

Draft Amendment 01-2024 of the State Planning Provisions

Terms of Reference

I, Michael Darrel Joseph Ferguson, Minister for Planning, pursuant to section 30C(1) of *The Land Use Planning and Approvals Act 1993* (the LUPA Act), hereby issue these Terms of Reference for the preparation of the draft amendment 01-2024 of the State Planning Provisions (SPPs).

Background

The SPPs were made on 22 February 2017 and came into effect on 2 March 2017. It is important that the SPPs are kept under regular review to ensure they remain contemporary and fit-for-purpose.

A comprehensive review of the SPPs commenced in 2022 as part of five-yearly statutory review of the SPPs to identify provisions that may require amendment.

A number of potential SPPs amendments were identified to address stand-alone or well resolved issues such as operational matters and clarifying and improving requirements. These have been assigned to Action Group 1 as part of the SPPs Review.

Concurrent to the SPPs review, consultation with councils that are managing active landslips indicates that the Landslip Hazard Code requires further clarification to better define its application. Further clarification is also necessary to support consistent application of the hazard codes by councils including clarification of the code exemptions relating to the *Building Act 2016*.

Scope of the draft amendment

Draft amendment 01-2024 of the SPPs is to make any necessary amendments to the SPPs that clarify the operation of the exemptions in the Coastal Erosion Hazard Code (C10), Coastal Inundation Hazard Code (C11), and Landslip Hazard Code (C15).

Statutory requirements for the draft amendment

The draft SPP amendment is to be prepared in accordance with the requirements in Part 3, Division 2 of the LUPA Act.

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