



Queensland

Sustainable Planning Amendment Regulation (No. 2) 2015

Subordinate Legislation 2015 No. 44

made under the

Sustainable Planning Act 2009

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Sustainable Planning Amendment Regulation (No. 2) 2015*.

2 Commencement

- (1) Part 2 commences on 1 July 2015.
- (2) Part 3 commences on 6 July 2015.
- (3) Part 4 commences on 1 September 2015.

3 Regulation amended

This regulation amends the *Sustainable Planning Regulation 2009*.

Part 2 Amendments commencing on 1 July 2015

4 Replacement of sch 20 (Court fees)

Schedule 20—

omit, insert—

Schedule 20 Court fees

section 22

§

- 1 Filing notice of appeal—

[s 4]

		\$
	(a) if there is only 1 party initiating the appeal and the party is an individual, or if there is more than 1 party initiating the appeal and they are all individuals	570.30
	(b) otherwise	1129.00
2	Filing an originating application— <i>Planning and Environment Court Rules 2010</i> , rule 6—	
	(a) if there is only 1 applicant and the applicant is an individual, or if there is more than 1 applicant and all applicants are individuals	570.30
	(b) otherwise	1129.00
3	Issuing a certificate on a final judgment, order, finding or decision	60.20
4	Filing a document (the <i>first document</i>), other than any subsequent document relating to the first document, for which no other fee is provided.	86.60
5	Issuing a copy of a record of the court, a document or exhibit filed in the registry or reasons for judgment—	
	(a) first copy—each page	2.35
	(b) maximum fee for first copy	64.25
	(c) additional copy—each page	0.55
	(d) maximum fee for additional copy	25.30
6	Opening or keeping open the registry after hours	469.30
7	Searching the record in an appeal or other proceeding—for each name or file.	22.40
8	Attending a view—	
	(a) for each hour or part of an hour.	99.75
	(b) but not more than, for each day.	499.20
9	Making an appointment for assessment of a costs statement	99.75
10	Assessing a costs statement—for each \$100 or part of \$100 allowed	12.05

5 Replacement of sch 21 (Building and development committee fees)

Schedule 21—

omit, insert—

Schedule 21 Building and development committee fees

section 23

	\$
1 Declaration under the Act, chapter 7, part 2, division 3, subdivision 1	243.90
2 Appeal under the Act, section 519, 520, 521, 522, 523, 524 or 525—	
(a) if the appeal is to be decided by a building and development committee without a site inspection by the committee or a member of the committee	359.20
(b) if the appeal is to be decided by a building and development committee after a site inspection by the committee or a member of the committee	597.55
3 Appeal under the Act, section 527, 528, 529, 530, 531, 532 or 533 about a class 1 building or a class 10 building or structure—	
(a) if the appeal is to be decided by a building and development committee without a site inspection by the committee or a member of the committee	359.20
(b) if the appeal is to be decided by a building and development committee after a site inspection by the committee or a member of the committee	597.55
4 Appeal under the Act, section 527, 528, 529, 530, 531, 532 or 533 about a class 2, 3, 4, 5, 6, 7, 8 or 9 building with a floor area of 500m ² or less—	

[s 5]

	\$
(a) if the appeal is to be decided by a building and development committee without a site inspection by the committee or a member of the committee	523.30
(b) if the appeal is to be decided by a building and development committee after a site inspection by the committee or a member of the committee	755.00
5 Appeal under the Act, section 527, 528, 529, 530, 531, 532 or 533 about a class 2, 3, 4, 5, 6, 7, 8 or 9 building with a floor area of more than 500m ² —	
(a) if the appeal is to be decided by a building and development committee without a site inspection by the committee or a member of the committee	755.00
(b) if the appeal is to be decided by a building and development committee after a site inspection by the committee or a member of the committee	1122.00
6 Appeal under the Act, section 535, 535A or 849—	
(a) if the appeal is to be decided by a building and development committee without a site inspection by the committee or a member of the committee	629.70
(b) if the appeal is to be decided by a building and development committee after a site inspection by the committee or a member of the committee	868.10
7 Appeal under the SEQ Water Act, section 99BRBE—	
(a) if the appeal is to be decided by a building and development committee without a site inspection by the committee or a member of the committee	359.20
(b) if the appeal is to be decided by a building and development committee after a site inspection by the committee or a member of the committee	597.55
8 Appeal under the SEQ Water Act, section 99BRBF—	
(a) for an appeal about a review decision relating to a decision to give an infrastructure charges notice—	

	\$
(i) if the appeal is to be decided by a building and development committee without a site inspection by the committee or a member of the committee	629.70
(ii) if the appeal is to be decided by a building and development committee after a site inspection by the committee or a member of the committee	868.10
(b) otherwise	629.70
9 Appeal under the SEQ Water Act, section 99BRBFA—	
(a) if the appeal is to be decided by a building and development committee without a site inspection by the committee or a member of the committee	629.70
(b) if the appeal is to be decided by a building and development committee after a site inspection by the committee or a member of the committee	868.10

Part 3 Amendments commencing on 6 July 2015

6 Amendment of s 21B (Assessment manager application fee components for particular applications for vegetation clearing)

Section 21B(1)(b), (2) and example, ‘\$11,291’—

omit, insert—

\$11,686

7 Amendment of s 21C (Assessment manager application fee components for particular applications for waterway barrier works)

Section 21C(1)(b), (2) and example, ‘\$11,291’—

omit, insert—

[s 8]

