

## Part 2 State planning provisions

### 2.1 Regional plan

The Minister has identified that the planning scheme, specifically the strategic framework, appropriately advances the SEQ Regional Plan as it applies in the planning scheme area.

### 2.2 State planning policies

The Minister has identified that the following state planning policies are appropriately reflected in the planning scheme.

**Table 2.2.1—State planning policies appropriately reflected**

SPP no.	SPP title
SPP 1/92	Development and the Conservation of Agricultural Land
SPP 1/02	Development in the Vicinity of Certain Airports and Aviation Facilities
SPP 2/02	Planning and Managing Development Involving Acid Sulfate Soils
SPP 1/03	Mitigating the Adverse Impacts of Flood, Bushfire and Landslide
SPP 1/07	Housing and Residential Development including Guideline
SPP 2/07	Protection of Extractive Resources and Guideline
SPP 2/10	South East Queensland Koala Conservation
SPP 3/10	Acceleration of compliance assessment
SPP 4/10	Healthy Waters
SPP 5/10	Air, Noise and Hazardous Materials
Temporary SPP 2/11	Planning for Stronger, More Resilient Floodplains
SPP 1/12	Protection of Queensland's Strategic Cropping Land
Temporary SPP 2/12	Planning for Prosperity

### 2.3 Referral agency delegations

Schedule 7 of the Regulation identifies referral agencies for certain aspects of development. The listed referral agencies have delegated the listed referral agency jurisdictions to Brisbane City Council.

**Table 2.3.1—Delegated referral agency jurisdictions**

Application involving	Referral agency and type	Referral jurisdiction
<b>For building work assessable against the Building Act 1975</b>		
Building work on a local heritage place	The local government— as a concurrence agency	The following— (a) IDAS code in the Queensland Heritage Regulation 2003, schedule 2; (b) the relevant provision of any

		planning scheme
<p>Building work for a building or structure if it is:</p> <p>(a) a single detached class 1(a)(i) building, class 1(a)(ii) building comprising not more than 2 attached dwellings or a class 10 building or structure;</p> <p>(b) in a locality and of a form for which the local government has, by resolution or in its planning scheme, declared that the form may:</p> <p>(i) have an extremely adverse effect on the amenity, or likely amenity, of the locality; or</p> <p>(ii) be in extreme conflict with the character of the locality</p>	The local government— as a concurrence agency	The amenity and aesthetic impact of the building or structure if the building work is carried out
Building work for a building, other than a class 1, 2, 3 or 4 building, for residential purposes	The local government— as a concurrence agency	Approval to use the building for residential purposes
<p>If:</p> <p>(a) the Queensland Development Code, part 1.1, 1.2 or 1.3 applies for building work;</p> <p>(b) under the part, the proposed building or structure does not include an acceptable solution for a relevant performance criteria under the part</p>	The local government— as a concurrence agency	Whether the proposed building or structure complies with the performance criteria
<p>If:</p> <p>(a) under the Building Act 1975, section 33, an alternative provision applies for the building work;</p> <p>(b) under the provision, the proposed building or structure is not of the quantifiable standard for a relevant qualitative statement under the provision</p>	The local government— as a concurrence agency	Whether the proposed building or structure complies with the qualitative statement
<p>If:</p> <p>(a) under the Building Regulation 2006, section 10, a local planning instrument makes a provision about a matter provided for under performance criterion 4, 5, 7, 8 or 9 of the Queensland Development Code, part 1.1 or 1.2;</p> <p>(b) the provision applies for building work;</p> <p>(c) under the provision, the proposed building or structure is</p>	The local government— as a concurrence agency	Whether the proposed building or structure complies with the qualitative statement

not of the quantifiable standard for a relevant qualitative statement under the provision		
Building work required to ensure a building complies under the Building Act 1975, section 220, with the fire safety standard under that Act	The local government— as a concurrence agency	Whether, after the building work is completed, the building will comply with the fire safety standard under the Building Act 1975
Building work if: (a) the Queensland Development Code, part 5.2, applies to the work; (b) the work does not comply with an acceptable solution stated in the part	The local government— as a concurrence agency	Whether the building work complies with the performance criteria mentioned in the parts that are relevant to the acceptable solution
Building work for premises in which a residential service under the Residential Services (Accreditation) Act 2002, section 4, is conducted, or is proposed to be conducted	The local government— as a concurrence agency	Whether, if the building work is carried out, the premises would comply with the requirements stated in the Queensland Development Code, part 5.7
Building work relating to any of the following: (a) the removal of a building or other structure, whether for rebuilding at another site or not; (b) the rebuilding of a building or other structure removed from another site	The local government— as a concurrence agency	Deciding: (a) whether the local government should require security, of no more than the value of the building work, for the performance of the work; (b) if security is required—its amount and form
Building work for a class 1(a)(i) building, or a class 1(a)(ii) building comprising not more than 2 attached dwellings, if any material change of use associated with the building work: (a) is for a residential purpose in a residential zone; (b) would have required a development permit if schedule 4, table 2, item 2 did not apply for the use	The local government— as a concurrence agency	The provisions of the planning scheme that would apply for the development application if schedule 4, table 2, item 2 did not apply for the use
Building work for a temporary accommodation building as defined under the Building Regulation 2006, section 54A if: (a) the Queensland Development Code, part 3.3 applies to the work; (b) the requirements of acceptable	The local government— as a concurrence agency	Performance criteria 1 of the Queensland Development Code, part 3.3

solution A1 stated in the part are not complied with		
Building work for development to which item P13 of the performance criteria stated in the Queensland Development Code, part 4.1 applies if the building development application does not cover end-of-trip facilities under that item	The local government— as a concurrence agency	Whether the proposed development complies with item P13 of the performance criteria stated in the Queensland Development Code, part 4.1

## 2.4 Standard planning scheme provisions

The Minister has identified that the Queensland Planning Provisions (QPP) version 3 yet to be adopted are appropriately reflected in the planning scheme.

Editor's note—Section 53 of the Act states that where a planning scheme is inconsistent with the Queensland Planning Provisions (QPP), as amended from time to time, the QPP prevails to the extent of the inconsistency.

PUBLIC NOTIFICATION