



Queensland

# Planning (Regulated Requirements and Other Matters) Amendment Regulation 2019

## Subordinate Legislation 2019 No. 215

made under the

*Planning Act 2016*

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[s 1]

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**1 Short title**

This regulation may be cited as the *Planning (Regulated Requirements and Other Matters) Amendment Regulation 2019*.

**2 Regulation amended**

This regulation amends the *Planning Regulation 2017*.

**3 Amendment of s 5 (Purpose and application of subdivision)**

(1) Section 5(2), ‘old Act before or after the commencement’—  
*omit, insert—*

repealed IPA

(2) Section 5(2)—  
*insert—*

*Note—*

See also subdivision 1A for the application of particular regulated requirements to particular local planning instruments in force immediately before the commencement of that subdivision.

**4 Insertion of new pt 2, div 2, sdiv 1A**

Part 2, division 2—

*insert—*

**Subdivision 1A Application of regulated requirements to particular local planning instruments**

**9 Application of subdivision**

(1) This subdivision applies in relation to a local planning instrument, in force immediately before the commencement, made under the old Act.

- (2) However, this subdivision does not apply in relation to—
  - (a) a local planning instrument made under the repealed IPA; or
  - (b) a TLPI made for all or part of a local government area if a planning scheme made under the repealed IPA applies to the area.

### **9A Local planning instruments that include land in high technology industry zone**

- (1) This section applies if the local planning instrument includes land in a zone called a high technology industry zone.
- (2) For section 6, the land is taken to be included in the research and technology industry zone stated in schedule 2.

### **9B Local planning instruments using particular use terms**

- (1) This section applies if the local planning instrument—
  - (a) adopts any of the following use terms stated in schedule 3, column 1—
    - (i) high impact industry;
    - (ii) low impact industry;
    - (iii) medium impact industry;
    - (iv) special industry; and
  - (b) does not include the definition of the term stated opposite the term in schedule 3, column 2.
- (2) Despite section 7(2), it is not a regulated requirement for the local planning instrument that it include the definition of the term stated opposite the term in schedule 3, column 2.

[s 5]

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- (3) If the local planning instrument includes another definition of the term, the term has the meaning given in that definition.

## **5 Amendment of sch 10 (Development assessment)**

Schedule 10, part 13, division 4, subdivision 1, section 19, from ‘development,’—

*omit, insert—*

development if the port overlay for the master planned area states the development is assessable development.

*Note—*

See also the *Sustainable Ports Development Act 2015*, section 19(4) for particular development that a port overlay can not regulate.

## **6 Amendment of sch 24 (Dictionary)**

Schedule 24, definition *Flying Start for Queensland Children program*—

*omit.*

ENDNOTES

- 1 Made by the Governor in Council on 7 November 2019.
- 2 Notified on the Queensland legislation website on 8 November 2019.
- 3 The administering agency is the Department of State Development, Manufacturing, Infrastructure and Planning.

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