



Queensland

Economic Development Act 2012

Economic Development Regulation 2013

Current as at 18 August 2017



Queensland

Economic Development Regulation 2013

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Economic Development Regulation 2013

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Economic Development Regulation 2013*.

2 Commencement

This regulation commences on 1 February 2013.

Part 2 Priority development areas

3 Transitioned UDAs and declaration of priority development areas

- (1) For section 196(1)(a) of the Act, the part of the State identified as an urban development area on the map mentioned in schedule 1, part 1, column 1 is the transitioned UDA mentioned in column 2 of part 1 of the schedule.

Note—

A transitioned UDA is taken to be a priority development area. See sections 177, definition *transitioned UDA* and 190 of the Act.

- (2) For section 37(1) of the Act, the part of the State identified as a priority development area on the map mentioned in schedule 1, part 2, column 1 is declared to be the priority development area mentioned in column 2 of part 2 of the schedule.

Editor's note—

Each map is available for inspection on the department's website.

4 Making of interim land use plan

- (1) A document, or part of a document, mentioned in schedule 2, column 1 is an interim land use plan made under section 38(1) of the Act for the priority development area mentioned in column 2 of that schedule.
- (2) A copy of each interim land use plan is held by MEDQ and available for inspection by the public.

5 Development schemes for transitioned UDAs

- (1) For section 196(1)(b)(ii) of the Act—
 - (a) each transitioned development scheme mentioned in schedule 3, part 1, column 1 is the development scheme for the transitioned UDA mentioned in column 2 of part 1 of the schedule; and
 - (b) the amendment mentioned in schedule 3, part 2, column 2 is the approved amendment for the transitioned development scheme mentioned in column 1 of part 2 of the schedule.

Editor's note—

Each transitioned development scheme is available for inspection on the department's website.

- (2) For section 64 of the Act, each development scheme mentioned in schedule 3, part 3, column 1 is approved for the transitioned UDA mentioned in column 2 of part 3 of that schedule.
- (3) In this section—

transitioned development scheme see section 194(4) of the Act.

5A Development schemes for priority development areas

For section 64 of the Act, the development scheme mentioned in schedule 4, column 1 is approved for the priority development area mentioned opposite the scheme in column 2 of that schedule.

5B Approval of amendment of development scheme

For section 68 of the Act, the amendment mentioned in schedule 5, column 2 is approved for the development scheme mentioned opposite the amendment in column 1 of that schedule.

6 Placing notice about PDA development application on land

- (1) This section prescribes for section 84(2)(b) of the Act the way a notice about a PDA development application must be placed on land.
- (2) The notice must be—
 - (a) placed on, or within 1.5m of, the road frontage for the land; and
 - (b) mounted at least 300mm above ground level; and
 - (c) positioned so that it is visible from the road; and
 - (d) made of weatherproof material; and
 - (e) not less than 1,200mm x 900mm.
- (3) The lettering on the notice must be as follows—
 - (a) for lettering in the heading of the notice—at least 50mm in height and in a bold style;
 - (b) for lettering in any subheadings of the notice—at least 25mm in height and in a bold style;
 - (c) for lettering not mentioned in paragraph (a) or (b)—at least 25mm in height, of regular weight and in sentence case.
- (4) Each sentence in the notice must start on a new line.
- (5) If the land has more than 1 road frontage, a notice must be placed on each road frontage for the land.
- (6) The applicant must maintain the notice from the day it is placed on the land until the end of the submission period for the application.

(7) In this section—

road frontage, for land, means—

- (a) generally—the boundary between the land and any road adjoining the land; or
- (b) if the only access to the land is across other land—the boundary between the other land and any road adjoining the other land at the point of access.

Part 3 Plans of subdivision

7 Approving plans of subdivision—Act, s 104

For section 104(2) of the Act, schedule 6 states the process for MEDQ to approve a plan of subdivision within the meaning of section 104(3) of the Act.

