

# Townsville

## State Development Area

Development Scheme  
May 2019

COORDINATOR-GENERAL



## Amendment history

Current version	Townsville SDA Development Scheme May 2019
Previous version	Development Scheme for the Townsville SDA July 2013
Previous version	Development Scheme for the Townsville SDA September 2012
Previous version	Development Scheme for the Townsville SDA September 2010
Original version	Development Scheme for the Townsville SDA 2005

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**D19/81140**

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# 1. Introduction

## 1.1 The Townsville 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 Townsville State Development Area (Townsville SDA) was declared in October 2003 by regulation.
- (3) Figure 1 identifies the boundary and development precincts of the Townsville SDA.



## 1.2 The Townsville 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 Townsville 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 Townsville SDA
    - (ii) the overall objectives for development in the Townsville 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
    - (vi) a request to approve a plan of subdivision
  - (e) for SDA self-assessable development, includes the requirements development must comply with
  - (f) specifies other matters pertaining to the regulation of development in the Townsville 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.dsdmip.qld.gov.au/sda](http://www.dsdmip.qld.gov.au/sda).

## 1.3 Regulatory framework

- (1) A person may only carry out regulated development in the Townsville SDA in accordance with the SDPWO Act and this development scheme.
- (2) Development regulated by this development scheme is identified in Tables 1-7 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 Townsville City Council planning scheme.

- (4) A person must obtain all other development permits, licences or approvals required to lawfully undertake the development.

### 1.3.1 Levels of assessment

- (1) Development identified in Tables 1-7 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 1-5 and Table 7 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.

### 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 in accordance with Schedule 6, Part 4 of the Planning Regulation or
  - (e) development is categorised as accepted development in accordance with Schedule 7 of the Planning Regulation or
  - (f) development is operational work for clearing native vegetation in accordance with Schedule 21 of the Planning Regulation or
  - (g) 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*.
- (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.

### 1.3.3 Other relevant matters

- (1) The *Townsville Zinc Refinery Act 1996* (Zinc Refinery Act) identifies purposes for the Townsville Zinc Refinery Land. Applications under this development scheme over this land consistent with Schedule 3, Part 1 of the Zinc Refinery Act will be approved by the Coordinator-General without conditions.<sup>1</sup>

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<sup>1</sup> Other approvals may be required under State or Commonwealth legislation.

# 2. Development assessment in the Townsville 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 a 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 Townsville SDA
  - (b) the overall objectives for development in the Townsville 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 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)<sup>2</sup>
  - (b) a change application for an SDA approval

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<sup>2</sup> 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. Refer Schedule 2, Part 3.

- (c) a request to state a later currency period
  - (d) a prior affected development request
  - (e) a request for approval of a plan of subdivision, following an SDA approval for reconfiguring a lot.
- (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 section 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 a 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 Townsville SDA**

- (1) The vision for the Townsville SDA is to:
  - (a) be the preferred location in North Queensland for the establishment of industrial development of regional, State and national significance, including supporting infrastructure, which is reliant on direct access to one or more of the Port of Townsville, national freight rail and major road networks
  - (b) ensure development of the Townsville SDA occurs in a logical sequence and is equally focused on the short- and long-term economic benefits to the region and State
  - (c) facilitate the continued operation and future expansion of existing industrial operations and regionally significant extractive resources
  - (d) facilitate a coordinated approach to the delivery of infrastructure, and maximise the efficient use of existing and future port, road, rail and ancillary infrastructure
  - (e) recognise and protect environmental, cultural heritage and community values
  - (f) contribute to maintaining the outstanding universal value of the Great Barrier Reef World Heritage Area.
- (2) The strategic vision is supported by the overall objectives for development and preferred development intents of development precincts within the Townsville SDA.

## **2.3 Overall objectives for development in the Townsville SDA**

- (1) Development within the Townsville SDA:
  - (a) capitalises on the Townsville SDA's strategic location, supports the role and function of the Port of Townsville and stimulates economic growth

- (b) ensures lots are appropriately sized to accommodate preferred development
- (c) ensures the integrity and functionality of the Townsville SDA is maintained and protected from incompatible development
- (d) avoids or minimises adverse impacts on sensitive land uses
- (e) ensures design, construction and operation is consistent with current best practice
- (f) avoids adverse impacts on environmental, cultural heritage and community values, or minimises, mitigates or offsets impacts where they cannot be avoided
- (g) uses water and energy efficiently and minimises potential impacts on water quality and climate change
- (h) manages impacts of air quality on the capacity of the Townsville airshed
- (i) uses land and infrastructure efficiently and does not compromise or adversely impact on infrastructure, infrastructure corridors and future development opportunities
- (j) is adequately serviced by infrastructure, generally in accordance with established infrastructure planning<sup>3</sup>
- (k) manages the risks associated with natural hazards, to protect people and property
- (l) achieves appropriate levels of flood immunity consistent with current best practice
- (m) ensures no net worsening of flood levels on land for existing and potential urban uses and on environmental values.

