

Gladstone

State Development Area

Development Scheme

May 2022

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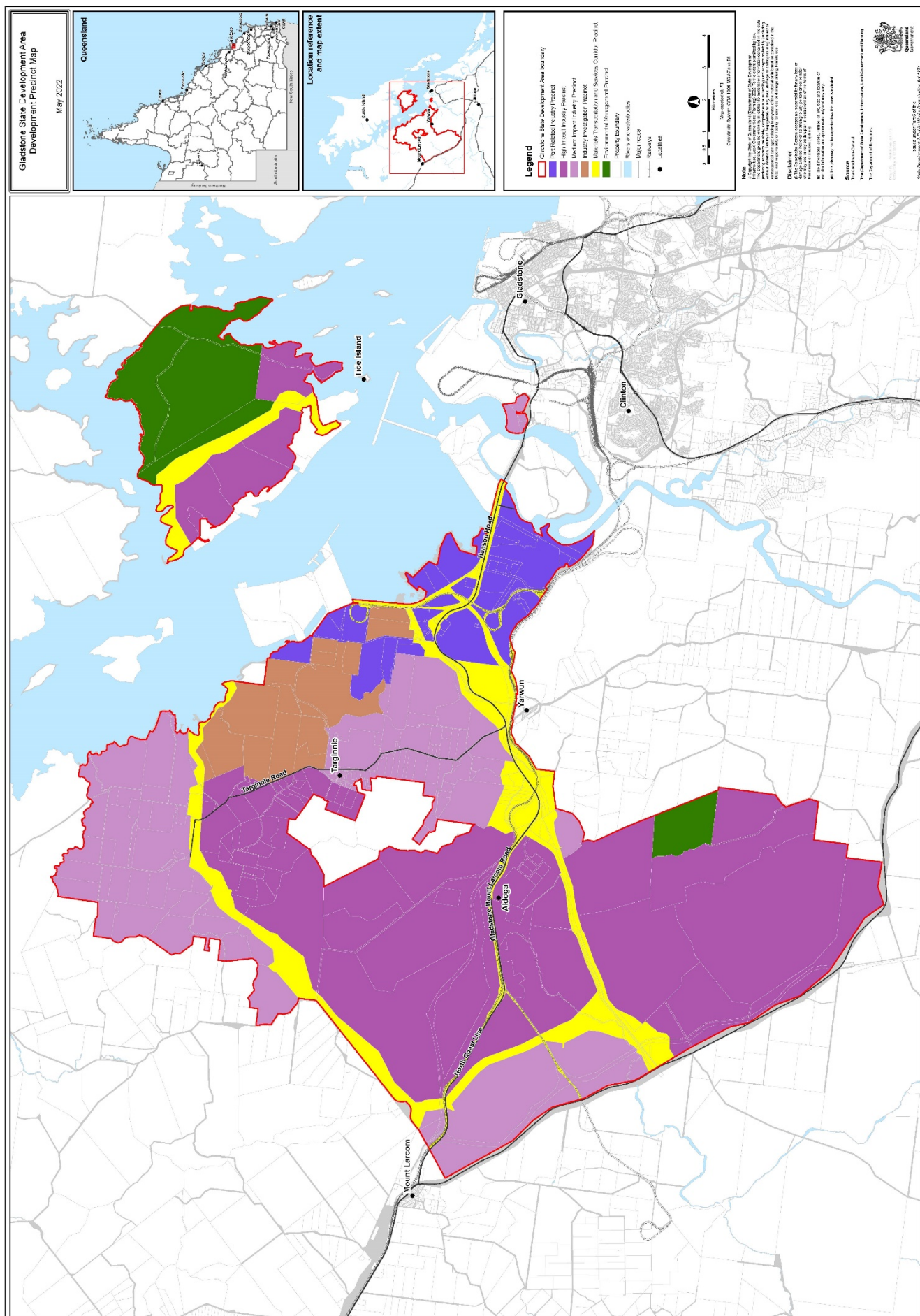
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1. Introduction

1.1 The Gladstone State Development Area

- (1) State development areas (SDAs) are areas declared by regulation under the *State Development and Public Works Organisation Act 1971* (SDPWO Act).
- (2) The Gladstone State Development Area (Gladstone SDA) was declared in December 1993 by regulation.
- (3) Figure 1 below identifies the boundary and development precincts of the Gladstone SDA.
- (4) This development scheme is consistent with, and adequately integrates the Port overlay for the priority Port of Gladstone August 2020 (Port overlay).



1.2 The Gladstone SDA Development Scheme

- (1) This development scheme has been prepared pursuant to sections 79 to 80 of the SDPWO Act and takes effect on the date stated in the gazette notice published under section 80(1)(a) of the SDPWO Act.
- (2) This development scheme:
 - (a) identifies the area regulated by the development scheme on Figure 1
 - (b) identifies regulated development for the Gladstone SDA
 - (c) for SDA assessable development, states the matters or things an SDA application for the development will be assessed against, including:
 - (i) the strategic vision for the Gladstone SDA
 - (ii) the overall objectives for development in the Gladstone SDA
 - (iii) the preferred development intent for each development precinct
 - (iv) SDA wide assessment criteria.
 - (d) contains a development assessment framework and processes for making, assessing and deciding:
 - (i) an SDA application
 - (ii) a request to change an SDA application
 - (iii) a change application for an SDA approval
 - (iv) a request to state a later currency period for an SDA approval
 - (v) a request to carry out a prior affected development and
 - (vi) a request to approve a plan of subdivision
 - (e) for SDA self-assessable development, includes the requirements development must comply with and
 - (f) specifies other matters pertaining to the regulation of development in the Gladstone SDA.
- (3) Schedule 1 provides the definitions for this development scheme.
- (4) Schedule 2 contains the development assessment processes for this development scheme.
- (5) Schedule 3 contains the requirements for SDA self-assessable development.
- (6) The Coordinator-General may prepare policies to provide guidance on certain aspects of this development scheme. Policies are available on the department's web site www.dsdlgp.qld.gov.au/sda

1.3 Regulatory framework

- (1) A person may only carry out regulated development in the Gladstone SDA in accordance with the SDPWO Act and this development scheme.
- (2) Development regulated by this development scheme is identified in Tables 1-6 as SDA assessable development or SDA self-assessable development.

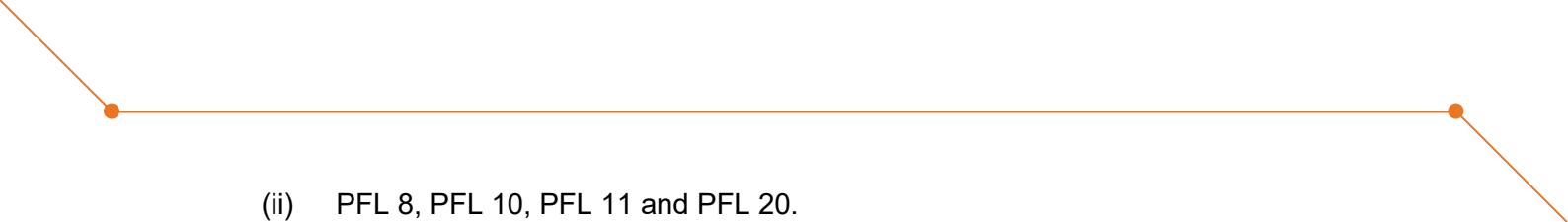
- (3) Development that is not regulated by this development scheme may be regulated by other legislation and planning instruments, including the *Planning Act 2016* (Planning Act) and the Gladstone Regional Council planning scheme.
- (4) A person must obtain all other development permits, licences, or approvals to lawfully undertake the development.

1.3.1 Levels of assessment

- (1) Development identified in Tables 1-6 as SDA assessable development requires an SDA application to be made to the Coordinator-General in accordance with Schedule 2 in order to obtain an SDA approval.
- (2) Development identified in Tables 1-6 as SDA self-assessable development does not require an SDA approval but must comply with the requirements identified in Schedule 3.
- (3) If a proponent is unable to comply with the requirements for SDA self-assessable development, the development is SDA assessable development and the proponent may make an application to the Coordinator-General in order to obtain an SDA approval.
- (4) Prior to undertaking SDA self-assessable development, a proponent is encouraged to discuss the proposed development with the Office of the Coordinator-General.

1.3.2 Excluded development

- (1) Development that would otherwise be SDA assessable development or SDA self-assessable development is not regulated development for this development scheme if:
 - (a) section 85 of the SDPWO Act applies to the development or
 - (b) a use of land is in accordance with an infrastructure designation for the land under Chapter 2, Part 5 of the Planning Act or
 - (c) development is carried out by or on behalf of the State or public sector entity in accordance with Schedule 6 of the Planning Regulation 2017 (Planning Regulation), or development a person is directed to carry out under a notice, order or direction made under a State law or
 - (d) development is reconfiguring a lot as stated in Schedule 6, Part 4 of the Planning Regulation or
 - (e) development is operational work for clearing native vegetation in accordance with Schedule 21 of the Planning Regulation, except for clearing that is for urban purposes in an urban area or
 - (f) development for the maintenance, repair, upgrading, augmentation or duplication of rail transport infrastructure and other rail infrastructure within rail corridor land as defined under the *Transport Infrastructure Act 1994* or
 - (g) development is an authorised activity for a mining tenement under the *Mineral Resources Act 1989* or
 - (h) development is an authorised activity for the following petroleum tenures or licences under the *Petroleum Act 1923* or the *Petroleum and Gas (Production and Safety) Act 2004*, other than an activity relating to building and operating an oil refinery:
 - (i) PPL 30, PPL 60, PPL 163, PPL 154, PPL 166, PPL 2016, PPL 162, PPL 155, PPL 167, PPL 168.

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- (ii) PFL 8, PFL 10, PFL 11 and PFL 20.
- (2) Also, development that would otherwise be SDA assessable development or SDA self-assessable development is not regulated development for this development scheme if:
- (a) it is necessary and reasonable to avoid or reduce an imminent risk to a person's life or health, a building's structural safety or the operation or safety of land, facilities, services or utilities, other than a building and
 - (b) the person carrying out the development gives written notice to the Coordinator-General as soon as reasonably practicable after starting the development.

2. Development assessment in the Gladstone SDA

2.1 Development assessment framework

2.1.1 SDA application for SDA assessable development

- (1) A person may make an SDA application for SDA assessable development in accordance with the process in Schedule 2.
- (2) Prior to lodging an SDA application under this development scheme, a person is encouraged to request pre-lodgement consideration of the application by the Office of the Coordinator-General. The process for pre-lodgement is contained in Schedule 2.
- (3) An SDA application will be assessed against the following, to the extent they are considered relevant by the Coordinator-General:
 - (a) the strategic vision for the Gladstone SDA
 - (b) the overall objectives for development in the Gladstone SDA
 - (c) the preferred development intent for each development precinct
 - (d) SDA wide assessment criteria.
- (4) SDA assessable development that is not consistent with the matters listed in subsection (3)(a) to (d) will generally be considered to be inconsistent with this development scheme.

2.1.2 Other applications and requests

- (1) A person may make:
 - (a) a request to change an SDA application (to make a minor change to the application only)
 - (b) a change application for an SDA approval
 - (c) a request to state a later currency period
 - (d) a prior affected development request and

- (e) a request for approval of a plan of subdivision, following an SDA approval for reconfiguring a lot.

Note: The Coordinator-General may only approve a request to change an SDA application if the Coordinator-General considers it is a minor change to the SDA application. Otherwise, the proponent should withdraw the application and submit a new SDA application.

