

Coastal Protection State Planning Regulatory Provisions

Fact sheet

About the SPRP

The Coastal Protection State Planning Regulatory Provision (the SPRP) sets out the requirements for ensuring coastal protection in Queensland. It simplifies planning, assessment and approval processes for development in the coastal zone.

The SPRP is a state planning instrument made under the Sustainable Planning Act 2009 (SPA).

It came into effect on 26 April 2013. The SPRP is intended to be in effect until the single State Planning Policy comes into effect later in 2013.

Why was the SPRP brought into effect?

This SPRP was finalised to provide an up-to-date, consistent and comprehensive coastal protection policy that sets out the requirements for ensuring coastal protection in Queensland.

During the statutory consultation period for the draft SPRP between 8 October 2012 and 19 November 2012, thirty-two properly-made submissions were received. The feedback and recommendations made in these submissions indicated that there were some changes that could be made to enable a more robust coastal protection policy. Some necessary changes requiring urgent attention were also raised.

The Honourable Jeff Seeney MP, Deputy Premier and Minister for State Development, Infrastructure and Planning considered each of these submissions and has decided to make the draft SPRP final. This includes the abovementioned necessary changes, which he has deemed appropriate amendments.

Hierarchy of planning instruments

The SPRP prevails over all state and local planning instruments if there is any inconsistency—including

regional plans, state planning policies and local government planning schemes.

The SPRP, in accordance with the SPA, suspends:

- State Planning Policy 3/11: Coastal Protection
- Part 1.2 of the Far North Queensland Regional Plan (2009)
- Part 3.3 of the Mackay, Isaac and Whitsunday Regional Plan (2012)
- Part 2.2 of the Wide Bay Burnett Regional Plan (2011)
- Part 1.4.3 and 2.4 of the South East Queensland Regional Plan (2009).

The SPRP also prevails over any plan, policy or code developed under another Act, to the extent of any inconsistency.

Using the SPRP

This SPRP must be considered in making and amending local planning instruments and, where applicable, in assessing development applications. This is consistent with the draft SPRP.

The SPRP policies are divided into two segments:

- Making planning instruments (Part 2)
- Development assessment (Part 3)

The provisions in Part 2 are to be used for developing and amending relevant local planning schemes, making regional plans and designating land for community infrastructure.

This will ensure that the land use and development of the Queensland coastal zone is, for example, planned for in the local context according to the needs and conditions of a local government area through a local planning scheme.

The provisions in Part 3 are to be used for assessing certain development applications and master plan applications under the circumstances listed in the SPRP. These provisions promote appropriate and compatible development in the coastal zone.

Interpreting the SPRP

The policies in this SPRP aim to ensure that development in the coastal zone, which is important for the growth of the Queensland economy, is carefully managed to protect the environmental, social and economic coastal resources for present and future generations.

This SPRP has much the same policy intent as the draft SPRP, with three major policy changes and some minor administrative changes—all of which are in response to submission feedback. These changes make the intent of this SPRP clearer and more consistent with the objectives of planning reform.

What is new?

Allowing state transport infrastructure in areas of high ecological significance in the coastal management district

State transport infrastructure is now acceptable development in areas of high ecological significance (HES) in the coastal management district when the development and development infrastructure is for the purposes of state transport infrastructure.

This will allow the delivery of critical state transport infrastructure that was being stalled due to development restrictions in areas of HES under the draft SPRP.

State transport infrastructure is critical infrastructure that was considered development that cannot occur in an area of HES under the draft SPRP, although it could occur under the now suspended SPP 3/11.

Allowing works undertaken by a river improvement trust in accordance with the provisions of the *River Improvement Trust Act 1940* in areas of HES in the coastal management district

Works undertaken by a river improvement trust in accordance with the provisions of the *River Improvement Trust Act 1940* is now acceptable

development in areas of HES in the coastal management district when the development and development infrastructure is for the purposes of those works undertaken by a river improvement trust.

This will allow river improvement trusts to undertake works for the purposes of, for example, cyclone recovery, bank stabilisation and general environmental management. Works undertaken by a river improvement trust are also supported in erosion prone areas under the SPRP.

Allowing new private jetties, pontoons and ramps to be developed

The development of new private jetties, pontoons and ramps are supported under this SPRP where the development meets certain location and design requirements.

New private jetties, pontoons and ramps were generally not supported under the draft SPRP; however, they were supported under the now suspended SPP 3/11.

This SPRP presents a more consistent and flexible policy position on new private jetties, pontoons and ramps in coastal areas.

Clarifying uncertain terms and mapping references

The most frequently raised issues in stakeholder submissions on the draft SPRP included:

- the lack of clarity around the intended meaning of particular terms, and
- the lack of certainty as to which maps the draft SPRP refers to.

This SPRP addresses these stakeholder concerns and presents an instrument with greater operational integrity.

Transitional provisions

Properly-made development applications made from 26 April 2013 are to be assessed against the SPRP.

Properly-made applications submitted from 8 October 2012 to 25 April 2013 that were not yet decided should be assessed against the draft SPRP.

For more information

This SPRP is available from department's website at www.ds dip.qld.gov.au or phone 13 QGOV (13 74 68).