## 2.4 Townsville SDA development precincts

- (1) The Townsville SDA has seven 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 Industry Precinct – preferred development intent

- (1) The preferred development intent for the Port Industry Precinct is described below.
  - (a) This precinct is to accommodate industrial development that:
    - (i) has a nexus with the Port of Townsville
    - (ii) supports a port related activity
    - (iii) benefits from close proximity to port related infrastructure and services
    - (iv) is reliant on and maximises the use of key transport and supply chain infrastructure.
  - (b) Infrastructure within the precinct is coordinated to optimise transport, infrastructure and land use.
  - (c) Only one intersection from the Townsville Port Access Road (TPAR) to this precinct will be supported.
  - (d) Defined uses that support the preferred development intent are:

<sup>3</sup> The Townsville SDA Infrastructure Plan sets out the relevant infrastructure network planning and charging arrangements for the Townsville SDA. The Coordinator-General will have regard to the Townsville SDA Infrastructure Plan and the Townsville Local Government Infrastructure Plan.

- (i) freight terminal
  - (ii) infrastructure facility
  - (iii) medium impact industry
  - (iv) transport depot
  - (v) utility installation
  - (vi) warehouse.
- (e) Defined uses that may be supported where it can be demonstrated that they satisfy the preferred development intent include:
- (i) food and drink outlet, where required to service the immediate employment catchment
  - (ii) high impact industry, where impacts on sensitive land uses can be mitigated
  - (iii) office, where ancillary to an industrial use
  - (iv) special industry, where located east of the Townsville Port Access Road and where impacts on sensitive land uses can be mitigated
  - (v) substation
  - (vi) telecommunications facility.

**Table 1 Regulated development within the Port Industry Precinct**

Column 1 – SDA self-assessable development within the precinct	Column 2 – SDA assessable development within the precinct
<p><b>Reconfiguring a lot</b> When undertaken by the Coordinator-General</p>	<p><b>Material change of use</b> All uses</p> <p><b>Reconfiguring a lot</b> All other reconfiguring a lot not identified in column 1 as SDA self-assessable development</p> <p><b>Operational work</b> For the clearing of native vegetation</p>

*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 high impact industrial development that:
    - (i) requires significant buffers from sensitive land uses
    - (ii) requires access to key transport and supply chain networks.
  - (b) Infrastructure within the precinct is coordinated to optimise transport, infrastructure and land use.
  - (c) Defined uses that support the preferred development intent are:
    - (i) high impact industry
    - (ii) medium impact industry
    - (iii) utility installation.

- (d) Defined uses that may be supported where it can be demonstrated that they satisfy the preferred development intent include:
  - (i) food and drink outlet, where required to service the immediate employment catchment
  - (ii) infrastructure facility
  - (iii) office, where ancillary to an industrial use
  - (iv) renewable energy facility
  - (v) service station
  - (vi) special industry, where impacts on sensitive land uses can be mitigated
  - (vii) substation
  - (viii) telecommunications facility.

**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><b>Reconfiguring a lot</b> When undertaken by the Coordinator-General</p>	<p><b>Material change of use</b> All uses</p> <p><b>Reconfiguring a lot</b> All other reconfiguring a lot not identified in column 1 as SDA self-assessable development</p> <p><b>Operational work</b> For the clearing of native vegetation</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 medium impact industrial development that:
    - (i) includes the manufacturing and processing of products that are associated with identifiable and measurable impacts
    - (ii) requires buffers from sensitive land uses
    - (iii) is reliant on and maximises the use of key transport and supply chain infrastructure.
  - (b) Transport, freight and logistics industries are accommodated in locations with key rail and road linkages, including the section of the precinct adjoining the existing intermodal facility south of Marrett Street.
  - (c) The scale, intensity and bulk of industrial development is appropriate for the location having regard to its proximity to adjacent sensitive land uses, e.g. the residential areas of Cluden and Wulguru.
  - (d) The expansion of existing uses within the precinct will be supported where appropriate.

- (e) Only one intersection from the Townsville Port Access Road to this precinct will be supported.
- (f) Defined uses that support the preferred development intent are:
  - (i) freight terminal
  - (ii) infrastructure facility
  - (iii) medium impact industry
  - (iv) research and technology industry
  - (v) transport depot
  - (vi) utility installation
  - (vii) warehouse.
- (g) Defined uses that may be supported where it can be demonstrated that they satisfy the preferred development intent include:
  - (i) correctional facility
  - (ii) food and drink outlet, where required to service the immediate employment catchment
  - (iii) office, where ancillary to an industrial use
  - (iv) renewable energy facility
  - (v) service station
  - (vi) substation
  - (vii) telecommunications facility
  - (viii) wholesale nursery.

