



# Draft Coastal Protection State Planning Regulatory Provision

FACT SHEET

The Draft Coastal Protection State Planning Regulatory Provision (the draft 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 draft SPRP is a state planning instrument made under the *Sustainable Planning Act 2009 (SPA)*.

## About the draft SPRP

This draft SPRP came into effect on Monday 8 October 2012.

It will operate for 12 months from 8 October 2012 or until an earlier repeal. The state government plans to complete the full review of the Queensland Coastal Plan within this timeframe.

### Why was the draft SPRP brought into effect?

It has been made in response to concerns about the State Planning Policy 3/11: Coastal Protection (SPP 3/11).

The Queensland Coastal Plan commenced on 3 February 2012 and includes:

- the State Policy for Coastal Management (SPCM); and

- SPP 3/11: Coastal Protection.

This draft SPRP suspends the operation of SPP 3/11 while the state undertakes a full review of the Queensland Coastal Plan.

The draft SPRP does not affect the operation of the SPCM, which will remain in effect under the Queensland Coastal Plan.

## Suspension of the State Planning Policy 3/11: Coastal Protection

In response to industry and local government concerns about the practical and operational aspects of SPP 3/11, it has been repealed by this draft SPRP.

SPP 3/11 is therefore no longer applicable for development assessment.

This means local governments are no longer required by law to prepare Coastal Hazard Adaptation Strategies or risk mitigation strategies for their local areas.





## Hierarchy of planning instruments

The draft SPRP prevails if there is any inconsistency over all state and local planning instruments—including regional plans, state planning policies and local government planning schemes.

Accordingly, the draft SPRP, in accordance with the SPA, suspends:

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

## Using the draft SPRP

State and local governments are responsible for implementing the draft SPRP.

The draft SPRP must be considered in making and amending local planning instruments and, where applicable, in assessing development applications.

There are two parts to the draft SPRP:

- Part 1—Making Planning Documents
- Part 2—Development Assessment.

The provisions in Part 1 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 2 are to be used for assessing certain development applications and master plan applications under the circumstances listed in the draft SPRP.

These provisions promote appropriate and compatible development in the coastal zone.

### When is the draft SPRP triggered for development assessment?

The SPRP applies to the assessment of development applications for:

1. Impact assessable development in a coastal management district by a local government (assessment manager).
2. Development where the Department of Environment and Heritage Protection is triggered as the assessment manager for consideration of the *Coastal Protection and Management Act 1995*.
3. Development in a coastal management district by an agency having jurisdiction under the *Coastal Protection and Management Act 1995*.
4. The assessment of a master plan application (for a declared master planned area, until these provisions are removed from SPA).

### What happens to development applications that are already lodged?

The draft SPRP applies to the assessment of applications that were properly made before the date this draft SPRP commenced. There is no penalty for applications that were lodged previously, even if they are in the decision stage now.

### Transitional provisions

Decisions made against SPP 3/11 from 3 February 2012 to the day before the draft SPRP took effect will still be valid.



## Interpreting the draft SPRP

The policies in the draft 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.

### Reinstating policies from the repealed State Coastal Management Plan (2001)

The draft SPRP includes relevant coastal planning policies from the earlier State Coastal Management Plan 2001 that existed prior to February 2012 and was familiar to industry and local government.

These planning policies provide high level strategic direction rather than specific codes or development assessment requirements.

The draft SPRP addresses the following matters relevant to the planning framework:

- coastal use and development
- physical coastal processes
- conserving nature.

### Coastal management districts

The coastal management districts are defined under the *Coastal Protection and Management Act 1995*.

Mapping for the coastal management districts is available online at:

<http://www.ehp.qld.gov.au/coastalplan>

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## Consultation

Written submissions on the draft SPRP may be made by any person to the Deputy Premier and Minister for State Development, Infrastructure and Planning from 8 October 2012. Submissions are required to:

- be in writing
- state the name and residential or business address of each person or organisation making the submission.

**Submissions close 5pm Monday 19 November 2012.**

Submissions can be sent by:

Post: Draft Coastal Protection State Planning  
Regulatory Provision  
Planning Group  
Department of State Development,  
Infrastructure and Planning,  
PO Box 15009  
CITY EAST QLD 4002

Email: [info@dsdip.qld.gov.au](mailto:info@dsdip.qld.gov.au)

## For more information

Copies of the draft SPRP are available from the Department of State Development, Infrastructure and Planning website at [www.dsdip.qld.gov.au](http://www.dsdip.qld.gov.au) or by calling 13 QGOV (13 74 68) for further information.