



# Urban design outcomes for significant projects: Referral advice trigger and State Development Assessment Provisions code

## Summary

From 3 July 2017, Queensland will operate under new planning legislation – providing the basis for securing the liveability, sustainability and prosperity of our communities, both now and into the future.

In anticipation of the new planning legislation, the Department of Infrastructure, Local Government and Planning undertook a review of how the state's interests are expressed in the planning system.

This review included a new urban design trigger in the Planning Regulation 2017. The urban design trigger enables the Queensland Government to provide advice to applicants and local governments on a significant project's design response. The trigger is intended to ensure significant projects positively contribute to the place and region they are located in.

This fact sheet provides an overview of the:

- referral trigger
- role of the state as advice agency
- new urban design state code included in the State Development Assessment Provisions version 2.0 (SDAP v2.0)
- exemption process

## The referral trigger

Schedule 10, part 18 of the Planning Regulation 2017, triggers the assessment of material change of use applications, considered to be significant projects.

Significant projects are determined on the basis of the location, use, zoning and gross floor area (GFA).

If triggered, the state is a referral agency for advice only. There is an assessment fee of \$15,000.

As an outcome of public consultation, the following changes have been made to the trigger:

- Where written urban design advice has previously been obtained at the preliminary approval stage, the same advice can be resubmitted for subsequent development permits under the preliminary approval providing the development is not materially different.
- Residential subdivisions and large format retail developments are not captured.
- Only new GFA over the relevant threshold is captured.
- The GFA threshold for development in the Gold Coast local government area has been raised to 50,000 m<sup>2</sup>.

## Role of the state as advice agency

Development applications meeting the criteria of the trigger are referred to the State Assessment and Referral Agency (SARA), who then seeks technical advice from the Office of the Queensland Government Architect (OQGA) before issuing advice to the assessment manager.

The OQGA reviews the proposal against the principles outlined in State code 24: Urban design outcomes for significant projects.



## The new urban design code in SDAP v2.0

State code 24 establishes the key principles for achieving high quality urban design outcomes, and provides direction to applicants on how these should be reflected in significant projects.

The structure of this code differs to other SDAP v2.0 codes because the referral is triggered for advice only.

When a development application is referred under the urban design trigger, it is recommended that applicants produce an urban design statement.

An urban design statement should include a description of the overarching project vision and design, which demonstrates how the proposal responds to the key urban design principles in the code.

The urban design statement will be used by the OQGA and SARA to review and provide advice on urban design matters.

Following public consultation, the code has been amended to note that, if any of the urban design principles are not incorporated in a proposal, the applicant should address why this is the case.

## Exemption process

As outlined in figure 1, an application is not triggered for referral if written urban design advice is received prior to lodging the application; and is given to the assessment manager (usually local government) as part of the application material.

This exemption is intended to encourage applicants to incorporate best practice urban design principles prior to an application being lodged with the assessment manager.

Written urban design advice can be provided by the OQGA or an urban design review entity established by a local government and stated in a gazette notice.

With agreement from the OQGA, the Chief Executive of the Department of Infrastructure, Local Government and Planning may publish a gazette notice enabling a local government-convened urban design review entity to provide written urban design advice instead of the OQGA.

The urban design review entity approval process empowers local governments to facilitate quality urban design outcomes in their local areas.

Local governments can seek the OQGA's agreement to form an urban design review entity by providing:

- details of proposed panel membership including urban design expertise, skills and experience
- the panel's terms of reference or charter
- demonstration that arrangements are in place to ensure that the panel's advice is given appropriate weight by the assessment manager.

Some local governments, including Brisbane City Council, Sunshine Coast Council and Toowoomba Regional Council have already formed urban design review entities or panels. These existing entities will need to obtain agreement from the OQGA and be subject to gazettal in order to provide written urban design advice for the purposes of the exemption from the trigger.

Further information on the trigger, State code 24 and the exemption process can be found in the Urban design outcomes for significant projects state code planning guideline at [www.dilgp.qld.gov.au/planning/architectural-and-urban-design-advice](http://www.dilgp.qld.gov.au/planning/architectural-and-urban-design-advice)

**Figure 1: Assessment pathways for significant projects**