**Table 3 Regulated development within the Medium Impact Industry Precinct**

Colum 1 – SDA self-assessable development within the precinct	Column 2 – SDA assessable development within the precinct
<p><b>Reconfiguring a lot</b> When undertaken by the Coordinator-General</p>	<p><b>Material change of use</b> All uses</p> <p><b>Reconfiguring a lot</b> All other reconfiguring a lot not identified in column 1 as SDA self-assessable development</p> <p><b>Operational work</b> For the clearing of native vegetation</p>

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

#### 2.4.4 Low Impact Industry Precinct – preferred development intent

- (1) The preferred development intent for the Low Impact Industry Precinct is described below.
  - (a) This precinct is to accommodate low impact industrial development that:
    - (i) supports local and regional industries
    - (ii) is compatible with being in close proximity to sensitive land uses e.g. the residential area of Cluden

- (iii) provides safe and efficient access so as not to adversely impact on traffic movements and amenity of sensitive land uses.
- (b) Defined uses that support the preferred development intent are:
  - (i) low impact industry
  - (ii) research and technology industry
  - (iii) service industry
  - (iv) utility installation
  - (v) warehouse.
- (c) Defined uses that may be supported where it can be demonstrated that they satisfy the preferred development intent include:
  - (i) food and drink outlet
  - (ii) office, where ancillary to an industry use
  - (iii) substation
  - (iv) telecommunications facility
  - (v) transport depot.

**Table 4 Regulated development within the Low Impact Industry Precinct**

Column 1 – SDA self-assessable development within the precinct	Column 2 – SDA assessable development within the precinct
<p><b>Reconfiguring a lot</b> When undertaken by the Coordinator-General</p>	<p><b>Material change of use</b> All uses</p> <p><b>Reconfiguring a lot</b> All other reconfiguring a lot not identified in column 1 as SDA self-assessable development</p> <p><b>Operational work</b> For the clearing of native vegetation</p>

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

### 2.4.5 Infrastructure Corridors Precinct – preferred development intent

- (1) The preferred development intent for the Infrastructure Corridors Precinct is described below.
  - (a) This precinct is for the continued operation and establishment of an efficient, effective and safe route for linear infrastructure, including materials transportation infrastructure, utility services and transport infrastructure corridors, to service development in the Townsville SDA and the Port of Townsville.
  - (b) This precinct will support the establishment of multi-user infrastructure where practicable and protect land and supply chain corridors for existing and future infrastructure required for development of the Townsville SDA and ongoing operation of the Port of Townsville.
  - (c) Future infrastructure envisaged includes road, rail, conveyors, pipelines, water, gas, electricity, sewerage and telecommunications.

- (d) Infrastructure associated with development outside the Townsville SDA may be accommodated within this precinct where it does not compromise or adversely affect the land use or infrastructure servicing requirements for development in the Townsville SDA or the supply chain infrastructure required for the operation of the Port of Townsville.
- (e) Defined uses that support the preferred development intent are:
  - (i) infrastructure facility
  - (ii) utility installation.
- (f) Defined uses that may be supported where it can be demonstrated that they satisfy the preferred development intent include:
  - (i) substation
  - (ii) telecommunications facility.

**Table 5 Regulated development within the Infrastructure Corridors Precinct**

Column 1 – SDA self-assessable development within the precinct	Column 2 – SDA assessable development within the precinct
<p><b>Reconfiguring a lot</b> When undertaken by the Coordinator-General</p>	<p><b>Material change of use</b> All uses</p> <p><b>Reconfiguring a lot</b> All other reconfiguring a lot not identified in column 1 as SDA self-assessable development</p> <p><b>Operational work</b> For the clearing of native vegetation</p>

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

### 2.4.6 Resources Precinct – preferred development intent

- (1) The preferred development intent for the Resources Precinct is described below.
  - (a) This precinct is to accommodate development of extractive industry uses and limited other uses where they do not compromise existing or future industrial development in the Townsville SDA.
  - (b) Development:
    - (i) will recognise and protect environmental and cultural heritage values, including those associated with the Muntalunga Ranges
    - (ii) will recognise and protect the Muntalunga Key Resource Area
    - (iii) is compatible with being in close proximity to sensitive land uses e.g. the residential areas of Nome, Alligator Creek and Julago
    - (iv) in the Muntalunga Ranges will minimise adverse visual impacts when viewed from publicly accessible viewpoints including, but not limited to, the Bruce Highway.
  - (c) Defined uses that support the preferred development intent are:
    - (i) extractive industry

- (ii) permanent plantation.
- (d) Defined uses that may be supported where it can be demonstrated that they satisfy the preferred development intent include:
  - (i) renewable energy facility
  - (ii) substation
  - (iii) telecommunications facility
  - (iv) utility installation.

