

Economic Development (COVID-19 Emergency Response) Regulation 2020

Subordinate Legislation 2020 No. 102

made under the

COVID-19 Emergency Response Act 2020 Economic Development Act 2012

Contents

		Page
Part 1	Preliminary	
1	Short title	2
2	Declaration	2
3	Definitions	2
Part 2	Provisions in relation to public notification	
4	Application of part	3
5	Modification of Economic Development Act 2012, s 84(2)(a)	3
6	Publicly notifying applications if no local newspaper	3
Part 3	Provision in relation to access to registers	
7	Access to registers	6
Part 4	Expiry of regulation	
8	Expiry	6

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Economic Development* (COVID-19 Emergency Response) Regulation 2020.

2 Declaration

This regulation is made under the *COVID-19 Emergency Response Act 2020*, section 9.

3 Definitions

In this regulation—

local newspaper, for a locality, means a newspaper that—

- (a) primarily publishes news in relation to the locality or a region that includes the locality; and
- (b) is intended for a local or regional, rather than State-wide or nation-wide, readership; and
- (c) contains a section for the publication of notices for members of the public.

relevant land, for an amendment application, means the land the subject of the application.

response period means the period—

- (a) starting on the commencement; and
- (b) ending on 31 December 2020.

Part 2 Provisions in relation to public notification

4 Application of part

This part applies in relation to a PDA development application or an amendment application if—

- (a) the *Economic Development Act 2012*, section 84 applies in relation to the application; and
- (b) before the commencement, the applicant had not published a notice about the application in the way mentioned in the *Economic Development Act 2012*, section 84(2)(a).

5 Modification of Economic Development Act 2012, s 84(2)(a)

The *Economic Development Act 2012*, section 84(2)(a) applies in relation to the PDA development application or amendment application as if the reference in that section to a newspaper circulating in the area of the relevant local government were a reference to—

- (a) a hard copy local newspaper for the locality of the relevant land for the application; or
- (b) if there is no hard copy local newspaper for the locality of the relevant land for the application—an online local newspaper for the locality.

6 Publicly notifying applications if no local newspaper

- (1) This section applies in relation to the PDA development application or amendment application if there is no local newspaper for the locality of the relevant land for the application.
- (2) The applicant for the PDA development application or amendment application is taken to have complied with the

Economic Development Act 2012, section 84(2)(a), as modified by section 5, if—

- (a) during the response period, a notice about the application is given in 1 or more of the following ways—
 - (i) by publishing the notice at least once in a hard copy or an online State or national newspaper;
 - (ii) by giving the notice to the occupier of each lot in the identified area for the application;
 - (iii) by publishing the notice on the website of the responsible entity for the application; and
- (b) for a notice published in a way mentioned in paragraph (a)(iii)—
 - (i) the notice is published on the website until at least the end of the submission period for the application; and
 - (ii) the submission period ends no later than 18 December 2020.
- (3) The *Economic Development Act 2012* applies in relation to the PDA development application or amendment application as if a reference to compliance with section 84 or 84(2) in the following provisions of that Act includes a reference to compliance with section 84(2)(a) of that Act under subsection (2)—
 - (a) section 83B(2)(b);
 - (b) section 84(3) and (5)(a);
 - (c) section 84B(3);
 - (d) section 84C(2) and (3);
 - (e) section 84D(2) and (3);
 - (f) section 84E(1)(b);
 - (g) section 85(1)(b);
 - (h) schedule 1, definition compliance statement.

(4) In this section—

Cross River Rail Delivery Authority means the Cross River Rail Delivery Authority established under the Cross River Rail Delivery Authority Act 2016, section 8.

decision-maker, for a PDA development application or an amendment application, means—

- (a) if MEDQ's functions and powers in relation to PDA development applications or amendment applications have been delegated or subdelegated to an entity—the entity; or
- (b) otherwise—MEDQ.

identified area, for a PDA development application or an amendment application, means an area identified by the decision-maker for the application as having occupiers that are likely to be interested in the application.

responsible entity, for a PDA development application or an amendment application, means—

- (a) if MEDQ, a local representative committee, the chief executive or an appropriately qualified officer or employee of the department is the decision-maker for the application—the department; or
- (b) if the Cross River Rail Delivery Authority or a person mentioned in the *Economic Development Act 2012*, section 169(6)(a), (b) or (c) is the decision-maker for the application—the authority; or
- (c) if a local government or an appropriately qualified employee of a local government is the decision-maker for the application—the local government.

State or national newspaper means a newspaper that—

- (a) is published in Australia; and
- (b) primarily publishes news in relation to the State or Australia; and
- (c) is intended for a State-wide or nation-wide readership.

Part 3 Provision in relation to access to registers

7 Access to registers

- (1) This section applies if MEDQ is satisfied it is appropriate to make a register available for inspection by a person at an agreed time and place, rather than keep the register open for inspection by the public in the way mentioned in the *Economic Development Act 2012*, section 173(1)(a)—
 - (a) to protect the health, safety and welfare of persons affected by the COVID-19 emergency; or
 - (b) to facilitate the continuance of public administration disrupted by the COVID-19 emergency.
- (2) MEDQ is taken to have complied with the *Economic Development Act 2012*, section 173(1)(a) if, during the response period, MEDQ makes the register available for inspection by the person at the agreed time and place.

Part 4 Expiry of regulation

8 Expiry

This regulation expires on 31 December 2020.

ENDNOTES

- 1 Made by the Governor in Council on 25 June 2020.
- 2 Notified on the Queensland legislation website on 26 June 2020.
- 3 The administering agency is the Department of State Development, Tourism and Innovation.

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