Queensland

Planning Act 2016

Planning Regulation 2017

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Queensland

Planning Regulation 2017

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Planning Regulation 2017

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Planning Regulation 2017*.

2 Commencement

This regulation commences on 3 July 2017.

3 Definitions

The dictionary in schedule 24 defines particular words used in this regulation.

Part 2 Planning

Division 1 State planning instruments

4 Regions—Act, sch 2

(1) The local government areas, or parts of the local government areas, of each group of local governments stated in schedule 1, column 2 are prescribed as a region for schedule 2 of the Act, definition *region*.

(2) Each region has the name stated in schedule 1, column 1.

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Division 2 Local planning instruments

Subdivision 1 Regulated requirements

5 Purpose and application of subdivision

(1) This subdivision prescribes, for section 16(2) of the Act, the regulated requirements for the contents of a local planning instrument.

(2) This subdivision does not apply to—

(a) a local planning instrument made under the repealed IPA; or

(b) a TLPI made for all or part of a local government area, if a planning scheme made under the repealed IPA applies to the area.

Note—

See also subdivision 1A for the application of particular regulated requirements to particular local planning instruments in force immediately before the commencement of that subdivision.

6 Zones that may be adopted

(1) A local planning instrument must not include land in a zone other than a zone stated in schedule 2, column 1.

(2) If a local planning instrument includes land in a zone stated in schedule 2, column 1—

(a) the instrument must include the purpose statement stated opposite the zone in column 2; and

(b) the land must be shown on zoning maps in the local planning instrument using the RGB colour stated opposite the zone in column 3.

(3) However, a local planning instrument may change a purpose statement for a zone if the Minister considers the change is necessary or desirable having regard to the circumstances in the local government area to which the instrument will apply.

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(4) If a local planning instrument changes a purpose statement for a zone, the instrument must state—

(a) that the purpose statement has been changed; and

(b) the day the changed purpose statement took effect.

(5) In this section—

RGB colour means the colour created when the colours red, green and blue are combined in accordance with an integer value for each colour, expressed as a number from 0 to 255.

7 Use terms that may be adopted

(1) For regulating uses in a local government area, a local planning instrument may adopt only the use terms stated in schedule 3, column 1.

(2) If a local planning instrument adopts a use term stated in schedule 3, column 1, the local planning instrument must include the definition of the term stated opposite the term in column 2.

8 Administrative terms

(1) If a local planning instrument includes an administrative term stated in schedule 4, column 1, the local planning instrument must include the definition of the term stated opposite the term in column 2.

(2) A local planning instrument may include an administrative term, other than a term in schedule 4, column 1, only if the term is consistent with and does not change the effect of—

(a) the administrative terms in schedule 4, column 1; and

(b) the definitions of those terms stated in schedule 4, column 2.

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Subdivision 1A Application of regulated requirements to particular local planning instruments

9 Application of subdivision

(1) This subdivision applies in relation to a local planning instrument, in force immediately before the commencement, made under the old Act.

(2) However, this subdivision does not apply in relation to—

(a) a local planning instrument made under the repealed IPA; or

(b) a TLPI made for all or part of a local government area if a planning scheme made under the repealed IPA applies to the area.

9A Local planning instruments that include land in high technology industry zone

(1) This section applies if the local planning instrument includes land in a zone called a high technology industry zone.

(2) For section 6, the land is taken to be included in the research and technology industry zone stated in schedule 2.

9B Local planning instruments using particular use terms

(1) This section applies if the local planning instrument—

(a) adopts any of the following use terms stated in schedule 3, column 1—

(i) high impact industry:

(ii) low impact industry;

(iii) medium impact industry;

(iv) special industry; and

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(b) does not include the definition of the term stated opposite the term in schedule 3, column 2.

(2) Despite section 7(2), it is not a regulated requirement for the local planning instrument that it include the definition of the term stated opposite the term in schedule 3, column 2.

(3) If the local planning instrument includes another definition of the term, the term has the meaning given in that definition.

Subdivision 2 Other provisions for local planning instruments

10 Minister's guidelines and rules—Act, s 17

For section 17(7) of the Act, the Minister's guidelines and rules are contained in the document called 'Minister's guidelines and rules', dated July 2024 and published on the department's website.

Division 3 Superseded planning schemes

11 Making superseded planning scheme request—Act, s 29

(1) For section 29(5)(a) of the Act, if the local government to which a superseded planning scheme request is made has a form for the request, the request must be in that form.

(2) For section 29(5)(b) of the Act, a superseded planning scheme request must include—

(a) the name, residential or business address, electronic address and phone number of the person making the request; and

(b) the address or property description of the premises that the request relates to; and

(c) a statement about whether the person making the request is asking the local government—

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(i) to accept, assess and decide a superseded planning scheme application; or

(ii) to apply a superseded planning scheme to the carrying out of development that was accepted development under the superseded planning scheme; and

(d) for a request under paragraph (c)(i)—a copy of the proposed superseded planning scheme application; and

(e) for a request under paragraph (c)(ii)—a description and plan of the proposed development; and

(f) details of the superseded planning scheme that the request relates to; and

(g) if the local government has set a fee under subsection (3) for considering the request—the fee.

(3) For section 29(5)(c) of the Act, a local government may, by resolution, set a fee for considering a superseded planning scheme request.

12 Deciding superseded planning scheme request—Act, s 29

For section 29(6) of the Act—

(a) a local government must decide whether or not to agree to a superseded planning scheme request within 30 business days after the request is received; and

(b) the period mentioned in paragraph (a) may be extended by the local government if the person making the request agrees, in writing, to the extension before the period ends.

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Division 4 Designation of premises for development of infrastructure

13 Infrastructure—Act, s 35

The infrastructure stated in schedule 5 is prescribed for section 35(1) of the Act.

14 Guidelines for environmental assessment and consultation—Act, s 36

For section 36(3) of the Act, the guidelines for the process for carrying out an environmental assessment, including consultation, under section 36(2) of the Act are contained in the document called 'Minister's guidelines and rules', dated July 2024 and published on the department's website.

15 Designation process rules—Act, s 37

For section 37(7) of the Act, definition *designation process rules*, the designation process rules are contained in the document called 'Minister's guidelines and rules', dated July 2024 and published on the department's website.

Part 3 Local categorising instruments

Division 1 Matters prescribed for Act, s 43 generally

16 Development local categorising instrument is prohibited from stating is assessable development—Act, s 43

(1) For section 43(5)(b) of the Act, a local categorising instrument is prohibited from stating that development stated in schedule 6 is assessable development.

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(2) This subsection and schedule 6, section 2B expire on 2 December 2026.

(3) This subsection and schedule 6, section 7C expire on 16 December 2027.

(4) This subsection and schedule 6, section 33 expire on 16 December 2026.

17 Assessment benchmarks that local categorising instruments may not be inconsistent with—Act, s 43

(1) For section 43(5)(c) of the Act, a local categorising instrument may not, in its effect, be inconsistent with the effect of the following assessment benchmarks—

(a) an assessment benchmark stated in schedule 11 or 12A;

(b) the building assessment provisions stated in the Building Act, section 30(a) to (d), (f) or (g);

(c) the Coastal Regulation, schedule 3;

(d) an assessment benchmark prescribed under the Environmental Protection Act, section 580(4)(a) for a material change of use for an environmentally relevant activity that is a concurrence ERA;

(e) the *Queensland Heritage Regulation 2015*, schedule 2;

(f) an assessment benchmark stated in the regional plan for a region to which the local categorising instrument applies;

(g) an assessment benchmark stated in the Caboolture West interim structure plan for the Caboolture West growth area.

Note—

For particular assessment benchmarks a local planning instrument may not, in its effect, be inconsistent with for a material change of use for a home-based business, see also section 17A.

(2) However, subsection (1)(g) applies only to the extent the local categorising instrument applies to the Caboolture West growth area.

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Division 2 Matters prescribed for material change of use for home-based business

17A Material change of use for home-based business if assessable development

(1) This section applies if, under a local planning instrument, a material change of use of premises for a home-based business is assessable development.

(2) If, under the local planning instrument, the category of assessment for the material change of use is impact assessment, the category of assessment for the material change of use is code assessment.

(3) The code assessment for the material change of use must be carried out against the following assessment benchmarks—

(a) whether no more than 2 persons work on the premises in the home-based business at a time;

(b) whether no more than 2 visitors attend the home-based business on the premises at a time;

(c) the assessment benchmarks in a local planning instrument applying to the premises.

(4) For section 43(5)(c) of the Act, a local planning instrument may not, in its effect, be inconsistent with an assessment benchmark stated in subsection (3)(a) or (b).

(5) However, a local planning instrument is, in its effect, inconsistent with an assessment benchmark stated in subsection (3)(a) or (b) only if the local planning instrument includes an assessment benchmark that relates to—

(a) for subsection (3)(a)—whether no more than 1 person works on the premises in the home-based business at a time; or

(b) for subsection (3)(b)—whether no more than 1 visitor attends the home-based business on the premises at a time.

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Part 4 Development assessment

Division 1 Categories of development

18 Accepted development—Act, s 44

(1) For section 44(5) of the Act, development stated in schedule 7 is accepted development.

(2) This subsection and schedule 7, section 14 expire on 16 December 2026.

19 Prohibited development—Act, s 44

For section 44(5) of the Act, development is prohibited development if it is stated in schedule 10 to be prohibited development.

20 Assessable development—Act, ss 44 and 45

(1) For section 44(5) of the Act, development is assessable development if it—

(a) is stated in schedule 9 or 10 to be assessable development; and

(b) is not prohibited development under section 19.

(2) For section 45(2) of the Act, schedules 9 and 10 state the category of assessment required for assessable development stated in the schedules.

20A When particular development for rural workers' initiative is not assessable development

(1) This section applies to development, other than reconfiguring a lot, that—

(a) is stated in schedule 9 or 10 to be assessable development; and

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(b) would, but for subsection (2), be assessable development under section 20(1).

(2) Despite section 20(1), the development is not assessable development under that section to the extent the development is accepted development under schedule 7, section 14.

(3) This section expires on 16 December 2026.

20B Category of assessment for development for particular infrastructure under Corrective Services Act 2006

(1) This section applies to development that—

(a) is stated in schedule 9 or 10 to be assessable development; and

(b) would, but for subsection (2), require impact assessment under section 20(2).

(2) Despite section 20(2), to the extent the development is development mentioned in schedule 6, section 36, the category of assessment required for the development is code assessment.

Division 1A Temporary accepted development

20C Temporary accepted development declaration—Act, s 46A

(1) For section 46A of the Act, a material change of use of premises stated in schedule 7A is declared to be temporary accepted development for the period starting on 28 November 2025 and ending on 31 December 2029, both dates inclusive.

(2) This division and schedule 7A expire on 1 January 2030.

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Division 2 Assessment manager

21 Assessment manager for development applications—Act, s 48

(1) This section prescribes, for section 48(1) of the Act, the assessment manager for a development application.

(2) For a development application for—

(a) a material change of use of premises for a wind farm and no other assessable development, the assessment manager is the chief executive; or

(b) a material change of use of premises for a wind farm and other assessable development—

(i) if the other assessable development is prescribed assessable development only, the assessment manager is the chief executive; or

(ii) otherwise—the assessment manager is the entity decided by the Minister.

(3) For a development application for—

(a) a material change of use of premises that is assessable development under schedule 10, part 4, division 1 and no other assessable development, the assessment manager is the chief executive; or

(b) a material change of use of premises that is assessable development under schedule 10, part 4, division 1 and other assessable development—

(i) if the other assessable development is prescribed assessable development only, the assessment manager is the chief executive; or

(ii) otherwise—the assessment manager is the entity decided by the Minister.

(4) For a development application for—

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(a) a material change of use of premises for a relevant solar farm and no other assessable development, the assessment manager is the chief executive; or

(b) a material change of use of premises for a relevant solar farm and other assessable development—

(i) if the other assessable development is prescribed assessable development only, the assessment manager is the chief executive; or

(ii) otherwise—the assessment manager is the entity decided by the Minister.

(5) For a development application for—

(a) a material change of use of premises for a battery storage facility that is assessable development under schedule 10, part 2, division 1 and no other assessable development, the assessment manager is the chief executive; or

(b) a material change of use of premises for a battery storage facility that is assessable development under schedule 10, part 2, division 1 and other assessable development—

(i) if the other assessable development is prescribed assessable development only, the assessment manager is the chief executive; or

(ii) otherwise—the assessment manager is the entity decided by the Minister.

(6) For a development application other than an application stated in any of subsections (2) to (5), schedule 8, column 2 states the assessment manager for the application stated opposite the assessment manager in column 1.

(7) In this section—

prescribed assessable development means assessable development for which, if a separate development application were made for the development, the chief executive would be the prescribed assessment manager.

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Division 3 Referral agency's assessment

22 Referral agency's assessment generally—Act, ss 54, 55 and 56

(1) Schedules 9 and 10 prescribe—

(a) for section 54(2)(a) of the Act, the referral agency for the development applications stated in the schedules; and

(b) for section 55(2) of the Act, the matters the referral agency—

(i) may or must assess the development application against; and

(ii) may or must assess the development application having regard to.

(2) For section 55(2)(a) of the Act, a referral agency for a development application must also assess the application against the following matters, unless the referral agency is the chief executive—

(a) the laws administered by the referral agency;

(b) the policies that are reasonably identifiable as policies applied by the referral agency.

(3) For section 55(2)(b) of the Act, a referral agency for a development application must also assess the application having regard to—

(a) if the referral agency is the chief executive—

(i) the strategic outcomes for the local government area stated in the planning scheme; and

(ii) the purpose statement stated in the planning scheme for the zone and any overlay applying to the premises under the planning scheme; and

(iii) the strategic intent and desired regional outcomes stated in the regional plan for a region; and

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(iv) the State Planning Policy, parts C and D; and

(v) for premises designated by the Minister—the designation for the premises; and

(b) if the referral agency is a person other than the chief executive—

(i) a local planning instrument applying to the premises; and

(ii) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and

(iii) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme; and

(iv) for premises that are designated premises—the designation; and

(c) any temporary State planning policy applying to the premises; and

(d) any development approval applying to the premises; and

(e) to the extent the referral agency's powers involve assessing the cost impacts of supplying infrastructure for development under chapter 4, part 2, division 2, subdivision 3 or part 3 of the Act—any relevant charges resolution; and

(f) material about the application received by the referral agency, including material received before the application was made.

Note—

See also section 23.

(4) A referral agency may consider a matter stated in subsection (1)(b), (2) or (3) only to the extent the referral agency considers the matter is relevant to the development.

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(5) For section 56(5) of the Act, a referral agency's powers for a development application are limited in the way stated for the application in schedule 9 or 10.

23 Changes to referral agency's assessment for particular development at Port of Brisbane

(1) Subsection (2) applies to a development application for development on Brisbane core port land that is categorised as assessable development under the Brisbane port LUP, other than development that is—

(a) building work; or

(b) carried out on a Queensland heritage place.

(2) An entity that would, other than for this subsection, be a referral agency for the development application under schedule 10, other than schedule 10, part 13, division 1, is not a referral agency for the application.

(3) Subsections (4) and (5) apply to a development application for—

(a) development on Brisbane core port land that is categorised as assessable development under the Brisbane port LUP; or

(b) development below high-water mark and within the Port of Brisbane's port limits under the Transport Infrastructure Act.

(4) Section 22(3)(a)(i) to (iii) and (b)(i) and (ii) does not apply to the development application.

(5) For section 55(2)(b) of the Act, a referral agency for the development application must assess the application having regard to the Brisbane port LUP.

24 When no response by referral agency is taken to be direction to refuse—Act, s 58

(1) This section applies to a development application for building work under the Building Act, if—

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(a) the local government is a referral agency for the application; and

(b) the local government is assessing a matter other than the amenity and aesthetic impact of a building or structure; and

(c) the local government does not comply with section 56(4) of the Act before the end of the period stated in the development assessment rules for complying with the section, including any extension of that period under the rules.

(2) For section 58(2)(c) of the Act, the local government is taken to have directed the assessment manager to refuse the development application.

Division 4 Assessment manager's decision

Subdivision 1 Code assessment

25 Application of subdivision

This subdivision applies to a development application for assessable development that requires code assessment.

26 Assessment benchmarks generally—Act, s 45

(1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.

(2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—

(a) the assessment benchmarks stated in—

(i) the regional plan for a region, to the extent the regional plan is not identified in the planning

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scheme as being appropriately integrated in the planning scheme; and

(ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and

(iii) any temporary State planning policy applying to the premises;

(b) if the local government is an infrastructure provider—the local government's LGIP.

(3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.

27 Matters code assessment must have regard to generally—Act, s 45

(1) For section 45(3)(b) of the Act, the code assessment must be carried out having regard to—

(a) the matters stated in schedules 9 and 10 for the development; and

(b) if the prescribed assessment manager is the chief executive—

(i) the strategic outcomes for the local government area stated in the planning scheme; and

(ii) the purpose statement stated in the planning scheme for the zone and any overlay applying to the premises under the planning scheme; and

(iii) the strategic intent and desired regional outcomes stated in the regional plan for a region; and

(iv) the State Planning Policy, parts C and D; and

(v) for premises designated by the Minister—the designation for the premises; and

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(c) if the prescribed assessment manager is a person other than the chief executive or the local government—the planning scheme; and

(d) if the prescribed assessment manager is a person other than the chief executive—

(i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and

(ii) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme; and

(iii) for designated premises—the designation for the premises; and

(e) any temporary State planning policy applying to the premises; and

(f) any development approval for, and any lawful use of, the premises or adjacent premises; and

(g) the common material.

(2) However—

(a) an assessment manager may, in assessing development requiring code assessment, consider a matter mentioned in subsection (1) only to the extent the assessment manager considers the matter is relevant to the development; and

(b) if an assessment manager is required to carry out code assessment against assessment benchmarks in an instrument stated in subsection (1), this section does not require the assessment manager to also have regard to the assessment benchmarks.

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28 Code assessment for particular development applications

(1) Section 26(2)(a) does not apply to a development application for building work assessable against the building assessment provisions.

(2) For a development application for reconfiguring a lot to which schedule 12 applies—

(a) sections 26 and 27 do not apply; and

(b) the code assessment must be carried out only against the assessment benchmarks stated in schedule 10, part 14, division 2 for the development.

Subdivision 2 Impact assessment

29 Application of subdivision

This subdivision applies to a development application for assessable development that requires impact assessment.

30 Assessment benchmarks generally—Act, s 45

(1) For section 45(5)(a)(i) of the Act, the impact assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.

(2) Also, if the prescribed assessment manager is the local government, the impact assessment must be carried out against the following assessment benchmarks—

(a) the assessment benchmarks stated in—

(i) the regional plan for a region; and

(ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and

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(iii) a temporary State planning policy applying to the premises;

(b) if the development is not in a local government area—any local planning instrument for a local government area that may be materially affected by the development;

(c) if the local government is an infrastructure provider—the local government's LGIP.

(3) However, an assessment manager may, in assessing development requiring impact assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.

31 Matters impact assessment must have regard to generally—Act, s 45

(1) For section 45(5)(a)(ii) of the Act, the impact assessment must be carried out having regard to—

(a) the matters stated in schedules 9 and 10 for the development; and

(b) if the prescribed assessment manager is the chief executive—

(i) the strategic outcomes for the local government area stated in the planning scheme; and

(ii) the purpose statement stated in the planning scheme for the zone and any overlay applying to the premises under the planning scheme; and

(iii) the strategic intent and desired regional outcomes stated in the regional plan for a region; and

(iv) the State Planning Policy, parts C and D; and

(v) for premises designated by the Minister—the designation for the premises; and

(c) if the prescribed assessment manager is a person other than the chief executive or the local government—the planning scheme; and

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(d) if the prescribed assessment manager is a person other than the chief executive—

(i) the regional plan for a region; and

(ii) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme; and

(iii) for designated premises—the designation for the premises; and

(e) any temporary State planning policy applying to the premises; and

(f) any development approval for, and any lawful use of, the premises or adjacent premises; and

(g) the common material.

(2) However—

(a) an assessment manager may, in assessing development requiring impact assessment, consider a matter mentioned in subsection (1) only to the extent the assessment manager considers the matter is relevant to the development; and

(b) if an assessment manager is required to carry out impact assessment against assessment benchmarks in an instrument stated in subsection (1), this section does not require the assessment manager to also have regard to the assessment benchmarks.

Subdivision 3 Variation requests

32 Assessing variation requests—Act, s 61

For section 61(2)(d) of the Act, an assessment manager must consider the following matters when assessing a variation request, to the extent the matter is relevant to the request—

(a) the common material;

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(b) the regional plan for a region;

(c) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme;

(d) any temporary State planning policy.

Division 5 Fees

33 Required fee for development applications—Act, s 51

(1) For section 51(1)(b)(ii) of the Act, the required fee for a development application (a ***prescribed development application***) that the Minister or a public sector entity, other than a local government, is the assessment manager for is—

(a) if the application is for 1 aspect of development only—the fee stated in schedule 9 or 10 for a development application for the aspect made to the Minister or public sector entity; or

(b) if the application is for more than 1 aspect of development—the total of the fees that would be payable under paragraph (a) if separate development applications for each aspect were made to the Minister or public sector entity.

Example for paragraph (b)—

The chief executive is assessment manager for a development application for assessable development under schedule 10, part 7, division 1, section 13, and assessable development under schedule 10, part 3, division 2, section 5 for the aspects of development stated in schedule 10, part 3, division 3, table 1, item 5(a)(ii) and (b)(iii). The required fee that is payable to the chief executive as assessment manager is 24,004 fee units.

(2) However, this section is subject to sections 35 to 38.

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34 Required fee for referral agency's assessment—Act, s 54

(1) For section 54(1) of the Act, the required fee for the referral under section 54 of the Act of a development application (also a ***prescribed development application***) to the Minister or a public sector entity, other than a local government, is—

(a) if the Minister or public sector entity is a referral agency for 1 aspect of development only—the fee stated in schedule 9 or 10 for the referral of a development application for the aspect to the Minister or public sector entity; or

(b) if the Minister or public sector entity is a referral agency for more than 1 aspect of development—the total of the fees that would be payable under paragraph (a) if separate development applications for each aspect were referred to the Minister or public sector entity.

Example for paragraph (b)—

The chief executive is a referral agency for a development application for assessable development under schedule 10, part 7, division 1, section 13, and assessable development under schedule 10, part 3, division 2, section 5 for the aspects of development stated in schedule 10, part 3, division 3, table 1, item 5(a)(ii) and (b)(iii). The required fee that is payable to the chief executive as referral agency is 11,145 fee units.

(2) However, this section is subject to sections 35 to 38.

35 Fee for operational work for clearing native vegetation

(1) This section applies to a prescribed development application for operational work for the clearing of native vegetation if—

(a) the application or referral is for more than 1 aspect of the operational work; and

(b) the total of the fee payable to the assessment manager or referral agency for the aspects would, other than for this section, be more than 13,715 fee units.

(2) The total of the fee payable to the assessment manager or referral agency for the aspects is 13,715 fee units.

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Example—

For a development application for assessable development under schedule 10, part 3, division 2, section 5 for the aspects of development stated in schedule 10, part 3, division 3, table 1, item 5(a)(ii), (b)(iii) and (c), the total of the fee payable to the chief executive as assessment manager or referral agency for the aspects is 13,715 fee units.

(3) However, this section is subject to sections 37 and 38.

36 Fee for operational work that is waterway barrier works

(1) This section applies to a prescribed development application for operational work that is constructing or raising waterway barrier works if—

(a) the application or referral is for more than 1 aspect of the operational work; and

(b) the total of the fee payable to the assessment manager or referral agency for the aspects would, other than for this section, be more than 13,715 fee units.

(2) The total of the fee payable to the assessment manager or referral agency for the aspects is 13,715 fee units.

Example—

For a development application for assessable development under schedule 10, part 6, division 4, subdivision 1, section 12 for the aspects of development stated in schedule 10, part 6, division 4, subdivision 2, table 1, item 5(a), (b) and (c), the total of the fee payable to the chief executive as assessment manager or referral agency for the aspects is 13,715 fee units.

(3) However, this section is subject to sections 37 and 38.

36A Fee for assessable development under sch 10, pt 16

(1) This section applies in relation to the referral of a prescribed development application under schedule 10, part 16 if the referral is for more than 1 type of material change of use that is assessable development under that part.

(2) The total of the fee payable to the referral agency for the referral is 1,714 fee units.

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Example—

For a development application for assessable development under schedule 10, part 16, sections 24 and 27, the total fee payable to the chief executive as referral agency for the application is 1,714 fee units.

(3) However, this section is subject to sections 37 and 38.

37 Fee for fast-track development

(1) This section applies to a prescribed development application if—

(a) the application is for an aspect of development that is fast-track development; and

(b) the fee payable to the assessment manager or a referral agency for the aspect would, other than for this section, be more than 856 fee units.

(2) The fee payable to the assessment manager or referral agency for the aspect is 856 fee units.

(3) However, this section is subject to section 38.

38 Required fee for registered non-profit organisations and government-funded community development

(1) This section applies to a prescribed development application if 1 or both of the following apply—

(a) the application is made by a registered non-profit organisation;

(b) the application is for a community-related use, activity or facility, and all of the following apply—

(i) the development is funded, wholly or partly, by the State or Commonwealth;

(ii) the application is accompanied by a statutory declaration by the applicant stating the amount of the funding;

(iii) the required fee that would, other than for this section, be payable to the assessment manager or a

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referral agency for the application, is more than 5% of the amount stated in the statutory declaration.

(2) The required fee payable to the assessment manager or referral agency for the application, is 50% of the fee that would, other than for this section, be payable for the application.

Examples—

1 For a development application made by a registered non-profit organisation for assessable development under schedule 10, part 3, division 2, section 5 for the aspect of development stated in schedule 10, part 3, division 3, table 1, item 5(c), the required fee payable to the assessment manager for the application, which would, other than for this section, be 13,715 fee units, is 6,858 fee units.

2 For a development application made by a registered non-profit organisation for assessable development under schedule 10, part 3, division 2, section 5 for the aspect of development stated in schedule 10, part 3, division 3, table 1, item 5(c) that is fast-track development, the required fee payable to the assessment manager for the application, which would other than for this section be 856 fee units, is 428 fee units.

39 Required fee for particular change applications and extension applications—Act, ss 79 and 86

(1) Schedule 15 prescribes—

(a) for section 79(1)(b)(i) of the Act, the required fee for making a change application to the chief executive or the Minister as the responsible entity; and

(b) for section 86(2)(b) of the Act, the required fee for making an extension application to the chief executive as the assessment manager.

(2) Subsection (1)(a) does not apply in relation to the making of a change application to change a development approval given or changed by the chief executive under chapter 3, part 6A of the Act.

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40 When required fee may be waived—Act, s 109

(1) This section applies to—

(a) a development application; or

(b) a change application; or

(c) an extension application; or

(d) the referral, under section 54 of the Act, of a development application or change application to a referral agency.

(2) For section 109(b) of the Act, all or part of the required fee for the application or referral may be waived if the application or referral is made by a registered non-profit organisation.

Division 6 Miscellaneous

41 Deciding whether development is consistent with future planning intent

(1) This section applies if, under schedule 10, part 15, a referral agency is deciding whether or not development on premises completely or partly in an SEQ development area is consistent with the future planning intent for the area in which the premises are located.

(2) Subsection (3) applies if—

(a) the planning scheme applying to the premises, or a major amendment of the planning scheme, is made after the gazette notice identifying the SEQ development area is published; and

(b) the planning scheme or amendment includes a land use and infrastructure plan for the SEQ development area.

(3) The referral agency may decide the development is consistent with the future planning intent for the area only if the development is consistent with the land use and infrastructure plan.

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(4) If subsection (3) does not apply, the referral agency may decide the development is consistent with the future planning intent for the area only if the development—

(a) is consistent with the outcomes and strategies, and subregional directions, stated in the SEQ regional plan; and

(b) does not compromise the intent for the area stated in—

(i) the SEQ regional plan; or

(ii) the gazette notice for the SEQ development area; and

(c) does not adversely affect the delivery and orderly sequencing of infrastructure for the SEQ development area or land adjacent to the SEQ development area; and

(d) is compatible with the use of other premises in the surrounding area; and

(e) avoids an area that involves a risk of serious harm to persons or property from natural events or processes, including, for example, bush fires, coastal erosion, flooding or landslides, or, if the area can not be avoided, minimises the risk.

(5) In this section—

major amendment, of a planning scheme, see the Minister's guidelines and rules, schedule 1, section 4.

41A Deciding whether development is required to be outside SEQ urban footprint

(1) This section applies if, under schedule 10, part 16, a referral agency is deciding whether or not the locational requirements or environmental impacts of development require it to be outside the SEQ urban footprint.

(2) The referral agency may decide the locational requirements or environmental impacts of the development require it to be outside the SEQ urban footprint only if—

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(a) the premises have particular characteristics that are necessary for the carrying out of the development; and

(b) the development could not reasonably be located on premises in the SEQ urban footprint that have the particular characteristics.

41B Deciding whether there is an overriding need in the public interest for development

(1) This section applies if, under schedule 10, part 16 or 16B, a referral agency is deciding whether or not there is an overriding need, in the public interest, for development to be carried out.

(2) The referral agency may decide there is an overriding need, in the public interest, for the development to be carried out only if the development application demonstrates that—

(a) the development will have a social, economic or environmental benefit for the community that outweighs—

(i) any adverse impact on the regional biodiversity network, regional landscape values or natural economic resource areas stated in the SEQ regional plan; and

(ii) the desirability of achieving the outcomes and strategies, and subregional directions, stated in the SEQ regional plan, particularly the outcomes and strategies about—

(A) consolidating urban development in the SEQ urban footprint; and

(B) preventing land fragmentation in the SEQ regional landscape and rural production area; and

(b) there will be a significant adverse economic, social or environmental impact on the community if the development is not carried out.

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(3) To remove any doubt, it is declared that there is not an overriding need, in the public interest, for the development to be carried out merely because—

(a) the applicant—

(i) owns the premises; or

(ii) has an interest in, or option over, the premises; or

(b) the premises are available for the carrying out of the development.

42 Who decision notice must be given to—Act, ss 63 and 76

(1) For sections 63(1)(f) and 76(2)(b)(v) of the Act, the following persons are prescribed—

(a) if a distributor-retailer delegated its functions as a referral agency for the development application to its participating local government—the distributor-retailer;

(b) if the development application is for building work—

(i) the owner of any prescribed building that the application relates to; and

(ii) any other person nominated on the application as the person to receive documents.

(2) In this section—

prescribed building means a building that is, under the Building Code, a single detached class 1(a) building or a class 10 building or structure.

43 Requirements for decision notice—Act, s 63

For section 63(3) of the Act, a decision notice for a development application that is approved must—

(a) state any other development permits necessary to allow the development to be carried out; and

(b) be accompanied by any approved plans, specifications or drawings for the development approval; and

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(c) if the development involves building work that is building, repairing or altering a building and is assessable against the building assessment provisions—state the classification or proposed classification of the building or parts of the building under the Building Code; and

(d) if the development application is taken, under the Environmental Protection Act, section 115, to also be an application for an environmental authority—state details of any environmental authority given for the application under that Act; and

(e) be accompanied by a copy of any written agreement under section 49(4)(b) or 66(2)(b) or (c) of the Act relating to the approval.

43A Development condition relating to provision of affordable housing component—Act, s 65A

For section 65A(1) of the Act, a development condition imposed on a development approval mentioned in the section may relate to the provision of an affordable housing component on the premises the subject of the approval if the condition—

(a) states the period the component must be maintained as an affordable housing component; and

(b) includes a detailed description of the affordable housing component, including, for example—

(i) the number of dwellings to be provided as part of the component; and

(ii) the gross floor area of each building to be provided as part of the component; and

(iii) the premises to which the condition relates.

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43B Criteria for application proposing affordable housing component—Act, s 65A

For section 65A(1)(b)(ii) of the Act, an application that proposes the provision of an affordable housing component must include information that demonstrates the component—

(a) is of a type mentioned in—

(i) section 43C(1)(a); or

(ii) if a local planning instrument for the development includes the administrative term *affordable housing component* stated in schedule 4, column 1—section 43C(1); and

(b) can be provided; and

(c) can be maintained as an affordable housing component for a stated period.

43C Criteria for affordable housing component—Act, s 65A

(1) For section 65A(3) of the Act, definition *affordable housing component*, paragraph (b), the component of development must include 1 or more of the following—

(a) housing that is appropriate to the needs of households with low to moderate incomes, if the members of the households will spend no more than 30% of gross income on housing costs;

(b) housing provided by a registered provider for residential use;

(c) housing provided as part of a program, funded by any of the following entities, to support the provision of housing that is affordable—

(i) a public sector entity under the *Public Sector Act 2022*, section 8;

(ii) a local government;

(iii) the State;

(iv) the Commonwealth;

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(d) housing that is sold for an amount that is less than the first home concession limit due to the type, composition, method of construction, size or level of finish of the housing;

(e) housing that is rented at or below a value that is affordable for households with low to moderate incomes due to the type, composition, method of construction, size or level of finish of the housing.

(2) In this section—

first home concession limit means the highest amount mentioned in the *Duties Act 2001*, schedule 4A, column 1 (dutiable value of residential land) in relation to which a concession amount relating to transfer duty is applicable under column 2 of that schedule.

44 Development assessment rules—Act, ss 68 and 69

(1) For sections 68(6) and 69(2)(b) of the Act, the development assessment rules are contained in the document called 'Development assessment rules', made and amended by the Minister and published on the department's website on 18 July 2025.

(2) For section 69(8) of the Act, the amendment of the development assessment rules was published on the department's website on 18 July 2025.

Part 5 Proposed call in notice

45 Purpose of part

This part prescribes, for section 102(3) of the Act, matters in relation to the giving of a proposed call in notice.