**Table 6 Regulated development within the Resources Precinct**

Column 1 – SDA self-assessable development within this precinct	Column 2 – SDA assessable development within the precinct
Nil	<p><b>Material change of use</b> All uses</p> <p><b>Reconfiguring a lot</b> All reconfiguring a lot</p> <p><b>Operational work</b> For the clearing of native vegetation</p>

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

### 2.4.7 Environmental Management Precinct – preferred development intent

- (1) The preferred development intent for the Environmental Management Precinct is described below.
  - (a) This precinct is to remain free of industrial development due to flooding and topographical constraints, and environmental and cultural heritage values.
  - (b) The intent of this precinct is to:
    - (i) protect environmental values, including wetlands, vegetation and fauna habitats closely related to the Great Barrier Reef World Heritage Area, the Muntalunga Ranges and Bowling Green Bay Ramsar site, and associated catchment
    - (ii) protect and enhance cultural heritage values
    - (iii) provide flood immunity to developable areas and allow flood mitigation works where sympathetic to environmental values
    - (iv) provide an area for environmental offsets as a result of impacts from development within the Townsville SDA
    - (v) provide opportunities for rehabilitation and enhancement of existing environmental values.
  - (c) This precinct may also support infrastructure essential for development in the Townsville SDA and to service the Port of Townsville where it cannot be accommodated in the Infrastructure Corridors Precinct.
  - (d) Defined uses that support the preferred development intent are:

- (i) environmental facility or park, where development impacts can be adequately managed and the facility provides education and appreciation opportunities of local cultural, environmental or heritage values
- (ii) permanent plantation.
- (e) Defined uses that may be supported where it can be demonstrated that they satisfy the preferred development intent include:
  - (i) utility installation.

**Table 7 Regulated development within the Environmental Management Precinct**

Column 1 – SDA self-assessable development within the precinct	Column 2 – SDA assessable development within the precinct
<p><b>Reconfiguring a lot</b> When undertaken by the Coordinator-General</p>	<p><b>Material change of use</b> All uses</p> <p><b>Reconfiguring a lot</b> All other reconfiguring a lot not identified in column 1 as SDA self-assessable development</p> <p><b>Operational work</b> For the clearing of native vegetation</p>

*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 maximises the use of and minimises the cost for infrastructure associated with telecommunications, transport, water, wastewater, recycled water and energy networks.
- (2) Development plans for and manages impacts on existing and future known telecommunications, transport, water, wastewater, recycled water and energy networks.
- (3) Development is adequately serviced by telecommunications, transport, water, wastewater, recycled water and energy networks as relevant.<sup>4</sup>
- (4) Development incorporates waste minimisation practices and considers refuse collection or disposal.
- (5) Development avoids or minimises adverse impacts on existing or proposed State or local government infrastructure and services.
- (6) Development provides for and protects the safety, functionality and efficiency of the Bruce Highway, North Coast rail line, TPAR and Flinders Highway (Stuart Bypass) and the Townsville Eastern Access Rail Corridor (TEARC).

<sup>4</sup> The Townsville SDA Infrastructure Plan sets out the relevant infrastructure network planning and charging arrangements for the Townsville SDA. The Coordinator-General will have regard to the Townsville SDA Infrastructure Plan and the Townsville Local Government Infrastructure Plan.

## 2.5.2 Emissions

- (1) Development is designed to avoid or minimise:
  - (a) adverse impacts from air, noise and other emissions that will affect the health and safety, wellbeing and amenity of communities and individuals
  - (b) conflicts arising from (but not limited to), spray drift, odour, noise, dust, light spill, smoke or ash emissions with sensitive and/or incompatible land uses.
- (2) Development supports the achievement of the relevant acoustic and air quality objectives of the Environmental Protection (Noise) Policy 2008 and the Environmental Protection (Air) Policy 2008.
- (3) Development with the potential to impact on the air quality of Townsville will be expected to conduct air shed modelling, in accordance with current best practice, to demonstrate compliance with air quality standards.

## 2.5.3 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.
- (2) Where required, develop a strategy to manage any existing contamination and the potential for additional contamination such that human health and the environment are not adversely affected.

## 2.5.4 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 acid and metal contaminants.

## 2.5.5 Climate change

- (1) Development minimises its emission of greenhouse gases and demonstrates how it will adapt to projected climate change conditions.

## 2.5.6 Transport

- (1) Increased traffic arising from 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) Local road networks within the Townsville SDA are to be 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.
- (4) Adequate car parking for the number and nature of vehicles expected are provided on site.

## 2.5.7 Environment, cultural heritage and community

- (1) Environmental values, 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 for all development.*

- (2) Development is designed and sited 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 of the Great Barrier Reef World Heritage Area
  - (d) avoid adverse impacts on cultural heritage and community values, or where adverse impacts cannot be avoided, impacts are minimised, mitigated or offset.
- (3) Environmental offsets are provided in accordance with the relevant commonwealth or State environmental offset framework.
- (4) Environmental offsets should be accommodated within the Environmental Management Precinct before seeking solutions external to the Townsville SDA.
- (5) Where the development requires a buffer to mitigate the impacts of the development, that buffer must be accommodated within the development site.<sup>5</sup>

## 2.5.8 Engineering and design standards

- (1) Development is designed and constructed in accordance with the relevant engineering and design standards (and any subsequent revisions to the relevant standards) stated in Table 8 below. Alternative innovative solutions that demonstrate compliance with the relevant standards are encouraged.

