

From: [Planning Correspondence](#)
To: CEO@moretonbay.qld.gov.au
Bcc: [Kate Wall](#); [Christopher ASTON](#)
Subject: Correspondence from DDG, Planning Group - HAAPOLA Bill - consultation on Planning Regulation, MGR and DA rules - Scott Waters (MBCC)- Our ref: WR24/11739
Date: Wednesday, 24 April 2024 3:00:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[DDG letter to Scott Waters, MBCC - HAAPOLA Bill - Planning Regulation, MGR and DA rules consultation.pdf](#)
[Enclosure - copy of government gazette notices.PDF](#)

Good afternoon

Please find attached letter from Ms Tess Pickering, Deputy Director-General, Planning Group. If you have any questions or require further information, please contact Mr Christopher Aston, Executive Director, Policy and Statutory Planning in the department by telephone on (07) 3452 6822 or by email at christopher.aston@dsdilgp.qld.gov.au who will be please to assist.

Regards

Planning Group Correspondence Team

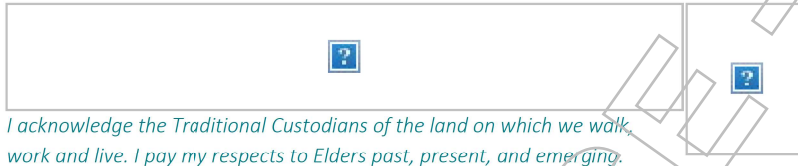
Office of the Deputy Director-General

Planning Group

Department of Housing, Local Government, Planning and Public Works

E planningcorrespondence@dsdilgp.qld.gov.au

Level 13, 1 William Street, Brisbane Qld 4000



Our reference: WR24/11739

24 April 2024



Mr Scott Waters
Chief Executive Officer
Moreton Bay City Council
CEO@moretonbay.qld.gov.au

Department of
**Housing, Local Government,
Planning and Public Works**

Dear Mr Waters

I am writing to inform you, as one of the three local governments affected by a Development Control Plan (DCP), about recent changes resulting from the Housing Availability and Affordability (Planning and Other Legislation Amendment) Bill 2023 (the Bill).

In February 2024, the Honourable Meaghan Scanlon MP, Minister for Housing, Local Government and Planning and Minister for Public Works launched the Homes for Queenslanders plan for a fair and sustainable housing system that ensures better housing outcomes both now and for future generations.

Under the first pillar of Homes for Queenslanders—more homes, faster—the *Housing Availability and Affordability (Planning and Other Legislation Amendment) Bill 2023* (the Bill) plays a critical role by reviewing planning legislation to deliver more quality homes in the right locations – faster than ever before.

The Bill is also a critical part of Queensland's response to the national planning reforms and the national planning reform blueprint.

The Department of Housing, Local Government, Planning and Public Works (the department) is pleased to advise that on 16 April 2024 the Bill passed through the Queensland Parliament.

This marks a significant milestone in streamlining our planning legislation to better facilitate the delivery of quality homes in a timely manner. This includes addressing recent court judgments, such as the findings of the Planning and Environment Court in relation to JH Northlakes Pty Ltd v Moreton Bay Regional Council [2022] QPEC 18 (Northlakes judgement).

The Bill validates approvals granted since the repeal of *Integrated Planning Act 1997* (IPA) and modernises the development assessment system for DCP areas, ensuring that development applications are processed and decided under the *Planning Act 2016* (the Planning Act). DCPs will remain in effect and retain their control over development by categorising development, determining assessment levels, and establishing relevant assessment benchmarks.

The Bill will also introduce a new alternative development approval pathway and the emphasis on prioritising planning amendments to support diverse housing across a range of areas, including the delivery of infill and affordable housing.

The Bill amends the Planning Act, introducing new measures aimed at improving the planning framework's response to housing supply challenges. The amendments:

- optimise the planning framework's response to the current housing challenge through a suite of tools
- cut barriers and support more diverse housing across a range of areas, including the delivery of infill and affordable housing
- make operational and process improvements to ensure that the planning framework continues to be effective and robust.

To support the Bill's objectives, amendments are proposed to the Planning Regulation, Minister's Guidelines and Rules (MGR), and Development Assessment (DA) Rules. Public consultation on these amendments is open until **21 May 2024**. I encourage you to provide feedback during this period.

A copy of the amended instruments and supporting information on key changes is available via <https://yoursay.housing.qld.gov.au/housing-availability-and-affordability-planning-and-other-legislation-amendment-bill-2023> and the gazette notices are enclosed.

If you have any questions or require further information, please contact Mr Christopher Aston, Executive Director, Policy and Statutory Planning in the department by telephone on (07) 3452 6822 or by email at christopher.aston@dSDLGP.qld.gov.au who will be please to assist.

