



Planning and Other Legislation (Make Developers Pay) Amendment Bill 2023



Queensland

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Contents

		Page
Part 1	Preliminary	
1	Short title	4
Part 2	Amendment of Planning Act 2016	
2	Act amended	4
3	Amendment of s 112 (Regulation prescribing charges)	4
4	Amendment of s 114 (Contents—general)	4
5	Amendment of s 115 (Provisions for participating local governments and distributor-retailers)	5
6	Amendment of sch 2 (Dictionary)	5
Part 3	Amendment of South-East Queensland Water (Distribution and Retail Restructuring) Act 2009	
7	Act amended	6
8	Amendment of s 99BRCG (Matters for board decision)	6

2023

A Bill

for

An Act to amend the *Planning Act 2016* and the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* for particular purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Planning and Other Legislation
(Make Developers Pay) Amendment Act 2023*. 4
5

**Part 2 Amendment of Planning Act
2016** 6
7

Clause 2 Act amended 8

This part amends the *Planning Act 2016*. 9

Clause 3 Amendment of s 112 (Regulation prescribing charges) 10

(1) Section 112(1), from ‘charge—’— 11

omit, insert— 12

charge under the SEQ Water Act in relation to
providing truck infrastructure. 13
14

(2) Section 112(2) and (4)— 15

omit. 16

Clause 4 Amendment of s 114 (Contents—general) 17

(1) Section 114(1), from ‘charge is—’— 18

omit, insert— 19

charge is prescribed by regulation for the
development. 20
21

-
- (2) Section 114(5)— 1
omit, insert— 2
- (5) However, an automatic increase must not be more 3
than the increase worked out using the PPI, 4
adjusted according to the 3-yearly average, for the 5
period— 6
- (a) starting on the day the levied charge is 7
levied; and 8
- (b) ending on the day the charge is paid. 9

- Clause 5** **Amendment of s 115 (Provisions for participating local 10
governments and distributor-retailers) 11**
- Section 115(5)— 12
omit, insert— 13
- (5) However, if the local government is a party to a 14
breakup agreement, the adopted charges must not 15
be more than the proportion of the adopted 16
charges the local government may have under the 17
breakup agreement. 18

- Clause 6** **Amendment of sch 2 (Dictionary) 19**
- (1) Schedule 2, definition *maximum adopted charge*— 20
omit. 21
- (2) Schedule 2, definition *charges breakup*, ‘maximum’— 22
omit. 23

Part 3	Amendment of South-East Queensland Water (Distribution and Retail Restructuring) Act 2009	1 2 3 4
Clause 7	Act amended	5
	This part amends the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i> .	6 7
Clause 8	Amendment of s 99BRCG (Matters for board decision)	8
	Section 99BRCG(1)(b)—	9
	<i>omit, insert—</i>	10
	(b) the charge is no more than—	11
	(i) if the distributor-retailer is a party to a breakup agreement—the proportion of the adopted charges for trunk infrastructure the distributor-retailer may have under the breakup agreement; or	12 13 14 15 16 17
	(ii) if the distributor-retailer is not a party to a breakup agreement—the maximum adopted charge for trunk infrastructure the distributor-retailer may have under a regulation under the Planning Act.	18 19 20 21 22 23