



Queensland

# **State Development and Public Works Organisation (State Development Areas) Amendment Regulation (No. 2) 2013**

**Explanatory Notes for SL 2013 No. 134**

made under the

*State Development and Public Works Organisation Act 1971*

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## **General outline**

### **Short title**

*State Development and Public Works Organisation (State Development Areas) Amendment Regulation (No. 2) 2013.*

### **Authorising law**

*State Development and Public Works Organisation Act 1971 (SDPWOA)*

### **Policy objectives and reasons for them**

The policy objective of the legislation is to amend the *State Development and Public Works Organisation (State Development Areas) Regulation 2009* to update the reference to the regulation map which delineates the boundary of the Townsville State Development Area (TSDA). It is proposed to vary the boundary of the TSDA.

### **Achievement of policy objectives**

Achievement of the policy objective occurs through the amendment of section 8 of the *State Development and Public Works Organisation (State Development Areas) Regulation 2009*.

### **Consistency with policy objectives of authorising law**

The amendment regulation is consistent with the main objectives of the SDPWOA and amends the *State Development and Public Works Organisation (State Development Areas) Regulation 2009*.

### **Inconsistency with policy objectives of other legislation**

The subordinate legislation is not inconsistent with any policy objectives of any other legislation.

### **Alternative ways of achieving policy objectives**

The SDPWOA requires government intervention in order to vary the TSDA boundary; as such there are no alternative policy options available.

### **Benefits and costs of implementation**

The boundary amendment consolidates areas owned by a single landowner to be wholly within the TSDA.

Currently, if the area was developed, an applicant would be required to lodge two separate material change of use applications under both the SDPWOA and the *Sustainable Planning Act 2009* for the same development, given part of the site is within the TSDA (approximately 163 hectares), and a small part of the site (approximately 12.5 hectares) is not.

This is a positive benefit to streamline assessment processes for any future development application for material change of use over the area. The amendment will reduce regulatory burden on the Coordinator-General.

There are no direct or indirect costs to the Government.

## **Consistency with fundamental legislative principles**

The amendment has been drafted with regard to the fundamental legislative principles and is considered to comply with these principles.

## **Consultation**

The Office of the Coordinator General within the Department of State Development, Infrastructure and Planning consulted with the following state agencies on the proposed variation:

- Department of Agriculture, Forestry and Fisheries
- Department of Environment and Resource Management
- Department of Heritage Protection
- Department of Natural Resources and Mines and
- Department of Transport and Main Roads.

The Office of the Coordinator-General has undertaken consultation with affected landholders, Townsville City Council, Townsville Enterprise Ltd, the Port of Townsville and the general public.

The Office of the Coordinator-General also consulted with the Office of Best Practice Regulation, Queensland Competition Authority regarding the need for a Regulatory Impact Statement (RIS). The Office of Best Practice Regulation advised that the variation to the boundary of the TSDA is not likely to impose significant impacts therefore a RIS is not required.

## **Reasons for non-inclusion of information**

Not applicable.

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### ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of State Development, Infrastructure and Planning.