

Integrated Planning Act 1997

INTEGRATED PLANNING REGULATION 1998

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Reprint No. 3E

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The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

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Also see endnotes for information about-

- when provisions commenced
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INTEGRATED PLANNING REGULATION 1998

[as amended by all amendments that commenced on or before 1 September 2002]

1 Short title

This regulation may be cited as the *Integrated Planning Regulation 1998*.

2 Commencement

This regulation commences on 30 March 1998.

2A Definitions

In this regulation-

- "administering authority" has the meaning given by the *Environmental Protection Act 1994*.
- **"area management advice"** means a written notice given by the administering authority to the local government about planning for or managing land contaminated because of natural mineralisation, industrial activity or unexploded ordnance.
- **"Building Code of Australia"** means the Building Code of Australia as defined under the *Building Act 1975*, section 3.
- "fire safety system" means a fire safety system as defined under the Building Code of Australia, Volume 1, Part A1.
- **"future State-controlled road"** means a road or land that the chief executive administering the *Transport Infrastructure Act 1994* has notified the local government in writing is intended to become a State-controlled road.
- "GFA" means gross floor area for a development application.
- "land use plan" means a plan approved under the *Transport Infrastructure Act 1994*, section 171.¹

¹ The *Transport Infrastructure Act 1994*, section 171 (Approval of land use plans)

s 2B

- "LGA population 1" means a local government area mentioned in schedule 5.
- "LGA population 2" means a local government area that is not an LGA population 1.
- "port authority" means a port authority as defined under the *Transport* Infrastructure Act 1994.
- "State-controlled road" includes a future state-controlled road.
- "strategic port land" means strategic port land as defined under the *Transport Infrastructure Act 1994*.
- "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.

"TSA" means total site area for a development application.

2B Meaning of "land contiguous to a state-controlled road"

Land, the subject of a development application, is **"land contiguous to a state-controlled road"** if part of the land—

- (a) is within 100 m of the road; or
- (b) that is the access to the land, is, or is proposed to be—
 - (i) from a road that joins the road; and
 - (ii) within 200 m of the road; or
- (c) is part of a future state-controlled road.

2C Meaning of "inconsistent with plans for state-controlled road infrastructure"

Development is **"inconsistent with plans for state-controlled road infrastructure"** if the development is inconsistent with—

(a) the form or scale of development under the planning scheme, having regard to the provisions of the planning scheme about state-controlled road infrastructure; or (b) the timing for state-controlled road infrastructure under the planning scheme.

3 Type of assessment for assessable development

For section 3.1.3(1) of the Act, schedule 1, column 2 states the type of assessment required for the aspect of assessable development mentioned opposite the type of assessment in column 1.

3A Alternative assessment manager—Act s 3.1.7

(1) For section 3.1.7(1)(a) of the Act, schedule 1A, part 1, column 2 states the assessment manager for the application mentioned opposite the assessable development in column 1.

(2) For section 3.1.7(1)(b) of the Act, schedule 1A, part 2, column 2 states the assessment manager for the application mentioned opposite the assessable development in column 1.

4 Referral agencies and jurisdiction

(1) For section 3.1.8 of the Act and schedule 10 of the Act, definitions "advice agency" and "concurrence agency"—

- (a) schedule 2, column 2 states the referral agency for the development application mentioned in column 1; and
- (b) schedule 2, column 3 states the type of referral agency for the referral agency mentioned opposite the type in column 2; and
- (c) schedule 2, column 4 states the jurisdiction of the referral agency mentioned opposite the jurisdiction in column 2.

(2) If, for a development application mentioned in schedule 2, column 1, there is more than 1 purpose mentioned in schedule 4, column 2, the threshold to be applied under schedule 4, column 3 for a purpose, is to be applied as if all the purposes for the threshold were combined as 1 purpose.

5 Referral agency assessment period—Act, s 3.3.14

For section 3.3.14(1)(a) of the Act, schedule 3, column 2 states the number of business days for the referral agency mentioned opposite the number in column 1.

5A Court fees

The fees payable for a proceeding in the court are in schedule 8.

6 Tribunal appeal fees—Act, s 4.2.15

(1) This section prescribes the fee payable for an appeal to a tribunal mentioned in section 4.2.15(2) of the Act.

(2) The fee payable, if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal is—

- (a) if the decision is about a class 1 building or a class 10 building or structure—\$250; or
- (b) if the decision is about a class 2, 3, 4, 5, 6, 7, 8 or 9 building with a floor area of 500 m² or less—\$350; or
- (c) if the decision is about a class 2, 3, 4, 5, 6, 7, 8 or 9 building with a floor area greater than 500 m^2 —\$500.

(3) The fee payable, if the matter is to be decided by a tribunal after a site inspection by a tribunal or a member of the tribunal is—

- (a) if the decision is about a class 1 building or a class 10 building or structure—\$400; or
- (b) if the decision is about a class 2, 3, 4, 5, 6, 7, 8 or 9 building with a floor area of 500 m² or less—\$500; or
- (c) if the decision is about a class 2, 3, 4, 5, 6, 7, 8 or 9 building with a floor area greater than 500 m^2 —\$750.

7 Fast track fee—Act, s 4.2.16

(1) This section prescribes the fee to accompany a request under section 4.2.16 of the Act to the chief executive to appoint a tribunal to start hearing an appeal within 2 business days after starting the appeal.