Yours sincerely _____



Tess Pickering
**Deputy Director-General
Planning Group**

Enc (1)



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THURSDAY 18 APRIL 2024

[No. 83

NOTICE OF CONSULTATION ON PROPOSED AMENDMENTS TO RULES AND GUIDELINES UNDER THE *PLANNING ACT 2016*, SECTIONS 17, 37, 116 and 117

THE MINISTER'S GUIDELINES AND RULES

I, the Honourable Meaghan Scanlon MP, Minister for Housing, Local Government and Planning and Minister for Public Works do hereby notify that, pursuant to sections 10, 17, 37, 116 and 117 of the *Planning Act 2016* (the Planning Act), I propose to make amendments to the Minister's Guidelines and Rules (MGR).

Copies of the proposed amendments to the MGR are available for inspection and collection free of charge from the Department of Housing, Local Government, Planning and Public Works at 1 William Street, Brisbane or online at haveyoursay.dsd.qld.gov.au.

Any person may make a written submission about the proposed amendments to the MGR. The submission must be a properly made submission under the Planning Act to be accepted.

A properly made submission must:

- be made to the Minister
- be received on or before 21 May 2024
- be in writing and signed by each person who made the submission
- state the name and residential or business address of each person who made the submission
- state the grounds of the submission and the facts and circumstances relied on in support of the grounds.

Electronic submissions may be made provided they include the full name and email address (or other address) of the submitter and online at planning4housing@dsdilgp.qld.gov.au.

Written submissions should be made by:

Post: Planning Regulation, MGR and DA Rules consultation
Planning Group
Department of Housing, Local Government, Planning and Public Works
GPO Box 690
BRISBANE QLD 4001

For further information, please email
planning4housing@dsdilgp.qld.gov.au.

MEAGHAN SCANLON MP
Minister for Housing, Local Government and Planning
Minister for Public Works

NOTICE OF CONSULTATION ON PROPOSED AMENDMENTS TO THE DEVELOPMENT ASSESSMENT RULES UNDER THE *PLANNING ACT 2016*, SECTIONS 10, 68 and 69

I, the Honourable Meaghan Scanlon MP, Minister for Housing, Local Government and Planning and Minister for Public Works, do hereby notify that, pursuant to sections 10, 68 and 69 of the *Planning Act 2016* (the Planning Act), I propose to make amendments to the Development Assessment Rules (DA Rules).

Copies of the proposed amendments to the DA Rules are available for inspection and collection free of charge from the Department of Housing, Local Government, Planning and Public Works at 1 William Street, Brisbane or online at haveyoursay.dsd.qld.gov.au.

Any person may make a written submission about the proposed amendments to the DA Rules. The submission must be a properly made submission under the Planning Act to be accepted.

A properly made submission must:

- be made to the Minister
- be received on or before 21 May 2024
- be in writing and signed by each person who made the submission
- state the name and residential or business address of each person who made the submission
- state the grounds of the submission and the facts and circumstances relied on in support of the grounds.

Electronic submissions may be made provided they include the full name and email address (or other address) of the submitter and online at planning4housing@dsdilgp.qld.gov.au.

Written submissions should be made by:

Post: Planning Regulation, MGR and DA Rules consultation
Planning Group
Department of Housing, Local Government, Planning and Public Works
GPO Box 690
BRISBANE QLD 4001

For further information, please email
planning4housing@dsdilgp.qld.gov.au.

MEAGHAN SCANLON MP
Minister for Housing, Local Government and Planning
Minister for Public Works

For processing and action.

Regards,

Sharyn

From: CEO <CEO@moretonbay.qld.gov.au>

Sent: Tuesday, May 21, 2024 5:31 PM

To: Housing <housing@ministerial.qld.gov.au>

Cc: CEO <CEO@moretonbay.qld.gov.au>; Planning4Housing@dsdipg.gov.au

Subject: Commencement of 'Housing Availability and Affordability Act' - Feedback on draft Regulation, MGR and DA Rules

Sent on behalf of Scott Waters, Chief Executive Officer - City of Moreton Bay

Good afternoon Minister,

Please find attached for your attention correspondence from Scott Waters, Chief Executive Officer, City of Moreton Bay.

Kind regards,

Larissa Kerrisk
Executive Support Officer
Governance & Executive Services
City of Moreton Bay
ceo@moretonbay.qld.gov.au
07 3205 0555

City of Moreton Bay logo



220 Gympie Road, Strathpine QLD 4500
moretonbay.qld.gov.au

We acknowledge the Kabi Kabi, Jinibara and Turrbal Peoples as the Traditional Custodians of the lands and waterways of City of Moreton Bay, and pay our respects to their Elders, past, present and emerging.

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Thank you.

Office of the CEO



Phone: (07) 3205 0555
Our Ref: 69797976 (DD:kh)
Date: 21 May 2024

Minister for Housing, Local Government, Planning and
Public Works
c/- Planning Group
Department of Housing, Local Government, Planning
and Public Works
GPO Box 690
BRISBANE QLD 4001

Email: Planning4Housing@dsdilgp.gov.au

Dear Minister,

Commencement of 'Housing Availability and Affordability Act' - Feedback on draft Regulation, MGR and DA Rules

Thank you for the opportunity to provide feedback on the draft Planning and Other Legislation Amendment Regulation 2024 and draft amendments to the Minister's Guidelines and Rules (MGR) and Development Assessment Rules (DA Rules) to support the implementation of the Housing Availability and Affordability (Planning and Other Legislation Amendment) Bill.

