



Queensland

Planning and Other Legislation Amendment Regulation 2024

Subordinate Legislation 2024 No. ...

made under the

Economic Development Act 2012
Environmental Offsets Act 2014
Planning Act 2016

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CONSULTATION DRAFT—APRIL 2024

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Planning and Other Legislation Amendment Regulation 2024*.

2 Commencement

This regulation commences on [date to be advised].

Part 2 Amendment of Economic Development Regulation 2023

3 Regulation amended

This part amends the *Economic Development Regulation 2023*.

4 Insertion of new ss 7A and 7B

After section 7—

insert—

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.

[s 5]

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) the details of the amendment sought;
- (c) the grounds for the amendment.

Part 3 Amendment of Environmental Offsets Regulation 2014

5 Regulation amended

This part amends the *Environmental Offsets Regulation 2014*.

6 Amendment of sch 1 (Activities prescribed for section 9(c) of the Act)

Schedule 1—

insert—

- 9 development carried out under a development approval given or changed by the chief executive under the Planning Act, chapter 3, part 6A

Part 4 Amendment of Planning Regulation 2017

Division 1 Preliminary

7 Regulation amended

This part amends the *Planning Regulation 2017*.

Division 2 **Amendments relating to
development control plans**

8 **Insertion of new s 15A**

Before section 16—

insert—

**15A Planning schemes applying to development
control plan areas—Act, s 43**

- (1) This section applies to a planning scheme to the extent it applies to premises to which a development control plan applies.
- (2) For section 43(5)(a) of the Act, the planning scheme may, to give effect to the development control plan, categorise particular development on the premises as prohibited development.

9 **Insertion of new pt 8C**

After part 8B—

insert—

Part 8C **Development control
plans**

Division 1 **Preliminary**

68J Purpose of part—Act, s 360

This part prescribes matters for interpreting and applying section 360 of the Act and development control plans.

[s 9]

68K Definitions for part

In this part—

applied category of assessment means a category of assessment under the Act.

applied category of development means a category of development under the Act.

DCP category of development means a category of development stated in a development control plan.

Kawana Waters development control plan means the development control plan known as the ‘Development Control Plan 1 Kawana Waters’.

Mango Hill development control plan means the development control plan known as the ‘Mango Hill Infrastructure Development Control Plan’.

Springfield structure plan means the development control plan known as the ‘Springfield Structure Plan’.

**Division 2 Kawana Waters
 development control plan**

68L Categorisation

- (1) This section applies for determining—
 - (a) the applied category of development for development on premises to which the Kawana Waters development control plan applies; and
 - (b) if the applied category of development is assessable development—the applied category of assessment for the assessable development.
- (2) A reference in a provision of the Kawana Waters

development control plan to a DCP category of development mentioned in table 1, column 1 is a reference to the applied category of development mentioned in table 1, column 2 opposite the DCP category of development.

- (3) Subsection (4) applies if, under subsection (2), a reference in a provision of the Kawana Waters development control plan to a DCP category of development is a reference to assessable development.
- (4) Under the provision, the applied category of assessment for the assessable development is the category stated in table 1, column 3 opposite the DCP category of development.

Column 1 DCP category of development	Column 2 Applied category of development	Column 3 Applied category of assessment
1 prohibited development	prohibited development	—
2 permissible development	assessable development	impact assessment
3 conditional permitted development	accepted development	code assessment
4 permitted development	accepted development	—

**Division 3 Mango Hill development
 control plan**

68M Categorisation generally

- (1) This section applies for determining—

[s 9]

- (a) the applied category of development for development on premises to which the Mango Hill development control plan applies; and
 - (b) if the applied category of development is assessable development—the applied category of assessment for the assessable development.
- (2) A reference in a provision of the Mango Hill development control plan to a DCP category of development mentioned in table 2, column 1 is a reference to the applied category of development mentioned in table 2, column 2 opposite the DCP category of development.
 - (3) Subsection (4) applies if, under subsection (2), a reference in a provision of the Mango Hill development control plan to a DCP category of development is a reference to assessable development.
 - (4) Under the provision, the applied category of assessment for the assessable development is the category stated in table 2, column 3 opposite the DCP category of development.

