



**NORTH QUEENSLAND
REGIONAL PLAN
GUIDANCE MATERIAL**
DEVELOPMENT ASSESSMENT IN ACTION

A guide for local governments in assessing development applications within the North Queensland Regional Plan area.

Department of State Development, Infrastructure,
Local Government and Planning

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Regional plans in development assessment

This guidance material has been prepared to assist local government in the assessment of development applications within the North Queensland Regional Plan 2020 (NQ Regional Plan) area.

Under section 8(4) of the *Planning Act 2016*, when assessing an application, the NQ Regional Plan will apply to the extent of any inconsistency with a local planning instrument such as a planning scheme.

The decision-making rules relevant to **local government assessment managers** contained in sections 26, 27, 30 and 31 of the *Planning Regulation 2017*, then apply this approach.

Code assessment is carried out:

- against the assessment benchmarks stated in the regional plan for a region, to extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme
- having regard to the regional plan for a region, to extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme.

Impact assessment is carried out:

- against the assessment benchmarks stated in the regional plan for a region
- having regard to the regional plan for a region.

The NQ Regional Plan contains assessment benchmarks that relate to the assessment of development within Priority Agricultural Areas (PAAs).

In effect this means an assessment manager must:

- until such time as the local government's planning scheme integrates the provisions of the NQ Regional Plan, carry out an assessment against the assessment benchmarks of the NQ Regional Plan and have regard to the NQ Regional Plan, when assessing a code assessable development application
- always carry out an assessment against the assessment benchmarks of the NQ Regional Plan and have regard to the NQ Regional Plan, when assessing an impact assessable development application.

NQ Regional Plan assessment benchmarks

The assessment benchmarks in Table 5 (p120) of the NQ Regional Plan apply to development in a PAA, identified in Map 1 of the NQ Regional Plan, for:

- a reconfiguring a lot (where a new lot is created)
- a material change of use for a non-agricultural purpose (excluding public infrastructure development).

The assessment benchmarks are that:

- Development does not result in, or contribute to, a net loss to overall agricultural productivity within the PAA.
- Development does not result in widespread or irreversible impacts to the future use of a PAA for agricultural activities.

When assessing a development proposal against the PAA assessment benchmarks the advice below about considering the NQ Regional Plan in development assessment may also assist.

Considering the NQ Regional Plan in development assessment

The assessment manager is to consider the whole NQ Regional Plan where required, in accordance with the decision-making rules.

Where the development proposals are located within PAAs, Strategic Environmental Areas, Priority Living Areas, Renewable Energy Investigation Areas or the Townsville Urban Area – as identified in the NQ Regional Plan – the below policy elements should be considered.

Maps identifying these areas are available at:

<https://dams.dsdip.esriaustraliaonline.com.au/damappingsystem/>

Priority Agricultural Areas

Priority Agricultural Areas (PAAs) provide a regionally specific interpretation of the State's agricultural interest. The purpose of PAAs in the NQ Regional Plan is to protect identified land from fragmentation and incompatible non-agricultural development.

The PAAs within the NQ Regional Plan are strategic clusters of the most regionally significant agricultural production areas that contain Priority Agricultural Land Uses (PALUs). PALUs, which include broadacre cropping, horticulture, intensive animal husbandry, plantation forestry and terrestrial aquaculture.

The extent of the PAA in the NQ Regional Plan is shown in yellow in Figure 1. Closer detail on the PAAs is available on the [DA mapping system](#).

NQ Regional Plan policies

The policies of the NQ Regional Plan for PAAs are that:

1.3.1 – Non-agricultural development¹ within PAAs is not supported, unless the proposed use demonstrates net benefits for regional agricultural production, without compromising the PALUs current or future ability to operate, or is for public infrastructure.

1.3.2 – Establishment of solar generation systems for off-grid or site-specific uses within PAAs, may be supported where the systems are primarily associated with agricultural production and processing, and are on the same site.