City of Moreton Bay supports the overall intention behind the changes, including those related to the transition of DCP's into the Planning Act framework, to improve the planning framework's response to housing supply challenges and include proposed amendments to ensure the system is working as efficiently as possible. In considering these proposed changes and their implications for the City of Moreton Bay, we would like to bring the following matters to your attention for further consideration as part of finalising the Regulation and these amendments.

Meaning of 'affordable housing component' (Regulation, s 43C, Schedules 4 and 24 & Act, s 65A)

'Affordable housing component' is introduced as a new term used and defined by way of various sections of the Act and Regulation. It has meaning in the interpretation of new sections relating to conditioning of development approvals, criteria for declaring State facilitated development (SFD), Schedule 4 Admin terms for planning instruments (regulated requirements) and Schedule 24 Definitions.

The definition and criteria for 'affordable housing component' fails to address the fundamental need for development to deliver housing for lower income and smaller households. The new definition in the Act (s 65A(3)) and criterion provided in the draft Regulation are ambiguous about the households for whom the housing is affordable (i.e., "...affordable for particular types of households").

While the meanings' call for diversity in dwelling types and numbers of bedrooms and being below typical market value based on type, composition, construction, size or finish, may go

some way in delivering affordable housing, without a connection to an economic indicator such as household incomes in a particular location, the provisions will fail to successfully deliver the housing our communities need in suitable locations.

Criteria for being declared SFD includes a requirement for an affordable housing component of at least 15% of dwellings and a diversity in dwelling types and number of bedrooms. This is very broad, and no qualifiers are provided about what is 'affordable' with respect to income.

The last criterion prescribed by regulation (note 'or' test for development conditioning relating to provision of affordable housing), may result in a component of development being classified as an 'affordable housing component' by way of it being "*housing sold or rented below the typical market value on the basis of its type, composition, method of construction, size or level of finish*". It is unclear how far below market value the component would need to be to constitute affordable housing. This criterion may lead to 'affordable housing components' not truly being 'affordable'.

The location of the affordable housing component (and proximity to services and infrastructure) should also be considered. The absence of this consideration in the draft Regulation may lead to poorly located/ isolated areas or areas that do not support holistic and longer-term affordable living opportunities.

According to the [Housing Needs Investigation](#) undertaken for Moreton Bay, a key strategic issue for housing affordability and diversity in our City (and SEQ more generally) is the lack of 1 and 2 bedroom dwellings. It is unclear how the above provisions address this market deficiency, other than suggesting a diversity in the number of bedrooms or a mix in the 'dwelling types' being required for 15% of total dwellings, which could be open to interpretation.

Care needs to be taken that the provisions do not lead to outcomes that are counter-productive to housing need outcomes or exacerbate housing deficiencies. When read together, the worthwhile intention of these changes may not fully materialise in practice. It is important for the definition and criteria to be especially clear on affordability and accessibility of the housing to those in the community that need it most, not just 'diversity' in the built product. In this regard, consideration should be given to the need to potentially define 'diverse' and/or 'diversity' to ensure clarity in respect of the outcomes sought.

Development conditions and application criteria for 'affordable housing component'
(Regulation, ss 43A–43B & Act, s 65A)

The regulation enables a development condition to be imposed for the provision of an 'affordable housing component'. However, the regulatory changes require that a period be stated for which the component must be maintained. An unintended consequence may be the cessation of (or at least the option to cease) the affordable housing component at the end of the stated period – if not intended to apply in perpetuity/ for the life of the development. Confirm the implementation of this conditioning mechanism to retain the affordable housing component long-term.

Minister's conditions in notice to approve TLPI (MGR, s.8.7 and schedule 8)

Chapter 3, part 2, section 8.7 now directs that "*any Minister's conditions stated on a notice given under section 8.4 [i.e., Minister's notice approving the making/ amending of a TLPI] must be complied with before the local government may adopt the proposed TLPI or TLPI amendment.*" It is suggested some discretion on the timeframe for demonstrating compliance with these conditions be added to reflect the urgent/ emergent circumstances in which TLPIs are introduced, e.g., including "unless stated otherwise in the notice" or similar in section 8.7.

This wording appears in the major amendment process at the state interest review and Minister's consideration steps (chapter 2, part 4, ss 17.7 & 21.6), as well as in the definition of "Minister's conditions" (schedule 8). Its inclusion would bring consistency with these other MGR sections and remove any potential conflict with conditions that may not necessitate compliance prior to adoption.

DA Rules (various sections)

Numerous cross references in the draft DA Rules require correcting, in particular throughout Chapter 2 and Schedule 4.

Minister's Guidelines and Rules (Chapter 2, Part 5; Chapter 3, Part 3)

In light of proposed changes to the Minister's Guidelines and Rules, the opportunity exists to provide clarification on the role of a 'Pause Notice', accompanied by a request for further information as set out in Chapter 2, Part 5 - Miscellaneous and Chapter 3, Part 3 - Miscellaneous.

