



Queensland

Sustainable Planning Amendment Regulation (No. 3) 2012

Explanatory Notes for SL 2012 No. 80

made under the

Sustainable Planning Act 2009

General outline

Short title

Sustainable Planning Amendment Regulation (No. 3) 2012.

Authorising law

Sections 22(1)(a) and 763 of the *Sustainable Planning Act 2009*

Policy objectives and the reasons for them

The policy objective of this regulation is to prescribe designated regions for the purposes of section 22 of the *Sustainable Planning Act 2009*, to enable regional plans to be made for the Central Queensland and Darling Downs regions to balance the interests of mining, resource development and other industries such as agriculture.

An additional minor amendment to schedule 18 of the regulation seeks to correct a drafting oversight.

Achievement of policy objectives

Once a region is prescribed as a designated region in the *Sustainable Planning Regulation 2009*, the regional planning Minister must make a regional plan for that region. The regional planning Minister for a designated region must be satisfied its regional plan- (section 28, *Sustainable Planning Act 2009*)

- (a) identifies-
 - (i) the desired regional outcomes for the region; and
 - (ii) the policies and actions for achieving the desired regional outcomes; and
- (b) identifies the desired future spatial structure of the region including-
 - (i) a future regional land use pattern; and
 - (ii) provision for regional infrastructure to service the future regional land use pattern, to inform-
 - (A) local governments when preparing priority infrastructure plans; and
 - (B) the State, local governments and other entities about infrastructure plans and investments; and
 - (iii) key regional environmental, economic and cultural resources to be preserved, maintained or developed; and
 - (iv) the way the resources are to be preserved, maintained or developed; and
 - (v) for paragraph (b)(iii), regional landscape areas; and
- (c) includes any other relevant regional planning matter for this Act.

Once these requirements are satisfied, the draft plan must be endorsed by the Minister and a notice published that a draft regional plan has been compiled for consideration. Submissions must be considered and the draft regional plan amended, if appropriate.

The revised regional plan must then be endorsed by the Minister and gazetted to come into effect.

The designation of the region is the first step in the overall process to develop a regional plan for the region.

Consistency with policy objectives of authorising law

The regulation is consistent with the main objects of the *Sustainable Planning Act 2009*, that is to seek to achieve ecological sustainability by-

- (a) managing the process by which development takes place, including ensuring the process is accountable, effective and efficient and delivers sustainable outcomes; and
- (b) managing the effects of development on the environment, including managing the use of premises; and
- (c) continuing the coordination and integration of planning at the local, regional and State levels.

There are a wide variety of state interest issues to be addressed in these regions. The designation allows for the regional planning process in these regions to commence.

Inconsistency with policy objectives of other legislation

The designation of a region to enable the regional planning process to begin, does not create any impacts on the community, business or government or part of the community, business or community.

Benefits and costs of implementation

The designation of a region does not create any impacts on business, government, or the community. It therefore does not introduce a cost burden.

Consistency with fundamental legislative principles

There are no alternative policy options that can be considered. The designation of the region enables the achievement of the objectives of the Authorising law (*Sustainable Planning Act 2009*). As such, it is consistent with fundamental legislative principles.

Consultation

The preparation of statutory regional plans was announced as part of the 100 day action plan of the government. There has been no further engagement to date.

The development of the statutory regional plans will entail considerable engagement. Engagement as part of the regional planning process will be undertaken in accordance with the *Sustainable Planning Act 2009*.

In addition, a targeted engagement strategy will be developed to guide further engagement beyond the requirements of the *Sustainable Planning Act 2009*.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of State Development, Infrastructure and Planning.

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