Column 1 DCP category of development	Column 2 Applied category of development	Column 3 Applied category of assessment
1 prohibited development	prohibited development	—
2 permissible development	assessable development	impact assessment
3 permitted development subject to conditions	assessable development	code assessment

Column 1 DCP category of development	Column 2 Applied category of development	Column 3 Applied category of assessment
4 permitted development	accepted development	—

68N Categorisation under Mango Hill development control plan, s 13.1.2

- (1) Subsection (2) applies if, under the Mango Hill development control plan, section 13.1.2.1, a person may make an application in the manner specified for code assessment development applications for development mentioned in the section.
- (2) Under the Mango Hill development control plan, section 13.1.2.1—
 - (a) the applied category of development for the development is assessable development; and
 - (b) the applied category of assessment for the assessable development is code assessment.
- (3) Subsection (4) applies if, under the Mango Hill development control plan, section 13.1.2.1 or 13.1.2.2, a person may make an application in the manner specified for development permits requiring impact assessment for development mentioned in the section.
- (4) Under the Mango Hill development control plan, section 13.1.2.1 or 13.1.2.2—
 - (a) the applied category of development for the development is assessable development; and
 - (b) the applied category of assessment for the assessable development is impact assessment.

[s 9]

Division 4 Springfield structure plan

680 Categorisation generally

- (1) This section applies for determining—
 - (a) the applied category of development for development on premises to which the Springfield structure plan applies; and
 - (b) if the applied category of development is assessable development—the applied category of assessment for the assessable development.
- (2) A reference in a provision of the Springfield structure plan to a DCP category of development mentioned in table 3, column 1 is a reference to the applied category of development mentioned in table 3, column 2 opposite the DCP category of development.
- (3) Subsection (4) applies if, under subsection (2), a reference in a provision of the Springfield structure plan to a DCP category of development is a reference to assessable development.
- (4) Under the provision, the applied category of assessment for the assessable development is the category stated in table 3, column 3 opposite the DCP category of development.

Table 3—Springfield structure plan		
Column 1 DCP category of development	Column 2 Applied category of development	Column 3 Applied category of assessment
1 development to follow the impact assessment process, whether type A or type B	assessable development	impact assessment

Table 3—Springfield structure plan		
Column 1 DCP category of development	Column 2 Applied category of development	Column 3 Applied category of assessment
2 impact assessable development	assessable development	impact assessment
3 development to follow the code assessment process	assessable development	code assessment
4 code assessable development	assessable development	code assessment
5 self-assessable development	accepted development	—
6 exempt development	accepted development	—

68P Categorisation under Springfield structure plan, s 2.3.2

- (1) This section applies if, under the Springfield structure plan, section 2.3.2, development is deemed to require development approval pursuant to the impact assessment process.
- (2) Under the Springfield structure plan, section 2.3.2—
 - (a) the applied category of development for the development is assessable development; and
 - (b) the applied category of assessment for the assessable development is impact assessment.

68Q Categorisation under Springfield structure plan, s 2.6

- (1) This section applies if, under the Springfield structure plan, section 2.6, a person may make an

[s 10]

application for approval by way of the code assessment process for development mentioned in the section.

- (2) Under the Springfield structure plan, section 2.6—
 - (a) the applied category of development for the development is assessable development; and
 - (b) the applied category of assessment for the assessable development is code assessment.

10 Amendment of sch 11 (Assessment benchmarks in relation to koala habitat in SEQ region)

Schedule 11, section 1, paragraph (d)—
omit, insert—

- (d) the development is on premises to which a development control plan applies; or

11 Amendment of sch 24 (Dictionary)

(1) Schedule 24—
insert—

applied category of assessment, for part 8C, see section 68K.

applied category of development, for part 8C, see section 68K.