\$11,686

8 Amendment of s 21D (Assessment manager application fee for particular applications for fast-track development)

Section 21D(1)(b) and (2), '\$705'—

omit, insert—

\$730

9 Amendment of s 21E (Assessment manager application fee for applications by registered non-profit organisations)

(1) Section 21E(2), examples, example 1, '\$11,291, is \$5645.50'—

omit, insert—

\$11,686, is \$5843

(2) Section 21E(2), examples, example 2, '\$705, is \$352.50'—

omit, insert—

\$730, is \$365

10 Amendment of s 21I (Concurrence agency application fee components for particular applications for clearing vegetation)

Section 21I(1)(b), (2) and example, '\$11,291'—

omit, insert—

\$11,686

11 Amendment of s 21J (Concurrence agency application fee components for particular applications for waterway barrier works)

Section 21J(1)(b), (2) and example, '\$11,291'—

omit, insert—

\$11,686

12 Amendment of s 21K (Concurrence agency application fee for particular applications for fast-track development)

Section 21K(1)(b) and (2), '\$705'—

omit, insert—

\$730

13 Amendment of s 21L (Concurrence agency application fee for applications by registered non-profit organisations)

(1) Section 21L(3), examples, example 1, '\$11,291, is \$5645.50'—

omit, insert—

\$11,686, is \$5843

(2) Section 21L(3), examples, example 2, '\$705, is \$352.50'—

omit, insert—

\$730, is \$365

14 Amendment of s 21M (Fee for request to change development approvals—Act, s 370)

(1) Section 21M(2)(a), '\$705'—

omit, insert—

\$730

(2) Section 21M(2)(b), '\$1411'—

omit, insert—

\$1460

[s 15]

15 Amendment of s 21N (Fee for extension request notice for development approvals—Act, s 383)

(1) Section 21N(2)(a), ‘\$352’—

omit, insert—

\$365

(2) Section 21N(2)(b), ‘\$705’—

omit, insert—

\$730

16 Amendment of sch 5 (Applicable codes, laws, policies and prescribed matters for particular development)

Schedule 5, part 1, table 3, item 1, column 1, from ‘impact’ to ‘schedule 3’—

omit, insert—

code or impact assessment under schedule 3, part 1

17 Amendment of sch 7 (Referral agencies and their jurisdictions)

(1) Schedule 7, table 2, item 3, column 1, paragraph (b)(ii)—

omit, insert—

(ii) involves extracting, excavating or filling more than 50m³; or

(2) Schedule 7, table 2, item 47 and heading—

omit.

(3) Schedule 7, table 3, item 1A, column 1, paragraph (b)(ii)—

omit, insert—

(ii) involves extracting, excavating or filling more than 50m³; or

- (4) Schedule 7, table 3, item 14, column 1, paragraph (a)(ii), after ‘work’—

insert—

that involves extracting, excavating or filling more than 50m³ if the work is

- (5) Schedule 7, table 3, item 26 and heading—

omit.

18 Replacement of sch 7A (Particular assessment manager and concurrence agency application fees)

Schedule 7A—

omit, insert—

Schedule 7A Particular assessment manager and concurrence agency application fees

sections 21A(1) and 21G(1)

Part 1 Assessment manager application fees

Note—

See also sections 21B to 21F.

1	2	3
	Development to which application relates	Application fee \$
Brisbane core port land		

[s 18]

1	2	3
	Development to which application relates	Application fee \$
1	Development mentioned in the Transport Infrastructure Act, section 283ZP(1)— (a) if the development is consistent with the Brisbane port LUP and requires code assessment (b) if the development is inconsistent with the Brisbane port LUP and requires— (i) code assessment (ii) impact assessment	8520.00 13,389.00 24,343.00
Airport land		
2	Development mentioned in schedule 6, table 2, item 2	1460.00
Environmentally relevant activities		
3	Development mentioned in schedule 6, table 3, item 1(a)— (a) if the environmentally relevant activity involves intensive animal feedlotting, pig keeping or poultry farming (b) otherwise— (i) if the aggregate environmental score for the environmentally relevant activity is 25 or less (ii) if the aggregate environmental score for the environmentally relevant activity is more than 25, but no more than 74	2922.00 1460.00 2922.00

1	2	3
	Development to which application relates	Application fee \$
	(iii) if the aggregate environmental score for the environmentally relevant activity is more than 74	11,686.00
Vegetation clearing		
4	<p>Operational work mentioned in schedule 6, table 3, item 2(a)—</p> <p>(a) for high value agriculture clearing or irrigated high value agriculture clearing—</p> <p style="padding-left: 40px;">(i) if the total area to be cleared is 30ha or less—</p> <p style="padding-left: 80px;">(A) for an area that includes an endangered regional ecosystem or of concern regional ecosystem</p> <p style="padding-left: 80px;">(B) otherwise</p> <p style="padding-left: 40px;">(ii) if the total area to be cleared is more than 30ha</p> <p>(b) for necessary environmental clearing—</p> <p style="padding-left: 40px;">(i) if the clearing is necessary to restore the ecological and environmental condition of land</p> <p style="padding-left: 40px;">(ii) if the clearing is necessary to divert existing natural channels in a way that replicates the existing form of the natural channels</p> <p style="padding-left: 40px;">(iii) if the clearing is necessary to prepare for the likelihood of a natural disaster</p>	<p style="text-align: right;">5843.00</p> <p style="text-align: right;">2922.00</p> <p style="text-align: right;">11,686.00</p> <p style="text-align: right;">nil</p> <p style="text-align: right;">5843.00</p> <p style="text-align: right;">nil</p>