1.3.3 – PALUs (and associated infrastructure) within the PAAs are protected from resource activities, unless it can be demonstrated that co-existence is mutually beneficial, without compromising the PALUs current or future ability to operate.

These policies do not impact on the consideration of on Agricultural Land Classification (ALC) or Strategic Cropping Land that are also identified and managed across Queensland.

The NQ Regional Plan identifies ALC Class A and B land in the upper catchments, for future potential agricultural production where environmental impacts potentially associated with new agricultural activities are capable of being mitigated and/or managed. This also needs to be considered as part of the broader consideration and application of the agriculture state interest of the State Planning Policy.

Assessing development proposals within a PAA

The types of non-agricultural development supported by the NQ Regional Plan, include:

- development of biomass energy generation for onsite usage in support of agriculture (e.g. solar generation systems for off-grid or site-specific uses)
- farm gate tourism which enhances product recognition and subsidises farm expenses (e.g. associated with the agricultural production on the site)
- value-add and complementary industries directly aligned with agriculture that have positive net benefits for agricultural production.

These types of uses are supported where the use demonstrates benefits for agricultural production, does not compromise the PALUs current or future ability to operate and do not adversely impact on the infrastructure used to support PALUs in PAAs (for example irrigation channels, pumping stations and cane rail lines).

The NQ Regional Plan does not discourage agricultural development outside of PAAs and the SPP provisions relating to ALC Class A and B land under the agriculture state interest still apply.

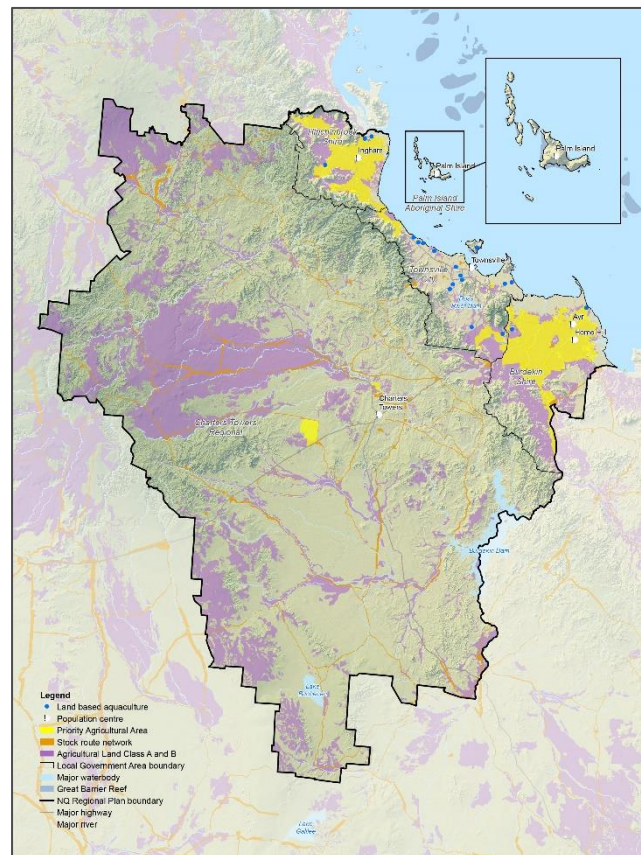


Figure 1: Priority Agricultural Areas

production nursery, wholesale nursery, and other complementary primary production activities.

¹ Any development other than the growing, production and harvesting of food, fish, fibre, timber and foliage, including but not limited to the following uses: animal husbandry, aquaculture, cropping, fishing, intensive animal industries, intensive horticulture, native forestry, plantation forestry, VS1_11_20

Strategic Environmental Areas

Strategic Environmental Areas (SEAs) manage the coexistence of potentially competing activities to maintain the natural ecosystem functionality of an area and to ensure a region's significant biodiversity and ecological integrity is upheld.

