



Queensland

Planning (Walkable Neighbourhoods) Amendment Regulation 2020

Subordinate Legislation 2020 No. 162

made under the

Planning Act 2016

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1 Short title

This regulation may be cited as the *Planning (Walkable Neighbourhoods) Amendment Regulation 2020*.

2 Commencement

This regulation commences on 28 September 2020.

3 Regulation amended

This regulation amends the *Planning Regulation 2017*.

4 Amendment of s 17 (Assessment benchmarks that local categorising instruments may not be inconsistent with—Act, s 43)

Section 17(a)—

omit, insert—

- (a) an assessment benchmark stated in schedule 11 or 12A;

5 Amendment of sch 10 (Development assessment)

Schedule 10, part 14, division 2, table 1, item 2, column 2, after ‘the development’—

insert—

For reconfiguring a lot that schedule 12A applies to—the assessment benchmarks prescribed in schedule 12A for the development

6 Insertion of new sch 12A

After schedule 12—

insert—

Schedule 12A Assessment benchmarks for particular reconfiguring a lot

schedule 10, part 14

Part 1 Preliminary

1 Application of schedule

- (1) This schedule applies to reconfiguring a lot if—
 - (a) the reconfiguration is the subdivision of the lot into 2 or more lots (each a *created lot*); and
 - (b) the lot being reconfigured is wholly or partly in a prescribed zone under a local instrument applying to the lot; and
 - (c) no part of the lot being reconfigured is in either of the following zones under a local instrument applying to the lot—
 - (i) a rural residential zone stated in schedule 2;
 - (ii) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone mentioned in subparagraph (i); and
 - (d) at least 1 created lot is intended mainly for a residential purpose; and
 - (e) the reconfiguration is associated with the construction or extension of a road.

- (2) In this section—

prescribed zone means—

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- (a) any of the following zones stated in schedule 2—
 - (i) general residential zone, low density residential zone, low-medium density residential zone, medium density residential zone, high density residential zone, character residential zone or tourist accommodation zone;
 - (ii) emerging community zone;
 - (iii) mixed use zone; or
- (b) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone mentioned in paragraph (a).

2 Definitions for schedule

In this schedule—

block, in relation to reconfiguring a lot, means an area consisting of 2 or more adjacent created lots for the reconfiguration.

created lot see section 1(1)(a).

local assessment benchmark, for reconfiguring a lot, means an assessment benchmark for the reconfiguration stated in a local categorising instrument applying to the lot.

new road, in relation to reconfiguring a lot, means—

- (a) a road constructed in association with the reconfiguration; or
- (b) the extended part of a road that is extended in association with the reconfiguration.

road does not include—

- (a) a laneway; or
- (b) a pedestrian or bicycle path.

Part 2 Assessment benchmarks

3 Purpose of part

- (1) This part sets out assessment benchmarks for reconfiguring a lot to which this schedule applies.
- (2) The purpose of this part is to ensure the reconfiguration supports convenient and comfortable walking for transport, recreation, leisure and exercise in the locality of the lot.

4 Connectivity

The reconfiguration provides connectivity for pedestrians by—

- (a) ensuring that any roads constructed or extended in association with the reconfiguration are connected in a grid-like pattern that is responsive to topography and other physical constraints; and
- (b) ensuring that, to the extent topography and other physical constraints reasonably permit, any roads constructed or extended in association with the reconfiguration, or footpaths provided in relation to the reconfiguration—
 - (i) connect to roads and footpaths in surrounding areas; or
 - (ii) allow for connection to future roads and footpaths in surrounding areas.

5 Maximum length of particular blocks

- (1) The reconfiguration provides for convenient pedestrian movement by ensuring the length of each boundary of a block for the reconfiguration

[s 6]

does not exceed the lesser of—

- (a) a maximum length for a boundary of a block stated in a local assessment benchmark for the reconfiguration; or
 - (b) 250m.
- (2) Subsection (1) does not apply in relation to a block for the reconfiguration that the development application for the reconfiguration states will be subdivided as part of a future stage of development.

6 Street trees

The reconfiguration provides shade for comfortable walking by—

- (a) if a local assessment benchmark for the reconfiguration requires the planting of more than 1 tree per 15m on each side of a new road—complying with the local assessment benchmark; or
- (b) otherwise—ensuring at least 1 tree is planted per 15m on each side of a new road.

7 Footpaths

The reconfiguration provides for convenient and comfortable pedestrian movement by ensuring—

- (a) for a new road used mainly for providing direct access to a created lot—a footpath is constructed—
 - (i) if a local assessment benchmark for the reconfiguration requires the construction of a footpath on both sides of the new road—on both sides of the road; or
 - (ii) otherwise—on at least 1 side of the new road; or

- (b) for another new road—a footpath is constructed on both sides of the road.

8 Parks and other areas of open space

- (1) The reconfiguration ensures access to areas for recreation, leisure or exercise by ensuring that, to the extent topography and other physical constraints reasonably permit, a part of each block for the reconfiguration is within 400m of a park or another area of open space that is accessible to the public.
- (2) In this section—
park includes—
 - (a) an existing park; and
 - (b) a park, to be provided under a development approval, if development of the park has started; and
 - (c) land identified as a park in a local planning instrument; and
 - (d) land identified in an LGIP for public park infrastructure.

Part 3 Relationship with other assessment benchmarks

9 When local assessment benchmarks are not inconsistent with pt 2

- (1) This section applies if a local assessment benchmark for the reconfiguration is in relation to the purpose mentioned in section 3(2).
- (2) The local assessment benchmark is not inconsistent with an assessment benchmark under

part 2 to the extent the local assessment benchmark contains extra requirements for the reconfiguration.

7 Amendment of sch 24 (Dictionary)

(1) Schedule 24, definition *created lot*—

omit.

(2) Schedule 24—

insert—

block, in relation to reconfiguring a lot, for schedule 12A, see schedule 12A, section 2.

created lot—

(a) for schedule 12—see schedule 12, section 1(1)(b); or

(b) for schedule 12A—see schedule 12A, section 1(1)(a).

local assessment benchmark, for reconfiguring a lot, for schedule 12A, see schedule 12A, section 2.

new road, in relation to reconfiguring a lot, for schedule 12A, see schedule 12A, section 2.

road, for schedule 12A, see schedule 12A, section 2.

ENDNOTES

- 1 Made by the Governor in Council on 27 August 2020.
- 2 Notified on the Queensland legislation website on 28 August 2020.
- 3 The administering agency is Queensland Treasury.

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