DCP category of development, for part 8C, see section 68K.

development control plan see section 358 of the Act.

Kawana Waters development control plan, for part 8C, see section 68K.

Mango Hill development control plan, for part 8C, see section 68K.

Springfield structure plan, for part 8C, see section 68K.

- (2) Schedule 24, definition *exempted development*, paragraph (c)—

omit, insert—

- (c) development on premises to which a development control plan applies; or

Division 3 Amendments relating to applications for State facilitated development and other matters

12 Amendment of s 10 (Minister’s guidelines and rules—Act, s 17)

Section 10, ‘section 17(3)’—

omit, insert—

section 17(7)

13 Amendment of s 15 (Designation process rules—Act, s 37)

Section 15, ‘section 37(8)’—

omit, insert—

section 37(7)

14 Insertion of new ss 43A–43C

After section 43—

insert—

**43A Development condition relating to provision of
affordable housing component—Act, s 65A**

For section 65A(1) of the Act, a development condition imposed on a development approval

[s 14]

mentioned in the section may relate to the provision of an affordable housing component on the premises the subject of the approval if the condition—

- (a) states the period for which the component must be maintained as an affordable housing component; and
- (b) includes a detailed description of the affordable housing component, including, for example—
 - (i) the number of dwellings to be provided as part of the component; and
 - (ii) the gross floor area of each building to be provided as part of the component; and
 - (iii) the premises to which the condition relates.

43B Criteria for application proposing affordable housing component—Act, s 65A

For section 65A(1)(b)(ii) of the Act, an application that specifically proposes the provision of an affordable housing component must include information that demonstrates that the affordable housing—

- (a) can be provided; and
- (b) can be maintained as an affordable housing component for a stated period.

43C Criteria for affordable housing component—Act, s 65A

For section 65A(3) of the Act, definition *affordable housing component*, paragraph (b), the component of development must include—

-
- (a) housing provided by a registered provider to an individual for residential use; or
 - (b) housing provided as part of a program, funded by any of the following entities, to support the provision of affordable housing—
 - (i) a public sector entity under the *Public Sector Act 2022*, section 8;
 - (ii) a local government;
 - (iii) the State;
 - (iv) the Commonwealth; or
 - (c) housing sold or rented below the typical market value on the basis of its type, composition, method of construction, size or level of finish.

15 Amendment of s 44 (Development assessment rules—Act, ss 68 and 69)

- (1) Section 44(1), ‘sections 68(4)’—
omit, insert—
sections 68(6)
- (2) Section 44(2), ‘section 69(4)’—
omit, insert—
section 69(8)

16 Insertion of new pt 5A

After part 5—
insert—

Part 5A Declaring applications for State facilitated development

51A Purpose of part

This part prescribes, for sections 106D(2)(b) and 106P of the Act, matters for chapter 3, part 6A of the Act.

51B Criteria for declaring applications for State facilitated development—Act, s 106D

- (1) For section 106D(2)(b) of the Act, the following criteria are prescribed—
 - (a) the development the subject of the relevant application must—
 - (i) be for predominantly residential development; and
 - (ii) include an affordable housing component that equates to at least 15% of all dwellings resulting from the development;
 - (b) the affordable housing component must provide—
 - (i) a diverse mix of dwelling types; or
 - (ii) diversity in the number of bedrooms contained in the dwellings;
 - (c) the application must comply with either of the following—
 - (i) the premises the subject of the application are completely within a zone supporting residential development;

- (ii) the premises the subject of the application are not within an environmental zone and the Minister is satisfied the premises are or can be readily serviced by infrastructure for the development.