(2) The fee payable under this section is 50% of, and is in addition to, the fee payable for the appeal under section 6.

(3) However, if the chief executive refuses the request, the fee must be refunded.

8 Qualifications of referee—Act, s 4.2.37

For section 4.2.37 of the Act, the qualifications or experience for a person to be a referee are—

- (a) registration as an architect under the Architects Act 1985; or
- (b) registration as a professional engineer under the *Professional Engineers Act 1988*; or
- (c) accreditation as a building certifier under the *Building Act 1975*; or
- (d) unconditional licence as a house builder and general builder and not less than 8 years experience in building construction after completion of the person's apprenticeship; or
- (e) a knowledge of the *Building Act 1975*, or of matters relating to health or fire safety, the Minister considers to be sufficient to enable the person to adequately discharge the functions of a referee.

9 General manager of Queensland Building Services Authority may prosecute certain offences

For the *Queensland Building Services Authority Act 1991*, section 18(1)(c), the general manager of the Queensland Building Services Authority may bring a proceeding in a magistrates court on a complaint to prosecute a person for an offence under—

- (a) the Integrated Planning Act 1997, section 5.3.8 or 5.3.16; or
- (b) section 10 of this regulation.

10 Offence about acting as private certifier

(1) A person must not act as a private certifier for building work unless the person is a building certifier under the *Building Act 1975*.

Maximum penalty for subsection (1)—165 penalty units.

(2) A building certifier under the *Building Act 1975* must not act as a private certifier for a particular level of certification unless the private certifier has accreditation for the level at the time the action was taken.

Maximum penalty for subsection (2)—165 penalty units.

(3) A building certifier under the *Building Act 1975* must not act as a private certifier unless the building certifier's accreditation is endorsed at the time the action was taken with accreditation as a private certifier.

Maximum penalty for subsection (3)—165 penalty units.

11 Requirements for placing public notices on land—Act, s 3.4.4

(1) This section prescribes, for section $3.4.4.(1)(b)^2$ of the Act, requirements for the placing of a notice on land.

(2) The notice must be—

- (a) placed on, or within 1.5 m of, the road frontage for the land; and
- (b) mounted at least 300 mm above ground level; and
- (c) positioned so that it is visible from the road; and
- (d) made of weatherproof material; and
- (e) not less than 1200 mm x 900 mm.

(3) The lettering on the notice must be—

- (a) for lettering in the heading, as indicated on the approved form of the notice—at least 50 mm in height and in a bold style; or
- (b) for lettering in the subheadings, as indicated on the approved form of the notice—at least 25 mm in height and in a bold style; or
- (c) for lettering not mentioned in paragraphs (a) and (b)—at least 25 mm in height, of regular weight and in sentence case.

(4) Each sentence in the notice must start on a new line.

(5) If the land has more than 1 road frontage, a notice must be placed on each road frontage for the land.

(6) The applicant must maintain the notice from the day it is placed on the land until the end of the notification period.

(7) In this section—

"road frontage", for land, means-

² Section 3.4.4 (Public notice of applications to be given) of the Act

- (a) the boundary between the land and any road adjoining the land; or
- (b) if the only access to the land is across other land—the boundary between the other land and any road adjoining the other land at the point of access.

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

(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.

14 Application of sch 1 of the Act to continued preparation of planning schemes started under repealed Act

(1) This section applies if a local government continues to prepare a planning scheme under section 6.1.9(1)(b) of the Act.

(2) For applying schedule 1, section 11(1) of the Act, to the preparation of the scheme, the local government is taken to have made a resolution under schedule 1, section 9(1) of the Act, for the scheme.

(3) This section expires on 30 March 2003.

SCHEDULE 1

TYPE OF ASSESSMENT FOR ASSESSABLE DEVELOPMENT

section 3

Column 1	Column 2
Aspect of assessable development	Type of assessment required
1. The aspects of building work that are assessable under the <i>Building Act 1975</i>	Code assessment
2. Assessable development under the <i>Environmental Protection Act 1994</i> , section 75, if the administering authority for the development is prescribed as the alternative assessment manager under schedule 1A of this regulation	Code assessment
3. Material change of use of premises for a licensed brothel in an industrial area or on strategic port land	Code assessment
4. Material change of use of premises for a licensed brothel other than in an industrial area or on strategic port land, unless a local planning instrument, or amendment of a local planning instrument, made after 1 July 2000 requires code assessment	Impact assessment
5. Operational work that is the clearing of native vegetation if the assessment manager is the chief executive administering the <i>Vegetation Management Act 1999</i>	Code assessment
6. Material change of use of premises on strategic port land	Code assessment
7. Operational work that allows taking, or interfering with, water under the <i>Water Act 2000</i> , if the assessment manager is the chief executive administering the <i>Water Act 2000</i>	Code assessment

Column 1	Column 2
Aspect of assessable development	Type of assessment required
8. Operational work that is the construction of a referable dam under the <i>Water Act 2000</i> or that will increase the storage capacity of a referable dam by more than 10%, if the assessment manager is the chief executive administering the <i>Water Act 2000</i>	Code assessment
9. Material change of use of premises for a major hazard facility, or possible major hazard facility, as defined under the <i>Dangerous Goods Safety Management Act 2001</i> , if the assessment manager is the chief executive administering the <i>Dangerous Goods Safety Management Act 2001</i>	Code assessment