- (2) Schedule 2 contains the relevant processes for obtaining the decision from the Coordinator-General for other applications and requests.
- (3) Requests to change an SDA application, change applications for an SDA approval, requests to state a later currency period and prior affected development requests will be assessed against the matters or things listed in subsection 2.1.1(3) to the extent they are considered relevant by the Coordinator-General.
- (4) Requests for approval of a plan of subdivision will be assessed against the relevant SDA approval.
- (5) Prior to making a change application or request under this development scheme, a person is encouraged to request pre-lodgement consideration of the change application or request by the Office of the Coordinator-General. The process for pre-lodgement is contained in Schedule 2.

2.2 Strategic vision for the Gladstone SDA

- (1) The vision for the Gladstone SDA is to:
 - (a) be Central Queensland's economic powerhouse, with an efficient concentration of large-scale industry of national, State and regional significance that benefit from the SDA's strategic location near the Port of Gladstone and major road and rail networks
 - (b) support development that aligns with the Queensland Government's strategic priorities for the region, particularly related to the hydrogen industry
 - (c) maintain environmental, cultural heritage and community values where possible to support wider ecological processes and provide community benefits.
- (2) The strategic vision is supported by the overall objectives for development and preferred development intents of development precincts within the Gladstone SDA.

2.3 Overall objectives for development in the Gladstone SDA

- (1) Development within the Gladstone SDA will:
 - (a) capitalise on Gladstone SDA's strategic location and support the role and function of the Port of Gladstone
 - (b) identify and implement opportunities for synergies and co-location between other uses, services and infrastructure to minimise waste and inefficiencies
 - (c) use land and infrastructure efficiently and be adequately serviced by infrastructure
 - (d) ensure the integrity and functionality of the Gladstone SDA, including infrastructure corridors and future development opportunities, is maintained and protected from incompatible land uses
 - (e) ensure new lots are appropriately sized to accommodate preferred development

- (f) be designed, constructed, and operated to a high quality consistent with best practice
- (g) avoid impacts on environmental, cultural heritage, and community values (including sensitive land uses), or minimise or mitigate impacts where they cannot be avoided and offset any residual impacts
- (h) not adversely impact on the outstanding universal values of the Great Barrier Reef World Heritage Area
- (i) manage the risks associated with the projected impacts of climate change and natural hazards to protect people and property
- (j) manage impacts of air quality on the capacity of the Gladstone airshed.

2.4 Gladstone SDA development precincts

- (1) The Gladstone SDA has 6 precincts identified in Figure 1.
- (2) The preferred development intent for each precinct is described below.
- (3) Each precinct description is followed by a table which identifies regulated development in the relevant precinct.

2.4.1 Port Related Industry Precinct – preferred development intent

- (1) The preferred development intent for the Port Related Industry Precinct is described below.
 - (a) This precinct is to accommodate industrial development that:
 - (i) has links to the Port of Gladstone through the import and export of material
 - (ii) benefits from close proximity to port related infrastructure and services
 - (iii) is difficult to locate and requires separation from sensitive land uses.
 - (b) This precinct may also accommodate industrial development that requires co-location with uses that support the preferred development intent.
- (2) Defined uses that support the preferred development intent are:
 - (a) high impact industry
 - (b) medium impact industry
 - (c) port facilities
 - (d) special industry.
- (3) Defined uses that may be considered where the use does not compromise the preferred development intent include:
 - (a) extractive industry (where required for port functions and activities)
 - (b) freight terminal
 - (c) linear infrastructure facility
 - (d) research and technology industry
 - (e) substation

- (f) utility installation
- (g) warehouse.

Table 1 Regulated development within the Port Related Industry Precinct

Column 1 - SDA self-assessable development within the precinct	Column 2 - SDA assessable development within the precinct
Material change of use Warehouse where able to comply with the requirements for SDA self-assessable development.	Material change of use All other uses not identified in column 1 as SDA self-assessable development.
Reconfiguring a lot When undertaken by the Coordinator-General or the Minister for Economic Development Queensland.	Reconfiguring a lot All other reconfiguring a lot not identified in Column 1 as SDA self-assessable development.
Operational works For the clearing of native vegetation where identified in an SDA application for a material change of use or reconfiguring a lot and where able to comply with the requirements for SDA self-assessable development.	Operational works All other clearing of native vegetation where identified in an SDA application for a material change of use or reconfiguring a lot and not able to comply with the requirements for SDA self-assessable development.

Note: This table must be read in conjunction with section 1.3

2.4.2 High Impact Industry Precinct – preferred development intent

- (1) The preferred development intent for the High Impact Industry Precinct is described below.
 - (a) This precinct is to accommodate industrial development that:
 - (i) is difficult to locate and requires separation from sensitive land uses
 - (ii) requires access to key transport and supply chain networks.
 - (b) Waste management related industries are supported south of Aldoga Road.
 - (c) Development which adversely impacts existing or future LNG operations on Curtis Island will not be supported.
 - (d) Development on Curtis Island must recognise the environmental values of the adjacent Environmental Management Precinct.
- (2) Defined uses that support the preferred development intent are:
 - (a) high impact industry
 - (b) special industry.
- (3) Defined uses that may be considered where the use does not compromise the preferred development intent include:
 - (a) freight terminal
 - (b) linear infrastructure facility
 - (c) medium impact industry
 - (d) research and technology industry

- (e) utility installation
 - (f) warehouse (where ancillary to a use listed in 2.4.2(2)).
- (4) Access from Gladstone-Mount Larcom Road to this precinct will be limited to three intersections at the following locations:
- (a) a proposed intersection approximately 3.8 kilometres from the Bruce Highway
 - (b) a proposed intersection approximately 8.4 kilometres from the Bruce Highway (road/rail overpass)
 - (c) the intersection with Aldoga Road

Note: the indicative location of the proposed intersections can be viewed on the interactive mapping available at: <https://www.dsdlqp.qld.gov.au/gladstonesda>

Table 2 Regulated development within the High Impact Industry Precinct

Column 1 - SDA self-assessable development within the precinct	Column 2 - SDA assessable development within the precinct
<p>Material change of use Warehouse where not located on Curtis Island and where able to comply with the requirements for SDA self-assessable development.</p> <p>Reconfiguring a lot When undertaken by the Coordinator-General or the Minister for Economic Development Queensland.</p> <p>Operational works For the clearing of native vegetation where identified in an SDA application for a material change of use or reconfiguring a lot and where able to comply with the requirements for SDA self-assessable development.</p>	<p>Material change of use All other uses not identified in column 1 as SDA self-assessable development.</p> <p>Reconfiguring a lot All other reconfiguring a lot not identified in Column 1 as SDA self-assessable development.</p> <p>Operational works All other clearing of native vegetation where identified in an SDA application for a material change of use or reconfiguring a lot and not able to comply with the requirements for SDA self-assessable development.</p>

Note: This table must be read in conjunction with section 1.3

2.4.3 Medium Impact Industry Precinct – preferred development intent

- (1) The preferred development intent for the Medium Impact Industry Precinct is described below.
- (a) This precinct is to accommodate industrial development that:
 - (i) has identifiable and measurable impacts
 - (ii) recognises and manages adverse impacts to sensitive land uses adjacent to the Gladstone SDA.
 - (b) This precinct may also accommodate other development that supports and complements industrial development in the Gladstone SDA.
- (2) Defined uses that support the preferred development intent are:
- (a) medium impact industry
 - (b) research and technology industry

- (c) transport depot.
- (3) Defined uses that may be considered where the use does not compromise the preferred development intent include:
 - (a) high impact industry where not located in the precinct area adjacent to the Bruce Highway
 - (b) linear infrastructure facility
 - (c) low impact industry
 - (d) substation
 - (e) telecommunications facility
 - (f) utility installation
 - (g) warehouse.
- (4) Animal husbandry, animal keeping, cropping, or renewable energy facility may be considered in the northernmost precinct area where the use does not compromise the preferred development intent.
- (5) Access to the precinct area adjacent to the Bruce Highway will be limited to two access points:
 - (a) intersection on Gladstone-Mt Larcom Road, approximately 3.8 kilometres east of the Bruce Highway
 - (b) intersection on the proposed extension to Aldoga Road.

Note: the indicative location of the proposed intersections can be viewed on the interactive mapping available at: <https://www.dsdilqp.qld.gov.au/gladstonesda>

Table 3 Regulated development within the Medium Impact Industry Precinct

Column 1 - SDA self-assessable development within the precinct	Column 2 - SDA assessable development within the precinct
Material change of use Warehouse where able to comply with the requirements for SDA self-assessable development.	Material change of use All other uses not identified in column 1 as SDA self-assessable development.
Reconfiguring a lot When undertaken by the Coordinator-General or the Minister for Economic Development Queensland.	Reconfiguring a lot All other reconfiguring a lot not identified in Column 1 as SDA self-assessable development.
Operational works For the clearing of native vegetation where identified in an SDA application for a material change of use or reconfiguring a lot and where able to comply with the requirements for SDA self-assessable development.	Operational works All other clearing of native vegetation where identified in an SDA application for a material change of use or reconfiguring a lot and not able to comply with the requirements for SDA self-assessable development.

Note: This table must be read in conjunction with section 1.3

2.4.4 Industry Investigation Precinct – preferred development intent

- (1) The preferred development intent for the Industry Investigation Precinct is described below.

- (a) This precinct recognises and protects land for future industrial development, linear infrastructure and linear infrastructure corridors.
- (b) In the short term resource activities are likely to occur.
- (c) Development within this precinct may be appropriate where it:
 - (i) is for the suitable expansion of existing uses and
 - (ii) does not compromise the future use of this precinct for industry.
- (d) Access to this precinct will be via Landing Road and Targinnie Road.

Table 4 Regulated development within the Industry Investigation Precinct

Column 1 - SDA self-assessable development within the precinct	Column 2 - SDA assessable development within the precinct
<p>Reconfiguring a lot When undertaken by the Coordinator-General or the Minister for Economic Development Queensland.</p> <p>Operational works For the clearing of native vegetation where identified in an SDA application for a material change of use or reconfiguring a lot and where able to comply with the requirements for SDA self-assessable development.</p>	<p>Material change of use All uses.</p> <p>Reconfiguring a lot All other reconfiguring a lot not identified in Column 1 as SDA self-assessable development.</p> <p>Operational works All other clearing of native vegetation where identified in an SDA application for a material change of use or reconfiguring a lot and not able to comply with the requirements for SDA self-assessable development.</p>

Note: This table must be read in conjunction with section 1.3

2.4.5 Materials Transportation and Services Corridor Precinct – preferred development intent

- (1) The preferred development intent for the Materials Transportation and Services Corridor Precinct is described below.
 - (a) This precinct provides an efficient, effective, and safe route for linear infrastructure to link to development in the Gladstone SDA and the Port of Gladstone.
 - (b) Development in this precinct is to:
 - (i) minimise construction and operation footprints and follow a logical sequence of development to maximise opportunities for future linear infrastructure
 - (ii) avoid adverse impacts on existing infrastructure
 - (iii) provide and maintain access to the corridor for construction, operation, and maintenance of existing and future linear infrastructure
 - (iv) co-exist with other linear infrastructure internal and external to the Gladstone SDA
 - (v) recognises and manages adverse impacts to sensitive land uses adjacent to the Gladstone SDA.
- (2) Defined uses that support the preferred development intent are:
 - (a) linear infrastructure facility

- (b) utility installation.
- (3) Defined uses that may be supported where the use does not compromise the preferred development intent include:
 - (a) major electricity infrastructure
 - (b) substation
 - (c) telecommunications facility.
- (4) The creation of additional lots may only be supported where being undertaken for operational, management or regulatory purposes, or if there is an overriding need.