(2) In this section—

environmental zone means—

- (a) any of the following zones mentioned in schedule 2—
 - (i) environmental management and conservation zone;
 - (ii) conservation zone;
 - (iii) environmental management zone; or
- (b) a zone, other than a zone mentioned in schedule 2, that is of a substantially similar type to a zone stated in paragraph (a).

zone supporting residential development means—

- (a) any of the following zones mentioned in schedule 2—
 - (i) general residential zone, low density residential zone, low-medium density residential zone, medium density residential zone, high density residential zone or character residential zone;
 - (ii) centre zone, neighbourhood centre zone, local centre zone, district centre zone, major centre zone or principal centre zone;
 - (iii) mixed use zone;
 - (iv) specialised centre zone; or

[s 16]

- (b) a zone, other than a zone mentioned in schedule 2, that is of a substantially similar type to a zone stated in paragraph (a).

51C When notice of proposed declaration must be given—Act, s 106P

- (1) For section 106P(1)(a) of the Act, notice of the proposed declaration of a relevant application as an application for State facilitated development must be given—
 - (a) if the relevant application is a development application—at any time before the latest of the following—
 - (i) 15 business days after the day the chief executive receives notice of an appeal about the decision for the application;
 - (ii) if there is a submitter for the application—50 business days after the day the decision notice is given to the applicant;
 - (iii) if there are no submitters for the application and a decision notice is given for the application—25 business days after the day the decision notice is given to the applicant;
 - (iv) if the application is taken to have been approved under section 64 of the Act and a decision notice is not given for the application—25 business days after the day the decision notice was required to be given to the applicant; or
 - (b) if the relevant application is a change application—within 20 business days after the later of the following—

-
- (i) the day the chief executive receives notice of an appeal about the decision for the application;
 - (ii) the end of the appeal period for the decision on the application.
- (2) For section 106P(1)(a) of the Act, if the relevant application is a proposed development application or a proposed change application, notice of the proposed declaration of the relevant application as an application for State facilitated development may be given at any time.

51D Effect of notice of proposed declaration on process for assessing and deciding application—Act, s 106P

- (1) This section applies if the Minister gives notice under section 106C(2) of the Act of the proposed declaration of a relevant application that is a development application or a change application as an application for State facilitated development.
- (2) For section 106P(1)(b)(i) of the Act, the process for assessing and deciding the relevant application is suspended for the period that—
- (a) starts on the day the notice is given; and
 - (b) ends on the earlier of the following days—
 - (i) the day the Minister declares the relevant application an application for State facilitated development;
 - (ii) the day the Minister gives notice under section 51E that the Minister has decided not to declare an application for State facilitated development.
- (3) If the Minister declares the relevant application an application for State facilitated development, the

[s 16]

process for assessing and deciding the relevant application stops.

- (4) If the Minister gives notice under section 51E that the Minister has decided not to declare the relevant application an application for State facilitated development, the process for assessing and deciding the relevant application restarts the day after the notice is given.

51E Notice of decision not to make declaration—Act, s 106P

- (1) This section applies if the Minister—
- (a) gives notice under section 106C(2) of the Act of the proposed declaration of a relevant application as an application for State facilitated development; and
 - (b) decides not to declare the relevant application as an application for State facilitated development.
- (2) For section 106P(1)(c) of the Act, the Minister must give notice of the decision to each entity to whom the notice of the proposed declaration was given.
- (3) The notice must be given within 10 business days after the day the representation period for the proposed declaration ends.
- (4) Subsection (5) applies if—
- (a) the relevant application is a development application or a change application; and
 - (b) the notice of the proposed declaration was given before the decision-maker for the application decided the application.
- (5) The notice under subsection (2) must state that the process for assessing and deciding the relevant application restarts from the point in the process

at which the process stopped because of the giving of the notice of the proposed declaration.

51F Effect of proposed declaration on appeal period

- (1) This section applies if—
 - (a) the Minister gives notice under section 106C(2) of the Act of the proposed declaration of a relevant application that is a development application or a change application as an application for State facilitated development; and
 - (b) the notice of the proposed declaration is given after the decision-maker for the application decides the application; and
 - (c) the Minister gives notice under section 51E that the Minister has decided not to declare the application as an application for State facilitated development.
- (2) The appeal period relating to the decision-maker's decision on the application is taken to have started again the day after the notice is given under section 51E.