The purpose of SEAs in the NQ Regional Plan is to protect these areas from development that may impact the SEAs environmental integrity or environmental attributes (found in Schedule A of the NQ Regional Plan) and allow for those uses that are consistent with the SEAs natural values.

The NQ Regional Plan identifies four SEAs (shown in orange in Figure 2):

- Highland reach
- Coastal reach (includes a designated precinct)
- Great Basalt Wall (includes a designated precinct)
- Central reach.

These SEAs contain environmental attributes relating to hydrological, geomorphic and riparian processes.

Two of the SEAs in the NQ Regional Plan also include **designated precincts**, which identify locations where there are the greatest ecological risks associated with certain development activities. Closer detail on the SEA and designated precincts is available on the [DA mapping system](#).

Designated precincts are to be afforded the highest level of protection in the SEA, with unacceptable uses prohibited under the *Regional Planning Interests Regulation 2014*.

Outside designated precincts, development (including resource activities such as mining) can be supported in the SEA where the proposed development demonstrates it can co-exist with and does not risk widespread or irreversible impacts on the area's ecological integrity.

NQ Regional Plan policies

The policies of the NQ Regional Plan for SEAs are that:

2.1.1 – Protect the biodiversity and ecological integrity of SEAs from incompatible development².

2.1.5 – Provide opportunities for the co-location of environmentally sensitive commercial, recreational and community activities in and around SEAs and the regional biodiversity network, where they complement the area's natural values and have no impact on the function of these areas.

Assessing development proposals within a SEA

Development within a SEA must demonstrate that the function and integrity of the surrounding natural environment has been considered and protected, to the greatest extent possible, through sympathetic design.

The types of development supported by the NQ Regional Plan, include:

- self-sufficient glamping accommodation that minimises impact on the surrounding environment
- a water storage dam that does not compromise the preservation of the environmental attribute within the SEA.

The types of development not supported by the NQ Regional Plan, include:

- an open cut mine in a designated precinct of a SEA
- a tourism activity with a significant ecological footprint
- broadacre cropping where a Regional Interest Development Approval (RIDA) has not been granted.

Areas outside SEAs may also contain biodiversity values that need to be considered at development assessment stage as part of the broader consideration and application of the biodiversity state interest of the State Planning Policy.

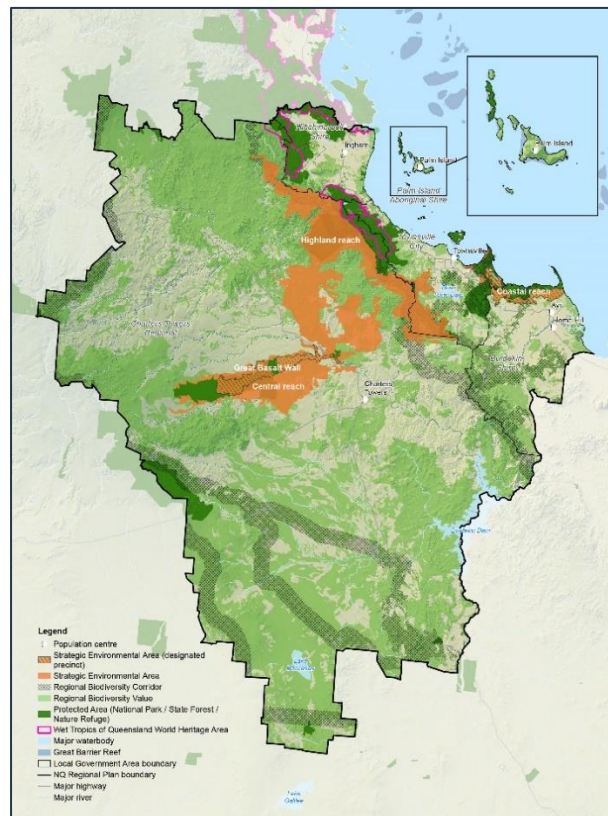


Figure 2: Strategic Environmental Areas and designated precincts

² As defined in the Regional Planning Interests Act 2014. VS1_11_20

Priority Living Areas

Priority Living Areas (PLA) have been established to safeguard areas required for the growth of towns from incompatible resource activities. This provides communities with a say about whether a resource activity is appropriate to operate within proximity of their town.

