



Queensland

*Economic Development Act 2012*

# **Economic Development Regulation 2023**

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## Queensland

# Economic Development Regulation 2023

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# Economic Development Regulation 2023

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Economic Development Regulation 2023*.

### 2 Definition

In this regulation—

*repealed regulation* means the repealed *Economic Development Regulation 2013*.

## Part 2 Priority development areas

### 3 Priority development areas—Act, s 37

For section 37(1) of the Act—

- (a) each part of the State identified as a priority development area on a map mentioned in schedule 1, part 1, column 2 and declared as a priority development area under the repealed regulation continues to be declared as the priority development area mentioned opposite in schedule 1, part 1, column 1; and
- (b) each part of the State identified as a priority development area on a map mentioned in schedule 1, part 2, column 2 is declared to be the priority development area mentioned opposite in schedule 1, part 2, column 1.

*Note—*

Each map is available for inspection on the department's website.

### **3A Expiry date for interim land use plan for Waraba priority development area—Act, s 37**

For section 37(3)(a) of the Act, the expiry date for the interim land use plan for the Waraba priority development area is 2 August 2026.

*Note—*

See also section 40AB of the Act in relation to the expiry of an interim land use plan for a priority development area.

### **4 Transitioned UDAs—Act, s 196**

For section 196(1)(a) of the Act, each part of the State identified as an urban development area on a map mentioned in schedule 2, column 2 is the transitioned UDA, or transitioned UDA as amended, mentioned opposite in schedule 2, column 1.

*Notes—*

- 1 A transitioned UDA is taken to be a priority development area. See sections 177, definition *transitioned UDA* and 190 of the Act.
- 2 Each map is available for inspection on the department's website.

### **5 Placing notice about PDA development application on land—Act, s 84**

- (1) For section 84(2)(b) of the Act, this section prescribes the way a notice about a PDA development application must be placed on the relevant land.
- (2) The notice must—
  - (a) be placed on, or within 1.5m of, the road frontage for the relevant land; and
  - (b) be mounted at least 300mm above ground level; and
  - (c) be positioned so it is visible from—
    - (i) any road adjoining the relevant land; or

- (ii) if the only access to the relevant land is across other land—any road adjoining the other land at the point of access; and
- (d) be made of weatherproof material; and
- (e) be not less than 1,200mm x 900mm in size.
- (3) If the relevant land has more than 1 road frontage, a notice must be placed on each road frontage for the land.
- (4) The applicant must maintain the notice from the day it is placed on the relevant land until the end of the submission period for the application.
- (5) In this section—  
*road frontage*, for relevant land, means—
  - (a) generally—the boundary between the relevant land and any road adjoining the land; or
  - (b) if the only access to the relevant land is across other land—the boundary between the other land and any road adjoining the other land at the point of access.

## **Part 3 Plans of subdivision**

### **6 Process for approving plans of subdivision—Act, s 104**

For section 104(2) of the Act, the process stated in schedule 3 is prescribed.

## **Part 4 Temporary use licences**

### **7 Applications for temporary use licences—Act, s 171F**

For section 171F(2)(b) of the Act, the following matters are prescribed—

- (a) the applicant’s name and contact details;

[s 7A]

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- (b) a description of the premises to which the application relates;
- (c) details of the relevant change the subject of the application;
- (d) the grounds for the relevant change.

**7A Applications to extend temporary use licences—Act, s 171JB**

For section 171JB(2)(b) of the Act, the following matters are prescribed—

- (a) the applicant’s name and contact details;
- (b) the period of the extension sought;
- (c) the grounds for the extension.

**7B Applications to amend temporary use licences—Act, s 171JG**

For section 171JG(2)(b) of the Act, the following matters are prescribed—

- (a) the applicant’s name and contact details;
- (b) details of the amendment sought;
- (c) the grounds for the amendment.