SCHEDULE 1A

ALTERNATIVE ASSESSMENT MANAGERS

section 3A

PART 1—FOR ASSESSABLE DEVELOPMENT WHOLLY WITHIN A LOCAL GOVERNMENT AREA

Column 1	Column 2	
Assessable development	Assessment manager	
1. Assessable development under the <i>Environmental Protection Act 1994</i> , section 75, if—	The administering authority	
(a) the development is not assessable development under a planning scheme; and		
(b) the application does not include other assessable development; and		
(c) no other assessment manager is prescribed for the development in this schedule		
 2. Assessable development, if— (a) the development is any of the following operational work— 	The chief executive administering the Vegetation Management Act 1999 and the Water Act 2000	
(i) the clearing of native vegetation; or		
 (ii) operational work that allows taking, or interfering with, water under the <i>Water Act 2000</i>; or 		
 (iii) operational work that is the construction of a referable dam under the <i>Water Act 2000</i> or that will increase the storage capacity of a referable dam by more than 10%; and 		
(b) the development is not assessable development under a planning scheme; and		
(c) the application does not include other assessable development; and		
(d) no other assessment manager is prescribed for the development in this schedule		

Column 1	Column 2	
Assessable development	Assessment manager	
3. Assessable development wholly on strategic port land	Chief executive officer of the port authority for the land	
4. Material change of use of premises for a major hazard facility, or possible major hazard facility, as defined under the <i>Dangerous Goods Safety Management Act</i> 2001, if—	The chief executive administering the Dangerous Goods Safety Management Act 2001	
(a) all or part of the development is not assessable development under a planning scheme; and		
(b) the application does not include other assessable development; and		
(c) no other assessment manager is prescribed for the development in this schedule		

PART 2—FOR OTHER ASSESSABLE DEVELOPMENT

Column 1	Column 2
Assessable development	Assessment manager
1. Assessable development under the <i>Environmental Protection Act 1994</i> , section 75, if—	The administering authority
(a) all or part of the development is not assessable development under a planning scheme; and	
(b) the application does not include other assessable development; and	
(c) no other assessment manager is prescribed for the development in this schedule	
2. Assessable development, if—	The chief executive administering
(a) the development is any of the following operational work—	the Vegetation Management Act 1999 and the Water Act 2000
(i) the clearing of native vegetation; or	
 (ii) operational work that allows taking, or interfering with, water under the <i>Water Act 2000</i>; or 	
 (iii) operational work that is the construction of a referable dam under the <i>Water Act 2000</i> or that will increase the storage capacity of a referable dam by more than 10%; and 	
(b) the development is not assessable development under a planning scheme; and	
(c) the application does not include other assessable development; and	
(d) no other assessment manager is prescribed for the development in this schedule	

Column 1	Column 2	
Assessable development	Assessment manager	
3. Assessable development wholly on strategic port land	Chief executive officer of the port authority for the land	
4. Material change of use of premises for a major hazard facility, or possible major hazard facility, as defined under the <i>Dangerous Goods Safety Management Act</i> 2001, if—	The chief executive administering the Dangerous Goods Safety Management Act 2001	
(a) all or part of the development is not assessable development under a planning scheme; and		
(b) the application does not include other assessable development; and		
(c) no other assessment manager is prescribed for the development in this schedule		

SCHEDULE 2

REFERRAL AGENCIES AND JURISDICTION

section 4

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
Building wo	rk—special fire	services genera	lly
 Assessment of a fire safety system for a building or structure, other than for a temporary or special structure, against the Standard Building Regulation, if the building or structure— (a) is required by the Standard Building Regulation to have special fire services listed in the Standard Building Regulation, schedule 2; or (b) includes a solution assessed against the performance requirements of the Building Code of Australia, Volume 1 for the fire safety system 	Queensland Fire and Rescue Service	Advice	For a building or structure— (a) if the building or structure is required to have special fire services—the matters mentioned in the Standard Building Regulation, schedule 3; or (b) if the building or structure includes a solution assessed against the performance requirements of the Building Code of Australia—the solution's assessment against the <i>Building Act</i> 1975

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
Building work—special fi	re services for bu	idget accommo	dation buildings
2. Assessment of a fire safety system for a budget accommodation building against the Standard Building Regulation, if the building work involves a solution assessed against—	Queensland Fire and Rescue Service	Advice	Assessment of the fire safety management procedures against the <i>Fire and Rescue</i> <i>Service Act 1990</i>
 (a) the performance criteria stated in part 14 of the Queensland Development Code as defined under the Standard Building Regulation; or 			
(b) the performance requirements of the Building Code of Australia, volumes 1 and 2, for the fire safety system;			
that includes fire safety management procedures as a condition of the use and occupation of the building.			
Building	g work—retail n	neat premises	
3. Assessment of an aspect of building work against the Standard Building Regulation, if the building work is required to comply with the performance requirements for the work, other than by the deemed-to-satisfy provisions for the work, under the Building Code of Australia, Volume 1, Queensland Appendix, Qld Part H109	Safe Food Production QLD	Concurrence	Assessment of the building work against the performance requirements of the Building Code of Australia, Volume 1, Queensland Appendix, Qld Part H109

