

Queensland



Subordinate Legislation 2000 No. 40

Integrated Planning Act 1997

**INTEGRATED PLANNING AMENDMENT
REGULATION (No. 1) 2000**

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Short title

1. This regulation may be cited as the *Integrated Planning Amendment Regulation (No. 1) 2000*.

Commencement

2. This regulation commences on 30 March 2000.

Regulation amended

3. This regulation amends the *Integrated Planning Regulation 1998*.

Amendment of s 2A (Definitions)

4. Section 2A—

insert—

‘**“transitional planning scheme”**, for schedule 2, items 6 and 7, means—

- (a) a transitional planning scheme under section 6.1.3 or 6.1.9(3) of the Act; or
- (b) an IPA planning scheme mentioned in section 6.1.54(1)(b) of the Act.’.

Amendment of s 5A (Court fees)

5. Section 5A, ‘schedule 4’—

omit, insert—

‘schedule 8’.

Replacement of s 12 (Postponed commencement of uncommenced provisions—the Act)

6. Section 12—

omit, insert—

‘Prescribed applications for referral coordination—Act, s 6.1.35C

‘12.(1) The following applications are prescribed for section 6.1.35C of the Act—

- (a) an application for a material change of use involving a facility mentioned in schedule 6;
- (b) an application for a material change of use of land or the reconfiguration of a lot that is wholly or partly—
 - (i) in an area mentioned in schedule 7, part 1; or
 - (ii) in, contains or shares a common boundary with an area mentioned in schedule 7, part 2; or
 - (iii) in, contains or shares a common boundary with or is within 100 m of the boundary of an area mentioned in schedule 7, part 3.

‘(2) Subsection (1)(b) does not apply to a dwelling house, outbuilding or farm building.’.

Amendment of sch 1 (Type of assessment for assessable development)

7. Schedule 1, column 1, item 1—

omit, insert—

‘1. The aspects of building work that are assessable under the *Building Act 1975*.’.

Amendment of sch 4 (Court fees)

8. Schedule 4 (Court fees)—

renumber and relocate as schedule 8.

Insertion of new schs 6 and 7

9. After schedule 5—

insert—

‘SCHEDULE 6**‘FACILITIES**

section 12(a)

1. Abattoir for killing more than 50 animals a week.
2. Aerodrome that is, or is proposed to be, used by commercial operators not normally living at the premises.
3. Aquaculture facility for the commercial production of aquatic animals.
4. Brewery, unless the brewery’s products are for consumption only at the brewery.
5. Extractive industry facility for the commercial winning of materials other than minerals as defined under the *Mineral Resources Act 1989*—
 - (a) using more than 2 ha of land for 1 or more of the following—
 - (i) excavation;
 - (ii) processing;
 - (iii) storage;
 - (iv) activities associated with excavation, processing or storage;or
 - (b) for extracting more than 10 000 m³ of materials a year.
6. Helicopter landing facility for commercial purposes, other than a helicopter landing facility at an aerodrome mentioned in item 2.
7. Large outdoor sport and recreation facility including, for example, a golf course, a major sporting venue and a racing circuit, but not including a golf course of 30 ha or less or a golf driving range.
8. Marina with—
 - (a) more than 30 moorings; or
 - (b) at least one (1) refuelling facility.
9. Oil refinery.

10. Sewage treatment works with a design capacity to treat sewage of 21 or more equivalent persons.
11. Any of the following facilities for burying, crushing, disposing of, incinerating, processing, recovering, storing, or transferring chemical, liquid, oil, petroleum or solid wastes—
 - (a) waste disposal facility;
 - (b) waste landfill;
 - (c) waste transfer station;
 - (d) waste treatment plant.
12. Sugar mill or refinery.
13. Tourist resort—
 - (a) with accommodation for more than 1 000 people, including staff;
or
 - (b) on an offshore island.
14. Tyre manufacturing facility or a tyre processing, shredding or storage facility.
15. Woodchip mill or paper pulp facility, for producing more than 2000 t of either paper or pulp or paper and pulp a year.
16. Body of water, including, for example, an artificial lake, that has, or would have after the change of use, a total surface area of more than 5 000 m².

‘SCHEDULE 7**‘AREAS**

section 12(b)

‘PART 1—AREAS FOR s 12(b)(i)

1. A catchment area declared under the *Water Resources Act 1989*.
2. An area below a floodline adopted by the local government if the application involves filling an area greater than 5 000 m² below the floodline.

‘PART 2—AREAS FOR s 12(b)(ii)

1. A designated landscape area as defined under the *Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987*.
2. A protected area, registered place or restricted zone as defined under the *Queensland Heritage Act 1992*.

‘PART 3—AREAS FOR s 12(b)(iii)

1. An area under the *Nature Conservation Act 1992* that is—
 - (a) a protected area; or
 - (b) subject to a conservation agreement; or
 - (c) identified as a critical habitat or an area of major interest.

2. The wet tropics area as defined under the *Wet Tropics World Heritage Protection and Management Act 1993*.
3. An area under the *Fisheries Regulation 1995* that is—
 - (a) a fish habitat area under schedule 7; or
 - (b) closed waters under schedules 2 and 3.
4. An area listed as—
 - (a) a wetland of international importance under the Ramsar Convention as defined under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth); or
 - (b) a wetland of importance within the Queensland chapter of *A Directory of Important Wetlands in Australia* as published by the Australian Nature Conservation Agency, 1996, Canberra.
5. An area of permanent, periodic or intermittent inundation, whether natural or artificial, with water that is static or flowing, fresh, brackish or salt (including areas of marine water the depth of not more than 6 m at low tide) that—
 - (a) under the *State of the Environment Report 1999*, in Queensland, is a good example of a wetland type occurring within a bioregion as defined in the report; or
 - (b) plays an important ecological or hydrological role in the natural functioning of a major wetland system or complex; or
 - (c) is important as the habitat for terrestrial and aquatic animal taxa at a vulnerable stage in their life cycles, or provides a refuge when adverse conditions, such as drought, prevail; or
 - (d) supports a significant number of the bioregional populations of any native terrestrial and aquatic animal or plant taxa; or
 - (e) supports native terrestrial and aquatic animal or plant taxa, or communities, that are endangered or vulnerable at the bioregional level.’.

ENDNOTES

1. Made by the Governor in Council on 16 March 2000.
2. Notified in the gazette on 17 March 2000.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Communication and Information, Local Government, Planning and Sport.