In the interest of transparency and consistency, there is a need to ensure that any 'Pause Notice' request for further information is related to the scope of the proposed amendment (as approved by the Council) and is limited to the seeking of further information to assist the State with progressing the relevant step under the plan-making process. This clarification will assist to streamline plan making timeframes by containing requests for further information to understanding the content of the proposed amendment rather than proposing additions or further potential amendments not contemplated by the local government.

City of Moreton Bay again thanks you for the opportunity to provide our feedback on these important changes. Should you or officers of the department require clarification on anything contained in this submission, please contact David Corkill, Director Planning on (07) 5433 2023 or email on David.Corkill@moretonbay.qld.gov.au.

Yours sincerely



Scott Waters
Chief Executive Officer

From: [Clinton LE](#)
To: Marco.Alberti@moretonbay.qld.gov.au
Cc: [Jamaica Hewston](#); [Danika Cowie](#); [Catherine Otto](#); [Kristy Coulter](#); [Kellie Parker](#)
Subject: MBCC and DHLGPPW - DCP briefing minutes - 2/09
Date: Tuesday, 3 September 2024 9:18:00 AM
Attachments: [MBCC and DHLGPPW DCP briefing minutes - 2 September 2024.docx](#)
[image001.png](#)
[image002.png](#)
[Mango Hill DCP.pptx](#)

Hi Marco,

Thank you for meeting with us yesterday.

Please see attached the meeting minutes and presentation slide for the Mango Hill DCP for distribution.

Let us know if you have any questions or concerns.

Thank you,

Clinton Le

Senior Policy Officer
Policy and Statutory Planning
Department of Housing, Local Government, Planning and Public Works

P 07 3828 2937

E clinton.le@dshlqp.qld.gov.au

Level 13, 1 William Street, Brisbane Qld 4000



I acknowledge the Traditional Custodians of the land on which we walk, work and live. I pay my respects to Elders past, present, and emerging.

Meeting minutes

Development Control Plan (DCP) briefing

Date	2 September 2024
Time	3:00pm – 3:30pm
Venue	Online
Attendance	Moreton Bay City Council (MBCC) <ul style="list-style-type: none"> Marco Alberti (MA) Carly Quin (CQ) David Close (DC) Tina Maltby-Wells (TM) Glenn Hammill (GH) Bridget Lane (BL) Department of Housing, Local Government, Planning and Public Works (DHLGPPW) <ul style="list-style-type: none"> Catherine Otto (CO) Kristy Coulter (KC) Danika Cowie (DC) Jamaica Hewston (JH) Clinton Le (CL)
Apologies	<ul style="list-style-type: none"> Kellie Parker

	Agenda item	Outcome	For action by
1.	DCP changes under the Planning Regulation 2017 (Planning Regulation)	<ul style="list-style-type: none"> CO provided an overview of the changes to the Mango Hill DCP under the Planning Regulation. 	N/A
2.	Prohibited development	<ul style="list-style-type: none"> MA noted the change from prohibited development to impact assessment and whether the intent of prohibited development being inconsistent will be retained somewhere in the Planning Regulation, as the intent of prohibited development would be lost. KC will check with the Office of the Queensland Parliamentary Counsel (OQPC) regarding discussion to transition prohibited development to impact assessment. 	KC (DHLGPPW)
3.	Changes following the Housing Availability and	<ul style="list-style-type: none"> MA questioned whether these changes will be released for consultation. KC noted that the changes had been subject to public consultation as part of the HAAPOLA Act and 	CO (DHLGPPW)



	<i>Affordability (Planning and Other Legislation) Act 2024</i> (HAAPOLA Act) consultation version	<p>DHLGPPW is now undertaking targeted consultation with the affected parties to refine the amendments.</p> <ul style="list-style-type: none">MA noted that in terms of what was previously consulted, some community groups would have likely been more vocal about this change if it was released to transition prohibited development to impact assessment.MA sought confirmation regarding changes from the HAAPOLA consultation draft version.CO noted there were no other significant changes from the HAAPOLA Act consultation version.GH noted there was a submission lodged during the HAAPOLA Act consultation that raised concerns regarding the change in the prescriptive language for DCPs and how this would be translated to <i>Planning Act 2016</i> language.CO to investigate how this submission and the issue of translating prescriptive language was addressed.	
4.	Next steps	<ul style="list-style-type: none">CO noted the proposed amendments are intended to take effect as soon as possible, subject to ministerial approvals.CO to share the presentation slide of changes to the Mango Hill DCP with MA for distribution.MA to email DC, JH, CO and CL with a summary of MBCC concerns regarding the proposed transition of prohibited development to impact assessment.	CO (DHLGPPW) MA (MBCC)

Mango Hill

Mango Hill development control plan - Extract:

68M Categorisation

- (1) This section applies for determining—
- (a) the applied category of development for development on premises to which the Mango Hill development control plan applies; and
 - (b) if the applied category of development is assessable development—the applied category of assessment for the assessable development.
- (2) A reference in a provision of the Mango Hill development control plan to a DCP category of development mentioned in table 2, column 1 is a reference to the applied category of development mentioned in table 2, column 2 opposite the DCP category of development.
- (3) Subsection (4) applies if, under subsection (2), a reference in a provision of the Mango Hill development control plan to a DCP category of development is a reference to assessable development.
- (4) Under the provision, the applied category of assessment for the assessable development is the category stated in table 2, column

