

Urban Investigation Zone

This fact sheet provides an overview of the new Urban Investigation Zone under the Housing Availability and Affordability (Planning and Other Legislation Amendment) Bill 2023.

What is an Urban Investigation Zone?

The Urban Investigation Zone (UIZ) is a transitional zone intended to allow local governments to put land in a holding pattern until they complete the detailed land use and infrastructure planning. The UIZ is not intended to remain in place indefinitely, and a local government intending to use the UIZ must undertake several steps, including drafting an amendment to their planning scheme, to use this zone.

Why is the UIZ necessary?

The UIZ respond to a number of issues associated with managing growth in areas like the Emerging Community Zone (ECZ). An ECZ is generally land on urban fringes which has potential to accommodate future development.

One of the many issues raised with the ECZ is the inability for local governments to prevent development occurring in these areas, despite there being insufficient land use and infrastructure planning completed.

In these instances, developers lodge applications prior to land use and infrastructure planning being completed, which results in development occurring prematurely or in way that contradicts the local government's intent.

This can result in higher costs for local governments and communities either, have less infrastructure to support their growth or have infrastructure provided at a lower level of service, for the short-term.

These areas can also result in the land being underutilised, with limited housing and serviced land supply.

The changes in the HAA Bill allow local governments to protect areas from piece-meal development in advance of land use and infrastructure planning, while allowing Queenslanders to move into their new homes, faster.

The changes also provide local government to plan for growth and have infrastructure available to connect new communities and developments to the essential services they rely on.

Key features:

- Temporary zone which prohibits particular development (material changes of use and reconfigurations of a lot).
- Requirement for local governments to review the UIZ every 5 years to demonstrate need for the zone.
- Allow development through a state facilitated application despite the prohibitions.

How would a local government use a UIZ?

The UIZ is intended to be used to pause further development in areas zoned ECZ where infrastructure and land use planning have not been finalised. This pause will allow the local government to fully consider the development yield and infrastructure planning intended for particular areas and reflect this planning in their scheme and Local Government Infrastructure Plan, providing transparency to their community.

To use the UIZ, a local government would first need to undertake an amendment to its planning scheme and complete a report to assess feasible alternatives. If no feasible alternatives were found and the amendment is approved, the local government could rezone particular areas that are ECZ are UIZ.

The UIZ zoning is required to be reviewed every five years, and it is generally expected that local governments would undertake the necessary infrastructure and land-use planning in this period.

What development is allowed in a UIZ?

While development is limited in the UIZ, some forms of development can still be undertaken. The following development is still allowed within the UIZ:

- accepted development (development that does not require a development approval).
- development that was accepted development immediately before the premises was included in the UIZ.
- development carried out under or consistent with a state facilitated application.



- development carried out under or consistent with a development approval.
- all other development that is not a material change of use or particular types of reconfiguration of a lot (for example, building work or operational work)
- development that is not for an urban purpose.

Developers and the community also have the opportunity to use the new State facilitated application pathway to streamline development in these areas, where the local government has not completed their infrastructure and land use planning.

What are the changes to the planning framework?

Amendments are proposed to the *Planning Act 2016*, *Planning Regulation 2017* and Minister's Guidelines and Rules.

Proposed amendments ¹	
Planning Act	<ul style="list-style-type: none"> • The Bill provides that a change of the zoning of land to a UIZ is not an adverse change requiring compensation if the process in the Minister's Guidelines and Rules is followed. • A local government must review the UIZ every 5 years in accordance with the process in the Minister's Guidelines and Rules.
Planning Regulation	<p>The amendments to the Planning Regulation</p> <ul style="list-style-type: none"> • The purpose of an UIZ is to identify and protect land outside the Priority Infrastructure Area (PIA) (defined area within the local government area where infrastructure currently exists or can be more efficiently provided to accommodate future growth) that may be suitable for urban purposes, subject to further planning and investigation. • Developments for material changes of use and reconfiguration of a lot are prohibited. • Exemptions for development that can occur in an UIZ. • For development that is prohibited in an UIZ, a state facilitated application may be made. • The purpose of an ECZ is amended to identify land within or outside a PIA that is intended for an urban purpose in the future and where land use and infrastructure planning has been completed. This zone also aims to protect land from incompatible uses and allow for the timely change of the land to a zone to accommodate growth. • Transitional provisions which delay a local government using the new purpose for the ECZ for a year or a later date.
Minister's Guidelines and Rules ²	<p>The Minister's Guidelines and Rules have been amended to include a new process for including land in an UIZ. These amendments provide:</p> <ul style="list-style-type: none"> • If a local government decides to change the zoning of land to an UIZ, they must prepare a report of the impacts of the proposed change and any other alternatives. • The process for making the planning change including, requirements for consultation and notification of property owners. • The date that the planning change takes effect.

Further information

For further information please contact the Department of State Development, Infrastructure, Local Government and Planning via planning4housing@dsdilgp.qld.gov.au.

¹ The table below provides indication of the nature of the amendments.

² Amendments to the Minister's Guidelines and Rules will be subject to standard statutory consultation requirements.