17 Insertion of new ss 68AA and 68AB

After section 68A—

omit, insert—

68AA Applications to extend temporary use licences—Act, s 275LB

For section 275LB(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;

[s 18]

- (c) the grounds for the extension.

68AB Applications to amend temporary use licences—Act, s 275LG

For section 275LG(2)(b) of the Act, the following matters are prescribed—

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

18 Insertion of new pt 13

After part 12—

insert—

Part 13

**Transitional provision
 for Planning and Other
 Legislation
 Amendment Regulation
 2024**

76 Reference to affordable housing in local planning instrument

- (1) This section applies if, before the commencement, a local planning instrument included the administrative term *affordable housing* stated in former schedule 4, column 1.
- (2) From the commencement, the local planning instrument is taken to include the administrative term *affordable housing component* stated in new schedule 4, column 1 and the definition of the term stated opposite the term in new schedule 4, column 2.
- (3) In this section—

former, for a provision of this Act, means the provision as in force from time to time before the commencement.

new, for a provision of this Act, means the provision as in force from the commencement.

19 Amendment of sch 4 (Administrative terms for local planning instruments)

- (1) Schedule 4, entry for *affordable housing*—
omit.
- (2) Schedule 4—
insert—

affordable housing component

affordable housing component see the *Planning Act 2016*, section 65A(3).

Note—

See also section 43C.

build to rent

build to rent means development that involves the use of a new or existing building for residential accommodation for long-term residential tenancies.

20 Amendment of sch 5 (Infrastructure)

- Schedule 5, part 2, item 16, from ‘within’—
omit.

21 Amendment of sch 10 (Development assessment)

- (1) Schedule 10, part 8, division 2, subdivision 2, item 3, ‘section 277’—
omit, insert—

[s 22]

section 275ZJ

- (2) Schedule 10, part 8, division 2, subdivision 3, item 5, ‘section 277’—

omit, insert—

section 275ZJ

22 Amendment of sch 22, s 5 (Documents assessment manager must keep available for inspection and purchase)

- (1) Schedule 22, section 5(2)—

insert—

(ca) any of the following documents relating to declarations of applications as State facilitated development—

- (i) a notice of a proposed declaration given under section 106C(2) of the Act;
- (ii) a declaration notice given under section 106E(a) of the Act;

- (2) Schedule 22, section 5—

insert—

(6) The obligation under subsection (2)(ca)(i) applies only until the Minister gives a declaration notice under section 106E(a) of the Act, or decides not to give a declaration notice under section 106E(a) of the Act.

23 Amendment of sch 22, s 11 (Documents chief executive must keep available for inspection and purchase)

- (1) Schedule 22, section 11(1)(f), after ‘section 26(6)’—

insert—

, 26A(4)

- (2) Schedule 22, section 11(1)—

insert—

- (qa) each of the following documents relating to declarations of applications for State facilitated development—
 - (i) a notice of a proposed declaration given under section 106C(2) of the Act;
 - (ii) a declaration notice given under section 106E(a) of the Act;
 - (iii) a decision notice given for an application decided by the chief executive under chapter 3, part 6A, division 3 of the Act;
 - (iv) a report prepared by the chief executive under section 106N(1) of the Act;
 - (v) a report tabled in the Legislative Assembly under section 106N(2) of the Act;

- (3) Schedule 22, section 11—

insert—

- (3A) The obligation under subsection (1)(qa)(i) applies only until the Minister gives a declaration notice under section 106E(a) of the Act, or decides not to give a declaration notice under section 106E(a) of the Act.

- (4) Schedule 22, section 11(5)—

insert—

- (e) a copy of a notice given under section 275LE or 275LJ of the Act in relation to the licence but only if the notice relates to a decision to approve the application in relation to which the notice is given;
- (f) if the period of the licence is extended under section 275LF of the Act—when the extended period ends;

[s 24]

- (g) if the licence is cancelled under section 275LK or 275LM of the Act—the day the cancellation took effect;
 - (h) if the licence is amended under section 275LM of the Act—a copy of the notice of the decision to make the amendment given under section 275LM(4) of the Act;
 - (i) if the licence is suspended under section 275LM of the Act—the period of the suspension.
- (5) Schedule 22, section 11(3A) to (5)—
renumber as schedule 22, section 11(4) to (7).

