

30 November 2012

State Single Planning Policy Feedback
Department of State Development,
Infrastructure and Planning
PO Box 15009
City East QLD 4002
singleSPP@dssdp.qld.gov.au

Submitted via email

To whom it may concern:

The Chamber of Commerce and Industry Queensland (CCIQ) welcomes the opportunity to provide feedback to the State Government on Part 1 of the State Planning Policy: Proposed State Interests.

CCIQ is the peak business and industry association in Queensland, representing over 25,000 businesses across all industry sectors in the State. Accordingly, CCIQ is well positioned to outline what opportunities the Queensland business community sees for improvement in Queensland's planning system.

It is CCIQ's intention to give some brief background to the feedback canvassed in the draft consultation document attached herewith.

Planning issues are of fundamental importance to the economic wellbeing of Queensland. If the State's planning laws are working efficiently, then essentially economic development has little impediment other than demand considerations.

The previous planning policy in Queensland (prior to the Temporary State Planning Policy 'Planning for Prosperity' came into effect) represented a significant business issue and impacted considerably on investment and local decisions.

CCIQ has often been on the public record as a proponent for a number of projects that have for various reasons failed to reach the development phase due to failure or frustration with necessary planning processes.

CCIQ has been approached by many businesses with a belief that Queensland's planning laws whilst often hailed as world class has over a period of time either failed to have glitches resolved or been amended without looking at the big picture.

These shortcomings have consequently eroded the effectiveness of the system to the stage whereby businesses often believe major or minor projects have significant challenges in succeeding.

CCIQ does not suggest that problems with the state's planning system have been the major determinant of the serious downturn in Queensland's building and construction industry. Nonetheless it does constitute a significant business cost, and as with other costs of doing business within our control the state should strive for the most efficient and effective system possible.

During recent CCIQ case studies, Queensland businesses have consistently raised these issues associated with planning procedures as constraining businesses growth.

CCIQ strongly believes that consistency, transparency and efficiency hold the key to a successful, streamlined planning policy across Queensland. As such, CCIQ is keen to ensure that the proposed Single State Planning policy addresses these three key planning principles.

Consistency in controls - one state - one planning system - one language

Queensland needs consistency. Consistency between and within councils and planning schemes is of critical importance, particularly to businesses that operate across council boundaries. Firstly it allows developers and businesses to operate anywhere in the state with a degree of certainty in terms of regulation. Secondly, it helps to demythologise the planning process. Suddenly businesses do not need experts to help translate or even find the relevant parts of a planning scheme. Standardisation helps empower ordinary users of the system.

Transparency in process - knowing what is expected before you start

Applicants need to be aware of the complexity and number of different approvals that are required by government i.e. planning approvals; building approvals; heritage approvals, environmental approvals, etc. They are all important but what Queensland needs is as much simplification, integration and lack of duplication as possible. This can be achieved in part by the State Government ensuring that the legislation controlling each of these is integrated as much as possible and where common processes can occur they do.

It can also be assisted by local councils exposing applicants for planning approvals to the need and requirements of other approvals early on and having relevant officers advising on issues that will crop up later. Some councils do this better than others.

Efficiency in operation - regulation - where it is not required remove it - where it is required refine it

Often good regulation has unintended or unforeseen consequences. The role of regulation is to control, manage and prevent those developments that are inconsistent with community expectations and the State Government's industrial development and environmental goals. This needs to be done in a manner that does not unnecessarily encumber those developments which are essential for the ongoing development of the State.

Any new planning strategy should consider how it can maximise the retention and attraction of investment in the State. The fact is that Queensland's current planning policy is seen as a minefield of complexity that is restricting business growth and acting as an impediment to future investment in the State. Accordingly, CCIQ is very supportive of State Government in its development of Part 1 of the State Planning Policy: Proposed State Interests. CCIQ has addressed specific aspects of Part 1 in the attachment.

CCIQ commends the State Government on their objective of streamlining Queensland's planning policies. However, the draft document requires further consolidation of the articulated state interests. Whilst CCIQ understands the need to give due consideration to the stated elements, there are some duplications that would benefit from further amalgamation.

For example, treating transport and infrastructure as a single state interest would encourage a more holistic approach that recognises the interdependency of each aspect that cannot be properly considered in isolation. Likewise, the breakdown and singling out of issues such as 'koala conservation' and 'ports,' that would otherwise fall underneath other elements such as 'environment' and 'infrastructure' respectively, is unnecessary and will render any process to streamline the system and encourage efficiency, fruitless.

The best possible approach to a single state planning policy is one that affords due recognition to the fact that each element identified as a state interest must be considered as complementary.