Table 5 Regulated development within the Materials Transportation and Services Corridor Precinct

Column 1 - SDA self-assessable development within the precinct	Column 2 - SDA assessable development within the precinct
<p>Reconfiguring a lot When undertaken by the Coordinator-General or the Minister for Economic Development Queensland.</p> <p>Operational works For the clearing of native vegetation where identified in an SDA application for a material change of use or reconfiguring a lot and where able to comply with the requirements for SDA self-assessable development.</p>	<p>Material change of use All uses.</p> <p>Reconfiguring a lot All other reconfiguring a lot not identified in Column 1 as SDA self-assessable development.</p> <p>Operational works All other clearing of native vegetation where identified in an SDA application for a material change of use or reconfiguring a lot and not able to comply with the requirements for SDA self-assessable development.</p>

Note: This table must be read in conjunction with section 1.3

2.4.6 Environmental Management Precinct – preferred development intent

- (1) The preferred development intent for the Environmental Management Precinct is described below.
 - (a) The intent of this precinct is to:
 - (i) protect existing environmental values, including wetlands, remnant vegetation, waterways, and fauna habitats closely related to the Great Barrier Reef Marine Park and the Great Barrier Reef World Heritage Area
 - (ii) provide opportunities for rehabilitation and enhancement of existing environmental values.
 - (b) The creation of additional lots is not supported, unless a requirement for environmental management purposes.
 - (c) Essential infrastructure may only be located in this precinct where it:
 - (i) is required to service adjoining industrial development
 - (ii) cannot be provided outside the precinct.

Table 6 Regulated development within the Environmental Management Precinct

Column 1 - SDA self-assessable development within the precinct	Column 2 - SDA assessable development within the precinct
Reconfiguring a lot When undertaken by the Coordinator-General or the Minister for Economic Development Queensland.	Material change of use All uses. Reconfiguring a lot All other reconfiguring a lot not identified in Column 1 as SDA self-assessable development. Operational works All clearing of native vegetation where identified in an SDA application for a material change of use or reconfiguring a lot and not able to comply with the requirements for SDA self-assessable development.

Note: This table must be read in conjunction with section 1.3

2.5 SDA wide assessment criteria

2.5.1 Infrastructure and services

(1) Development:

- (a) is designed to maximise efficiency and minimise the cost for infrastructure and services
- (b) plans for and manages its impacts on existing and planned infrastructure and services
- (c) is adequately serviced by the infrastructure and services necessary to meet the demand generated by the development
- (d) integrates with existing and planned infrastructure and services where possible.

Note: infrastructure and services include telecommunications, transport (including corridors and operations), water, wastewater, recycled water and energy networks, and state or local government infrastructure and services.

2.5.2 Transport

- (1) Increased traffic arising from the development is either able to be accommodated within existing road networks, or works are undertaken to minimise adverse impacts on existing and future uses and road networks.
- (2) Road networks in the Gladstone SDA are designed to accommodate the proposed vehicle type and predicted traffic volumes associated with the development and the precinct/s.
- (3) Development is designed to facilitate safe and efficient vehicular ingress and egress and does not unduly impact on the safe and efficient operation of transport infrastructure, including corridors.
- (4) Adequate onsite parking for the number and nature of vehicles expected is provided.

2.5.3 Environmental nuisance

- (1) Development is located, designed, and operated to avoid, minimise or manage:

- (a) adverse impacts from air, noise and other emissions that will affect the environment and/or health and safety, wellbeing, and amenity of communities and individuals
 - (b) conflicts with sensitive uses arising from (but not limited to) spray drift, odour, noise, light spill, dust, smoke, or ash emissions.
- (2) The location, design and operation of development achieves the relevant acoustic objectives of the Environmental Protection (Noise) Policy 2019 and achieves the relevant air quality objectives of the Environmental Protection (Air) Policy 2019.
- (3) Development:
- (a) avoids adverse impacts on the cumulative¹ air quality of the Gladstone airshed or
 - (b) where impacts cannot be avoided, conducts air shed modelling in accordance with current best practice to demonstrate compliance with air quality standards.

2.5.4 Contaminated land

- (1) Development on land likely to be contaminated or recorded on the Environmental Management Register or Contaminated Land Register does not adversely impact on human health or the environment by exposure, management, or movement of contaminants.
- Note: Refer to Department of Environment and Science (DES) if a site is subject to a per-and poly-fluoroalkyl substances site investigation.*
- (2) Where required, develop a strategy to manage any existing contamination and the potential for additional contamination, so that human health and the environment are not adversely affected.

2.5.5 Natural hazards

- (1) Development, in accordance with current best practice:
- (a) identifies relevant natural hazards that may impact upon the project
 - (b) appropriately manages risk associated with identified hazards
 - (c) avoids increasing the severity of natural hazards
 - (d) avoids adverse impacts from natural hazards to protect people and property and enhances the community's resilience to natural hazards, or where adverse impacts cannot be avoided, impacts are minimised, mitigated, or offset
 - (e) avoids directly or indirectly increasing the severity of coastal erosion either on or off the site.
- (2) Development, in accordance with current best practice, achieves an appropriate level of flood immunity and:
- (a) does not adversely affect existing flow rates, flood heights, or cause or contribute to other flooding impacts on upstream, downstream, and adjacent properties, or the state transport network (including potential impacts from changes to stormwater flows and local flooding).

2.5.6 Climate change

- (1) Development:

¹ Consideration of cumulative impacts includes the impacts of one or more existing and future pressures and the interactions between those pressures.

- (a) avoids or, if avoidance cannot be achieved, minimises net increases in the emission of greenhouse gases
- (b) can adapt to current and future impacts of a changing climate.

Note: projected climate change conditions include potential impacts from sea level rises, increased maximum cyclone intensity, increased rainfall intensity or increased likelihood and intensity of bushfires.

2.5.7 Acid sulfate soils

- (1) Development, in accordance with current best practice, is to:
 - (a) avoid the disturbance of acid sulfate soils (ASS) or
 - (b) ensure that the disturbance of ASS avoids or minimises the mobilisation and release of contaminants.

2.5.8 Water quality

- (1) Consistent with the Environmental Protection (Water and Wetland Biodiversity) Policy 2019, development avoids or, if avoidance cannot be achieved, minimises, mitigates or offsets adverse impacts on the environmental values and water quality objectives of receiving waters and wetlands arising from:
 - (a) altered stormwater quality and/or flow
 - (b) wastewater (other than contaminated stormwater and sewage)
 - (c) the creation or expansion of regulated structures or non-tidal artificial waterways
 - (d) the release and mobilisation of nutrients and sediments.
- (2) Development encourages a precinct-wide stormwater management approach that achieves an improved water quality outcome.
- (3) Development protects the ecological and hydraulic function of waterway corridors in and adjacent to the Gladstone SDA, with particular regard to the Great Barrier Reef World Heritage Area, fish passage and marine plants.

2.5.9 Risk management - activities

- (1) Development is located, designed, and operated to:
 - (a) minimise the health and safety risks to communities and individuals
 - (b) avoid any potential adverse impacts from emissions and hazardous activities, or where adverse impacts cannot be avoided, impacts are minimised or mitigated
 - (c) protect high pressure gas pipelines from encroachment that would compromise the ability of the pipelines to function safely and effectively.
- (2) Activities involving the use, storage, and disposal of hazardous materials and prescribed hazardous chemicals, dangerous goods, and flammable or combustible substances are located and managed to minimise the health and safety risks to communities and individuals.
- (3) Development provides adequate protection from the harmful effects of noxious and hazardous materials and chemicals manufactured or stored in bulk during natural hazard events.

2.5.10 Cultural heritage and community

- (1) Indigenous and non-Indigenous cultural heritage values, and community values of the premises on which the development is undertaken, and immediate surrounds, are identified and managed, consistent with current best practice.

Note: Duty of Care under Section 23 of the Aboriginal Cultural Heritage Act 2003 should be considered a minimum requirement of all development.²

- (2) Development is located, designed and operated to avoid adverse impacts on cultural heritage and community values, or where adverse impacts cannot be avoided, impacts are minimised, mitigated, or offset.
- (3) Development recognises and protects the cultural heritage values associated with:
 - (a) the Euroa Homestead on Lot 200 on SP239672
 - (b) the Mount Larcombe Station Original Homestead Site on Lot 73 on SP272417 and Lot 20 on SP272417
 - (c) the Targinnie Cemetery on Lot 95 on DS287.
- (4) Where development requires a buffer to mitigate the adverse amenity impacts of the development, including, but not limited to, visual and acoustic impacts, that buffer is accommodated within the development site.³

2.5.11 Environment

- (1) Environmental values of the premises on which the development is undertaken, and immediate surrounds are identified and managed, consistent with current best practice.
- (2) Development is located, designed, and operated to:
 - (a) avoid adverse impacts on environmental values including matters of local, state, and national environmental significance or where adverse impacts cannot be avoided, impacts are minimised, mitigated, or offset
 - (b) maintain ecological connectivity and processes
 - (c) maintain the outstanding universal value (OUV) of the Great Barrier Reef World Heritage Area including the local attributes of the OUV identified in the Master plan for the Priority Port of Gladstone and Port overlay
 - (d) retain, to the greatest extent possible, tidal fish habitat and marine plants.
- (3) Any residual significant adverse impacts are offset in accordance with the relevant Commonwealth or Queensland environmental offset framework.
- (4) Lighting associated with the construction and operation of development is designed to limit the impacts on aquatic wildlife, including turtles and migratory species.
- (5) Where development requires a buffer to mitigate the impacts of the development, that buffer must be accommodated within the development site.³
- (6) Development avoids native vegetation clearing, or where avoidance is not reasonably possible, minimises clearing to:

² Information on cultural heritage duty of care, including guidelines, can be found at <https://www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care>

³ Examples of buffers include: a vegetated screen to mitigate the visual impacts of a large industrial facility from a public road; retaining additional vegetation around a protected flora species; or using separation distances.

- (a) conserve vegetation
- (b) avoid land degradation
- (c) avoid fragmentation and conserve connectivity.

2.5.12 Engineering and design standards

- (1) Development is to be designed and constructed in accordance with the relevant engineering and design standards (and any subsequent revisions to the relevant standards) stated in Table 7 below. Alternative and innovative solutions that demonstrate compliance with the relevant standards are encouraged.