[s 18]

1	2	3
	Development to which application relates	Application fee \$
	<p>(iv) if the clearing is necessary to remove contaminants from land</p> <p>(c) for a purpose other than reconfiguring a lot, a material change of use of premises, high value agriculture clearing, irrigated high value agriculture clearing or necessary environmental clearing, if the clearing is—</p> <p>(i) of an area less than 5ha and is for establishing a necessary fence, firebreak, road or vehicular track, or necessary built infrastructure</p> <p>(ii) for fodder harvesting</p> <p>(iii) for thinning</p> <p>(iv) the clearing of encroachment</p> <p>(v) necessary for controlling non-native vegetation or declared pests</p> <p>(vi) necessary for ensuring public safety</p> <p>(d) otherwise</p>	<p>nil</p> <p>2922.00</p> <p>2922.00</p> <p>2922.00</p> <p>2922.00</p> <p>nil</p> <p>nil</p> <p>11,686.00</p>
Taking or interfering with water		
5	<p>Operational work mentioned in schedule 6, table 3, item 3(a)—</p> <p>(a) if the work involves the taking of water</p> <p>(b) if the work involves interfering with water</p>	<p>146.00</p> <p>5843.00</p>

1	2	3
	Development to which application relates	Application fee \$
6	<p>Operational work mentioned in schedule 6, table 3, item 3A(a)—</p> <p>(a) if all of the following apply—</p> <ul style="list-style-type: none"> (i) the dam is, or is intended to be, more than 20 metres high; (ii) the dam is, or is intended to be, capable of impounding more than 5000 megalitres; (iii) an accepted failure impact assessment for the dam states that the population at risk for the dam is more than 20 persons, but no more than 100 persons <p>(b) if an accepted failure impact assessment for the dam states that the population at risk for the dam is more than 100 persons</p> <p>(c) otherwise</p>	<p>5843.00</p> <p>11,686.00</p> <p>2922.00</p>
Major hazard facilities		
7	Material change of use of premises mentioned in schedule 6, table 3, item 4(a)	11,686.00
Quarrying in a watercourse or lake		
8	Development mentioned in schedule 6, table 3, item 5(a)	2922.00
Tidal works or work within a coastal management district		
9	Operational work mentioned in schedule 6, table 3, item 6(a)(i) or (ii)—	

[s 18]

1	2	3
	Development to which application relates	Application fee \$
	(a) if 1 or both of the following apply— <ul style="list-style-type: none"> (i) the operational work involves the disposal of dredge spoil or other solid waste material in tidal water; (ii) the operational work is for the construction of an artificial waterway (b) for works for coastal management purposes that involve beach nourishment, stinger net enclosures, fencing of coastal dunes or re-vegetation of coastal dunes with endemic native vegetation	5843.00 nil
	(c) for works directly related to the provision of lifesaving or rescue services by a volunteer community organisation	nil
	(d) otherwise	2922.00
Development on Queensland heritage place		
10	Development mentioned in schedule 6, table 3, item 7(a)— <ul style="list-style-type: none"> (a) if the development is a material change of use of premises that would result in the premises being comprised of at least 1 dwelling but not more than 4 dwellings (b) if the development is building work or operational work associated with premises comprised of at least 1 dwelling but not more than 4 dwellings 	nil nil

1	2	3
	Development to which application relates	Application fee \$
	(c) otherwise	2922.00
Aquaculture		
11	Material change of use of premises mentioned in schedule 6, table 3, item 10(a)— <ul style="list-style-type: none"> <li data-bbox="257 675 952 902">(a) if the aquaculture— <ul style="list-style-type: none"> <li data-bbox="336 738 952 802">(i) is carried out in a tank, pond or hatchery; and <li data-bbox="336 829 952 902">(ii) is not expected to cause the discharge of waste into Queensland waters <li data-bbox="257 930 952 1157">(b) if the aquaculture— <ul style="list-style-type: none"> <li data-bbox="336 993 952 1057">(i) is carried out in a tank, pond or hatchery that covers an area of 100ha or less; and <li data-bbox="336 1084 952 1157">(ii) is expected to cause the discharge of waste into Queensland waters <li data-bbox="257 1184 952 1412">(c) if the aquaculture— <ul style="list-style-type: none"> <li data-bbox="336 1248 952 1312">(i) is carried out in a tank, pond or hatchery that covers an area of more than 100ha; and <li data-bbox="336 1339 952 1412">(ii) is expected to cause the discharge of waste into Queensland waters <li data-bbox="257 1439 952 1594">(d) if the aquaculture— <ul style="list-style-type: none"> <li data-bbox="336 1503 952 1530">(i) is carried out on tidal land; and <li data-bbox="336 1557 952 1594">(ii) involves the addition of feed <li data-bbox="257 1621 952 1667">(e) if both of the following apply— 	<ul style="list-style-type: none"> <li data-bbox="1021 675 1142 702">2922.00 <li data-bbox="1021 930 1142 957">5843.00 <li data-bbox="1001 1184 1142 1212">11,686.00 <li data-bbox="1001 1439 1142 1466">11,686.00 <li data-bbox="1021 1621 1142 1648">2922.00