Schedule 1 Priority development areas

section 3

Part 1 Transitioned UDAs

Column 1	Column 2
Description of area	Transitioned UDA
Map No. UDA4 - Andergrove Urban Development Area	Andergrove
Map No. UDA8 - Blackwater Urban Development Area	Blackwater
Map No. UDA2 - Bowen Hills Urban Development Area	Bowen Hills
Map No. UDA14 - Caloundra South Urban Development Area	Caloundra South
Map No. UDA17 - Central Queensland University Rockhampton Urban Development Area	Central Queensland University Rockhampton
Map No. UDA5 - Clinton Urban Development Area	Clinton
Map No. UDA3 - Fitzgibbon Urban Development Area	Fitzgibbon
Map No. UDA11 - Greater Flagstone Urban Development Area	Greater Flagstone
Map No. UDA10 - Moranbah Urban Development Area	Moranbah
Map No. UDA1 - Northshore Hamilton Urban Development Area	Northshore Hamilton

Column 1	Column 2
Description of area	Transitioned UDA
Map No. UDA6 - Ooononba Urban Development Area	Ooononba
Map No. UDA12 - Ripley Valley Urban Development Area	Ripley Valley
Map No. UDA9 - Bowen Street, Roma Urban Development Area	Bowen Street, Roma
Map No. UDA15 - Tannum Sands Urban Development Area	Tannum Sands
Map No. UDA16 - Toolooa Urban Development Area	Toolooa
Map No. UDA7 - Woolloongabba Urban Development Area	Woolloongabba
Map No. UDA13 - Yarrabilba Urban Development Area	Yarrabilba

Part 2 Declared priority development areas

Column 1	Column 2
Description of area	Priority development area
Map No. PDA 2 - Blackwater East Priority Development Area	Blackwater East
Map No. PDA 5 - Maroochydore City Centre Priority Development Area	Maroochydore City Centre
Map No. PDA 1 - Parklands Priority Development Area	Parklands

Column 1	Column 2
Description of area	Priority development area
Map No. PDA 6 - Southport Priority Development Area	Southport
Map No. PDA 3 - Toondah Harbour Priority Development Area	Toondah Harbour
Map No. PDA 9 - Toowoomba Railway Parklands Priority Development Area	Toowoomba Railway Parklands
Map No. PDA 4 - Weinam Creek Priority Development Area	Weinam Creek
Map No. PDA 7 - Townsville City Waterfront Priority Development Area	Townsville City Waterfront
Map No. PDA 8 - Queen's Wharf Brisbane Priority Development Area	Queen's Wharf Brisbane
Map No. PDA 10 - The Mill at Moreton Bay Priority Development Area	The Mill at Moreton Bay
Map No. PDA 11 - Herston Quarter Priority Development Area	Herston Quarter

Schedule 2 Interim land use plans

section 4

Column 1

Interim land use plan

Herston Quarter Priority
Development Area interim land use
plan

Column 2

Priority development area

Herston Quarter

Schedule 3 Development schemes for transitioned UDAs

section 5

Part 1 Transitioned development schemes

Column 1	Column 2
Development scheme	Transitioned UDA
Andergrove UDA Development Scheme 2010	Andergrove
Blackwater UDA Development Scheme 2011	Blackwater
Bowen Hills UDA Development Scheme 2009	Bowen Hills
Bowen Street, Roma UDA Development Scheme 2011	Bowen Street, Roma
Caloundra South UDA Development Scheme 2011	Caloundra South
Clinton UDA Development Scheme 2010	Clinton
Fitzgibbon UDA Development Scheme 2009	Fitzgibbon
Greater Flagstone UDA Development Scheme 2011	Greater Flagstone
Moranbah UDA Development Scheme 2011	Moranbah
Northshore Hamilton UDA Development Scheme 2009	Northshore Hamilton
Ooonooba UDA Development Scheme 2011	Ooonooba
Ripley Valley UDA Development Scheme 2011	Ripley Valley

Column 1	Column 2
Development scheme	Transitioned UDA
Tannum Sands UDA Development Scheme 2012	Tannum Sands
Woolloongabba UDA Development Scheme 2011	Woolloongabba
Yarrabilba UDA Development Scheme 2011	Yarrabilba