Table 7 Relevant engineering and design standards

Acid sulfate soils	<ul style="list-style-type: none"> Queensland Acid Sulfate Soil Technical Manual – Soil Management Guideline v4.0 National Acid Sulfate Soils Guidance – Guidance for the dewatering of acid sulfate soils in shallow groundwater environments – June 2018
Car parking	<ul style="list-style-type: none"> Relevant local government standards
Clearing native vegetation	<ul style="list-style-type: none"> State code 16: Native vegetation clearing
Environment	<ul style="list-style-type: none"> Sea Turtle Sensitive Area Code Pathways to a climate resilient Queensland – Queensland Climate Adaptation Strategy 2017-2030
Filling	<ul style="list-style-type: none"> AS3798 – <i>Guidelines on Earthworks for Commercial and Residential Developments</i>
Footpaths and cycle paths	<ul style="list-style-type: none"> Relevant local government standards AustRoads, Guide to Road Design - Part 6A: Pedestrian and Cyclist Paths
Natural hazards - flooding	<ul style="list-style-type: none"> Relevant local government standards
Rail	<ul style="list-style-type: none"> Department of Transport and Main Roads (DTMR) Guide to Development in a Transport Environment - Rail
Risk management	<ul style="list-style-type: none"> AS2885 – <i>Pipelines – Gas and liquid petroleum</i> AS/NZS ISO 31000:2009 – <i>Risk management</i> AS/NZS 2022-2003: <i>Anhydrous ammonia – Storage and handling</i> State code 21: Hazardous chemical facilities
Roads (major)	<ul style="list-style-type: none"> DTMR Road Planning and Design Manual DTMR Pavement Design Manual DTMR Pavement Design Supplement DTMR Bridge Design Manual Queensland Urban Drainage Manual DTMR Road drainage manual Manual of Uniform Traffic Control Devices DTMR Traffic and Road Use Management manual, Volume 3 – Signing and Pavement Making AS1158 - <i>Lighting for roads and public spaces</i> Institute of Public Works Engineering Australasia, Complete Streets: Guidelines for Urban Street Design - Section 17: Industrial Streets
Roads (minor)	<ul style="list-style-type: none"> Relevant local government standards

Site access	<ul style="list-style-type: none"> Relevant local government standards
Soil erosion	<ul style="list-style-type: none"> International Erosion Control Association (IECA) – Best Practice Erosion and Sediment Control
Stormwater quality	<ul style="list-style-type: none"> Water sensitive urban design: Design objectives for urban stormwater management Health Land and Water, Construction and Establishment Guidelines: Swales, Bioretention Systems and Wetlands: Version 1.1 Concept Design Guidelines for Water Sensitive Urban Design Standard Drawings for Water Sensitive Urban Design Curtis Island, Calliope River and Boyne River Basins - Environmental Values and Water Quality Objectives Great Barrier Reef River Basins—End-of-Basin Load Water Quality Objectives Water quality guidelines for the Great Barrier Reef Marine Park State code 9: Great Barrier Reef wetland protection areas State Planning Policy 2017 State Interest Water Quality Supplementary Implementation Guidelines February 2021
Stormwater quantity	<ul style="list-style-type: none"> Queensland Urban Drainage Manual Australian Rainfall and Runoff
Utilities (e.g. sewer, water, telecommunications, electricity supply)	<ul style="list-style-type: none"> Relevant service provider standards (e.g. Gladstone Regional Council)

Note: Where any inconsistencies arise between relevant engineering and design standards listed in Table 7, the relevant local government constructions standards prevail.

2.5.13 Other government matters

- (1) Development is to demonstrate consistency with any other relevant legislative requirements that may be necessary for the development to proceed and to the extent practicable, be consistent with regional plans, the State Planning Policy, the Port Overlay for the priority Port of Gladstone, and the State Development Assessment Provisions, where the State interests articulated by these instruments are likely to be affected by the development.⁴
- (2) Development recognises and protects the long-term availability of the extractive resource and access related to the Targinnie Key Resource Area (Number 119).
- (3) Development does not compromise existing or future port facilities and operation on Strategic Port Land.

2.5.14 Energy and water efficiency

- (1) Building, site design, and layout maximises energy efficiency having regard to:
 - (a) building orientation and passive solar design
 - (b) maximising opportunities for cross ventilation
 - (c) appropriate shade treatments

⁴ Information on the matters listed, including mapping, can be found at <https://planning.statedevelopment.qld.gov.au/planning-framework> and <https://www.tmr.qld.gov.au/business-industry/Transport-sectors/Ports/Sustainable-port-development-and-operation/Master-planning-for-priority-ports/Master-planning-for-the-priority-Port-of-Gladstone> Additional mapping of mining and resource tenures can also be found at <https://georesglobe.information.qld.gov.au/>

- (d) landscaping treatments to the western side of the building.
- (2) Water efficiency is optimised with alternative water supply sources, including:
 - (a) rainwater harvesting systems
 - (b) recycled water source.
- (3) Where practicable, development should be consistent with the Queensland government's renewable energy policies.

2.5.15 Visual impacts

- (1) Visual impacts of buildings, retaining structures, or other development are minimised through building design, landscaping, and use of appropriate materials when viewed from a publicly accessible viewpoint such as major roads and the Mount Larcom landform.
- (2) Development maintains and enhances significant vegetation where possible and provides landscaping that:
 - (a) minimises the visual impacts of the development
 - (b) incorporates at least 50 per cent local species
 - (c) is low maintenance.

2.5.16 Reconfiguring a lot

- (1) Development provides lawful, safe and practical access.
- (2) Lot sizes are adequate to accommodate a development footprint consistent with the preferred development in each precinct. A range of lot sizes is preferred to accommodate development in each precinct. Minimum lot sizes for development precincts are generally consistent with the following:
 - (a) Port Related Industry Precinct – 2 hectares (ha)
 - (b) High Impact Industry Precinct – 10 ha
 - (c) Medium Impact Industry Precinct - 2 ha
 - (d) Industry Investigation Precinct – 2 ha

3. Compliance with this development scheme

3.1 Procedural compliance

- (1) If a procedural requirement of this development scheme has not been fully complied with, but the Coordinator-General is satisfied the non-compliance, or partial compliance, has not substantially restricted the opportunity for a person to exercise rights by this development scheme, the Coordinator-General may deal with the matter in the way the Coordinator-General considers appropriate.
- (2) Anything done by the Coordinator-General under this development scheme is not invalid merely because it was not done within a timeframe required by this development scheme.
- (3) The Coordinator-General may vary a timeframe contained in Schedule 2, based on the Coordinator-General's consideration of the scope and complexity of the application or request.

3.2 Placing an application or request on hold

- (1) At any point during the relevant process contained in Schedule 2 for an application or request made under this development scheme, a proponent may, by written notice to the Coordinator-General, request that their application or request be placed on hold (hold request). The notice must outline the reasons for the hold request.
- (2) If the Coordinator-General is satisfied that the application should be placed on hold, the Coordinator-General may place the application or request on hold for a specified period, but not longer than 12 months from the date the request is made. The Coordinator-General must notify the proponent by written notice within 10 business days after receipt of the hold request:
 - (a) whether the hold request is approved or refused and
 - (b) if approved - the specified period the application or request will be on hold.
- (3) Time does not run under this development scheme from the day the hold request is made, until the day after:

- (a) the Coordinator-General notifies the proponent by written notice that the hold request is refused or
- (b) the specified period under subsection (2)(b) ends.

3.3 Withdrawing an application or request

- (1) A proponent may withdraw an application or request made under this development scheme at any time before it is decided by giving written notice to the Coordinator-General.

4. Decisions made under this development scheme

- (1) Sections 84G and 84H of the SDPWO Act provide when an SDA approval has effect and when an SDA approval lapses.
- (2) There is no right of appeal under the SDPWO Act against any decision of the Coordinator-General made under this development scheme.
- (3) The Coordinator-General must hold for inspection a copy of all decision notices given under this development scheme. A copy of a decision notice may be provided upon request.

5. Approval attaches to land

- (1) An SDA approval given under this development scheme attaches to the land and binds the owner, the owner's successors in title and any occupier of the land.
- (2) To remove any doubt, it is declared that subsection (1) applies even if later development (including reconfiguring a lot) is carried out on the land (or the land is reconfigured).

6. Transitional provisions

- (1) Subject to subsection (2), applications or requests made, but not decided, before the commencement of a varied development scheme for the Gladstone SDA will continue to be assessed and decided under the development scheme as in force at the time the application or request was made.
- (2) A request to change an SDA application must be made under this development scheme even if the SDA application was made, but not decided, before the commencement of this development scheme. If the Coordinator-General decides to approve the request to change an SDA application, assessment of the SDA application will continue under the development scheme as in force at the time the SDA application was made as if the change was part of the original SDA application. If the Coordinator-General decides to refuse the request to change an SDA application, assessment of the SDA application will continue under the development scheme as in force at the time the SDA application was made.
- (3) In assessing the application or request, the Coordinator-General may give the weight the Coordinator-General considers appropriate to the varied development scheme.
- (4) Development that is approved by an SDA approval is not SDA assessable development under a varied development scheme for the Gladstone SDA, provided it complies with any conditions attached to the SDA approval.
- (5) SDA self-assessable development is taken to meet the requirements of a varied development scheme for the Gladstone SDA if it continues to meet the requirements for the SDA self-assessable development in effect at the time the SDA self-assessable development commenced.

Schedule 1—Definitions

Unless stated otherwise, terms used in this development scheme that are defined in the SDPWO Act have the same meaning as in that Act.

1. Administrative

(1) In this development scheme:

acquisition land means land:

- (a) proposed to be taken or acquired under the SDPWO Act or the *Acquisition of Land Act 1967* and
- (b) in relation to which a notice of intention to resume under the SDPWO Act or the *Acquisition of Land Act 1967*, has been served, and the proposed taking or acquisition has not been discontinued and
- (c) that has not been taken or acquired.

approved form means a form approved by the Coordinator-General as an approved form in accordance with the SDPWO Act.

building see the Planning Act.

business day means a day that is not:

- (a) a Saturday or Sunday or
- (b) a public holiday, special holiday, or bank holiday in the place in which the relevant action is to be done or
- (c) a day between 26 December of a year and 1 January of the next year.

category B area see the *Vegetation Management Act 1999*

change an SDA application means a request made under this development scheme to change an existing SDA application.

community value means the values a local community associate with the places, areas, events or people that make their local community a special place. With regard to this development scheme the community values most likely to be affected are associated with public safety, amenity, air quality, noise and nuisance, rights of access, employment, cultural values, and the environment.

consultation period means the period for the community to provide comments on an application under this development scheme to the Coordinator-General.

cultural heritage value means qualities such as knowledge, culture, and tradition, and/or physical characteristics of Indigenous and non-Indigenous cultural heritage, that require consideration, assessment and management under relevant legislation and policies, and/or values of importance to local communities affected by the Gladstone SDA.

current best practice means a standard or methodology recognised by either State or national legislation, policy or authorised governing body.

development precinct means an area identified as a precinct by this development scheme.

environmental impact assessment document means an environmental impact statement (EIS) required by the SDPWO Act or EP Act, or a similar statement to address environmental effects for a project or an impact assessment report (IAR) required by the SDPWO Act.

environmental value see the EP Act.

environmentally relevant activity see the EP Act.

EP Act means the *Environmental Protection Act 1994*.

key resource area means an identified location that contains extractive resources of State or regional significance as shown on the State Planning Policy interactive mapping system. A key resource area (KRA) includes the following:

- (a) the resource/processing area
- (b) the separation area
- (c) the transport route and
- (d) the transport route separation area.

least concern regional ecosystem see the *Vegetation Management Act 1999*.

linear infrastructure means infrastructure such as gas transportation pipelines, potable and sea water pipelines, sewage pipelines and slurry pipelines, conveyors, rail lines, roads, and haul roads.

matters of local environmental significance see the State Planning Policy.

matters of national environmental significance means the matters protected by a provision of Part 3 of the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth).

matters of state environmental significance see the State Planning Policy.

minor change means:

- (a) in relation to an SDA application, a change that the Coordinator-General considers does not substantially alter the original application in a way that would:
 - (i) result in a substantially different application
 - (ii) result in an application that is not properly made
 - (iii) cause a referral entity to make or alter a referral entity submission, if one has already been made

- (iv) cause a person to make a submission about the change, or alter a submission that has already been made
- (v) otherwise compromise the ability of the Coordinator-General to make a decision on the original application
- (b) in relation to an SDA approval, a change that the Coordinator-General considers does not substantially alter the original SDA approval in a way that would:
 - (i) result in a substantially different development, for example:
 - (A) involves a use that is different to the approved use or
 - (B) results in different or additional impacts that have not been assessed as part of the process to gain the original SDA approval or
 - (ii) if the proposed change would have been included in the process to gain the original SDA approval – have caused:
 - (A) the Coordinator-General or a referral entity to request additional information about the change
 - (B) a referral entity to make or alter a referral entity submission about the change unless the referral entity agrees in writing that the change is minor or
 - (C) substantially alters any other matter of the original SDA approval.

natural hazards means a naturally occurring situation or condition, such as a flood, bushfire, landslide, coastal erosion, or storm tide inundation, with the potential for loss or harm to the community, property, or environment.

native vegetation means vegetation under the *Vegetation Management Act 1999*.

of concern regional ecosystem see the *Vegetation Management Act 1999*.

outstanding universal value of the Great Barrier Reef World Heritage Area means the values of the Great Barrier Reef World Heritage Area for which the Reef was listed as a world heritage area. The outstanding universal value of the Great Barrier Reef World Heritage Area is described in the statement of outstanding universal value for the Great Barrier Reef see

<http://whc.unesco.org/en/list/154/> or

<http://www.environment.gov.au/heritage/places/world/great-barrier-reef/values.html>

owner means for land held as an estate in fee simple, the registered owner of the land; for other land – the State.

plan of subdivision see the *Land Title Act 1994* or *Land Act 1994*, as relevant.