Table 2 – Mango Hill development control plan		
Column 1 DCP category of development	Column 2 Applied category of development	Column 3 Applied category of assessment
Prohibited development	Assessable development	Impact assessment
Permissible development	Assessable development	Impact assessment
Permitted development subject to conditions	Assessable development	Code assessment
Permitted development	Accepted development	-

Intent is for the tables to apply across terms used throughout DCP

From: [Jamaica Hewston](#)
To: [Clinton LE](#)
Subject: FW: Proposed amendment to the Planning Regulation for the Mango Hill DCP - Amendments discussion with Planning Group
Date: Tuesday, 3 September 2024 12:02:59 PM
Attachments: [image001.png](#)
[image005.png](#)
[image002.jpg](#)
[image004.png](#)
[image006.png](#)
[image003.png](#)

FYI – you weren't copied.

Regards

Jamaica Hewston

Acting Manager

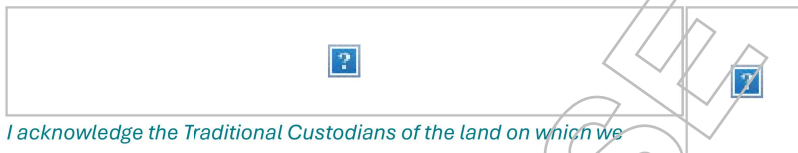
SEQ North Regional Office

Planning and Development Services

Planning Group

Department of Housing, Local Government, Planning and Public Works

P 07 5352 9718 or [Sch. 4\(4\)\(b\) - Disclosin](#)
E jamaica.hewston@dsdilgp.qld.gov.au



I acknowledge the Traditional Custodians of the land on which we walk, work and live. I pay my respects to Elders past, present, and emerging.

From: Marco Alberti <Marco.Alberti@moretonbay.qld.gov.au>

Sent: Tuesday, September 3, 2024 12:05 AM

To: Catherine Otto <Catherine.F.Otto@dsdilgp.qld.gov.au>

Cc: Tina Maltby-Wells <Tina.Maltby-Wells@moretonbay.qld.gov.au>; Carly Quin

<Carly.Quin@moretonbay.qld.gov.au>; Jamaica Hewston

<Jamaica.Hewston@dsdilgp.qld.gov.au>; Kate Wall <Kate.Wall@dsdilgp.qld.gov.au>; Kellie

Parker <Kellie.Parker@dsdilgp.qld.gov.au>; Glenn Hammill

<Glenn.Hammill@moretonbay.qld.gov.au>; david.close <david.close@moretonbay.qld.gov.au>;

Danika Cowie <Danika.Cowie@dsdilgp.qld.gov.au>; Paul McKay

<Paul.McKay@moretonbay.qld.gov.au>; David Hood <David.Hood@moretonbay.qld.gov.au>

Subject: Proposed amendment to the Planning Regulation for the Mango Hill DCP - Amendments discussion with Planning Group

Hi Catherine,

I refer to our MS Teams Meeting yesterday afternoon where the following was communicated to the Council;

- a. The state is looking to progress amendments to the Planning Regulation as soon as possible with an amendment to the regulation being made prior to the state government going into caretaker period at the beginning of October 2024;

-
-
- b. Other than consultation with the 3 Councils affected by the presence of historic DCPs (Ipswich, Sunshine Coast and Moreton Bay) no further consultation is proposed to occur;
 - c. The substantive change to what was previously advertised is an intent to include a new section 68M into the Planning Regulation that categorises assessment categories used in the DCP to assessment categories under the Planning Act. It is noted that a separate Table is proposed for each of the 3 Councils for their respective DCPs.
 - d. It was previously proposed and advertised in the Planning Regulation amendment that a land use that was prohibited under the DCP would be prohibited under the Planning Act, preventing a development application from being lodged. It is now proposed that instead, a land use that was prohibited under the DCP would now be impact assessable development under the *Planning Act 2016*, allowing a development application to be made. It is understood that this is based on the approach applied in the repealed *Integrated Planning Act 1997* (IPA).
 - e. At the conclusion of the meeting, the state confirmed it would be happy to receive the questions posed at the meeting in an email.

Our principal concern and submission about the change is that with the proposal to make an application Impact Assessable under the *Planning Act 2016*, it is necessary that the legislation also provide direction on how a land use identified as Prohibited is to be treated in the framework of the *Planning Act 2016*. More specifically, it is requested that the State include, if it hasn't already, a similar section to s6.1.2(3) and s6.1.9(3A) of IPA 1997 - i.e. the term 'Prohibited Development' is taken to be an expression of policy that the use is inconsistent with the intent of the zone.

