



Queensland

*Economic Development Act 2012*

# **Economic Development Regulation 2013**

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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.

## 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) In this section—

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

## 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**

<b>Column 1</b>	<b>Column 2</b>
<b>Description of area</b>	<b>Transitioned UDA</b>
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



<b>Column 1</b>	<b>Column 2</b>
<b>Description of area</b>	<b>Transitioned UDA</b>
Map No. UDA6 - Ooonoonba Urban Development Area	Ooonoonba
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**

<b>Column 1</b>	<b>Column 2</b>
<b>Description of area</b>	<b>Priority development area</b>
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

<b>Column 1</b>	<b>Column 2</b>
<b>Description of area</b>	<b>Priority development area</b>
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
Map No. PDA 12 - Mackay Waterfront Priority Development Area	Mackay Waterfront
Map No. PDA 13 - Oxley Priority Development Area	Oxley
Map No. PDA 14 - Yeronga Priority Development Area	Yeronga
Map No. PDA 15 - Albert Street Cross River Rail Priority Development Area	Albert Street Cross River Rail

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## **Schedule 3      Development schemes for transitioned UDAs**

section 5

### **Part 1              Transitioned development schemes**

<b>Column 1</b>	<b>Column 2</b>
<b>Development scheme</b>	<b>Transitioned UDA</b>
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
Oonoonba UDA Development Scheme 2011	Oonoonba
Ripley Valley UDA Development Scheme 2011	Ripley Valley

<b>Column 1</b>	<b>Column 2</b>
<b>Development scheme</b>	<b>Transitioned UDA</b>
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**

<b>Column 1</b>	<b>Column 2</b>
<b>Development scheme</b>	<b>Amendment</b>
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

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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.