Part 2 **Amendments of transitioned development schemes**

Column 1	Column 2
Development scheme	Amendment
Bowen Hills UDA Development Scheme 2009	the amendment approved under a regulation notified on 1 April 2010
Fitzgibbon UDA Development Scheme 2009	the amendment approved under a regulation notified on 29 July 2011

Part 3 **Development schemes made under the Act**

Column 1	Column 2
Development scheme	Transitioned UDA
Central Queensland University Rockhampton UDA Development Scheme 2013	Central Queensland University Rockhampton
Toolooa UDA Development Scheme 2013	Toolooa

Schedule 4 Development schemes for priority development areas

section 5A

Column 1	Column 2
Development scheme	Priority development area
Blackwater East Priority Development Area Development Scheme 2014	Blackwater East
Maroochydore City Centre Priority Development Area Development Scheme 2014	Maroochydore City Centre
Parklands Priority Development Area Development Scheme 2013	Parklands
Queen's Wharf Brisbane Priority Development Area Development Scheme 2016	Queen's Wharf Brisbane
Southport Priority Development Area Development Scheme 2014	Southport
The Mill at Moreton Bay Priority Development Area Development Scheme 2017	The Mill at Moreton Bay
Toondah Harbour Priority Development Area Development Scheme 2014	Toondah Harbour
Toowoomba Railway Parklands Priority Development Area Development Scheme 2016	Toowoomba Railway Parklands
Townsville City Waterfront Priority Development Area Development Scheme 2015	Townsville City Waterfront
Weinam Creek Priority Development Area Development Scheme 2014	Weinam Creek

Schedule 5 Amendment of development scheme

section 5B

Column 1

Column 2

Development scheme

Approved amendment

Maroochydore City Centre Priority Development Area Scheme 2014	the amendment made by MEDQ on 15 March 2016
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Schedule 6 Approving plans of subdivision

section 7

1 Definition for schedule

In this schedule—

plan of subdivision see section 104(3) of the Act.

2 Request for approval of plan of subdivision

- (1) A person may, in writing, ask MEDQ to approve a plan of subdivision for reconfiguring a lot.
- (2) A request made under subsection (1) must be accompanied by—
 - (a) a copy of the proposed plan of subdivision; and
 - (b) if the plan of subdivision is authorised under a PDA development permit or required under a PDA development condition of a PDA development permit—evidence allowing the application to be assessed against the criteria stated in section 3(1); and
 - (c) if the plan relates to a plan of subdivision that is not PDA assessable development—evidence allowing the application to be assessed against the criteria stated in section 3(2).
- (3) If the person's request relates to reconfiguring a lot that is authorised under a PDA development permit, the request may be made only if the PDA development permit is in effect.
- (4) If a PDA development condition of a PDA development permit requires the plan of subdivision to be given to MEDQ, the request must be made—
 - (a) if the PDA development permit states a currency period under section 100(4) or (5) of the Act—before the currency period ends; or

- (b) otherwise—within 4 years after the PDA development permit takes effect.

3 Assessing request

- (1) If the request relates to a plan of subdivision that is authorised under a PDA development permit, or a plan of subdivision required under a PDA development condition of a PDA development permit, the request must be assessed against the following criteria—
 - (a) the PDA development conditions of the PDA development permit have been complied with, or the applicant has given satisfactory security to MEDQ to ensure compliance with the conditions;
 - (b) there are no outstanding local government rates or charges or expenses that are a charge over the land under any Act;
 - (c) there are no outstanding special rates or charges, or infrastructure expenses recoupment charges, for the land;
 - (d) the plan has been prepared in accordance with the PDA development permit;
 - (e) the conditions of a water approval under the SEQ Water Act have been complied with;
 - (f) there are no outstanding fees or charges levied by a distributor-retailer under the SEQ Water Act.
- (2) If the request relates to a plan of subdivision for reconfiguring a lot that is not PDA assessable development, the request must be assessed against the following criteria—
 - (a) the plan is consistent with any PDA development permit relevant to the land;
 - (b) there are no outstanding local government rates or charges or expenses that are a charge over the land under any Act;

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- (c) there are no outstanding special rates or charges, or infrastructure expenses recoupment charges, for the land;
 - (d) the conditions of a water approval under the SEQ Water Act have been complied with;
 - (e) there are no outstanding fees or charges levied by a distributor-retailer under the SEQ Water Act.
- (3) In this section—

local government rates or charges means rates or charges levied by a local government.