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
Building wor	k—workplace ar	rea less than 2.3	3 m ²
4. Assessment of an aspect of building work against the Standard Building Regulation, if the application involves a workplace area less than 2.3 m ² (free of any encumbrance) for each employee	The chief executive administering the Workplace Health and Safety Act 1995	Advice	Workplace health and safety
Enviro	nmentally releva	ant activities	
5. Assessable development under the <i>Environmental</i> <i>Protection Act 1994</i> , section 75, if the administering authority is not the alternative assessment manager for the development under schedule 1A	The administering authority	Concurrence	Protection of the environment against contaminants— (a) that will or may be released into the environment when the environmentally relevant activity to which the development relates is carried out; and (b) the release of which will or may cause environmental harm
Contaminated land			
6. Reconfiguration of a lot, or a material change of use that is assessable development under a planning scheme if—	The administering authority	Concurrence	Protection of the environment by the management of contaminated land

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
(a) the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for a notifiable activity under the <i>Environmental Protection Act</i> 1994, schedule 2; or			
(b) the proposed use of the land is for child care, educational, recreational, residential or similar purposes and the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for an industrial activity; or			
(c) the land is on the environmental management register or contaminated land register under the <i>Environmental Protection</i> <i>Act 1994</i> ; or			
(d) the land is wholly or partly within an area for which an area management advice for industrial activity or natural mineralisation has been issued and the proposed use of the land is for child care, educational, recreational, residential or similar purposes; or			
(e) the land is wholly or partly within an area for which an area management advice for unexploded ordnance has been issued			

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
Development o	contiguous to Sta	ite-controlled r	oads
 7. Development on land contiguous to a State-controlled road that is any of the following— (a) a material change of use that is assessable development under a planning scheme; (b) the reconfiguration of a lot (other than a reconfiguration if the total number of lots is not increased and the number of lots abutting the State-controlled road is not increased); (c) operational works that are filling or excavation operations not associated with a material change of use or reconfiguration of a lot 	The chief executive administering the <i>Transport</i> <i>Infrastructure</i> <i>Act 1994</i>	For a future state-control led road not defined by route— Advice; or for any other case— Concurrence	The objectives of the <i>Transport</i> <i>Infrastructure Act</i> <i>1994</i> , section 2(1) and (2)(b)
Development no	t contiguous to S	State-controlled	roads
8. Development on land not contiguous to a State-controlled road and in a local government area for which there is a IPA planning scheme (other than a transitional planning scheme), that—	The chief executive administering the <i>Transport</i> <i>Infrastructure</i> <i>Act</i> 1994	Concurrence	The objectives of the <i>Transport</i> <i>Infrastructure Act</i> <i>1994</i> , section 2(1) and (2)(b)
(a) is mentioned in schedule 4, column 1; and			
(b) is for a purpose mentioned in schedule 4, column 2; and			
(c) exceeds the threshold stated for the development in schedule 4, column 3 for the purpose; and			

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
(d) is inconsistent with plans for State-controlled road infrastructure			
9. Development on land not contiguous to a State-controlled road and in a local government area for which there is a transitional planning scheme, that—	The chief executive administering the <i>Transport</i> <i>Infrastructure</i> <i>Act 1994</i>	For up to 5 times the thresholds mentioned in schedule 4, column 3—	The objectives of the <i>Transport</i> <i>Infrastructure Act</i> <i>1994</i> , section 2(1) and (2)(b)
(a) is mentioned in schedule 4, column 1; and		Advice	
(b) is for a purpose mentioned in schedule 4, column 2; and		[Note— See section 6.1.54(5) of	
(c) exceeds the threshold stated for the development in schedule 4, column 3 for the purpose		the Act]; or for any other case— Concurrence	
	Clearing vegeta	ition	
10. Operational work that is the clearing of native vegetation, if—	The chief executive administering	Concurrence	The purposes of the Vegetation Management Act
(a) it is assessable development under schedule 8 of the Act; and	the Vegetation Management Act 1999		1999
(b) the chief executive administering the Vegetation Management Act 1999 is not the assessment manager for the development under schedule 1A			

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
	Strategic port l	and	
11. Material change of use of premises on strategic port land that is inconsistent with the current land use plan for the strategic port land	The Minister administering the Transport Infrastructure Act 1994	Concurrence	The suitability of the proposed use having regard to the following— (a) the current land use plan; (b) the views about the proposed use of each local government in whose area the premises are situated, and the relevant port authority's representations about the views; (c) unless the referral agency is satisfied public consultation about the proposed use would not be practicable because of urgent or exceptional circumstances—the results of public consultation about the proposed use carried out by or on behalf of the relevant port authority's representations about the results

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
	Acid sulfate so	oils	•
12.Development that— (a) is subject to impact assessment under a planning scheme or assessed as development requiring impact assessment under a transitional planning scheme; and	The chief executive administering the Land Act 1994	Advice	Planning for, and management of, coastal development in areas containing acid sulfate soils
(b) is on land below 5 m Australian height datum or in an area identified in a planning scheme as an area containing acid sulfate soils; and			
(c) involves any of the following activities—			
 (i) excavating more than 1 000 m³ of material from an area identified as an area containing acid sulfate soils; or 			
 (ii) using more than 1 000 m³ of material as fill; or 			
(iii) dewatering land by permanent or temporary drainage of overland stormwater or surface water, or the removal of groundwater from soils or sediments, by, for example, drainage channels or pumps			