## **Part 5 Repeal and transitional provision**

### **8 Repeal**

The Economic Development Regulation 2013, SL No. 2 is repealed.



## **9 References to repealed regulation**

A reference in a document to the repealed regulation may, if the context permits, be taken to be a reference to this regulation.

## **Schedule 1      Priority development areas**

section 3

### **Part 1                      Priority development areas continued in existence**

<b>Column 1</b>	<b>Column 2</b>
<b>Priority development area</b>	<b>Description of area</b>
Albert Street Cross River Rail	Map No. PDA 15 - Albert Street Cross River Rail Priority Development Area
Blackwater East	Map No. PDA 2 - Blackwater East Priority Development Area
Boggo Road Cross River Rail	Map No. PDA 18 - Boggo Road Cross River Rail Priority Development Area
Herston Quarter	Map No. PDA 11 - Herston Quarter Priority Development Area
Mackay Waterfront	Map No. PDA 12 - Mackay Waterfront Priority Development Area
Maroochydore City Centre	Map No. PDA 5 - Maroochydore City Centre Priority Development Area
Oxley	Map No. PDA 13 - Oxley Priority Development Area
Parklands	Map No. PDA 1 - Parklands Priority Development Area
Queen's Wharf Brisbane	Map No. PDA 8 - Queen's Wharf Brisbane Priority Development Area
Roma Street Cross River Rail	Map No. PDA 16 - Roma Street Cross River Rail Priority Development Area

<b>Column 1</b>	<b>Column 2</b>
<b>Priority development area</b>	<b>Description of area</b>
Southport	Map No. PDA 19 - Southport Priority Development Area
Sunshine Coast Airport	Map No. PDA 20 - Sunshine Coast Airport Priority Development Area
The Mill at Moreton Bay	Map No. PDA 10 - The Mill at Moreton Bay Priority Development Area
Toondah Harbour	Map No. PDA 3 - Toondah Harbour Priority Development Area
Toowoomba Railway Parklands	Map No. PDA 9 - Toowoomba Railway Parklands Priority Development Area
Townsville City Waterfront	Map No. PDA 7 - Townsville City Waterfront Priority Development Area
Weinam Creek	Map No. PDA 4 - Weinam Creek Priority Development Area
Yeronga	Map No. PDA 14 - Yeronga Priority Development Area

## **Part 2**                      **Priority development areas declared under this regulation**

<b>Column 1</b>	<b>Column 2</b>
<b>Priority development area</b>	<b>Description of area</b>
Waraba	Map No. PDA 22 - Waraba Priority Development Area
Woolloongabba	Map No. PDA 21 - Woolloongabba Priority Development Area

## Schedule 2      Transitioned UDAs

section 4

<b>Column 1</b>	<b>Column 2</b>
<b>Transitioned UDA</b>	<b>Description of area</b>
Andergrove	Map No. UDA4 - Andergrove Urban Development Area
Blackwater	Map No. UDA8 - Blackwater Urban Development Area
Bowen Hills	Map No. UDA2 - Bowen Hills Urban Development Area
Bowen Street, Roma	Map No. UDA9 - Bowen Street, Roma Urban Development Area
Caloundra South	Map No. UDA18 - Caloundra South Urban Development Area
<i>Note—</i>	
The transitioned UDA is as amended under section 40F of the Act.	
Central Queensland University Rockhampton	Map No. UDA17 - Central Queensland University Rockhampton Urban Development Area
Clinton	Map No. UDA5 - Clinton Urban Development Area
Fitzgibbon	Map No. UDA3 - Fitzgibbon Urban Development Area
Greater Flagstone	Map No. UDA11 - Greater Flagstone Urban Development Area
Moranbah	Map No. UDA10 - Moranbah Urban Development Area