Planning Act means the *Planning Act 2016*.

Planning Regulation means the Planning Regulation 2017.

planning report means a document containing:

- (a) an accurate description of the land, the subject of the application
- (b) a detailed description of all aspects of the proposed development, including a detailed site plan (to scale) and other plans necessary to describe the proposed development
- (c) a description of the current and historic (if known) land uses
- (d) a list of other approvals required for the development to proceed and the process for obtaining those approvals

- (e) a description of any operational works necessary for the material change of use or reconfiguring a lot the subject of the SDA application to proceed
- (f) a description of adjacent land uses and a statement of the likely impact on the surrounding land uses from the proposed development
- (g) a detailed assessment of how the proposed development satisfies the strategic vision, overall objectives, the preferred development intent of the precincts, and relevant assessment criteria including:
 - (i) a detailed description and assessment of any adverse impacts of the proposed development
 - (ii) a detailed description of how any adverse impacts are to be managed
 - (iii) an assessment of any impact the proposed development may have on existing and planned infrastructure
 - (iv) identification of any need for upgrades to existing infrastructure or the need for any future infrastructure to support the proposed development
- (h) relevant supporting information such as plans, drawings, and management plans. All supplied plans, drawings and management plans must be prepared by a suitably qualified person in accordance with current best practice. The relevant plans, drawings and management plans must demonstrate that:
 - (i) they have been prepared by a suitably qualified person
 - (ii) they have been prepared in accordance with current best practice and
 - (iii) the development satisfies the strategic vision, overall objectives, the preferred development intent of the precincts, and relevant assessment criteria
- (i) relevant supporting information may be required to demonstrate how issues associated with the following may be addressed:
 - (i) environmental, cultural heritage, and community values
 - (ii) engineering
 - (iii) hydrological and hydraulic
 - (iv) safety
 - (v) emissions
 - (vi) contaminated land
 - (vii) acid sulfate soils
 - (viii) traffic etc.

Note: If in the opinion of the Coordinator-General a planning report contains insufficient information, an SDA application may not be accepted as being properly made.

premises see the Planning Act.

prior affected development see the SDPWO Act.

proponent means a person or their representative who makes an application or request under this development scheme or who carries out SDA self-assessable development.

public consultation means the process by which the public are informed of certain applications made under this development scheme and submissions sought.

public sector entity see the Planning Act, but does not include local government.

referral entity means an entity nominated by the Coordinator-General from who the Coordinator-General may, under this development scheme, seek technical advice about any element of an SDA application or other application or request.

referral entity submission means a document prepared by a referral entity in response to a request by the Coordinator-General for comments in relation to an application.

regulated regrowth vegetation see the *Vegetation Management Act 1999*.

regulated structure means a structure that is assessed as being a regulated structure under the document called '*Manual for assessing consequence categories and hydraulic performance of structures*', published by DES (from EP Regulation). Regulated Structures are those dams, levees, or voids, located on a site which is conditioned under an Environmental Authority, and which if improperly constructed, could have a serious or damaging impact on the environment.

sensitive land use see the Planning Regulation.

SDA means State development area.

SDPWO Act means the *State Development and Public Works Organisation Act 1971*.

submission means a document submitted in response to public consultation that:

- (a) is made to the Coordinator-General in writing or electronically
- (b) is received on or before the last day of the consultation period
- (c) is signed by each person who made the submission
- (d) states the name and address of each person who made the submission and
- (e) states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

suitably qualified person means a person who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis of performance relative to the subject matter using the relevant protocols, standards, methods or literature.

supporting material includes the planning report, EIS or IAR and Coordinator-General's report (if any), any referral entity submission and any additional information provided in response to a notice from the Coordinator-General.

waste management related industries include development such as residue storage facilities, waste disposal, and recycling and waste incineration.

2. Development

- (1) Development referred to in this development scheme has the following meanings:

animal husbandry means the use of premises for:

- (a) producing animals or animal products on native or improved pastures or vegetation or
- (b) a yard, stable, temporary holding facility or machinery repairs and servicing, if the use is ancillary to the use in paragraph (a).

Note: examples of an animal husbandry include a cattle stud, grazing of livestock, non-feedlot dairy.

animal keeping means the use of premises for:

- (a) boarding, breeding, or trading of animals or
- (b) a holding facility or machinery repairs and services, if the use is ancillary to the use in paragraph (a).

Note: examples of an animal keeping include aviary, cattery, kennel, stables, wildlife refuge.

cropping means the use of premises for:

- (a) growing and harvesting plants, or plant material, that are cultivated in soil, for commercial purposes or
- (b) harvesting, storing or packing plants or plant material grown on the premises, if the use is ancillary to the use in paragraph (a) or
- (c) repairing and servicing machinery used on the premises, if the use is ancillary to the use in paragraph (a).

Note: examples of cropping include forestry for wood production, fodder and pasture production, producing fruit, nuts, vegetables and grains, plant fibre production, sugar cane growing.

extractive industry means the use of premises for the extraction and/or processing of extractive resources and associated activities, including their transportation to market.

freight terminal means the use of premises for the purpose of bulk handling of packaged goods for transport by road, rail, sea, or air, including the loading and unloading of vehicles used to transport such goods.

high impact industry means the use of premises for an industrial activity that:

- (a) includes the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring, or treating of products
- (b) requires onsite controls for emissions, hazardous substances, and dangerous goods risks
- (c) has one or more of the following attributes:
 - (i) potential for significant impacts on sensitive land uses due to offsite emissions including aerosols, fumes, particles, smoke, odour, and noise
 - (ii) potential for significant offsite impacts in the event of fire, explosion, or toxic release
 - (iii) generates high traffic flows in the context of the locality or the road network
 - (iv) may involve night-time and outdoor activities.

Note: examples of high impact industry include abattoirs, concrete batching plants, boiler making and engineering, and metal foundry, storing and distributing dangerous goods.

linear infrastructure facility means the use of premises for a pipeline or conveyor to transport materials including gas, bulk materials, liquid, slurry, or any other mineral.

low impact industry means the use of premises for an industrial activity that:

- (a) includes the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring, or treating of products
- (b) has one or more of the following attributes:
 - (i) negligible impacts on sensitive land uses due to offsite emissions including aerosols, fumes, particles, smoke, odour, and noise
 - (ii) offsite impacts from storage of dangerous goods are negligible

- (iii) minimal traffic generation and heavy-vehicle usage
- (iv) primarily involves indoor activities that operate during the day (e.g. 7am to 6pm).

Note: examples of low impact industry include repair and maintenance facilities (such as motor vehicle servicing), fitting and turning workshops, assembling or fabricating products from metal or timber.

major electricity infrastructure means the use of premises for:

- (a) a transmission grid or supply network or
- (b) a telecommunication facility if the use is ancillary to the use in paragraph (a).

Note: the use of premises does not include a supply network or private electricity works unless the use involves a new zone substation or bulk supply substation; or the augmentation of a zone substation or bulk supply substation that significantly increases the input or output standard voltage.

medium impact industry means the use of premises for an industrial activity that:

- (a) includes the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring, or treating of products
- (b) requires onsite controls for emissions, hazardous substances and dangerous goods risks
- (c) has one or more of the following attributes:
 - (i) potential for noticeable impacts on sensitive land uses due to offsite emissions including aerosols, fumes, particles, smoke, odour, and noise
 - (ii) potential for noticeable offsite impacts in the event of fire, explosion, or toxic release
 - (iii) minimal traffic generation and heavy-vehicle usage
 - (iv) operations are primarily undertaken indoors, including any evening or night activities.

Note: examples of medium impact industry include spray painting and surface coating, wooden and laminated product manufacturing, smaller scale metal foundries; boiler making or engineering works; and wooden product manufacturing.

minor electricity infrastructure means all aspects of development for an electricity supply network as defined under the *Electricity Act 1994* (or for private electricity works that form an extension of, or provide service connections to properties from the network) if the network operates at standard voltages up to and including 66kV. This includes:

- (a) augmentations/upgrades to existing powerlines where the voltage of the infrastructure does not increase and
- (b) augmentations to existing substations (including communication facilities for controlling works as defined under the *Electricity Act 1994*) where the voltage of the infrastructure does not increase, and where they are located on an existing substation lot.

port facilities means the use of premises for the loading/unloading, stockpiling and transferring commodities by ship. The use includes, but is not limited to, the following activities:

- (a) bulk terminal storage
- (b) storage of goods or materials (including stockpiles)
- (c) processing and transfer of goods or materials for shipment
- (d) water storage and treatment
- (e) ancillary services (workshops, warehouses, fuel storage, abrasive blasting, spray painting etc)

- (f) port related offices
- (g) port services including, customs, port pilotage, Australian Quarantine and Inspection Service, and shipping agents
- (h) quarantine waste facilities
- (i) dredge material storage or disposal areas
- (j) transport of goods/materials, whether by road, rail or air
- (k) maritime support facilities including vessel refuelling/servicing/and repair and waste management or
- (l) uses that facilitate the expansion, improvement of maintenance of port handling activities (including lay down areas, engineering works, concrete batching plants, roads, utilities, material offloading facilities etc).

renewable energy facility means the use of premises for the generation of electricity or energy from a renewable energy source including for example, sources of bioenergy, geothermal energy, hydro-electric power, ocean energy, solar energy, or wind energy.

research and technology industry means the use of premises for an innovative or emerging industry that involves designing and researching, assembly, manufacturing, maintaining, storing or testing machinery or equipment.

Note: examples of research and technology industry include pilot/demonstration facilities, aeronautical engineering, biotechnology industries, and energy industries.

special industry means the use of premises for an industrial activity that:

- (a) includes the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring, or treating of products
- (b) requires onsite controls for emissions hazardous substances and dangerous goods risks
- (c) has one or more of the following attributes:
 - (i) potential for extreme impacts on sensitive land uses due to offsite emissions including aerosols, fumes, particles, smoke, odour, and noise
 - (ii) potential for extreme offsite impacts in the event of fire, explosion, or toxic release
 - (iii) may involve the storage and handling of large volumes of dangerous goods
 - (iv) requires significant separation from non-industrial uses
 - (v) generally involves night-time and outdoor activities.

Note: examples of special industry include oil refining or processing, waste incineration, manufacturing chemicals, manufacturing or storing explosives, power plants, manufacturing fertilisers.

substation means the use of premises:

- (a) as part of a transmission grid or supply network to:
 - (i) convert or transform electrical energy from one voltage to another or
 - (ii) regulate voltage in an electrical circuit or
 - (iii) control electrical circuits or
 - (iv) switch electrical current between circuits or
- (b) for a telecommunications facility for:

- (i) works as defined under the Electricity Act 1994, section 12(1) or
- (ii) workforce operational and safety communications.

telecommunications facility means the use of premises for a facility that is capable of carrying communications and signals by guided or unguided electromagnetic energy.

transport depot means the use of premises for:

- (a) storing vehicles or machinery, that are used for a commercial or public purpose or
- (b) cleaning, repairing, or servicing vehicles or machinery, if the use is ancillary to the use in paragraph (a).