The current wording around some of the elements conveys negativity. CCIQ is supportive of a more positive approach that encourages compatible, best practice and innovative solutions that are less likely to embed negative and preventative attitudes towards the planning regime.

The current draft fails to acknowledge the role of emerging or future industries. Growth industries can often be unpredictable and are dependent on global economic conditions. The promotion of innovative and best practice planning principles will reflect the changing nature of planning into the future.

Some of the Proposed State Interest Statements are vague and ambiguous. Furthermore, additional explicit statements are required to enable efficient decision-making at all levels of the planning process.

The best thing for industry development is clarity and certainty. There is little detail around how these statements will be applied in the planning instruments. Business and industry would benefit from seeing examples as to how the scheme (and the statements) is intended to be interpreted and executed.

CCIQ would be delighted to meet to address any questions you may have in relation to this letter and the attachment. To this end, please do not hesitate to contact me.

Yours sincerely

Nick Behrens
CCIQ General Manager - Advocacy

Attached: Draft **Proposed State Interests** – Part 1 of the State Planning Policy *Feedback Form*



Draft Proposed State Interests – Part 1 of the State Planning Policy

Feedback form

This feedback form is in respect of the document entitled 'Draft Proposed State Interests – Part 1 of the State Planning Policy' which is currently released for consultation during November 2012. The consultation document is Part 1 in the development of the State Planning Policy.

The final State Planning Policy will set out policies about matters of state interest that are to be dealt with through the planning and development assessment system.

During the current consultation phase you are invited to comment on the state interests presented in the document and repeated in the feedback form below.

The draft State Planning Policy and associated supporting material needed to implement the state interests will then be available for formal public consultation starting in early 2013.

All feedback received will be reviewed and directly inform the drafting of the new State Planning Policy.

Personal details

The Queensland Government is bound by the *Information Privacy Act 2009*. Please read the privacy notice at the end of this form for more information about your privacy and this consultation.

Title	Mr
Given name	Nick
Surname	Behrens
Contact email	
Contact phone number	
Is this an individual submission or are you providing feedback on behalf of an organisation? <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Local government/organisation Please specify the name of the local government or organisation below and if an organisation, the service the business provides.	
Local gov/organisation name	Chamber of Commerce and Industry Queensland (CCIQ)
Service: Industry Association	
Would you like to be contacted in the future about this project and related projects? <input checked="" type="checkbox"/> Yes If yes, please ensure you have provided your email address above. <input type="checkbox"/> No	



If you live in Queensland, what region are you from?

- Far North Queensland
- Gulf Region
- North Queensland
- North West Queensland
- Mackay, Isaac and Whitsunday
- Central Queensland
- Central West Queensland
- Wide Bay Burnett
- Maranoa Balonne
- South West Queensland
- South East Queensland (NB: CCIQ represents businesses across the State)
- N/A I live outside of Queensland - Please specify your suburb below.

What categories best describe your interests?

- Resources
- Environment
- Port
- Professional, scientific and technical services
- Manufacturing
- Construction
- Wholesale trade
- Financial services
- Transport and logistics
- Agriculture, forestry and fishery
- Tourism
- Other industries
- Community group
- Other Please specify your other interests below.

Other interests

CCIQ is the peak business and industry association in Queensland (across industry sectors).



Feedback questions

To answer these questions you must read the supporting document: Draft Proposed State Interests – Part 1 of the State Planning Policy.

The state interests

Queensland's prosperity depends on the following elements:

- Maintaining agricultural productivity
- Promoting the tourism industry
- Enabling the productive use of mining resources
- Supporting the construction industry
- Ensuring planning enables economic growth
- Providing housing choices and liveable communities
- Safeguarding the environment and the state's heritage
- Securing transport networks and facilities
- Protecting the community's safety
- Delivering necessary infrastructure.

The State Planning Policy describes the state interests in planning and development outcomes that produce a prosperous Queensland.



Element: Agriculture

Agricultural productivity—Proposed state interest statement: The long term growth of a productive and sustainable agricultural sector is provided for, which includes:

- supporting and protecting land and water resources used for agriculture from the effects of incompatible activities to ensure its long term viability
- maximising opportunities for co-existence between agricultural and non-agricultural activities.

Do you agree with the above statement or have other comments to provide us?

CCIQ agrees with the above statement, however wishes to add the following:

- *Innovation and best practice in order to drive development that is complementary to other sectors.*

Element: Tourism

Tourism industry—Proposed state interest statement: A strong tourism industry is facilitated through land use planning that:

- enables sustainable development of tourism accommodation, attractions, facilities, infrastructure and other ancillary services
- supports tourism development opportunities that are compatible and complementary with existing land uses.

Do you agree with the above statement or have other comments to provide us?