Within the NQ Regional Plan, each PLA (shown in yellow in Figure 3) generally represents a two-kilometre area around each key settlement area.

Closer detail on the PLAs is available on the [DA mapping system](#).

NQ Regional Plan policy

The policy of the NQ Regional Plan for PLAs is that:

1.7.4 – PLAs are safeguarded from resource activities³ unless it is demonstrated that the location, nature and conduct of the proposed activities meet the communities' expectations, as determined by the relevant local government.

A PLA is not an urban footprint, nor does it represent or limit the extent to which development may occur in that area. All development, assessable under the *Planning Act 2016* remains assessable against the local government planning schemes and is unaffected by the presence of a PLA.

Assessing development proposals within a PLA

The PLA only relates to managing the carrying out of resource activities under the *Regional Planning Interests Act 2014*. This assessment process is described in 'The role of the Regional Planning Interests Act 2014' section below.

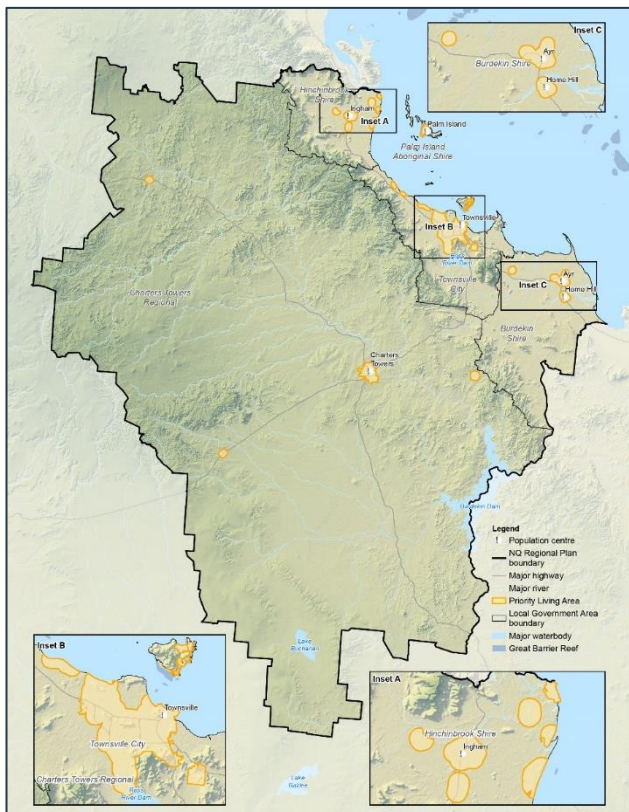


Figure 3: Priority Living Areas

³ As defined in the Regional Planning Interests Act 2014. VS1_11_20

Renewable Energy Investigation Areas

Renewable Energy Investigation Areas (REIAs) identify locations where new commercial scale solar and wind farms can be encouraged as an economic priority for the region. The purpose of this investigation area is to facilitate and direct future investment in renewable energy to suitable areas, less constrained by regionally significant environmental or agricultural values.

The REIAs in the NQ Regional Plan (shown in blue on Figure 4) have been identified based on solar suitability indices, proximity to substations and high voltage transmission lines, landscape constraints (such as slope) and values of regional significance (e.g. Strategic Environmental Area and Priority Agricultural Area).

Closer detail on the REIAs is available on the [DA mapping system](#).

NQ Regional Plan policy

The policy of the NQ Regional Plan for REIAs is that:

1.5.1 – Direct and encourage commercial-scale solar and wind farm⁴ to establish in REIAs.