Note: examples of transport depot include using premises to store trucks, heavy vehicles, or heavy machinery.

utility installation means the use of premises for:

- (a) supply or treatment of water, hydraulic power, electricity, or gas
- (b) sewerage, drainage, or stormwater services
- (c) transport services including road, rail, bridge or water
- (d) waste management facilities including residue storage facilities or
- (e) a maintenance depot, storage depot or other facility for a service stated in paragraphs (a) to (d).

warehouse means the use of premises for:

- (a) storing or distributing goods, whether or not carried out in a building or
- (b) the wholesale of goods, if the use is ancillary to the use in paragraph (a).

The use does not include retail sales from the premises or industrial uses.

3. Interpretation

- (1) Unless displaced wholly or partly by a contrary intention appearing in this development scheme or the SDPWO Act, the *Acts Interpretation Act 1954* applies when interpreting this development scheme.
- (2) In this development scheme, a reference to:
 - (a) a section, paragraph or schedule is a reference to a section or paragraph of, or schedule to, this development scheme and
 - (b) a document or instrument means the latest version of the document or instrument and
 - (c) an Act includes any Regulation or instrument made under it and includes any amending or replacement Act.

Schedule 2—Processes for making, assessing and deciding applications and requests

1. Request for pre-lodgement consideration

- (1) Prior to lodging any SDA application or change application for an SDA approval, a person is encouraged to request pre-lodgement consideration⁵ of the proposed development from the Office of the Coordinator-General.
- (2) To be a properly made request for formal pre-lodgement consideration of a proposed SDA application or change application for an SDA approval, the request must:
 - (a) be made to the Coordinator-General in the approved form
 - (b) include:
 - (i) a clear and accurate description of the land subject to the application and
 - (ii) the proponent's name, address and contact details
 - (c) identify the development for which approval may be sought
 - (d) state the relevant referral triggers under the Planning Act
 - (e) provide sufficient detail to identify any issues associated with the proposed development, including:
 - (i) photographs of the site and the surrounding area
 - (ii) concept or detailed plans
 - (iii) potential impacts
 - (iv) preliminary assessment against the strategic vision, overall objectives, the preferred development intent for the relevant precincts, overlay and assessment criteria of this development scheme or

⁵ A person may also make a request for an informal pre-lodgement consideration of any proposed application or request or carrying out SDA self-assessable development. The pre-lodgement consideration form may be used for this purpose.

- (v) any details of location, design or operational issues that need to be discussed and
 - (f) be accompanied by payment of the relevant fee, if prescribed by regulation.
- (3) Within 20 business days of receiving a properly made request for formal pre-lodgement consideration, the Coordinator-General must provide the proponent with written advice on relevant matters which may include:
 - (a) initial advice on general suitability and likely issues relevant to the development proposal
 - (b) material that should be provided as part of an application and
 - (c) the referral entities for the application.
- (4) In deciding an SDA application, the Coordinator-General is not bound by any advice given under subsection (3).

2. Making an SDA application

2.1. Application stage

- (1) A person may make an SDA application at any time.
- (2) To be a properly made application, the application must:
 - (a) be made to the Coordinator-General in the approved form
 - (b) include:
 - (i) a clear and accurate description of the land subject to the application and
 - (ii) the proponent's name, address and contact details
 - (c) identify the development for which approval is being sought
 - (d) subject to subsection (3), include the written consent of the owner of the land
 - (e) state the referral triggers under the Planning Act (and referral entities if known) for the application
 - (f) if the application is part of a larger development, include a description of the larger development and details of how the application relates to the larger development
 - (g) include a statement on whether the development has been, is or will be subject to an EIS or IAR
 - (h) be accompanied by:
 - (i) a detailed and comprehensive planning report and
 - (ii) if one has been prepared, an EIS or IAR relevant to the application including a Coordinator-General's report and
 - (iii) payment of the relevant fee, if prescribed by regulation.

Note: If in the opinion of the Coordinator-General a planning report contains insufficient information, an SDA application may not be accepted as being properly made.

- (3) The consent of the owner of the land is not required if the land, the subject of the application, is acquisition land and the application relates to the purpose for which the land is to be taken or acquired.

- (4) Within 20 business days of receiving the application, the Coordinator-General must issue a written notice to the proponent that:
 - (a) states:
 - (i) the application is accepted as a properly made application
 - (ii) the referral entities for the application
 - (iii) whether the proponent has to provide additional information by a specified date and
 - (iv) whether certain stages of the assessment processes need not be complied with or
 - (b) states the application is not accepted as a properly made application and the reasons for the decision.
- (5) If the Coordinator-General issues a written notice in accordance with subsection (4)(b), the application is taken to have never been made. The proponent may submit a new SDA application under subsection (1).
- (6) If the Coordinator-General issues a notice under subsection (4)(a) that requires the proponent to provide additional information, the application will lapse if the proponent does not provide, to the satisfaction of the Coordinator-General, the requested information by the date specified in the notice.
- (7) The Coordinator-General may determine during this stage that the referral and/or public consultation stages of the assessment process under this development scheme do not apply to the application because:
 - (a) the development the subject of the application has already been subject to another referral and/or public consultation process and this information is contained within the planning report accompanying the application and
 - (b) the Coordinator-General is satisfied with the referral and/or public consultation undertaken or
 - (c) the Coordinator-General is satisfied the development subject to the application will not impact adversely on the interests of a third party.
- (8) If making a determination under subsection (7) the Coordinator-General must issue a written notice to the proponent informing them of the decision, including the reasons for the decision.
- (9) The application stage ends:
 - (a) if the Coordinator-General issues a written notice to the proponent under subsection 4(a) that requires the proponent to provide additional information under 4(a)(iii) - when the proponent provides the information to the satisfaction of the Coordinator-General by the date specified in the notice or
 - (b) if the Coordinator-General issues a written notice to the proponent under subsection 4(a) that does not require the proponent to provide additional information - when the Coordinator-General issues the notice.

2.2. Referral stage

- (1) This stage applies unless the Coordinator-General gave notice to the proponent during the application stage that the referral stage does not apply to the application.
- (2) The Coordinator-General must, within five business days of the end of the application stage, by written notice:

- (a) give a copy of the application and any additional information provided by the proponent during the application stage to the referral entities and
- (b) request that the referral entities:
 - (i) request any additional information required to assess the application or
 - (ii) assess the application and provide a referral entity submission.
- (3) If requesting additional information in accordance with a notice given under subsection (2), a referral entity must provide the Coordinator-General with a written notice requesting additional information about the application within 10 business days or a later period as specified in the notice given under subsection (2).
- (4) If the Coordinator-General receives a request for additional information under subsection (3), the Coordinator-General must, within 10 business days of the end of period specified under subsection (3):
 - (a) coordinate a single request for additional information and
 - (b) give the proponent written notice of the request for additional information and that a written response must be provided to the Coordinator-General by the date specified in the notice.
- (5) If the proponent receives a written notice under subsection (4)(b), the application will lapse if the proponent does not provide the requested information, to the satisfaction of the Coordinator-General, by the date specified in the notice.
- (6) After the proponent responds to the notice given under subsection (4), the Coordinator-General must, within five business days, and by written notice, provide referral entities with the proponent's response and request that the referral entities proceed with the assessment of the application and the additional information by a specified date.
- (7) A referral entity must assess the application and may provide a referral entity submission to the Coordinator-General by one of the following referral entity response periods:
 - (a) if a request is not made under subsection (3) – 20 business days after receiving the application under subsection (2) or a later period if specified by the notice or
 - (b) if a request is made under subsection (3) – 20 business days after receiving the proponent's response under subsection (6) or a later period if specified by the notice.
- (8) If a referral entity does not respond by the relevant referral entity response period, the Coordinator-General may proceed to the next stage of the assessment process as if the referral entity had assessed the application and had no requirements.
- (9) The referral stage ends at the earlier of the following:
 - (a) the end of the relevant referral entity response period or
 - (b) when a referral entity submission from each referral entity has been received by the Coordinator-General.

2.3. Public consultation stage

- (1) This stage applies unless:
 - (a) the application is for development for reconfiguring a lot or operational works for the clearing of native vegetation where identified in an SDA application for a material change of use or reconfiguring of a lot or

- (b) the application is for a material change of use for a defined use that supports the preferred development intent of the relevant development precinct and is not located on Curtis Island or
 - (c) the Coordinator-General gave notice to the proponent during the application stage that the public consultation stage does not apply to the application.
- (2) The Coordinator-General must, within five business days after the end of the application stage, if the referral stage does not apply, or at the end of the referral stage, give a written notice to the proponent stating that:
 - (a) the application does not require public consultation or
 - (b) public consultation is required for a specified period (the consultation period) of not less than 15 business days starting on the day after the last action under subsection (3) is carried out, and the requirements for public consultation as per subsections (3) to (5) and (9).
- (3) If public consultation is required, the proponent must:
 - (a) publish a notice in a newspaper(s) in accordance with the notice issued under subsection (2)(b)
 - (b) place a notice on each road frontage of the land for the duration of the consultation period, or otherwise place a notice on the land in the way directed by the Coordinator-General and
 - (c) give written notice to the owners of all land adjoining the land the subject of the application.
- (4) The proponent must comply with subsection (3) within 20 business days after receiving notice from the Coordinator-General under subsection (2), and notify the Coordinator-General five business days prior to commencement of public consultation of the date public consultation will commence, and the last day of the consultation period.
- (5) The notices referred to in subsection (3) must:
 - (a) include an accurate description of the land, the subject of the application
 - (b) include a brief description of the proposed development
 - (c) state that the application and the supporting material is available for inspection from the Coordinator-General
 - (d) state that any person may make a submission to the Coordinator-General
 - (e) state the last day of the consultation period
 - (f) state what constitutes a submission in accordance with the definition in this development scheme.
- (6) The application lapses if the proponent does not carry out public consultation in accordance with subsections (3) to (5).
- (7) The Coordinator-General must make the application and the supporting material available for inspection by the public for the whole of the consultation period.
- (8) Any person may, on or before the last day of the consultation period, make a submission to the Coordinator-General in respect of the application.
- (9) Within five business days after the end of the consultation period, the proponent must provide the Coordinator-General with a statutory declaration stating that the proponent has complied with subsections (3) to (5).
- (10) The public consultation stage ends when:

- (a) the Coordinator-General issues a written notice to the proponent under subsection (2)(a) or
- (b) the proponent provides the Coordinator-General with a statutory declaration under subsection (9).

2.4. Review stage

- (1) This stage applies only if the Coordinator-General requests advice from any person the Coordinator-General considers is appropriate to provide advice on any matter related to the application, at any time before the end of 15 business days after the end of the:
 - (a) application stage, if both the referral and public consultation stages are not applicable or
 - (b) referral stage, if the public consultation stage is not applicable or
 - (c) public consultation stage.
- (2) The Coordinator-General must provide a written notice to the proponent at the same time as making the request for advice under subsection (1) that the review stage has commenced.
- (3) The written notice under subsection (2) must state:
 - (a) the matters for which the Coordinator-General has requested advice and
 - (b) that the application is on hold until the Coordinator-General has received the requested advice.
- (4) Upon receipt of the requested advice or if the Coordinator-General is satisfied that the requested advice is no longer required, the Coordinator-General must issue the proponent written notice:
 - (a) to provide additional information based upon the advice by a specified date or
 - (b) that no additional information is required and that the application will proceed to the decision stage.
- (5) If the proponent receives a written notice for additional information under subsection 4(a), the application will lapse if the proponent does not provide the requested information, to the satisfaction of the Coordinator-General, by the date specified in the notice.
- (6) The review stage ends:
 - (a) if the Coordinator-General issues a written notice to the proponent under subsection 4(a) that requires the proponent to provide additional information by a specified date - when the proponent provides the information to the satisfaction of the Coordinator-General by the date specified in the notice or
 - (b) when the Coordinator-General issues a written notice to the proponent under subsection 4(b).

