

<b>ORDINARY MEETING</b>  <b>31 OCTOBER 2012</b>	<b>6</b>
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REPEAL OF THE STATE PLANNING REGULATORY PROVISIONS FOR THE FAR NORTH QUEENSLAND REGIONAL PLAN 2009 - 2031

Kelly Coppin : 8/27/3: #3766861

**RECOMMENDATION:**

**That Council:**

1. **Notes the report regarding the repeal of the State Planning Regulatory Provisions for the Far North Queensland Regional Plan.**
2. **Continues to review the provisions of the Far North Queensland Regional Plan with the Department State Development Infrastructure and Planning through the development of the new Cairns Region Planning Scheme.**

**EXECUTIVE SUMMARY:**

The Minister for State Development Infrastructure and Planning has informed Council of his decision to repeal the State Planning Regulatory Provisions (SPRP) for the Far North Queensland Regional Plan (FNQ Regional Plan). Council officers are advised that the change takes effect as of Friday 26 October 2012.

**INTRODUCTION:**

There have been a number of changes to Queensland planning and development system as part of the State Government's commitment to providing local governments with a higher level of autonomy including a greater role for local governments in the implementation of regional plans. The most recent is the repeal of the SPRP of the FNQ Regional Plan.

**BACKGROUND:**

The potential for changes to Queensland's planning and development system has been reported to Council at the Planning and Sustainability Committee Meetings of 12 September 2012 and 10 October 2012. Both reports outlined that further change was likely to occur and mentioned that the State Government may move to repeal the SPRP which has now been done.

**COMMENT:**

The removal of the SPRP has been undertaken in line with the government's commitment to return planning powers to local governments to determine the future of their respective communities.

The removal of the SPRP component of the FNQ Regional Plan will affect Council's planning and development processes however the changes will not remove Council's current planning scheme requirements that were both developed prior to the development and commencement of the FNQ Regional Plan. Council's positions on conservation, scenic amenity, rural production and development within the urban footprint as expressed in current planning schemes remain in place.

It should also be noted that the only change to Council's planning schemes in response to provisions of the FNQ Regional Plan was the amendment associated with the review of the Hillslopes Overlay that commenced in December 2011.

There are many impacts of the repeal of the SPRP with some notable issues described below:

- The repeal will allow for development applications to be made for urban uses outside of planned urban land which would not have previously been able to be made. Council will continue to treat such applications as they did before the introduction of the FNQ Regional Plan.
- Council will be given the ability to determine future urban areas and strategies to contain urban growth.
- Minimum lot sizes for rural land will be reduced to those set in Council's planning schemes.
- Referral to the Department of State Development Infrastructure and Planning (DSDIP) is no longer required for development outside the urban footprint.
- Applications for reconfiguring a lot within the Urban Growth Area (Mount Peter) will no longer require impact assessment.

The Minister also requested Council comments on the content of the FNQ Regional Plan so the government is able to consider what needs to be done to ensure there is a sound basis for the region's future planning and development. Council will continue to work with the DSDIP on reviewing the provisions of the FNQ Regional Plan during development of the new Cairns Region Planning Scheme.

### **CONSIDERATIONS:**

#### **Corporate and Operational Plans:**

The repeal of the FNQ Regional Plan SPRP does not have direct links to Council's Corporate or Operational Plans. However, the overall planning and development system Council operates within has an ongoing relationship with Goal 3 which is as follows:

#### *Goal 3 – Delivering Integrated Planning*

#### **Statutory:**

The repealed SPRP was a statutory instrument.

Policy:

No change to Council's existing planning schemes is necessary at this stage. However, the reforms will have an impact on the processes by which Council undertakes development assessment and the preparation of the new Cairns Region Planning Scheme.

Financial and Risk:

While the reforms are likely to have an impact on Council's planning and development assessment roles, it is expected that these reforms can be accommodated within the current (staff) operating budget allocation.

Sustainability:

This report relates to a change in policy and does not have a specific impact on sustainability outcomes. These will be considered as part of the preparation of the new Cairns Region Planning Scheme.

**CONSULTATION:**

Council has been notified of the repeal of the FNQ Regional Plan SPRP. Council will have an opportunity to review the provisions of the FNQ Regional Plan with the DSDIP throughout the development of the new Cairns Region Planning Scheme.

**OPTIONS:**

This report is for noting.

**CONCLUSION:**

Council has been informed of the repeal of the State Planning Regulatory Provisions of the Far North Queensland Regional Plan. The repeal is effective as of 26 October 2012.

**ATTACHMENTS:**

Nil attachments

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