In addition, the state government will continue to encourage investment in renewable energy development through the identification of new renewable energy zones, the provision of guidance to assist proponents of major renewable energy developments and the creation of alternative development assessment pathways for such developments.

Assessing development proposals within a REIA

The purpose of regional policy 1.5.1 is to provide guidance to councils on suitable locations for renewable energy projects and encourage anticipated development to occur in these areas.

Councils and relevant state agencies are encouraged to work with proponents to explore opportunities for new renewable energy development in these REIAs.

This policy does not prohibit renewable energy projects from occurring outside of the REIA, nor does it inhibit the ability of other uses from occurring within the REIA.

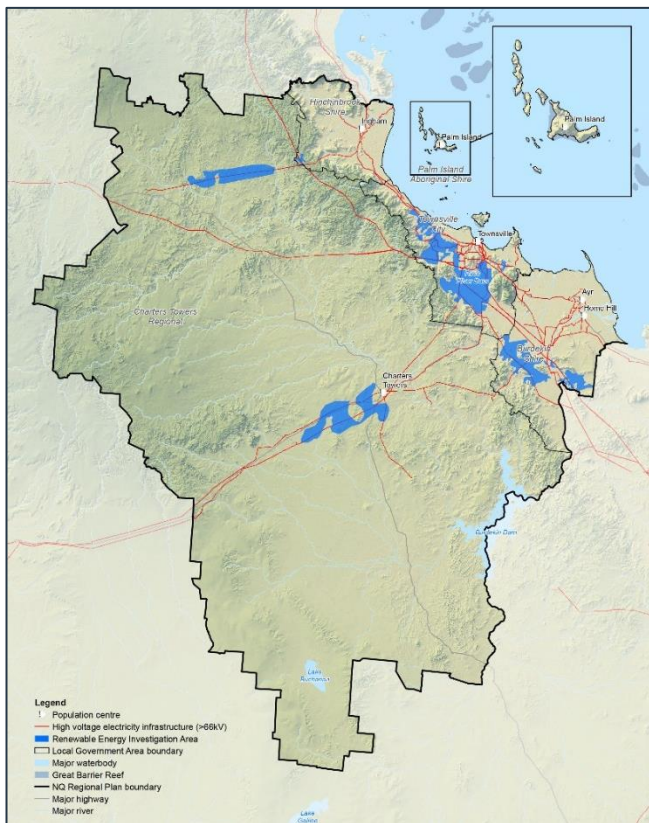


Figure 4: Renewable Energy Investigation Areas

⁴ A solar or wind farm where its primary purpose is to feed into an electricity grid and provide electricity for uses not on or related to the land on which it is sited.
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North Queensland Regional Plan: Development assessment in action

Townsville Urban Area

The Townsville Urban Area (TUA) establishes a boundary⁵ within which all new urban residential development is to be contained.

The TUA is based on the existing extent of land zoned for urban purposes in the Townsville City Plan (the Plan) and land adjoining these zones that has been approved for urban purposes. It generally aligns with the priority infrastructure area in the Local Government Infrastructure Plan. The TUA is shown in Figure 5 with closer detail on the TUA is available on the [DA mapping system](#).