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<sup>5</sup> 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.

**Table 8 Relevant engineering and design standards**

Sewer and water	<ul style="list-style-type: none"> <li>Standards of the relevant water and sewerage service provider</li> </ul>
Soil erosion	<ul style="list-style-type: none"> <li>International Erosion Control Association (IECA) – Best Practice Erosion and Sediment Control</li> </ul>
Filling	<ul style="list-style-type: none"> <li>AS3798 – Guidelines on Earthworks for Commercial and Residential Developments</li> </ul>
Stormwater quality	<ul style="list-style-type: none"> <li>Water sensitive urban design: Design objectives for urban stormwater management</li> <li>Construction and Establishment Guidelines, Swales, Bioretention Systems and Wetlands</li> <li>Concept Design Guidelines for Water Sensitive Urban Design</li> <li>Standard Drawings for Water Sensitive Urban Design</li> <li>Table B (Appendix 2) of the State Planning Policy 2017</li> <li>Environmental Protection (Water) Policy 2009 (Townsville region)</li> <li>Water Quality Guidelines for the Great Barrier Reef Marine Park (2010)</li> </ul>
Stormwater quantity	<ul style="list-style-type: none"> <li>Queensland Urban Drainage Manual (QUDM)</li> <li>Australian Rainfall and Runoff (ARR) - where referenced by QUDM</li> </ul>
Roads (major)	<ul style="list-style-type: none"> <li>Department of Transport and Main Roads' (DTMR) Road Planning and Design Manual</li> <li>DTMR's Guide to Traffic Impact Assessment</li> <li>DTMR Pavement Design Manual</li> <li>DTMR Bridge Design Manual</li> <li>QUDM - Chapter 7</li> <li>DTMR Drainage Design Manual</li> <li>Manual of Uniform Traffic Control Devices</li> <li>DTMR Guide to Pavement Markings</li> <li>Australian Standard AS1158 (Street Lighting)</li> <li>Complete Streets Manual 2010 (Section 17: Industrial Streets).</li> </ul>
Roads (minor)	<ul style="list-style-type: none"> <li>Relevant local government construction standards.</li> </ul>
Site access	<ul style="list-style-type: none"> <li>Relevant local government construction standards.</li> </ul>
Car parking	<ul style="list-style-type: none"> <li>Relevant local government standards</li> </ul>
Footpaths and cycle paths	<ul style="list-style-type: none"> <li>Relevant local government construction standards</li> <li>Austroroads – Guide to Road Design Part 6A: Pedestrian and Cyclist Paths</li> </ul>
Rail	<ul style="list-style-type: none"> <li>DTMR's Guide to Development in a Transport Environment - Rail</li> </ul>

*Note: Where any inconsistencies arise between relevant engineering standards listed in Table 8, the relevant local government construction standards prevail.*

### 2.5.9 Other government matters

- (1) Development is to demonstrate consistency with any other relevant legislative requirements for the development to proceed and operate. Development, to the extent practicable, is to be consistent with regional plans, the State Planning Policy, and the State Development Assessment Provisions where the State interests articulated by these instruments are likely to be affected by the development.

### 2.5.10 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
- (d) landscaping treatments to the western side of the building.
- (2) Water efficiency is optimised through the use of alternative water supply sources, including:
  - (a) rainwater harvesting systems
  - (b) recycled water source.

### **2.5.11 Visual impacts**

- (1) Visual impacts of buildings, retaining structures or other development are minimised through building design, landscaping or other mitigation measures when viewed from a publicly accessible view point such as major roads, public parks or Cleveland Bay.
- (2) Development incorporates high quality urban design and landscape treatments particularly for those areas highly visible from public roads.

### **2.5.12 Built form**

- (1) The scale, character and built form of development contributes to a high standard of amenity.
- (2) Development must incorporate crime prevention through environmental design (CPTED) principles.

### **2.5.13 Reconfiguring a lot**

- (1) Development provides lawful, safe and practical access.
- (2) Infrastructure is provided generally in accordance with established infrastructure planning.
- (3) Lot sizes are adequate to accommodate a development footprint consistent with the preferred development intent of 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) Low Impact Industry Precinct – 1 hectare (ha)
  - (b) Medium Impact Industry Precinct – 2 ha
  - (c) High Impact Industry Precinct – 25 ha
  - (d) Port Industry Precinct – 2 ha.
- (4) Further subdivision of the Environmental Management, Infrastructure Corridors, and Resources Precincts is not supported, unless being undertaken for operational, management or regulatory purposes, or if there is an overriding need.

### **2.5.14 Landscaping**

- (1) Development provides landscaping that:
  - (a) minimises the visual impacts of the development
  - (b) incorporates at least 50% local species
  - (c) maintains and enhances significant vegetation
  - (d) is low maintenance.