46 Content of proposed call in notice

A proposed call in notice for an application must state—

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(a) that the Minister is proposing to call in the application; and

(b) the reasons for the proposed call in; and

(c) for an application other than a cancellation application—

(i) if the notice is given before the decision-maker decides the application—that the process for assessing and deciding the application stops on the day the notice is given; and

(ii) the point in the process for assessing and deciding the application from which the Minister proposes the process will restart if the application is called in; and

(iii) if the application is proposed to be called in before the decision-maker decides the application—whether the Minister intends to direct the decision-maker to assess all or part of the application; and

(d) that the person to whom the notice is given may make representations to the Minister about the proposed call in within the representation period.

47 When proposed call in notice must be given

A proposed call in notice for an application must be given—

(a) if the application is a development application—any time before the latest of the following—

(i) 15 business days after the day the chief executive receives notice of an appeal about the decision for the application;

(ii) if there is a submitter for the application—50 business days after the day the decision notice is given to the applicant;

(iii) if there are no submitters for the application and a decision notice is given for the application—25

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business days after the day the decision notice is given to the applicant;

(iv) if the application is taken to have been approved under section 64 of the Act and a decision notice is not given for the application—25 business days after the day the decision notice was required to be given to the applicant; or

(b) if the application is change representations about a development approval—any time before the latest of the following—

(i) 15 business days after the day the chief executive receives notice of an appeal about the decision for the development application;

(ii) if there is a submitter for the development application—50 business days after the day the decision notice for the change representations is given to the applicant;

(iii) if there are no submitters for the development application—25 business days after the day the decision notice for the change representations is given to the applicant; or

(c) if the application is a change application or an extension application—within 20 business days after the later of the following—

(i) the day the chief executive receives notice of an appeal about the decision for the application;

(ii) the end of the appeal period for the decision on the application; or

(d) if the application is a cancellation application—any time before the development approval is cancelled.

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48 Effect of proposed call in notice on process for assessing and deciding application

(1) This section applies to an application other than a cancellation application.

(2) If a proposed call in notice is given for the application before the decision-maker decides the application, the process for assessing and deciding the application stops on the day the notice is given.

(3) The process for assessing and deciding the application restarts from the point in the process at which it stopped under subsection (2)—

(a) if the Minister gives a notice under section 51 in relation to the application—on the day the notice is given; or

(b) if the Minister does not give a call in notice under section 103 of the Act, or a notice under section 51, in relation to the application—on the day that is 25 business days after the day the representation period for the proposed call in notice ends.

49 Effect of proposed call in notice on appeal period

(1) This section applies in relation to an application, other than a cancellation application, if a proposed call in notice is given for the application after the decision-maker for the application decides the application.

(2) The appeal period relating to the decision-maker's decision on the application is taken to have started again—

(a) if the Minister gives a notice under section 51 in relation to the application—on the day after the notice is given; or

(b) if the Minister does not give a call in notice under section 103 of the Act, or a notice under section 51, in relation to the application—on the day that is 25 business days after the day the representation period for the proposed call in notice ends.

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50 Representation period

The representation period for a proposed call in is the period, of at least 5 business days after the proposed call in notice is given, stated in the notice.

51 Notice of decision not to call in application

(1) If the Minister decides not to call in an application for which a proposed call in notice has been given, the Minister must give notice of the decision to each person to whom the proposed call in notice was given.

(2) The notice must be given within 20 business days after the end of the representation period for the proposed call in.

(3) Subsection (4) applies if the proposed call in notice was given—

(a) for an application other than a cancellation application; and

(b) before the decision-maker decided the application.

(4) The notice under subsection (2) must state that the process for assessing and deciding the application restarts from the point in the process at which the process stopped because of the giving of the proposed call in notice.

Part 5A Declaring applications for State facilitated development

Division 1 Making declarations

51A Criteria for declaring application for State facilitated development—Act, s 106D

(1) For section 106D(2)(b) of the Act, the following criteria are prescribed—

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(a) the development the subject of the relevant application must be for predominantly residential development;

(b) the application must comply with either of the following—

(i) the premises the subject of the application are completely within a zone supporting residential development;

(ii) the premises the subject of the application are not within an environmental zone or a limited development zone, and the Minister is satisfied the premises are or can be readily serviced by infrastructure for the development.

(2) In this section—

environmental zone means—

(a) any of the following zones stated in schedule 2—

(i) environmental management and conservation zone;

(ii) conservation zone;

(iii) environmental management zone; or

(b) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone stated in paragraph (a).

limited development zone means—

(a) the limited development zone stated in schedule 2; or

(b) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone stated in paragraph (a).

zone supporting residential development means—

(a) any of the following zones stated in schedule 2—

(i) general residential zone, low density residential zone, low-medium density residential zone,

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medium density residential zone, high density residential zone or character residential zone;

(ii) centre zone, neighbourhood centre zone, local centre zone, district centre zone, major centre zone or principal centre zone;

(iii) mixed use zone;

(iv) specialised centre zone; or

(b) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone stated in paragraph (a).

Division 2 Proposed declarations

51B Purpose of division

This division prescribes, for section 106P of the Act, matters for chapter 3, part 6A of the Act.

51C Effect of notice of proposed declaration on process for assessing and deciding application

(1) This section applies if—

(a) the Minister gives notice under section 106C of the Act of the proposed declaration of a relevant application that is a development application or a change application as an application for State facilitated development; and

(b) the notice is given before the decision-maker for the relevant application decides the application.

(2) The process for assessing and deciding the relevant application stops on the day the notice is given.

(3) The process for assessing and deciding the relevant application restarts from the point in the process at which it stopped under subsection (2)—

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(a) if the Minister gives a notice under section 51E in relation to the application—on the day the notice is given; or

(b) if the Minister does not make a declaration under section 106D of the Act, or give a notice under section 51E, in relation to the application—on the day that is 15 business days after the day the representation period for the proposed declaration ends.

51D Effect of notice of proposed declaration on appeal period

(1) This section applies if—

(a) the Minister gives notice under section 106C of the Act of the proposed declaration of a relevant application that is a development application or a change application as an application for State facilitated development; and

(b) the notice is given after the decision-maker for the relevant application decides the application.

(2) The appeal period relating to the decision-maker's decision on the relevant application is taken to have started again—

(a) if the Minister gives a notice under section 51E in relation to the application—on the day after the notice is given; or

(b) if the Minister does not make a declaration under section 106D of the Act, or give a notice under section 51E, in relation to the application—on the day that is 15 business days after the day the representation period for the proposed declaration ends.

51E Notice of decision not to make declaration

(1) This section applies if the Minister—

(a) gives notice under section 106C of the Act of the proposed declaration of a relevant application as an application for State facilitated development; and

(b) decides not to make the declaration.

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(2) The Minister must give notice of the decision to each entity to whom the notice of the proposed declaration was given.

(3) The notice must be given within 10 business days after the day the representation period for the proposed declaration ends.

(4) Subsection (5) applies if—

(a) the relevant application is a development application or a change application; and

(b) the notice of the proposed declaration was given before the decision-maker for the application decided the application.

(5) The notice under subsection (2) must state that the process for assessing and deciding the relevant application restarts from the point in the process at which the process stopped because of the giving of the notice of the proposed declaration.

Part 5B Development requiring social impact assessment

Division 1 Preliminary

51F Development requiring social impact assessment—Act, s 106T

For section 106T(1) of the Act, the following development is development for which social impact assessment is required—

(a) a material change of use of premises for a solar farm that has a maximum instantaneous electricity output of 1MW or more;

(b) a material change of use of premises for a wind farm;

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(c) a material change of use of premises for a battery storage facility that has a maximum instantaneous electricity output of 50MW or more.

Division 2 Pre-existing applications relating to solar farms and wind farms

51G Purpose and application of division—Act, s 106U

(1) For section 106U of the Act, this division provides for the effect of the enactment of section 51F(a) and (b) on the process for administering the following applications (each a ***pre-existing application***)—

(a) a development application for development mentioned in section 51F(a) or (b) that was made, but not decided, before 18 July 2025;

(b) a change application relating to development mentioned in section 51F(a) or (b) that was made, but not decided, before 18 July 2025.

(2) An application is a *pre-existing application* even if the application is also for, or relates to, development other than development mentioned in section 51F(a) or (b).

(3) However, this division does not apply in relation to a change application for a minor change to a development approval.

51H Pre-existing applications—generally

(1) On the commencement of section 51F(a) and (b)—

(a) if the pre-existing application is a development application that is a properly made application—the application is taken not to be a properly made application, and is taken not to have been accepted, under section 51 of the Act; and

(b) if the pre-existing application is a change application that has been accepted under section 79(4) of the

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Act—the application is taken not to have been accepted under section 79(4) of the Act.

(2) This section does not apply if section 51I applies in relation to the pre-existing application.

51I Pre-existing applications subject to Ministerial call in or direction

(1) This section applies if—

(a) before 18 July 2025, the pre-existing application was called in; or

(b) before 18 July 2025—

(i) the Minister gave a direction under section 95(1)(b) of the Act to not decide the pre-existing application within a stated period; and

(ii) the stated period had not ended.

(2) The process for administering the pre-existing application—

(a) stops on the commencement of section 51F(a) and (b); and

(b) restarts on the day the applicant gives the decision-maker for the application—

(i) a social impact assessment report for the application that complies with section 106W(1) of the Act, or a notice given by the chief executive under section 106ZE(1)(a) of the Act stating that a social impact assessment report is not required for the application; and

(ii) each community benefit agreement for the application required under section 106Z(1) of the Act or entered into under section 106Z(2) of the Act, or a notice given by the chief executive under section 106ZE(1)(b) of the Act stating that a community benefit agreement is not required for the application; and

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(c) if, under paragraph (a), the process stops during the decision period—restarts from the start of the decision period.

(3) In this section—

decision-maker means—

(a) if subsection (1)(a) applies—the Minister; or

(b) if subsection (1)(b) applies and the pre-existing application is a development application—the assessment manager; or

(c) if subsection (1)(b) applies and the pre-existing application is a change application—the responsible entity.

decision period means the period under chapter 3 of the Act or the development assessment rules for making a decision on the pre-existing application.

Division 2A Pre-existing applications relating to battery storage facilities

51IA Process for administering pre-existing applications relating to battery storage facilities—Act, s 106U

(1) For section 106U of the Act, this section provides for the effect of the enactment of section 51F(c) on the process for administering the following applications (each a ***pre-existing application***)—

(a) a development application for development mentioned in section 51F(c) that was made, but not decided, before 12 December 2025;

(b) a change application relating to development mentioned in section 51F(c) that was made, but not decided, before 12 December 2025.

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(2) For this section, an application is a *pre-existing application* even if the application is also for, or relates to, development other than development mentioned in section 51F(c).

(3) On the commencement of section 51F(c)—

(a) if the pre-existing application is a development application that is a properly made application—the application is taken not to be a properly made application, and is taken not to have been accepted, under section 51 of the Act; or

(b) if the pre-existing application is a change application that has been accepted under section 79(4) of the Act—the application is taken not to have been accepted under section 79(4) of the Act.

(4) This section does not apply in relation to a change application for a minor change to a development approval.

Division 3 Social impact assessment reports and community benefit agreements

51J Requirements for social impact assessment reports—Act, s 106W

(1) For section 106W(1)(b) of the Act, a social impact assessment report for a development application or change application must—

(a) be prepared in accordance with the process stated in the SIA guideline, including the process for assessing the social impact of the development requiring social impact assessment the subject of the application; and

(b) include the matters stated in the SIA guideline.

(2) In this section—

SIA guideline means the guideline made by the chief executive under section 106W(2) of the Act and dated July 2025.

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51K Public sector entities for community benefit agreements—Act, s 106Z

For section 106Z(2) of the Act, the department is prescribed.

Division 4 Notices given by chief executive

51L Procedures for giving notices—Act, s 106ZE

(1) For section 106ZE(4) of the Act, this section prescribes procedures for the giving of a notice under section 106ZE(1) of the Act in relation to a development application or change application.

(2) The applicant for the development application or change application may, by notice given to the chief executive, ask the chief executive to give the applicant a notice under section 106ZE(1) of the Act in relation to the application.

(3) After receiving the request, the chief executive may, by notice given to the applicant, ask the applicant for stated further information in relation to the request.

(4) After considering the request, the chief executive must, within the relevant period, give the applicant—

(a) a notice under section 106ZE(1) of the Act in accordance with the request; or

(b) notice that the chief executive has decided to refuse the request.

(5) In this section—

relevant period means—

(a) if the chief executive asks the applicant for further information under subsection (3)—30 business days after the day the chief executive receives the information; or

(b) otherwise—30 business days after the day the request under subsection (2) is received.

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51M Matters to be considered in making particular decisions—Act, s 106ZE

(1) For section 106ZE(4) of the Act, this section prescribes the matters the chief executive must or may consider in deciding, under section 106ZE(2) of the Act, whether it is appropriate in the circumstances for a development application or change application to be made without—

(a) a social impact assessment report; or

(b) a community benefit agreement.

(2) The chief executive must consider the following matters—

(a) the location, nature and scale of the development requiring social impact assessment the subject of the development application or change application;

(b) any assessment of the social impact carried out by the applicant;

(c) whether the applicant has engaged with the local government, and the community in the locality of the development, about the development application or change application, including the outcomes of the engagement;

(d) whether the applicant and a public sector entity have engaged in a mediation process in relation to the development application or change application, including the outcomes of the mediation process;

(e) whether the chief executive has previously given, or been asked to give, a notice under section 106ZE(1) of the Act in relation to the development application or change application.

(3) The chief executive may also consider any other matter the chief executive considers relevant.

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Part 6 Infrastructure

52 Adopted charges—Act, s 112

(1) For section 112(1) of the Act, schedule 16, column 2 states the prescribed amount for each adopted charge under chapter 4 of the Act and the SEQ Water Act for providing trunk infrastructure for the use stated in schedule 16, column 1.

(2) For section 112(3)(a) of the Act, the charges breakup as between Ipswich City Council and Queensland Urban Utilities is the proportion that applied to each of those entities under Ipswich City Council's adopted infrastructure charges resolution as in force at the commencement.

(3) For section 112(3)(b) of the Act—

(a) if development is a material change of use, reconfiguring a lot or building work and is for a use stated in schedule 16, column 1—a local government may have an adopted charge for trunk infrastructure for the development under chapter 4 of the Act; and

(b) if a connection under the SEQ Water Act is for a use stated in schedule 16, column 1—a distributor-retailer may have an adopted charge under that Act for trunk infrastructure for the connection.

53 Infrastructure guidelines—Act, ss 116 and 117

For sections 116(2) and 117(2) of the Act, the guidelines for the following matters are contained in the document called 'Minister's guidelines and rules', dated July 2024 and published on the department's website—

(a) parameters for the purpose of working out an offset or refund under chapter 4, part 2 of the Act;

(b) parameters for the criteria for deciding a conversion application.

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Part 7 Dispute resolution

54 Qualifications and experience for referees—Act, s 233

(1) For section 233(1)(a) of the Act, the appointer may appoint a person to be a referee if the appointer considers the person has demonstrated knowledge of at least 1 of the following that the appointer considers is sufficient to enable the person to perform the functions of a referee—

(a) building design and construction;

(b) infrastructure design and delivery;

(c) siting of residential buildings;

(d) neighbourhood amenity matters;

(e) relevant health or fire safety matters;

(f) the Act, the Building Act or the *Plumbing and Drainage Act 2018*;

(g) the Building Code, the Queensland Development Code or the Australian Standards relating to building work;

(h) the Plumbing Code, the Queensland Plumbing and Wastewater Code or the Australian Standards relating to plumbing or drainage work;

(i) engineering.

(2) In this section—

Plumbing Code means the parts of the National Construction Code that form the Plumbing Code of Australia (including the Queensland Appendix), published by the Australian Building Codes Board, as amended from time to time by amendments published by the board.

55 Tribunal chairperson—Act, s 237

For section 237(4)(a) of the Act, if a tribunal is to hear only a proceeding about an infrastructure charges notice or

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conversion application, the chairperson of the tribunal must be a lawyer.

56 Required fees for tribunal proceedings—Act, s 237

(1) For section 237(4)(b) of the Act, the required fees for tribunal proceedings are stated in schedule 17.

(2) A reference in schedule 17, item 6, 11 or 16 to an appeal about a decision under the *Plumbing and Drainage Act 2018* is taken to include a reference to an appeal about a decision under the repealed *Plumbing and Drainage Act 2002*, part 4 or 5.

(3) A reference in schedule 17, item 18 to an appeal about an enforcement notice given in relation to a matter relating to the *Plumbing and Drainage Act 2018* is taken to include a reference to an appeal about an enforcement notice given in relation to a matter relating to the repealed *Plumbing and Drainage Act 2002*.

Part 8 Urban encroachment

Division 1 Application for registration or renewal

58 Application and purpose of division

This division—

(a) applies to an application under section 267 of the Act to register, or renew the registration of, premises; and

(b) prescribes, for section 275 of the Act, matters for chapter 7, part 4 of the Act relating to the application.

59 Requirements for application for registration or renewal

(1) The application must include—

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(a) a map that shows—

(i) the area (the ***mapped area***) that the proposed registration, or renewed registration, is intended to relate to; and

(ii) a lot on plan description of the mapped area; and

(b) details of any intensification of development, or proposed development, within the mapped area that is encroaching, or is likely to encroach, on the premises; and

(c) a statement about the nature of development proposed for the mapped area under a local categorising instrument or regional plan applying to the area; and

(d) information about the significance of the activity carried out at the premises to the economy, heritage or infrastructure of the State, a region or the locality in which the mapped area is situated; and

(e) for an application to register premises—details of all public consultation carried out by, or for, the applicant about the proposed registration, including—

(i) a copy of the notice given under section 268C(2)(a)(i) of the Act; and

(ii) details of the period for which the consultation was carried out; and

(iii) copies of any submissions received from the owners and occupiers of premises within the mapped area; and

(f) details of any written complaints made to the applicant—

(i) within 1 year before the application is made; and

(ii) about emissions from the activity carried out at the premises; and

(g) details of any action taken by, or for, the applicant to mitigate emissions from the activity carried out at the premises; and

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(h) a report (the ***technical report***) prepared by an appropriately qualified person that shows the levels of emissions from the carrying out of the activity during normal operating hours for the premises; and

(i) if the activity is a prescribed ERA under the Environmental Protection Act—a copy of the environmental authority for carrying out the activity.

(2) The technical report must include a certification by the person who prepared the report about whether the levels of emissions from the carrying out of the activity comply with—

(a) any development approval for the premises; and

(b) any authority under the Environmental Protection Act applying to the activity.

61 Minister may request extra information

(1) This section applies if the Minister reasonably requires extra information or a document to decide the application.

(2) The Minister may, by notice, require the applicant to give the extra information or document to the Minister within the reasonable period of at least 30 business days stated in the notice.

(3) The notice must be given within 30 business days after the Minister receives the application.

(4) If the applicant does not comply with the requirement within the stated period, the applicant is taken to have withdrawn the application.

62 Assessing application for registration or renewal

(1) The Minister must assess the application against—

(a) whether the activity carried out on the premises is significant to the economy, heritage or infrastructure of the State, a region or the locality in which the mapped area is situated; and

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(b) whether the activity carried out on the premises is consistent with the nature of development proposed for the mapped area under a local categorising instrument and a regional plan applying to the mapped area.

(2) Also, if the application is an application to register premises, the Minister must assess the application having regard to the outcomes of the public consultation about the application.

63 Content of notices about registration or renewal

(1) This section applies if the Minister decides, under section 267 of the Act, to register premises or renew the registration of premises.

(2) The decision notice for the decision must—

(a) if the decision is to register the premises, or renew the registration, on conditions—state the conditions and the period within which the conditions must be complied with; and

(b) if the Minister decides a term of registration for the premises of more than 10 years—state the term of the registration.

(3) The notice given under section 267(12) of the Act must—

(a) include a map of the affected area; and

(b) state the period for which the registration has effect.

(4) The notice published by the owner of the premises under section 269(3)(a) or (4) of the Act must—

(a) state the name of, or describe, the registered premises; and

(b) include a description of the affected area; and

(c) state where a member of the public can get—

(i) a map showing the affected area; or

(ii) a copy of any conditions of the registration; or

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(iii) details of the types and levels of emissions from the carrying out of the activity for which the premises are registered; and

(d) state the effect of section 274 of the Act.

Division 2 Amending conditions of, or cancelling, registration

65 Notice of proposed amendment—Act, s 275

(1) This section applies if the Minister proposes, under section 268(1)(a) of the Act, to amend the conditions of the registration of premises.

(2) For section 275 of the Act, the Minister must give the owner of the premises a notice that states—

(a) that the Minister proposes to amend the conditions of the registration; and

(b) details of the proposed amendment, including the reasons for the amendment; and

(c) that the owner may, within a stated period of at least 14 business days after the notice is given, make representations to the Minister about the proposed amendment.

66 Notice of proposed cancellation—Act, s 275

(1) This section applies if the Minister proposes, under section 268(1)(b) of the Act, to cancel the registration of premises.

(2) For section 275 of the Act, the Minister must give the owner of the premises a notice that states—

(a) that the Minister proposes to cancel the registration; and

(b) the reasons for the proposed cancellation; and

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(c) that the owner may, within a stated period of at least 20 business days after the notice is given, make representations to the Minister about the proposed cancellation.

67 Requirements for notices about amending or cancelling registration—Act, s 275

(1) For section 275 of the Act, if the Minister decides, under section 268(1)(a) of the Act, to amend the conditions of the registration of premises, the decision notice given under section 268(2) of the Act must state—

(a) the conditions being amended, including details of the amendments; and

(b) the reasons for the decision; and

(c) the period within which the amended conditions must be complied with.

(2) For section 275 of the Act, if the Minister decides, under section 268(1)(b) of the Act, to cancel the registration of premises, the decision notice given under section 268(2) of the Act must—

(a) state the decision and the reasons for the decision; and

(b) include details of the registered premises; and

(c) include a map of the affected area.

(3) For section 275 of the Act, if the owner of registered premises gives a notice under section 268(4) of the Act cancelling the registration, the notice must include—

(a) details of the registered premises; and

(b) a map of the affected area.

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Division 2A Amending registration to include additional land in affected area

67A Application and purpose of division

This division—

(a) applies to an application under section 268A of the Act to amend the registration of registered premises to include additional land in the affected area for the premises; and

(b) prescribes, for section 275 of the Act, matters for chapter 7, part 4 of the Act relating to the application.

67B Requirements for application to amend registration to include additional land in affected area

(1) The application must include—

(a) a map that shows—

(i) the additional land proposed to be included in the affected area for the registered premises; and

(ii) a lot on plan description of the additional land; and

(b) details of any intensification of development, or proposed development, within the additional land that is encroaching, or is likely to encroach, on the registered premises; and

(c) a statement about the nature of development proposed for the additional land under a local categorising instrument or regional plan applying to the land; and

(d) details of all public consultation carried out by, or for, the applicant about the proposed amendment, including—

(i) a copy of the notice given under section 268C(2)(a)(ii) of the Act; and

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(ii) details of the period for which the consultation was carried out; and

(iii) copies of any submissions received from the owners and occupiers of premises within the additional land; and

(e) details of any written complaints made to the applicant—

(i) within 1 year before the application is made; and

(ii) about emissions from the activity carried out at the registered premises; and

(f) details of any action taken by, or for, the applicant to mitigate emissions from the activity carried out at the registered premises; and

(g) a report (the ***technical report***) prepared by an appropriately qualified person that shows the levels of emissions from the carrying out of the activity during normal operating hours for the registered premises; and

(h) if the activity is a prescribed ERA under the Environmental Protection Act—a copy of the environmental authority for carrying out the activity.

(2) The technical report must include a certification by the person who prepared the report about whether the levels of emissions from the carrying out of the activity comply with—

(a) any development approval for the registered premises; and

(b) any authority under the Environmental Protection Act applying to the activity.

67C Minister may request extra information

(1) This section applies if the Minister reasonably requires extra information or a document to decide the application.

(2) The Minister may, by notice, require the applicant to give the extra information or document to the Minister within the

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reasonable period of at least 30 business days stated in the notice.

(3) The notice must be given within 30 business days after the day the Minister receives the application.

(4) If the applicant does not comply with the requirement within the stated period, the applicant is taken to have withdrawn the application.

67D Assessing application to amend registration to include additional land

(1) The Minister must assess the application against whether the activity carried out on the registered premises is consistent with the nature of development proposed for the additional land under a local categorising instrument and a regional plan applying to the land.

(2) The Minister must assess the application having regard to the outcomes of the public consultation about the application.

67E Content of notices about amendment to include additional land

(1) This section applies if the Minister decides, under section 268A of the Act, to approve the amendment of the registration to include additional land in the affected area for the registered premises.

(2) If the decision is to approve the amendment of the registration on conditions, the decision notice for the decision must state the conditions and the period within which the conditions must be complied with.

(3) The notice given under section 268A(8) of the Act must include a map showing the affected area as changed by the inclusion of the additional land.

(4) The notice published by the owner of the premises under section 269A(2)(a) of the Act must—

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(a) state the name of, or describe, the registered premises; and

(b) include a description of the affected area as changed by the inclusion of additional land; and

(c) state where a member of the public can get a a map showing the affected area as changed by the inclusion of additional land; and

(d) state the effect of section 274 of the Act.

Division 2B Requirements for public consultation

67F Requirements for notices—Act, s 268C

For section 268C(3)(b) of the Act, a notice under section 268C(2) of the Act about a proposed application must—

(a) state the name, postal address, electronic address and phone number of the applicant; and

(b) state the name of, or describe, the premises or registered premises that the proposed application relates to; and

(c) for a proposed application under section 267(2) of the Act—describe the mapped area; and

(d) for a proposed application under section 268A of the Act—describe the additional land proposed to be included in the affected area for the registered premises; and

(e) state where copies of the proposed application may be inspected or purchased; and

(f) state the effect of section 274 of the Act.

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Division 3 Affected area development applications

68 Development applications that are not affected area development applications

(1) For schedule 2 of the Act, definition *affected area development application*, the following development applications are not affected area development applications—

(a) a development application for development relating to a class 1(a) building or class 1(b) building, if the development is on land other than undeveloped land;

(b) a development application for development relating to a class 10 building or structure.

(2) In this section—

undeveloped land means—

(a) land in its natural state; or

(b) land that is or was used for 1 or more of the following purposes and has not been developed for an urban purpose—

(i) agriculture;

(ii) animal husbandry;

(iii) apiculture;

(iv) aquaculture;

(v) dairy farming;

(vi) grazing;

(vii) horticulture;

(viii) viticulture; or

(c) land on which an abattoir or tannery is or was situated and that has not been developed for an urban purpose.

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Part 8A Temporary use licences

68A Applications for temporary use licences—Act, s 275H

For section 275H(2)(b) of the Act, an application for a temporary use licence must include—

(a) the applicant's name and contact details; and

(b) a description of the premises to which the application relates; and

(c) details of the relevant change the subject of the application; and

(d) the grounds for the relevant change.

68AA Applications to extend temporary use licences—Act, s 275LB

For section 275LB(2)(b) of the Act, the following matters are prescribed—

(a) the applicant's name and contact details;

(b) the period of the extension sought;

(c) the grounds for the extension.

68AB Applications to amend temporary use licences—Act, s 275LG

For section 275LG(2)(b) of the Act, the following matters are prescribed—

(a) the applicant's name and contact details;

(b) details of the amendment sought;

(c) the grounds for the amendment.

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Part 8B Economic support instruments

Division 1 Preliminary

68B Purpose of part

(1) The purpose of this part is to support the State's economic recovery from the impacts of the COVID-19 emergency.

(2) The purpose is achieved by enabling a local government to adopt an economic support instrument for its local government area.

(3) In this section—

COVID-19 emergency means the declared public health emergency under the *Public Health Act 2005*, section 319(2) for COVID-19 declared on 29 January 2020 as extended and further extended under that Act.

68C Definitions for part

In this part—

adoption notice see section 68E(1)(b).

economic support instrument see section 68D(1).

Division 2 Provisions in relation to economic support instruments

68D Local governments may adopt economic support instruments

(1) A local government may, by resolution, adopt an instrument that applies any of the following provisions for its local government area (an ***economic support instrument***)—

(a) division 3;

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(b) schedule 6, part 1, section 1A;

(c) schedule 6, part 2, section 7A or 7B.

(2) However, the local government may make the resolution only if satisfied adopting the economic support instrument may assist in achieving the purpose of this part.

68E Publication of economic support instruments

(1) As soon as practicable after a local government adopts an economic support instrument, the local government must publish on the local government's website—

(a) a copy of the economic support instrument; and

(b) a notice (an ***adoption notice***) that states—

(i) the day the local government adopted the economic support instrument; and

(ii) the day the economic support instrument was first published on the local government's website.

(2) However, a local government must not first publish an economic support instrument or adoption notice on the local government's website after 31 December 2023.

(3) A local government that publishes an economic support instrument and adoption notice under subsection (1) must—

(a) continue to publish the economic support instrument and adoption notice on the local government's website for the period the instrument is in effect; and

(b) give a copy of the economic support instrument and adoption notice to the chief executive as soon as practicable, but no later than 5 business days, after the day mentioned in subsection (1)(b)(ii).

68F Period of economic support instruments

An economic support instrument has effect for the period—

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(a) starting on the day stated in the adoption notice for the instrument under section 68E(1)(b)(ii); and

(b) ending on the earlier of the following days—

(i) the day a revocation of the instrument takes effect under section 68G(4);

(ii) 31 December 2023.

68G Revoking economic support instruments

(1) A local government may, by resolution, revoke an economic support instrument in effect for its local government area.

(2) As soon as practicable after the local government makes the resolution, the local government must publish notice of the revocation on the local government's website.

(3) The notice must state the day the notice was first published on the local government's website.

(4) The revocation takes effect on the day that is 5 business days after the day mentioned in subsection (3) or a later day stated in the notice.

(5) The local government must continue to publish the notice on the local government's website until 1 January 2024.

(6) The local government must give a copy of the notice to the chief executive as soon as practicable, but no later than 5 business days, after the day mentioned in subsection (3).

Division 3 Development that requires code assessment

68H Application of division

This division applies if an economic support instrument applying this division is in effect for a local government area.

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68I Particular development requires code assessment instead of impact assessment

(1) This section applies in relation to a material change of use of premises in the local government area if—

(a) under a local planning instrument applying to the premises—

(i) the material change of use is assessable development that requires impact assessment; and

(ii) the premises are included in a zone mentioned in table 1, column 1; and

(b) the proposed use of the premises is stated in table 1, column 2 opposite the zone applying to the premises; and

(c) the economic support instrument states that the proposed use is identified for the zone applying to the premises; and

(d) a properly made application for the material change of use is made during the period the economic support instrument is in effect.

(2) The category of assessment for the material change of use is code assessment.

(3) The code assessment for the material change of use must be carried out against the assessment benchmarks in a local planning instrument applying to the premises that are stated in the economic support instrument.

(4) In this section, a reference to a zone using a particular name is taken to be a reference to—

(a) the zone of that name stated in schedule 2; or

(b) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to the zone of that name stated in schedule 2.

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Table 1	
Column 1 Zone	**Column 2 Proposed use**
1 Neighbourhood centre zone or local centre zone	1 Food and drink outlet 2 Health care service 3 Office 4 Shop 5 Veterinary service
2 Centre zone, district centre zone, major centre zone or principal centre zone	1 Bar 2 Food and drink outlet 3 Garden centre 4 Health care service 5 Indoor sport and recreation 6 Market 7 Office 8 Service industry 9 Shop 10 Veterinary service
3 Mixed use zone	1 Bar 2 Food and drink outlet 3 Garden centre 4 Health care service 5 Home-based business 6 Indoor sport and recreation 7 Market 8 Office 9 Service industry 10 Shop 11 Veterinary service

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Table 1	
Column 1 Zone	**Column 2 Proposed use**
4 Industry zone, low impact industry zone or medium impact industry zone	1 Bulk landscape supplies 2 Car wash 3 Hardware and trade supplies 4 Low impact industry 5 Research and technology industry 6 Service industry 7 Transport depot 8 Veterinary service 9 Warehouse
5 Research and technology industry zone	1 Low impact industry 2 Research and technology industry
6 Rural zone	1 Agricultural supplies store 2 Intensive horticulture 3 Nature-based tourism 4 Rural industry 5 Wholesale nursery 6 Winery
7 Tourism zone, major tourism zone or minor tourism zone	1 Nature-based tourism 2 Sales office 3 Shop 4 Short-term accommodation 5 Tourist attraction 6 Tourist park

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Table 1	
Column 1 Zone	**Column 2 Proposed use**
8 Township zone	1 Agricultural supplies store 2 Bar 3 Garden centre 4 Hardware and trade supplies 5 Roadside stall 6 Transport depot 7 Veterinary service 8 Wholesale nursery 9 Winery
9 Waterfront and marine industry zone	1 Low impact industry 2 Marine industry 3 Warehouse

Part 9 Miscellaneous

69 Approving plans of subdivision—Act, s 284

For section 284(2)(b) of the Act, schedule 18 states the process for local governments to approve a plan of subdivision for reconfiguring a lot that, under an Act, requires local government approval (in whatever form) before the plan can be registered or otherwise recorded under that Act.

70 Public access to certain documents—Act, s 264

(1) For section 264(1) of the Act, schedule 22 prescribes—

(a) the documents the following persons must or may keep publicly available—

(i) a local government;

(ii) an assessment manager;

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(iii) a referral agency;

(iv) the chief executive; and

(b) whether the documents—

(i) must be kept available for inspection and purchase or for inspection only; and

(ii) must or may be published on the person's website; and

(c) if a document must or may be kept for a particular period only—the period during which the document must or may be kept.

(2) For section 264(6) of the Act, schedule 22 also prescribes the documents that section 264 of the Act does not apply to the extent the person required to make the document publicly available reasonably considers the document contains the information mentioned in section 264(6) of the Act.

(3) If schedule 22 requires a document to be kept, a certified copy of the document may be kept instead of the document.