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<b>Column 1</b>	<b>Column 2</b>
<b>Transitioned UDA</b>	<b>Description of area</b>
Northshore Hamilton	Map No. UDA1 - Northshore Hamilton Urban Development Area
Ooonoonba	Map No. UDA6 - Ooonoonba Urban Development Area
Ripley Valley	Map No. UDA12 - Ripley Valley Urban Development Area
Tannum Sands	Map No. UDA15 - Tannum Sands Urban Development Area
Toolooa	Map No. UDA16 - Toolooa Urban Development Area
Yarrabilba	Map No. UDA13 - Yarrabilba Urban Development Area

## Schedule 3      Approving plans of subdivision

### section 6

#### 1      Request for approval of plan of subdivision

- (1) A person may, under this section, ask MEDQ to approve a plan of subdivision.
- (2) The request must—
  - (a) be in writing; and
  - (b) be accompanied by—
    - (i) a copy of the proposed plan of subdivision; and
    - (ii) evidence allowing the request to be assessed under section 2; and
  - (c) be made during the relevant period, if any, for the request.
- (3) For subsection (2)(c), the *relevant period* for the request is—
  - (a) if the request relates to a plan of subdivision for reconfiguring a lot that is authorised under a PDA development permit—the period during which the PDA development permit is in effect; or
  - (b) if the request relates to a plan of subdivision for reconfiguring a lot that is required under a PDA development condition of a PDA development permit—
    - (i) if the PDA development permit states a currency period under section 100(4) or (5) of the Act—the stated currency period; or
    - (ii) otherwise—the period of 4 years after the PDA development permit takes effect; or
  - (c) if the request relates to a plan of subdivision for reconfiguring a lot that is required under a PDA exemption certificate—

- (i) if the certificate states a period within which the plan must be given to MEDQ for its approval—the stated period; or
- (ii) otherwise—the period during which the certificate is in effect.

## 2 Assessing request

- (1) The request must be assessed against—
  - (a) the criteria that apply in relation to the request under subsection (2), (3) or (4); and
  - (b) the general criteria under subsection (5).
- (2) If the request relates to a plan of subdivision for reconfiguring a lot that is authorised under a PDA development permit or is required under a PDA development condition of a PDA development permit, the criteria are—
  - (a) the plan has been prepared in accordance with the requirements of the PDA development permit; and
  - (b) if the PDA development permit is subject to PDA development conditions—
    - (i) the conditions have been complied with; or
    - (ii) the applicant has given satisfactory security to MEDQ to ensure compliance with the conditions.
- (3) If the request relates to a plan of subdivision for reconfiguring a lot that is required under a PDA exemption certificate, the criterion is that the plan has been prepared in accordance with the requirements of the certificate.
- (4) If the request relates to a plan of subdivision for reconfiguring a lot that is not PDA assessable development, the criterion is that the plan is consistent with any PDA development permit relevant to the land.
- (5) The **general criteria** are the following—
  - (a) there are no outstanding local government rates or charges or expenses that are a charge over the land under any Act;

- (b) there are no outstanding special rates or charges, or infrastructure expenses recoupment charges, in relation to the land;
  - (c) the conditions of any water approval under the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* in relation to the land have been complied with;
  - (d) there are no outstanding fees or charges in relation to the land levied by a distributor-retailer under the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*.
- (6) A reference in this section to the land, in relation to a plan of subdivision, is a reference to the land the subject of the plan of subdivision.
- (7) In this section—
- local government rates or charges*** means rates or charges levied by a local government.
- special rate or charge*** means a special rate or charge levied under section 115 of the Act.

### 3 Deciding request

- (1) If the request complies with the criteria against which it must be assessed under section 2, MEDQ must approve the plan of subdivision.
- (2) MEDQ must give notice of the approval to the applicant within—
  - (a) 20 business days after receiving the request; or
  - (b) another period agreed between MEDQ and the applicant.
- (3) If the Act under which the plan of subdivision is to be registered or recorded requires a particular form for the registration or recording, the approval of the plan of subdivision must be in that form.