### 2.5.15 Natural hazards – flooding, including storm tide inundation

- (1) Development, in accordance with current best practice:
  - (a) achieves an appropriate level of flood immunity
  - (b) does not adversely affect existing flow rates, flood heights or cause or contribute to other flooding impacts on upstream, downstream or adjacent properties or the State transport network. This includes potential impacts from changes to stormwater flows and local flooding
  - (c) avoids, minimises or mitigates adverse impacts from flooding to protect people and property, and enhances the community's resilience to flooding
  - (d) supports, and does not hinder disaster management capacity and capabilities
  - (e) avoids risks to public safety and the environment from the location of the storage of hazardous materials and the release of these materials as a result of a natural hazard.
- (2) Where development includes flood mitigation works:
  - (a) development may consider flood mitigation works within the Environmental Management Precinct where it cannot otherwise be accommodated within the development precinct. Development will demonstrate that the extent of such works must be proportional to the total flood balance and must not restrict the development of other land
  - (b) any flood mitigation works are to integrate environmental, cultural heritage and stormwater management outcomes.

### 2.5.16 Natural hazards – other

- (1) Development, in accordance with current best practice:
  - (a) identifies relevant natural hazards that may impact upon the development
  - (b) appropriately manages risk associated with identified hazards
  - (c) avoids increasing the severity of the natural hazard
  - (d) for coastal hazards, avoid erosion prone areas wherever possible.

### 2.5.17 Water quality

- (1) Development is located, designed, constructed and operated to avoid or minimise adverse impacts on environmental values of receiving waters arising from:
  - (a) altered stormwater quality and hydrology
  - (b) wastewater (other than contaminated stormwater and sewage)
  - (c) the creation or expansion of 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.<sup>6</sup>

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<sup>6</sup> Environmental values and water quality objectives have been identified for the Townsville SDA Catchment (Ross River Basin and Magnetic Island) and can be found at <https://environment.des.qld.gov.au/water/policy/townsville.html>

# 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
  - (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.

## 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 Townsville 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 Townsville SDA, provided it complies with any conditions attached to the SDA approval.

# 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.

**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 and 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 Townsville 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.

**EIS or IAR evaluation report** means a report issued by the relevant authority that the EIS or IAR has been completed to the satisfaction of the relevant authority.

**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. 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.

**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).

**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.

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

**natural hazard** 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.

**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 adjacent land uses and a statement of the likely impact on the surrounding land uses from the proposed development
- (f) 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
- (g) 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.

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 and
- (viii) traffic etc.

**premises** see the Planning 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.

**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 to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

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

**TEARC** means the Townsville Eastern Access Rail Corridor, a proposed 8-kilometre freight rail link connecting the Mount Isa Line to the North Coast rail line, through the Townsville SDA to the Port of Townsville.

**TPAR** means the Townsville Port Access Road, also known as Ron McLean Drive.

**Townsville Zinc Refinery Land** means the site as defined in section 4 of the Zinc Refinery Act.

**Zinc Refinery Act** see the *Townsville Zinc Refinery Act 1996*.

## 2. Development

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

**correctional facility** means:

- (a) a detention centre under the *Youth Justice Act 1992* or
- (b) a corrective services facility under the *Corrective Services Act 2006*.

**environmental facility** means the use of premises for:

- (a) a facility for the appreciation, conservation or interpretation of an area of cultural, environmental or heritage value but
- (b) does not include the use of premises to provide accommodation for tourists and travellers.

**extractive industry** means the use of premises for:

- (a) extracting or processing extractive resources and
- (b) any related activities, including, for example, transporting the resources to market.

**food and drink outlet** means the use of premises for:

- (a) preparing and selling food and drink for consumption on or off the premises or
- (b) providing liquor for consumption on the premises, if the use is ancillary to the use in paragraph (a).

*Note: Examples of a food and drink outlet include a café, coffee shop, drive-through facility, kiosk, milk bar, restaurant, snack bar, takeaway shop, tea room.*

**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 industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products and have one or more of the following attributes:

- (a) potential for significant impacts on sensitive land uses due to off-site emissions including aerosol, fume, particle, smoke, odour and noise
- (b) potential for off-site impacts in the event of fire, explosion or toxic release
- (c) generates high traffic flows in the context of the locality or the road network
- (d) the use may involve night time and outdoor activities
- (e) onsite controls are required for emissions and dangerous goods risks.

*Note: Examples of high impact industry include abattoirs, concrete batching plant, boiler making and engineering and metal foundry.*

**infrastructure facility** means the use of premises for any of the following:

- (a) a storage facility for bulk materials, any other mineral or any mineral concentrate or
- (b) a dam, water storage facility, or other water management facility.

**low impact industry** means the use of premises for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring, treating of products and have one or more of the following attributes:

- (a) negligible impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise
- (b) minimal traffic generation and heavy vehicle usage

- (c) demands imposed upon the local infrastructure network consistent with surrounding uses
- (d) the use generally operates during the day
- (e) offsite impacts from storage of dangerous goods are negligible
- (f) the use is primarily undertaken indoors.