In addition to the above, the DCP was drafted under the *Local Government (Planning and Environment) Act 1990* and was not drafted as a performance based document as planning instruments under the *Planning Act 2016* (PA) or even under the IPA are/were required to be. Submissions were made during the previous consultation that raised questions on how the prescriptive provisions of a DCP are intended to be applied in a performance based regime under the *Planning Act 2016*. Under s6.2.29 of the IPA, s3.5.4 and s3.5.5 of the IPA (being similar to the current s45 of the PA supported by s27 and s31 of the Planning Regulation) did not apply and reverted to the relevant provisions of the *Local Government (Planning and Environment) Act 1990*. It is therefore necessary that direction is given in the amended regulation on how prescriptive provisions in the DCP are to be applied under the PA in the absence of Performance and Overall Outcomes to defer to.

If you have any questions, please do not hesitate in letting me know.

Regards

Marco Alberti
Coordinator Planning Assessment (South)
Development Services - Planning Division
City of Moreton Bay

Marco.Alberti@moretonbay.qld.gov.au

City of Moreton Bay logo



220 Gympie Road, Strathpine

07 5433 2424

Sch. 4(4)(6) - Disclosing

QLD 4500
moretonbay.qld.gov.au

-----Original Appointment-----

From: Danika Cowie <Danika.Cowie@dsdilgp.qld.gov.au>

Sent: Thursday, August 29, 2024 2:31 PM

To: Danika Cowie; Marco Alberti; Jamaica Hewston; Catherine Otto; Kellie Parker; Kate Wall; Glenn Hammill; David Close; Tina Maltby-Wells; Carly Quin

Subject: Mango Hill DCP - Amendments discussion with Planning Group

When: Monday, 2 September 2024 3:00 PM-4:00 PM (UTC+10:00) Brisbane.

Where: Microsoft Teams Meeting

EXTERNAL MESSAGE: Please be cautious when opening links or attachments in email.

Good afternoon,

This Teams meeting is to discuss proposed amendments to the Planning Regulation 2017 as it relates to Development Control Plans (DCP), which will be relevant to the Mango Hill DCP.

Please let me know at your earliest convenience if this meeting time and/or date does not suit.

Kind regards,

Danika Cowie

Principal Planning Officer

Planning and Development Services
SEQ North Regional Office

Department of Housing, Local Government,
Planning and Public Works

Microsoft teams – **meet now**

P 07 5352 9776

PO Box 1129, Maroochydore QLD 4558

Work days – Monday, Tuesday, Wednesday,
Thursday and every second Friday

statedevelopment.qld.gov.au



*I acknowledge the Traditional Custodians of the land on which we walk,
work and live. I pay my respects to Elders past, present, and emerging.*

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From: [Planning for Housing](#)
To: [Rebecca Crowley](#)
Cc: [Planning for Housing](#)
Subject: Mango Hill Infrastructure Development Control Plan Query
Date: Tuesday, 19 November 2024 10:05:31 AM
Attachments: [image002.png](#)
[image003.png](#)
[image006.jpg](#)
[image007.png](#)
[image008.png](#)

Good morning Rebecca

Thanks for contacting the Department about the Development Control Plan (DCP) provisions.

As you are aware the DCP provisions in the [Housing Availability and Affordability \(Planning and Other Legislation Amendment\) Act 2024](#) (the HAAPOLA Act) have been passed, and not yet commenced as they are waiting for commencement by proclamation. To operate effectively they require Planning Regulation amendments also, which were commenced under the previous government and consulted on, but not finalised. Any legislative amendments not commenced when the previous government were dissolved, fell away.

This means for DCP amendments to come into effect, the Department will need to seek confirmation from the current government to proceed with amendments to the Planning Regulation. Currently we do not have any indication as to when these provisions are likely to commence, but we will share this with City of Moreton Bay Council once more information is known.

Kind regards



Kristy Coulter

Principal Planner (Part-time Monday – Thursday)

Policy and Statutory Planning

Department of State Development, Infrastructure and Planning

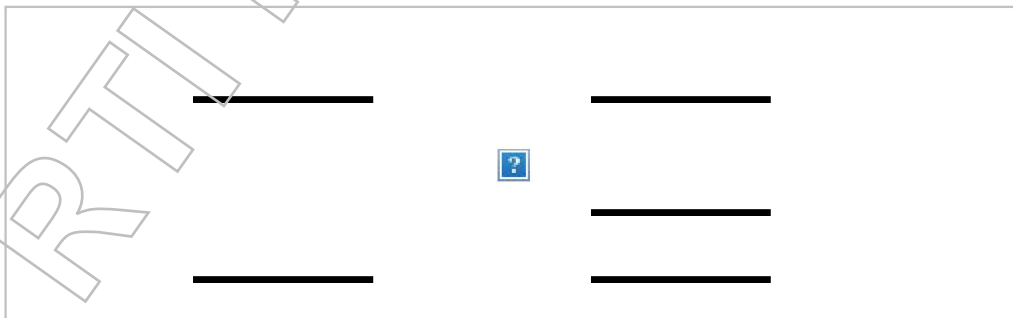
[Microsoft Teams – meet now](#)

P 07 3452 7516

Level 13, 1 William Street, Brisbane QLD 4000

PO Box 15009, City East QLD 4002

www.planning.qld.gov.au



From: Rebecca Crowley <Rebecca.Crowley@moretonbay.qld.gov.au>

Sent: Tuesday, 12 November 2024 11:15 AM

To: Planning for Housing <planning4housing@dsdilgp.qld.gov.au>

Cc: Naomi Roberts <Naomi.Roberts@moretonbay.qld.gov.au>

Subject: RE: Mango Hill Infrastructure Development Control Plan Query

Good morning Kristy,

I was wondering if we had any indication on when/if the proclamation for the DCP provisions would take place?