CCIQ agrees with the above statement, however wishes to add the following:

- *Eliminates regulatory barriers to new investment in tourism-related infrastructure and land development.*



Element: Mining

Productive use of mining resources—Proposed state interest statement: Significant mineral, coal, petroleum and extractive resources are identified and protected from incompatible development which may prevent or constrain their future extraction.

Do you agree with the above statement or have other comments to provide us?

CCIQ agrees with the above statement.

Element: Construction

Construction industry—Proposed state interest statement: Planning instruments and decisions contribute to a strong and competitive construction industry, supporting employment by removing impediments to a steady supply of land and facilitating appropriate development opportunities.

Do you agree with the above statement or have other comments to provide us?

CCIQ agrees with the above statement.



Element: Planning for economic growth

Best practice planning—Proposed state interest statement: Planning instruments contribute to the state's prosperity, economic growth and employment needs by:

- Supporting efficient use of existing infrastructure and planning for future infrastructure needs.
- Supplying an adequate amount and appropriate balance of suitably zoned land.
- Facilitating development of a diverse range of employment opportunities and appropriate services for communities.
- Enabling processes and decision-making that are:
 - Efficient
 - Effective
 - Transparent and accountable
 - Responsive and equitable
 - Innovative.

Do you agree with the above statement or have other comments to provide us?

CCIQ agrees with the above statement however wishes to add the following to the first point:

- *Supporting the efficient **and more strategic** use of existing infrastructure and planning for future infrastructure needs*

And adding to 'enabling processes and decision-making that are':

- *Best practice*



Land for industry—Proposed state interest statement: Land for industry is supported through the provision of a sufficient supply of suitable land for industrial purposes

Do you agree with the above statement or have other comments to provide us?

CCIQ agrees with the above statement.

Element: Housing and liveable communities

Housing availability, affordability and diversity—Proposed state interest statement: A range of affordable housing options are provided for in each community and respond to identified community needs.

Do you agree with the above statement or have other comments to provide us?

CCIQ agrees with the above statement.



Liveable communities—Proposed state interest statement: Support healthy liveable communities for the wellbeing of all.

Do you agree with the above statement or have other comments to provide us?

CCIQ agrees with the above statement.

Element: Environment and heritage

Biodiversity—Proposed state interest statement: Significant impacts on matters of state or national environmental significance are avoided, or where this cannot be reasonably achieved, impacts are minimised and/or residual impacts offset.

Do you agree with the above statement or have other comments to provide us?

CCIQ agrees with the above statement, however recommends the following to be added:

- *Offsets as described in the proposed statement need greater recognition in the planning and approvals process.*

And wishes to add the following comment:

A more streamlined approach would be consistent with the objective of simplifying the State Planning Scheme. By viewing all aspects of environment and heritage as a single integrated state interest would better reflect a holistic relationship between all aspects of the state's environmental assets and ensure non-fragmented consideration of these state interests. This approach placates the need for the consideration of koala conservation, coastal environment and water quality to be individually addressed in isolation from other environmental considerations.



Koala conservation—Proposed state interest statement: Koala conservation is taken into account in planning processes across Queensland, contributing to a net increase in koala habitat, and assisting in the long-term retention of viable koala populations.

Do you agree with the above statement or have other comments to provide us?

Please refer to comments under *Element: Environment and heritage*.

Heritage—Proposed state interest statement:

- Significant impacts on national heritage areas in Queensland are avoided.
- Queensland's national, state and local heritage is protected from incompatible development and conserved for the benefit of the community and future generations.

Do you agree with the above statement or have other comments to provide us?

Please refer to comments under *Element: Environment and heritage*.



Coastal environment—Proposed state interest statement: Development which complements and encapsulates existing coastal values is preferred over other development types in areas along the coast. Public access to or along the foreshore is to be maintained in a way that protects coastal resources and their associated values while also ensuring public safety.

Do you agree with the above statement or have other comments to provide us?

Please refer to comments under *Element: Environment and heritage*.

Water quality—Proposed state interest statement: Development is planned, designed, constructed and operated to protect environmental values and support achievement of water quality objectives.

Do you agree with the above statement or have other comments to provide us?

Please refer to comments under *Element: Environment and heritage*.



Element: Transport

State transport networks—Proposed state interest statement: Existing and future state transport infrastructure and transport networks are identified and protected from the impacts of development to ensure their ongoing safe and efficient operation.

Development is located and designed to:

- Address and mitigate impacts from environmental emissions generated by state transport infrastructure.
- Make the most effective use of existing and planned state transport infrastructure.

Do you agree with the above statement or have other comments to provide us?