*Note: Examples of low impact industry include repairing motor vehicles, fitting and turning workshop.*

**medium impact industry** means the use of premises for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring, treating of products and have one or more of the following attributes:

- (a) potential for noticeable impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise
- (b) generates high traffic flows in the context of the locality or road network
- (c) generates an elevated demand on local infrastructure network
- (d) potential for noticeable offsite impacts in the event of fire, explosion or toxic release
- (e) onsite controls are required for emissions and dangerous goods risks
- (f) the use is primarily undertaken indoors
- (g) evening or night activities are undertaken indoors and not outdoors.

*Note: Examples of medium impact industry include spray painting and surface coating, wooden and laminated product manufacturing (including cabinet making, joining, timber truss making or wood working).*

**office** means the use of premises for:

- (a) providing an administrative, financial, management or secretarial service or function
- (b) the practice of a profession or
- (c) providing business or professional advice or services but
- (d) does not include the use of premises for making, selling or hiring goods.

*Note: Examples of an office include a bank, real estate agency.*

**park** means the use of premises, accessible to the public free of charge, for sport, recreation and leisure activities and facilities.

**permanent plantation** means the use of premises for growing, but not harvesting, plants for carbon sequestration, biodiversity, natural resource management or another similar purpose.

**renewable energy facility** means the use of premises for:

- (a) the generation of electricity or energy from a renewable energy source, including, for example, sources of bioenergy, geothermal energy, hydropower, ocean energy, solar energy or wind energy but
- (b) does not include the use of premises to generate electricity or energy to be used mainly on the premises.

**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 aeronautical engineering, biotechnology industries, computer component manufacturing, computer server facilities, energy industries, medical laboratories.*

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

- (a) does not result in off-site air, noise or odour emissions and
- (b) is suitable for location with other non-industrial uses.

*Note: Examples of service industries include audio visual equipment repair, bicycle repairs, clock and watch repairs, computer repairs, dry cleaning, film processing, hand engraving, jewellery making, laundromat, locksmith, picture framing, shoe repairs, tailor.*

**service station** means the use of premises for:

- (a) selling fuel, including, for example, petrol, liquid petroleum gas, automotive distillate or alternative fuels or
- (b) a food and drink outlet, shop, trailer hire, or maintaining, repairing, servicing or washing of vehicles, if the use is ancillary to the use in paragraph (a).

**special industry** means the use of premises for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products and have one or more of the following attributes:

- (a) potential for extreme impacts on sensitive land uses due to offsite emissions including aerosol fume, particle, smoke, odour and noise
- (b) potential for extreme offsite impacts in the event of fire, explosion or toxic release
- (c) onsite controls are required for emissions and dangerous goods risks
- (d) the use generally involves night time and outdoor activities
- (e) the use may involve the storage and handling of large volumes of dangerous goods
- (f) requires significant separation from incompatible uses.

*Note: Examples of special industry include tanneries, rendering plants, oil refineries, waste incineration, 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 a transport depot include using premises to store buses, taxis, trucks, heavy vehicles or heavy machinery.*

**utility installation** means the use of premises for:

- (a) a service for supplying or treating water, hydraulic power, electricity or gas
- (b) a sewerage, drainage or stormwater service
- (c) a transport service
- (d) a waste management service 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).

*Note: Examples of a warehouse include a self-storage facility, storage yard.*

**wholesale nursery** means the use of premises for:

- (a) the wholesale of plants grown on or next to the premises or
- (b) selling gardening materials, if the use is ancillary to the use in paragraph (a).

### 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
  - (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 a pre-lodgement consideration<sup>7</sup> 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
    - (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 and assessment criteria of this development scheme or
    - (v) any details of location, design or operational issues that need to be discussed
  - (f) be accompanied by payment of the relevant fee, if prescribed by regulation.

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<sup>7</sup> 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.

- (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
  - (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
    - (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 planning report
    - (ii) if one has been prepared, an EIS or IAR relevant to the application including an EIS or IAR evaluation report
    - (iii) payment of the relevant fee, if prescribed by regulation.
- (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

- (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
  - (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
    - (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
  - (b) the application is for a defined use that supports the preferred development intent of the following development precincts:
    - (i) Port Industry Precinct
    - (ii) High Impact Industry Precinct
    - (iii) Medium Impact Industry Precinct
    - (iv) Low Impact Industry Precinct
    - (v) Infrastructure Corridors Precinct
    - (vi) Environmental Management Precinct 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
  - (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
  - (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
  - (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:
  - (a) the proponent has adequately responded to any request for additional information
  - (b) the 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
  - (b) require any necessary decommissioning or restoration of any matter arising from the SDA approval
  - (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<sup>8</sup> if:
  - (a) the application was properly made and has not lapsed
  - (b) the application has not been decided.
- (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
    - (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

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<sup>8</sup> 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.