71 Planning and development certificates—Act, s 265

For section 265(4) of the Act, schedule 23 prescribes the information that must be included in limited, standard and full planning and development certificates.

72 Priority infrastructure areas—Act, s 304

(1) For section 304(2) of the Act, the PIA for the local government area of a local government stated in the repealed SPRP (adopted charges), schedule 2, column 1 is the area shown as a PIA on a map stated opposite the local government in column 2 and published on the department's website.

(2) In this section—

repealed SPRP (adopted charges) means the State planning regulatory provision, made under the old Act, called 'State Planning Regulatory Provision (adopted charges) - July

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2012', as in force immediately before the old Act was repealed.

72A Rounding of amounts expressed as numbers of fee units

(1) This section applies for working out the amount of a fee or charge expressed in this regulation as a number of fee units.

(2) For the purpose of the *Acts Interpretation Act 1954*, section 48C(3), the amount is to be rounded to the nearest dollar (rounding one-half upwards).

Example—

If a fee were 3,500 fee units and the value of a fee unit were $1.015, the number of dollars obtained by multiplying 3,500 by $1.015 would be $3,552.50. Because $3,552.50 is halfway between $3,552 and $3,553, it is rounded upwards, so the amount of the fee would be $3,553.

Part 10 Transitional provisions

Division 1 Transitional provision for Nature Conservation and Other Legislation (Koala Protection) Amendment Regulation 2020

73 Existing development applications

This regulation, as in force from time to time before the commencement, continues to apply in relation to an application that was properly made, but not decided, before the commencement.

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Division 2 Transitional provision for Planning Amendment Regulation (No. 1) 2021

74 Continuation of existing economic support instruments

(1) This section applies in relation to an economic support instrument that—

(a) immediately before the commencement, was in effect for a local government's local government area; and

(b) stated that the instrument ends on 17 September 2021.

(2) On the commencement, the economic support instrument continues in effect for the local government's local government area until the earlier of the following days—

(a) the day a revocation of the instrument takes effect under section 68G(4);

(b) 17 September 2022.

(3) For the purposes of this section, a reference in the economic support instrument, or an adoption notice published in relation to the instrument, to 17 September 2021 is taken to be a reference to 17 September 2022.

(4) This section applies subject to section 75.

Division 3 Transitional provision for Planning (Economic Support Instruments) Amendment Regulation 2022

75 Further continuation of existing economic support instruments

(1) This section applies in relation to an economic support instrument that, immediately before the commencement, was in effect for a local government's local government area.

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(2) Section 68F, as amended by the *Planning (Economic Support Instruments) Amendment Regulation 2022*, applies in relation to the economic support instrument.

(3) A reference in the economic support instrument, or an adoption notice published in relation to the instrument, to the instrument ending on 17 September 2021 or 17 September 2022 is taken to be a reference to the instrument ending on 31 December 2023.

(4) This section applies despite section 74.

Division 4 Transitional provision for Planning and Other Legislation Amendment Regulation 2024

76 Reference to affordable housing in local planning instrument

(1) This section applies if, immediately before the commencement, a local planning instrument included the administrative term *affordable housing* stated in former schedule 4, column 1 (the ***term***).

(2) From the commencement—

(a) despite section 8, the local planning instrument may continue to include—

(i) the term; and

(ii) the definition of the term stated opposite the term in former schedule 4, column 2; and

(b) the term is taken to mean housing mentioned in section 43C(1)(a).

(3) Subsection (2) stops applying if the local planning instrument is amended—

(a) to include the administrative term *affordable housing component* stated in new schedule 4, column 1 and the

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definition of the term stated opposite the term in new schedule 4, column 2; or

(b) to omit the administrative term *affordable housing* stated in former schedule 4, column 1.

(4) In this section—

former, for a provision of this regulation, means the provision as in force immediately before the commencement.

new, for a provision of this regulation, means the provision as in force from the commencement.

Division 5 Transitional provisions for Planning Amendment Regulation 2025

77 Definitions for division

In this division—

build to rent housing use term means the use term *build to rent housing* stated in new schedule 3, column 1.

former, for a provision of this regulation, means the provision as in force immediately before the commencement.

new, for a provision of this regulation, means the provision as in force from the commencement.

78 Reference to build to rent administrative term in local planning instrument

(1) This section applies if, immediately before the commencement, a local planning instrument included the build to rent administrative term.

(2) From the commencement, the local planning instrument may continue to include—

(a) the build to rent administrative term; and

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(b) the definition of the term stated opposite the term in former schedule 4, column 2.

(3) Subsection (2) stops applying if the local planning instrument is amended—

(a) to include the build to rent housing use term and the definition of the term stated opposite the term in new schedule 3, column 2; or

(b) to omit the build to rent administrative term.

(4) This section applies despite section 8(2).

(5) In this section—

build to rent administrative term means the administrative term *build to rent* stated in former schedule 4, column 1.

79 Application of particular provisions

(1) Until the prescribed day for a local government area—

(a) the following provisions do not apply in relation to the local government area—

(i) new schedule 2;

(ii) the build to rent housing use term and the definition of the term stated opposite the term in new schedule 3, column 2;

(iii) new schedule 24, definition *build to rent housing*;

(iv) new schedule 24, definition *multiple dwelling*; and

(b) former schedule 2 and former schedule 24, definition *multiple dwelling* continue to apply in relation to the local government area; and

(c) this regulation applies in relation to the local government area as if a reference in a provision of the regulation, other than a provision in this division or mentioned in paragraph (a), to build to rent housing were a reference to a multiple dwelling as defined in former schedule 24, definition *multiple dwelling*.

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(2) In this section—

prescribed day, for a local government area, means the earlier of the following days—

(a) the day a local planning instrument for the area is amended to include the build to rent housing use term and the definition of the term stated opposite the term in new schedule 3, column 2;

(b) the day a local planning instrument is made for the area that includes the build to rent housing use term and the definition of the term stated opposite the term in new schedule 3, column 2;

(c) the day the planning scheme for the area, in force immediately before the commencement, is replaced.

Division 6 Transitional provision for Planning and Other Legislation Amendment Regulation 2026

80 Existing development applications

Schedule 1, as in force from time to time before the commencement, continues to apply in relation to a development application that was properly made, but not decided, before the commencement.

Division 8 Transitional provisions for Building and Other Legislation Amendment Regulation 2026

83 Definition for division

In this division—

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Queensland Housing Code means the document called the 'Queensland Housing Code' that is parts 1.1 and 1.2 of the Queensland Development Code.

84 Particular former provisions continue in force for local government planning schemes

(1) This section applies to a local government's planning scheme if the scheme—

(a) was in effect for a local government area immediately before the commencement; or

(b) is made after the commencement but before 1 September 2029.

(2) Former Schedule 9, part 3, division 2, table 3, items 1 and 4, continue in force for the local government's planning scheme until the earlier of the following days—

(a) if the scheme is amended to state how the Queensland Housing Code applies in relation to the scheme—the effective day for the amendment;

Note—

If paragraph (a) applies to a local government's planning scheme, the department in which the Building Regulation is administered will publish the effective day on that department's website.

(b) 1 September 2029.

(3) During the period that former schedule 9, part 3, division 2, table 3, item 1 continues in force under subsection (2)—

(a) the reference in item 1 to the Building Regulation, section 6, is taken to be a reference to the Building Regulation, section 6 as in force before the commencement; and

(b) the reference in item 1 to the Queensland Development Code is taken to be a reference to the Queensland Development Code as in force before the commencement.

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(4) In this section—

former, in relation to a provision of this regulation, means the provision as in force from time to time before the commencement.

85 Particular references to Building Regulation and Queensland Development Code

(1) This section applies to a local government's planning scheme if the scheme—

(a) was in effect for a local government area immediately before the commencement; or

(b) is made after the commencement but before 1 September 2029.

(2) For the local government planning scheme, a reference in schedule 12, section 3(g) to the Queensland Development Code is taken to be a reference to the Queensland Development Code as in force immediately before the commencement.

(3) This section applies to a local government's planning scheme until the earlier of the following days—

(a) if the scheme is amended to state how the Queensland Housing Code applies in relation to the scheme—the effective day for the amendment;

Note—

If paragraph (a) applies to a local government's planning scheme, the department in which the Building Regulation is administered will publish the effective day on that department's website.

(b) 1 September 2029.

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Division 9 Transitional provisions for Planning Amendment Regulation 2026

86 Particular existing development applications and change applications

(1) This section applies in relation to the following applications—

(a) a development application that was properly made, but not decided, before the commencement;

(b) a change application that was properly made, but not decided, before the commencement;

(c) a change application made after the commencement if the application is for a change to a development approval—

(i) given before the commencement; or

(ii) given after the commencement for an application mentioned in paragraph (a) or (b).

(2) This regulation applies in relation to the application as if the *Planning Amendment Regulation 2026*, sections 4 to 7 and 8(2) had not commenced.

(3) For this section, a change application is ***properly made*** if—

(a) the application complies with section 79(1) to (3) of the Act; or

(b) the responsible entity for the application accepts the application under section 79(4)(c) or (d) of the Act.

87 Existing development applications involving particular development

(1) This section also applies in relation to a development application that was properly made, but not decided, before the commencement to the extent the application involves development stated in—

(a) former schedule 10, part 9, division 1; or

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(b) former schedule 10, part 18.

(2) The following provisions continue to apply in relation to the development application—

(a) former schedule 10;

(b) former schedule 24.

(3) In this section—

former, in relation to a provision of this regulation, means the provision as in force from time to time before the commencement.

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Schedule 1 Regions

section 4

Column 1 Name of region	Column 2 Groups of local governments
SEQ region	Brisbane Gold Coast Ipswich Lockyer Valley Logan Moreton Bay Noosa Redland Scenic Rim Somerset Sunshine Coast the part of the local government area of Toowoomba Regional Council delineated in black on maps SEQ RP 1.16 and SEQ RP 1.21, dated December 2023 and published on the department's website
Far North Queensland region	Cairns Cassowary Coast Douglas Etheridge Mareeba Tablelands Wujal Wujal Yarrabah

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Column 1 Name of region	Column 2 Groups of local governments
North West region	Cloncurry Flinders McKinlay Mount Isa Richmond
Central West region	Barcaldine Barcoo Blackall Tambo Boulia Diamantina Longreach Winton
South West region	Bulloo Murweh Paroo Quilpie
Maranoa-Balonne region	Balonne Maranoa
Wide Bay Burnett region	Bundaberg Cherbourg Fraser Coast Gympie North Burnett South Burnett
Greater Whitsunday region	Isaac Mackay Whitsunday

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Column 1 Name of region	Column 2 Groups of local governments
Central Queensland region	Banana Central Highlands Gladstone Livingstone Rockhampton Woorabinda
Darling Downs region	Balonne Goondiwindi Maranoa Southern Downs Toowoomba Western Downs
Cape York region	Aurukun Cook Hope Vale Kowanyama Lockhart River Mapoon Napranum Northern Peninsula Area Pormpuraaw Weipa Town Authority Wujal Wujal
North Queensland region	Burdekin Charters Towers Hinchinbrook Palm Island Townsville

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Column 1 Name of region	Column 2 Groups of local governments
Gulf region	Burke Carpentaria Croydon Doomadgee Mornington

Schedule 2 Zones for local planning instruments

section 6

Column 1 Zone	Column 2 Purpose statement	Column 3 RGB colour
Residential zones		
General residential zone	The purpose of the general residential zone is to provide for— (a) residential uses; and (b) community uses, and small-scale services, facilities and infrastructure, to support local residents.	Red (255) Green (164) Blue (164)
Low density residential zone	The purpose of the low density residential zone is to provide for— (a) a variety of low density dwelling types; and (b) community uses, and small-scale services, facilities and infrastructure, to support local residents.	Red (255) Green (220) Blue (220)
Low-medium density residential zone	The purpose of the low-medium density residential zone is to provide for— (a) a variety of low to medium density dwelling types; and (b) community uses, and small-scale services, facilities and infrastructure, to support local residents.	Red (255) Green (164) Blue (164)
Medium density residential zone	The purpose of the medium density residential zone is to provide for— (a) medium density multiple dwellings; and (b) build to rent housing; and	Red (255) Green (101) Blue (101)

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Column 1 Zone	Column 2 Purpose statement	Column 3 RGB colour
	(c) community uses, and small-scale services, facilities and infrastructure, to support local residents.	
High density residential zone	The purpose of the high density residential zone is to provide for— (a) high density multiple dwellings; and (b) build to rent housing; and (c) community uses, and small-scale services, facilities and infrastructure, to support local residents.	Red (170) Green (0) Blue (0)
Character residential zone	The purpose of the character residential zone is to— (a) ensure the character of a residential area is protected or enhanced; and (b) provide for community uses, and small-scale services, facilities and infrastructure, to support local residents.	Red (255) Green (175) Blue (219)
Tourist accommodation zone	The purpose of the tourist accommodation zone is to provide for— (a) short-term accommodation; and (b) community uses, and small-scale services, facilities and infrastructure, to support short-term accommodation and tourist attractions.	Red (255) Green (75) Blue (39)
Centre zones		
Centre zone	The purpose of the centre zone is to provide for a variety of uses and activities to service all or part of the local government area, including, for example, administrative, business, community, cultural, entertainment, professional, residential or retail uses or activities.	Red (134) Green (166) Blue (255)

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Column 1 Zone	Column 2 Purpose statement	Column 3 RGB colour
Neighbourhood centre zone	The purpose of the neighbourhood centre zone is to provide for— (a) a small variety of uses and activities to service local residents; and (b) other small-scale uses and activities that directly support local residents, including, for example, community services, convenience shops or offices.	Red (200) Green (225) Blue (255)
Local centre zone	The purpose of the local centre zone is to provide for— (a) a limited variety of commercial, community and retail activities to service local residents; and (b) other uses and activities that integrate with, and enhance, the local centre, including, for example, entertainment, shopping or residential uses.	Red (134) Green (166) Blue (255)
District centre zone	The purpose of the district centre zone is to provide for a large variety of uses and activities to service a district of the local government area, including, for example, administrative, business, community, cultural, entertainment, professional, residential or retail uses or activities.	Red (112) Green (130) Blue (170)
Major centre zone	The purpose of the major centre zone is to provide for a large variety of uses and activities to service a part of the local government area, including, for example, administrative, business, community, cultural, entertainment, professional, residential or retail uses or activities.	Red (66) Green (107) Blue (255)
Principal centre zone	The purpose of the principal centre zone is to provide for a large variety of uses and activities (including, for example, administrative, business, community, cultural, entertainment, professional, residential or retail activities) to— (a) form the core of an urban area; and	Red (0) Green (50) Blue (255)

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Column 1 Zone	Column 2 Purpose statement	Column 3 RGB colour
	(b) service the local government area.	
Recreation zones		
Recreation and open space zone	The purpose of the recreation and open space zone is to provide for— (a) a variety of cultural, educational, leisure, recreation and sporting uses and activities, including, for example— (i) parks, playgrounds or playing fields for the use of residents and visitors; and (ii) parks, or other areas, for the conservation of natural areas; and (b) facilities and infrastructure to support the uses and activities stated in paragraph (a).	Red (175) Green (225) Blue (200)
Open space zone	The purpose of the open space zone is to provide for— (a) local, district and regional parks for the use of residents and visitors; and (b) facilities and infrastructure that support, and are required by, users of the parks.	Red (110) Green (175) Blue (75)
Sport and recreation zone	The purpose of the sport and recreation zone is to provide for— (a) a variety of cultural, educational, recreation and sporting uses and activities that require built infrastructure, including, for example, clubhouses, gymnasiums, swimming pools or tennis courts; and (b) facilities and infrastructure to support the uses and activities stated in paragraph (a).	Red (175) Green (225) Blue (200)
Environmental zones		

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Column 1 Zone	Column 2 Purpose statement	Column 3 RGB colour
Environmental management and conservation zone	The purpose of the environmental management and conservation zone is to provide for the protection and maintenance of areas that support 1 or more of the following— (a) biological diversity; (b) ecological integrity; (c) naturally occurring landforms; (d) coastal processes.	Red (50) Green (125) Blue (0)
Conservation zone	The purpose of the conservation zone is to provide for the management, protection and restoration of areas that support 1 or more of the following— (a) biological diversity; (b) ecological integrity; (c) naturally occurring landforms; (d) coastal processes.	Red (55) Green (145) Blue (130)
Environmental management zone	The purpose of the environmental management zone is to— (a) identify environmentally sensitive areas; and (b) provide for the protection of the environmentally sensitive areas from urban and industry activities, other than— (i) dwelling houses and other low-impact activities; and (ii) quarries, if the protection or promotion of the quarries is identified in the planning scheme as a strategic outcome for the local government area.	Red (50) Green (125) Blue (0)

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Column 1 Zone	Column 2 Purpose statement	Column 3 RGB colour
Industry zones		
Industry zone	The purpose of the industry zone is to provide for— (a) a variety of industry activities; and (b) other uses and activities that— (i) support industry activities; and (ii) do not compromise the future use of premises for industry activities.	Red (200) Green (143) Blue (200)
Low impact industry zone	The purpose of the low impact industry zone is to provide for— (a) service industry and low impact industry; and (b) other uses and activities that— (i) support industry activities; and (ii) do not compromise the future use of premises for industry activities.	Red (225) Green (200) Blue (225)
Medium impact industry zone	The purpose of the medium impact industry zone is to provide for— (a) medium impact industry; and (b) other uses and activities that— (i) support industry activities; and (ii) do not compromise the future use of premises for industry activities.	Red (200) Green (143) Blue (200)
High impact industry zone	The purpose of the high impact industry zone is to provide for— (a) high impact industry; and (b) other uses and activities that— (i) support industry activities; and	Red (175) Green (86) Blue (175)

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Column 1 Zone	Column 2 Purpose statement	Column 3 RGB colour
	(ii) do not compromise the future use of premises for industry activities.	
Special industry zone	The purpose of the special industry zone is to provide for— (a) special industry; and (b) other uses and activities that— (i) support industry activities; and (ii) do not compromise the future use of premises for industry activities.	Red (150) Green (30) Blue (150)
Research and technology industry zone	The purpose of the research and technology industry zone is to provide for— (a) research and technology industry; and (b) other uses and activities that— (i) support industry activities; and (ii) do not compromise the future use of premises for industry activities.	Red (140) Green (125) Blue (222)
Industry investigation zone	The purpose of the industry investigation zone is to identify and protect land that may be suitable for industry activities, subject to further planning and investigation.	Red (200) Green (175) Blue (225)
Waterfront and marine industry zone	The purpose of the waterfront and marine industry zone is to provide for— (a) marine industry; and (b) other uses and activities that— (i) need to be on or near water or a marine environment; or (ii) support industry activities and do not compromise the future use of premises for industry activities.	Red (85) Green (60) Blue (155)
Tourism zones		

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Column 1 Zone	Column 2 Purpose statement	Column 3 RGB colour
Tourism zone	The purpose of the tourism zone is to provide for tourist activities, facilities and places in coastal, environmental, rural and urban areas.	Red (179) Green (210) Blue (52)
Major tourism zone	The purpose of the major tourism zone is to provide for— (a) a variety of activities, facilities and places that— (i) are for or support tourism; and (ii) are large-scale and integrated; and (iii) are in coastal, environmental, rural or urban areas; and (b) permanent accommodation for employees, if required for the activities, facilities and places stated in paragraph (a) and appropriate for the area.	Red (179) Green (210) Blue (52)
Minor tourism zone	The purpose of the minor tourism zone is to provide for— (a) a variety of activities, facilities and places that— (i) are for or support tourism; and (ii) have less than 20 employees; and (iii) are in coastal, environmental, rural or urban areas; and (b) permanent accommodation for employees, if required for the activities, facilities and places stated in paragraph (a) and appropriate for the area.	Red (222) Green (231) Blue (135)
Other zones		

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Column 1 Zone	Column 2 Purpose statement	Column 3 RGB colour
Community facilities zone	The purpose of the community facilities zone is to provide for— (a) community-related uses, activities and facilities, whether publicly or privately owned, including, for example— (i) educational establishments; and (ii) hospitals; and (iii) transport and telecommunication networks; and (iv) utility installations; and (b) residential uses, if all of the dwellings for the residential use, other than caretaker's accommodation, are— (i) an affordable housing component; and (ii) either on land— (A) associated with a community activity comprised of a community care centre, a place of worship or a residential care facility; or (B) owned, controlled or managed by an entity that carries out a community activity comprised of a community care centre, a place of worship or a residential care facility.	Red (255) Green (255) Blue (100)
Emerging community zone	The purpose of the emerging community zone is to— (a) identify land that is intended for an urban purpose in the future; and (b) protect land that is identified for an urban purpose in the future from incompatible uses; and	Red (232) Green (190) Blue (175)

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Column 1 Zone	Column 2 Purpose statement	Column 3 RGB colour
	(c) provide for the timely conversion of non-urban land to land for urban purposes.	
Extractive industry zone	The purpose of the extractive industry zone is to provide for extractive industry.	Red (100) Green (50) Blue (0)
Innovation zone	The purpose of the innovation zone is to— (a) identify land suitable for new and emerging uses and activities to provide opportunities for innovation and creativity; and (b) facilitate new and emerging uses and activities that can not readily be provided for in other parts of the local government area; and (c) provide for uses and activities that promote knowledge creation and entrepreneurship in industry, research and development, science and technology.	Red (25) Green (205) Blue (255)
Limited development zone	The purpose of the limited development zone is to identify land that is significantly affected by 1 or more development constraints, including, for example, constraints relating to defence requirements, flooding, historical subdivisions, land contamination, past or future mining activities or topography.	Red (250) Green (175) Blue (50)
Mixed use zone	The purpose of the mixed use zone is to provide for a variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses or activities.	Red (255) Green (120) Blue (0)
Rural zone	The purpose of the rural zone is to— (a) provide for rural uses and activities; and (b) provide for other uses and activities that are compatible with—	Red (240) Green (250) Blue (230)

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Column 1 Zone	Column 2 Purpose statement	Column 3 RGB colour
	(i) existing and future rural uses and activities; and (ii) the character and environmental features of the zone; and (c) maintain the capacity of land for rural uses and activities by protecting and managing significant natural resources and processes.	
Rural residential zone	The purpose of the rural residential zone is to provide for residential uses and activities on large lots, including lots for which the local government has not provided infrastructure and services.	Red (160) Green (120) Blue (120)
Special purpose zone	The purpose of the special purpose zone is to— (a) provide for public facilities and infrastructure that are publicly or privately owned or operated; and (b) ensure that incompatible uses do not encroach on the public facilities and infrastructure.	Red (204) Green (204) Blue (0)
Specialised centre zone	The purpose of the specialised centre zone is to provide for 1 or more specialised uses including, for example, conference centres, entertainment centres, education and research facilities or university campuses.	Red (169) Green (169) Blue (169)
Township zone	The purpose of the township zone is to provide for— (a) small to medium urban areas in a rural or coastal area; and (b) a variety of uses and activities to service local residents, including, for example, business, community, education, industrial, open space, recreation, residential or retail uses or activities; and	Red (255) Green (225) Blue (175)

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Column 1 Zone	Column 2 Purpose statement	Column 3 RGB colour
	(c) tourist attractions and short-term accommodation, if appropriate for the area.	

Schedule 3 Use terms for local planning instruments

section 7

Column 1 Use term	Column 2 Definition
adult store	***adult store*** see the *Planning Regulation 2017*, schedule 24.
agricultural supplies store	***agricultural supplies store*** see the *Planning Regulation 2017*, schedule 24.
air service	***air service*** see the *Planning Regulation 2017*, schedule 24.
animal husbandry	***animal husbandry*** see the *Planning Regulation 2017*, schedule 24.
animal keeping	***animal keeping*** see the *Planning Regulation 2017*, schedule 24.
aquaculture	***aquaculture*** means the use of premises for cultivating, in a confined area, aquatic animals or plants for sale.
bar	***bar*** see the *Planning Regulation 2017*, schedule 24.
build to rent housing	***build to rent housing*** see the *Planning Regulation 2017*, schedule 24.
bulk landscape supplies	***bulk landscape supplies*** see the *Planning Regulation 2017*, schedule 24.
caretaker's accommodation	***caretaker's accommodation*** see the *Planning Regulation 2017*, schedule 24.
car wash	***car wash*** see the *Planning Regulation 2017*, schedule 24.
cemetery	***cemetery*** see the *Planning Regulation 2017*, schedule 24.
childcare centre	***childcare centre*** see the *Planning Regulation 2017*, schedule 24.
club	***club*** see the *Planning Regulation 2017*, schedule 24.

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Column 1 Use term	Column 2 Definition
community care centre	***community care centre*** see the *Planning Regulation 2017*, schedule 24.
community residence	***community residence*** see the *Planning Regulation 2017*, schedule 24.
community use	***community use*** see the *Planning Regulation 2017*, schedule 24.
crematorium	***crematorium*** see the *Planning Regulation 2017*, schedule 24.
cropping	***cropping*** see the *Planning Regulation 2017*, schedule 24.
detention facility	***detention facility*** see the *Planning Regulation 2017*, schedule 24.
dual occupancy	***dual occupancy*** see the *Planning Regulation 2017*, schedule 24.
dwelling house	***dwelling house*** see the *Planning Regulation 2017*, schedule 24.
dwelling unit	***dwelling unit*** see the *Planning Regulation 2017*, schedule 24.
educational establishment	***educational establishment*** see the *Planning Regulation 2017*, schedule 24.
emergency services	***emergency services*** see the *Planning Regulation 2017*, schedule 24.
environment facility	***environment facility*** see the *Planning Regulation 2017*, schedule 24.
extractive industry	***extractive industry*** see the *Planning Regulation 2017*, schedule 24.
food and drink outlet	***food and drink outlet*** see the *Planning Regulation 2017*, schedule 24.
function facility	***function facility*** see the *Planning Regulation 2017*, schedule 24.
funeral parlour	***funeral parlour*** see the *Planning Regulation 2017*, schedule 24.

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Column 1 Use term	Column 2 Definition
garden centre	***garden centre*** see the *Planning Regulation 2017*, schedule 24.
hardware and trade supplies	***hardware and trade supplies*** see the *Planning Regulation 2017*, schedule 24.
health care service	***health care service*** see the *Planning Regulation 2017*, schedule 24.
high impact industry	***high impact industry*** see the *Planning Regulation 2017*, schedule 24.
home-based business	***home-based business*** see the *Planning Regulation 2017*, schedule 24.
hospital	***hospital*** see the *Planning Regulation 2017*, schedule 24.
hotel	***hotel*** see the *Planning Regulation 2017*, schedule 24.
indoor sport and recreation	***indoor sport and recreation*** see the *Planning Regulation 2017*, schedule 24.
intensive animal industry	***intensive animal industry*** see the *Planning Regulation 2017*, schedule 24.
intensive horticulture	***intensive horticulture*** see the *Planning Regulation 2017*, schedule 24.
landing	***landing*** see the *Planning Regulation 2017*, schedule 24.
low impact industry	***low impact industry*** see the *Planning Regulation 2017*, schedule 24.
major electricity infrastructure	***major electricity infrastructure*** see the *Planning Regulation 2017*, schedule 24.
major sport, recreation and entertainment facility	***major sport, recreation and entertainment facility*** see the *Planning Regulation 2017*, schedule 24.
marine industry	***marine industry*** see the *Planning Regulation 2017*, schedule 24.
market	***market*** see the *Planning Regulation 2017*, schedule 24.
medium impact industry	***medium impact industry*** see the *Planning Regulation 2017*, schedule 24.

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Column 1 Use term	Column 2 Definition
motor sport facility	***motor sport facility*** see the *Planning Regulation 2017*, schedule 24.
multiple dwelling	***multiple dwelling*** see the *Planning Regulation 2017*, schedule 24.
nature-based tourism	***nature-based tourism*** see the *Planning Regulation 2017*, schedule 24.
nightclub entertainment facility	***nightclub entertainment facility*** see the *Planning Regulation 2017*, schedule 24.
office	***office*** see the *Planning Regulation 2017*, schedule 24.
outdoor sales	***outdoor sales*** see the *Planning Regulation 2017*, schedule 24.
outdoor sport and recreation	***outdoor sport and recreation*** see the *Planning Regulation 2017*, schedule 24.
outstation	***outstation*** means the use of premises for— (a) cultural or recreation activities by Aboriginal people or Torres Strait Islanders; or (b) facilities for short-term or long-term camping activities, if the use is ancillary to the use in paragraph (a).
park	***park*** see the *Planning Regulation 2017*, schedule 24.
parking station	***parking station*** see the *Planning Regulation 2017*, schedule 24.
party house	***party house*** see the *Planning Act 2016*, section 276(5).
permanent plantation	***permanent plantation*** see the *Planning Regulation 2017*, schedule 24.
place of worship	***place of worship*** see the *Planning Regulation 2017*, schedule 24.
port service	***port service*** see the *Planning Regulation 2017*, schedule 24.
relocatable home park	***relocatable home park*** see the *Planning Regulation 2017*, schedule 24.
renewable energy facility	***renewable energy facility*** see the *Planning Regulation 2017*, schedule 24.

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Column 1 Use term	Column 2 Definition
research and technology industry	***research and technology industry*** see the *Planning Regulation 2017*, schedule 24.
residential care facility	***residential care facility*** see the *Planning Regulation 2017*, schedule 24.
resort complex	***resort complex*** see the *Planning Regulation 2017*, schedule 24.
retirement facility	***retirement facility*** see the *Planning Regulation 2017*, schedule 24.
roadside stall	***roadside stall*** see the *Planning Regulation 2017*, schedule 24.
rooming accommodation	***rooming accommodation*** see the *Planning Regulation 2017*, schedule 24.
rural industry	***rural industry*** see the *Planning Regulation 2017*, schedule 24.
rural workers' accommodation	***rural workers' accommodation*** see the *Planning Regulation 2017*, schedule 24.
sales office	***sales office*** see the *Planning Regulation 2017*, schedule 24.
service industry	***service industry*** see the *Planning Regulation 2017*, schedule 24.
service station	***service station*** see the *Planning Regulation 2017*, schedule 24.
shop	***shop*** see the *Planning Regulation 2017*, schedule 24.
shopping centre	***shopping centre*** see the *Planning Regulation 2017*, schedule 24.
short-term accommodation	***short-term accommodation*** see the *Planning Regulation 2017*, schedule 24.
showroom	***showroom*** see the *Planning Regulation 2017*, schedule 24.
solar farm	***solar farm*** see the *Planning Regulation 2017*, schedule 24.
special industry	***special industry*** see the *Planning Regulation 2017*, schedule 24.

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Column 1 Use term	Column 2 Definition
substation	***substation*** see the *Planning Regulation 2017*, schedule 24.
telecommunications facility	***telecommunications facility*** see the *Planning Regulation 2017*, schedule 24.
theatre	***theatre*** see the *Planning Regulation 2017*, schedule 24.
tourist attraction	***tourist attraction*** see the *Planning Regulation 2017*, schedule 24.
tourist park	***tourist park*** see the *Planning Regulation 2017*, schedule 24.
transport depot	***transport depot*** see the *Planning Regulation 2017*, schedule 24.
utility installation	***utility installation*** see the *Planning Regulation 2017*, schedule 24.
veterinary service	***veterinary service*** see the *Planning Regulation 2017*, schedule 24.
warehouse	***warehouse*** see the *Planning Regulation 2017*, schedule 24.
wholesale nursery	***wholesale nursery*** see the *Planning Regulation 2017*, schedule 24.
winery	***winery*** see the *Planning Regulation 2017*, schedule 24.
workforce accommodation	***workforce accommodation*** see the *Planning Regulation 2017*, schedule 24.

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Schedule 4 Administrative terms for local planning instruments

section 8

Column 1 Administrative term	Column 2 Definition
adjoining premises	***adjoining premises*** see the *Planning Regulation 2017*, schedule 24.
advertising device	***advertising device*** see the *Planning Regulation 2017*, schedule 24.
affordable housing component	***affordable housing component*** see the *Planning Act 2016*, section 65A(3). *Note—* See also the *Planning Regulation 2017*, section 43C.
average width	***average width***, of a lot, means the distance, measured in metres, between the midpoint on each side boundary of the lot.
base date	***base date*** means the date from which the local government has estimated future infrastructure demand and costs for the local government area.
basement	***basement*** see the *Planning Regulation 2017*, schedule 24.
boundary clearance	***boundary clearance*** means the distance between a building or structure on premises and the boundary of the premises, measured from the part of the building or structure that is closest to the boundary, other than a part that is— (a) an architectural or ornamental attachment; or (b) a rainwater fitting.

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Column 1 Administrative term	Column 2 Definition
	Examples— 1 If the fascia of a building is the part of the building that is closest to the boundary, the boundary clearance is the distance between the outside of the fascia and the boundary. 2 If a point on the roof of a building is the part of the building that is closest to the boundary, the boundary clearance is the distance between that point on the roof and the boundary.
building height	***building height***, of a building, means— (a) the vertical distance, measured in metres, between the ground level of the building and the highest point on the roof of the building, other than a point that is part of an aerial, chimney, flagpole or load-bearing antenna; or (b) the number of storeys in the building above ground level.
demand unit	***demand unit*** means a unit of measurement for measuring the level of demand for infrastructure.
development footprint	***development footprint***, for development, means a part of the premises that the development relates to, including, for example, any part of the premises that, after the development is carried out, will be covered by— (a) buildings or structures, measured to their outermost projection; or (b) landscaping or open space; or (c) facilities relating to the development; or (d) on-site stormwater drainage or wastewater treatment; or (e) a car park, road, access track or area used for vehicle movement; or (f) another area of disturbance.
domestic outbuilding	***domestic outbuilding*** see the *Planning Regulation 2017*, schedule 24.