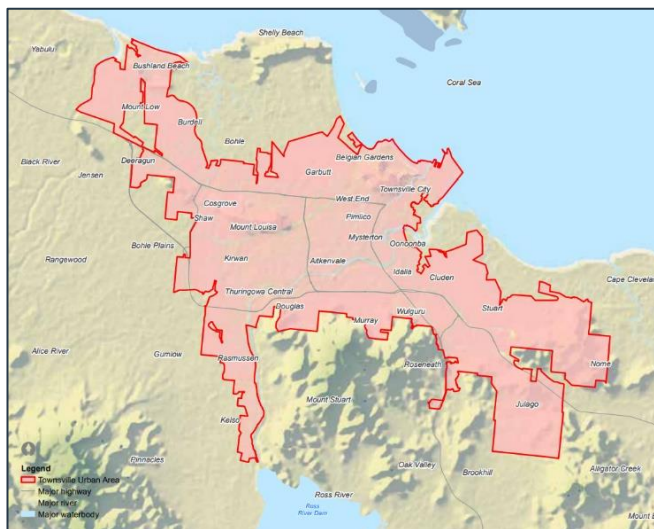


Figure 5: Townsville Urban Area

NQ Regional Plan policy

The policy of the NQ Regional Plan for the TUA is that:

3.1.5 – Townsville’s urban residential development⁶ is to be contained within the Townsville Urban Area. Urban residential development within the Townsville Urban Area does not occur outside land identified for these purposes.

The state government will continue to work with Townsville City Council (the council) to monitor the effectiveness of the TUA. This will be underpinned by an understanding residential land supply, to ensure that housing supply, including affordable housing, is adequate to meet forecast demand to ensure population growth is not hindered.

Assessing development proposals within or outside the TUA

Code and impact assessable development applications for urban residential development submitted to the council as the assessment manager should consider policy 3.1.5.

Within the TUA

The purpose of the TUA is to promote a consolidated, efficient and resilient residential growth in areas best able to be supplied with appropriate infrastructure and services — these are areas inside the TUA.

It is acknowledged that not all land within the TUA is in an urban zone, nor is all land suitable for residential purposes due to other reasons (e.g. environmental constraints or exposure to natural hazards).

Development within the TUA will continue to be assessed against the Plan.

Within the TUA:

- new urban residential development which is deemed by the assessment manager to be consistent with the relevant provisions of the Plan is **supported** by the NQ Regional Plan
- new urban residential development on land identified by the Plan as unsuitable for residential purposes is **not supported** by the NQ Regional Plan.

New urban residential development in Townsville located outside of, even if adjacent to, the TUA is **not supported** by the NQ Regional Plan.

Direction on the location of residential development, within all other areas in the Townsville local government area (outside of Townsville) is established in the Plan.

⁵ The TUA is not a regulatory boundary under the *Planning Regulation 2017*, that is, it **does not** prescribe a category of development that prohibits development applications for urban residential being made outside of the TUA.

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⁶ Urban residential development is residential development intended to be located in an urban area, as defined in the *Planning Regulation 2017*. This does not include rural residential development or any other uses.

The role of the *Regional Planning Interests Act 2014*

The *Regional Planning Interests Act 2014* works in parallel with the *Planning Act 2016*, and seeks to manage the impacts, and support the coexistence of, resource activities (such as mining and petroleum) and regulated activities (such as broadacre cropping and water storage dams) that generally occur outside the jurisdiction of the *Planning Act 2016*.

The *Regional Planning Interests Act 2014* provides that a Regional Interest Development Approval (RIDA) may be required where these activities are proposed in areas of regional interest, being Priority Living Areas (PLAs), Priority Agricultural Areas (PAAs), Strategic Cropping Land (SCL) and Strategic Environmental Areas (SEAs).

For a PLA the assessment is undertaken by the **local government** and is discussed below.

For a PAA, SCA and SEA, the assessment is undertaken by the State and does not affect the local government assessment manager role.

Priority Agricultural Areas

PAAs are defined under the *Regional Planning Interests Act 2014* as areas that:

- includes one or more areas used for a Priority Agricultural Land Use (PALU), whether it also includes other areas or features, including, for example, a regionally significant water source; and
- is either shown on a map in a regional plan as a priority agricultural area; or prescribed under a regulation.

Identifying PAAs ensures that resource activities that seek to operate in these areas do not unreasonably constrain, restrict or prevent on-going agricultural operation.