1	2	3
	Development to which application relates	Application fee \$
	<p>(i) the applicant has a fish movement exemption notice for the application and the notice still applies;</p> <p>(ii) the waterway barrier works—</p> <p>(A) is to be constructed or raised in a low-risk waterway; and</p> <p>(B) does not have as its primary purpose the impounding of water</p> <p>(b) for each waterway barrier works the subject of the application, if 1 or both of the following apply—</p> <p>(i) the waterway barrier works is a bridge to be constructed in a major-risk waterway;</p> <p>(ii) the waterway barrier works—</p> <p>(A) is to be constructed or raised in a moderate or high-risk waterway; and</p> <p>(B) does not have as its primary purpose the impounding of water</p> <p>(c) for each waterway barrier works the subject of the application, if 1 or both of the following apply—</p> <p>(i) the primary purpose of the waterway barrier works is to impound water;</p> <p>(ii) the waterway barrier works—</p>	<p>5843.00</p> <p>11,686.00</p>

[s 18]

1	2	3
	Development to which application relates	Application fee \$
	<p>(A) is to be constructed or raised in a major-risk waterway or an unmapped tidal waterway; and</p> <p>(B) is not a bridge</p> <p>(d) otherwise, for each waterway barrier works the subject of the application</p>	2922.00
14	<p>Operational work mentioned in schedule 6, table 3, item 11(a)(ii)—</p> <p>(a) if the applicant holds a resource allocation authority for all the operational work</p> <p>(b) otherwise—</p> <p>(i) for operational work that is expected to cause a permanent loss of capacity of tidal land—</p> <p>(A) if the operational work is to be carried out in an area of no more than 500m²</p> <p>(B) otherwise</p> <p>(ii) for operational work that is not expected to cause a permanent loss of capacity of tidal land—</p> <p>(A) if the operational work is to be carried out in an area of no more than 1500m²</p> <p>(B) otherwise</p>	<p>1460.00</p> <p>5843.00</p> <p>11,686.00</p> <p>5843.00</p> <p>11,686.00</p>

1	2	3
	Development to which application relates	Application fee \$
15	<p>Operational work mentioned in schedule 6, table 3, item 11(a)(iii)—</p> <p>(a) if 1 or more of the following apply—</p> <ul style="list-style-type: none"> (i) the operational work is the removal, destruction or damage of marine plants covering an area less than 25m²; (ii) the operational work is to be carried out in an area that is above the level of the highest astronomical tide; (iii) the operational work is for education or research <p>(b) if either or both of the following apply—</p> <ul style="list-style-type: none"> (i) the operational work— <ul style="list-style-type: none"> (A) is the removal, destruction or damage of marine plants covering an area of at least 25m², but no more than 500m²; and (B) is expected to cause a loss of capacity of tidal land; (ii) the operational work— <ul style="list-style-type: none"> (A) is the removal, destruction or damage of marine plants covering an area of at least 25m², but no more than 1500m²; and (B) is not expected to cause a loss of capacity of tidal land 	<p>2922.00</p> <p>5843.00</p>

[s 18]

1	2	3
	Development to which application relates	Application fee \$
	(c) if either or both of the following apply— <ul style="list-style-type: none"> (i) the operational work— <ul style="list-style-type: none"> (A) is the removal, destruction or damage of marine plants covering an area of more than 500m²; and (B) is expected to cause a loss of capacity of tidal land; (ii) the operational work— <ul style="list-style-type: none"> (A) is the removal, destruction or damage of marine plants covering an area of more than 1500m²; and (B) is not expected to cause a loss of capacity of tidal land 	11,686.00
Development in wetland protection area		
17	Development mentioned in schedule 6, table 3, item 13(a)	2922.00
Decided by the Minister		
18	Development mentioned in schedule 6, table 5, item 1	nil

Part 2 Concurrence agency application fees

Note—

See also sections 21H to 21L.

1	2	3
	Development to which application relates	Application fee \$
State-controlled road		
1	Building work for which a referral agency is stated in schedule 7, table 1, item 8	2922.00
2	Reconfiguring a lot for which a referral agency is stated in schedule 7, table 2, item 2— (a) if the reconfiguration results in 50 lots or less (b) if the reconfiguration results in more than 50 lots, but no more than 200 lots (c) otherwise	1460.00 2922.00 5843.00
3	Operational work for which a referral agency is stated in schedule 7, table 2, item 3	2922.00
4	Material change of use of premises for which a referral agency is stated in schedule 7, table 3, item 1— (a) if the material change of use does not involve the construction or extension of a relevant vehicular access to a State-controlled road— (i) for premises that are to be comprised of at least 1 dwelling but not more than 4 dwellings (ii) otherwise (b) if the material change of use involves the construction or extension of a relevant vehicular access to a State-controlled road—	730.00 1460.00

[s 18]

1	2	3
	Development to which application relates	Application fee \$
	(i) if the premises are to be comprised of at least 1 dwelling but not more than 4 dwellings	1460.00
	(ii) otherwise	2922.00
5	Operational work for which a referral agency is stated in schedule 7, table 3, item 1A	2922.00
Coastal management districts		
6	Building work for which a referral agency is stated in schedule 7, table 1, item 11	2922.00
7	Material change of use of premises for which a referral agency is stated in schedule 7, table 3, item 5	2922.00
Queensland heritage place		
8	Building work for which a referral agency is stated in schedule 7, table 1, item 12— (a) if the building work is associated with premises comprised of at least 1 dwelling but not more than 4 dwellings (b) otherwise	nil 2922.00
9	Development for which a referral agency is stated in schedule 7, table 2, item 19— (a) if the development is a material change of use of premises that would result in the premises being comprised of at least 1 dwelling but not more than 4 dwellings	nil