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Column 1 Administrative term	Column 2 Definition
dwelling	***dwelling*** see the *Planning Regulation 2017*, schedule 24.
gross floor area	***gross floor area***, for a building, see the *Planning Regulation 2017*, schedule 24.
ground level	***ground level*** see the *Planning Regulation 2017*, schedule 24.
household	***household*** see the *Planning Regulation 2017*, schedule 24.
minor building work	***minor building work*** see the *Planning Regulation 2017*, schedule 24.
minor electricity infrastructure	***minor electricity infrastructure*** means development stated in the *Planning Regulation 2017*, schedule 6, section 26(5).
net developable area	***net developable area***, for premises, means the area of the premises that— (a) is able to be developed; and (b) is not subject to a development constraint, including, for example, a constraint relating to acid sulfate soils, flooding or slope.
outermost projection	***outermost projection***, of a building or structure, means the outermost part of the building or structure, other than a part that is— (a) a retractable blind; or (b) a fixed screen; or (c) a rainwater fitting; or (d) an ornamental attachment.
planning assumption	***planning assumption*** means an assumption about the type, scale, location and timing of future growth in the local government area.
plot ratio	***plot ratio*** means the ratio of the gross floor area of a building on a site to the area of the site.

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Column 1 Administrative term	Column 2 Definition
projection area	***projection area*** means a part of the local government area for which the local government has carried out demand growth projection.
secondary dwelling	***secondary dwelling*** see the *Planning Regulation 2017*, schedule 24.
service catchment	***service catchment*** means an area serviced by an infrastructure network.
setback	***setback***, for a building or structure, means the shortest distance, measured horizontally, between the outermost projection of the building or structure to the vertical projection of the boundary of the lot where the building or structure is.
sex work business	***sex work business*** see the *Local Government Act 2009*, section 37A(3).
site	***site***, of development, means the land that the development is to be carried out on. *Examples—* 1 If development is to be carried out on part of a lot, the site of the development is that part of the lot. 2 If development is to be carried out on part of 1 lot and part of an adjoining lot, the site of the development is both of those parts.
site cover	***site cover***, of development, means the portion of the site, expressed as a percentage, that will be covered by a building or structure, measured to its outermost projection, after the development is carried out, other than a building or structure, or part of a building or structure, that is— (a) in a landscaped or open space area, including, for example, a gazebo or shade structure; or (b) a basement that is completely below ground level and used for car parking; or (c) the eaves of a building; or (d) a sun shade.

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Column 1 Administrative term	Column 2 Definition
storey	***storey*** see the *Planning Regulation 2017*, schedule 24.
temporary use	***temporary use*** see the *Planning Regulation 2017*, schedule 24.
ultimate development	***ultimate development***, for an area or premises, means the likely extent of development that is anticipated in the area, or on the premises, if the area or premises are fully developed.
water netserv plan	***water netserv plan*** means a plan adopted by an SEQ service provider, as defined under the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, under section 99BJ of that Act.

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Schedule 5 Infrastructure

section 13

Part 1 Infrastructure for transport

1 ancillary works and encroachments for a road

2 transport infrastructure, including transport infrastructure stated in schedule 2 of the Act, definition *development infrastructure*

3 wharves, public jetties, port facilities and navigational facilities

4 storage and works depots and similar facilities, including administrative facilities relating to the provision or maintenance of infrastructure stated in this part

5 any other facility for transport not stated in this part that is intended mainly to accommodate government functions

Part 2 Other infrastructure

1 cemeteries and crematoriums

2 communication network facilities

3 community and cultural facilities, including community centres, galleries, libraries and meeting halls

4 community residences

5 correctional facilities

6 educational facilities

7 electricity operating works

8 emergency services facilities

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9 facilities at which an education and care service under the Education and Care Services National Law (Queensland) is operated

10 facilities at which a QEC approved service under the *Education and Care Services Act 2013* is operated

11 facilities for parks and recreation

12 hospitals and health care services

13 housing that is provided as part of a program, funded by the State, for providing social or affordable housing

14 oil and gas pipelines

15 residential care facilities

16 social or affordable housing that is provided by a registered provider or a registered entity under the *Australian Charities and Not-for-profits Commission Act 2012* (Cwlth)

17 sporting facilities

18 waste management facilities

19 water cycle management infrastructure

20 storage and works depots and similar facilities, including administrative facilities relating to the provision or maintenance of infrastructure stated in this part

21 any other facility not stated in this part that is intended mainly to accommodate government functions

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Schedule 6 Development local categorising instrument is prohibited from stating is assessable development

section 16

Part 1 Building work

1 Building work for a wind farm

Building work for a wind farm.

1A Particular building work that increases gross floor area of an existing building

(1) Building work, other than minor building work, that increases the gross floor area of an existing building on premises if—

(a) an economic support instrument applying this section is in effect for the local government area in which the premises are located; and

(b) the building work is substantially started during the period the economic support instrument is in effect; and

(c) the building work increases the gross floor area of the existing building by no more than the lesser of the following—

(i) 100m^2;

(ii) 10% of the gross floor area of the existing building; and

(d) under a local planning instrument applying to the premises, the premises are included in a zone mentioned in table 1, column 1; and

(e) the building work is carried out in relation to the existing use of the premises; and

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(f) the existing use is stated in table 1, column 2 opposite the zone applying to the premises; and

(g) the economic support instrument states that the existing use is identified for the zone applying to the premises; and

(h) the building work does not involve operational works for vegetation clearing; and

(i) the building work is not carried out on, or on premises adjoining, a Queensland heritage place or local heritage place; and

(j) the building work complies with any assessment benchmarks in the local planning instrument about the distance a building or structure on the premises must be from a boundary that are stated in the economic support instrument; and

(k) the building work does not reduce the number of car parking spaces, or the total area of landscaping, on the premises; and

(l) no other building work to increase the gross floor area of the existing building, other than building work carried out under a development approval given before the economic support instrument took effect, has been carried out during the period the economic support instrument is in effect.

(2) In this section, a reference to a zone using a particular name is taken to be a reference to—

(a) the zone of that name stated in schedule 2; or

(b) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to the zone of that name stated in schedule 2.

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Table 1	
Column 1 Zone	**Column 2 Existing use**
1 Neighbourhood centre zone or local centre zone	1 Food and drink outlet 2 Health care service 3 Office 4 Shop 5 Veterinary service
2 Centre zone, district centre zone, major centre zone or principal centre zone	1 Bar 2 Food and drink outlet 3 Garden centre 4 Health care service 5 Indoor sport and recreation 6 Market 7 Office 8 Service industry 9 Shop 10 Veterinary service
3 Mixed use zone	1 Bar 2 Food and drink outlet 3 Garden centre 4 Health care service 5 Home-based business 6 Indoor sport and recreation 7 Market 8 Office 9 Service industry 10 Shop 11 Veterinary service

Table 1	
Column 1 Zone	**Column 2 Existing use**
4 Industry zone, low impact industry zone or medium impact industry zone	1 Bulk landscape supplies 2 Car wash 3 Hardware and trade supplies 4 Low impact industry 5 Research and technology industry 6 Service industry 7 Transport depot 8 Veterinary service 9 Warehouse
5 Research and technology industry zone	1 Low impact industry 2 Research and technology industry
6 Rural zone	1 Agricultural supplies store 2 Intensive horticulture 3 Nature-based tourism 4 Rural industry 5 Wholesale nursery 6 Winery
7 Tourism zone, major tourism zone or minor tourism zone	1 Nature-based tourism 2 Sales office 3 Shop 4 Tourist attraction 5 Tourist park
8 Township zone	1 Agricultural supplies store 2 Bar 3 Garden centre 4 Hardware and trade supplies 5 Roadside stall 6 Transport depot 7 Veterinary service 8 Wholesale nursery 9 Winery

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Table 1	
Column 1 Zone	**Column 2 Existing use**
9 Waterfront and marine industry zone	1 Low impact industry 2 Marine industry 3 Warehouse

Part 2 Material change of use

2 Material change of use for particular buildings or structures

(1) A material change of use of premises for a class 1 or 2 building, if the use is providing support services and temporary accommodation for persons escaping domestic violence.

(2) A material change of use of premises for a dwelling house, if—

(a) the material change of use is for a residential purpose in a residential zone other than a medium density residential zone or high density residential zone; and

(b) the material change of use does not involve a basement or an underground parking area; and

(c) 1 of the following applies—

(i) no relevant overlay applies to the premises;

(ii) only an overlay about bush fire hazards applies to the premises and the premises are less than 2,000m^2;

(iii) a relevant overlay applies to the premises and the application of the overlay does not result in the material change of use being categorised as assessable development.

(3) A material change of use of premises for a dual occupancy, if—

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(a) the use is for a residential purpose in a residential zone; and

(b) either—

(i) the material change of use involves repairing, renovating, altering or adding to the dual occupancy in a way that does not change the classification for the dual occupancy under the Building Code; or

(ii) if the dual occupancy is made up of 2 attached dwellings—the local government for the local government area where the premises are has, by resolution, decided to apply this subsection to the premises.

(4) In this section—

(a) a reference to a zone using a particular name is taken to be a reference to the zone of that name stated in schedule 2; and

(b) a reference to an overlay is a reference to the overlay as identified in the local categorising instrument and relevant to assessment of the material change of use.

2A Material change of use for rooming accommodation—development approval given before 3 December 2025

(1) A material change of use of premises for rooming accommodation, if—

(a) the accommodation is provided in a class 1 building; and

(b) the material change of use involves the carrying out of building work other than minor building work; and

(c) the building work—

(i) is carried out under a development permit given before 3 December 2025; or

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(ii) is consistent with a development approval in effect for the premises and given before 3 December 2025; and

(d) the use starts within 2 years after the day the building work is completed; and

(e) the premises are included in a general residential zone, low density residential zone or low-medium density residential zone under a local categorising instrument; and

(f) the material change of use does not result in a new vehicular access to a State-controlled road; and

(g) the premises—

(i) have no more than 5 bedrooms, including any bedroom used as part of a manager's residence; and

(ii) are occupied by no more than 5 persons; and

(h) either—

(i) no relevant overlay applies to the premises; or

(ii) a relevant overlay applies to the premises and the application of the overlay does not result in the material change of use being categorised as assessable development; and

(i) the material change of use does not involve a basement or an underground parking area; and

(j) the premises are not on a local heritage register under the *Queensland Heritage Act 1992*; and

(k) the material change of use provides landscaping between a building that is on the premises and the front boundary of the premises, excluding any driveway or pedestrian access.

(2) In this section—

(a) a reference to a zone using a particular name is taken to be a reference to the zone of that name stated in schedule 2; and

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(b) a reference to an overlay is a reference to the overlay as identified in the local categorising instrument and relevant to assessment of the material change of use.

(3) In this section—

landscaping means any combination of trees, grass, plants, garden beds and paving.

2B Other material change of use for rooming accommodation

(1) A material change of use of premises for rooming accommodation, if—

(a) the accommodation is provided in a class 1 building; and

(b) the material change of use—

(i) does not involve the carrying out of building work; or

(ii) involves the carrying out of minor building work only; and

(c) the premises are included in a general residential zone, low density residential zone or low-medium density residential zone under a local categorising instrument; and

(d) the material change of use does not result in a new vehicular access to a State-controlled road; and

(e) the premises—

(i) have no more than 5 bedrooms, including any bedroom used as part of a manager's residence; and

(ii) are occupied by no more than 5 persons; and

(f) either—

(i) no overlay about bush fire hazards, coastal hazards, flood hazards or landslide hazards applies to the premises; or

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(ii) an overlay about bush fire hazards, coastal hazards, flood hazards or landslide hazards applies to the premises and the application of the overlay does not result in the material change of use being categorised as assessable development.

(2) A material change of use of premises for rooming accommodation, if—

(a) the accommodation is provided in a class 1 building; and

(b) the material change of use involves the carrying out of building work other than minor building work; and

(c) the premises are included in a general residential zone, low density residential zone or low-medium density residential zone under a local categorising instrument; and

(d) the material change of use does not result in a new vehicular access to a State-controlled road; and

(e) the premises—

(i) have no more than 5 bedrooms, including any bedroom used as part of a manager's residence; and

(ii) are occupied by no more than 5 persons; and

(f) either—

(i) no relevant overlay applies to the premises; or

(ii) a relevant overlay applies to the premises and the application of the overlay does not result in the material change of use being categorised as assessable development; and

(g) the material change of use does not involve a basement or an underground parking area; and

(h) the premises are not on a local heritage register under the *Queensland Heritage Act 1992*; and

(i) the material change of use provides landscaping between a building that is on the premises and the front

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boundary of the premises, excluding any driveway or pedestrian access; and

(j) the area of the landscaping mentioned in paragraph (i) is—

(i) for premises with a frontage of less than 15m—at least 30m^2; or

(ii) otherwise—at least 40m^2.

(3) In this section—

(a) a reference to a zone using a particular name is taken to be a reference to the zone of that name stated in schedule 2; and

(b) a reference to an overlay is a reference to the overlay as identified in the local categorising instrument and relevant to assessment of the material change of use.

(4) In this section—

landscaping means any combination of trees, grass, plants and garden beds.

Note—

See also section 16(2).

3 Material change of use for particular cropping

A material change of use of premises for cropping that involves forestry for wood production, if—

(a) the premises are in a rural zone; and

(b) the material change of use complies with schedule 13.

4 Material change of use for emergency accommodation

(1) A material change of use of premises if—

(a) the use is the provision of emergency accommodation, on a temporary basis, for persons affected by the impact of an event; and

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(b) the accommodation is provided by, or on behalf of, the State or a local government; and

(c) no part of the premises is in any of the following areas under a State planning instrument or local instrument—

(i) a flood hazard area;

(ii) a bushfire hazard area;

(iii) a landslide hazard area.

(2) In this section—

event see the *Disaster Management Act 2003*, section 16.

5 Material change of use for off-road motorcycling facility

(1) A material change of use of premises for an off-road motorcycling facility on off-road motorcycling facility land, if the material change of use complies with the following requirements—

(a) the material change of use protects the environmental values of the premises;

(b) the use does not result in contamination of, or interfere with water flows into, any surface water or groundwater;

(c) any camping facility on the premises—

(i) is designed to ensure the safe movement of pedestrians and vehicles; and

(ii) is on a part of the premises that allows for the future expansion of the camping facility; and

(iii) is managed to ensure that the number of persons using the camping facility at any 1 time is appropriate having regard to the capacity of the facility; and

(iv) provides adequate toilet, shower, water and wastewater facilities to service users of the camping facility;

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(d) vegetation buffers with a width of at least 20m are established on the premises to provide a visual screen between riding trails, other than motocross tracks, and relevant neighbouring premises;

(e) vegetation buffers under paragraph (d) use only vegetation species that are endemic to the surrounding area;

(f) outdoor lighting on the premises does not adversely impact on the amenity of relevant neighbouring premises;

(g) before the use starts on the premises, the following documents are prepared—

(i) an acoustic assessment report;

(ii) a road and traffic assessment report;

(iii) an erosion and sediment control plan;

(h) all circuits, tracks, trails and noise-generating activities on the premises are at a distance of at least the buffer distance, stated in the acoustic assessment report, from a relevant noise sensitive place;

(i) the noise levels generated by the use during operating hours do not exceed 45dBA (L_{Aeq}) at a relevant noise sensitive place, measured at a point on the noise sensitive place that is outdoors and closest, in a direct line, to the off-road motorcycling facility land;

(j) any measures identified in the road and traffic assessment report for addressing impacts on traffic are implemented;

(k) on-site parking is provided in accordance with the road and traffic assessment report;

(l) service vehicles can access the parts of the premises used for off-road motorcycling, camping or spectator facilities;

(m) the premises provide access for emergency vehicles or helicopters;

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(n) any measures identified in the erosion and sediment control plan for minimising erosion and sediment run-off impacts on the premises are implemented;

(o) an irrigation system and water supply is provided for motocross tracks on the premises to prevent dust being generated.

(2) In this section—

acoustic assessment report means a report—

(a) prepared by an appropriately qualified person; and

(b) stating measures, including buffer distances, for ensuring noise levels generated by the use do not exceed 45dBA (L_{Aeq}) at a relevant noise sensitive place.

erosion and sediment control plan means a plan—

(a) prepared by an appropriately qualified person; and

(b) stating measures to be implemented, including measures relating to the design and location of buildings and structures, to minimise erosion and sediment run-off impacts of the use.

relevant neighbouring premises means premises that—

(a) share a common boundary with off-road motorcycling facility land; and

(b) either—

(i) contain a dwelling built before 15 October 2010; or

(ii) are the subject of an effective development approval for development relating to a dwelling given before 15 October 2010.

relevant noise sensitive place means a noise sensitive place that—

(a) was built before 15 October 2010; or

(b) is the subject of an effective development approval given before 15 October 2010.

road and traffic assessment report means a report—

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(a) prepared by a person registered as a registered professional engineer under the *Professional Engineers Act 2002*; and

(b) stating details of—

(i) the impact of the use on traffic and measures for addressing the impacts; and

(ii) proposed on-site vehicle parking and vehicular access to and from the premises.

6 Material change of use for community residence—development approval given before 29 November 2025

(1) A material change of use of premises for a community residence, if—

(a) the material change of use involves the carrying out of building work; and

(b) the building work—

(i) is carried out under a development permit given before 29 November 2025; or

(ii) is consistent with a development approval in effect for the premises and given before 29 November 2025; and

(c) the use starts within 2 years after the day the building work is completed; and

(d) the premises are included in a prescribed zone under a local categorising instrument; and

(e) no more than 7 support workers attend the residence in a 24-hour period; and

(f) at least 2 car parks are provided on the premises for use by residents and visitors; and

(g) at least 1 of the car parks stated in paragraph (f) is suitable for persons with disabilities; and

(h) at least 1 car park is provided on the premises for use by support workers.

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(2) In this section—

prescribed zone means—

(a) any of the following zones stated in schedule 2—

(i) general residential zone, low density residential zone, low-medium density residential zone, medium density residential zone, high density residential zone, character residential zone or tourist accommodation zone;

(ii) centre zone, neighbourhood centre zone, local centre zone, district centre zone, major centre zone or principal centre zone;

(iii) community facilities zone;

(iv) environmental management and conservation zone;

(v) rural zone;

(vi) rural residential zone; or

(b) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone mentioned in paragraph (a).

6A Other material change of use for community residence

(1) A material change of use of premises for a community residence, if—

(a) the premises are included in a prescribed zone under a local categorising instrument; and

(b) the premises have no more than 7 bedrooms, including any bedroom used by a support worker; and

(c) either—

(i) no relevant overlay applies to the premises; or

(ii) a relevant overlay applies to the premises and the application of the overlay does not result in the material change of use being categorised as assessable development; and

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(d) each building on the premises has a building height of not more than 2 storeys; and

(e) no more than 7 support workers attend the residence in a 24-hour period; and

(f) at least 2 car parks are provided on the premises for use by residents and visitors; and

(g) at least 1 of the car parks stated in paragraph (f) is suitable for persons with disabilities; and

(h) at least 1 car park is provided on the premises for use by support workers; and

(i) for a community residence that is a class 2 or 3 building—

(i) the site cover of the development is not more than 70% of the site; and

(ii) the building has a setback of at least—

(A) 6m from the front boundary of the premises; and

(B) 4m from the rear boundary of the premises; and

(C) 1.5m from each side boundary of the premises.

(2) In this section, a reference to an overlay is a reference to the overlay as identified in the local categorising instrument and relevant to assessment of the material change of use.

(3) In this section—

building height, of a building, means the number of storeys in the building above ground level.

outermost projection, of a building, means the outermost part of the building, other than a part that is—

(a) a retractable blind; or

(b) a fixed screen; or

(c) a rainwater fitting; or

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(d) an ornamental attachment.

prescribed zone means—

(a) any of the following zones stated in schedule 2—

(i) general residential zone, low density residential zone, low-medium density residential zone, medium density residential zone, high density residential zone, character residential zone or tourist accommodation zone;

(ii) centre zone, neighbourhood centre zone, local centre zone, district centre zone, major centre zone or principal centre zone;

(iii) community facilities zone; or

(b) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone mentioned in paragraph (a).

setback, for a building, means the shortest distance, measured horizontally, between the outermost projection of the building to the vertical projection of the boundary of the lot where the building is.

site, of development, means the land that the development is to be carried out on.

Examples—

1 If the development is to be carried out on part of a lot, the site of development is that part of the lot.

2 If development is to be carried out on part of 1 lot and part of an adjoining lot, the site of the development is both of those parts.

site cover, of development, means the portion of the site, expressed as a percentage, that will be covered by a building, measured to its outermost projection, after the development is carried out, other than a building, or part of a building, that is—

(a) in a landscaped or open space area, including, for example, a gazebo or shade structure; or

(b) a basement that is completely below ground level and used for car parking; or

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(c) the eaves of a building; or

(d) a sun shade.

6B Material change of use for battery storage facility

A material change of use of premises for a battery storage facility.

6C Material change of use for particular solar farms

A material change of use of premises for a solar farm that has a maximum instantaneous electricity output of 1MW or more.

7 Material change of use for wind farm

A material change of use of premises for a wind farm.

7AA Material change of use for particular home-based business

(1) A material change of use of premises for a home-based business if—

(a) no more than 1 person works on the premises in the home-based business at a time; and

(b) no more than 1 visitor attends the home-based business on the premises at a time; and

(c) the material change of use complies with any accepted development criteria for the material change of use.

(2) For subsection (1), the ***accepted development criteria*** for the material change of use are—

(a) the criteria stated in a local planning instrument applying to the premises that the material change of use must comply with in order to be categorised as accepted development under the instrument; or

(b) if the local planning instrument does not state criteria mentioned in paragraph (a)—the assessment benchmarks—

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(i) stated in a local government's categorising instrument applying to the premises; and

(ii) described in the instrument as acceptable outcomes for the material change of use.

7A Particular material change of use involving an existing building

(1) A material change of use of premises if—

(a) an economic support instrument applying this section is in effect for the local government area in which the premises are located; and

(b) the material change of use is carried out during the period the economic support instrument is in effect; and

(c) under a local planning instrument applying to the premises, the premises are included in a zone mentioned in table 1, column 1; and

(d) the proposed use of the premises is stated in table 1, column 2 opposite the zone applying to the premises; and

(e) the economic support instrument states that the proposed use is identified for the zone applying to the premises; and

(f) the material change of use does not involve the use of a building other than an existing building; and

(g) the material change of use—

(i) does not involve the carrying out of building work; or

(ii) involves the carrying out of minor building work only; and

(h) the material change of use does not reduce the number of car parking spaces, or the total area of landscaping, on the premises; and

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(i) for a proposed use other than a declared use for the premises, the proposed use complies with the following—

(i) if the proposed use is a shop to which the *Trading (Allowable Hours) Act 1990* applies—the requirements under that Act about trading hours for the shop;

(ii) if subparagraph (i) does not apply—any assessment benchmarks in a local planning instrument applying to the premises about operating hours for the proposed use that are stated in the economic support instrument;

(iii) if the premises are included in the neighbourhood centre zone or local centre zone under a local planning instrument applying to the premises—any assessment benchmarks in a local planning instrument applying to the premises about heavy vehicle traffic connected with the proposed use that are stated in the economic support instrument.

(2) In this section, a reference to a zone using a particular name is taken to be a reference to—

(a) the zone of that name stated in schedule 2; or

(b) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to the zone of that name stated in schedule 2.

(3) In this section—

declared use, for premises, means a use, or use of a class, declared for an applicable event under a declaration under section 275O of the Act that is in effect for the area in which the premises are located.

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Table 1	
Column 1 Zone	**Column 2 Proposed use**
1 Neighbourhood centre zone or local centre zone	1 Food and drink outlet 2 Health care service 3 Office 4 Shop 5 Veterinary service
2 Centre zone, district centre zone, major centre zone or principal centre zone	1 Bar 2 Food and drink outlet 3 Garden centre 4 Health care service 5 Indoor sport and recreation 6 Market 7 Office 8 Service industry 9 Shop 10 Veterinary service
3 Mixed use zone	1 Bar 2 Food and drink outlet 3 Garden centre 4 Health care service 5 Home-based business 6 Indoor sport and recreation 7 Market 8 Office 9 Shop 10 Showroom 11 Veterinary service

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Table 1	
Column 1 Zone	**Column 2 Proposed use**
4 Industry zone, low impact industry zone or medium impact industry zone	1 Bulk landscape supplies 2 Car wash 3 Hardware and trade supplies 4 Low impact industry 5 Research and technology industry 6 Service industry 7 Transport depot 8 Veterinary service 9 Warehouse
5 Research and technology industry zone	1 Low impact industry 2 Research and technology industry
6 Rural zone	1 Agricultural supplies store 2 Rural industry 3 Wholesale nursery 4 Winery
7 Tourism zone, major tourism zone or minor tourism zone	1 Nature-based tourism 2 Sales office 3 Shop 4 Tourist attraction
8 Township zone	1 Garden centre 2 Hardware and trade supplies 3 Roadside stall 4 Veterinary service 5 Wholesale nursery 6 Winery
9 Waterfront and marine industry zone	1 Low impact industry 2 Marine industry 3 Warehouse

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7B Material change of use for home-based business in particular zones

(1) A material change of use of premises if—

(a) an economic support instrument applying this section is in effect for the local government area in which the premises are located; and

(b) the material change of use is carried out during the period the economic support instrument is in effect; and

(c) under a local planning instrument applying to the premises, the premises are included in a zone mentioned in table 1, column 1; and

(d) the proposed use of the premises is stated in table 1, column 2 opposite the zone applying to the premises; and

(e) the economic support instrument states that the proposed use is identified for the zone applying to the premises; and

(f) the material change of use does not involve an industry activity; and

(g) the proposed use complies with the acoustic quality objectives under the *Environmental Protection (Noise) Policy 2019* during operating hours for the use.

(2) In this section, a reference to a zone using a particular name is taken to be a reference to—

(a) the zone of that name stated in schedule 2; or

(b) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to the zone of that name stated in schedule 2.

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Table 1	
Column 1 Zone	**Column 2 Proposed use**
1 General residential zone, low density residential zone, low-medium density residential zone, medium density residential zone, high density residential zone, character residential zone or tourist accommodation zone	1 Home-based business
2 Township zone	1 Home-based business

7C Material change of use for rural workers' accommodation

A material change of use of premises for rural workers' accommodation, if—

(a) the premises are in a rural zone; and

(b) the area of the premises is at least 25ha; and

(c) the material change of use does not result in the accommodation, or a driveway or footpath to the accommodation, being located in any of the following areas under a State planning instrument or local instrument—

(i) a flood hazard area;

(ii) a bushfire hazard area;

(iii) a landslide hazard area; and

(d) the material change of use does not result in accommodation with a total capacity to accommodate more than 20 employees of a rural use across the following premises—

(i) the premises on which the material change of use is carried out;

(ii) the premises on which the rural use is carried out;

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(iii) adjoining premises to premises mentioned in subparagraph (i) or (ii) if the premises are owned by the same person; and

(e) the material change of use does not involve a new vehicular access to a road or changes to an existing vehicular access to a road.

Note—

See also section 16(3).

7D Material change of use for particular dwelling houses

(1) A material change of use of premises for a dwelling house if—

(a) the premises are in—

(i) a community facilities zone stated in schedule 2; or

(ii) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone stated in subparagraph (i); and

(b) the material change of use involves an existing dwelling, including, for example, a presbytery or caretaker's accommodation, on the premises; and

(c) the material change of use—

(i) does not involve the carrying out of building work; or

(ii) involves the carrying out of minor building work only; and

(d) either—

(i) none of the following overlays apply to the premises—

(A) an overlay about bush fire hazards, coastal hazards, flood hazards or landslide hazards;

(B) an overlay about safety hazards arising from historic mining activities, including, for

example, mining subsidence and mining contamination;

(C) an overlay about development of a local heritage place; or

(ii) an overlay mentioned in subparagraph (i) applies to the premises and the application of the overlay does not result in the material change of use being categorised as assessable development.

(2) In this section a reference to an overlay is a reference to the overlay as identified in the local categorising instrument and relevant to assessment of the material change of use.

Part 3 Operational work

8 Operational work by or for public sector entity

Operational work or plumbing or drainage work (including maintenance and repair work), if the work—

(a) is carried out by or for a public sector entity authorised under a State law to carry out the work; and

(b) is not development stated in section 26 of this schedule.

9 Operational work for ancillary works and encroachments for a road

Operational work for ancillary works and encroachments for a road—

(a) carried out in accordance with a notice made under the Transport Infrastructure Act, section 50(4); or

(b) done as required by a written arrangement entered into with the chief executive (transport) mentioned in the Transport Infrastructure Act, section 50(2)(c).

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10 Operational work for substitute railway crossing

Operational work for the construction of a substitute railway crossing by a railway manager under the Transport Infrastructure Act, section 169.

11 Operational work performed by railway manager

Operational work performed by a railway manager under the Transport Infrastructure Act, section 260.

12 Operational work under rail feasibility investigator's authority

Operational work carried out under a rail feasibility investigator's authority given under the Transport Infrastructure Act, section 112.

13 Operational work under Coastal Act

Operational work that is digging or boring into land by an authorised person under the Coastal Act, section 134.

14 Operational work for navigational aid or sign

Operational work for—

(a) an aid to navigation; or

(b) a sign for maritime navigation.

15 Operational work for subscriber connection

(1) Operational work for a subscriber connection.

(2) In this section—

subscriber connection means an installation that is only for connecting a building, structure, caravan or mobile home to a line that forms part of a telecommunications network.

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16 Operational work for agriculture

Operational work relating to—

(a) management practices for the conduct of an agricultural use, other than—

(i) the clearing of native vegetation; or

(ii) operations of any kind and all things constructed or installed for taking or interfering with water under the Water Act, other than using a water truck to pump water; or

(b) weed or pest control, unless the work involves the clearing of native vegetation; or

(c) the use of fire under the *Fire Services Act 1990*; or

(d) the conservation or restoration of natural environment as defined under the Environmental Protection Act, schedule 4; or

(e) the use of premises for a forest practice.

17 Operational work for removing quarry material

Operational work for removing quarry material from—

(a) a State forest, timber reserve, forest entitlement area, or Crown land, as defined under the Forestry Act; or

(b) a forest consent area, as defined under the Forestry Act, if the quarry material is reserved to the State in a deed of grant under the Land Act.

18 Operational work for the removal, destruction or damage of a marine plant

Operational work that is the removal, destruction or damage of a marine plant.

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19 Operational work for harvesting trees for wood production

Operational work that is, or is necessary for, harvesting trees for wood production on premises in a rural zone, if the development complies with schedule 13.

20 Operational work on off-road motorcycling facility land

Operational work that is filling or excavating, or for a dam or earth bank, if—

(a) the work is carried out on off-road motorcycling facility land; and

(b) the work relates to an off-road motorcycling facility; and

Examples of work relating to an off-road motorcycling facility—

- work carried out for the construction of the facility
- work relating to the operation of the facility, including the construction or maintenance of fire breaks, recreational trails, roads, tracks, viewing mounds or water storage facilities

(c) the work does not—

(i) increase the risk of flooding on the premises or other premises; or

(ii) result in contamination of, or interfere with water flows into, any surface water or groundwater; and

(d) the work involves measures, identified in an erosion and sediment control plan under section 5(1)(g)(iii), for minimising erosion and sediment run-off impacts on the premises caused by the work; and

(e) land on which filling or excavating is carried out is stabilised after the work is completed.

20A Operational work for necessary firebreaks or fire management lines

Operational work that is clearing native vegetation if—

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(a) the clearing is necessary for—

(i) establishing or maintaining a necessary firebreak to protect infrastructure, other than a fence, road or vehicular track, and the maximum width of the firebreak is equal to 1.5 times the height of the tallest vegetation next to the infrastructure, or 20m, whichever is the wider; or

(ii) establishing a necessary fire management line, and the maximum width of the clearing for the fire management line is 10m; and

(b) the clearing—

(i) is on freehold land; or

(ii) is on indigenous land; or

(iii) is on land leased under the *Land Act 1994* for agriculture or grazing purposes; or

(iv) is on land leased under the *Land Act 1994*, other than for agriculture or grazing purposes, and is consistent with the purpose of the lease; or

(v) is on trust land under the *Land Act 1994*, other than indigenous land, is carried out, or allowed to be carried out, by the trustee and is consistent with achieving the purpose of the trust; or

(vi) is on unallocated State land and is carried out, or allowed to be carried out, by the chief executive of the department in which the *Land Act 1994* is administered; or

(vii) is on land that is subject to a licence or permit under the *Land Act 1994* and is carried out by the licensee or permittee.

20B Operational work relating to prescribed water storage infrastructure

Operational work that is constructing or raising waterway barrier works that form, or will form, part of prescribed water storage infrastructure.

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20C Operational work relating to pumped hydro energy storage

Operational work that is constructing or raising waterway barrier works on premises if—

(a) the premises are used for pumped hydro energy storage; and

(b) the waterway barrier works form, or will form, part of other infrastructure on the premises.

Part 4 Reconfiguring a lot

21 Particular reconfigurations

(1) Reconfiguring a lot other than a lot as defined under the Land Title Act.

(2) Reconfiguring a lot as defined under the Land Title Act, if the reconfiguration—

(a) requires a building format plan of subdivision under the Land Title Act and the plan does not subdivide land on or below the surface of the land; or

(b) is for the amalgamation of 2 or more lots; or

(c) is for the incorporation, under the *Body Corporate and Community Management Act 1997*, section 41, of a lot with common property for a community titles scheme; or

(d) is for the conversion, under the *Body Corporate and Community Management Act 1997*, section 43, of lessee common property within the meaning of that Act to a lot in a community titles scheme; or

(e) relates to the acquisition of land, including by agreement, under the Acquisition Act, by a constructing authority or an authorised electricity entity, for a purpose for which land may be taken under that Act; or

(f) relates to the acquisition of land by agreement, other than under the Acquisition Act, by a constructing

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authority or an authorised electricity entity for a purpose for which land may be taken under that Act; or

(g) is for land that—

(i) is held by the State, or a statutory body representing the State; and

(ii) is being reconfigured for a purpose for which land may be taken under the Acquisition Act, whether or not the land relates to an acquisition; or

(h) relates to the acquisition of land for water infrastructure; or

(i) is for reconfiguring a lot that is, or includes, strategic port land; or

(j) is for the Transport Infrastructure Act, section 240; or

(k) is for implementing the *Aboriginal and Torres Strait Islander Land Holding Act 2013*; or

(l) is under an instrument of lease and the lessee is an authorised electricity entity; or

(m) is under a relevant instrument of lease.