Where a resource activity is proposed in a PAA the relevant State assessor⁷ assesses the expected impact of the activity against the PAA assessment criteria set out in the *Regional Planning Interests Regulation 2014*, that manage impacts on:

- use of property for PALU in PAA
- a region in relation to use of an area in the region for a PALU.

Strategic Environmental Areas

SEAs are defined under the *Regional Planning Interests Act 2014* as areas that 'contain one or more environmental attributes for the area'.

The environmental attributes for the SEAs in the NQ Regional Plan are discussed above.

Identifying SEAs ensures that resource activities and regulated activities that seek to operate in these areas do not result in a widespread or irreversible impact on an environmental attribute of a SEA.

Where a resource or regulated activity is proposed in a SEA the relevant State assessor⁸ assesses the expected impact of the activity against the SEA assessment criteria set out in the *Regional Planning Interests Regulation 2014*, that manage impacts on an environmental attribute of the strategic environmental area.

Priority Living Areas

PLAs are defined under the *Regional Planning Interests Act 2014* as the — existing settled area of a city, town or other community and other areas necessary or desirable:

- for the future growth of the settled area; and
- as a buffer between the existing or future settled area and resource activities.

A PLA identifies where a resource activity cannot establish without first demonstrating compatibility with the existing urban uses within the settlement.

⁷ State agricultural department for a regulated activity in a PAA and state natural resources department for where a PAA includes a regionally significant watercourse.

⁸ State environmental department and state natural resources department.
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North Queensland Regional Plan: Development assessment in action

Within the NQ Regional Plan, each PLA generally represents a two-kilometre buffer area around the key settlement area of each respective location.

The purpose of PLAs is to give communities, via their council, a say on resource activities that may impact on a town's amenity and wellbeing and increase certainty in investment, as the *Regional Planning Interests Act 2014* requires that proposed resource activities in a PLA be publicly notified.

A PLA is not an urban footprint and does not change assessment processes under the *Planning Act 2016* or planning schemes.

Where a resource activity is proposed in a PLA the **local government**⁹ is to assess the expected impact of the activity against the PLA assessment criteria set out in the *Regional Planning Interests Act 2014*.

The required outcome is that the location, nature and conduct of the activity is compatible with the planned future for the PLA articulated in the planning scheme¹⁰.

This is demonstrated through development that is:

- unlikely to adversely impact on development certainty for land in the immediate vicinity of the activity and in the PLA generally
- likely to result in community benefits and opportunities, including, for example, financial and social benefits and opportunities.

It is expected applicants of a RIDA would liaise with the relevant local government to understand how best to minimise the community impacts and maximise benefits at a local level.

Quick reference guide for RIDA process and assessment information

The below documents are available at:

<https://planning.dsdmip.qld.gov.au/planning/regional-planning-interests-act/rpi-act-forms-and-guidelines>

- RPI Act Guideline 01/14 – How to make an assessment application under the RPI Act
- RPI Act Guideline 11/16 – Companion guide
- RPI Act Guideline 02/14 – Carrying out activities in a priority agricultural area
- RPI Act Guideline 05/14 – Carrying out resource and regulated activities in a strategic environmental area
- RPI Act Guideline 04/14 – Carrying out activities in a priority living area

Maps for PAAs, PLAs, REIAs, SEAs, and the TUA are available at:

<https://dams.dsdip.esriaustraliaonline.com.au/damappingsystem/>

⁹ All applications for resource activities within a PLA must be referred to the relevant local government as an assessing agency. Where a PLA crosses over a local government boundary, the application will be referred to the local government with jurisdiction over the settled area.

¹⁰ This does not affect any development assessment decision for activities other than resource activities, made under the *Planning Act 2016*.
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Further information

For more information about considering the NQ Regional Plan in development assessment please email the Regional and Spatial Planning team at: planNQ@dilgp.qld.gov.au

The NQ Regional Plan is available at:

<https://planning.dsdmip.qld.gov.au/planning/better-planning/state-planning/regional-plans/north-queensland-regional-plan>



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