

Change application for an SDA approval

State development areas

ADVISORY
NOTE

This advisory note outlines generally, how to make a change application for an SDA approval¹ in a State development area and how the Coordinator-General assesses and decides such applications.

The *State Development and Public Works Organisation Act 1971* (SDPWO Act) was amended in November 2014. As a consequence of this, the SDPWO Act overrides State development area development schemes for the purposes of making a change to an SDA approval. Now there are two potential processes for a change application for an SDA approval to follow, depending on the nature of the change requested.

- (1) A substantial change to an SDA approval will follow the assessment process for an SDA application in accordance with the relevant development scheme.
- (2) A minor change to an SDA approval will follow the assessment process for an SDA application in accordance with the relevant development scheme, however, the:
 - consent of the owner is not required to make the change application
 - referral, public consultation and review stages do not apply to the change application and
 - relevant fee is 25 per cent of the application fee for the approved development.

Determining whether a change requires approval

Prior to making a change application for an SDA approval, it is important for a proponent to determine whether the proposed change requires a change application to be made. Consideration should be given to whether the proposed change:

- a) is within the scope of the existing approval
- b) is minor in nature or
- c) substantially alters the original SDA approval.

Often the SDA approval provides some flexibility, allowing changes to a proposed development after it has been approved.

For example, if the proposed change is 'generally in accordance with approved plans', a change application may not be required.

All other changes will require a change application to be made, however if the change is minor in nature, some of the processes will not be required.

A proponent contemplating changes to an SDA approval may wish to seek legal advice on which scenario applies.

¹ For details on the types of applications and requests read the *Applications and requests* advisory note.

A minor change

Generally, a minor change to an SDA approval is when, in the Coordinator-General's opinion, the change does **not** substantially alter the original SDA approval in a way that would:

- result in a substantially different development, for example:
 - involve a use that is different to the approved use or
 - result in different or additional impacts that have not been assessed as part of the process to gain the original SDA approval
- cause (had the proposed change been assessed as part of the SDA application process to gain the original SDA approval):
 - the Coordinator-General or a referral entity² to request additional information about the change
 - a referral entity to make or alter a referral entity submission about the change
 - a person to make or alter a submission about the change or
 - substantially alters any other matter of the original SDA approval.

Making a change application for an SDA approval

When submitting a change application for an SDA approval, the proponent is required to:

- make a change application on the approved form (www.dsdmip.qld.gov.au/sda)
- identify the SDA approval for which the change application relates
- describe the change being requested

- include all information required by the relevant form and ensure sufficient information accompanies the change application to support the proposed change
- include payment of the relevant fee (see Guideline to state development area fees at www.dsdmip.qld.gov.au/sda).

SDA approval

If the change application is approved, a new SDA approval will be issued. This package will include approved plans and conditions of approval.

If the change application is refused, the decision notice will include the reasons for the decision. The original SDA approval will remain valid.

Further information

Read the relevant development scheme at www.dsdmip.qld.gov.au/sda

Contact the State Development Areas Division on:

tel 1800 001 048

email sdainfo@coordinatorgeneral.qld.gov.au

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² Some development schemes use the term 'referral agencies'. For this advisory note agencies and entities are taken to have the same meaning.