(3) In this section—

relevant instrument of lease means an instrument of lease for a grant of a residential lease over a part of a lot that—

(a) was previously subject to a social housing lease; and

(b) is the same part of the lot that was subject to—

(i) a partial surrender of the social housing lease; or

(ii) if the part of the lot is the last remaining part of the social housing lease—a whole surrender of the lease.

residential lease means a lease for residential use—

(a) given under the *Aboriginal Land Act 1991* to an Aboriginal person; or

(b) given under the *Torres Strait Islander Land Act 1991* to a Torres Strait Islander.

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social housing lease means a lease granted to the State under the *Aboriginal Land Act 1991* or the *Torres Strait Islander Land Act 1991* for the purpose of providing subsidised housing for residential use.

Part 5 Other development

22 Development for a mining or petroleum activity

(1) Development for an activity authorised under—

(a) the *Mineral Resources Act 1989*, including an activity for the purpose of 1 or more of the following Acts—

(i) the *Alcan Queensland Pty. Limited Agreement Act 1965*;

(ii) the *Central Queensland Coal Associates Agreement Act 1968*;

(iii) the *Commonwealth Aluminium Corporation Pty. Limited Agreement Act 1957*;

(iv) the *Mount Isa Mines Limited Agreement Act 1985*;

(v) the *Queensland Nickel Agreement Act 1970*;

(vi) the *Thiess Peabody Coal Pty. Ltd. Agreement Act 1962*; or

(b) the *Offshore Minerals Act 1998*; or

(c) the *Petroleum Act 1923* or the Petroleum and Gas Act, other than an activity relating to building and operating an oil refinery; or

(d) the *Petroleum (Submerged Lands) Act 1982*.

(2) Development for a mining activity, as defined under the Environmental Protection Act, section 110, that an environmental authority applies to.

(3) Development for a petroleum activity as defined under the Environmental Protection Act, section 111.

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23 Development for geothermal exploration

Development for geothermal exploration carried out under a geothermal exploration permit under the *Geothermal Energy Act 2010*.

24 Development for GHG storage activities

Development for a GHG storage activity carried out under a GHG authority under the *Greenhouse Gas Storage Act 2009*.

25 Development directed under a State law

Development that a person is directed to carry out under a notice, order or direction made under a State law.

26 Development for infrastructure activities

(1) Development for ancillary works and encroachments for a road carried out by or for the State.

(2) Development for the construction of the following infrastructure, if the infrastructure is government supported transport infrastructure—

(a) an aid to navigation;

(b) a public marine facility;

(c) road transport infrastructure;

(d) transport infrastructure.

(3) Development that is the use of, or for the maintenance, repair or upgrading of—

(a) an aid to navigation; or

(b) a public marine facility; or

(c) road transport infrastructure; or

(d) transport infrastructure.

(4) Development that—

(a) is adjacent to—

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(i) an aid to navigation; or

(ii) a public marine facility; or

(iii) road transport infrastructure; or

(iv) transport infrastructure; and

(b) is ancillary to the use, maintenance, repair or upgrading of the infrastructure.

Examples for paragraph (b)—

excavating, crushing, screening, cutting, filling, preparing construction material (including concrete), storing materials, removing vegetation, building dams, fences, site offices and worker accommodation

(5) Development for a supply network or for private electricity works that form an extension of, or provide service connections to, properties from the network, if the network operates at standard voltages up to and including 66kV, other than development for—

(a) a new zone substation or bulk supply substation; or

(b) the augmentation of a zone substation or bulk supply substation that significantly increases the input or output standard voltage.

(6) Development for a battery storage facility if—

(a) the facility is for a pad mounted battery storage device only and the total area of the premises covered by the facility is no more than $15m^2$; or

(b) the facility is for a pole mounted battery storage device only and the total volume of the device is no more than $2m^3$.

(7) In this section—

upgrading, of infrastructure, means carrying out work that is reasonably required to ensure the efficient and safe operation of the infrastructure.

Examples—

- building a dedicated left-turning lane on a road to reduce the risk of collision between vehicles turning left and vehicles traveling straight ahead

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- replacing a roundabout with traffic signals to improve the flow of traffic
- widening a road to create a verge so that vehicles can pull over safely

27 Development under South Bank Corporation Act 1989

Development within the meaning of the *South Bank Corporation Act 1989*, but only until the development completion date under that Act.

28 Development that is PDA-related development

Development that is PDA-related development.

29 Development for a connection under SEQ Water Act

Development for a connection under the SEQ Water Act, chapter 4C or any work for the connection.

30 Development for public housing

(1) Development for public housing that the chief executive (housing) considers is substantially inconsistent with a relevant local instrument, if—

(a) the chief executive (housing) does all of the following things before the development starts—

(i) gives the local government information, including plans or specifications, about the proposed development;

(ii) publishes a notice about the proposed development in a newspaper circulating generally in the locality of the premises;

(iii) gives notice of the proposed development to the owner of all adjoining premises;

(iv) places a notice about the proposed development on the premises; and

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(b) the notices under paragraph (a)(ii), (iii) and (iv)—

(i) are in the form approved by the chief executive (housing); and

(ii) state where information about the proposed development may be inspected and purchased; and

(iii) state the period (the ***consultation period***) within which a submission may be made, which must be at least 15 business days after the day paragraph (a) is complied with; and

(iv) state that submissions about the proposed development may be made to the chief executive (housing) during the consultation period; and

(c) the notice under paragraph (a)(iv) is displayed on the premises for all of the consultation period; and

(d) information about the proposed development, including plans and specifications, is available for all of the consultation period—

(i) for viewing or downloading, free of charge, from the housing department's website; and

(ii) for inspection, free of charge, and purchase at the housing department's office, and any other place the chief executive (housing) approves, during business hours; and

(e) the chief executive (housing) considers any properly made submissions when deciding whether or not to carry out the development.

(2) Development for public housing that the chief executive (housing) is satisfied is not substantially inconsistent with a relevant local instrument, if, before the development starts, the chief executive (housing) gives the local government information, including plans or specifications, about the proposed development.

(3) In this section—

business day does not include a day between 20 December of a year and 5 January of the next year.

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owner, of adjoining premises, means—

(a) if the adjoining premises are subject to the *Integrated Resort Development Act 1987* or the *Sanctuary Cove Resort Act 1985*—the primary thoroughfare body corporate; or

(b) if the adjoining premises are subject to the *Mixed Use Development Act 1993*—the community body corporate; or

(c) subject to paragraphs (a) and (b), if the adjoining premises are subject to the *Building Units and Group Titles Act 1980*—the body corporate; or

(d) if the adjoining premises are, under the *Body Corporate and Community Management Act 1997*, scheme land for a community titles scheme—

  (i) the body corporate for the scheme; or

  (ii) if the adjoining premises are scheme land for more than 1 community titles scheme—the body corporate for the community titles scheme that is a principal scheme; or

(e) if there is a time share scheme, as defined under the Local Government Act, for a structure on the adjoining premises—the person notified to the local government concerned as the person responsible for the administration of the scheme as between the participants in the scheme; or

(f) if the adjoining premises are land being bought from the State for an estate in fee simple under the Land Act—the buyer; or

(g) if the adjoining premises are land granted in trust or reserved and set apart and placed under the control of trustees under the Land Act—the trustees of the land; or

(h) if paragraphs (a) to (g) do not apply—the person who is entitled to receive rent for the premises or who would be entitled to receive rent for the premises if the premises were rented to a tenant.

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relevant local instrument means a local instrument applying to the premises that the development is to be carried out on.

Note—

See also the *Housing Act 2003*, sections 94G and 94H.

31 Development for detention centre on lot 395 on SP118987

Development for a detention centre under the *Youth Justice Act 1992* on lot 395 on SP118987, if the development—

(a) results in an increase in capacity of the centre to accommodate not more than 16 detainees; and

(b) results in any building or structure being at least the same distance from the road frontage of the lot as the nearest existing building or structure; and

(c) does not reduce the number of existing car parks at the centre; and

(d) complies with assessment benchmarks stated in the State Planning Policy relevant to the development, to the extent the matters relate to—

(i) liveable communities; and

(ii) mining and extractive resources; and

(iii) natural hazards, risk and resilience; and

(iv) strategic airports and aviation facilities; and

(v) water quality.

32 Development for detention centre on lot 409 on SP257441

(1) Development for a detention centre under the *Youth Justice Act 1992* in the area (the ***development area***) shown on the detention centre map, if the development—

(a) results in a detention centre with capacity to accommodate not more than 32 detainees; and

(b) results in any new building or covered outdoor area being at least 6m from each boundary of the development area; and

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(c) results in any new building or covered outdoor area having a height of not more than the higher of the following—

(i) the tallest building located on lot 395 on SP118987;

(ii) 15m; and

(d) complies with AS 2560.1:2018 Sports lighting Part 1: General principles for any outdoor lighting; and

(e) results in any car park being located within—

(i) the development area; or

(ii) lot 395 on SP118987; and

(f) complies with assessment benchmarks stated in the State Planning Policy relevant to the development, to the extent the matters relate to—

(i) liveable communities; and

(ii) mining and extractive resources; and

(iii) natural hazards, risk and resilience; and

(iv) strategic airports and aviation facilities; and

(v) water quality.

(2) In this section—

detention centre map means the map called 'development area map' dated 3 June 2019 and published on the website of the department within which the *Youth Justice Act 1992* is administered.

33 Particular development for accommodating employees of rural uses for rural workers' initiative

(1) Development that is building work or operational work if—

(a) the development is carried out on nominated premises; and

(b) the development is for accommodating employees of a rural use for the rural workers' initiative; and

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(c) for building work—the building work—

(i) complies with the relevant provisions for the building work; and

(ii) is stated in a nomination notice for the premises; and

(iii) does not involve the construction of a new building for sleeping accommodation.

(2) A material change of use of premises if—

(a) the premises are nominated premises; and

(b) the use is accommodating employees of a rural use for the rural workers' initiative; and

(c) for a material change of use that involves building work—the building work is stated in a nomination notice for the premises and is complete.

(3) In this section—

initiative document means the document called 'Queensland Rural Workers' Accommodation Initiative', dated 28 November 2025 and published on the department's website.

nominated premises means premises identified in schedule 1 of the initiative document.

nomination notice, for premises, means a notice given by the Minister to the local government for the local government area in which the premises are located, the owner of the premises and any occupier of the premises stating—

(a) the premises are nominated premises; and

(b) any building work required to be carried out before the premises can be used for accommodating employees of a rural use for the rural workers' initiative.

relevant provisions, for building work, see the Building Act, section 21(5).

rural workers' initiative means the initiative in effect until 16 December 2026 described in Part A of the initiative document.

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Note—

See also section 16(4).

35 Development for temporary detention centre

Development for a temporary detention centre under the *Youth Justice Act 1992*.

36 Development for particular infrastructure under Corrective Services Act 2006

Development for infrastructure mentioned in the *Corrective Services Act 2006*, section 267A(1) on the following lots—

(a) lot 2 on SP257634;

(b) lot 57 on SP277218;

(c) lots 74 to 78 on Crown Plan E124236;

(d) lot 145 on Crown Plan LN2427.

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Schedule 7 Accepted development

section 18

Part 1 Building work

1 Building work declared under Building Act

Building work declared under the Building Act, section 21 to be accepted development.

2 Building work by or for the State or a public sector entity

(1) Building work, other than building work mentioned in section 1, carried out by or for the State or a public sector entity, to the extent the building work complies with the relevant provisions for the building work.

(2) In this section—

relevant provisions, for building work, see the Building Act, section 21(5).

Part 2 Material change of use

3 Material change of use for aquaculture

A material change of use for aquaculture, if requirements for the material change of use are prescribed under the Fisheries Act, section 32 and the material change of use complies with the requirements.

4 Material change of use in a State forest

A material change of use in a State forest or timber reserve under the Forestry Act, if the material change of use is for 1 or more of the following—

(a) conservation;

(b) planting trees, or managing, felling and removing standing trees, in a plantation or native forest;

(c) grazing;

(d) recreation.

Part 3 Operational work

5 Operational work for taking or interfering with water

(1) Operational work, other than PDA-related development, that involves taking or interfering with water in a watercourse, lake or spring, if—

(a) the taking or interfering is allowed under the Water Act, chapter 2, part 3, division 1; or

(b) the work involves the replacement of a pump and the capacity of the new pump to take water is no more than the capacity of the existing pump; or

(c) the work involves the installation of a pump to take water under a water entitlement that—

(i) is managed under a resource operations licence, an interim resource operations licence or a distribution operations licence under the Water Act; or

(ii) states the rate at which water may be taken; or

(d) the interfering is allowed under a water licence under the Water Act and the work complies with the conditions of the licence; or

(e) the taking or interfering involves using a water truck to pump water.

(2) Operational work, other than PDA-related development, that—

(a) involves 1 or more of the following—

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(i) taking or interfering with water in a watercourse, lake or spring, other than as stated in subsection (1);

(ii) taking or interfering with underground water through a subartesian bore;

(iii) taking overland flow water; and

(b) is—

(i) prescribed as not assessable development under the Water Act, section 39(f); or

(ii) particular operational work that complies with the requirements prescribed under the Water Act, section 1014(2)(f).

(3) Operational work, other than PDA-related development, that—

(a) involves taking or interfering with underground water in part of an underground water area; and

(b) is prescribed as accepted development for the part under the Water Act, section 1046(2)(b).

Note—

See also the Water Act, section 1046(3).

(4) In this section—

water entitlement see the Water Act, schedule 4.

6 Operational work for waterway barrier works

Operational work for constructing or raising waterway barrier works, if requirements for the work are prescribed under the Fisheries Act, section 32 and the work complies with the requirements.

6A Operational work relating to prescribed water storage infrastructure

Operational work to which schedule 6, section 20B applies.

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6B Operational work relating to pumped hydro energy storage

Operational work to which schedule 6, section 20C applies.

7 Operational work in a declared fish habitat area

Operational work completely or partly within a declared fish habitat area, if requirements for the work are prescribed under the Fisheries Act, section 32 and the work complies with the requirements.

8 Operational work impacting on marine plants

Operational work that is the removal, destruction or damage of a marine plant, if requirements for the work are prescribed under the Fisheries Act, section 32 and the work complies with the requirements.

9 Operational work in wetland protection areas

Operational work in a wetland protection area that—

(a) is high impact earthworks; and

(b) is carried out for electricity operating works or government supported transport infrastructure; and

(c) complies with schedule 14.

10 Operational work for tidal works or work within a coastal management district

Operational work that—

(a) is either of the following—

(i) tidal works;

(ii) work carried out completely or partly in a coastal management district that involves interfering with quarry material, as defined under the Coastal Act, on State coastal land above high-water mark; and

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(b) complies with the requirements for the work prescribed under the Coastal Act, section 167(5)(b).

Note—

See the Coastal Regulation, section 14.

11 Operational work relating to levees

(1) Operational work that is the following, if the work complies with the requirements for the work stated in the Water Regulation, section 101A—

(a) the construction of a new category 1 levee;

(b) the modification of an existing levee if, after the modification, the levee will fulfil the requirements for a category 1 levee.

(2) In this section—

category 1 levee see the Water Regulation, section 101(2).

12 Operational work for clearing native vegetation

Operational work that is clearing native vegetation to which an accepted development vegetation clearing code applies if the work complies with the code.

13 Operational work for necessary firebreaks or fire management lines

Operational work in relation to which schedule 6, part 3, section 20A applies.

Part 4 Other development

14 Particular development for accommodating employees of rural uses for rural workers' initiative

Development in relation to which schedule 6, section 33 applies.

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Note—

See also section 18(2).

15 Development for particular infrastructure under Corrective Services Act 2006

Development to which schedule 6, section 36 applies.

16 Particular development for battery storage facility

Development to which schedule 6, section 26(6) applies.

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Schedule 7A Temporary accepted development

section 20C

1 Material change of use for relocatable classrooms at State schools

(1) A material change of use of premises if—

(a) a State school is located on the premises; and

(b) the material change of use involves a relocatable classroom, and any connecting infrastructure for the classroom, only; and

(c) the material change of use—

(i) does not reduce the number of existing car parking spaces, or the area of a passenger pick up or set down zone for cars or buses, on the premises; and

(ii) does not result in changes to an existing vehicular access to a State-controlled road; and

(d) for a material change of use that involves the construction of a building—

(i) the building height of the building is not more than 9.5m or 2 storeys; and

(ii) the building is located the greater of the following distances from a common boundary with adjoining premises used for a residential purpose—

(A) 3m;

(B) a distance that is equivalent to half of the building height of the building; and

(e) the material change of use does not result in a relocatable classroom or connecting infrastructure in any of the following areas under a State planning instrument or local instrument—

(i) a bushfire hazard area;

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(ii) a flood hazard area;

(iii) a landslide hazard area; and

(f) the chief executive (education), or a person engaged by the chief executive (education) to carry out works for the material change of use, gives a notice, at least 10 business days before the works start, about the material change of use to—

(i) the occupier of any adjoining premises; and

(ii) the local government of the local government area in which the premises are located.

(2) In this section—

building height, of a building, means—

(a) the vertical distance, measured in metres, between the ground level of the building and the highest point on the roof of the building, other than a point that is part of an aerial, chimney, flagpole or load-bearing antenna; or

(b) the number of storeys in the building above ground level.

chief executive (education) means the chief executive of the department in which the *Education (General Provisions) Act 2006* is administered.

connecting infrastructure, for a relocatable classroom, means infrastructure required to connect existing infrastructure on the premises to any of the following—

(a) the classroom;

(b) infrastructure necessary for the classroom;

(c) infrastructure necessary to access the classroom.

Examples of connecting infrastructure—

roads, paths, lighting, sewers, drains

State school means a school established under the *Education (General Provisions) Act 2006*, section 13.

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Schedule 8 Assessment manager for development applications

section 21

Table 1	
Column 1 **Development application type**	**Column 2** **Assessment manager**
Brisbane core port land	
1 If the development application is for— (a) a material change of use of premises that is— (i) completely or partly on Brisbane core port land; and (ii) categorised as assessable development under the Brisbane port LUP; or (b) operational work that is— (i) completely on Brisbane core port land; and (ii) categorised as assessable development under the Brisbane port LUP; or (c) reconfiguring a lot that is— (i) completely or partly on Brisbane core port land; and (ii) assessable development under the Transport Infrastructure Act, chapter 8, part 3C	The chief executive
Building work assessable against building assessment provisions	
2 If the development application is for building work only and— (a) all or part of the building work must be assessed against the building assessment provisions; and (b) a private certifier (class A) is, under the Building Act, section 48, performing functions for the application	The private certifier

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Table 1A	
Column 1 **Development application type**	**Column 2** **Assessment manager**
Particular building work assessable against a local instrument	
1 If the development application is for building work or part of building work and— (a) the building work or part must be assessed against a local instrument; and (b) the matters in the local instrument that the building work or part must be assessed against include matters other than— (i) the building assessment provisions; and (ii) the matters mentioned in schedule 9, part 3, division 2; and (c) the building work or part is completely in a single local government area; and (d) the development application is not a development application mentioned in table 1, item 1	The local government
2 If the development application is for building work or part of building work and— (a) the building work or part must be assessed against a local instrument; and (b) the building work or part requires impact assessment; and (c) the building work or part is completely in a single local government area; and (d) the development application is not a development application mentioned in table 1, item 1	The local government

Table 2	
Column 1 **Development application type**	**Column 2** **Assessment manager**
Other development in a single local government area or tidal area	

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Table 2	
Column 1 **Development application type**	**Column 2** **Assessment manager**
1 If table 1 does not apply and the development application is for— (a) building work that is completely in a single local government area and— (i) all or part of the building work must be assessed against the building assessment provisions; and (ii) the local government is receiving, assessing and deciding the application under the *Building Act 1975*, section 51; or (b) development, other than building work, completely in a single local government area and any of the following apply— (i) any part of the development is assessable development under a local categorising instrument or schedule 10, part 15 or 16; (ii) any part of the development is assessable development under schedule 10, part 13, division 4 and no part of the development is on a port authority's strategic port land; (iii) any part of the development is a material change of use of premises for a solar farm, other than a relevant solar farm, that is assessable development under schedule 10, part 16AA; (iv) the development is reconfiguring a lot, other than a lot that is, or includes, airport land; (v) the development is operational works relating to reconfiguring a lot; or (c) prescribed tidal works completely in the tidal area for a single local government area; or (d) prescribed tidal works— (i) partly in the tidal area for a single local government area; and	The local government

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Table 2	
Column 1 Development application type	**Column 2 Assessment manager**
(ii) not in the tidal area for another local government area or a port authority's strategic port land; or (e) prescribed tidal works— (i) starting in the tidal area for a local government area; and (ii) extending into the tidal area for another local government area; and (iii) not in the tidal area for a port authority's strategic port land; or (f) operational work that is constructing an artificial waterway in a single local government area, if the work— (i) is carried out completely or partly in a coastal management district; and (ii) relates to reconfiguring a lot	

Table 3	
Column 1 Development application type	**Column 2 Assessment manager**
Strategic port land and strategic port land tidal areas	
1 If tables 1 and 2 do not apply and the development application is for— (a) development completely on a single port authority's strategic port land; or (b) tidal works completely in the tidal area for a single port authority's strategic port land; or (c) tidal works— (i) partly in the tidal area for a single port authority's strategic port land; and	The port authority

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Table 3	
Column 1 **Development application type**	**Column 2** **Assessment manager**
(ii) not in the tidal area for a local government area or another port authority's strategic port land	
Airport land	
2 If tables 1 and 2 do not apply and the development application is for development completely or partly on airport land, whether or not the development includes tidal works	The chief executive

Table 4	
Column 1 **Development application type**	**Column 2** **Assessment manager**
Environmentally relevant activities	
1 If tables 1 to 3 do not apply and the development application is for— (a) a material change of use for an environmentally relevant activity; and (b) no other assessable development	For an environmentally relevant activity that is devolved to a local government under the Environmental Protection Regulation—the local government for all other environmentally relevant activities stated in column 1—the chief executive
Development on a local heritage place or for a levee	
2 If tables 1 to 3 do not apply and the development application is for 1 or more of the following completely in a single local government area and no other assessable development— (a) development on a local heritage place, other than a Queensland heritage place;	The local government

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Table 4	
Column 1 **Development application type**	**Column 2** **Assessment manager**
(b) operational work that is— (i) construction of a new category 2 levee or a new category 3 levee; or (ii) modification of an existing levee if, after the modification, the levee will fulfil the requirements for a category 2 levee or category 3 levee	
Other particular prescribed assessable development	
3 If tables 1 to 3 do not apply and the development application is for 1 or more of the following and no other assessable development, other than a material change of use for an environmentally relevant activity— (a) a material change of use for aquaculture; (b) operational work that is the clearing of native vegetation; (c) operational work completely or partly in a declared fish habitat area; (d) a material change of use for a hazardous chemical facility; (e) operational work that is the removal, destruction or damage of a marine plant; (f) operational work that is the construction of a dam, or relates to a dam, if— (i) because of the work, the dam must be failure impact assessed; and (ii) the accepted failure impact assessment for the dam states that the dam has, or will have, a category 1 failure impact rating or category 2 failure impact rating; (g) assessable development on a Queensland heritage place; (h) a material change of use of premises that is carried out on a lot that shares a common boundary with another lot that is or contains a Queensland heritage place;	The chief executive

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Table 4	
Column 1 **Development application type**	**Column 2** **Assessment manager**
(i) a material change of use of premises that is carried out on a lot that contains a Queensland heritage place, but is not carried out on the Queensland heritage place; (j) development for removing quarry material from a watercourse or lake; (k) operational work that involves taking or interfering with water under the Water Act; (l) operational work that is— (i) tidal works not on strategic port land; or (ii) work carried out completely or partly within a coastal management district; (m) operational work that is constructing or raising waterway barrier works; (n) operational work that is high impact earthworks in a wetland protection area; (o) development— (i) on a lot that is completely or partly in the SEQ region; and (ii) that involves interfering with koala habitat in a koala habitat area	

Schedule 9 Building work under Building Act

sections 20, 22, 26, 27, 30, 31, 33 and 34

Part 1 Assessable development

1 Assessable development—building work under the Building Act

Building work under the Building Act is assessable development, unless the building work is accepted development under schedule 7.

Part 2 Assessment by assessment manager

Table 1—Assessable development under s 1	
Column 1	**Column 2**
1 Category of assessment	Code assessment
2 Assessment benchmarks	(a) The building assessment provisions (b) The matters stated to be assessment benchmarks in the State Planning Policy, part E, to the extent the matters relate to strategic airports, and aviation facilities, as defined under the State Planning Policy
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—

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Part 3 Referral agency's assessment

Note—

A development application for building work may also require referral to a referral agency under schedule 10.

Division 1 Chief executive as referral agency

Table 1—Premises seaward of coastal building line		
Column 1		**Column 2**
1	Development application requiring referral	Development application for building work that is assessable development under section 1, if the building work is on premises completely or partly seaward of a coastal building line under the Coastal Act
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	The State development assessment provisions
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—
8	Fee for referral—	
	(a) if the building work is on Brisbane core port land	Nil
	(b) otherwise	3,430 fee units

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Table 2—Declared fish habitat area		
Column 1		**Column 2**
1	Development application requiring referral	Development application for building work that is assessable development under section 1, if the building work— (a) is in a declared fish habitat area; and (b) is not non-referable building work
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	The State development assessment provisions
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—
8	Fee for referral— (a) if the building work is on Brisbane core port land (b) if paragraph (a) does not apply and the applicant holds a resource allocation authority for all of the development (c) if paragraphs (a) and (b) do not apply and the development is expected to cause a permanent loss of capacity of tidal land— (i) if the development is to be carried out in an area of no more than 500m^2 (ii) otherwise	 Nil 1,714 fee units 6,859 fee units 13,715 fee units

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Table 2—Declared fish habitat area	
Column 1	**Column 2**
(d) if paragraphs (a) and (b) do not apply and the development is not expected to cause a permanent loss of capacity of tidal land—	
(i) if the development is to be carried out in an area of no more than 1,500m^2	6,859 fee units
(ii) otherwise	13,715 fee units

Table 3—State transport corridor	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1, if all or part of the premises are within 25m of a State transport corridor and the building work— (a) does not relate to— (i) a material change of use stated in schedule 10, part 9, division 4, subdivision 2, table 4, item 1, column 2, paragraph (a) or (c) or part 13, division 1, subdivision 2, table 4, item 1, column 2; or (ii) reconfiguring a lot stated in schedule 10, part 9, division 4, subdivision 2, table 1, item 1, column 2 or table 3, item 1, column 2; or (iii) government supported transport infrastructure; and (b) is for a non-residential purpose; and

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Table 3—State transport corridor	
Column 1	**Column 2**
	(c) involves the redirection or intensification of site stormwater from the premises, through a pipe or culvert with a cross-sectional area of more than 625cm^2, to a State transport corridor
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral— (a) if the building work is on Brisbane core port land (b) otherwise	 Nil 1,714 fee units for each State transport corridor that all or part of the premises is within 25m of

Table 4—Future State transport corridor	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1, if all or part of the premises are a future State transport corridor and the building work does not relate to—

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Table 4—Future State transport corridor	
Column 1	**Column 2**
	(a) a material change of use stated in schedule 10, part 9, division 4, subdivision 2, table 4, item 1, column 2, paragraph (b) or part 13, division 1, subdivision 2, table 4, item 1, column 2; or (b) reconfiguring a lot stated in schedule 10, part 9, division 4, subdivision 2, table 2, item 1, column 2; or (c) government supported transport infrastructure
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral— (a) if the building work is on Brisbane core port land (b) otherwise	 Nil 1,714 fee units for each future State transport corridor on the premises

Division 2 Local government as referral agency

Table 1—Particular class 1 and 10 buildings and structures involving possible amenity and aesthetic impacts	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1 and is for a building or structure that is— (a) a single detached class 1(a)(i) building, class 1(a)(ii) building made up of not more than 2 attached dwellings or a class 10 building or structure; and (b) in a locality, and of a form, for which the local government has, by resolution or in its planning scheme, declared that the form may— (i) have an extremely adverse effect on the amenity, or likely amenity, of the locality; or (ii) be in extreme conflict with the character of the locality
2 Referral agency	The local government
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	Whether the building or structure will impact on the amenity or aesthetics of the locality, including, for example, whether the building or structure complies with a matter stated in a local instrument that regulates impacts on amenity or aesthetics
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—

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Table 1—Particular class 1 and 10 buildings and structures involving possible amenity and aesthetic impacts	
Column 1	**Column 2**
7 Matters referral agency's assessment may have regard to	—

Table 2—Particular buildings for residential purposes	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1 and is for a building, other than a class 1, 2, 3 or 4 building, for residential purposes
2 Referral agency	The local government
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	Whether the building is suitable for residential purposes
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

Table 3—Design and siting	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1, if—

Table 3—Design and siting		
Column 1		**Column 2**
		(a) the Queensland Development Code, part 1.1, 1.2 or 1.3 applies to the building work and, under the part, the proposed building or structure does not include an acceptable solution for a relevant performance criteria under the part; or (b) under the Building Act, section 33, an alternative provision applies for the building work and, under the provision, the proposed building or structure is not of the quantifiable standard for a relevant qualitative statement under the provision; or
2	Referral agency	The local government
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	For building work stated in item 1, column 2, paragraph (a)—whether the proposed building or structure complies with the performance criteria stated in the paragraph For building work stated in item 1, column 2, paragraph (b)—whether the proposed building or structure complies with the qualitative statement stated in the paragraph
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—

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Table 4—Fire safety in particular budget accommodation buildings	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1, if the work relates to a budget accommodation building and the building must, under the Building Act, section 220, comply with the fire safety standard under that Act
2 Referral agency	The local government
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	Whether, after the building work is completed, the building will comply with the fire safety standard under the Building Act
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

Table 5—Higher risk personal appearance services	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1, if— (a) the Queensland Development Code, part 5.2 applies to the work; and (b) the work does not comply with an acceptable solution stated in the part
2 Referral agency	The local government

Table 5—Higher risk personal appearance services	
Column 1	**Column 2**
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	Whether the building work complies with the performance criteria stated in the Queensland Development Code, part 5.2 that are relevant to the acceptable solution
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

Table 6—Building work for residential services	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1, if the building work is for premises in which a residential service, as defined under the Residential Services Act, section 4, is conducted or proposed to be conducted
2 Referral agency	The local government
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	Whether, if the building work is carried out, the premises would comply with the Queensland Development Code, part 5.7
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—

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Table 6—Building work for residential services	
Column 1	**Column 2**
7 Matters referral agency's assessment may have regard to	—

Table 7—Building work for removal or rebuilding	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1, if the building work is, or relates to— (a) the removal of a building or other structure, whether or not for rebuilding at another site; or (b) the rebuilding of a building or other structure removed from another site
2 Referral agency	The local government
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	(a) Whether the local government should require security, of no more than the value of the building work, for the performance of the work (b) If security is required, the amount and form of security that is appropriate for the development
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

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Table 8—Building work for particular class 1 buildings relating to material change of use	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1, if— (a) the building work is for— (i) a class 1(a)(i) building; or (ii) a class 1(a)(ii) building made up of not more than 2 attached dwellings; and (b) a material change of use that relates to the building work— (i) is for a residential purpose in a residential zone; and (ii) would have required a development permit if schedule 6, part 2, section 2(2) did not apply for the material change of use
2 Referral agency	The local government
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The relevant provisions of a local instrument that would apply for the application if schedule 6, part 2, section 2(2) did not apply for the material change of use
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

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Table 9—Temporary accommodation buildings	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1, if— (a) the building work is for a temporary accommodation building as defined under the Building Regulation, section 89(3); and (b) the Queensland Development Code, part 3.3 applies to the work; and (c) the requirements of acceptable solution A1 stated in the part are not complied with
2 Referral agency	The local government
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	Whether the building work complies with performance criteria 1 of the Queensland Development Code, part 3.3
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

Table 10—Building work relating to end of trip facilities for Queensland Development Code, part 4.1	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1, if—

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Table 10—Building work relating to end of trip facilities for Queensland Development Code, part 4.1	
Column 1	**Column 2**
	(a) the building work is for development that performance criteria P12 of the Queensland Development Code, part 4.1, applies to; and (b) the building work does not comply with the requirements of acceptable solution A12 stated in the part
2 Referral agency	The local government
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	Whether the building work complies with performance criteria P12 of the Queensland Development Code, part 4.1
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

Table 11—Building work for class 1 building on premises with on-site wastewater management system	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1, if— (a) the building work is for a class 1 building; and (b) an on-site wastewater management system, as defined under the Queensland Plumbing and Wastewater Code, has been installed on the premises; and

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Table 11—Building work for class 1 building on premises with on-site wastewater management system	
Column 1	**Column 2**
	(c) the work involves adding 1 or more bedrooms to the building
2 Referral agency	The local government
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	Whether the building work complies with the Queensland Plumbing and Wastewater Code, part 1, performance criteria P2
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

Table 12—Flood hazard area	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1, if all or part of the premises are in a flood hazard area and 1 or both of the following apply— (a) the application states a defined flood level that is lower than a defined flood level declared by the local government under the Building Regulation, section 8 for the part of the flood hazard area where the premises are;

Table 12—Flood hazard area	
Column 1	**Column 2**
	(b) the application states a maximum flow velocity of water that is lower than a maximum flow velocity of water declared by the local government under the Building Regulation, section 8 for the part of the flood hazard area where the premises are
2 Referral agency	The local government
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	If item 1, column 2, paragraph (a) applies—whether the defined flood level stated in the development application is appropriate having regard to all or any of the following matters— (a) any flood modelling carried out for the premises or all or part of the flood hazard area where the premises are; (b) any recorded flood levels for all or part of the flood hazard area where the premises are; (c) any other matter the local government considers relevant If item 1, column 2, paragraph (b) applies—whether the maximum flow velocity of water stated in the development application is appropriate having regard to all or any of the following matters— (a) any flood modelling carried out for the premises or all or part of the flood hazard area where the premises are; (b) any flow velocity of water that has been recorded for a flood for— (i) all or part of the flood hazard area where the premises are; or

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Table 12—Flood hazard area	
Column 1	**Column 2**
	(ii) the part of the premises that the building work is to be carried out on; (c) any other matter the local government considers relevant
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

Division 3 Other persons as referral agency

Table 1—Fire safety systems generally	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1 that involves— (a) a fire safety system for a building or structure, other than a temporary structure or special structure as defined under the Building Act, schedule 2, if the building work— (i) requires special fire services stated in schedule 19, part 1; or

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Table 1—Fire safety systems generally	
Column 1	**Column 2**
	(ii) includes an alternative solution assessed against the performance requirements of the Building Code, volume 1, or the performance criteria in the Queensland Development Code, part 2.2, for the fire safety system; or (iii) includes an alternative solution assessed against the relevant performance requirements of the Building Code or the performance criteria stated in the Queensland Development Code, part 2.3, for the fire safety system; or (b) a fire safety system for a budget accommodation building, if the work involves a solution— (i) assessed against the performance criteria in the Queensland Development Code, part 2.1 or the performance requirements of the Building Code, volumes 1 and 2, for the fire safety system; and (ii) that includes a fire safety management plan as a condition of the use and occupation of the building; or (c) a residential care building under the Queensland Development Code, part 2.2
2 Referral agency	Queensland Fire and Rescue
3 Limitations on referral agency's powers	Referral agency may give advice only
4 Matters referral agency's assessment must be against	If item 1, column 2, paragraph (a)(i) applies—the matters stated in schedule 19, part 2

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Table 1—Fire safety systems generally	
Column 1	**Column 2**
	If item 1, column 2, paragraph (a)(ii) or (iii) applies—the Building Act, chapter 3 and the building assessment provisions If item 1, column 2, paragraph (b) applies—the fire safety management plan If item 1, column 2, paragraph (c) applies— (a) whether the building work complies with the Queensland Development Code, part 2.2; and (b) whether a fire and evacuation plan for the building under the *Fire Services Act 1990* complies with the Queensland Development Code, part 2.2, schedule 2
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil *Note—* However, see also the *Building Fire Safety Regulation 2008*, part 6 for fees that may apply, under that regulation, in relation to the development application.

