

Draft Amendment 02-2025 of the State Planning Provisions

Terms of Reference

I, Felix Ashton Ellis, Minister for Housing, Planning and Consumer Affairs, 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 draft amendment 02-2025 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 the intended planning outcomes are delivered.

A comprehensive review of the SPPs commenced in March 2022, as part of the five-yearly statutory review of the SPPs, to identify provisions that may require amendment to deliver a better planning outcome.

A number of amendments were identified by a range of stakeholders, including local councils, State agencies and authorities, and others involved in the operation of the SPPs, and submissions made through the SPPs review scoping consultation.

The issues were categorised into Action Groups and this amendment is categorised among Action Group 1 of the SPPs Review project.

The amendment is intended to address 4 separate issues. These are to be grouped together as one amendment in 4 parts for administrative convenience.

Scope of the draft amendment

Draft amendment 02-2025 of the SPPs is to make any necessary amendments to the SPPs to clarify the operational requirements of the SPPs under section 30D of the LUPA Act, specifically for the following purposes:

- clarifying the subdivision potential for lots in more than one zone (split zoned lots), particularly where the applicable zones have different minimum lot size requirements for subdivision;
- revising the definition and operational requirements for employment training centre;
- updating the operational requirements for home-based child care exemption to align with current legislation; and
- amending the exemption limitations relating to electricity infrastructure.

Statutory requirements for the draft amendment

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

Date this 30th day of March 2025



Felix Ashton Ellis

Minister for Housing, Planning and Consumer Affairs