

Prescribed projects

Fact sheet

What is a 'prescribed project'?

The Minister responsible for administering the *State Development and Public Works Organisation Act 1971* (SDPWO Act) may, by gazette notice, declare a project to be a 'prescribed project' under Part 5A of the SDPWO Act.

A prescribed project is one which is of significance, particularly economically and socially, to Queensland or a region of Queensland.

In deciding whether to declare a prescribed project the Minister may consider:

- public interest
- potential environmental effects
- other matters considered relevant.

If a prescribed project is considered to be 'critical or essential' for economic, social or environmental reasons to Queensland, the Minister may also declare it a 'critical infrastructure project'.

Purpose of a declaration

The purpose of declaring a project a prescribed project is to overcome any unreasonable delays in obtaining project approvals.

It enables the Coordinator-General, if necessary, to intervene in the approvals process in a number of ways to ensure timely decision making for the prescribed project

Potential prescribed projects

The types of projects that may be declared prescribed projects include:

- works a 'local body', the Coordinator-General, or other person is directed to undertake under the SDPWO Act
- a project in a State development area
- an infrastructure facility (as defined in the SDPWO Act)
- a project declared a 'coordinated project'
- another project the Minister considers is economically or socially significant to Queensland or the region of Queensland in which the project is to be undertaken; or affects an environmental interest of Queensland or a region of Queensland.

What is a 'local body'?

Local bodies are:

- government owned corporations
- statutory bodies as defined under the *Statutory Bodies Financial Arrangements Act 1982*
- other bodies established under an Act
- a rail government entity under the *Transport Infrastructure Act 1994*
- corporations whose shares are wholly owned by the state or the state and a local government or one or more local governments

- subsidiary companies whose shares are wholly owned by the abovementioned corporations.

Notices to decision makers

The Coordinator-General may give notices to a decision maker responsible for making a decision on the development of a prescribed project (for example issuing an approval), to ensure timely decision making.

The decision maker may be a state government agency, local government or a government-owned corporation responsible for providing approvals, permits or authorities.

The Coordinator-General cannot issue a notice relating to a decision to be made by the Governor in Council, another Queensland Minister, the Commonwealth Government or a court of law.

Types of notices

For prescribed projects, the Coordinator-General can issue a:

- **progression notice** - requires the decision maker to 'progress' the processes necessary to complete the assessment process within a specified timeframe
- **notice to decide** - requires the decision maker to make the decision within a specified timeframe
- **Step in notice** - allows the Coordinator-General (with the Minister's approval) to 'step in' and assume responsibility for assessing and making a decision on a project, in place of the original decision maker.

Step in notices

If the Coordinator-General issues a step in notice, the Coordinator-General becomes the decision maker.

Once the Coordinator-General makes a decision, the Coordinator-General can impose

conditions and nominate an entity that ensures compliance with those conditions.

Appeals and reviews

The Coordinator-General's decision following a step in notice is final and may not be appealed.

Notice of decision and reporting

The Coordinator-General must provide a written 'notice of decision' to the applicant and the original decision maker, including the reasons for the decision, and any conditions imposed by the Coordinator-General.

The Coordinator-General must also prepare a report on the step in notice, which the Minister must table in Parliament within 14 sitting days of the notice being given.

Sunset provision

The declaration for a prescribed project ends either two years from the declaration date, or a later date.

However, the Minister may, by gazette notice, extend the declaration end date if the Minister is satisfied the extension is necessary or desirable.

The extension cannot be longer than the initial period of the declaration. For example, if the original declaration was for two years, an extension can only be granted for a further two years.

Further information

For further information please contact the Office of the Coordinator-General's Land Acquisition and Project Delivery Division on +61 7 3452 7100 or via prescribedprojects@coordinatorgeneral.qld.gov.au

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