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Table 2—Water-based fire safety installations	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1 involving a water-based fire safety installation, as defined under the *Building Fire Safety Regulation 2008*, schedule 3, for a building or structure, if the building work includes— (a) the installation of the water-based fire safety installation; and (b) an alternative solution assessed against performance criteria P3, P4 and P5 of the Queensland Development Code, part 6.1
2 Referral agency	Queensland Fire and Rescue
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	Whether the building work complies with performance criteria P3, P4 and P5 of the Queensland Development Code, part 6.1
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil *Note—* However, see also the *Building Fire Safety Regulation 2008*, part 6 for fees that may apply, under that regulation, in relation to the development application.

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Table 3—Fire safety for farm buildings	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1, if— (a) performance criteria P1 of the Queensland Development Code, part 3.7 applies to the building work and the work includes an alternative solution assessed against performance criteria P1; or (b) performance criteria P3 of the Queensland Development Code, part 3.7 applies to the building work and the work— (i) does not comply with the Queensland Development Code, part 3.7, acceptable solution A3(1)(a)(ii), (2), (3) or (4); or (ii) includes an alternative solution assessed against performance criteria P3 of the Queensland Development Code, part 3.7
2 Referral agency	Queensland Fire and Rescue
3 Limitations on referral agency's powers	Referral agency may give advice only
4 Matters referral agency's assessment must be against	If item 1, column 2, paragraph (a) applies—whether the building work complies with performance criteria P1 of the Queensland Development Code, part 3.7 If item 1, column 2, paragraph (b) applies—whether the building work complies with performance criteria P3 of the Queensland Development Code, part 3.7
5 Matters referral agency's assessment must have regard to	—

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Table 3—Fire safety for farm buildings	
Column 1	**Column 2**
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil *Note—* However, see also the *Building Fire Safety Regulation 2008*, part 6 for fees that may apply, under that regulation, in relation to the development application.

Table 4—Retail meat premises	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1 for a retail meat premises, if— (a) the Queensland Development Code, part 5.3 applies to the work; and (b) the work is required to comply with performance criteria for the work stated in the part, other than by an acceptable solution
2 Referral agency	Safe Food Production QLD established under the *Food Production (Safety) Act 2000*
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	Whether the building work complies with the performance criteria stated in the Queensland Development Code, part 5.3
5 Matters referral agency's assessment must have regard to	—

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Table 4—Retail meat premises	
Column 1	**Column 2**
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil

Table 5—Private health facilities	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1 for a private health facility, if— (a) the Queensland Development Code, part 5.5, applies to the work; and (b) the work is required to comply with performance criteria for the work stated in the part, other than by an acceptable solution
2 Referral agency	The chief health officer established under the *Hospital and Health Boards Act 2011*
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	Whether the building work complies with the performance criteria stated in the Queensland Development Code, part 5.5
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil

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Table 6—Pastoral workers' accommodation	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1 for accommodation provided for a person performing pastoral work, as defined under the *Pastoral Workers' Accommodation Act 1980*, if— (a) the Queensland Development Code, part 5.6 applies to the work; and (b) the work is required to comply with the performance criteria for accommodation stated in the part, other than by an acceptable solution
2 Referral agency	The chief executive of the department in which the *Pastoral Workers' Accommodation Act 1980* is administered
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	Whether the building work complies with the performance criteria stated in the Queensland Development Code, part 5.6
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil

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Table 7—Building work over or near relevant infrastructure relating to Queensland Development Code, part 1.4	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 1, if— (a) the Queensland Development Code, part 1.4 applies to the work; and (b) the work will be carried out on a lot that contains, or is adjacent to a lot that contains, a sewer, water main or stormwater drain; and (c) either— (i) the work does not comply with an acceptable solution for a relevant performance criteria stated in the part; or (ii) the work is for a class of building or structure for which the part does not state an acceptable solution; and (d) the relevant service provider is not the applicant
2 Referral agency	The relevant service provider
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	Whether the proposed building or structure complies with the performance criteria in the Queensland Development Code, part 1.4 that relate to a sewer, water main or stormwater drain
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—

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Table 7—Building work over or near relevant infrastructure relating to Queensland Development Code, part 1.4	
Column 1	**Column 2**
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral, if the referral agency is a public sector entity other than a local government	An amount— (a) the referral agency considers to be reasonable; and (b) that is not more than the reasonable cost of the referral agency performing its functions as referral agency

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Schedule 10 Development assessment

sections 19, 20, 22, 26, 27, 30, 31, 33 and 34

Part 1 Airport land

Division 1 Assessable development

1 Assessable development—development on airport land

Development on airport land is assessable development, if—

(a) the land use plan for the airport land states the development is assessable development; or

(b) the development is a material change of use that is inconsistent with the land use plan for the airport land.

Division 2 Assessment by assessment manager

Table 1—Assessable development under s 1		
Column 1		**Column 2**
1	Category of assessment	Impact assessment, if the land use plan requires impact assessment Otherwise, code assessment
2	Assessment benchmarks	Matters stated to be assessment benchmarks for the development in the land use plan
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—

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Table 1—Assessable development under s 1	
Column 1	**Column 2**
5 Fee for development application, if the chief executive is the assessment manager	1,714 fee units

Division 3 Referral agency's assessment

Table 1—Assessable development under s 1	
Column 1	**Column 2**
1 Development application requiring referral	Development application for assessable development under section 1, if the chief executive is the prescribed assessment manager for the application
2 Referral agency	The local government
3 Limitations on referral agency's powers	Referral agency may give advice only
4 Matters referral agency's assessment must be against	The impacts of the proposed development, identified by the local government, on land in its local government area, other than airport land
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

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Part 2 Battery storage facilities

Division 1 Assessable development

2 Assessable development—material change of use for battery storage facility

A material change of use of premises for a battery storage facility is assessable development, unless the material change of use is accepted development under schedule 7, section 16.

Division 2 Assessment by assessment manager

Table 1—Assessable development under s 2		
Column 1		**Column 2**
1	Category of assessment	Impact assessment
2	Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions If the development is in a priority development area and the chief executive is the prescribed assessment manager—the relevant development instrument under the Economic Development Act for the priority development area
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—
5	Fee for development application, if the chief executive is the assessment manager	13,715 fee units

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Division 3 Referral agency's assessment

Table 1—Assessable development under s 2	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use of premises that is assessable development under section 2, if the chief executive is not the assessment manager for the application
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions If the development is in a priority development area—the relevant development instrument under the Economic Development Act for the priority development area
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

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Part 2A Caboolture West interim structure plan

Division 1 Prohibited development

3A Prohibited development—development in Caboolture West investigation area

(1) Development in the Caboolture West investigation area is prohibited development.

(2) However, subsection (1) does not apply to the extent the development—

(a) is accepted development under a categorising instrument in effect immediately before the Waraba priority development area was declared; or

(b) is a material change of use of premises that the Moreton Bay City Council's planning scheme, table 5.9.3.1.1—

(i) includes in the interim activities activity group; and

(ii) states is assessable development requiring code assessment; or

(c) is, or is for, reconfiguring a lot to which schedule 12 applies; or

(d) is, or is for, reconfiguring a lot to rearrange the boundaries of the lot; or

(e) is carried out under a development permit given for an application that was properly made before 27 July 2022; or

(f) is consistent with a development approval—

(i) in effect for the premises on which the development is carried out; and

(ii) given for an application that was properly made before 27 July 2022; or

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(g) is Waraba PDA-related development.

(3) In this section—

Caboolture West investigation area means the area shown as investigation area on the map called 'Caboolture West growth area and investigation area', dated 22 February 2023 and published on the department's website.

prohibition period means the period starting on 27 July 2022 and ending on 13 March 2023.

Waraba PDA-related development—

(a) means development in the Waraba priority development area or PDA-associated development for the Waraba priority development area; but

(b) does not include development the subject of a development approval given for an application made during the prohibition period.

3B Prohibited development—particular development in Caboolture West growth area

(1) Development on a State school site in the Caboolture West growth area is prohibited development.

(2) However, subsection (1) does not apply to the extent the development—

(a) is for a State school under the *Education (General Provisions) Act 2006*; or

(b) is operational work that is—

(i) filling or excavating, including, for example, bulk earthworks; or

(ii) extracting gravel, rock, sand or soil; or

(iii) the clearing of vegetation; or

(iv) for a stormwater drain; or

(v) for road transport infrastructure; or

(vi) for street lighting, a transmission grid or a supply network; or

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(vii) landscaping; or

(c) is operational work required under a water approval under the SEQ Water Act; or

(d) is for reconfiguring a lot that includes all or part of a State school site and the reconfiguration does not result in land within the State school site being reconfigured in a way mentioned in schedule 2 of the Act, definition *reconfiguring a lot*, paragraph (a), (d) or (e); or

(e) is Waraba PDA-related development.

(3) In this section—

Waraba PDA-related development—

(a) means development in the Waraba priority development area or PDA-associated development for the Waraba priority development area; but

(b) does not include development the subject of an application properly made before the Waraba priority development area was declared.

Division 2 Assessable development

3C Assessable development—particular operational work in Caboolture West growth area

(1) Development on a State school site in the Caboolture West growth area is assessable development to the extent the development is operational work that is—

(a) filling or excavating, including, for example, bulk earthworks; or

(b) extracting gravel, rock, sand or soil; or

(c) the clearing of vegetation; or

(d) for a stormwater drain; or

(e) for road transport infrastructure; or

(f) for street lighting, a transmission grid or a supply network; or

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(g) landscaping.

(2) However, subsection (1) does not apply to the extent the development is PDA assessable development for the Waraba priority development area.

(3) In this section—

PDA assessable development see the Economic Development Act, section 33(3).

Division 3 Assessment by assessment manager

Table 1—Development in Caboolture West growth area that is assessable development under s 3C	
Column 1	**Column 2**
1 Category of assessment	Code assessment
2 Assessment benchmarks	For a development application for development in the Caboolture West growth area that is assessable development under section 3C—the assessment benchmarks for the development stated in the Caboolture West interim structure plan
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—

Table 2—Development in Caboolture West growth area that is assessable development under a local categorising instrument	
Column 1	**Column 2**
1 Category of assessment	The category of assessment stated for the development in a local categorising instrument for the local government area of the Moreton Bay City Council

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Table 2—Development in Caboolture West growth area that is assessable development under a local categorising instrument	
Column 1	**Column 2**
	If the category of assessment under the planning scheme applies for the development, for determining the category of assessment for this item, the planning scheme applies as if— (a) premises shown as urban living precinct in the Caboolture West interim structure plan map were included in the urban living precinct under the planning scheme and an approved neighbourhood development plan applied to the premises; and (b) premises shown as green network precinct in the Caboolture West interim structure plan map were included in the green network precinct under the planning scheme and an approved neighbourhood development plan applied to the premises; and (c) premises shown as next generation sub-precinct in the Caboolture West interim structure plan map were included in the next generation sub-precinct under the planning scheme and an approved neighbourhood development plan applied to the premises
2 Assessment benchmarks	For a development application for development in the Caboolture West growth area that is assessable development under a local categorising instrument—the assessment benchmarks for the development stated in the Caboolture West interim structure plan
3 Matters code assessment must have regard to	—

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Table 2—Development in Caboolture West growth area that is assessable development under a local categorising instrument	
Column 1	**Column 2**
4 Matters impact assessment must have regard to	—

Part 3 Clearing native vegetation

Division 1 Prohibited development

4 Prohibited development—clearing native vegetation other than for a relevant purpose

(1) Operational work that is the clearing of native vegetation on prescribed land is prohibited development to the extent the work—

(a) is not for a relevant purpose under the Vegetation Management Act, section 22A; and

(b) is not exempt clearing work; and

(c) is not accepted development under schedule 7, part 3, section 12.

(2) A material change of use of premises that is a prescribed material change of use is prohibited development if and to the extent—

(a) the material change of use involves operational work that is prohibited development under subsection (1), other than operational work approved under a development approval; and

(b) either of the following would apply if a development application were made for the material change of use—

(i) the chief executive would, because of the clearing, be a referral agency for the material change of use under division 4, table 3;

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(ii) the chief executive would, because of the clearing, have the functions and powers of a referral agency mentioned in subparagraph (i).

Division 2 Assessable development

5 Assessable development—clearing native vegetation on prescribed land

Operational work that is the clearing of native vegetation on prescribed land is assessable development, unless the clearing is—

(a) exempt clearing work; or

(b) accepted development under schedule 7, part 3, section 12.

Division 3 Assessment by assessment manager

Table 1—Assessable development under s 5		
Column 1		**Column 2**
1	Category of assessment	Code assessment, if the chief executive is the prescribed assessment manager
2	Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—
5	Fee for development application if the chief executive is the assessment manager—	

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Table 1—Assessable development under s 5	
Column 1	**Column 2**
(a) if the operational work is necessary environmental clearing because it is necessary to—	
(i) restore the ecological and environmental condition of land	Nil
(ii) divert existing natural channels in a way that replicates the existing form of the natural channels	6,859 fee units
(iii) prepare for the likelihood of a natural disaster	Nil
(iv) remove contaminants from land	Nil
(b) if the operational work is for a purpose other than reconfiguring a lot, a material change of use or necessary environmental clearing and the clearing is—	
(i) of an area less than 5ha and is for establishing a necessary fence, firebreak, road or vehicular track, or necessary built infrastructure	3,430 fee units
(ii) fodder harvesting as defined under the Vegetation Management Act, schedule	3,430 fee units
(iii) for managing thickened vegetation as defined under the Vegetation Management Act, schedule	3,430 fee units
(iv) the clearing of encroachment as defined under the Vegetation Management Act, schedule	3,430 fee units
(v) necessary for controlling declared pests or vegetation that is not native vegetation	Nil

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Table 1—Assessable development under s 5	
Column 1	**Column 2**
(vi) necessary for ensuring public safety	Nil
(c) otherwise	13,715 fee units

Division 4 Referral agency's assessment

Table 1—Assessable development under s 5		
Column 1		**Column 2**
1	Development application requiring referral	Development application for operational work that is assessable development under section 5, other than an application— (a) for operational work relating to reconfiguring a lot stated in table 2, item 1, column 2; or (b) for operational work relating to a material change of use stated in table 3, item 1, column 2; or (c) that the chief executive is the assessment manager for
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	The State development assessment provisions
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—

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Table 1—Assessable development under s 5	
Column 1	**Column 2**
8 Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

Table 2—Reconfiguring a lot that is assessable development under s 21	
Column 1	**Column 2**
1 Development application requiring referral	Development application for reconfiguring a lot that is assessable development under section 21, if— (a) a lot that the application relates to is 5ha or larger; and (b) the size of any lot created is 25ha or less; and (c) either— (i) the reconfiguration involves operational work that is assessable development under section 5, other than operational work that is only the clearing of regulated regrowth vegetation; or (ii) on any lot created, accepted operational work, other than operational work that is only the clearing of regulated regrowth vegetation, may be carried out
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—

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Table 2—Reconfiguring a lot that is assessable development under s 21	
Column 1	**Column 2**
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral—	
(a) if the reconfiguration involves a material change of use stated in table 3, item 1, column 2	Nil
(b) if paragraph (a) does not apply and the reconfiguration is rearranging the boundaries of a lot	1,714 fee units
(c) if paragraph (a) does not apply and the reconfiguration is the subdivision of 1 lot into 2 lots on premises that do not include an endangered regional ecosystem, of concern regional ecosystem or essential habitat for protected wildlife	3,430 fee units
(d) if paragraphs (a), (b) and (c) do not apply	6,859 fee units

Table 3—Material change of use that is a prescribed material change of use	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use of premises that is a prescribed material change of use and relates to a lot that is 5ha or larger, if— (a) the application— (i) is for a preliminary approval that includes a variation request; and (ii) relates to a lot that contains native vegetation shown on the regulated vegetation management map as a category A area or category B area; and

Table 3—Material change of use that is a prescribed material change of use	
Column 1	**Column 2**
	(iii) is for a material change of use, other than a non-referable material change of use; or (b) the application is not stated in paragraph (a) and all of the following apply— (i) the material change of use does not involve prescribed clearing; (ii) accepted operational work may be carried out because of the material change of use, or the material change of use involves operational work that is assessable development under section 5; (iii) the accepted operational work or assessable operational work includes development other than the clearing of regulated regrowth vegetation on freehold land, indigenous land, land the subject of an occupation licence under the Land Act, or land the subject of a lease given under the Land Act for agriculture or grazing purposes
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

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Table 3—Material change of use that is a prescribed material change of use	
Column 1	**Column 2**
8 Fee for referral—	
(a) if the material change of use—	3,430 fee units
(i) does not involve reconfiguring a lot, or involves reconfiguring a lot that is the subdivision of 1 lot into 2 or rearranging the boundaries of a lot; and	
(ii) is on premises that do not include an endangered regional ecosystem, of concern regional ecosystem or essential habitat for protected wildlife	
(b) otherwise	6,859 fee units

Part 4 Contaminated land

Division 1 Assessable development

6 Assessable development—material change of use on contaminated land

A material change of use of premises is assessable development if—

(a) all or part of the premises are on—

(i) the contaminated land register; or

(ii) the environmental management register; and

(b) the premises are not being used for a sensitive land use; and

(c) the material change of use involves—

(i) a sensitive land use; or

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(ii) a commercial use involving an accessible underground facility, including, for example, a basement car park, workshop or office; and

(d) neither the contaminated land register nor the environmental management register state that the premises are suitable for the proposed use in accordance with a site suitability statement for the premises.

Division 2 Assessment by assessment manager

Table 1—Assessable development under s 6		
Column 1		**Column 2**
1	Category of assessment	Code assessment
2	Assessment benchmarks	Whether the contaminated land register or the environmental management register states that the premises are suitable for the proposed use in accordance with a site suitability statement for the premises
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—
5	Fee for development application, if the chief executive is the assessment manager	Nil

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Division 3 Referral agency's assessment

Table 1—Premises contaminated because of unexploded ordnance	
Column 1	**Column 2**
1 Development application requiring referral	Development application for the following development, if all or part of the premises are shown as an area of substantial unexploded ordnance potential in a mapping layer in the development assessment mapping system published on the department's website— (a) reconfiguring a lot that is assessable development under section 21; (b) a material change of use that is assessable development under a local categorising instrument
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	856 fee units

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Part 5 Environmentally relevant activities

Division 1 Prohibited development

7 Prohibited development—development in North Stradbroke Island Region

(1) Development in the North Stradbroke Island Region is prohibited development—

(a) if the development is for an environmentally relevant activity stated in the Environmental Protection Regulation, schedule 2, part 4, section 16; and

(b) to the extent the development involves dredging or extracting more than 10,000t of material a year.

(2) In this section—

North Stradbroke Island Region see the *North Stradbroke Island Protection and Sustainability Act 2011*, section 5.

Division 2 Assessable development

8 Assessable development—material change of use for an environmentally relevant activity

(1) A material change of use of premises for an environmentally relevant activity is assessable development, if the activity is a concurrence ERA (the ***relevant ERA***).

(2) However, subsection (1) does not apply if—

(a) an environmental authority to carry out a concurrence ERA has been approved for the premises; and

(b) the relevant ERA and concurrence ERA are to be carried out under the environmental authority; and

(c) the relevant ERA has a lower aggregate environmental score than the concurrence ERA.

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Division 3 Assessment by assessment manager

Table 1—Assessable development under s 8		
Column 1		**Column 2**
1	Category of assessment	Code assessment
2	Assessment benchmarks	If the local government is the prescribed assessment manager—the matters prescribed as assessment benchmarks for the development under the Environmental Protection Act, section 580(4)(a) If the chief executive is the prescribed assessment manager—the State development assessment provisions
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—
5	Fee for development application if the chief executive is the assessment manager—	
	(a) if the environmentally relevant activity involves a relevant activity stated in the Environmental Protection Regulation, schedule 2, section 2, 3 or 4	3,430 fee units
	(b) otherwise—	
	(i) if the aggregate environmental score for the environmentally relevant activity is 25 or less	1,714 fee units
	(ii) if the aggregate environmental score for the environmentally relevant activity is more than 25, but no more than 74	3,430 fee units

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Table 1—Assessable development under s 8	
Column 1	**Column 2**
(iii) if the aggregate environmental score for the environmentally relevant activity is more than 74	13,715 fee units

Division 4 Referral agency's assessment

Table 1—Devolved environmentally relevant activity		
Column 1		**Column 2**
1	Development application requiring referral	Development application for a material change of use that is assessable development under section 8, if— (a) the environmentally relevant activity that is the subject of the application has been devolved to a local government under the Environmental Protection Regulation; and (b) the local government is not the prescribed assessment manager for the application
2	Referral agency	The local government
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	The matters prescribed under the Environmental Protection Act, section 580(4)(b) as matters the referral agency must assess the development against
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—

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Table 2—Non-devolved environmentally relevant activities	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use that is assessable development under section 8, if— (a) the environmentally relevant activity the subject of the application has not been devolved to a local government under the Environmental Protection Regulation; and (b) the chief executive is not the prescribed assessment manager for the application
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

Part 6 Fisheries

Division 1 Aquaculture

Subdivision 1 Assessable development

9 Assessable development—material change of use for aquaculture

A material change of use of premises for aquaculture is assessable development, unless the material change of use is accepted development under schedule 7, part 2, section 3.

Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 9		
Column 1		**Column 2**
1	Category of assessment	Code assessment, if the chief executive is the prescribed assessment manager
2	Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—
5	Fee for development application if the chief executive is the assessment manager— (a) if the aquaculture— (i) is carried out in a tank, pond or hatchery; and	 1,714 fee units

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Table 1—Assessable development under s 9	
Column 1	**Column 2**
(ii) is not expected to cause the discharge of waste into a waterway	
(b) if the aquaculture—	3,430 fee units
(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 a waterway	
(c) if the aquaculture—	6,859 fee units
(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 a waterway	
(d) if the aquaculture—	6,859 fee units
(i) is carried out on tidal land; and	
(ii) involves the addition of feed	
(e) if the aquaculture is carried out on tidal land covering an area of not more than 50ha and does not involve the addition of feed	1,714 fee units
(f) if the aquaculture is carried out on tidal land covering an area of more than 50ha and does not involve the addition of feed	3,430 fee units
(g) otherwise	6,859 fee units

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Subdivision 3 Referral agency's assessment

Table 1—Assessable development under s 9	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use that is assessable development under section 9, unless the chief executive is the prescribed assessment manager for the application
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

Division 2 Declared fish habitat area

Subdivision 1 Assessable development

10 Assessable development—operational work in declared fish habitat area

Operational work completely or partly in a declared fish habitat area is assessable development, unless the work is accepted development under schedule 7, part 3, section 7.

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Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 10	
Column 1	**Column 2**
1 Category of assessment	Code assessment, if the chief executive is the prescribed assessment manager
2 Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—
5 Fee for development application if the chief executive is the assessment manager—	
(a) if the applicant holds a resource allocation authority for all of the development	1,714 fee units
(b) if paragraph (a) does not apply and the development is expected to cause a permanent loss of capacity of tidal land—	
(i) if the development is to be carried out in an area of no more than 500m^2	6,859 fee units
(ii) otherwise	13,715 fee units
(c) if paragraph (a) does not apply and the development is not expected to cause a permanent loss of capacity of tidal land—	
(i) if the development is to be carried out in an area of no more than 1,500m^2	6,859 fee units

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Table 1—Assessable development under s 10	
Column 1	**Column 2**
(ii) otherwise	13,715 fee units

Subdivision 3 Referral agency's assessment

Note—

For the referral agencies for a development application for building work under the Building Act in a declared fish habitat area, see schedule 9, part 3, division 1, table 2.

Table 1—Assessable development under s 10		
Column 1		**Column 2**
1	Development application requiring referral	Development application for operational work that is assessable development under section 10, unless the chief executive is the prescribed assessment manager for the application
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	The State development assessment provisions
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—
8	Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

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Division 3 Marine plants

Subdivision 1 Assessable development

11 Assessable development—operational work involving marine plants

Operational work that is the removal, destruction or damage of a marine plant is assessable development, unless the work is—

(a) accepted development under schedule 7, part 3, section 8; or

(b) for reconfiguring a lot that is assessable development under section 21, or for a material change of use that is assessable development, and both of the following apply—

(i) a development permit is in effect for the reconfiguration or material change of use;

(ii) the chief executive, or the chief executive (fisheries), had functions and powers as a referral agency or prescribed assessment manager in relation to the removal, destruction or damage of marine plants for the development application for the development permit; or

(c) PDA-related development.

Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 11	
Column 1	**Column 2**
1 Category of assessment	Code assessment, if the chief executive is the prescribed assessment manager

Table 1—Assessable development under s 11	
Column 1	**Column 2**
2 Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—
5 Fee for development application if the chief executive is the assessment manager—	
(a) if—	3,430 fee units
(i) the operational work is the removal, destruction or damage of marine plants covering an area less than 25m^2; or	
(ii) the operational work is to be carried out in an area that is above the level of the highest astronomical tide; or	
(iii) the operational work is for education or research	
(b) if—	6,859 fee units
(i) the operational work is the removal, destruction or damage of marine plants covering an area of at least 25m^2, but no more than 500m^2, and is expected to cause a loss of capacity of tidal land; or	
(ii) the operational work is the removal, destruction or damage of marine plants covering an area of at least 25m^2, but no more than 1,500m^2, and is not expected to cause a loss of capacity of tidal land	

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Table 1—Assessable development under s 11	
Column 1	**Column 2**
(c) if— (i) the operational work is the removal, destruction or damage of marine plants covering an area of more than 500m^2 and is expected to cause a loss of capacity of tidal land; or (ii) the operational work is the removal, destruction or damage of marine plants covering an area of more than 1,500m^2 and is not expected to cause a loss of capacity of tidal land	13,715 fee units

Subdivision 3 Referral agency's assessment

Table 1—Assessable development under s 11		
Column 1		**Column 2**
1	Development application requiring referral	Development application for operational work that is assessable development under section 11, unless the chief executive is the prescribed assessment manager for the application
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	The State development assessment provisions
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—

Table 1—Assessable development under s 11	
Column 1	**Column 2**
8 Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

Table 2—Reconfiguring a lot or material change of use involving removal, destruction or damage of marine plants	
Column 1	**Column 2**
1 Development application requiring referral	Development application for reconfiguring a lot that is assessable development under section 21 or a material change of use, if— (a) the development involves operational work that is the removal, destruction or damage of a marine plant, other than operational work that is— (i) PDA-related development; or (ii) accepted development under schedule 7, part 3, section 8; and (b) there is no development permit for the operational work
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral— (a) for a material change of use or reconfiguring a lot, if—	3,430 fee units

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Table 2—Reconfiguring a lot or material change of use involving removal, destruction or damage of marine plants	
Column 1	**Column 2**
(i) the development involves the removal, destruction or damage of marine plants covering an area less than 25m^2; or (ii) the development is to be carried out in an area that is above the level of the highest astronomical tide; or (iii) the development is for education or research	
(b) for a material change of use or reconfiguring a lot, if— (i) the development involves the removal, destruction or damage of marine plants covering an area of at least 25m^2, but no more than 500m^2, and is expected to cause a loss of capacity of tidal land; or (ii) the development involves the removal, destruction or damage of marine plants covering an area of at least 25m^2, but no more than 1,500m^2, and is not expected to cause a loss of capacity of tidal land	6,859 fee units
(c) for a material change of use or reconfiguring a lot, if— (i) the development involves the removal, destruction or damage of marine plants covering an area of more than 500m^2 and is expected to cause a loss of capacity of tidal land; or	13,715 fee units

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Table 2—Reconfiguring a lot or material change of use involving removal, destruction or damage of marine plants	
Column 1	**Column 2**
(ii) the development involves the removal, destruction or damage of marine plants covering an area of more than 1,500m^2 and is not expected to cause a loss of capacity of tidal land	

Division 4 Waterway barrier works

Subdivision 1 Assessable development

12 Assessable development—operational work for waterway barrier works

Operational work that is constructing or raising waterway barrier works is assessable development, unless the work is accepted development under schedule 7, part 3, section 6, 6A or 6B.

Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 12		
Column 1		**Column 2**
1	Category of assessment	Code assessment, if the chief executive is the prescribed assessment manager
2	Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions
3	Matters code assessment must have regard to	—

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Table 1—Assessable development under s 12	
Column 1	**Column 2**
4 Matters impact assessment must have regard to	—
5 Fee for development application if the chief executive is the assessment manager—	
(a) for each waterway barrier works the subject of the application if—	3,430 fee units
(i) the applicant has a fish movement exemption notice under the Fisheries Act for the application and the notice still applies; or	
(ii) the waterway barrier works are to be constructed or raised in a low-risk waterway and the primary purpose of the works is not the impounding of water	
(b) for each waterway barrier works the subject of the application if—	6,859 fee units
(i) the waterway barrier works are a bridge to be constructed in a major-risk waterway; or	
(ii) the waterway barrier works are to be constructed or raised in a moderate-risk waterway or high-risk waterway and the primary purpose of the works is not the impounding of water	
(c) for each waterway barrier works the subject of the application if—	13,715 fee units
(i) the primary purpose of the waterway barrier works is to impound water; or	

Table 1—Assessable development under s 12	
Column 1	**Column 2**
(ii) the waterway barrier works are to be constructed or raised in a major-risk waterway or an unmapped tidal waterway and is not a bridge	
(d) otherwise, for each waterway barrier works the subject of the application	3,430 fee units

Subdivision 3 Referral agency's assessment

Table 1—Assessable development under s 12	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work that is assessable development under section 12, unless the chief executive is the prescribed assessment manager for the application
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

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Part 7 Hazardous chemical facilities

Division 1 Assessable development

13 Assessable development—material change of use for a hazardous chemical facility

A material change of use for a hazardous chemical facility is assessable development.

Division 2 Assessment by assessment manager

Table 1—Assessable development under s 13		
Column 1		**Column 2**
1	Category of assessment	Code assessment, if the chief executive is the prescribed assessment manager
2	Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—
5	Fee for development application, if the chief executive is the assessment manager	13,715 fee units

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Division 3 Referral agency's assessment

Table 1—Assessable development under s 13	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use that is assessable development under section 13, unless the chief executive is the prescribed assessment manager
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	856 fee units

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Part 8 Heritage places

Division 1 Local heritage places

Subdivision 1 Assessable development

14 Assessable development—development on local heritage place

Development on a local heritage place, other than a Queensland heritage place, is assessable development, unless—

(a) the development is building work carried out by or for—

(i) the State; or

(ii) a public sector entity; or

(b) the development is carried out by the State on designated premises; or

(c) the development is stated in schedule 6; or

(d) an exemption certificate under the Heritage Act has been given for the development by the chief executive officer of the local government for the local government area where the place is.

Notes—

1 For development on a local heritage place on airport land, see also the Airport Assets Act, section 54.

2 For development on a local heritage place on Brisbane core port land, see also the Transport Infrastructure Act, section 283ZV.