2.5. Decision stage

- (1) The Coordinator-General must decide the application within 30 business days (the decision-making period) of the end of the:
 - (a) application stage, if the referral, public consultation and review stages are not applicable or
 - (b) referral stage, if the public consultation and review stages are not applicable or
 - (c) public consultation stage, if the review stage is not applicable or
 - (d) review stage.

- (2) The Coordinator-General may, by written notice given to the proponent, extend the decision making period by not more than 30 business days.
- (3) The Coordinator-General must assess the application having regard to:
 - (a) the application and all supporting material
 - (b) any submissions received
 - (c) any advice and/or additional information received during the review stage
 - (d) this development scheme and
 - (e) any other matter the Coordinator-General considers to be relevant.
- (4) In making a decision, the Coordinator-General will consider, amongst other matters, if, in the opinion of the Coordinator-General the:
 - (a) proponent has adequately responded to any request for additional information and
 - (b) application adequately addresses any issues raised in a referral entity submission or submission.
- (5) In deciding the application, the Coordinator-General may:
 - (a) issue an SDA approval or
 - (b) refuse the application.
- (6) Without limiting subsection 5(a), a condition attached to an SDA approval may:
 - (a) state how long the use may continue or
 - (b) require any necessary decommissioning or restoration of any matter arising from the SDA approval or
 - (c) address external requirements for the development, such as payment of monetary contributions towards the cost of supplying external services or networks for the development or
 - (d) give effect to any aspect of this development scheme.
- (7) Within 10 business days of deciding the application, the Coordinator-General must give the decision notice to:
 - (a) the proponent
 - (b) any referral entities who made a referral entity submission about the application
 - (c) any person who made a submission about the application.
- (8) The decision notice must state:
 - (a) whether all or part of the application is approved, approved subject to conditions or refused, and if refused, the reasons for the decision
 - (b) if the application is approved subject to conditions, the conditions
 - (c) if the application is approved, the date from which the SDA approval takes effect and, if a different currency period is approved, the period.

3. Making a request to change an SDA application

- (1) A proponent that has made an SDA application may make a request to change the application if:
 - (a) the application was properly made and has not lapsed and
 - (b) the application has not been decided.

Note: The Coordinator-General may only approve a request to change an SDA application if the Coordinator-General considers it is a minor change to the application. Otherwise, the proponent should withdraw the application and submit a new SDA application.

- (2) If a request to change an SDA application is made, assessment of the original application is on hold until the Coordinator-General makes a decision on the request to change the application.
- (3) To be a properly made request to change an SDA application, the request must:
 - (a) be made to the Coordinator-General in the approved form
 - (b) identify the original application to which the request applies
 - (c) identify the change to the original application which is being sought
 - (d) include sufficient information to support that the request can be assessed as a minor change
 - (e) be accompanied by payment of the relevant fee, if prescribed by regulation.
- (4) Within 10 business days of receiving the request, the Coordinator-General must issue a written notice to the proponent that:
 - (a) states:
 - (i) the request is accepted as a properly made request and
 - (ii) whether the proponent has to provide additional information by a specified date or
 - (b) states the request is not accepted as properly made, the reasons for the decision and that the assessment of the original application will recommence.
- (5) If the Coordinator-General issues a written notice in accordance with subsection (4)(b), the request is taken to have never been made. The proponent may submit a new request under subsection (1).
- (6) If the proponent receives a written notice for additional information under (4)(a)(ii), the request will lapse if the proponent does not provide the requested information, to the satisfaction of the Coordinator-General, by the date specified in the notice. If the request lapses, assessment of the original application recommences.
- (7) The Coordinator-General may consult a referral entity about the request if, in the opinion of the Coordinator-General, the request would affect the referral entity.
- (8) The Coordinator-General must make a decision on the request within 20 business days (the decision-making period) of:
 - (a) if no additional information is requested – the Coordinator-General issues the notice to the proponent under subsection (4)(a) or
 - (b) if additional information is requested – when the proponent provides the information to the satisfaction of the Coordinator-General by the date specified in the notice.
- (9) In deciding the request the Coordinator-General must either approve or refuse the request.

- (10) The Coordinator-General may only approve a request to change an SDA application if the Coordinator-General considers it is a minor change to the SDA application.
- (11) The Coordinator-General must give the notice of the decision to the proponent within five 5 business days after making the decision.
- (12) The notice of the decision must include:
 - (a) whether the request is approved or refused
 - (b) if the request is approved, a statement that the assessment of the original application can continue as if the change was part of the original application or
 - (c) if the request is refused, the reasons for the decision and a statement that assessment of the original application will continue.
- (13) If the decision is to refuse the request, assessment of the original application recommences.

4. Making a change application for an SDA approval

- (1) A change application for an SDA approval must follow one of two application processes:
 - (a) if the change application only relates to a change to the currency period – the process under Schedule 2, Part 5 or
 - (b) otherwise, subject to subsection (2), a change application must be made in accordance with the process for making an SDA application set out in Schedule 2, Part 2 as if a reference to an application were to the change application.
- (2) If the proposed change to an SDA approval is, in the opinion of the Coordinator-General, a minor change:
 - (a) consent of the owner is not required to make the change application
 - (b) the referral, public consultation and review stages do not apply to the change application
 - (c) the relevant fee is the fee prescribed by regulation for a minor change to an SDA application.

5. Requesting a later currency period for an SDA approval

- (1) A proponent may make a request to the Coordinator-General to state a later currency period for an SDA approval under section 84H of the SDPWO Act.
- (2) To be a properly made request, the request must:
 - (a) be made to the Coordinator-General in the approved form
 - (b) include:
 - (i) sufficient information to identify the SDA approval to which the request applies and
 - (ii) the proponent's name, address and contact details
 - (c) include sufficient information to support the request

- (d) be accompanied by payment of the relevant fee, if prescribed by regulation
 - (e) be accepted as a properly made request 30 business days before the end of the currency period for the SDA approval.
- (3) Within 10 business days of receiving the request, the Coordinator-General must issue a written notice that:
- (a) states:
 - (i) the request is accepted as a properly made request and
 - (ii) whether the proponent has to provide additional information by a specified date or
 - (b) states the request is not accepted as a properly made request and the reasons for the decision.
- (4) If the Coordinator-General issues a written notice in accordance with subsection (3)(b), the request is taken to have never been made. The proponent may submit a new request under subsection (1).
- (5) If the proponent receives a written notice for additional information, the request will lapse if the proponent does not provide, to the satisfaction of the Coordinator-General, the requested information by the date specified in the notice.
- (6) The Coordinator-General may consult a referral entity about the request if, in the opinion of the Coordinator-General, the request would affect the referral entity.
- (7) The Coordinator-General must assess the request against the matters listed in section 2.1.1(3) of this development scheme and make a decision on the request within 20 business days (the decision-making period) of:
- (a) if the Coordinator-General issues a written notice to the proponent under subsection (3)(a) that requires the proponent to provide additional information by a specified date, when the proponent provides the information to the satisfaction of the Coordinator-General by the date specified in the notice or
 - (b) if the Coordinator-General issues a written notice to the proponent under subsection (3)(a) that does not require the proponent to provide additional information, when the Coordinator-General issues the notice.
- (8) In deciding the request the Coordinator-General must either approve or refuse the request.
- (9) The Coordinator-General must give the notice of the decision to the proponent and any referral entities affected by the decision.
- (10) The notice of the decision must be given within 10 business days after the day the decision is made and include:
- (a) whether the request is approved or refused, and if refused, the reasons for the decision and
 - (b) if the request is approved, the date of the later currency period.

6. Request to carry out prior affected development

- (1) An owner of land (proponent) may make a prior affected development request to the Coordinator-General if immediately before an approved development scheme started applying to the land, there was a prior affected development for the land.

- (2) To be a properly made request, the request must:
 - (a) be made to the Coordinator-General in the approved form
 - (b) include:
 - (i) a clear and accurate description of the land subject to the request
 - (ii) the name, address and contact details of the owner of the land
 - (c) identify the development for which approval is being sought
 - (d) if for an alternative lawful development, include documentation that demonstrates that the development was an as of right development prior to this development scheme taking effect
 - (e) if for an approved development or authorised development, include a copy of the previous approval or permit, including any conditions, to which the previous approval or permit applies
 - (f) include sufficient information to support the request
 - (g) be accompanied by payment of the relevant fee, if prescribed by regulation.
- (3) Within 20 business days of receiving the request, the Coordinator-General must issue a written notice that:
 - (a) states:
 - (i) the request is accepted as a properly made request
 - (ii) whether the proponent has to provide additional information by a specified date or
 - (b) states the request has not been accepted as a properly made request and the reasons for the decision.
- (4) If the Coordinator-General issues a written notice in accordance with subsection (3)(b), the request is taken to have never been made. The proponent may submit a new request under subsection (1).
- (5) If the proponent receives a written request for additional information, the request will lapse if the proponent does not provide, to the satisfaction of the Coordinator-General, the requested information by the date specified in the notice.
- (6) The Coordinator-General must make a decision on the request within 20 business days of:
 - (a) if the Coordinator-General issues a written notice to the proponent under subsection (3)(a) that requires the proponent to provide additional information by a specified date - when the proponent provides the information to the satisfaction of the Coordinator-General by the date specified in the notice or
 - (b) if the Coordinator-General issues a written notice to the proponent under subsection (3)(a) that does not require the proponent to provide additional information - when the Coordinator-General issues the notice.
- (7) When assessing the request, the Coordinator-General must consider if, in the opinion of the Coordinator-General, the request:
 - (a) is consistent with, or would not compromise any aspect of this development scheme or
 - (b) does not meet paragraph (a) but there are mitigating circumstances for approving the request.
- (8) When making a decision, the Coordinator-General must have regard to the following:

- (a) the planning scheme for the relevant local government that was in effect at the time this development scheme came into effect
 - (b) this development scheme
 - (c) the nature of the proposed development and its potential impacts on matters listed in section 2.1.1(3) of this development scheme
 - (d) the currency period of any previous approval
 - (e) any other matters the Coordinator-General considers relevant.
- (9) The Coordinator-General may consult a referral entity about the request if, in the opinion of the Coordinator-General, the request would affect the referral entity.
- (10) In deciding the request, the Coordinator-General must either approve or refuse the request.
- (11) The Coordinator-General may impose a condition on an approval to:
- (a) place a limit on how long the development may continue or
 - (b) require any necessary decommissioning or restoration of the premises or
 - (c) give effect to any aspect of this development scheme.
- (12) The Coordinator-General must give the notice of the decision to the proponent within 10 business days after the day the decision is made and include:
- (a) whether the request is approved or refused, and if refused, the reasons for the decision
 - (b) the currency period for any approval
 - (c) if refused, a statement that under section 87 of the SDPWO Act, the owner of an interest in land may be entitled to compensation.