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
I	Private health fac	cilities	
 13. Assessment of an aspect of building work against the Standard Building Regulation if the building work— (a) is for a private health facility under the <i>Private</i> <i>Health Facilities Act 1999</i>; and (b) purports to comply with the performance requirement for the work, other than by the deemed-to-satisfy provisions for the work, under the Building Code of Australia, Qld Part H110 	The chief health officer under the <i>Health Act</i> 1937	Concurrence	Assessment of the building work for compliance with the performance requirement under the Building Code of Australia, Qld Part H110
De	clared catchme	nt areas	
14. Development, other than assessable development under the <i>Environmental Protection Act 1994</i> , section 75, in an area declared to be a catchment area under the <i>Water Act 2000</i> if the development is—	The chief executive administering the <i>Water Act</i> 2000	Concurrence	Preserving water quality in the catchment areas
(a) the reconfiguration of a lot and any lot resulting from the reconfiguration is less than 16 ha; or			
(b) the establishment or expansion of a waste water disposal system			

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
Operational work the	at allows taking,	or interfering	with, water
15. Operational work that allows taking, or interfering with, water under the <i>Water Act 2000</i> , other than operational work in a drainage and embankment area controlling the flow of water into or out of a watercourse, lake or spring, if—	The chief executive administering the <i>Water Act</i> 2000	Concurrence	The purposes of the <i>Water Act 2000</i> to the extent the purposes relate to taking, or interfering with, water
(a) it is assessable development under schedule 8 of the Act; and			
(b) the chief executive administering the <i>Water Act</i> 2000 is not the assessment manager for the development under schedule 1A			
Operational work controllin	ng the flow of wa areas	ter in drainage	and embankment
 16. Operational work that allows taking, or interfering with, water under the <i>Water Act 2000</i>, that is operational work in a drainage and embankment area controlling the flow of water into or out of a watercourse, lake or spring, if— (a) it is assessable development under schedule 8 of the Act; and (b) the chief executive administering the <i>Water Act 2000</i> is not the assessment manager for the development 	The chief executive administering the <i>Water Act</i> 2000	Concurrence	The purposes of the <i>Water Act 2000</i> to the extent the purposes relate to taking, or interfering with, water and the protection of watercourses and water in watercourses

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
	Referable da	ms	
17. Operational work that is the construction of a referable dam under the <i>Water Act 2000</i> or that will increase the storage capacity of a referable dam by more than 10%, if—	The chief executive administering the <i>Water Act</i> 2000	Concurrence	The purposes of the <i>Water Act</i> 2000 to the extent the purposes relate to referable dams
(a) it is assessable development under schedule 8 of the Act; and			
(b) the chief executive administering the <i>Water Act</i> 2000 is not the assessment manager for the development under schedule 1A			
Rer	noval of quarry	material	
18. Development for the removal of quarry material, if an allocation notice is required for the removal of the material under the <i>Water Act 2000</i>	The chief executive administering the <i>Water Act</i> 2000	Concurrence	The purposes of the <i>Water Act 2000</i> to the extent the purposes relate to quarry material and riverine vegetation
N	Aajor hazard fao	cilities	
19. Material change of use of premises for a major hazard facility, or possible major hazard facility, as defined under the <i>Dangerous Goods Safety Management Act 2001</i> , if the chief executive administering the <i>Dangerous Goods Safety Management Act 2001</i> is not the alternative assessment manager for the development under schedule 1A	The chief executive administering the Dangerous Goods Safety Management Act 2001	Concurrence	Safe storage and handling of hazardous materials and the control of major hazard facilities

SCHEDULE 3

REFERRAL AGENCY ASSESSMENT PERIODS

section 5

Column 1	Column 2
Name of referral agency	Referral agency's assessment period
Queensland Fire and Rescue Service	15

SCHEDULE 4

THRESHOLDS FOR DEVELOPMENT NOT CONTIGUOUS TO STATE–CONTROLLED ROADS

section 4(2) and schedule 2, items 6 and 7

Column 1	Column 2	Column 3
Type of development	Purpose	Threshold
Material change of use that is	Residential (including rural residential)	LGA population 1—200 dwellings LGA population 2—50 dwellings
assessable development under a planning scheme	Club Community facility or public building (including library, community hall, civic centre, conference or convention centre) Hotel (including accommodation) Indoor recreation Indoor tourist facility Place of worship Shop (including bulk retailing) Shopping centre (including non-retail floor space used for purposes such as cinemas, restaurants or offices)	LGA population 1—8 000 m ² GFA LGA population 2—4 000 m ² GFA
	Accommodation facility (including boarding houses, camping areas, caravan parks, guest houses, holiday units, hostels and motels)	LGA population 1—200 accommodation units LGA population 2—50 accommodation units
	Restaurant (including fast food outlets)	600 m ² GFA