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Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 14	
Column 1	**Column 2**
1 Category of assessment	Impact assessment, if a local categorising instrument requires impact assessment Otherwise, code assessment
2 Assessment benchmarks	If the local government is the prescribed assessment manager— (a) for a local heritage place on the local government's local heritage register under the Heritage Act—the code in the *Queensland Heritage Regulation 2015*, schedule 2; or (b) for a local heritage place identified in the local government's planning scheme—the relevant provisions of a local categorising instrument
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—

Subdivision 3 Referral agency's assessment

Table 1—Assessable development under s 14 that is building work	
Column 1	**Column 2**
1 Development application requiring referral	Development application for building work that is assessable development under section 14, unless the local government is the prescribed assessment manager

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Table 1—Assessable development under s 14 that is building work		
Column 1		**Column 2**
2	Referral agency	The local government
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	For a local heritage place on the local government's local heritage register under the Heritage Act—the code in the *Queensland Heritage Regulation 2015*, schedule 2 For a local heritage place identified in the local government's planning scheme—the relevant provisions of a local categorising instrument
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—

Division 2 Queensland heritage place

Subdivision 1 Assessable development

15 Assessable development—development on or adjoining a Queensland heritage place

(1) Development on a Queensland heritage place is assessable development, unless—

(a) an exemption certificate under the Heritage Act has been given for the development by the chief executive of the department in which that Act is administered; or

(b) the development is, under section 78 of that Act, liturgical development; or

(c) the development is carried out by the State; or

(d) the development is PDA-related development; or

(e) the development is carried out for the cross river rail project.

(2) A material change of use of premises is assessable development, if—

(a) the material change of use is carried out on a lot that shares a common boundary with another lot that is or contains a Queensland heritage place; or

(b) the material change of use is carried out on a lot that contains a Queensland heritage place, but is not carried out on the Queensland heritage place.

(3) However, subsection (2) does not apply if 1 or more of the following apply—

(a) the Queensland heritage place is an archaeological State heritage place as defined under the Heritage Act, schedule;

(b) the material change of use is carried out more than 75m from the boundary of the Queensland heritage place;

(c) the material change of use is for a single storey dwelling house only;

(d) the material change of use is for a dwelling house only and all buildings constructed as part of the use are more than 25m from the boundary of the Queensland heritage place;

(e) all buildings and structures, other than dwelling houses, constructed as part of the material change of use have a height of less than 3.5m;

(f) the material change of use involves only alterations to existing buildings and structures, with all alterations to the exterior of a building or structure being minor building work;

(g) the material change of use is PDA-related development.

(4) In this section—

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cross river rail project means the project known as the cross river rail project described in—

(a) the Coordinator-General's report for the environmental impact statement for the project, dated December 2012, under the State Development Act; and

(b) any Coordinator-General's change report for the project under that Act.

Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 15(1)	
Column 1	**Column 2**
1 Category of assessment	Code assessment, if the chief executive is the prescribed assessment manager
2 Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions
3 Matters code assessment must have regard to	If section 275ZJ of the Act applies—the matters stated in section 275ZJ(2)(b) and (3) of the Act
4 Matters impact assessment must have regard to	—
5 Fee for development application, if the chief executive is the assessment manager—	
(a) if the development is a material change of use of premises that would result in the premises comprising at least 1 dwelling but not more than 4 dwellings	Nil
(b) if the development is building work, or operational work, relating to premises comprising at least 1 dwelling but not more than 4 dwellings	Nil

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Table 1—Assessable development under s 15(1)	
Column 1	**Column 2**
(c) otherwise	3,430 fee units

Table 2—Assessable development under s 15(2)		
Column 1		**Column 2**
1	Category of assessment	Code assessment
2	Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—
5	Fee for development application, if the chief executive is the assessment manager—	
	(a) if the development is a material change of use of premises that would result in the premises comprising at least 1 dwelling but not more than 4 dwellings	Nil
	(b) otherwise	1,714 fee units

Subdivision 3 Referral agency's assessment

Table 1—Assessable development under s 15(1)		
Column 1		**Column 2**
1	Development application requiring referral	Development application for assessable development under section 15(1), unless the chief executive is the prescribed assessment manager for the application
2	Referral agency	The chief executive

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Table 1—Assessable development under s 15(1)	
Column 1	**Column 2**
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	If section 275ZJ of the Act applies—the matters stated in section 275ZJ(2)(b) and (3) of the Act
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral—	
(a) if the development is on Brisbane core port land	Nil
(b) otherwise	The fee that would be payable to the chief executive if the chief executive were the assessment manager

Table 2—Assessable development under s 15(2)	
Column 1	**Column 2**
1 Development application requiring referral	Development application for assessable development under section 15(2), unless the chief executive is the prescribed assessment manager for the application
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—

Table 2—Assessable development under s 15(2)	
Column 1	**Column 2**
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

Part 9 Infrastructure-related referrals

Division 2 Electricity infrastructure—referral agency's assessment

Table 1—Reconfiguring a lot subject to an easement or near a substation site	
Column 1	**Column 2**
1 Development application requiring referral	Development application for reconfiguring a lot that is assessable development under section 21, if— (a) all or part of the lot is subject to an easement— (i) for the benefit of a distribution entity, or transmission entity, under the Electricity Act; and (ii) for a transmission grid or supply network; or (b) part of the lot is within 100m of a substation site
2 Referral agency	The chief executive of the distribution entity or transmission entity
3 Limitations on referral agency's powers	Referral agency may give advice only
4 Matters referral agency's assessment must be against	The purposes of the Electricity Act and the Electrical Safety Act

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Table 1—Reconfiguring a lot subject to an easement or near a substation site	
Column 1	**Column 2**
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

Table 2—Material change of use of premises near a substation site or subject to an easement	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use of premises that is a prescribed material change of use and does not relate to reconfiguring a lot, if— (a) all or part of the premises are within 100m of a substation site; or (b) both of the following apply— (i) all or part of the premises are subject to an easement for the benefit of a distribution entity, or transmission entity, under the Electricity Act; (ii) the easement is for a transmission grid or supply network
2 Referral agency	The chief executive of the distribution entity or transmission entity
3 Limitations on referral agency's powers	Referral agency may give advice only
4 Matters referral agency's assessment must be against	The purposes of the Electricity Act and the Electrical Safety Act
5 Matters referral agency's assessment must have regard to	—

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Table 2—Material change of use of premises near a substation site or subject to an easement	
Column 1	**Column 2**
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

Table 3—Operational work on premises subject to an easement or near a substation site	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work that is filling or excavating if the operational work is assessable development under a local categorising instrument and either of the following apply— (a) both of the following apply— (i) all or part of the premises are subject to an easement for the benefit of a distribution entity, or transmission entity, under the Electricity Act; (ii) all or part of the work is on the easement; (b) all or part of the work is within 10m of a substation site
2 Referral agency	The chief executive of the distribution entity or transmission entity
3 Limitations on referral agency's powers	Referral agency may give advice only
4 Matters referral agency's assessment must be against	The purposes of the Electricity Act and the Electrical Safety Act
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—

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Table 3—Operational work on premises subject to an easement or near a substation site	
Column 1	**Column 2**
7 Matters referral agency's assessment may have regard to	—

Division 3 Oil and gas infrastructure—referral agency's assessment

Table 1—Reconfiguring a lot subject to a pipeline easement	
Column 1	**Column 2**
1 Development application requiring referral	Development application for reconfiguring a lot that is assessable development under section 21, if— (a) all or part of the lot is subject to an easement for the benefit of the holder of a pipeline licence under the Petroleum and Gas Act; and (b) the easement is for the construction or operation of the pipeline that is the subject of the pipeline licence
2 Referral agency	If the holder of the licence is not an individual—the chief executive, however described, of the holder If the holder of the licence is an individual—the individual
3 Limitations on referral agency's powers	Referral agency may give advice only
4 Matters referral agency's assessment must be against	The purposes of the Petroleum and Gas Act
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—

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Table 1—Reconfiguring a lot subject to a pipeline easement	
Column 1	**Column 2**
7 Matters referral agency's assessment may have regard to	—

Table 2—Material change of use of premises subject to a pipeline easement	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use of premises that is a prescribed material change of use and does not relate to reconfiguring a lot, if— (a) all or part of the premises are subject to an easement for the benefit of the holder of a pipeline licence under the Petroleum and Gas Act; and (b) the easement is for the construction or operation of the pipeline that is the subject of the pipeline licence; and (c) all or part of a structure or work that is the natural and ordinary consequence of the use is, or will be, on the easement
2 Referral agency	If the holder of the licence is not an individual—the chief executive, however described, of the holder If the holder of the licence is an individual—the holder
3 Limitations on referral agency's powers	Referral agency may give advice only
4 Matters referral agency's assessment must be against	The purposes of the Petroleum and Gas Act
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

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Table 3—Operational work on premises subject to a pipeline easement	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work that is— (a) assessable development under a local categorising instrument; and (b) filling, excavating, compacting, drilling, boring or piling, not relating to reconfiguring a lot, if— (i) all or part of the premises are subject to an easement for the benefit of the holder of a pipeline licence under the Petroleum and Gas Act; and (ii) all or part of the work is on the easement
2 Referral agency	If the holder of the licence is not an individual—the chief executive, however described, of the holder If the holder of the licence is an individual—the holder
3 Limitations on referral agency's powers	Referral agency may give advice only
4 Matters referral agency's assessment must be against	The purposes of the Petroleum and Gas Act
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

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Division 4 State transport infrastructure—referral agency's assessment

Subdivision 1 State transport infrastructure generally

Table 1—Aspect of development stated in schedule 20	
Column 1	**Column 2**
1 Development application requiring referral	Development application for an aspect of development stated in schedule 20 that is assessable development under a local categorising instrument or section 21, if— (a) the development is for a purpose stated in schedule 20, column 1 for the aspect; and (b) the development meets or exceeds the threshold— (i) for development in local government area 1—stated in schedule 20, column 2 for the purpose; or (ii) for development in local government area 2—stated in schedule 20, column 3 for the purpose; and (c) for development in local government area 1—the development is not for an accommodation activity or an office at premises wholly or partly in the excluded area However, if the development is for a combination of purposes stated in the same item of schedule 20, the threshold is for the combination of purposes and not for each individual purpose.

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Table 1—Aspect of development stated in schedule 20	
Column 1	**Column 2**
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral—	
(a) if the development involves reconfiguring a lot stated in subdivision 2, table 1, item 1, column 2, table 2, item 1, column 2 or table 3, item 1, column 2 or a material change of use stated in subdivision 2, table 4, item 1, column 2—	
(i) for premises in local government area 1	3,430 fee units
(ii) for premises in local government area 2	1,714 fee units
(b) if paragraph (a) does not apply—	
(i) for premises in local government area 1	6,859 fee units
(ii) for premises in local government area 2	3,430 fee units

Subdivision 2 State transport corridors and future State transport corridors

Table 1—Reconfiguring a lot near a State transport corridor	
Column 1	**Column 2**
1 Development application requiring referral	Development application for reconfiguring a lot that is assessable development under section 21, if— (a) all or part of the premises are within 25m of a State transport corridor; and (b) 1 or more of the following apply— (i) the total number of lots is increased; (ii) the total number of lots adjacent to the State transport corridor is increased; (iii) there is a new or changed access between the premises and the State transport corridor; (iv) an easement is created adjacent to a railway as defined under the Transport Infrastructure Act, schedule 6; and (c) the reconfiguration does not relate to government supported transport infrastructure
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—

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Table 1—Reconfiguring a lot near a State transport corridor	
Column 1	**Column 2**
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral—	
(a) if the reconfiguration results in less than 50 lots	1,714 fee units + (856 fee units x S) where— ***S*** means the number of State transport corridors that all or part of the premises are within 25m of, minus 1 *Example—* For premises within 25m of 3 State transport corridors, the fee is 1,714 fee units + (856 fee units x 2) = 3,426 fee units.
(b) if the reconfiguration results in 50 lots or more, but no more than 200 lots	3,430 fee units + (1,714 fee units x S) where— ***S*** means the number of State transport corridors that all or part of the premises are within 25m of, minus 1 *Example—* For premises within 25m of 3 State transport corridors, the fee is 3,430 fee units + (1,714 fee units x 2) = 6,858 fee units.
(c) if the reconfiguration results in more than 200 lots	6,859 fee units + (3,430 fee units x S) where— ***S*** means the number of State transport corridors that all or part of the premises are within 25m of, minus 1 *Example—* For premises within 25m of 3 State transport corridors, the fee is 6,859 fee units + (3,430 fee units x 2) = 13,719 fee units.

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Table 2—Reconfiguring a lot that is a future State transport corridor		
Column 1		**Column 2**
1	Development application requiring referral	Development application for reconfiguring a lot that is assessable development under section 21, if— (a) all or part of the premises are a future State transport corridor; and (b) the total number of lots is increased; and (c) the reconfiguration does not relate to government supported transport infrastructure
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	The State development assessment provisions
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—
8	Fee for referral—	
	(a) if the reconfiguration results in less than 50 lots	856 fee units for each future State transport corridor
	(b) if the reconfiguration results in 50 lots or more, but no more than 200 lots	1,714 fee units for each future State transport corridor
	(c) if the reconfiguration results in more than 200 lots	3,430 fee units for each future State transport corridor

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Table 3—Reconfiguring a lot near a State-controlled road intersection	
Column 1	**Column 2**
1 Development application requiring referral	Development application for reconfiguring a lot that is assessable development under section 21, if— (a) all or part of the premises are— (i) adjacent to a road (the ***relevant road***) that intersects with a State-controlled road; and (ii) within 100m of the intersection; and (b) 1 or more of the following apply— (i) the total number of lots is increased; (ii) the total number of lots adjacent to the relevant road is increased; (iii) there is a new or changed access between the premises and the relevant road; and (c) the reconfiguration does not relate to government supported transport infrastructure
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral—	

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Table 3—Reconfiguring a lot near a State-controlled road intersection	
Column 1	**Column 2**
(a) if the reconfiguration involves reconfiguring a lot stated in table 1, item 1, column 2	Nil
(b) if paragraph (a) does not apply and the reconfiguration results in 50 lots or less	856 fee units
(c) if paragraph (a) does not apply and the reconfiguration results in more than 50 lots, but no more than 200 lots	1,714 fee units
(d) if paragraph (a) does not apply and the reconfiguration results in more than 200 lots	3,430 fee units

Table 4—Material change of use of premises near a State transport corridor or that is a future State transport corridor		
Column 1		**Column 2**
1	Development application requiring referral	Development application for a material change of use, other than an excluded material change of use, that is assessable development under a local categorising instrument, if all or part of the premises— (a) are within 25m of a State transport corridor; or (b) are a future State transport corridor; or (c) are— (i) adjacent to a road that intersects with a State-controlled road; and (ii) within 100m of the intersection
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	The State development assessment provisions

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Table 4—Material change of use of premises near a State transport corridor or that is a future State transport corridor	
Column 1	**Column 2**
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may be against	—
8 Fee for referral— (a) if the material change of use involves reconfiguring a lot stated in table 1, item 1, column 2, table 2, item 1, column 2 or table 3, item 1, column 2 (b) if paragraph (a) does not apply and the material change of use is stated in item 1, column 2, paragraph (a) or (c) and does not involve new relevant vehicular access to a State transport corridor— (i) for premises that consist of at least 1 dwelling but no more than 4 dwellings	Nil 856 fee units for— (a) each State transport corridor that all or part of the premises are within 25m of; and (b) each State-controlled road, other than a State-controlled road to which paragraph (a) applies, that intersects with a road that is adjacent to all or part of the premises, if the intersection is within 100m of all or part of the premises *Examples—* 1 For premises within 25m of 3 State transport corridors, the fee is 2,568 fee units. 2 For premises—

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Table 4—Material change of use of premises near a State transport corridor or that is a future State transport corridor	
Column 1	**Column 2**
	(a) within 25m of a State-controlled road; and (b) adjacent to a road that intersects with the State-controlled road mentioned in paragraph (a) and within 100m of the intersection; the fee is 856 fee units.
(ii) otherwise	1,714 fee units + (856 fee units x S) where— ***S*** means the total of the following, minus 1— (a) the number of State transport corridors that all or part of the premises are within 25m of; (b) the number of State-controlled roads, other than State-controlled roads to which paragraph (a) applies, that intersect with a road that is adjacent to all or part of the premises, if the intersection is within 100m of all or part of the premises *Examples—* 1 For premises within 25m of 3 State transport corridors, the fee is 1,714 fee units + (856 fee units x 2) = 3,426 fee units. 2 For premises— (a) within 25m of a State-controlled road; and

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Table 4—Material change of use of premises near a State transport corridor or that is a future State transport corridor	
Column 1	**Column 2**
	(b) adjacent to a road that intersects with the State-controlled road mentioned in paragraph (a) and within 100m of the intersection; the fee is 1,714 fee units + (856 fee units x 0) = 1,714 fee units.
(c) if paragraph (a) does not apply and the material change of use is stated in item 1, column 2, paragraph (a) or (c) and involves a new relevant vehicular access to a State transport corridor—	
(i) for premises that consist of at least 1 dwelling but no more than 4 dwellings	1,714 fee units + (856 fee units x S) where— ***S*** means the total of the following, minus 1— (a) the number of State transport corridors that all or part of the premises are within 25m of; (b) the number of State-controlled roads, other than State-controlled roads to which paragraph (a) applies, that intersect with a road that is adjacent to all or part of the premises, if the intersection is within 100m of all or part of the premises *Examples—* 1 For premises within 25m of 3 State transport corridors, the fee is 1,714 fee units + (856 fee units x 2) = 3,426 fee units. 2 For premises— (a) within 25m of a State-controlled road; and

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Table 4—Material change of use of premises near a State transport corridor or that is a future State transport corridor	
Column 1	**Column 2**
	(b) adjacent to a road that intersects with the State-controlled road mentioned in paragraph (a) and within 100m of the intersection; the fee is 1,714 fee units + (856 fee units x 0) = 1,714 fee units.
(ii) otherwise	3,430 fee units + (1,714 fee units x S) where— ***S*** means the total of the following, minus 1— (a) the number of State transport corridors that all or part of the premises are within 25m of; (b) the number of State-controlled roads, other than State-controlled roads to which paragraph (a) applies, that intersect with a road that is adjacent to all or part of the premises, if the intersection is within 100m of all or part of the premises *Examples—* 1 For premises within 25m of 3 State transport corridors, the fee is 3,430 fee units + (1,714 fee units x 2) = 6,858 fee units. 2 For premises— (a) within 25m of a State-controlled road; and (b) adjacent to a road that intersects with the State-controlled road mentioned in paragraph (a) and within 100m of the intersection;

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Table 4—Material change of use of premises near a State transport corridor or that is a future State transport corridor	
Column 1	**Column 2**
	the fee is 3,430 fee units + (1,714 fee units x 0) = 3,430 fee units.
(d) if paragraph (a) does not apply and all or part of the premises are a future State transport corridor—	
(i) for premises that consist of at least 1 dwelling but no more than 4 dwellings	856 fee units for each future State transport corridor
(ii) otherwise	1,714 fee units for each future State transport corridor

Table 5—Operational work on premises near a State transport corridor	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work, if— (a) all or part of the premises are within 25m of a State transport corridor; and (b) the work— (i) relates to access to a State transport corridor; or (ii) involves extracting, excavating or filling more than $50m^3$; or (iii) involves the redirection or intensification of site stormwater from the premises, through a pipe or culvert with a cross-sectional area of more than $625cm^2$, to a State transport corridor; and (c) the work does not relate to— (i) a material change of use stated in table 4, item 1, column 2, paragraph (a) or (c); or

Table 5—Operational work on premises near a State transport corridor	
Column 1	**Column 2**
	(ii) reconfiguring a lot stated in table 1, item 1, column 2 or table 3, item 1, column 2; or (iii) government supported transport infrastructure
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	3,430 fee units + (1,714 fee units x S) where— ***S*** means the number of State transport corridors that all or part of the premises is within 25m of, minus 1 *Example—* For premises within 25m of 3 State transport corridors, the fee is 3,430 fee units + (1,714 fee units x 2) = 6,858 fee units.

Table 6—Operational work on premises that is a future State transport corridor	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work, if— (a) all or part of the premises are a future State transport corridor; and

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Table 6—Operational work on premises that is a future State transport corridor	
Column 1	**Column 2**
	(b) the work does not relate to— (i) a material change of use stated in table 4, item 1, column 2, paragraph (b); or (ii) reconfiguring a lot stated in table 2, item 1, column 2; or (iii) government supported transport infrastructure
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	3,430 fee units + (1,714 fee units x F) where— ***F*** means the number of future State transport corridors on the premises, minus 1 *Example*— For premises that have 3 future State transport corridors on the premises, the fee is 3,430 fee units + (1,714 fee units x 2) = 6,858 fee units.

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Subdivision 3 State-controlled transport tunnels and future State-controlled transport tunnels

Table 1—Reconfiguring a lot on or near a State-controlled transport tunnel or future State-controlled transport tunnel		
Column 1		**Column 2**
1	Development application requiring referral	Development application for reconfiguring a lot that is assessable development under section 21, if— (a) all or part of the premises are— (i) a State-controlled transport tunnel; or (ii) a future State-controlled transport tunnel; or (iii) within 50m of a State-controlled transport tunnel or a future State-controlled transport tunnel; and (b) the reconfiguration does not relate to government supported transport infrastructure
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	The State development assessment provisions
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—
8	Fee for referral	6,859 fee units

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Table 2—Material change of use of premises on or near a State-controlled transport tunnel or future State-controlled transport tunnel	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use that is assessable development under a local categorising instrument, if— (a) all or part of the premises are— (i) a State-controlled transport tunnel; or (ii) a future State-controlled transport tunnel; or (iii) within 50m of a State-controlled transport tunnel or future State-controlled transport tunnel; and (b) the material change of use does not relate to government supported transport infrastructure
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral— (a) if the material change of use involves reconfiguring a lot stated in table 1, item 1, column 2 (b) otherwise	 Nil 6,859 fee units

Table 3—Operational work on or near a State-controlled transport tunnel or future State-controlled transport tunnel	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work, if— (a) all or part of the premises are— (i) a State-controlled transport tunnel; or (ii) a future State-controlled transport tunnel; or (iii) within 50m of a State-controlled transport tunnel or a future State-controlled transport tunnel; and (b) the work does not relate to— (i) a material change of use stated in table 2, item 1, column 2; or (ii) reconfiguring a lot stated in table 1, item 1, column 2; or (iii) government supported transport infrastructure
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	6,859 fee units

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Part 10 Koala habitat in SEQ region

Division 1 Preliminary

16 Application of part

This part applies in relation to development on a lot that is completely or partly in the SEQ region.

Division 2 Prohibited development

16A Prohibited development—development interfering with koala habitat in koala priority area and koala habitat area

(1) Development is prohibited development to the extent the development involves interfering with koala habitat in an area that is both—

(a) a koala priority area; and

(b) a koala habitat area.

(2) However, subsection (1) does not apply to the extent the development—

(a) is exempted development; or

(b) is assessable development under section 16C; or

(c) is in an identified koala broad-hectare area and is—

(i) accepted development, or assessable development, under a local categorising instrument, other than development that is for an extractive industry and is not assessable development under section 16C; or

(ii) reconfiguring a lot that is assessable development under part 14, division 1, section 21; or

(d) is carried out under a development permit given for an application that was properly made before 7 February 2020; or

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(e) is consistent with a development approval—

(i) in effect for the premises on which the development is carried out; and

(ii) given for an application that was properly made before 7 February 2020.

Division 3 Development interfering with koala habitat in koala habitat areas outside koala priority areas

Subdivision 1 Assessable development

16B Assessable development—development interfering with koala habitat in koala habitat areas outside koala priority areas

(1) Development is assessable development to the extent the development involves interfering with koala habitat in an area that—

(a) is a koala habitat area; but

(b) is not a koala priority area.

(2) However, subsection (1) does not apply to the extent the development—

(a) is exempted development; or

(b) is assessable development under section 16C; or

(c) is in an identified koala broad-hectare area and is—

(i) accepted development, or assessable development, under a local categorising instrument, other than development that is for an extractive industry and is not assessable development under section 16C; or

(ii) reconfiguring a lot that is assessable development under part 14, division 1, section 21; or

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(d) is carried out under a development permit given for an application that was properly made before 7 February 2020; or

(e) is consistent with a development approval—

(i) in effect for the premises on which the development is carried out; and

(ii) given for an application that was properly made before 7 February 2020.

Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 16B		
Column 1		**Column 2**
1	Category of assessment	Code assessment, if the chief executive is the prescribed assessment manager
2	Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—
5	Fee for development application, if the chief executive is the assessment manager	3,430 fee units

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Subdivision 3 Referral agency's assessment

Table 1—Assessable development under s 16B		
Column 1		**Column 2**
1	Development application requiring referral	Development application for assessable development under section 16B, unless the chief executive is the prescribed assessment manager for the application
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	The State development assessment provisions
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—
8	Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

Division 4 Key resource areas

Subdivision 1 Assessable development

16C Assessable development—development for extractive industries in key resource areas

(1) Development that involves interfering with koala habitat in a koala habitat area is assessable development to the extent the development is carried out in a key resource area and is for an extractive industry.

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(2) However, subsection (1) does not apply to the extent the development—

(a) is exempted development; or

(b) is carried out under a development permit given for an application that was properly made before 7 February 2020; or

(c) is consistent with a development approval—

(i) in effect for the premises on which the development is carried out; and

(ii) given for an application that was properly made before 7 February 2020.

Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 16C		
Column 1		**Column 2**
1	Category of assessment	Code assessment, if the chief executive is the prescribed assessment manager
2	Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—
5	Fee for development application, if the chief executive is the assessment manager	3,430 fee units

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Subdivision 3 Referral agency's assessment

Table 1—Assessable development under s 16C		
Column 1		**Column 2**
1	Development application requiring referral	Development application for assessable development under section 16C, unless the chief executive is the prescribed assessment manager for the application
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	The State development assessment provisions
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—
8	Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

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Division 5 Development on premises in koala priority areas not interfering with koala habitat—assessment by assessment manager

Table 1—Development on premises in koala priority areas not interfering with koala habitat		
Column 1		**Column 2**
1	Category of assessment	The category of assessment stated for the development in a local categorising instrument
2	Assessment benchmarks	For a development application in relation to which schedule 11, part 2 applies—the assessment benchmarks stated in schedule 11, part 2
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—

Division 6 Development in identified koala broad-hectare areas—assessment by assessment manager

Table 1—Development in identified koala broad-hectare areas		
Column 1		**Column 2**
1	Category of assessment	The category of assessment stated for the development in a local categorising instrument
2	Assessment benchmarks	For a development application in relation to which schedule 11, part 3 applies—the assessment benchmarks stated in schedule 11, part 3

Table 1—Development in identified koala broad-hectare areas	
Column 1	**Column 2**
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—

Part 11 Noise sensitive place on noise attenuation land

17 Prohibited development—material change of use for a noise sensitive place

A material change of use of premises for a noise sensitive place is prohibited development, if—

(a) the use is on a part of the premises that—

(i) is noise attenuation land; and

(ii) has noise levels exceeding 45dBA(L_{Aeq}) during the operation of an off-road motorcycling facility on off-road motorcycling facility land; and

(b) any building work for the use does not comply with the outcomes prescribed for noise category 2 in the Queensland Development Code, part 4.4.

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Part 12 Operational work for reconfiguring a lot

Division 1 Assessable development

18 Assessable development—operational work for reconfiguring a lot

Operational work for reconfiguring a lot is assessable development, if the reconfiguration is also assessable development.

Division 2 Assessment by assessment manager

Table 1—Assessable development under s 18		
Column 1		**Column 2**
1	Category of assessment	Code assessment
2	Assessment benchmarks	—
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—

Part 13 Ports

Division 1 Brisbane core port land

Subdivision 1 Assessment by assessment manager

Table 1—Assessable development on Brisbane core port land	
Column 1	**Column 2**
1 Category of assessment	Code assessment, if the development is on Brisbane core port land and either of the following apply— (a) the development is reconfiguring a lot that is assessable development requiring code assessment under the Transport Infrastructure Act, section 283ZM(4); (b) the development is assessable development requiring code assessment under the Brisbane port LUP Impact assessment, if the development is on Brisbane core port land and is assessable development requiring impact assessment under the Brisbane port LUP
2 Assessment benchmarks	The Brisbane port LUP
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—
5 Fee for development application if the chief executive is the assessment manager—	

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Table 1—Assessable development on Brisbane core port land	
Column 1	**Column 2**
(a) if the development is consistent with the Brisbane port LUP and requires code assessment	10,000 fee units
(b) if the development is inconsistent with the Brisbane port LUP and requires—	
(i) code assessment	15,715 fee units
(ii) impact assessment	28,572 fee units

Subdivision 2 Referral agency's assessment

Table 1—Material change of use on Brisbane core port land		
Column 1		**Column 2**
1	Development application requiring referral	Development application for a material change of use of premises on Brisbane core port land, if— (a) the Brisbane port LUP categorises the material change of use as assessable development; and (b) the chief executive is the prescribed assessment manager for the application
2	Referral agency	Brisbane City Council
3	Limitations on referral agency's powers	Referral agency may give advice only
4	Matters referral agency's assessment must be against	The material impacts of the proposed development, identified by the council, on land in its local government area, other than Brisbane core port land
5	Matters referral agency's assessment must have regard to	—

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Table 1—Material change of use on Brisbane core port land	
Column 1	**Column 2**
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

Table 2—Operational work near a State transport corridor	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work on Brisbane core port land that is categorised as assessable development under the Brisbane port LUP, if— (a) all or part of the premises are within 25m of a State transport corridor; and (b) the work— (i) relates to access to the State transport corridor; or (ii) involves extracting, excavating or filling more than $50m^3$; or (iii) involves the redirection or intensification of site stormwater from the premises through a pipe or culvert with a cross-sectional area of more than $625cm^2$, to a State transport corridor; and (c) the work does not relate to— (i) a material change of use stated in table 4, item 1, column 2, paragraph (a) or (c); or (ii) government supported transport infrastructure
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—

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Table 2—Operational work near a State transport corridor	
Column 1	**Column 2**
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil

Table 3—Operational work on land that is a future State transport corridor	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work on Brisbane core port land that is categorised as assessable development under the Brisbane port LUP, if— (a) all or part of the premises are a future State transport corridor; and (b) the work does not relate to— (i) a material change of use stated in table 4, item 1, column 2, paragraph (b); or (ii) government supported transport infrastructure
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—

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Table 3—Operational work on land that is a future State transport corridor	
Column 1	**Column 2**
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil

Table 4—Material change of use of premises near a State transport corridor or that is future State transport corridor	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use of premises on Brisbane core port land that is categorised as assessable development under the Brisbane port LUP, other than an excluded material change of use, if all or part of the premises— (a) are within 25m of a State transport corridor; or (b) are a future State transport corridor; or (c) are— (i) adjacent to a road that intersects with a State-controlled road; and (ii) within 100m of the intersection
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

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Table 4—Material change of use of premises near a State transport corridor or that is future State transport corridor	
Column 1	**Column 2**
8 Fee for referral	Nil

Table 5—Development that is inconsistent with Brisbane port LUP for transport reasons	
Column 1	**Column 2**
1 Development application requiring referral	Development application for development on Brisbane core port land that is inconsistent with the Brisbane port LUP for transport reasons
2 Referral agency	The Minister responsible for administering the Transport Infrastructure Act
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The transport reasons
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

Table 6—Material change of use of premises for an environmentally relevant activity	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use of premises on Brisbane core port land, if the material change of use— (a) is for an environmentally relevant activity; and (b) is prescribed assessable development; and

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Table 6—Material change of use of premises for an environmentally relevant activity	
Column 1	**Column 2**
	(c) is categorised as assessable development under the Brisbane port LUP
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil

Table 7—Material change of use or operational work that is for or involves tidal works or work in a coastal management district	
Column 1	**Column 2**
1 Development application requiring referral	Development application for development on Brisbane core port land, if the development— (a) is a material change of use or operational work; and (b) is categorised as assessable development under the Brisbane port LUP; and (c) is for or involves— (i) tidal works; or (ii) operational work completely or partly in a coastal management district that is prescribed assessable development

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Table 7—Material change of use or operational work that is for or involves tidal works or work in a coastal management district	
Column 1	**Column 2**
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil

Table 8—Material change of use of premises for a hazardous chemical facility	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use of premises on Brisbane core port land, if the material change of use— (a) is for a hazardous chemical facility; and (b) is categorised as assessable development under the Brisbane port LUP
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—

Table 8—Material change of use of premises for a hazardous chemical facility	
Column 1	**Column 2**
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil

Table 9—Operational work for taking or interfering with water	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work stated in section 29, if the operational work— (a) is on Brisbane core port land; and (b) is categorised as assessable development under the Brisbane port LUP
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil

Table 10—Operational work for referable dams	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work stated in section 31, if the operational work—

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Table 10—Operational work for referable dams	
Column 1	**Column 2**
	(a) is on Brisbane core port land; and (b) is categorised as assessable development under the Brisbane port LUP
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil

Table 11—Material change of use or operational work relating to fisheries	
Column 1	**Column 2**
1 Development application requiring referral	Development application for the following development, if the development is on Brisbane core port land and is categorised as assessable development under the Brisbane port LUP— (a) a material change of use stated in section 9; (b) operational work stated in section 10, 11 or 12; (c) a material change of use involving operational work that is the removal, destruction or damage of a marine plant, if there is no development permit for the operational work

Table 11—Material change of use or operational work relating to fisheries	
Column 1	**Column 2**
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil

Division 2 Land within Port of Brisbane's port limits—referral agency's assessment

Table 1—Development below high-water mark and within port limits generally	
Column 1	**Column 2**
1 Development application requiring referral	Development application for development that is— (a) below high-water mark; and (b) within the Port of Brisbane's port limits under the Transport Infrastructure Act
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions

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Table 1—Development below high-water mark and within port limits generally	
Column 1	**Column 2**
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil

Table 2—Development below high-water mark and within port limits if applicant is not port operator	
Column 1	**Column 2**
1 Development application requiring referral	Development application for development stated in table 1, item 1, column 2, if the port operator is not the applicant
2 Referral agency	The port operator
3 Limitations on referral agency's powers	Referral agency may give advice only
4 Matters referral agency's assessment must be against	The safety and operational integrity of the port
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

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Division 3 Land within limits of another port—assessable development

Table 1—Prescribed assessable development within limits of a port	
Column 1	**Column 2**
1 Development application requiring referral	Development application for development that is— (a) prescribed assessable development; and (b) on land below high-water mark and within the limits of a port under the Transport Infrastructure Act
2 Referral agency	The chief executive of the port authority for the land
3 Limitations on referral agency's powers	If the development complies with all of the following, the referral agency may give advice only— (a) the development is carried out at a distance of at least 200m from a shipping channel or an entry and exit shipping corridor for the port; (b) the development is carried out at a distance of at least 100m from a swing basin, a commercial shipping wharf, a mooring, anchorage or spoil grounds; (c) the development is carried out at a distance of at least 1,000m from a planned port facility identified in a land use plan for strategic port land
4 Matters referral agency's assessment must be against	Port authority functions under the Transport Infrastructure Act, chapter 8, part 3
5 Matters referral agency's assessment must have regard to	—

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Table 1—Prescribed assessable development within limits of a port	
Column 1	**Column 2**
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

Division 4 Priority port's master planned area

Note—

For the relationship between port overlays and planning instruments, and between port overlays and land use plans for strategic port land, see the Sustainable Ports Act, sections 26 and 27.

