

# Ministerial conditions

Pursuant to section 20 of the *Planning Act 2016*

Pursuant to section 20 for amending a planning scheme under the *Planning Act 2016* (the Planning Act), I hereby advise the Townsville City Council (the council) that it may proceed to publicly consult the proposed Amendment Package 1 (proposed major amendment) to the *Townsville City Plan 2014*, as submitted to the Department of State Development, Infrastructure, Local Government and Planning on 20 February and 8 March 2023, subject to the following conditions:

CONDITION	TIMING
<b>State Planning Policy 2017 (SPP) Guiding principle: Positive responses to change and SPP – State interest: Natural hazards, risk and resilience (bushfire)</b>	
1. Amend the proposed amendment as per the enclosed Table 1: Amendments to Bushfire hazard provisions.	Prior to publicly consulting on the proposed major amendment.
2. The council must commence an amendment to fully integrate the State Planning Policy 2017 state interest for Natural hazards, risk and resilience (bushfire prone areas), including a fit-for-purpose risk assessment to identify and achieve an acceptable or tolerable level of risk for personal safety and property in bushfire prone areas.	Within 12 months from the date of adoption of the proposed major amendment.
<b>State Planning Policy 2017 (SPP) Guiding principle: Positive responses to change and SPP – State interest: Housing supply and diversity</b>	
3. The council must:	
(a) Complete an evidenced-driven, data based, comprehensive and conclusive Housing Strategy to appropriately manage residential growth, focusing on housing choice, diversity, accessibility and affordability, to meet the current and future needs and emerging trends of Townsville.	(a) within 12 months from the date of adoption of the proposed major amendment.
(b) The housing strategy must be prepared in accordance with section 2.2.3 "Preparing a housing strategy", Integrating state interests in a planning scheme – Guidance for local governments, prepared by the State of Queensland, Department of State Development, Infrastructure, Local Government and Planning, dated November 2021, version 1.2.	(b) at all times.
(c) Review the planning scheme following completion of the housing strategy to determine whether it is necessary to amend the planning scheme to align with any recommendations from the housing strategy.	(c) within 12 months from the date of adoption of the proposed major amendment.
(d) Notify the Department of State Development, Infrastructure, Local Government and Planning via the email address <a href="mailto:NQplanningschemes@dsdilgp.qld.gov.au">NQplanningschemes@dsdilgp.qld.gov.au</a> when the review has been completed.	(d) Within 1 month of completion of the review.
(e) Submit a report to the Minister on completion of the review, that includes:	(e) Within six months of completing (c).

CONDITION	TIMING
<ul style="list-style-type: none"> <li>(i) A copy of the Housing Strategy</li> <li>(ii) Detail of how the planning scheme provides for the needs identified in the Housing Strategy</li> <li>(iii) An accompanying statement from the council that identifies whether an amendment should be made to the planning scheme as a result of the review</li> <li>(iv) Details of any proposed amendments required</li> <li>(v) The reasons for the council's position</li> <li>(vi) Timeframes to prepare and adopt any identified amendment.</li> </ul>	
<b>SPP Guiding principles: Positive responses to change, Efficient determination of appropriate development and SPP – State interest: Development and construction</b>	
<p>4. The council must:</p> <ul style="list-style-type: none"> <li>(a) Complete a review of the zoning (including any applicable precincts) for the following state-owned properties to determine an appropriate zoning to facilitate public benefit outcomes: <ul style="list-style-type: none"> <li>• 2SP141068 (North Ward Health Campus)</li> <li>• 34FTY1751 and 815AP19220 (Clement State Forest)</li> <li>• 1AP19249 and 741FTY1937 (Mingela State Forest)</li> <li>• 268FTY1271 (Part of Paluma State Forest).</li> </ul> </li> <li>(b) Notify the Department of State Development, Infrastructure, Local Government and Planning via the email address <a href="mailto:NQplanningschemes@dSDLGP.qld.gov.au">NQplanningschemes@dSDLGP.qld.gov.au</a> when the review has been completed.</li> <li>(c) Submit a report to the Minister on completion of the review. The report must detail the findings of the review and provide an accompanying statement from the council that identifies whether the council considers an amendment should be made to the planning scheme as a result of the review, and the reasons for the council's decision.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Within 24 months from the date of adoption of the proposed major amendment.</li> <li>(b) Within 1 month of completion of the review.</li> <li>(c) Within six months of completing (b).</li> </ul>
<b>SPP Guiding principle: Efficient determination of appropriate development and SPP – State interest: Emissions and hazardous activities</b>	
<p>5. Amend the proposed amendment as per the enclosed Table 2: Amendments to Explosive Reserve provisions.</p>	<p>Prior to publicly consulting on the proposed major amendment.</p>

Dated this 14<sup>th</sup> day of August 2023



**STEVEN MILES MP**  
**DEPUTY PREMIER**  
Minister for State Development, Infrastructure,  
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Minister Assisting the Premier on  
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**Table 1: Amendments to Bushfire Hazard Provisions**