CCIQ wishes to add the following comment:

A more streamlined approach would be consistent with the objective of simplifying the State Planning Scheme. By viewing all aspects of infrastructure as a single integrated state interest would better reflect a holistic relationship between all aspects of the state's infrastructure interests and ensure non-fragmented consideration of these state interests. This approach placates the need for the consideration of transport, airports, ports, etc to be individually addressed in isolation from other infrastructure considerations.

Continues.



Strategic airports and aviation facilities—Proposed state interest statement: Strategic airports and communication, navigation and surveillance facilities are identified and protected from incompatible development and land uses to ensure their long-term safe and viable operation. Development is located and designed to address and mitigate noise and public safety impacts from airport operations.

Do you agree with the above statement or have other comments to provide us?

Refer to comments under Element: Transport

Element: Community Safety

Natural hazards—proposed state interest statement: Planning and development decisions avoid or mitigate natural hazard and associated risks to protect people and property and enhance the community's resilience to natural hazard risks.

Do you agree with the above statement or have other comments to provide us?

CCIQ wishes to add the following comment:

A more streamlined approach would be consistent with the objective of simplifying the State Planning Scheme. By viewing all aspects of community safety as a single integrated state interest would better reflect a holistic relationship between all aspects of the state's community safety interests and ensure non-fragmented consideration of these state interests. This approach placates the need for the consideration of managing nuisance and adverse impacts to be individually addressed in isolation from other community safety considerations.



Managing nuisance and adverse impacts—Proposed state interest statement: Managing nuisance and adverse impacts by:

- Protecting sensitive land uses from activities that cause nuisance or adverse impacts.
- Protecting land being used, or planned for activities that cause nuisance or adverse impacts from the encroachment of sensitive land uses.

Do you agree with the above statement or have other comments to provide us?

The recognition of nuisance and adverse impacts should be implicit in any state planning policy or element.

Element: Infrastructure

Dam catchments and water supply—Proposed state interest statement: Ensure a safe, secure and efficient water supply through protection of water supply catchments and infrastructure from development that may have negative functional, safety or cost impacts.

Do you agree with the above statement or have other comments to provide us?

CCIQ wishes to add the following comment:

A more streamlined approach would be consistent with the objective of simplifying the State Planning Scheme. By viewing all aspects of community safety as a single integrated state interest would better reflect a holistic relationship between all aspects of the state's infrastructure interests and ensure non-fragmented consideration of these state interests. This approach placates the need for the consideration of transport, airports, ports, etc to be individually addressed in isolation from other infrastructure considerations.



State infrastructure and services—Proposed state interest statement: The benefits of investment in infrastructure and services are maximised through integrated land use planning approaches.

Do you agree with the above statement or have other comments to provide us?

Please refer to the comment under *Element: Infrastructure*.

Ports—Proposed state interest statement: Strategic ports are identified and protected from incompatible development and land uses to ensure their ongoing viable operation and development. Development is located and designed to address and mitigate adverse impacts from environmental emissions from strategic ports.

Do you agree with the above statement or have other comments to provide us?

Please refer to the comment under *Element: Infrastructure*.



Additional feedback

Do you think that there are other state interests which should be covered in the State Planning Policy? If so please identify and provide justification.

Please refer to CCIQ's covering letter enclosed with this document.

Are there any other comments you would like to provide to us?

Please refer to CCIQ's covering letter enclosed with this document.

Please either email or post this form back to us at:

Email: singleSPP@dndip.qld.gov.au

Post: State Planning Policy feedback

Department of State Development, Infrastructure and Planning

PO Box 15009

City East Qld 4002

If you have any queries about this feedback form or the process being undertaken for drafting the State Planning Policy, please email us at singleSPP@dndip.qld.gov.au

The closing date for feedback is 30 November 2012.



About your privacy

The Queensland Government is bound by the *Information Privacy Act 2009*. The information you provide on this form will only be used for the purpose of informing the Queensland State Government's draft State Planning Policy. We will not share your name or contact details with anyone without your consent. This consultation is a public process and any comments you provide may be published and/or online and may be transmitted outside of Australia. You may wish to bear this in mind when providing your comments. You are not obliged to provide comments and if you do so it is under the condition that you agree that your comments may be published including on the internet. We will not publish your name or contact details.

Your comments may be moderated according to our acceptable use policy www.qld.gov.au/legal/acceptable-use

Read our privacy statement for details www.qld.gov.au/legal/privacy

Personal information collection notice

The Department of State Development, Infrastructure and Planning is collecting your personal information to manage your comments on the draft State Planning Policy. We may contact you to clarify aspects of your submission. The contact details you provide on this form will not be disclosed to third parties unless required and authorised by law.

What if my contact details change?

You can change your contact details by emailing singleSPP@dsdip.qld.gov.au. You need to provide both your old and new contact details and the name of this consultation.