SEQ Water Act means the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*.

special rate or charge means a special rate or charge levied under section 115 of the Act.

4 Deciding request

- (1) If the request made under section 2(1) complies with the criteria for the request stated in section 2, MEDQ must approve the request.
- (2) MEDQ must give notice of the approval to the person making the request within—
 - (a) 20 business days after MEDQ receives a request that is accompanied by the matters mentioned in section 2(2); or
 - (b) another period agreed between MEDQ and the person making the request.
- (3) If the Act that the plan of subdivision is to be registered or recorded under requires a particular form for the registration or recording, the request must be in that form.

1 Index to endnotes

- 2 Key
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- 5 List of annotations

2 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amd	= amendment	prov	= provision
t			
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renu	= renumbered
		m	
ins	= inserted	rep	= repealed
lap	= lapsed	(retro	= retrospectively
)	
notf	= notified	rv	= revised version
d			
num	= numbered	s	= section

Key	Explanation	Key	Explanation
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum m	= unnumbered
prev	= previous		

3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Current as at	Amendments included	Notes
1 February 2013	none	RA ss 7(1)(k), 40
26 April 2013	2013 SL No. 55	

Current as at	Amendments included	Notes
21 June 2013	2013 SL No. 93	
19 July 2013	2013 SL No. 139	
4 October 2013	2013 SL No. 191	
6 December 2013	2013 SL No. 261	
24 April 2014	2014 SL No. 46	
30 May 2014	2014 SL No. 74	
11 July 2014	2014 SL No. 155	
5 September 2014	2014 SL No. 200	
28 November 2014	2014 SL No. 274	
12 December 2014	2014 SL No. 301	
23 October 2015	2015 SL No. 142	
29 January 2016	2016 SL No. 2	
22 April 2016	2016 SL No. 36	
2 September 2016	2016 SL No. 158	
18 November 2016	2016 SL No. 204	
3 July 2017	2017 SL No. 103	RA s 35
18 August 2017	2017 SL No. 147	

4 List of legislation

Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

Economic Development Regulation 2013 SL No. 2

made by the Governor in Council on 31 January 2013

notfd gaz 1 February 2013 pp 192–4

ss 1–2 commenced on date of notification

remaining provisions commenced 1 February 2013 (see s 2)

exp 1 September 2023 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Economic Development Amendment Regulation (No. 1) 2013 SL No. 55

notfd gaz 26 April 2013 pp 557–8

commenced on date of notification

Economic Development Amendment Regulation (No. 2) 2013 SL No. 93

notfd gaz 21 June 2013 pp 503–7

commenced on date of notification

Economic Development Amendment Regulation (No. 3) 2013 SL No. 139

notfd gaz 19 July 2013 pp 884–5

commenced on date of notification

Economic Development Amendment Regulation (No. 4) 2013 SL No. 191

notfd <www.legislation.qld.gov.au> 4 October 2013

commenced on date of notification

Economic Development Amendment Regulation (No. 5) 2013 SL No. 261

notfd <www.legislation.qld.gov.au> 6 December 2013

commenced on date of notification

Economic Development Amendment Regulation (No. 1) 2014 SL No. 46

notfd <www.legislation.qld.gov.au> 24 April 2014

commenced on date of notification

Economic Development Amendment Regulation (No. 2) 2014 SL No. 74

notfd <www.legislation.qld.gov.au> 30 May 2014

commenced on date of notification

Economic Development Amendment Regulation (No. 3) 2014 SL No. 155

notfd <www.legislation.qld.gov.au> 11 July 2014

commenced on date of notification

Economic Development Amendment Regulation (No. 4) 2014 SL No. 200

notfd <www.legislation.qld.gov.au> 5 September 2014

commenced on date of notification

Economic Development Amendment Regulation (No. 5) 2014 SL No. 274

notfd <www.legislation.qld.gov.au> 28 November 2014

commenced on date of notification

Economic Development Amendment Regulation (No. 6) 2014 SL No. 301

notfd <www.legislation.qld.gov.au> 12 December 2014

commenced on date of notification

Economic Development Amendment Regulation (No. 1) 2015 SL No. 142

notfd <www.legislation.qld.gov.au> 23 October 2015
commenced on date of notification