[s 18]

1	2	3
	Development to which application relates	Application fee \$
	(b) if the development is building work or operational work associated with premises comprised of at least 1 dwelling but not more than 4 dwellings	nil
	(c) otherwise	2922.00
Public passenger transport		
10	Building work for which a referral agency is stated in schedule 7, table 1, item 14	2922.00
11	Reconfiguring a lot for which a referral agency is stated in schedule 7, table 2, item 33	1460.00
12	Development for which a referral agency is stated in schedule 7, table 3, item 14—	
	(a) if the development is in connection with the construction of at least 1 dwelling but not more than 4 dwellings	730.00
	(b) if any part of the land is within 25m of—	2922.00
	(i) 2 or more public passenger transport corridors; or	
	(ii) 2 or more future public passenger transport corridors; or	
	(iii) 1 or more public passenger transport corridors and 1 or more future public passenger transport corridors	
	(c) otherwise	1460.00
Railways		

[s 18]

1	2	3
	Development to which application relates	Application fee \$
13	Building work for which a referral agency is stated in schedule 7, table 1, item 16	2922.00
14	Reconfiguring a lot for which a referral agency is stated in schedule 7, table 2, item 34	2922.00
15	Material change of use of premises for which a referral agency is stated in schedule 7, table 3, item 15A— (a) if the premises are to be comprised of at least 1 dwelling but not more than 4 dwellings (b) otherwise	730.00 2922.00
16	Operational work for which a referral agency is stated in schedule 7, table 3, item 15B	2922.00
Environmentally relevant activities		
17	Material change of use of premises mentioned in schedule 7, table 2, item 1 for which the chief executive is a referral agency— (a) if the environmentally relevant activity involves intensive animal feedlotting, pig keeping or poultry farming (b) otherwise— (i) if the aggregate environmental score for the environmentally relevant activity is 25 or less (ii) if the aggregate environmental score for the environmentally relevant activity is more than 25, but no more than 74	2922.00 1460.00 2922.00

1	2	3
	Development to which application relates	Application fee \$
	(iii) if the aggregate environmental score for the environmentally relevant activity is more than 74	11,686.00
Clearing vegetation		
18	Reconfiguring a lot for which a referral agency is stated in schedule 7, table 2, item 4	5843.00
19	<p>Operational work for which a referral agency is stated in schedule 7, table 2, item 5—</p> <p>(a) for high value agriculture clearing or irrigated high value agriculture clearing—</p> <p>(i) if the total area to be cleared is 30ha or less—</p> <p>(A) for an area that includes an endangered regional ecosystem or of concern regional ecosystem</p> <p>(B) otherwise</p> <p>(ii) if the total area to be cleared is more than 30ha</p> <p>(b) for necessary environmental clearing—</p> <p>(i) if the clearing is necessary to restore the ecological and environmental condition of land</p> <p>(ii) if the clearing is necessary to divert existing natural channels in a way that replicates the existing form of the natural channels</p>	<p>5843.00</p> <p>2922.00</p> <p>11,686.00</p> <p>nil</p> <p>5843.00</p>

[s 18]

1	2	3
	Development to which application relates	Application fee \$
	(iii) if the clearing is necessary to prepare for the likelihood of a natural disaster (iv) if the clearing is necessary to remove contaminants from land (c) for a purpose other than reconfiguring a lot, a material change of use of premises, high value agriculture clearing, irrigated high value agriculture clearing or necessary environmental clearing, if the clearing is— <ul style="list-style-type: none"> (i) of an area less than 5ha and is for establishing a necessary fence, firebreak, road or vehicular track, or necessary built infrastructure (ii) for fodder harvesting (iii) for thinning (iv) the clearing of encroachment (v) necessary for controlling non-native vegetation or declared pests (vi) necessary for ensuring public safety (d) otherwise	nil nil 2922.00 2922.00 2922.00 2922.00 nil nil 11,686.00
20	Material change of use of premises for which a referral agency is stated in schedule 7, table 3, item 10	5843.00
Major hazard facilities		

1	2	3
	Development to which application relates	Application fee \$
21	Material change of use of premises for which a referral agency is stated in schedule 7, table 2, item 8— (a) for an existing major hazard facility (b) for a proposed major hazard facility— (i) if the facility is to be a tier 3 major hazard facility (ii) otherwise	nil 5843.00 730.00
Taking or interfering with water		
22	Operational work for which a referral agency is stated in schedule 7, table 2, item 9— (a) if the work is for the taking of water (b) if the work is for interfering with water	146.00 5843.00
Interfering with water in drainage and embankment areas		
23	Operational work for which a referral agency is stated in schedule 7, table 2, item 10	1460.00
Particular dams		
24	Operational work for which a referral agency is stated in schedule 7, table 2, item 11— (a) if all of the following apply— (i) the dam is, or is intended to be, more than 20 metres high;	5843.00