Kind Regards,

Bec

Rebecca (Bec) Crowley (She/her)
Program Officer - Business Improvement
Development Services
City of Moreton Bay

Rebecca.crowley@moretonbay.qld.gov.au
07 3094 3679

City of Moreton Bay logo

2 Hasking Steet, Caboolture QLD
4510
moretonbay.qld.gov.au

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From: Planning for Housing <planning4housing@dsdilgp.qld.gov.au>

Sent: Wednesday, 7 August 2024 10:46 AM

To: Rebecca Crowley <Rebecca.Crowley@moretonbay.qld.gov.au>

Cc: Naomi Roberts <Naomi.Roberts@moretonbay.qld.gov.au>; Planning for Housing <planning4housing@dsdilgp.qld.gov.au>

Subject: RE: Mango Hill Infrastructure Development Control Plan Query

EXTERNAL MESSAGE: Please be cautious when opening links or attachments in email.

Good morning Rebecca

The [Housing Availability and Affordability \(Planning and Other Legislation Amendment\) Act 2024](#) (the HAAPOLA Act) was passed by Parliament on 16 April 2024 and assented on 26 April 2024. Certain provisions in the HAAPOLA Act and other consequential amendments commenced by proclamation on 22 July 2024 except the provisions related to Development Control Plans, which will commence by proclamation at a later date.

Kind regards

Kristy Coulter

Principal Planner, Strategic Policy and Legislation
**Policy and Statutory Planning
Planning Group**

Department of Housing, Local Government, Planning and Public Works

Part-time work days – Monday to Thursday

P 07 3452 7516

E kristy.coulter@dasilgp.qld.gov.au

Level 13, 1 William Street, Brisbane Qld 4000



I acknowledge the Traditional Custodians of the land on which we walk, work and live. I pay my respects to Elders past, present, and emerging.

From: Rebecca Crowley <Rebecca.Crowley@moretonbay.qld.gov.au>

Sent: Wednesday, August 7, 2024 9:33 AM

To: Planning for Housing <planning4housing@dasilgp.qld.gov.au>

Cc: Naomi Roberts <Naomi.Roberts@moretonbay.qld.gov.au>

Subject: Mango Hill Infrastructure Development Control Plan Query

Good morning, _____

Can you please confirm if the provisions for the DCP have come into effect as yet?

E.g. will an application for Mango Hill be required to be assessed under the Planning Act? Will DA Form 1 be sufficient for DA lodgement, or will the existing IDAS Form be required?

Kind Regards,

Bec _____

Rebecca (Bec) Crowley (She/her)
Program Officer - Business Improvement
Development Services
City of Moreton Bay

Rebecca.crowley@moretonbay.qld.gov.au
07 3094 3679

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RTI RELEASE - DSDIP

From: Planning Correspondence
Sent: Tuesday, 23 July 2024 3:44 PM
To: 'CEO@moretonbay.qld.gov.au'
Subject: Letter from DHLGPPW OUT24/3287 - the Housing Availability and Affordability (Planning and Other Legislation Amendment) Act 2024
Attachments: Attachment 2 - Letter to Moreton Bay Regional Council.pdf

Good afternoon

Please find attached a letter from Ms Tess Pickering, Deputy Director-General, Planning Group in the Department of Housing, Local Government, Planning and Public Works (the department) for your attention.

If you require any further information, please contact Mr Phil Joyce, A/Executive Director, Policy and Statutory Planning in the department by telephone on (07) 3452 7449 or by email at phil.joyce@dsdilgp.qld.gov.au who will be please to assist.

Kind regards,

Marie Page

Acting Correspondence Coordinator

Office of the Deputy Director-General

Planning Group

Department of Housing, Local Government, Planning and Public Works

E planningcorrespondence@dsdilgp.qld.gov.au

Level 13, 1 William Street, Brisbane Qld 4000



I acknowledge the Traditional Custodians of the land on which we walk, work and live. I pay my respects to Elders past, present, and emerging.



Our reference: DEPBN24/753



23 July 2024

Department of
**Housing, Local Government,
Planning and Public Works**

Mr Scott Waters
Chief Executive Officer
Moreton Bay City Council
CEO@moretonbay.qld.gov.au

Dear Mr Waters

I am writing to inform you about the recent amendments to the planning framework because of the *Housing Availability and Affordability (Planning and Other Legislation Amendment) Act 2024* (HAAPOLA Act).

The HAAPOLA Act is a key deliverable under the *Homes for Queenslanders* plan and aims to simplify and expedite housing supply in the right locations, faster than ever before. It provides new tools for use across Queensland that will tackle the biggest challenges in housing and land supply, including current development approval pathways through the new State Facilitated Development (SFD) process.