7. Request for approval of a plan of subdivision

- (1) Following an SDA approval for reconfiguring a lot, a proponent must submit a request for approval of a plan of subdivision by the Coordinator-General.
- (2) To be a properly made request, the request must:
- (a) be made to the Coordinator-General in the approved form
 - (b) identify the SDA approval to which this request relates
 - (c) include:
 - (i) the proponent's name, address and contact details
 - (ii) the required documentation to enable plan sealing to occur
 - (d) be accompanied by payment of the relevant fee, if prescribed by regulation.
- (3) Within five business days of receiving the request, the Coordinator-General must issue a written notice that:
- (a) states:
 - (i) the request is accepted as a properly made request
 - (ii) whether the proponent has to provide additional information by a specified date or

- (b) states the request is not accepted as a properly made request and the reasons for the decision.
- (4) If the Coordinator-General issues a written notice in accordance with subsection (3)(b), the request is taken to have never been made. The proponent may submit a new request under subsection (1).
- (5) If the proponent receives a written notice for additional information, the request will lapse if the proponent does not provide the requested information, to the satisfaction of the Coordinator-General, by the date specified in the notice.
- (6) The Coordinator-General must assess the request against the relevant SDA approval and make a decision on the request within 10 business days (the decision-making period):
 - (a) if the Coordinator-General issues a written notice to the proponent under subsection (3)(a) that requires the proponent to provide additional information by a specified date, when the proponent provides the information to the satisfaction of the Coordinator-General by the date specified in the notice or
 - (b) if the Coordinator-General issues a written notice to the proponent under subsection (3)(a) that does not require the proponent to provide additional information, when the Coordinator-General issues the notice.
- (7) In deciding the request the Coordinator-General must either approve or refuse the request.
- (8) The Coordinator-General must give a notice of the decision to the proponent within five business days after the day the decision is made and include:
 - (a) whether the request is approved or refused, and if refused, the reasons for the decision and
 - (b) if the request is approved, that the approved plan of subdivision may be lodged with the Land Title Office for registration, subject to the relevant requirements under either the *Land Title Act 1994* or *Land Act 1994*.

Schedule 3—Requirements for SDA self-assessable development

- (1) This Schedule identifies the requirements for SDA self-assessable development.
- (2) The requirements support the strategic vision, overall objectives, and the preferred development intent for the precincts.
- (3) A proponent must obtain all other development permits, licences or approvals as required to lawfully undertake the development.

1. SDA wide requirements for SDA self-assessable development – material change of use for a warehouse

- (1) A proponent who carries out SDA self-assessable development for a material change of use for a warehouse must comply with the relevant requirements set out in Table 8 and section 1.1 below.

Table 8 SDA wide requirements for SDA self-assessable development – material change of use for a warehouse

Number	SDA wide requirement	Requirements
1	Commencement of development	(1) Notify the Coordinator-General in writing of the date of commencement of the SDA self-assessable development within 30 days of commencement.
2	Temporary use	(1) The use does not occur for more than three months in any 12 month period. (2) Permanent buildings, structures, infrastructure or services are not constructed.
3	Access, traffic and parking	(1) Access to the site is to be via sealed public roads. (2) Traffic generated from the use is limited to 10 vehicle movements per day (averaged over a seven day period).

		(3) All vehicle parking is to be provided on site.
4	State transport corridors and intersections	<p>(1) The gross floor area of the use is less than 8,000m².</p> <p>(2) All or part of the premises are not:</p> <ul style="list-style-type: none"> (a) within 25m of a state transport corridor or (b) a future state transport corridor or (c) adjacent to a road that intersects with a State Controlled Road and are within 100m of the intersection.
5	Emissions	<p>(1) Development must achieve the relevant acoustic and air quality objectives of the Environmental Protection (Noise) Policy 2019 and the Environmental Protection (Air) Policy 2019.</p> <p>(2) Development must minimise potential impacts arising from (but not limited to) spray drift, odour, noise, dust, smoke or ash emissions on sensitive land uses, for example by providing for effective separation between land uses or management at the source.</p> <p>(3) Traffic from the site must not result in the cartage of material (such as dust, soil, waste) onto roads.</p>
6	Lighting	<p>(1) All temporary lighting must be installed and operated to prevent light spillage onto sensitive land uses in accordance with AS4282 - 1997 <i>Control of the obtrusive effects of outdoor lighting</i>.</p> <p>(2) Any flood lights or site illumination on the subject land must be shielded, directed downwards and away from the state-controlled roads so as to not interfere with the vision of motorists. All reflected light projected from any part of the subject land must be directed away from all roads and adjacent properties.</p>
7	Erosion and sediment control	(1) All development must ensure the effective management of all aspects of erosion and sediment control in accordance with IECA – Best Practice Erosion and Sediment Control.
8	Waste and pollution	<p>(1) All waste associated with the use is to be disposed of in accordance with relevant local government requirements.</p> <p>(2) No solid waste or liquid, other than stormwater, is discharged to land or waters.</p>
9	Contaminants or dangerous goods	(1) The use does not involve the storage of hazardous contaminants or dangerous goods.
10	Flooding and stormwater	(1) Development must not adversely affect existing flow rates, flood heights or cause or contribute to other flooding impacts on upstream, downstream, or adjacent properties. This includes potential impacts from changes to stormwater flows and local flooding.
11	Decommissioning	(1) On completion of the use, all temporary buildings, structures, infrastructure or services must be removed.

1.1 Compliance requirement

- (1) Prior to commencing SDA self-assessable development, the proponent must provide compliance documentation to the Coordinator-General.
- (2) Compliance documentation must include:
 - (a) the proponent's name, address, phone numbers, and email
 - (b) a description of the proposed SDA self-assessable development, its location and lot and plan number

- (c) a copy of any relevant associated development approval
 - (d) details of the suitably qualified person responsible for preparing the compliance documentation, including the person's:
 - (i) proof of current insurance from a reputable insurer:
 - (A) professional indemnity to the value of \$5,000,000
 - (B) public liability to the value of \$20,000,000
 - (C) any other insurance required by law for undertaking the required actions
 - (ii) proof that the person:
 - (A) is an independent third party unaffiliated with the proponent
 - (B) is suitably qualified, i.e. has up to date relevant professional experience
 - (e) a compliance report that:
 - (i) identifies the relevant requirements for the SDA self-assessable development as set out in this Schedule or any associated development approval
 - (ii) demonstrates how the development complies with current best practice, including relevant standards
 - (iii) includes supporting information such as survey plans, drawings and management plans.
- (3) The proponent must keep and make available for inspection, an up to date statement of how the compliance documentation is being implemented.
 - (4) Where an alternative compliance design or solution to that contained in the compliance report is proposed to be undertaken, an updated compliance report is required to be lodged with the Coordinator-General prior to the lodgement of the notice of compliance.
 - (5) Prior to commencement of the use or upon completion of self-assessable development, the proponent must provide a notice of compliance to the Coordinator-General which states that the actions required by the compliance report and supporting information in order to comply with the requirements, have been undertaken in accordance with the compliance report.

2. SDA wide requirements for SDA self-assessable development – reconfiguring a lot

- (1) A proponent who carries out SDA self-assessable development for reconfiguring a lot must comply with the relevant requirements set out in Table 9 and section 2.1 below.
- (2) The plan of subdivision may be lodged with the Land Title office for registration, subject to the relevant requirements under either the *Land Title Act 1994* or *Land Act 1994*.

Table 9 SDA wide requirements for SDA self-assessable development – reconfiguring a lot

Number	SDA wide requirement	Requirements
1	Lot access	(1) Development provides lawful, safe and practical access.

Number	SDA wide requirement	Requirements
2	Infrastructure	(1) Development is adequately serviced by infrastructure and meets the relevant engineering and design standards in Table 7.
3	Lot sizes	(1) Minimum lot sizes for development precincts are consistent with the following: <ul style="list-style-type: none"> (a) Port Related Industry Precinct – 2 ha (b) High Impact Industry Precinct – 10 ha (c) Medium Impact Industry Precinct – 2 ha (d) Industry Investigation Precinct – 2 ha
4	Subdivision of specific precincts	(1) Reconfiguration of the Materials Transportation and Services Corridor Precinct is undertaken for operational, management or regulatory purposes only. (2) Reconfiguration of Environmental Management Precinct is undertaken for environmental management purposes only.
5	State transport corridors and infrastructure	(1) All or part of the premises are not within 25m of a state transport corridor, or where all or part of the premises are within 25m of a state transport corridor: <ul style="list-style-type: none"> (a) the total number of lots does not increase (b) the total number of lots adjacent to the state transport corridor does not increase (c) there is no new or changed access between the premises and the state transport corridor (d) no easement is created adjacent to a railway as defined under the <i>Transport Infrastructure Act 1994</i>. (2) All or part of the premises are not a future state transport corridor, or where all or part of the premises are a future state transport corridor: <ul style="list-style-type: none"> (a) the total number of lots does not increase. (3) All or part of the premises are not adjacent to a road that intersects with a State controlled road and are not within 100m of the intersection. Or, where all or part of the premises are adjacent to road that intersects with a State controlled road and are within 100m of the intersection: <ul style="list-style-type: none"> (a) the total number of lots does not increase (b) the total number of lots adjacent to the road does not increase (c) there is no new or changed access between the premises and the road.

2.1 Compliance requirement

- (1) Prior to commencing SDA self-assessable development for reconfiguring a lot, the proponent must provide compliance documentation to the Coordinator-General.
- (2) Compliance documentation must include:
 - (a) the proponent's name, address, phone numbers, and email
 - (b) a description of the proposed SDA self-assessable development, its location and lot and plan number
 - (c) a copy of any relevant associated development approval
 - (d) details of the suitably qualified person responsible for preparing the compliance documentation, including the person's:

- (i) proof of current insurance from a reputable insurer:
 - (A) professional indemnity to the value of \$5,000,000
 - (B) public liability to the value of \$20,000,000 and
 - (C) any other insurance required by law for undertaking the required actions
- (ii) proof that the person:
 - (A) is suitably qualified, i.e. has up to date relevant professional experience
- (e) a compliance report that:
 - (i) identifies the relevant requirements for the SDA self-assessable development as set out in this Schedule or any associated development approval
 - (ii) demonstrates how the development complies with current best practice, including relevant standards and
 - (iii) includes supporting information such as survey plans, drawings and management plans.
- (3) The proponent must keep and make available for inspection, an up to date statement of how the compliance documentation is being implemented.
- (4) Where an alternative compliance design or solution to that contained in the compliance report is proposed to be undertaken an updated compliance report is required to be lodged with the Coordinator-General prior to the lodgement of the notice of compliance.
- (5) Prior to commencement of the use or upon completion of self-assessable development, the proponent must provide a notice of compliance to the Coordinator-General which states that the actions required by the compliance report and supporting information in order to comply with the requirements have been undertaken in accordance with the compliance report.

3. SDA wide requirements for SDA self-assessable development – operational works for the clearing of native vegetation

- (1) A proponent who carries out SDA self-assessable development for operational works for the clearing of native vegetation where identified in an SDA application for a material change of use or reconfiguring a lot must comply with the relevant requirements set out in Table 10 and section 3.1 below.

Table 10 SDA wide requirements for SDA self-assessable development – operational works for the clearing of native vegetation

Number	SDA wide requirements	Requirements
1	Vegetation type	(1) Clearing is for the following vegetation: <ul style="list-style-type: none"> (a) regulated regrowth vegetation (b) an of concern regional ecosystem in a category B area (c) a least concern regional ecosystem in a category B area.

Number	SDA wide requirements	Requirements
2	Land use	<ul style="list-style-type: none"> (1) Clearing is associated with reconfiguring a lot that is authorised by an SDA approval or (2) clearing is associated with a material change of use that is authorised by an SDA approval and is for development listed in Schedule 1 Part 2 but (3) does not include development associated with animal husbandry, animal keeping or cropping.

3.1 Compliance requirement

- (1) Prior to commencing SDA self-assessable development for the clearing of native vegetation, the proponent must provide compliance documentation to the Coordinator-General.
- (2) Compliance documentation must include:
 - (a) the proponent's name, address, phone numbers, and email
 - (b) a description of the proposed SDA self-assessable development, its location and lot and plan number
 - (c) a description of the associated SDA approval
 - (d) detail on how the development complies with the relevant requirements for the SDA self-assessable development, including supporting information such as survey plans and vegetation maps.

The Coordinator-General
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