Economic Development Amendment Regulation (No. 1) 2016 SL No. 2

notfd <www.legislation.qld.gov.au> 29 January 2016
commenced on date of notification

Economic Development Amendment Regulation (No. 2) 2016 SL No. 36

notfd <www.legislation.qld.gov.au> 22 April 2016
commenced on date of notification

Economic Development Amendment Regulation (No. 3) 2016 SL No. 158

notfd <www.legislation.qld.gov.au> 2 September 2016
commenced on date of notification

Economic Development (Herston Quarter PDA) Amendment Regulation 2016 SL No. 204

notfd <www.legislation.qld.gov.au> 18 November 2016
commenced on date of notification

Planning (Consequential) and Other Legislation Amendment Regulation 2017 SL No. 103

notfd <www.legislation.qld.gov.au> 30 June 2017
ss 1–2 commenced on date of notification
pt 9 commenced 3 July 2017 (see s 2)

Economic Development (The Mill at Moreton Bay) Amendment Regulation 2017 SL No. 147

notfd <www.legislation.qld.gov.au> 18 August 2017
commenced on date of notification

5 List of annotations

Making of interim land use plan

s 4 prev s 4 amd 2013 SL No. 55 s 3
om 2016 SL No. 2 s 3
pres s 4 ins 2016 SL No. 158 s 3

Development schemes for transitioned UDAs

s 5 amd 2013 SL No. 55 s 4

Development schemes for priority development areas

s 5A ins 2013 SL No. 261 s 3

Approval of amendment of development scheme

s 5B ins 2016 SL No. 36 s 3

PART 3—PLANS OF SUBDIVISION

pt hdg ins 2017 SL No. 103 s 36

Approving plans of subdivision—Act, s 104

s 7 ins 2017 SL No. 103 s 36

SCHEDULE 1—PRIORITY DEVELOPMENT AREAS

sch 1 amd 2013 SL No. 93 s 3; 2013 SL No. 139 s 3; 2013 SL No. 191 s 3; 2014 SL No. 200 s 3; 2014 SL No. 274 s 3; 2014 SL No. 301 s 3; 2016 SL No. 158 s 4; 2016 SL No. 204 s 3

SCHEDULE 2—INTERIM LAND USE PLANS

sch 2 prev sch 2 amd 2013 SL No. 55 s 5; 2013 SL No. 93 s 4; 2013 SL No. 139 s 4; 2013 SL No. 191 s 4; 2013 SL No. 261 s 4; 2014 SL No. 46 s 3; 2014 SL No. 74 s 3; 2014 SL No. 155 s 3; 2014 SL No. 200 s 4; 2014 SL No. 274 s 4; 2014 SL No. 301 s 4; 2015 SL No. 142 s 3

om 2016 SL No. 2 s 4

pres sch 2 ins 2016 SL No. 158 s 5

amd 2016 SL No. 204 s 4; 2017 SL No. 147 s 3

SCHEDULE 3—DEVELOPMENT SCHEMES FOR TRANSITIONED UDAs

sch 3 amd 2013 SL No. 55 s 6

SCHEDULE 4—DEVELOPMENT SCHEMES FOR PRIORITY DEVELOPMENT AREAS

sch 4 ins 2013 SL No. 261 s 5

amd 2014 SL No. 46 s 4; 2014 SL No. 74 s 4; 2014 SL No. 155 s 4; 2014 SL No. 200 s 5; 2015 SL No. 142 s 4; 2016 SL No. 2 s 5; 2017 SL No. 147 s 4

SCHEDULE 5—AMENDMENT OF DEVELOPMENT SCHEME

sch 5 ins 2016 SL No. 36 s 4

SCHEDULE 6—APPROVING PLANS OF SUBDIVISION

sch 6 ins 2017 SL No. 103 s 37

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