



Queensland

Sustainable Planning Amendment Regulation (No. 6) 2014

Subordinate Legislation 2014 No. 236

made under the

Sustainable Planning Act 2009

Contents

		Page
1	Short title	2
2	Commencement	2
3	Regulation amended	2
4	Insertion of new s 4A	2
	4A Guideline for reviewing LGIP—Act, s 94A	2
5	Amendment of s 5 (Guideline for making or amending planning scheme or planning scheme policy—Act, s 117(1)).	2
6	Amendment of s 7 (Guideline for making temporary local planning instrument—Act, s 117(3))	3
7	Amendment of sch 4 (Development that can not be declared to be development of a particular type—Act, section 232(2))	3
8	Amendment of sch 5 (Applicable codes, laws, policies and prescribed matters for particular development)	3
9	Amendment of sch 7 (Referral agencies and their jurisdictions)	4
10	Amendment of sch 7A (Particular assessment manager and concurrence agency application fees)	4
11	Amendment of sch 9 (Development impacting on State transport infrastructure and thresholds).	7
12	Amendment of sch 26 (Dictionary).	7

[s 1]

1 Short title

This regulation may be cited as the *Sustainable Planning Amendment Regulation (No. 6) 2014*.

2 Commencement

This regulation commences on 27 October 2014.

3 Regulation amended

This regulation amends the *Sustainable Planning Regulation 2009*.

4 Insertion of new s 4A

After section 4—

insert—

4A Guideline for reviewing LGIP—Act, s 94A

For section 94A(2)(b) of the Act, the guidelines for conducting an LGIP review are contained in the following documents published by the department—

- (a) ‘Statutory guideline 03/14—Local government infrastructure plans’, dated 12 June 2014;
- (b) ‘Statutory guideline 04/14—Making and amending local planning instruments’, dated 9 October 2014.

5 Amendment of s 5 (Guideline for making or amending planning scheme or planning scheme policy—Act, s 117(1))

(1) Section 5, ‘The guideline’—

omit, insert—

For section 117(1)(b) of the Act, the guideline

(2) Section 5, from ‘Statutory’ to ‘2014’—

omit, insert—

Statutory guideline 04/14—Making and amending local planning instruments’, dated 9 October 2014

6 Amendment of s 7 (Guideline for making temporary local planning instrument—Act, s 117(3))

Section 7, from ‘Statutory’ to ‘2014’—

omit, insert—

Statutory guideline 04/14—Making and amending local planning instruments’, dated 9 October 2014

7 Amendment of sch 4 (Development that can not be declared to be development of a particular type—Act, section 232(2))

(1) Schedule 4, table 5, items 10, 10B and 10C, ‘the construction of’—

omit.

(2) Schedule 4, table 5, item 10A, from ‘carried’ to ‘construction of’—

omit, insert—

for

8 Amendment of sch 5 (Applicable codes, laws, policies and prescribed matters for particular development)

Schedule 5, part 2, table 4, items 6 and 7, column 2, ‘2013’—

omit.

[s 9]

9 Amendment of sch 7 (Referral agencies and their jurisdictions)

(1) Schedule 7, table 1, item 28, ‘P13’—

omit, insert—

P12

(2) Schedule 7, table 2, item 15—

omit, insert—

<p>15</p>	<p>Operational work in tidal waters made assessable under schedule 3, part 1, table 4, item 5, that is—</p> <p>(a) tidal works, other than the following tidal works in Gold Coast waters—</p> <p>(i) a boat ramp, jetty or private single vessel pontoon; or</p> <p>(ii) a drainage outlet; or</p> <p>(iii) a stormwater outlet; or</p> <p>(b) disposing of dredge spoil or other solid waste material in tidal water; or</p> <p>(c) reclaiming land under tidal water; or</p> <p>(d) constructing a canal, if the canal is associated with reconfiguring a lot</p>	<p>The chief executive—as a concurrence agency</p>	<p>The purpose of the Act</p>
-----------	--	--	-------------------------------

