



Queensland

Sustainable Planning Amendment Regulation (No. 1) 2015

Subordinate Legislation 2015 No. 14

made under the

Sustainable Planning Act 2009

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[s 1]

1 Short title

This regulation may be cited as the *Sustainable Planning Amendment Regulation (No. 1) 2015*.

2 Regulation amended

This regulation amends the *Sustainable Planning Regulation 2009*.

3 Insertion of new pt 3, div 3, sdiv 1A

Part 3, division 3—

insert—

Subdivision 1A Preliminary

21AA Definition for div 3

In this division—

registered non-profit organisation means an incorporated organisation that is—

- (a) currently recorded in the register kept under the *Collections Act 1966*, part 6; or

Editor's note—

The register of charities kept under the *Collections Act 1966* can be inspected on the website of the Office of Fair Trading at <www.fairtrading.qld.gov.au>.

- (b) currently recorded in a register kept under a law of another State substantially corresponding to the register kept under the *Collections Act 1966*, part 6; or
- (c) a registered entity within the meaning of the *Australian Charities and Not-for-profits Commission Act 2012* (Cwlth).

Editor's note—

The Australian Charities and Not-for-profits Register kept under the *Australian Charities and*

Not-for-profits Commission Act 2012 (Cwlth) can be inspected on the website of the Australian Charities and Not-for-profits Commission at <www.acnc.gov.au>.

4 Amendment of s 21E (Assessment manager application fee for particular applications by non-profit organisations)

- (1) Section 21E, heading, from ‘particular’ to ‘by’—

omit, insert—

applications by registered

- (2) Section 21E(1)—

omit, insert—

- (1) Subsection (2) applies for a development application for a relevant aspect of development if the application is made by a registered non-profit organisation.

- (3) Section 21E(2), examples, before ‘non-profit’—

insert—

registered

- (4) Section 21E(2), examples, example 1, ‘that is eligible development’—

omit.

- (5) Section 21E(2), examples, example 2, ‘eligible development and’—

omit.

5 Amendment of s 21L (Concurrence agency application fee for particular applications by non-profit organisations)

- (1) Section 21L, heading, from ‘particular’ to ‘by’—

omit, insert—

applications by registered

(2) Section 21L(1)—

omit, insert—

(1) Subsection (3) applies for a development application for a relevant aspect of development if the application is made by a registered non-profit organisation.

(3) Section 21L(3), examples, before ‘non-profit’—

insert—

registered

(4) Section 21L(3), examples, example 1, ‘that is eligible development’—

omit.

(5) Section 21L(3), examples, example 2, ‘eligible development and’—

omit.

6 Amendment of sch 3 (Assessable development, self-assessable development and type of assessment)

Schedule 3, part 1, table 5, item 7, column 2, ‘port’—

omit.

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 4, item 1, from ‘if the work’—

omit, insert—

if the work—

(a) is carried out by or on behalf of a public sector entity authorised under a State law to carry out the work; and

(b) is not development mentioned in table 5, items 7 to 10D.

(2) Schedule 4, table 5, item 10A, from ‘Rapid’—

omit, insert—

Light Rail project to provide light rail transport infrastructure along the route shown on the map depicted in the *Transport Operations (Passenger Transport) Regulation 2005*, schedule 7A

(3) Schedule 4, table 5—

insert—

10D	<p>All aspects of development for the road infrastructure project known as the Toowoomba Second Range Crossing project to provide road infrastructure along the route shown on the map called ‘Toowoomba Second Range Crossing, Business case reference design’ dated April 2014</p> <p><i>Editor’s note—</i></p> <p>The map can be inspected at <www.treasury.qld.gov.au>.</p>
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8 Amendment of sch 7 (Referral agencies and their jurisdictions)

(1) Schedule 7, table 2, item 4—

[s 9]

omit, insert—

<p>4 Reconfiguring a lot if—</p> <p>(a) a lot to which the application relates is 5ha or larger; and</p> <p>(b) the size of any lot created is 25ha, or smaller; and</p> <p>(c) either—</p> <p>(i) the reconfiguration involves operational work made assessable under schedule 3, part 1, table 4, item 1, other than operational work that is only the clearing of regulated regrowth vegetation; or</p> <p>(ii) on any lot created, additional exempt operational work, other than operational work that is only the clearing of regulated regrowth vegetation, could be carried out</p>	<p>The chief executive—as a concurrence agency</p>	<p>The purpose of the Act</p>
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(2) Schedule 7, table 2, item 15, column 1, after ‘tidal waters’—
insert—

, other than work for government supported transport infrastructure,

9 Amendment of sch 26 (Dictionary)

(1) Schedule 26, definitions *eligible development* and *non-profit organisation*—

omit.

(2) Schedule 26—

insert—

registered non-profit organisation, for part 3, division 3, see section 21AA.

ENDNOTES

- 1 Made by the Governor in Council on 30 April 2015.
- 2 Notified on the Queensland legislation website on 1 May 2015.
- 3 The administering agency is the Department of Infrastructure, Local Government and Planning.

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