1. Amend the Development Constraints Overlay Map OM-02 (Bushfire hazard) to incorporate the State Planning Policy Interactive Mapping System Bushfire Prone Area layers and mapping symbols.
<p>2. Amend the Development Constraints Overlay Map OM-02 (Bushfire hazard) legend to reflect the State Planning Policy Interactive Mapping System Bushfire Prone Area layers as follows:</p> <p>(a) Very High Potential Bushfire Intensity  (b) High Potential Bushfire Intensity  (c) Medium Potential Bushfire Intensity  (d) Potential Impact Buffer.</p>
3. Replace Table 5.9.1 – Assessment benchmarks for overlays heading “Bushfire hazard overlay (high hazard area)” with “Bushfire hazard overlay (very high, high or medium potential bushfire intensity and potential impact buffer)” to reflect the State Planning Policy Interactive Mapping System Bushfire Prone Area layers.
4. Delete Table 5.9.1 – Assessment benchmarks for overlays heading “Bushfire hazard overlay (medium hazard area)”, as the medium hazard area will be incorporated into the overlay assessment benchmarks that reflect the State Planning Policy Interactive Mapping System Bushfire Prone Area layers.
<p>5. Amend the following Performance Outcomes (PO) and Acceptable Outcomes (AO) in the Bushfire hazard overlay code, Table 8.2.2.3 to align terminology with the State Planning Policy Interactive Mapping System Bushfire Prone Area layers terminology “very high, high or medium potential bushfire intensity and potential impact buffer”:</p> <p>(a) Replace the reference to “high hazard areas” in PO2 and AO2 with “very high, high or medium potential bushfire intensity and potential impact buffer”.  (b) Replace reference to “high or medium” in AO5 to “very high, high or medium potential bushfire intensity and potential impact buffer”.  (c) Replace reference to “high or medium” in AO7 to “very high, high or medium potential bushfire intensity and potential impact buffer”.  (d) Replace reference to “high hazard areas” in AO9.1 to “very high or high potential bushfire intensity” and “medium hazard” to “medium potential bushfire intensity”.</p>
6. Replace reference to “QFRS” in Acceptable Outcome (AO) AO9.2 in the Bushfire hazard overlay code, Table 8.2.2.3 to “Queensland Fire and Emergency Services (QFES)”.

**Table 2: Amendments to Explosive Reserve Provisions**

<p><b>SPP Guiding principle: Efficient determination of appropriate development and SPP – State interest: Emissions and hazardous activities</b></p>
<p>1. Amend the Major Infrastructure and hazardous facilities overlay Table 5.9.1 – Assessment benchmarks for overlays as follows, to combine the Brookhill explosive reserve and Department of Defence explosive ordnance depots into one “Explosive reserve” overlay:</p> <ul style="list-style-type: none"> <li>(a) Major infrastructure and hazardous facilities overlay – within <b>the</b> Brookhill Explosive reserve buffer.</li> <li>(b) Delete the heading “Major infrastructure and hazardous facilities overlay – within Defence explosive ordnance” and related tables.</li> </ul>
<p>2. Amend section 8.2.8 Major Infrastructure and hazardous facilities overlay code to combine the “Brookhill explosive reserve” and “Department of Defence explosive ordnance depots” into one “Explosive reserve” overlay, including:</p> <ul style="list-style-type: none"> <li>(a) Delete (a) “Brookhill explosive reserve” and (k) “Defence explosive ordnance depots” in section 8.2.8.2 (1) and insert “Explosive reserves” as a new item.</li> <li>(b) Replace section 8.2.8 Purpose (2) with: “The purpose of the code is to manage the risk that the operation of a hazardous chemical facility or explosive reserve may pose to people and property to an acceptable level”.</li> <li>(c) Replace section 8.2.8 Purpose (3)(f) with: “development does not increase the number of lots created, or people living or working in proximity to a hazardous chemical facility or explosive reserve, other than for special industry uses directly related to explosives, their distribution, disposal, storage or manufacture.</li> <li>(d) Delete PO2 (a) “Brookhill explosive reserve” and (j) “Defence explosive ordnance depot” and insert “Explosive reserves” as a new item.</li> <li>(e) Delete the reference to “Brookhill explosive reserve” and “Defence explosive ordnance depots” in the PO2 Editor’s Note and replace with “Explosive reserves”.</li> <li>(f) Delete the “Brookhill explosive reserves and facilities buffer areas” heading in Table 8.2.8.3 Assessable development (Part) and replace with “Explosive reserve buffer areas”.</li> <li>(g) Delete reference to the “Office of Industrial Relations” in the PO3 Editor’s note and replace with “Department of Defence”.</li> <li>(h) Delete the reference to the “Brookhill explosive reserve buffer area” and the “Defence safeguarding buffer area” in PO4 and replace with “Explosive reserve buffer area”.</li> <li>(i) Replace PO5 with: “Buildings within the Explosive reserve buffer area are designed and constructed to be protected against potential hazards arising from proximity to explosives manufacture, storage, testing, disposal and distribution”.</li> <li>(j) Insert in the PO5 Editor’s note that applicants are also required to obtain written endorsement from the Department of Defence.</li> </ul>
<p>3. Amend the Major infrastructure and hazardous facilities overlay map OM-08.2 to combine the “Brookhill explosive reserve” and “Department of Defence explosive ordnance depots” into one “Explosive reserve / buffer” overlay.</p>