10 Amendment of sch 7A (Particular assessment manager and concurrence agency application fees)

(1) Schedule 7A, part 1, item 10, column 2, ‘4 dwellings or less’—

omit, insert—

at least 1 dwelling but not more than 4 dwellings

(2) Schedule 7A, part 1, item 11, column 2, paragraph (e)(i)—

omit, insert—

(i) the aquaculture—

-
- (A) is carried out on tidal land that covers an area of 50ha or less; and
- (B) does not involve the addition of feed;
- (3) Schedule 7A, part 1, item 11, column 2, paragraph (f)(i)—
omit, insert—
- (i) the aquaculture—
- (A) is carried out on tidal land that covers an area of more than 50ha; and
- (B) does not involve the addition of feed;
- (4) Schedule 7A, part 1, item 11, column 2, paragraph (f)(ii), ‘does not hold’—
omit, insert—
holds
- (5) Schedule 7A, part 1, item 16 and heading—
omit.
- (6) Schedule 7A, part 2, item 4, column 2, ‘4 dwellings or less’—
omit, insert—
at least 1 dwelling but not more than 4 dwellings
- (7) Schedule 7A, part 2, item 8, column 2, ‘4 dwellings or less’—
omit, insert—
at least 1 dwelling but not more than 4 dwellings
- (8) Schedule 7A, part 2, item 9, column 2, ‘4 dwellings or less’—
omit, insert—
at least 1 dwelling but not more than 4 dwellings
- (9) Schedule 7A, part 2, item 12, column 2, ‘4 dwellings or less’—
omit, insert—

[s 10]

- at least 1 dwelling but not more than 4 dwellings
- (10) Schedule 7A, part 2, item 12, column 3, ‘705’—
omit, insert—
705.00
- (11) Schedule 7A, part 2, item 15, column 2, ‘4 dwellings or less’—
omit, insert—
at least 1 dwelling but not more than 4 dwellings
- (12) Schedule 7A, part 2, item 23, heading, ‘or wild river floodplain management areas’—
omit.
- (13) Schedule 7A, part 2, item 32, column 2, paragraph (e)(i)—
omit, insert—
- (i) the aquaculture—
 - (A) is carried out on tidal land that covers an area of 50ha or less; and
 - (B) does not involve the addition of feed;
- (14) Schedule 7A, part 2, item 32, column 2, paragraph (f)(i)—
omit, insert—
- (i) the aquaculture—
 - (A) is carried out on tidal land that covers an area of more than 50ha; and
 - (B) does not involve the addition of feed;
- (15) Schedule 7A, part 2, item 32, column 2, paragraph (f)(ii), ‘does not hold’—
omit, insert—
holds

(16) Schedule 7A, part 2, item 32, '2823.00', last mention—

omit, insert—

11,291.00

(17) Schedule 7A, part 2, items 42 and 43 and heading—

omit.

11 Amendment of sch 9 (Development impacting on State transport infrastructure and thresholds)

(1) Schedule 9, items 6 to 8—

omit, insert—

6	Shop	8000m ² GFA	4000m ² GFA
7	Showroom		
8	Shopping centre (including theatres, food and drink outlets and offices)		
9	Hardware and trade supplies		

(2) Schedule 9, item 10—

omit, insert—

10	Office	12000m ² GFA	6000m ² GFA
----	--------	-------------------------	------------------------

(3) Schedule 9, item 14—

omit.

12 Amendment of sch 26 (Dictionary)

(1) Schedule 26, definitions *airport*, *Australian Noise Exposure Forecast*, *key resource area*, *operational airspace*, *public safety area* and *sensitive land use*, '2013'—

omit.

(2) Schedule 26, definition *State development assessment provisions*, '20 June'—

omit, insert—

10 October

[s 12]

- (3) Schedule 26, definition *State Planning Policy 2013*—
omit, insert—

State Planning Policy means the State planning policy made by the Minister and published on the department's website.

ENDNOTES

- 1 Made by the Governor in Council on 23 October 2014.
- 2 Notified on the Queensland legislation website on 24 October 2014.
- 3 The administering agency is the Department of State Development, Infrastructure and Planning.

© State of Queensland 2014

Authorised by the Parliamentary Counsel