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# Sustainable Planning Bill 2009

## Amendments agreed to during Consideration

**1 Clause 144 (Special charge for making a structure plan)—**

Page 123, lines 1 to 3—

*omit, insert—*

- ‘(9) For making and levying the charge, a regulation under the Local Government Act, section 96(a) about concessions for rates applies as if the charge were rates under that Act.’.

**2 Clause 144 (Special charge for making a structure plan)—**

Page 123, line 5, ‘section 957’—

*omit, insert—*

‘section 93(2)’.

**3 Clause 248 (Jurisdiction of local government as assessment manager for particular development)—**

Page 181, line 27, ‘section 25’—

*omit, insert—*

‘section 9’.

**4 Clause 248 (Jurisdiction of local government as assessment manager for particular development)—**

Page 182, lines 2 and 3—

*omit, insert—*

‘Local Government Act, section 9 (Powers of local governments generally)’.

**5 Clause 297 (Applicant or assessment manager to give public notice of application)—**

Page 214, lines 15 to 18—

*omit, insert—*

‘(e) if there is a time share scheme, as defined under the Local Government Act, for a structure on the adjoining land—the person notified to the local government concerned as the person responsible for the administration of the scheme as between the participants in the scheme; or’.

**6 Clause 354 (Effect on IDAS—changes about matters relating to submissions or information requests)—**

Page 254, lines 15 to 25—

*omit, insert—*

‘(ii) is in response to an information request.

‘(2) IDAS does not stop for the changed application.

‘(3) Subsection (3A) applies if the notification stage applied to the original application and the change was made during the notification stage or after the notification stage ended.

‘(3A) The notification stage must restart or be repeated unless the assessment manager is satisfied the change would not be likely to attract a submission objecting to the thing comprising the change, if the notification stage were to apply to the change.’.

**7 Clause 393 (Purpose of compliance stage)—**

Page 280, line 4, ‘approval.’—

*omit, insert—*

‘approval or compliance permit.’.

**8 Clause 398 (Nominating document or work for compliance assessment—condition of development approval)—**

Page 281, line 26 ‘approval’—

*omit, insert—*

‘approval or compliance permit’.

**9 Clause 398 (Nominating document or work for compliance assessment—condition of development approval)—**

Page 281, line 27 ‘approval’—

*omit, insert—*

‘approval or compliance permit’.

**10 Clause 399 (Who may carry out compliance assessment)—**

Page 283, lines 5 and 6—

*omit, insert—*

‘local government condition, a nominated entity may’.

**11 Clause 399 (Who may carry out compliance assessment)—**

Page 283, after line 9—

*insert—*

‘*local government condition* means a condition of—

- (a) a development approval imposed by a local government as assessment manager; or
- (b) a compliance permit imposed by a local government as compliance assessor.’.

**12 Clause 452 (Registrars and other court officers)—**

Page 314, lines 10 to 13—

*omit, insert—*

- ‘(1) The principal registrar of the District Court at Brisbane is the principal registrar of the court.
- ‘(2) The registrars of the District Court are the registrars of the court.’.

**13 Clause 453 (Registries)—**

Page 314, lines 20 to 25—

*omit, insert—*

- ‘(3) The registries of the court are under the control of the principal registrar.
- ‘(4) The principal registrar may give directions to the registrars and other court officers employed in the registries.’.

**14 Clause 454 (Court records)—**

Page 315, line 2—

*omit, insert—*

- ‘(1) The principal registrar must keep records of’.

**15 Clause 454 (Court records)—**

Page 315, lines 6 and 7—

*omit, insert—*

‘custody of the principal registrar.’.

**16 Clause 456 (Court may make declarations and orders)—**

Page 315, lines 18 and 19—

*omit, insert—*

‘(b) the construction of this Act, planning instruments and master plans under this Act and guidelines made under section 117, 145, 627 or 630(1);’.

**17 Clause 457 (Costs)—**

Page 318, lines 17 and 18—

*omit, insert—*

‘be decided under the appropriate procedure, and scale of costs, prescribed by law for’.

**18 Clause 457 (Costs)—**

Page 318, lines 20 to 22—

*omit.*

**19 Clause 492 (Hearing procedures)—**

Page 337, lines 25 to 29—

*omit, insert—*

‘The procedure for hearing an appeal is to be under the rules of court and the orders or directions of the court or the Chief Judge.

*Note—*

See section 446(4) for when an order or direction of the court or the Chief Judge prevails over the rules of court.’.

**20 Clause 596 (Assessing authority may take action)—**

Page 395, lines 16 to 18—

*omit, insert—*

‘If the assessing authority is a local government, it has similar powers and may recover its costs under the Local Government Act, section 142.’.

- 21 Clause 629 (Funding trunk infrastructure for local governments)—**  
Page 411, lines 13 to 15—  
*omit, insert—*  
‘See the Local Government Act, chapter 4 (Finances and accountability), part 1 (Rates and charges) for a local government’s power to levy rates and charges in other ways.’.
- 22 Clause 639 (Infrastructure charges taken to be a rate)—**  
Page 419, line 19, ‘a rate’—  
*omit, insert—*  
‘rates’.
- 23 Clause 639 (Infrastructure charges taken to be a rate)—**  
Page 419, line 21, ‘a rate’—  
*omit, insert—*  
‘rates’.
- 24 Clause 648 (Regulated infrastructure charges taken to be a rate)—**  
Page 424, line 8, ‘a rate’—  
*omit, insert—*  
‘rates’.
- 25 Clause 648 (Regulated infrastructure charges taken to be a rate)—**  
Page 424, line 10, ‘a rate’—  
*omit, insert—*  
‘rates’.

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- 26 Clause 674 (Recovery of regulated State infrastructure charges)—**  
Page 446, lines 14 and 15—  
*omit, insert—*  
(2) A regulation under the Local Government Act, section 96(c) applies for the charge—’.
- 27 Clause 674 (Recovery of regulated State infrastructure charges)—**  
Page 446, line 16, ‘a rate’—  
*omit, insert—*  
‘rates’.
- 28 Clause 674 (Recovery of regulated State infrastructure charges)—**  
Page 446, line 17, ‘provisions to an overdue rate’—  
*omit, insert—*  
‘regulation to overdue rates’.
- 29 Clause 674 (Recovery of regulated State infrastructure charges)—**  
Page 446, line 19, ‘provisions’—  
*omit, insert—*  
‘regulation’.
- 30 Clause 674 (Recovery of regulated State infrastructure charges)—**  
Page 446, line 21, ‘provisions’—  
*omit, insert—*  
‘regulation’.

**31 Clause 674 (Recovery of regulated State infrastructure charges)—**

Page 446, lines 29 and 30—

*omit, insert—*

‘Local Government Act, section 96 (Regulations for rates and charges).’

**32 Clause 867 (Provision for particular development applications—local heritage places)—**

Page 566, line 17, ‘an existing application’—

*omit, insert—*

‘a development application made under repealed IPA’.

**33 Clause 867 (Provision for particular development applications—local heritage places)—**

Page 566, line 24, ‘an existing application’—

*omit, insert—*

‘a development application made under repealed IPA’.

**34 Schedule 3 (Dictionary)—**

Page 728, line 5, ‘1993’—

*omit, insert—*

‘2009’.

**35 Schedule 3 (Dictionary)—**

Page 742, after line 14—

*insert—*

*‘Example of an interest the Minister might consider for paragraph (a)—*

a tourism development involving broad economic benefits for the State or a part of the State’.



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