24 Amendment of sch 22, s 13 (Documents chief executive must or may keep on website)

- (1) Schedule 22, section 13(1)—
insert—
- (e) each of the following documents relating to declarations of applications for State facilitated development—
 - (i) a notice of a proposed declaration given under section 106C(2) of the Act;
 - (ii) a declaration notice given under section 106E(a) of the Act;
 - (iii) a decision notice given for an application decided by the chief executive under chapter 3, part 6A, division 3 of the Act.
- (2) Schedule 22, section 13—
insert—
- (3A) The obligation under subsection (1)(e)(i) applies only until the Minister gives a declaration notice under section 106E(a) of the Act, or decides not to

give a declaration notice under section 106E(a) of the Act.

- (3) Schedule 13, section 13(3A) and (4)—
renumber as schedule 13, section 13(4) and (5).

25 Amendment of sch 24 (Dictionary)

Schedule 24—

insert—

affordable housing component see section 65A(3) of the Act.

Note—

See also section 43C.

registered provider see the *Housing Act 2003*, schedule 4.

Division 4 Amendments relating to urban encroachment

26 Omission of pt 8, div 1, sdiv 1 (Preliminary)

Part 8, division 1, subdivision 1—

omit.

27 Omission of pt 8, div 1, sdiv 2, hdg (Matters for chapter 7, part 4 of the Act)

Part 8, division 1, subdivision 2, heading—

omit.

28 Replacement of s 58 (Purpose of subdivision)

Section 58—

omit, insert—

[s 29]

58 Application and purpose of division

This division—

- (a) applies to an application under section 267 of the Act to register, or renew the registration of, premises; and
- (b) prescribes, for section 275 of the Act, matters for chapter 7, part 4 of the Act relating to the application.

29 Amendment of s 59 (Requirements for application for registration or renewal)

Section 59(1)(e)—

omit, insert—

- (e) for an application to register premises—details of all public consultation carried out by, or for, the applicant about the proposed registration, including—
 - (i) a copy of the notice given under section 268C(2)(a)(i) of the Act; and
 - (ii) details of the period for which the consultation was carried out; and
 - (iii) copies of any submissions received from the owners and occupiers of premises within the mapped area; and

30 Omission of s 60 (Applicant to give notice of application)

Section 60—

omit.

31 Amendment of s 62 (Assessing application for registration or renewal)

Section 62(2)—

omit, insert—

- (2) Also, if the application is an application to register premises, the Minister must assess the application having regard to the outcomes of the public consultation about the application.

32 Amendment of s 63 (Content of notices)

- (1) Section 63, heading, after ‘notices’—

insert—

about registration or renewal

- (2) Section 63(1), ‘(with or without conditions)’—

omit.

- (3) Section 63(4)—

insert—

- (d) state the effect of section 274 of the Act.

33 Omission of pt 8, div 1, sdiv 3 (Other matters)

Part 8, division 1, subdivision 3—

omit.

34 Amendment of pt 8, div 2, hdg (Amending or cancelling registration)

Part 8, division 2, heading, ‘or cancelling’—

omit, insert—

conditions of, or cancelling,

35 Insertion of new pt 8, divs 2A and 2B

Part 8—

insert—

**Division 2A Amending registration to
include additional land in
affected area**

67A Application and purpose of division

This division—

- (a) applies to an application under section 268A of the Act to amend the registration of registered premises to include additional land in the affected area for the premises; and
- (b) prescribes, for section 275 of the Act, matters for chapter 7, part 4 of the Act relating to the application.

