



Queensland

Economic Development Act 2012

Economic Development Regulation 2023

Current as at 25 August 2023

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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repealed regulation means the repealed *Economic Development Regulation 2013*.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 continued in existence—Act, s 37

For section 37(1) of the Act, each part of the State identified as a priority development area on a map mentioned in schedule 1, column 2 and declared as a priority development area under the repealed regulation continues to be declared as the priority development area mentioned opposite in schedule 1, column 1.

Note—

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

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;
- (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.

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

| Column 1 | Column 2 |
|----------------------------------|---|
| Priority development area | Description of area |
| 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 |
| Southport | Map No. PDA 19 - Southport Priority Development Area |
| Sunshine Coast Airport | Map No. PDA 20 - Sunshine Coast Airport Priority Development Area |

| Column 1 | Column 2 |
|----------------------------------|---|
| Priority development area | Description of 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 |
| Woolloongabba Cross River Rail | Map No. PDA 17 - Woolloongabba Cross River Rail Priority Development Area |
| Yeronga | Map No. PDA 14 - Yeronga Priority Development Area |

Schedule 2 Transitioned UDAs

section 4

| Column 1 | Column 2 |
|--|--|
| Transitioned UDA | Description of area |
| 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 |

| Column 1 | Column 2 |
|-------------------------|---|
| Transitioned UDA | Description of area |
| 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 |
| Tooolooa | Map No. UDA16 - Tooolooa 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;

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- (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.