

Economic Development and Other Legislation Amendment Bill 2018

Erratum to Explanatory Notes

Short title

The short title of the Bill is the Economic Development and Other Legislation Amendment Bill 2018 (the Bill).

Reason for erratum

The erratum corrects an error in the explanatory notes, where the explanation of clause 182, proposing new section 345 (Particular existing appeals) of the *Planning Act 2016* (Planning Act) should refer to an ‘eligible submitter’ rather than an ‘eligible applicant.’

The erratum also corrects an error in the explanatory notes, where the explanation of clause 183, amendment of schedule 2 (Dictionary) of the Planning Act incorrectly categorises how definitions are amended.

Additionally, the erratum corrects an error in the explanatory notes, where the explanation of clauses 205 and 206 in relation to the *Queensland Reconstruction Authority Act 2011* are shown in reverse order.

The erratum also corrects an error in the explanatory notes, where the explanation of clause 219 incorrectly refers to section 9 (Town planning provisions) of the *Sanctuary Cove Resort Act 1985* (SCR Act), instead of section 12E (Town planning provisions). In the same clause, the notes on provisions incorrectly refer to ‘the site’ instead of ‘the adjacent site’ regarding lawful uses under the Planning Act.

Notes on Provisions

Part 13 Amendment of Planning Act 2016

On page 86 of the explanatory notes, in relation to the Planning Act, omit the explanation for clause 182, section 345 (Particular existing appeals) of the Bill. Replace the explanation for section 345 (Particular existing repeals) with the following explanation:

Section 345 (Particular existing appeals) clarifies how former section 230(6) of the Planning Act applies in relation to an appeal to the *Planning and Environment Court Act 2016* or a tribunal started, but not decided, before the commencement of the Bill.

The provisions clarify the particular requirements about giving a copy of the notice of appeal to another eligible submitter are taken to never have applied to the particular person.

On page 86 of the explanatory notes, in relation to the Planning Act, omit the explanation for clause 183 of the Bill and replace it with the following explanation:

Clause 183 Amendment of sch 2 (Dictionary)

Clause 183 amends Schedule 2 ‘Dictionary’ with respect to the following terms: *affected entity, assessment manager, chosen assessment manager, communication, enforcement authority, excluded application, minor change, PDA development approval, pre-request response notice, prescribed assessment manager, receiver, relevant document, response notice, responsible entity* and *sending time*. The definition of the *Judicial Review Act 1991* is removed as it is unnecessary.

Part 15 Amendment of Queensland Reconstruction Authority Act 2011

On page 89 of the explanatory notes, in relation to the Queensland Reconstruction Authority (QRA), omit the explanations for clauses 205 and 206 of the Bill and replace them with the following explanations:

Clause 205 Amendment of s 35 (Time and place of meetings)

Clause 205 amends section 35(2) from meetings occurring once each month to eight times a year. Reducing the number of meetings will provide flexibility to stagger meetings that may conflict with disaster response periods and be more consistent with other Queensland Government statutory authorities, which meet less regularly.

Clause 206 Amendment of s 41 (Reporting by the board and chairperson)

Clause 206 amends section 41(1) from reporting occurring per month to per quarter. Further, section 41(3) is amended to ensure the QRA keeps a copy of each report under subsection (1) or (2) on its website, rather than the department’s website.

Part 16 Amendment of Sanctuary Cove Resort Act 1985

On page 91 of the explanatory notes, in relation to the SCR Act, omit the explanation for clause 219 of the Bill and replace it with the following explanation:

Clause 219 Amendment of s 12E (Town planning provisions)

Clause 219 amends section 12E to establish that if a use is an approved use for part of the zone (including all parts of the zone) of the adjacent site under the SCR Act, it is taken to be a lawful use under the Planning Act.