Column 1	Column 2	Column 3
Type of development	Purpose	Threshold
	Business premises (government or private) Car park Freight depot Outdoor recreation Transit centre	5000 m² TSA
	Medical centre	1200 m ² GFA
	Theatre or cinema	Seating for 2 000 people
	Child care centre	Capacity for 280 children
	Primary school Secondary school TAFE college University	All
	Tourist facility, other than a totally indoor tourist facility (including aquariums, theme parks or zoos)	5 000 m ² TSA Or for the indoor component for LGA population 1—8 000 m ² GFA LGA population 2—4 000 m ² GFA
	Extractive industry Mineral processing Refinery Smelter	Using machinery having an annual throughput of product of 10 000 tonnes
	Abattoir Feedlot Intensive animal-husbandry	2 000 head
	Marina	600 berths

Column 1	Column 2	Column 3
Type of development	Purpose	Threshold
	Factory	LGA population 1—16 000 m ² GFA
	Warehouse	LGA population 2—8 000 m ² GFA
	Other material change of use	
Reconfiguring a	Residential (including	LGA population 1—200 dwellings
lot	rural residential)	LGA population 2—50 dwellings
	Business	LGA population 1—12 000 m ² TSA
	Commercial	LGA population 2—3 000 m ² TSA
	Retail	
	Industrial	LGA population 1—32 000 m ² TSA
		LGA population 2—16 000 m ² TSA
	Any other purpose	12 000 m ² TSA
Operational works	Filling or excavation operation not associated with a material change of use or reconfiguration of a lot	10 000 tonnes

SCHEDULE 5

LGA POPULATION 1 AREAS

section 2A, definition "LGA population 1"

Beaudesert

Brisbane

Bundaberg

Caboolture

Cairns

Caloundra

Cooloola

Gold Coast

Hervey Bay

Ipswich

Logan

Mackay

Maroochy

Noosa

Pine Rivers

Redcliffe

Redland

Rockhampton

Thuringowa

Toowoomba

Townsville

SCHEDULE 6

FACILITIES

section 12(1)(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 $10\ 000\ m^3$ 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 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 $5\ 000\ m^2$.

SCHEDULE 7

AREAS

section 12(1)(b)

PART 1—AREAS FOR S 12(1)(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 $5\ 000\ m^2$ below the floodline.

PART 2—AREAS FOR S 12(1)(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*.
- **3.** A coastal management control district under the *Beach Protection Act 1968*.

PART 3—AREAS FOR S 12(1)(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 schedule 2 or 3, part 1.
- 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 which is not more than 6 m at low tide) that—
 - (a) under the document called 'State of the Environment Queensland 1999', 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.

SCHEDULE 8

COURT FEES

section 5A

		\$
1.	Filing a notice of appeal	30.00
2.	Setting down an appeal for hearing	57.00
3.	Filing an application	14.00
4.	Sealing and issuing a subpoena	14.00
5.	Issuing a certificate on final judgment, order, finding or decision	40.50
6.	Filing an affidavit or deposition	10.00
7.	Filing exhibits mentioned in an affidavit or deposition and required to be filed—	
	(a) each exhibit	2.10
	(b) maximum fee	18.00
8.	Sealing a document with the seal of the court	26.50
9.	Filing a copy of a notice of appeal to the Court of	
	Appeal	26.50
10.	Filing a notice of withdrawal of an appeal	14.00
11.	Filing an authority to use a person's name as a next friend.	14.00
12.	Filing an appointment of an agent	10.00
13.	Filing a document for which no other fee is provided	10.00
14.	Issuing a copy of a record of the court or a document or exhibit filed in the registry—	
	(a) each page	3.00
	(b) maximum fee	45.00
15.	Issuing a copy of reasons for judgment—each page	1.60
16.	Entering a judgment	45.00
17.	Filing an order on an application	45.00
18.	Opening or keeping the registry open after hours—	

		\$	
	(a) on a Saturday, Sunday, public holiday or court		
	holiday	245.00	
	(b) on any other day—		
	(i) before 8 a.m. or after 6 p.m.	245.00	
	(ii) between 8 a.m. and 9 a.m.	120.00	
	(iii) between 4 p.m. and 6 p.m.	120.00	
19.	Inspecting the record in an appeal or other proceeding.	10.50	
20.	Filing a document by leave of the court		
21.	Posting a document—each document	11.00	
22.	Attending a view—		
	(a) within 8 km of the court	65.00	
	(b) more than 8 km from the court	120.00	
23.	Supplying a copy of a call-over list	9.00	
24.	Making an appointment for assessment of a costs		
	statement	30.50	
25.	Assessing a costs statement-for each \$100 or part of		
	\$100 allowed	8.50	
26.	Order for the amount assessed under a costs statement.	39.50	

ENDNOTES

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 September 2002. Future amendments of the Integrated Planning Regulation 1998 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key		Explanation	Key		Explanation
AIA	=	Acts Interpretation Act 1954	prev	=	previous
amd	=	amended	(prev)	=	previously
amdt	=	amendment	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
o in c	=	order in council	sch	=	schedule
om	=	omitted	sdiv	=	subdivision
orig	=	original	SIA	=	Statutory Instruments Act 1992
р	=	page	SIR	=	Statutory Instruments Regulation 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	to SL No. 133 of 1998	6 July 1998
1A	to SL No. 272 of 1998	16 October 1998
1B	to SL No. 117 of 1999	6 July 1999
1C	to SL No. 281 of 1999	10 December 1999
1D	to SL No. 40 of 2000	30 March 2000
1E	to SL No. 75 of 2000	1 September 2000
2	to SL No. 235 of 2000	6 October 2000
2A	to SL No. 295 of 2000	7 December 2000
2B	to SL No. 295 of 2000	22 March 2001
3	to SL No. 136 of 2001	5 September 2001
3A	to SL No. 66 of 2002	1 May 2002
3B	to SL No. 66 of 2002	14 May 2002
3C	to SL No. 172 of 2002	1 July 2002
3D	to SL No. 216 of 2002	23 August 2002