- (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 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

- (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
    - (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
  - (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:

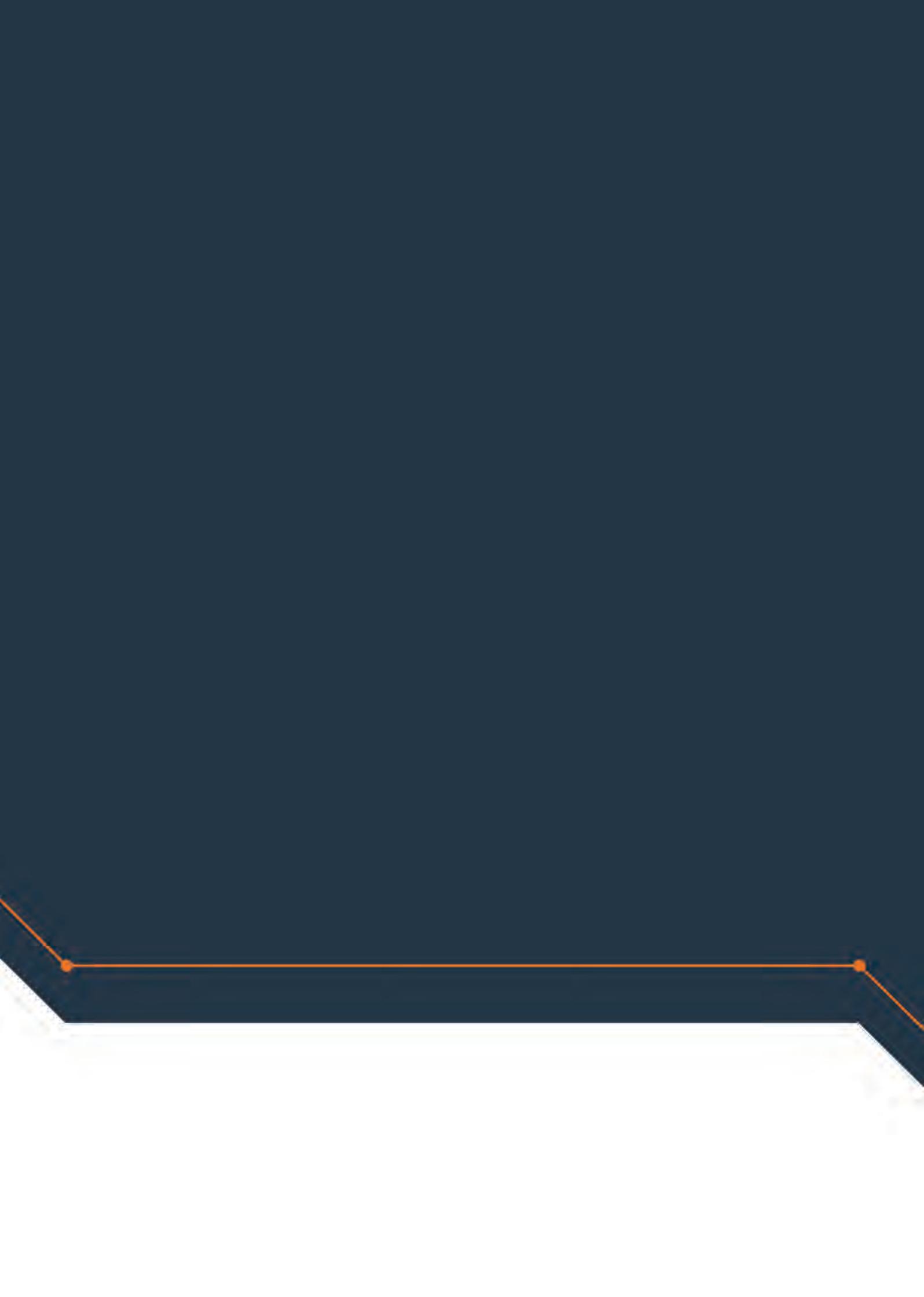
- (i) the request is accepted as a properly made request
    - (ii) whether the proponent has to provide additional information by a specified date or
  - (b) states the request is not accepted as a properly made request and the reasons for the decision.
- (4) If the Coordinator-General issues a written 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) 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) 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
  - (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) Self-assessable development carried out by the Coordinator-General in the Townsville SDA is to be consistent with the requirements set out in Table 9.
- (3) A plan of subdivision must be prepared and be in accordance with subsection (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	Development provides lawful, safe and practical access.
2	Infrastructure	Development is adequately serviced by infrastructure, generally in accordance with established infrastructure planning.
3	Lot sizes	Lot sizes are adequate to accommodate a development footprint consistent with the preferred development intent of 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: <ol style="list-style-type: none"> <li>(a) Low Impact Industry Precinct – 1 ha</li> <li>(b) Medium Impact Industry Precinct – 2 ha</li> <li>(c) High Impact Industry Precinct – 25 ha</li> <li>(d) Port Industry Precinct – 2 ha</li> </ol>
4	Subdivision of specific precincts	Reconfiguration of the Environmental Management, Infrastructure Corridors and Resources Precincts is undertaken for operational, management or regulatory purposes.



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