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1	2	3
	Development to which application relates	Application fee \$
	(ii) the dam is, or is intended to be, capable of impounding more than 5000 megalitres; (iii) an accepted failure impact assessment for the dam states that the population at risk for the dam is more than 20 persons, but no more than 100 persons (b) if an accepted failure impact assessment for the dam states that the population at risk for the dam is more than 100 persons (c) otherwise	11,686.00 2922.00
Removal of quarry material		
25	Development for which a referral agency is stated in schedule 7, table 2, item 12	2922.00
Tidal works, or development in a coastal management district		
26	Operational work for which a referral agency is stated in schedule 7, table 2, item 13— (a) if 1 or both of the following apply— (i) the operational work involves the disposal of dredge spoil or other solid waste material in tidal water; (ii) the operational work is for the construction of an artificial waterway	5843.00

1	2	3
	Development to which application relates	Application fee \$
	(b) if the operational work is for coastal management purposes that involve beach nourishment, stinger net enclosures, fencing of coastal dunes or re-vegetation of coastal dunes with endemic native vegetation (c) if the operational work is directly related to the provision of lifesaving or rescue services by a volunteer community organisation (d) if the operational work is tidal works for a private purpose (e) otherwise	nil nil 730.00 2922.00
27	Reconfiguring a lot for which a referral agency is stated in schedule 7, table 2, item 14— (a) if the reconfiguration is in connection with the construction of an artificial waterway (b) if the lot— (i) is more than 2ha; and (ii) is to be reconfigured to create 10 or more lots (c) otherwise	11,686.00 11,686.00 5843.00
28	Operational work for which a referral agency is stated in schedule 7, table 2, item 15— (a) if the works are for a private purpose (b) otherwise	1460.00 11,686.00

[s 18]

1	2	3
	Development to which application relates	Application fee \$
Land contaminated because of unexploded ordnance		
29	Development for which a referral agency is stated in schedule 7, table 2, item 22 or schedule 7, table 3, item 11	nil
Works or other development in a fish habitat area		
30	Building work for which a referral agency is stated in schedule 7, table 2, item 25— <ul style="list-style-type: none"> (a) if the applicant holds a resource allocation authority for all the development (b) otherwise— <ul style="list-style-type: none"> (i) for development that is expected to cause a permanent loss of capacity of tidal land— <ul style="list-style-type: none"> (A) if the development is to be carried out in an area of no more than 500m² (B) otherwise (ii) for development that is not expected to cause a permanent loss of capacity of tidal land— <ul style="list-style-type: none"> (A) if the development is to be carried out in an area of no more than 1500m² (B) otherwise 	<ul style="list-style-type: none"> 1460.00 5843.00 11,686.00 5843.00 11,686.00
31	Operational work for which a referral agency is stated in schedule 7, table 2, item 26—	

1	2	3
	Development to which application relates	Application fee \$
	<p>(a) if the applicant holds a resource allocation authority for all the development</p> <p>(b) otherwise—</p> <p style="padding-left: 40px;">(i) for development that is expected to cause a permanent loss of capacity of tidal land—</p> <p style="padding-left: 80px;">(A) if the development is to be carried out in an area of no more than 500m²</p> <p style="padding-left: 80px;">(B) otherwise</p> <p style="padding-left: 40px;">(ii) for development that is not expected to cause a permanent loss of capacity of tidal land—</p> <p style="padding-left: 80px;">(A) if the development is to be carried out in an area of no more than 1500m²</p> <p style="padding-left: 80px;">(B) otherwise</p>	<p>1460.00</p> <p>5843.00</p> <p>11,686.00</p> <p>5843.00</p> <p>11,686.00</p>
Certain aquaculture		
32	<p>Material change of use of premises for which a referral agency is stated in schedule 7, table 2, item 28—</p> <p>(a) if the aquaculture—</p> <p style="padding-left: 40px;">(i) is carried out in a tank, pond or hatchery; and</p> <p style="padding-left: 40px;">(ii) is not expected to cause the discharge of waste into Queensland waters</p> <p>(b) if the aquaculture—</p>	<p>2922.00</p> <p>5843.00</p>

[s 18]

1	2	3
	Development to which application relates	Application fee \$
	<ul style="list-style-type: none"> (i) is carried out in a tank, pond or hatchery that covers an area of 100ha or less; and (ii) is expected to cause the discharge of waste into Queensland waters 	11,686.00
	<ul style="list-style-type: none"> (c) if the aquaculture— <ul style="list-style-type: none"> (i) is carried out in a tank, pond or hatchery that covers an area of more than 100ha; and (ii) is expected to cause the discharge of waste into Queensland waters 	11,686.00
	<ul style="list-style-type: none"> (d) if the aquaculture— <ul style="list-style-type: none"> (i) is carried out on tidal land; and (ii) involves the addition of feed 	2922.00
	<ul style="list-style-type: none"> (e) if both of the following apply— <ul style="list-style-type: none"> (i) the aquaculture— <ul style="list-style-type: none"> (A) is carried out on tidal land that covers an area of 50ha or less; and (B) does not involve the addition of feed; (ii) the applicant holds a resource allocation authority for the material change of use 	5843.00
	<ul style="list-style-type: none"> (f) if both of the following apply— <ul style="list-style-type: none"> (i) the aquaculture— <ul style="list-style-type: none"> (A) is carried out on tidal land that covers an area of more than 50ha; and 	

