

Draft Amendment 03-2024 of the State Planning Provisions

Terms of Reference

I, FELIX ASHTON ELLIS, Minister for Housing and Planning, 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 03-2024 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 they remain relevant and suitable for a better planning outcome.

A comprehensive review of the SPPs commenced in 2022 as part of five-yearly statutory review of the SPPs to identify provisions that may require amendment.

Minor amendments have been 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 on the SPPs review scoping consultation.

There is also the opportunity to align the SPPs with approved *Planning Directive No. 10 – Exemptions for Display Homes*, currently in effect in the remaining interim planning schemes and the *Sullivans Cove Planning Scheme 1997*.

Scope of the draft amendment

Draft amendment 03-2024 of the SPPs is to make any necessary amendments to the SPPs that are capable of meeting the criteria for minor amendments of the SPPs under section 30NA(1) of the LUPA Act, particularly for the following purposes:

- correcting a clerical mistake or error in a provision of the SPPs;
- clarifying or simplifying the SPPs;
- removing inconsistencies within the SPPs and with other Acts; and
- bringing the SPPs into conformity with *Planning Directive No. 10 – Exemption for Display Homes* which the former Minister for Planning, under section 30BA of the LUPA Act, determined should be reflected in the SPPs.

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.

Dated this 26th day of June 2024



FELIX ASHTON ELLIS
Minister for Housing and Planning