To support the HAAPOLA Act's objectives, amendments were also made to the following instruments:

- Planning Regulation 2017
- Economic Development Regulation 2023
- Environmental Offsets Regulation 2014
- Minister's Guidelines and Rules (MGR), and
- Development Assessment (DA) Rules.

These amendments commenced on 22 July 2024 and provide for the establishment of SFD to facilitate development that is a priority to the State, the creation of new acquisition and easement powers to deliver critical development infrastructure and a new ability to impose conditions for an affordable housing component. They also enable streamlining of the renewal and registration processes for the urban encroachment provisions, improved functionality for applicable events and temporary use licences, a streamlined direction process for updating local planning instruments, and clarified assessment arrangements for Queensland heritage places.

As you are aware, the HAAPOLA Act also includes provisions related to Development Control Plans (DCPs) which require consequential amendments to the Planning Regulation 2017 to give effect to these changes. As a result of recent public consultation, several submissions were received relating to the DCP provisions. While most of the submissions were supportive of the changes, possible amendments were suggested relating to the provisions translating prohibited development to impact assessable development and other miscellaneous provisions in the DCPs.

Given the feedback received and the complexity of the possible amendments to the Planning Regulation 2017, the DCP provisions in the HAAPOLA Act will commence at a later date. This will allow for further engagement with key stakeholders on the proposed amendments to the Planning Regulation and ensure consistency with the policy intent of the amendments in the HAAPOLA Act.

The amended MGR (version 3.0) and copy of the public notice is available online at: <https://www.planning.qld.gov.au/planning-framework/plan-making/state-planning/ministers-guidelines-and-rules> and the amended DA Rules (version 2.0) and copy of the public notice is available at: <https://www.planning.qld.gov.au/planning-framework/development-assessment/development-assessment-process/da-rules>. DA Form 1 has also been updated and is available at: <https://www.planning.qld.gov.au/planning-framework/development-assessment/development-assessment-process/forms-and-templates>.

For information about the HAAPOLA Act and its consequential amendments, please visit our website at: <https://www.planning.qld.gov.au/planning-issues-and-interests/housing-availability-and-affordability-pola-amendment-act-2024>.

DHLGPPW will continue to engage with you on the proposed amendments to DCP provisions in the Planning Regulation 2017. In the meantime, if you need further information, please contact Mr Phil Joyce, A/Executive Director, Policy and Statutory Planning in the department by telephone on (07) 3452 7449 or by email at phil.joyce@dsdilgp.qld.gov.au who will be please to assist.

Yours sincerely _____



Tess Pickering
Deputy Director-General
Planning Group

From: [Jamaica Hewston](#)
To: [Danika Cowie](#)
Subject: FW: Mango Hill DCP
Date: Tuesday, 27 August 2024 8:35:11 PM
Attachments: [image004.png](#)
[image005.png](#)

FYI below

Regards

Jamaica Hewston
Acting Manager
SEQ North Regional Office
Planning and Development Services
Planning Group
Department of Housing, Local Government, Planning and Public Works

P 07 5352 9718 or Sch. 4(4)(6) - Disclos
E jamaica.hewston@dsdilgp.qld.gov.au



I acknowledge the Traditional Custodians of the land on which we walk, work and live. I pay my respects to Elders past, present, and emerging.

From: Marco Alberti <Marco.Alberti@moretonbay.qld.gov.au>
Sent: Tuesday, August 27, 2024 8:31 PM
To: Jamaica Hewston <Jamaica.Hewston@dsdilgp.qld.gov.au>
Cc: Glenn Hammill <Glenn.Hammill@moretonbay.qld.gov.au>; david.close <david.close@moretonbay.qld.gov.au>; Tina Maltby-Wells <Tina.Maltby-Wells@moretonbay.qld.gov.au>; Carly Quin <Carly.Quin@moretonbay.qld.gov.au>
Subject: FW: Mango Hill DCP

Hi Jamaica;

Invite list would be;

- Marco Alberti
- Glenn Hammill
- David Close
- Tina Maltby-Wells
- Carly Quin

Thanks Marco

Marco Alberti
Coordinator Planning Assessment (South)
Development Services - Planning Division
City of Moreton Bay

City of Moreton Bay logo



Marco.Alberti@moretonbay.qld.gov.au
07 5433 2424

Sch. 4(4)(6) - Disclosing

220 Gympie Road, Strathpine
QLD 4500
moretonbay.qld.gov.au

From: Jamaica Hewston <Jamaica.Hewston@dcdilgp.qld.gov.au>
Sent: Monday, August 26, 2024 5:57 PM
To: Marco Alberti <Marco.Alberti@moretonbay.qld.gov.au>
Subject: Mango Hill DCP

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Hi Marco

Just wanted to give you a heads up that we will be looking to meet/workshop with Moreton Bay officers on the potential amendments in the Planning Regulation relating the Mango Hill DCP.

Who are the appropriate officers to invite?

Regards

Jamaica Hewston

Acting Manager

SEQ North Regional Office

Planning and Development Services

Planning Group

Department of Housing, Local Government, Planning and Public Works

P 07 5352 9718 o

Sch. 4(4)(6) - Disclos

E jamaica.hewston@dcdilgp.qld.gov.au

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