1	2	3
	Development to which application relates	Application fee \$
	<p>(B) does not involve the addition of feed;</p> <p>(ii) the applicant holds a resource allocation authority for the material change of use</p> <p>(g) otherwise</p>	11,686.00
Constructing or raising waterway barrier works		
33	<p>Operational work for which a referral agency is stated in schedule 7, table 2, item 29—</p> <p>(a) for each waterway barrier works the subject of the application, if 1 or both of the following apply—</p> <p>(i) the applicant has a valid fish movement exemption notice for the application and the notice still applies;</p> <p>(ii) the waterway barrier works—</p> <p>(A) is to be constructed or raised in a low-risk waterway; and</p> <p>(B) does not have as its primary purpose the impounding of water</p> <p>(b) for each waterway barrier works the subject of the application, if 1 or both of the following apply—</p> <p>(i) the waterway barrier works is a bridge to be constructed in a major-risk waterway;</p> <p>(ii) the waterway barrier works—</p>	<p>2922.00</p> <p>5843.00</p>

[s 18]

1	2	3
	Development to which application relates	Application fee \$
	<p>(A) is to be constructed or raised in a moderate or high-risk waterway; and</p> <p>(B) does not have as its primary purpose the impounding of water</p> <p>(c) for each waterway barrier works the subject of the application, if 1 or both of the following apply—</p> <p>(i) the primary purpose of the waterway barrier works is to impound water;</p> <p>(ii) the waterway barrier works—</p> <p>(A) is to be constructed or raised in a major-risk waterway or an unmapped tidal waterway; and</p> <p>(B) is not a bridge</p> <p>(d) otherwise, for each waterway barrier works the subject of the application</p>	<p>11,686.00</p> <p>2922.00</p>
Removal, destruction or damage of marine plants		
34	<p>Operational work for which a referral agency is stated in schedule 7, table 2, item 30—</p> <p>(a) if 1 or more of the following apply—</p> <p>(i) the development is, or involves, the removal, destruction or damage of marine plants covering an area of less than 25m²;</p>	2922.00

1	2	3
	Development to which application relates	Application fee \$
	<p>(ii) the development is to be carried out in an area that is above the level of the highest astronomical tide;</p> <p>(iii) the development is for education or research</p> <p>(b) if either or both of the following apply—</p> <p>(i) the development—</p> <p>(A) is, or involves, the removal, destruction or damage of marine plants covering an area of at least 25m², but no more than 500m²; and</p> <p>(B) is expected to cause a loss of capacity of tidal land;</p> <p>(ii) the development—</p> <p>(A) is, or involves, the removal, destruction or damage of marine plants covering an area of at least 25m², but no more than 1500m²; and</p> <p>(B) is not expected to cause a loss of capacity of tidal land</p> <p>(c) if either or both of the following apply—</p> <p>(i) the development—</p> <p>(A) is, or involves, the removal, destruction or damage of marine plants covering an area of more than 500m²; and</p>	<p>5843.00</p> <p>11,686.00</p>

[s 18]

1	2	3
	Development to which application relates	Application fee \$
	<p>(B) is expected to cause a loss of capacity of tidal land;</p> <p>(ii) the development—</p> <p>(A) is, or involves, the removal, destruction or damage of marine plants covering an area of more than 1500m²; and</p> <p>(B) is not expected to cause a loss of capacity of tidal land</p>	
35	<p>Reconfiguring a lot for which a referral agency is stated in schedule 7, table 2, item 31—</p> <p>(a) if 1 or more of the following apply—</p> <p>(i) the development is, or involves, the removal, destruction or damage of marine plants covering an area of less than 25m²;</p> <p>(ii) the development is to be carried out in an area that is above the level of the highest astronomical tide;</p> <p>(iii) the development is for education or research</p> <p>(b) if either or both of the following apply—</p> <p>(i) the development—</p> <p>(A) is, or involves, the removal, destruction or damage of marine plants covering an area of at least 25m², but no more than 500m²; and</p>	<p>2922.00</p> <p>5843.00</p>

1	2	3
	Development to which application relates	Application fee \$
	<p>(B) is expected to cause a loss of capacity of tidal land;</p> <p>(ii) the development—</p> <p>(A) is, or involves, the removal, destruction or damage of marine plants covering an area of at least 25m², but no more than 1500m²; and</p> <p>(B) is not expected to cause a loss of capacity of tidal land</p> <p>(c) if either or both of the following apply—</p> <p>(i) the development—</p> <p>(A) is, or involves, the removal, destruction or damage of marine plants covering an area of more than 500m²; and</p> <p>(B) is expected to cause a loss of capacity of tidal land;</p> <p>(ii) the development—</p> <p>(A) is, or involves, the removal, destruction or damage of marine plants covering an area of more than 1500m²; and</p> <p>(B) is not expected to cause a loss of capacity of tidal land</p>	11,686.00

[s 18]

1	2	3
	Development to which application relates	Application fee \$
36	<p>Material change of use of premises for which a referral agency is stated in schedule 7, table 2, item 32—</p> <p>(a) if 1 or more of the following apply—</p> <ul style="list-style-type: none"> (i) the development is, or involves, the removal, destruction or damage of marine plants covering an area of less than 25m²; (ii) the development is to be carried out in an area that is above the level of the highest astronomical tide; (iii) the development is for education or research <p>(b) if either or both of the following apply—</p> <ul style="list-style-type: none"> (i) the development— <ul style="list-style-type: none"> (A) is, or involves, the removal, destruction or damage of marine plants covering an area of at least 25m², but no more than 500m²; and (B) is expected to cause a loss of capacity of tidal land; (ii) the development— <ul style="list-style-type: none"> (A) is, or involves, the removal, destruction or damage of marine plants covering an area of at least 25m², but no more than 1500m²; and 	<p>2922.00</p> <p>5843.00</p>

