and overlays, the standard suite of definitions and the standard mapping format. In addition, it includes detailed instructions and suggestions for approaches to drafting planning schemes.

Flexibility and consistency—mandatory and optional components

The Queensland Planning Provisions contain both mandatory and optional components. Mandatory components must be included in the planning scheme and ensure standardisation is provided to communities across all local governments. The mandatory components are identified at the beginning of each part of the provisions. There are two types of mandatory components.

1. must include:
 - Part 1—About the plan
 - Part 2—State planning instruments
 - Part 3—Strategic framework
 - Part 4—Priority infrastructure plan
 - Part 5—Tables of assessment
 - Part 6—Zone codes



- Part 9—Other codes
 - Schedule 1—Definitions
 - Schedule 2—Mapping
2. must include if relevant:
- Part 10—Planning partnerships
 - Schedule 3—Preliminary approvals affecting the planning scheme.

The Queensland Planning Provisions also provide for a number of optional components where local governments are able to choose from a suite for inclusion in the planning scheme where relevant. Local governments choose the appropriate level of detail to express local context. The following parts are optional components:

- Part 7—Overlays
- Part 8—Local plans
- Schedule 4—Planning scheme policies.

While some components are optional, if they are included in the planning scheme they must be drawn from a standard suite.

For example, overlays listed in the standard suite of overlays must be used if overlays are used within the planning scheme for those planning constraints. However, local governments may also include other overlays to address matters relevant to the local context where these do not duplicate planning matters identified in the standard suite.

When do the Queensland Planning Provisions take effect?

All planning schemes made after the *Sustainable Planning Act 2009* takes effect are to be developed to appropriately reflect the Queensland Planning Provisions. However, the Queensland Planning Provisions do not apply to amendments of planning schemes that existed prior to the commencement of the Act. When a review of a planning scheme is required under the Act, or where an amendment is significant, a new planning scheme would be required and the new planning scheme must be prepared so that it is consistent with the requirements of the Queensland Planning Provisions.

Before a new planning scheme can be adopted by the local government, the local government and the planning Minister must be satisfied that the planning scheme:

- appropriately reflects the Queensland Planning Provisions
- identifies the strategic outcomes for the planning scheme area
- includes measures that facilitate the strategic outcomes to be achieved
- coordinates and integrates the matters (including the core matters) dealt with by the planning scheme, including any state and regional dimensions of the matters
- includes a priority infrastructure plan
- if land in the planning scheme area is a declared master plan area, includes a structure plan for the master planned area.



Flexibility and innovation—making changes to the Queensland Planning Provisions

Local governments may propose amendments to the Queensland Planning Provisions where the standard suites of zones, overlays or definitions are not considered to fully address their requirements. The amendment may be to include additional elements or amend existing elements in the Queensland Planning Provisions.

Changes are made in partnership with the Queensland Government and approved changes are available to every local authority, not just the local authority making the request. A request for inclusion or amendment is made to the planning Minister and should provide:

- evidence that the standard suite has been fully explored and the policy intention for managing development cannot be accommodated
- that state or regional interests will not be adversely affected
- that there is no alternative to introducing a new element.

As the Queensland Planning Provisions are a state planning instrument, any amendments must be made in accordance with the process set out in the Act which includes public notification. The Department of Infrastructure and Planning is developing a state planning instrument program and it is proposed that any proposed amendments to the Queensland Planning Provisions would be incorporated through this program.

There are three types of amendments to the Queensland Planning Provisions that may be identified:

1. inclusion of a new optional provision (for example, zone or overlay, or new use or administrative definition)
2. inclusion of a new mandatory provision
3. amendment to an existing provision.

Where an amendment falls into category 1 above, it would be incorporated into a planning scheme at the discretion of the local government (for example, if they chose to rezone part of their scheme to make use of the new zone type).

Where an amendment falls into category 2 or 3 above, the new provision in the Queensland Planning Provisions would immediately override any planning scheme which was inconsistent. The amendment of the planning scheme to reflect the change in the Queensland Planning Provisions would be defined as an administrative amendment and no consultation or assessment would be required by the local government.