



Queensland

# Sustainable Planning Amendment Regulation (No. 4) 2010

## Subordinate Legislation 2010 No. 279

made under the

*Sustainable Planning Act 2009*

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[s 1]

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**1 Short title**

This regulation may be cited as the *Sustainable Planning Amendment Regulation (No. 4) 2010*.

**2 Regulation amended**

This regulation amends the *Sustainable Planning Regulation 2009*.

**3 Insertion of new s 40A**

After section 40—

*insert—*

**‘40A Prescribed information and documents for development applications—Act, s 736**

‘For section 736(2)(a) of the Act—

- (a) the prescribed information is mentioned in schedule 25A, part 1; and
- (b) the prescribed documents are mentioned in schedule 25A, part 2.’.

**4 Insertion of new sch 25A**

After schedule 25—

*insert—*

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**‘Schedule 25A Prescribed information and documents for development applications—Act, s 736**

section 40A

**‘Part 1 Information**

- 1 the name of a referral agency for the development application
- 2 whether the development application was withdrawn, lapsed or decided
- 3 if the development application was decided—
  - (a) the day the decision was made; and
  - (b) whether the development application was approved, approved subject to conditions or refused; and
  - (c) whether the development application was taken to have been approved under section 331 of the Act; and
  - (d) for a development application approved subject to conditions—
    - (i) whether any of the conditions are concurrence agency conditions; and
    - (ii) if so, the name of the concurrence agency for each concurrence agency condition; and
  - (e) whether a negotiated decision notice was given for the development application; and
  - (f) for a development application that was approved, whether a permissible change has subsequently been made to the development approval
- 4 if there was an appeal about the decision on the development application, whether the decision on the application was changed because of the decision on the appeal



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- 15 an agreement relating to a request mentioned in item 13 between the applicant and the local government or concurrence agency to whom the request was made
  - 16 an advice given to the local government by a referral agency under section 281 of the Act about the applicant's response to an information request
  - 17 a notice extending a referral agency's assessment period under section 284(1) of the Act
  - 18 an agreement extending a referral agency's assessment period under section 284(3) of the Act
  - 19 an advice about extension of a referral agency's assessment period under section 284(4) of the Act
  - 20 a concurrence agency's response under section 285(2) or 290(1) of the Act
  - 21 a concurrence agency's amended response under section 290(2) of the Act
  - 22 an advice agency's response under section 291(2) of the Act
  - 23 a notice of the development application under section 297(1) of the Act
  - 24 an agreement about notification of the development application under section 297(1) of the Act
  - 25 a notice given to the local government under section 300 of the Act about the last day an action mentioned in section 297(1) of the Act is carried out for notification of the development application
  - 26 a notice given to the local government under section 301 of the Act about compliance with chapter 6, part 4, division 2 of the Act for notification of the development application
  - 27 a submission made under section 305(1) of the Act and accepted by the local government under section 305(2) or (3) of the Act
  - 28 a notice under section 305(4)(a) or (b) of the Act amending or withdrawing a submission mentioned in item 27

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- 29 a notice under section 306(2) of the Act amending or withdrawing a submission
- 30 a notice extending the decision-making period under section 318(2) of the Act
- 31 an agreement extending the decision-making period under section 318(4) of the Act
- 32 a notice given by the applicant under section 318(5) of the Act that the applicant does not intend to take action under section 320 or 321 of the Act
- 33 a notice given under section 320(1) of the Act to stop the decision-making period
- 34 a notice given under section 320(3) of the Act to withdraw a notice mentioned in item 33
- 35 a request given to the chief executive under section 321(1)(a) of the Act to resolve conflict between 2 or more concurrence agency's responses
- 36 a notice under section 321(1)(b) of the Act to stop the decision-making period
- 37 a notice given under section 321(6) of the Act to withdraw a notice mentioned in item 36
- 38 a notice of a change to the development application given by the applicant under section 351(1) of the Act
- 39 a notice given by the local government under section 352 of the Act advising a referral agency of the effect of a notice mentioned in item 38
- 40 a notice given under section 356(1) of the Act withdrawing the development application
- 41 a notice given under section 357(2) of the Act advising that the applicant has not referred the development application as required under section 272 of the Act
- 42 correspondence about the development application between any of the following—
  - (a) the applicant;

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- (b) the local government;
  - (c) a referral agency
- 43 correspondence about the development application between any of the entities mentioned in item 42 and a submitter
  - 44 representations made by the applicant under section 361(1) of the Act
  - 45 a notice given by the local government under section 363(5) of the Act of a decision not to agree with any of the representations mentioned in item 44
  - 46 a notice under section 366(1) of the Act suspending the applicant's appeal period
  - 47 a notice under section 366(4)(a) of the Act withdrawing a notice mentioned in item 46
  - 48 a notice given by the Minister to the local government under section 418(1) or 419(1) of the Act
  - 49 a notice given by the Minister to a concurrence agency under section 420(1) of the Act
  - 50 a notice given by the Minister to the applicant under section 421(1) of the Act
  - 51 a notice given by the Minister to the local government under section 425(1) of the Act calling in the development application
  - 52 a copy of the Minister's decision notice given to the local government under section 429(1) of the Act
  - 53 a notice given by the regional planning Minister to the local government under section 430(2) or (3) of the Act
  - 54 a notice given by the Minister to the local government under section 431(1) of the Act referring the aspects of the development application not decided back to the local government'.

ENDNOTES

- 1 Made by the Governor in Council on 7 October 2010.
- 2 Notified in the gazette on 8 October 2010.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Infrastructure and Planning.

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