5 List of legislation

Integrated Planning Regulation 1998 SL No. 57

made by the Governor in Council on 26 March 1998 notfd gaz 27 March 1998 pp 1310–12 ss 1–2 commenced on date of notification remaining provisions commenced 30 March 1998 (see s 2) <u>exp 1 September 2008</u> (see SIA s 54)

amending legislation-

Building Legislation Amendment Regulation (No. 1) 1998 SL No. 86 ss 1, 2(2) pt 4

notfd gaz 17 April 1998 pp 1616–18 ss 1–2 commenced on date of notification remaining provisions commenced 30 April 1998 (see s 2(2))

Integrated Planning Amendment Regulation (No. 1) 1998 SL No. 133

notfd gaz 15 May 1998 pp 311–16 ss 1–2 commenced on date of notification ss 3–10, 11 (to the extent s 11 om sch 2 and ins sch 2, items 1–3) commenced 1 July 1998 (see s 2(1)) remaining provisions commenced 6 July 1998 (see s 2(2))

Integrated Planning Amendment Regulation (No. 2) 1998 SL No. 272 pts 1–2 notfd gaz 9 October 1998 pp 489–91 commenced on date of notification

Integrated Planning Amendment Regulation (No. 1) 1999 SL No. 117 notfd gaz 25 June 1999 pp 932–8 ss 1–2 commenced on date of notification remaining provisions commenced 1 July 1999 (see s 2)
Integrated Planning Amendment Regulation (No. 2) 1999 SL No. 281 notfd gaz 19 November 1999 pp 1149–52 ss 1–2 commenced on date of notification remaining provisions commenced 1 December 1999 (see s 2)
Prostitution Act 1999 No. 73 ss 1, 2(2)–(3), 179 sch 3 date of assent 14 December 1999 ss 1–2 commenced on date of assent remaining provisions commenced 1 July 2000 (see s 2(2)–(3))
Integrated Planning Amendment Regulation (No. 1) 2000 SL No. 40 notfd gaz 17 March 2000 pp 1052–3 ss 1–2 commenced on date of notification remaining provisions commenced 30 March 2000 (see s 2)
Integrated Planning Amendment Regulation (No. 2) 2000 SL No. 75 notfd gaz 28 April 2000 pp 1558–9 ss 1–2 commenced on date of notification remaining provisions commenced 1 May 2000 (see s 2)
Integrated Planning Amendment Regulation (No. 3) 2000 SL No. 235 notfd gaz 15 September 2000 pp 222–25 commenced on date of notification
Integrated Planning Amendment Regulation (No. 4) 2000 SL No. 293 notfd gaz 24 November 2000 pp 1188–89 ss 4–6, 7(4) (so far as it inserts sch 2 item 9) commenced 1 December 2000 (see s 2(1)) s 7(4) (so far as it inserts sch 2 item 10) commenced 1 January 2001 (see s 2(2)) remaining provisions commenced on date of notification
Private Health Facilities Regulation 2000 SL No. 295 ss 1–2, 12 notfd gaz 24 November 2000 pp 1188–89 ss 1–2 commenced on date of notification remaining provision commenced 30 November 2000 (see s 2)
Integrated Planning Amendment Regulation (No. 1) 2001 SL No. 136 notfd gaz 10 August 2001 pp 1390–1 commenced on date of notification
Integrated Planning Amendment Regulation (No. 1) 2002 SL No. 66 notfd gaz 12 April 2002 pp 1394–5 ss 1–2 commenced on date of notification ss 9–11 commenced 7 May 2002 (see s 2(2)) ss 4, 12 commenced 1 July 2002 (see s 2(3)) remaining provisions commenced 19 April 2002 (see s 2(1))

Building and Other Legislation Amendment Regulation (No. 1) 2002 SL No. 172 pts 1, 3

notfd gaz 28 June 2002 pp 876-83

ss 1-2 commenced on date of notification

remaining provisions commenced 1 July 2002 immediately after the commencement of the Integrated Planning Amendment Regulation (No. 1) 2002 SL No. 66 s 12 (see s 2)

Residential Services (Accreditation) Regulation 2002 SL No. 215 ss 1–2, 12 sch 2

notfd gaz 23 August 2002 pp 1478–81 ss 1–2 commenced on date of notification remaining provisions commenced 23 August 2002 (see s 2)

Integrated Planning Amendment Regulation (No. 2) 2002 SL No. 216

notfd gaz 23 August 2002 pp 1478–81 ss 1–2 commenced on date of notification remaining provisions commenced 1 September 2002 (see s 2)

