

Proclamation – Housing Availability and Affordability (Planning and Other Legislation Amendment) Act 2024

Explanatory notes for SL 2024 No. 124

made under the

Housing Availability and Affordability (Planning and Other Legislation Amendment) Act 2024

General Outline

Short title

Proclamation for the *Housing Availability and Affordability (Planning and Other Legislation Amendment) Act 2024*.

Authorising law

Section 2 of the *Housing Availability and Affordability (Planning and Other Legislation Amendment) Act 2024*.

Policy objectives and the reasons for them

The objective of the proclamation is to commence certain provisions of the *Housing Availability and Affordability (Planning and Other Legislation Amendment) Act 2024* (the Act) that did not commence on assent, on 26 April 2024.

The commencement of these provisions in the Act will provide for:

- the establishment of State facilitated development to facilitate development that is a priority to the State (for example, affordable housing);
- the creation of new acquisition and easement powers to deliver critical development infrastructure;
- streamlined renewal and registration processes for the urban encroachment provisions;
- new ability to impose conditions for an affordable housing component;
- improved functionality for applicable events and temporary use licences;
- streamlined powers for the Planning Minister to direct an amendment to a local planning instrument; and
- removal of duplication of assessment for Queensland heritage places, including, places that are both Queensland heritage places and local heritage places.

Achievement of policy objectives

The policy objective will be achieved by fixing a date of 22 July 2024 for the commencement of certain provisions within the Act, that did not commence on assent.

Consistency with policy objectives of authorising law

The proclamation is consistent with the policy objectives of the Act.

Inconsistency with policy objectives of other legislation

No inconsistencies with the policy objectives of other legislation have been identified.

Alternative ways of achieving policy objectives

The proclamation is the only effective means of achieving the policy objective.

Benefits and costs of implementation

There are no costs associated with the proclamation.

Consistency with fundamental legislative principles

The proclamation is consistent with fundamental legislative principles.

Consultation

Targeted stakeholder consultation including, all local governments, local government peak bodies, utility providers and legal, community and industry peak bodies occurred on the policy intent of the housing related tools between 31 March to 14 April 2022 and through stakeholder meetings throughout 2022 and 2023.

Public consultation was undertaken about the policy intent for the proposed amendments to the *Planning Act 2016* relating to some of the operational amendments for 20 business days from 4 April to 5 May 2023.

Consultation occurred with key stakeholders such as the Local Government Association of Queensland, Housing Supply Expert Panel, Urban Development Institute of Australia, Planning Institute of Australia and Property Council of Australia in relation to some of the amendments including the affordable housing component.

In accordance with the Queensland Government Better Regulation Policy, a Summary Impact Analysis Statement (IAS) has been prepared and approved by the Director-General, Department of Housing, Local Government, Planning and Public Works and Minister for Housing, Local Government and Planning and Minister for Public Works. The IAS found, in summary, that making the Proclamation is machinery in nature. Therefore, no further regulatory impact assessment is required.