**67B Requirements for application to amend
registration to include additional land in
affected area**

- (1) The application must include—
 - (a) a map that shows—
 - (i) the additional land proposed to be included in the affected area for the registered premises; and
 - (ii) a lot on plan description of the additional land; and
 - (b) details of any intensification of development, or proposed development, within the additional land that is encroaching, or is likely to encroach, on the registered premises; and
 - (c) a statement about the nature of development proposed for the additional land under a

-
- local categorising instrument or regional plan applying to the land; and
- (d) details of all public consultation carried out by, or for, the applicant about the proposed amendment, including—
 - (i) a copy of the notice given under section 268C(2)(a)(ii) of the Act; and
 - (ii) details of the period for which the consultation was carried out; and
 - (iii) copies of any submissions received from the owners and occupiers of premises within the additional land; and
 - (e) details of any written complaints made to the applicant—
 - (i) within 1 year before the application is made; and
 - (ii) about emissions from the activity carried out at the registered premises; and
 - (f) details of any action taken by, or for, the applicant to mitigate emissions from the activity carried out at the registered premises; and
 - (g) a report (the *technical report*) prepared by an appropriately qualified person that shows the levels of emissions from the carrying out of the activity during normal operating hours for the registered premises; and
 - (h) if the activity is a prescribed ERA under the Environmental Protection Act—a copy of the environmental authority for carrying out the activity.
- (2) The technical report must include a certification by the person who prepared the report about

[s 35]

whether the levels of emissions from the carrying out of the activity comply with—

- (a) any development approval for the registered premises; and
- (b) any authority under the Environmental Protection Act applying to the activity.

67C Minister may request extra information

- (1) This section applies if the Minister reasonably requires extra information or a document to decide the application.
- (2) The Minister may, by notice, require the applicant to give the extra information or document to the Minister within the reasonable period of at least 30 business days stated in the notice.
- (3) The notice must be given within 30 business days after the day the Minister receives the application.
- (4) If the applicant does not comply with the requirement within the stated period, the applicant is taken to have withdrawn the application.

67D Assessing application to amend registration to include additional land

- (1) The Minister must assess the application against whether the activity carried out on the registered premises is consistent with the nature of development proposed for the additional land under a local categorising instrument and a regional plan applying to the land.
- (2) The Minister must assess the application having regard to the outcomes of the public consultation about the application.

67E Content of notices about amendment to include additional land

- (1) This section applies if the Minister decides, under section 268A of the Act, to approve the amendment of the registration to include additional land in the affected area for the registered premises.
- (2) If the decision is to approve the amendment of the registration on conditions, the decision notice for the decision must state the conditions and the period within which the conditions must be complied with.
- (3) The notice given under section 268A(8) of the Act must include a map showing the affected area as changed by the inclusion of the additional land.
- (4) The notice published by the owner of the premises under section 269A(2)(a) of the Act must—
 - (a) state the name of, or describe, the registered premises; and
 - (b) include a description of the affected area as changed by the inclusion of additional land; and
 - (c) state where a member of the public can get a map showing the affected area as changed by the inclusion of additional land; and
 - (d) state the effect of section 274 of the Act.

Division 2B Requirements for public consultation

67F Requirements for notices—Act, s 268C

For section 268C(3)(b) of the Act, a notice under section 268C(2) of the Act about a proposed application must—

[s 35]

- (a) state the name, postal address, electronic address and phone number of the applicant; and
- (b) state the name of, or describe, the premises or registered premises that the proposed application relates to; and
- (c) for a proposed application under section 267(2) of the Act—describe the mapped area; and
- (d) for a proposed application under section 268A of the Act—describe the additional land proposed to be included in the affected area for the registered premises; and
- (e) state where copies of the proposed application may be inspected or purchased; and
- (f) state the effect of section 274 of the Act.

ENDNOTES

- 1 Made by the Governor in Council on [Made by Governor Date].
- 2 Notified on the Queensland legislation website on [Notification Date].
- 3 The administering agency is the Department of Housing, Local Government, Planning and Public Works.