1	2	3
	Development to which application relates	Application fee \$
	<p>(B) is not expected to cause a loss of capacity of tidal land</p> <p>(c) if either or both of the following apply—</p> <p>(i) the development—</p> <p>(A) is, or involves, the removal, destruction or damage of marine plants covering an area of more than 500m²; and</p> <p>(B) is expected to cause a loss of capacity of tidal land;</p> <p>(ii) the development—</p> <p>(A) is, or involves, the removal, destruction or damage of marine plants covering an area of more than 1500m²; and</p> <p>(B) is not expected to cause a loss of capacity of tidal land</p>	11,686.00
37	<p>Material change of use of premises for which a referral agency is stated in schedule 7, table 3, item 25—</p> <p>(a) if 1 or more of the following apply—</p> <p>(i) the development is, or involves, the removal, destruction or damage of marine plants covering an area of less than 25m²;</p>	2922.00

[s 18]

1	2	3
	Development to which application relates	Application fee \$
	<p>(ii) the development is to be carried out in an area that is above the level of the highest astronomical tide;</p> <p>(iii) the development is for education or research</p> <p>(b) if either or both of the following apply—</p> <p>(i) the development—</p> <p>(A) is, or involves, the removal, destruction or damage of marine plants covering an area of at least 25m², but no more than 500m²; and</p> <p>(B) is expected to cause a loss of capacity of tidal land;</p> <p>(ii) the development—</p> <p>(A) is, or involves, the removal, destruction or damage of marine plants covering an area of at least 25m², but no more than 1500m²; and</p> <p>(B) is not expected to cause a loss of capacity of tidal land</p> <p>(c) if either or both of the following apply—</p> <p>(i) the development—</p> <p>(A) is, or involves, the removal, destruction or damage of marine plants covering an area of more than 500m²; and</p>	<p>5843.00</p> <p>11,686.00</p>

1	2	3
	Development to which application relates	Application fee \$
	<p>(B) is expected to cause a loss of capacity of tidal land;</p> <p>(ii) the development—</p> <p>(A) is, or involves, the removal, destruction or damage of marine plants covering an area of more than 1500m²; and</p> <p>(B) is not expected to cause a loss of capacity of tidal land</p>	
State-controlled transport tunnels		
38	Reconfiguring a lot for which a referral agency is stated in schedule 7, table 2, item 34A	5843.00
39	Development for which a referral agency is stated in schedule 7, table 3, item 15C	5843.00
Regional plans		
40	Reconfiguring a lot for which a referral agency is stated in schedule 7, table 2, item 39	1460.00
41	Material change of use of premises for which a referral agency is stated in schedule 7, table 3, item 12	1460.00
Land in or near a wetland		
44	Reconfiguring a lot for which a referral agency is stated in schedule 7, table 2, item 43A	2922.00
45	Operational work for which a referral agency is stated in schedule 7, table 2, item 43B	2922.00

[s 19]

1	2	3
	Development to which application relates	Application fee \$
46	Material change of use of premises for which a referral agency is stated in schedule 7, table 3, item 21A	2922.00
Construction of new levees or modification of existing levees		
47	Operational work for which a referral agency is stated in schedule 7, table 2, item 48	11,686.00
Development impacting on State transport infrastructure		
48	Development for which a referral agency is stated in schedule 7, table 3, item 2—	
	(a) if the development is in LGA population 2	2922.00
	(b) otherwise	5843.00
Land designated for community infrastructure		
49	Development for which a referral agency is stated in schedule 7, table 3, item 6	2922.00

19 Amendment of sch 9 (Development impacting on State transport infrastructure and thresholds)

Schedule 9, item 15, columns 2 and 3, ‘or 4 classrooms’—
omit.

20 Amendment of sch 26 (Dictionary)

(1) Schedule 26—
insert—

[s 22]

- (a) a development approval is given, before or after the commencement, for a prescribed development application; and
 - (b) after the commencement, operational work that is the clearing of native vegetation is carried out for the development approved by the development approval; and
 - (c) the operational work is clearing—
 - (i) mentioned in schedule 24, part 1, section 1(12) or (16) as in force immediately before the commencement; or
 - (ii) for an activity mentioned in schedule 24, part 1, section 1(11) as in force immediately before the commencement.
- (2) Schedule 3, part 1, table 4, item 1 does not apply to the operational work.
- (3) In this section—
- prescribed development application* means a development application—
- (a) that was made before the commencement but not decided before 2 August 2013; and
 - (b) for development for community infrastructure mentioned in schedule 2.

22 Amendment of sch 24 (Clearing of native vegetation—not assessable development under schedule 3, part 1, table 4, item 1)

- (1) Schedule 24, part 1, section 1(11) and (12)—

omit, insert—

- (11) Clearing for the construction or maintenance of community infrastructure mentioned in schedule

2 that is government supported transport infrastructure.

- (2) Schedule 24, part 1, section 1(16), after '2'—
insert—

if the clearing is carried out on designated land

ENDNOTES

- 1 Made by the Governor in Council on 25 June 2015.
- 2 Notified on the Queensland legislation website on 26 June 2015.
- 3 The administering agency is the Department of Infrastructure, Local Government and Planning.

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Authorised by the Parliamentary Counsel