



Queensland

Sustainable Planning Amendment Regulation (No. 4) 2013

Explanatory Notes for SL 2013 No. 151

made under the

Sustainable Planning Act 2009

General outline

Short title

Sustainable Planning Amendment Regulation (No. 4) 2013.

Authorising law

Sustainable Planning Act 2009, sections 232(1), 254(1) and 763.

Policy objectives and the reasons for them

The planning and development framework under the *Sustainable Planning Act 2009* and the *Sustainable Planning Regulation 2009* establishes development that is assessable under the Integrated Development Assessment System, and the jurisdiction for the assessment of the development by referral agencies.

The framework establishes requirements for certain development involving vegetation clearing, and if located on strategic cropping land or potential strategic cropping land. These requirements were identified as having unforeseen consequences for development for community infrastructure or for airport-related purposes on airport premises, which provide an important community benefit or support the rural economy.

The objective of the regulation is to remove certain regulatory impediments to this development by:

- exempting community infrastructure or development for airport-related purposes on airport premises from assessable development for the purposes of vegetation clearing;
- removing the state's referral jurisdiction for the assessment of impacts on strategic cropping land or potential strategic cropping land for development applications for community infrastructure, aquaculture and saleyards.

Achievement of policy objectives

The regulation achieves the policy objectives by:

- amendment of schedule 13A *Excluded matters for SCL or potential SCL concurrence agency jurisdiction* to include aquaculture, community infrastructure mentioned in schedule 2, and saleyards. The amendment will exclude these matters from concurrence agency jurisdiction for the assessment of impacts on strategic cropping land or potential strategic cropping land;
- amendment of schedule 24 *Clearing of native vegetation—not assessable development under schedule 3, part 1, table 4, item 1* to include new items under part 1 *Clearing and other activities or matters—general* for clearing vegetation for an airport-related purpose on airport premises, and clearing vegetation for community infrastructure mentioned in schedule 2. The former item (8) 'Any aspect of development for core airport infrastructure on airport land' is removed as it is replaced by the new exemption applying to clearing vegetation on airport premises for airport-related purposes, the definition of which includes development for core airport infrastructure on airport land.
- removing the exemption under former schedule 24, part 2, item 2(k) applying to airport land, as it is replaced by the new exemption under schedule 24, part 1 applying to clearing vegetation on airport premises for airport-related purposes, the definition of which includes development consistent with a land use plan for airport land.
- inserting relevant definitions supporting the operation of the provisions, for *airport premises, airport-related purpose, livestock, and saleyard*.

The regulation will facilitate the efficient and effective assessment of relevant development applications. Any other relevant regulatory requirements under the planning and development framework, including local government planning schemes, will continue to apply to the development, ensuring sustainable outcomes are achieved.

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 managing the process by which development takes place, including ensuring the process is accountable, effective and efficient and delivers sustainable outcomes.

Inconsistency with policy objectives of other legislation

The regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The regulation will benefit the broader community by facilitating the cost effective and timely provision of community infrastructure, development for airport-related purposes on airport premises, and development supporting the rural economy.

Consistency with fundamental legislative principles

No fundamental legislative principles have been identified under the regulation.

Consultation

The Department of Natural Resources and Mines and the Department of Transport and Main Roads were consulted during the preparation of the regulation, and are supportive of the regulation.

ENDNOTES

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

© State of Queensland 2013