6 List of annotations

Definitions

s 2A ins 1998 SL No. 133 s 4 def "Building Code of Australia" ins 2001 SL No. 136 s 3 amd 2002 SL No. 66 s 4(2) def "fire safety system" ins 2002 SL No. 66 s 4(1) def "future State-controlled road" ins 1999 SL No. 281 s 4 def "GFA" ins 1999 SL No. 281 s 4 def "land use plan" ins 2000 SL No. 293 s 4 def "LGA population 1" ins 1999 SL No. 281 s 4 def "LGA population 2" ins 1999 SL No. 281 s 4 def "port authority" ins 2000 SL No. 293 s 4 def "State-controlled road" ins 1999 SL No. 281 s 4 def "strategic port land" ins 2000 SL No. 293 s 4 def "transitional planning scheme" ins 2000 SL No. 40 s 4 def "TSA" ins 1999 SL No. 281 s 4 Meaning of "land contiguous to a state-controlled road"

s 2B ins 1999 SL No. 281 s 5

Meaning of "inconsistent with plans for state-controlled road infrastructure" s 2C ins 1999 SL No. 281 s 5

Type of assessment for assessable development

s 3 ins 1998 SL No. 86 s 22 amd 1998 SL No. 133 s 4

Alternative assessment manager—Act s 3.1.7

s 3A ins 1998 SL No. 133 s 6

Referral a prov hdg s 4	gencies and jurisdiction amd 1998 No. 133 s 7(1) ins 1998 SL No. 86 s 22 amd 1998 SL No. 133 s 7(2)–(3); 1999 SL No. 281 s 6; 2001 SL No. 136 s 4	
Referral a s 5	gency assessment period—Act, s 3.3.14 ins 1998 SL No. 86 s 22 amd 1998 SL No. 133 s 8	
Court fees s 5A	ins 1999 SL No. 117 s 4 amd 2000 SL No. 40 s 5	
Tribunal a s 6	appeal fees—Act, s 4.2.15 ins 1998 SL No. 86 s 22	
Fast track s 7	fee—Act, s 4.2.16 ins 1998 SL No. 86 s 22	
Qualificati s 8	ions of referee—Act, s 4.2.37 ins 1998 SL No. 86 s 22 amd 2002 SL No. 215 s 12 sch 2	
	nanager of Queensland Building Services Authority may prosecute certain ences ins 1998 SL No. 86 s 22	
	bout acting as private certifier ins 1998 SL No. 86 s 22	
Requirem s 11	ents for placing public notices on land—Act, s 3.4.4 (prev s 3) renum 1998 SL No. 86 s 21	
Prescribed s 12	d applications for referral coordination—Act, s 6.1.35C ins 1998 SL No. 272 s 3 sub 2000 SL No. 40 s 6	
-	I commencement of uncommenced provisions—Building and Integrated anning Amendment Act ins 1998 SL No. 272 s 3 om 2001 SL No. 136 s 5	
	on of sch 1 of the Act to continued preparation of planning schemes started der repealed Act amd 1999 SL No. 117 s 5(1) ins 1998 SL No. 272 s 3 amd 1999 SL No. 117 s 5(2)–(3) <u>exp 30 March 2003</u> (see s 14(3))	
SCHEDULE 1—TYPE OF ASSESSMENT FOR ASSESSABLE DEVELOPMENT ins 1998 SL No. 86 s 23 sub 1998 SL No. 133 s 9		

amd 1999 No. 73 s 179 sch 3; 2000 SL No. 40 s 7; 2000 SL No. 235 s 3; 2000 SL No. 293 s 5 sub 2001 SL No. 136 s 6 amd 2002 SL No. 66 ss 5, 9

SCHEDULE 1A—ALTERNATIVE ASSESSMENT MANAGERS

ins 1998 SL No. 133 s 10 amd 2000 SL No. 235 s 4; 2000 SL No. 293 s 6 sub 2001 SL No. 136 s 6 amd 2002 SL No. 66 ss 6, 10; 2002 SL No. 172 s 16

SCHEDULE 2—REFERRAL AGENCIES AND JURISDICTION

ins 1998 SL No. 86 s 23 sub 1998 SL No. 133 s 11 amd 1999 SL No. 281 s 7; 2000 SL No. 235 s 5; 2000 SL No. 293 s 7; 2000 SL No. 295 s 12 sub 2001 SL No. 136 s 6 amd 2002 SL No. 66 ss 7, 11, 12; 2002 SL No. 172 s 17

SCHEDULE 3—REFERRAL AGENCY ASSESSMENT PERIODS

ins 1998 SL No. 86 s 23 amd 2002 SL No. 66 s 8

SCHEDULE 4—THRESHOLDS FOR DEVELOPMENT NOT CONTIGUOUS TO STATE-CONTROLLED ROADS

ins 1999 SL No. 281 s 8 amd 2000 SL No. 293 s 8 sub 2001 SL No. 136 s 7

SCHEDULE 5—LGA POPULATION 1 AREAS ins 1999 SL No. 281 s 8

SCHEDULE 6—FACILITIES

ins 2000 SL No. 40 s 9 amd 2000 SL No. 293 s 9

SCHEDULE 7—AREAS

ins 2000 SL No. 40 s 9 amd 2000 SL No. 293 s 10

SCHEDULE 8—COURT FEES

ins 1999 SL No. 117 s 6 (prev sch 4) renum 2000 SL No. 40 s 8 sub 2000 SL No. 75 s 4; 2001 SL No. 136 s 8; 2002 SL No. 216 s 4

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