Subdivision 1 Assessable development

19 Assessable development—development in priority port's master planned area

Development in a priority port's master planned area is assessable development if the port overlay for the master planned area states the development is assessable development.

Note—

See also the *Sustainable Ports Development Act 2015*, section 19(4) for particular development that a port overlay can not regulate.

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Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 19	
Column 1	**Column 2**
1 Category of assessment	Impact assessment, if the port overlay requires impact assessment Otherwise, code assessment
2 Assessment benchmarks	Matters stated in the port overlay for the master planned area to be assessment benchmarks for the development
3 Matters code assessment must have regard to	Matters stated in the port overlay for the master planned area to be matters the assessment manager must have regard to in assessing the development
4 Matters impact assessment must have regard to	Matters stated in the port overlay for the master planned area to be matters the assessment manager must have regard to in assessing the development

Division 5 Strategic port land

Subdivision 1 Assessable development

20 Assessable development—development on strategic port land

Development on strategic port land is assessable development, if—

(a) either—

(i) the land use plan for the strategic port land states the development is assessable development; or

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(ii) the development is a material change of use that is inconsistent with the land use plan; and

(b) for premises in a priority port's master planned area—the port overlay for the master planned area does not state a different category of development for the development.

Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 20	
Column 1	**Column 2**
1 Category of assessment	Code assessment
2 Assessment benchmarks	If the port authority is the assessment manager—the land use plan for the strategic port land
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—

Subdivision 3 Referral agency's assessment

Table 1—Assessable development under s 20(a)(ii)	
Column 1	**Column 2**
1 Development application requiring referral	Development application for assessable development stated in section 20(a)(ii)
2 Referral agency	The Minister responsible for administering the Transport Infrastructure Act
3 Limitations on referral agency's powers	—

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Table 1—Assessable development under s 20(a)(ii)	
Column 1	**Column 2**
4 Matters referral agency's assessment must be against	The Transport Infrastructure Act, section 287A
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

Part 14 Reconfiguring a lot under Land Title Act

Division 1 Assessable development

21 Assessable development—reconfiguring a lot under Land Title Act

Reconfiguring a lot under the Land Title Act is assessable development, unless the reconfiguration—

(a) is stated in schedule 6, part 4, section 21(2); or

(b) is of a lot that is, or includes, Brisbane core port land; or

Note—

For reconfiguring a lot on Brisbane core port land, see the Transport Infrastructure Act, section 283ZM.

(c) is for reconfiguring a South Bank lot within the corporation area under the *South Bank Corporation Act 1989*; or

(d) is of a lot that is in a priority development area, or that is PDA-associated land for a priority development area, within the meaning of the Economic Development Act, schedule 1.

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Division 2 Assessment by assessment manager

Note—

For the referral agencies for particular development applications for reconfiguring a lot that is assessable development under section 21, see the other parts of this schedule.

Table 1—Assessable development under s 21	
Column 1	**Column 2**
1 Category of assessment	Code assessment, if— (a) schedule 12 applies to the reconfiguration and either— (i) no part of the lot to be reconfigured is in an SEQ development area; or (ii) all or part of the lot to be reconfigured is in an SEQ development area, but the reconfiguration is an exempt subdivision; or (b) impact assessment is not required for the reconfiguration Impact assessment, if— (a) a local categorising instrument requires impact assessment for the reconfiguration and schedule 12 does not apply to the reconfiguration; or (b) all or part of the lot to be reconfigured is in an SEQ development area and the reconfiguration is a subdivision other than an exempt subdivision
2 Assessment benchmarks	For reconfiguring a lot that schedule 12 applies to and that requires code assessment—the assessment benchmarks prescribed in schedule 12 for the development

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Table 1—Assessable development under s 21	
Column 1	**Column 2**
	For reconfiguring a lot that schedule 12A applies to—the assessment benchmarks prescribed in schedule 12A for the development
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—

Part 15 SEQ development areas and SEQ major enterprise and industrial areas

Division 1 Category 1 SEQ development areas

22 Prohibited development—reconfiguring a lot in a category 1 SEQ development area

(1) Reconfiguring a lot that is a subdivision and assessable development under section 21 is prohibited development to the extent the lot is in a category 1 SEQ development area.

(2) However, subsection (1) does not apply to the extent the reconfiguring of the lot is—

(a) carried out under a development permit given for an application that was properly made before 20 September 2023; or

(b) consistent with a development approval—

(i) in effect for the premises on which the development is carried out; and

(ii) given for an application that was properly made before 20 September 2023; or

(c) for a coordinated project; or

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(d) in a State development area; or

(e) in a priority development area.

22A Prohibited development—material change of use in a category 1 SEQ development area

(1) A material change of use of premises is prohibited development to the extent the premises are in a category 1 SEQ development area.

(2) However, subsection (1) does not apply to the extent the development is—

(a) a material change of use of premises for—

(i) a dwelling house; or

(ii) a dwelling unit; or

(iii) caretaker's accommodation; or

(iv) a home-based business; or

(v) a rural activity, other than aquaculture, intensive animal industry, intensive horticulture or a permanent plantation, in a rural zone; or

(b) carried out under a development permit given for an application that was properly made before 20 September 2023; or

(c) consistent with a development approval—

(i) in effect for the premises on which the development is carried out; and

(ii) given for an application that was properly made before 20 September 2023; or

(d) for a coordinated project; or

(e) in a State development area; or

(f) in a priority development area.

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Division 2 Category 2 SEQ development areas

Subdivision 1 Reconfiguring a lot—referral agency's assessment

Table 1—Reconfiguring a lot in category 2 SEQ development area		
Column 1		**Column 2**
1	Development application requiring referral	Development application for reconfiguring a lot that is completely or partly in a category 2 SEQ development area, if— (a) the reconfiguration is assessable development under section 21 and requires impact assessment; and (b) the reconfiguration is a subdivision other than an exempt subdivision
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	Whether the development is consistent with the future planning intent for the area in which the premises are located *Note—* See also section 41.
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—
8	Fee for referral	1,714 fee units

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Subdivision 2 Assessable development

22B Assessable development—material change of use in a category 2 SEQ development area

(1) A material change of use of premises that are completely or partly in a category 2 SEQ development area is assessable development.

(2) However, subsection (1) does not apply to the extent the development is—

(a) a material change of use of premises for—

(i) a dwelling house; or

(ii) a dwelling unit; or

(iii) caretaker's accommodation; or

(iv) a home-based business; or

(v) a rural activity, other than aquaculture, intensive animal industry, intensive horticulture or a permanent plantation, in a rural zone; or

(b) for a coordinated project; or

(c) in a State development area; or

(d) in a priority development area.

Subdivision 3 Assessment by assessment manager

Table 1—Assessable development under s 22B		
Column 1		**Column 2**
1	Category of assessment	Impact assessment
2	Assessment benchmarks	—
3	Matters code assessment must have regard to	—

Table 1—Assessable development under s 22B	
Column 1	**Column 2**
4 Matters impact assessment must have regard to	—

Subdivision 4 Referral agency's assessment

Table 1—Assessable development under s 22B	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use of premises that is assessable development under section 22B
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	Whether the development is consistent with the future planning intent for the area in which the premises are located *Note—* See also section 41.
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral—	
(a) if the material change of use involves reconfiguring a lot for which the chief executive is a referral agency under division 2, table 1, item 1, column 2	Nil
(b) otherwise	1,714 fee units

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Division 3 SEQ major enterprise and industrial areas

22C Prohibited development—material change of use in SEQ major enterprise and industrial area

(1) A material change of use of premises for accommodation activity is prohibited development to the extent the premises are located in an industry zone in an SEQ major enterprise and industrial area.

(2) However, subsection (1) does not apply if the material change of use is—

(a) for caretaker's accommodation; or

(b) in an SEQ development area; or

(c) carried out under a development permit given for an application that was properly made before 20 September 2023; or

(d) consistent with a development approval—

(i) in effect for the premises on which the development is carried out; and

(ii) given for an application that was properly made before 20 September 2023.

(3) In this section—

industry zone means—

(a) any industry zone stated in schedule 2; or

(b) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone mentioned in paragraph (a).

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Part 16 SEQ regional landscape and rural production area and SEQ rural living area

Division 1AA Preliminary

22D Application of part

This part does not apply if part 16B applies.

Division 1 Reconfiguring a lot

23 Prohibited development—reconfiguring a lot in SEQ regional landscape and rural production area

(1) Reconfiguring a lot is prohibited development to the extent the lot is in the SEQ regional landscape and rural production area, if the reconfiguration—

(a) is a subdivision; and

(b) is assessable development under section 21.

(2) However, subsection (1) does not apply if—

(a) the reconfiguration is an exempt subdivision; or

(b) each lot created by the reconfiguration is at least 100ha.

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Division 2 Tourist or sport and recreation activity

Subdivision 1 Assessable development

24 Assessable development—material change of use for tourist activity or sport and recreation activity

(1) A material change of use of premises for a tourist activity or sport and recreation activity is assessable development if—

(a) all or part of the premises are in—

(i) the SEQ regional landscape and rural production area; or

(ii) the SEQ rural living area; and

(b) the use—

(i) results in a gross floor area of more than 5,000m^2 on the premises, excluding any part of the premises that is used for tourist accommodation or accommodation for employees; or

(ii) involves an ancillary commercial or retail activity with a gross floor area of more than 250m^2; or

(iii) provides accommodation for more than 300 persons; and

(c) the material change of use is not—

(i) excluded development; or

(ii) an exempt material change of use; or

(iii) for a tourist activity that is in an SEQ significant tourist activity area.

(2) In this section—

SEQ significant tourist activity area means an area in the SEQ region identified in a gazette notice by the Minister as an SEQ significant tourist activity area.

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Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 24	
Column 1	**Column 2**
1 Category of assessment	Impact assessment
2 Assessment benchmarks	—
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—

Subdivision 3 Referral agency's assessment

Table 1—Assessable development under s 24	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use of premises that is assessable development under section 24
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	(a) The material change of use avoids adversely impacting the regional biodiversity network, regional landscape values or natural economic resource areas stated in the SEQ regional plan or, if the adverse impact can not be avoided, the adverse impact is minimised (b) The material change of use does not involve a residential use other than tourist accommodation or accommodation for employees

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Table 1—Assessable development under s 24	
Column 1	**Column 2**
	(c) Any commercial, industrial or retail activity carried out as part of the use is ancillary to the use (d) The material change of use is consistent with the SEQ regional plan, including the outcomes and strategies, and subregional directions, stated in the plan
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	1,714 fee units

Division 3 Community activity

Subdivision 1 Prohibited development

25 Prohibited development—material change of use for residential care facility

A material change of use of premises for a residential care facility is prohibited development if—

(a) all or part of the premises are in—

(i) the SEQ regional landscape and rural production area; or

(ii) the SEQ rural living area; and

(b) the use results in a gross floor area of more than 5,000m^2 on the premises; and

(c) the material change of use is not excluded development.

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Subdivision 2 Assessable development

26 Assessable development—material change of use for residential care facility

A material change of use of premises for a residential care facility is assessable development if—

(a) all or part of the premises are in—

(i) the SEQ regional landscape and rural production area; or

(ii) the SEQ rural living area; and

(b) the use results in a gross floor area of not more than 5,000m^2 on the premises; and

(c) the material change of use is not excluded development.

27 Assessable development—material change of use for another community activity

A material change of use of premises for a community activity, other than a residential care facility, is assessable development if—

(a) all or part of the premises are in—

(i) the SEQ regional landscape and rural production area; or

(ii) the SEQ rural living area; and

(b) the use—

(i) results in a gross floor area of more than 5,000m^2 on the premises, excluding any part of the premises that is used for tourist accommodation or accommodation for employees; or

(ii) involves an ancillary commercial or retail activity with a gross floor area of more than 250m^2; or

(iii) provides accommodation for more than 300 persons; and

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(c) the material change of use is not—

(i) excluded development; or

(ii) an exempt material change of use.

Subdivision 3 Assessment by assessment manager

Table 1—Assessable development under s 26 or 27		
Column 1		**Column 2**
1	Category of assessment	Impact assessment
2	Assessment benchmarks	—
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—

Subdivision 4 Referral agency's assessment

Table 1—Assessable development under s 26 or 27		
Column 1		**Column 2**
1	Development application requiring referral	Development application for a material change of use of premises that is assessable development under section 26 or 27
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	(a) There is a community and economic need for the use (b) When the use starts—

Table 1—Assessable development under s 26 or 27	
Column 1	**Column 2**
	(i) the premises will have direct access to transport infrastructure that is reasonably required for, and adequate to service, the use; and (ii) the premises will be serviced by infrastructure (including, for example, infrastructure for electricity, stormwater, water supply and the treatment and disposal of waste) that is adequate for the use; and (iii) a workforce suitable for the carrying out of the use will be able to be sourced from the surrounding area (c) The provision of the infrastructure mentioned in paragraph (b)(i) and (ii) is practical and economically feasible having regard to the location and characteristics of the premises (d) The use is compatible with the physical characteristics of the premises (e) The use is compatible with the use of other premises in the surrounding area (f) The material change of use avoids adversely impacting the regional biodiversity network, regional landscape values or natural economic resource areas stated in the SEQ regional plan or, if the adverse impact can not be avoided, the adverse impact is minimised

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Table 1—Assessable development under s 26 or 27	
Column 1	**Column 2**
	(g) The material change of use avoids an area that involves a risk of serious harm to persons or property from natural events or processes, including, for example, bush fires, coastal erosion, flooding or landslides (h) If the material change of use can not avoid an area mentioned in paragraph (g), the material change of use minimises the risk of serious harm mentioned in that paragraph (i) The material change of use does not involve residential development (j) Any commercial, industrial or retail activity carried out as part of the use is ancillary to the use (k) The material change of use is consistent with the SEQ regional plan, including the outcomes and strategies, and subregional directions, stated in the plan (l) If the material change of use is for a residential care facility—the locational requirements or environmental impacts of the material change of use require it to be outside the SEQ urban footprint *Note—* See also section 41A.
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	1,714 fee units

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Division 4 Indoor recreation

Subdivision 1 Assessable development

27A Assessable development—material change of use for indoor recreation

A material change of use of premises for indoor recreation is assessable development if—

(a) all or part of the premises are in—

(i) the SEQ regional landscape and rural production area; or

(ii) the SEQ rural living area; and

(b) the use—

(i) results in a gross floor area of more than 3,000m^2 on the premises, excluding any part of the premises that is used for tourist accommodation or accommodation for employees; or

(ii) involves more than 250 persons, including employees, being on the premises at any time; or

(iii) provides accommodation for more than 100 persons; and

(c) the material change of use is not—

(i) excluded development; or

(ii) an exempt material change of use.

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Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 27A	
Column 1	**Column 2**
1 Category of assessment	Impact assessment
2 Assessment benchmarks	—
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—

Subdivision 3 Referral agency's assessment

Table 1—Assessable development under s 27A	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use of premises that is assessable development under section 27A
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	(a) When the use starts, the premises— (i) will have direct access to transport infrastructure that is reasonably required for, and adequate to service, the use; and

Table 1—Assessable development under s 27A	
Column 1	**Column 2**
	(ii) will be serviced by infrastructure (including, for example, infrastructure for electricity, stormwater, water supply and the treatment and disposal of waste) that is adequate for the use (b) The provision of the infrastructure mentioned in paragraph (a)(i) and (ii) is practical and economically feasible having regard to the location and characteristics of the premises (c) The use is compatible with the physical characteristics of the premises (d) The use is compatible with the use of other premises in the surrounding area (e) The material change of use avoids an area that involves a risk of serious harm to persons or property from natural events or processes, including, for example, bush fires, coastal erosion, flooding or landslides (f) If the material change of use can not avoid an area mentioned in paragraph (e), the material change of use minimises the risk of serious harm mentioned in that paragraph (g) The material change of use is consistent with the SEQ regional plan, including the outcomes and strategies, and subregional directions, stated in the plan (h) The locational requirements or environmental impacts of the material change of use require it to be outside the SEQ urban footprint

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Table 1—Assessable development under s 27A	
Column 1	**Column 2**
	Note— See also section 41A. (i) There is an overriding need, in the public interest, for the material change of use to be carried out *Note—* See also section 41B.
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	1,714 fee units

Division 5 Residential development

27B Prohibited development—material change of use for residential development

(1) A material change of use of premises for a residential development is prohibited development to the extent the premises are in—

(a) the SEQ regional landscape and rural production area; or

(b) the SEQ rural living area.

(2) However, subsection (1) does not apply if the material change of use is—

(a) excluded development; or

(b) an exempt material change of use.

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Division 6 Urban activity

Subdivision 1 Prohibited development

27C Prohibited development—material change of use for shopping centre

(1) A material change of use of premises for a shopping centre is prohibited development to the extent the premises are in—

(a) the SEQ regional landscape and rural production area; or

(b) the SEQ rural living area.

(2) However, subsection (1) does not apply if the material change of use is excluded development.

Subdivision 2 Assessable development

27D Assessable development—material change of use for biotechnology industry

A material change of use of premises for a biotechnology industry is assessable development if—

(a) all or part of the premises are in—

(i) the SEQ regional landscape and rural production area; or

(ii) the SEQ rural living area; and

(b) either—

(i) the use results in a gross floor area of more than 800m^2 on the premises; or

(ii) the total area of all outdoor areas on the premises associated with the use is more than 1,500m^2; and

(c) the material change of use is not—

(i) excluded development; or

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(ii) an exempt material change of use.

27E Assessable development—material change of use for service station

(1) This section applies to a material change of use of premises for a service station if—

(a) all or part of the premises are in—

(i) the SEQ regional landscape and rural production area; or

(ii) the SEQ rural living area; and

(b) the material change of use is not—

(i) excluded development; or

(ii) an exempt material change of use.

(2) The material change of use is assessable development if—

(a) the premises are within 25m of a State-controlled road; and

(b) the use results in a gross floor area of more than 1,250m^2 on the premises, excluding any part of the premises that is a bathroom facility, or rest area, for the exclusive use of drivers of heavy vehicles; and

(c) the total area of all outdoor areas on the premises associated with the use is more than 2,000m^2, excluding any outdoor area that is used exclusively for—

(i) a rest area; or

(ii) the manoeuvring of vehicles; or

(iii) the parking of vehicles for no more than 20 hours; or

(iv) another activity that is necessary for the carrying out of the use.

(3) Also, the material change of use is assessable development if—

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(a) the premises are more than 25m from a State-controlled road; and

(b) either—

(i) the use results in a gross floor area of more than 1,250m^2 on the premises; or

(ii) the total area of all outdoor areas on the premises associated with the use is more than 2,000m^2.

27EA Assessable development—material change of use for transport depot

A material change of use of premises for a transport depot is assessable development if—

(a) all or part of the premises are in—

(i) the SEQ regional landscape and rural production area; or

(ii) the SEQ rural living area; and

(b) either—

(i) the use results in a gross floor area of more than 800m^2 on the premises; or

(ii) the total area of all outdoor areas on the premises associated with the use is more than 4,000m^2; and

(c) the material change of use is not—

(i) excluded development; or

(ii) an exempt material change of use.

27F Assessable development—material change of use for another urban activity

A material change of use of premises for an urban activity, other than a biotechnology industry, transport depot or service station, is assessable development if—

(a) all or part of the premises are in—

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(i) the SEQ regional landscape and rural production area; or

(ii) the SEQ rural living area; and

(b) either—

(i) the use results in a gross floor area of more than 800m^2 on the premises; or

(ii) the total area of all outdoor areas on the premises associated with the use is more than 1,500m^2; and

(c) the material change of use is not—

(i) excluded development; or

(ii) an exempt material change of use.

Subdivision 3 Assessment by assessment manager

Table 1—Assessable development under ss 27D–27F	
Column 1	**Column 2**
1 Category of assessment	Impact assessment
2 Assessment benchmarks	—
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—

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Subdivision 4 Referral agency's assessment

Table 1—Assessable development under s 27D		
Column 1		**Column 2**
1	Development application requiring referral	Development application for a material change of use of premises that is assessable development under section 27D
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	(a) There is a community and economic need for the use (b) When the use starts— (i) the premises will have direct access to transport infrastructure that is reasonably required for, and adequate to service, the use; and (ii) the premises will be serviced by infrastructure (including, for example, infrastructure for electricity, stormwater, water supply and the treatment and disposal of waste) that is adequate for the use; and (iii) a workforce suitable for the carrying out of the use will be able to be sourced from the surrounding area (c) The provision of the infrastructure mentioned in paragraph (b)(i) and (ii) is practical and economically feasible having regard to the location and characteristics of the premises (d) The use is compatible with the physical characteristics of the premises

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Table 1—Assessable development under s 27D	
Column 1	**Column 2**
	(e) The use is compatible with the use of other premises in the surrounding area (f) The material change of use avoids adversely impacting the regional biodiversity network, regional landscape values or natural economic resource areas stated in the SEQ regional plan or, if the adverse impact can not be avoided, the adverse impact is minimised (g) The material change of use avoids an area that involves a risk of serious harm to persons or property from natural events or processes, including, for example, bush fires, coastal erosion, flooding or landslides (h) If the material change of use can not avoid an area mentioned in paragraph (g), the material change of use minimises the risk of serious harm mentioned in that paragraph (i) The material change of use does not involve a residential use other than tourist accommodation or accommodation for employees (j) Any commercial, industrial or retail activity carried out as part of the use is ancillary to the use (k) The material change of use is consistent with the SEQ regional plan, including the outcomes and strategies, and subregional directions, stated in the plan (l) The locational requirements or environmental impacts of the material change of use require it to be outside the SEQ urban footprint

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Table 1—Assessable development under s 27D	
Column 1	**Column 2**
	Note— See also section 41A.
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	1,714 fee units

Table 2—Assessable development under s 27E, 27EA or 27F	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use of premises that is assessable development under section 27E, 27EA or 27F
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	(a) When the use starts, the premises— (i) will have direct access to transport infrastructure that is reasonably required for, and adequate to service, the use; and (ii) will be serviced by infrastructure (including, for example, infrastructure for electricity, stormwater, water supply and the treatment and disposal of waste) that is adequate for the use (b) The provision of the infrastructure mentioned in paragraph (a)(i) and (ii) is practical and economically feasible having regard to the location and characteristics of the premises

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Table 2—Assessable development under s 27E, 27EA or 27F	
Column 1	**Column 2**
	(c) The use is compatible with the physical characteristics of the premises (d) The use is compatible with the use of other premises in the surrounding area (e) The material change of use avoids an area that involves a risk of serious harm to persons or property from natural events or processes, including, for example, bush fires, coastal erosion, flooding or landslides (f) If the material change of use can not avoid an area mentioned in paragraph (e), the material change of use minimises the risk of serious harm mentioned in that paragraph (g) The material change of use is consistent with the SEQ regional plan, including the goals, elements and strategies stated in the plan (h) The locational requirements or environmental impacts of the material change of use require it to be outside the SEQ urban footprint *Note—* See also section 41A. (i) There is an overriding need, in the public interest, for the material change of use to be carried out *Note—* See also section 41B.
5 Matters referral agency's assessment must have regard to	—

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Table 2—Assessable development under s 27E, 27EA or 27F		
Column 1		**Column 2**
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—
8	Fee for referral	1,714 fee units

Division 7 Combined uses

Subdivision 1 Assessable development

27G Assessable development—material change of use for combined use

(1) A material change of use of premises is assessable development if—

(a) all or part of the premises are in—

(i) the SEQ regional landscape and rural production area; or

(ii) the SEQ rural living area; and

(b) the material change of use is for 2 or more of the following uses—

(i) a community activity;

(ii) indoor recreation;

(iii) a sport and recreation activity;

(iv) a tourist activity;

(v) an urban activity; and

(c) no part of the material change of use is assessable development under division 2, 3, 4 or 6; and

(d) the use—

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(i) results in a gross floor area of more than 5,000m^2 on the premises, excluding any part of the premises that is used for tourist accommodation or accommodation for employees; or

(ii) provides accommodation for more than 300 persons; or

(iii) if the material change of use of premises includes 2 or more urban activities—results in a gross floor area of more than 800m^2.

(2) However, subsection (1) does not apply to the extent the material change of use—

(a) is excluded development; or

(b) is an exempt material change of use.

(3) Subsection (4) applies if—

(a) the material change of use involves excluded development or an exempt material change of use; and

(b) because of the carrying out of the excluded development or exempt material change of use only, the use results in a gross floor area of more than 5,000m^2 on the premises, or provides accommodation for more than 300 persons.

(4) The material change of use is not assessable development under subsection (1).

Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 27G	
Column 1	**Column 2**
1 Category of assessment	Impact assessment
2 Assessment benchmarks	—
3 Matters code assessment must have regard to	—

Table 1—Assessable development under s 27G	
Column 1	**Column 2**
4 Matters impact assessment must have regard to	—

Subdivision 3 Referral agency's assessment

Table 1—Assessable development under s 27G	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use of premises that is assessable development under section 27G
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	To the extent the material change of use is for— (a) a sport and recreation activity or tourist activity—the matters stated in division 2, subdivision 3, table 1, item 4, column 2; or (b) a community activity—the matters stated in division 3, subdivision 4, table 1, item 4, column 2; or (c) indoor recreation—the matters stated in division 4, subdivision 3, table 1, item 4, column 2; or (d) a biotechnology industry—the matters stated in division 6, subdivision 4, table 1, item 4, column 2; or (e) an urban activity other than a biotechnology industry—the matters stated in division 6, subdivision 4, table 2, item 4, column 2

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Table 1—Assessable development under s 27G	
Column 1	**Column 2**
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	1,714 fee units

Part 16AA Solar farms

Division 1 Assessable development

27GA Assessable development—material change of use for solar farm

A material change of use of premises for a solar farm is assessable development.

Division 2 Assessment by assessment manager

Table 1—Assessable development under s 27GA	
Column 1	**Column 2**
1 Category of assessment	Impact assessment
2 Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions

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Table 1—Assessable development under s 27GA	
Column 1	**Column 2**
	If the development is in a priority development area and the chief executive is the prescribed assessment manager—the relevant development instrument under the Economic Development Act for the priority development area
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—
5 Fee for development application, if the chief executive is the assessment manager	13,715 fee units

Division 3 Referral agency's assessment

Table 1—Assessable development under s 27GA	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use of premises that is assessable development under section 27GA, if— (a) the material change of use is for a relevant solar farm; and (b) the chief executive is not the assessment manager for the application
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions

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Table 1—Assessable development under s 27GA	
Column 1	**Column 2**
	If the development is in a priority development area—the relevant development instrument under the Economic Development Act for the priority development area
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

Part 16A Southport Spit

Note—

Southport Spit is also known as The Spit.

Division 1 Prohibited development

27H Prohibited development—development in Spit building height control area

(1) Development in the Spit building height control area is prohibited development to the extent the development results in a building or structure that has a building height of more than 3 storeys or 15m.

(2) However, subsection (1) does not apply to development for an outdoor theme park ride at Sea World.

(3) Also, subsection (1) does not apply to development for—

(a) the maintenance or repair of an existing, and lawfully constructed, building or structure; or

(b) the replacement of an existing, and lawfully constructed, building or structure with an equivalent or substantially similar building or structure.

(4) In this section—

building height, of a building or structure, means—

(a) for a building—the number of storeys in the building above ground level; or

(b) the vertical distance, measured in metres, between the ground level of the building or structure and the highest point of the building or structure, other than a point that is part of an aerial, chimney, flagpole or load-bearing antenna.

outdoor theme park ride means a theme park ride that is not enclosed in a building.

Sea World—

(a) means Lot 1 on CP846066; and

(b) includes a lot created by the subdivision of the lot mentioned in paragraph (a).

Spit building height control area means the area shown as The Spit building height control area on the map in schedule 23A.

Division 2 Assessment by assessment manager

Table 1—Development in Spit master plan area	
Column 1	**Column 2**
1 Category of assessment	The category of assessment stated for the development in a local categorising instrument for the local government area of the Gold Coast City Council

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Table 1—Development in Spit master plan area		
Column 1		**Column 2**
2	Assessment benchmarks	—
3	Matters code assessment must have regard to	For a development application for development in the Spit master plan area—the Spit master plan
4	Matters impact assessment must have regard to	For a development application for development in the Spit master plan area—the Spit master plan

Part 16B SEQ northern inter-urban break

Division 1 Reconfiguring a lot

27I Prohibited development—reconfiguring a lot in SEQ northern inter-urban break

(1) Reconfiguring a lot is prohibited development to the extent the lot is in the SEQ northern inter-urban break, if the reconfiguration—

(a) is a subdivision; and

(b) is assessable development under section 21.

(2) However, subsection (1) does not apply if—

(a) the reconfiguration is an exempt subdivision; or

(b) each lot created by the reconfiguration is at least 100ha.

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Division 2 Tourist or sport and recreation activity

27J Assessable development—material change of use for tourist activity or sport and recreation activity

A material change of use of premises for a tourist activity or sport and recreation activity is assessable development if—

(a) all or part of the premises are in the SEQ northern inter-urban break; and

(b) the material change of use—

(i) results in a gross floor area of more than 2,500m^2 on the premises, excluding any part of the premises that is used for tourist accommodation or accommodation for employees; or

(ii) involves an ancillary commercial or retail activity with a gross floor area of more than 100m^2; or

(iii) provides accommodation for more than 100 persons; and

(c) the material change of use is not—

(i) excluded development; or

(ii) an exempt material change of use.

Division 3 Community activity

27K Prohibited development—material change of use for residential care facility

A material change of use of premises for a residential care facility is prohibited development if—

(a) all or part of the premises are in the SEQ northern inter-urban break; and

(b) the material change of use results in a gross floor area of more than 5,000m^2 on the premises; and

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(c) the material change of use is not excluded development.

27L Assessable development—material change of use for residential care facility

A material change of use of premises for a residential care facility is assessable development if—

(a) all or part of the premises are in the SEQ northern inter-urban break; and

(b) the use results in a gross floor area of not more than 5,000m^2 on the premises; and

(c) the material change of use is not excluded development.

27M Assessable development—material change of use for other community activity

A material change of use of premises for a community activity, other than for a residential care facility, is assessable development if—

(a) all or part of the premises are in the SEQ northern inter-urban break; and

(b) the material change of use—

(i) results in a gross floor area of more than 800m^2 on the premises, excluding any part of the premises that is used for tourist accommodation or accommodation for employees; or

(ii) involves an ancillary commercial or retail activity with a gross floor area of more than 250m^2; or

(iii) provides accommodation for more than 50 persons; and

(c) the material change of use is not—

(i) excluded development; or

(ii) an exempt material change of use.

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Division 4 Indoor recreation

27N Assessable development—material change of use for indoor recreation

A material change of use of premises for indoor recreation is assessable development if—

(a) all or part of the premises are in the SEQ northern inter-urban break; and

(b) the material change of use—

(i) results in a gross floor area of more than 800m^2 on the premises, excluding any part of the premises that is used for tourist accommodation or accommodation for employees; or

(ii) involves more than 100 persons, including employees, being on the premises at any time; or

(iii) provides accommodation for more than 50 persons; and

(c) the material change of use is not—

(i) excluded development; or

(ii) an exempt material change of use.

Division 5 Residential development

27O Prohibited development—material change of use for residential development

(1) A material change of use of premises for a residential development is prohibited development to the extent the premises are in the SEQ northern inter-urban break.

(2) However, subsection (1) does not apply if the material change of use is—

(a) excluded development; or

(b) an exempt material change of use.

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Division 6 Urban activity

27P Prohibited development—material change of use for shopping centre

(1) A material change of use of premises for a shopping centre is prohibited development to the extent the premises are in the SEQ northern inter-urban break.

(2) However, subsection (1) does not apply if the material change of use is excluded development.

27Q Assessable development—material change of use for urban activity

A material change of use of premises for an urban activity, other than for a shopping centre, is assessable development if—

(a) all or part of the premises are in the SEQ northern inter-urban break; and

(b) either—

(i) the material change of use results in a gross floor area of more than 400m^2 on the premises; or

(ii) the total area of all outdoor areas on the premises associated with the use is more than 1,500m^2; and

(c) the material change of use is not—

(i) excluded development; or

(ii) an exempt material change of use.

Division 7 Combined uses

27R Assessable development—material change of use for combined use

(1) A material change of use of premises for a combined use is assessable development if—

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(a) all or part of the premises are in the SEQ northern inter-urban break; and

(b) the material change of use is for 2 or more of the following uses—

(i) a community activity;

(ii) indoor recreation;

(iii) a sport and recreation activity;

(iv) a tourist activity;

(v) an urban activity; and

(c) no part of the material change of use is assessable development under division 2, 3, 4 or 6; and

(d) the material change of use—

(i) results in a gross floor area of more than 2,500m^2 on the premises, excluding any part of the premises that is used for tourist accommodation or accommodation for employees; or

(ii) provides accommodation for more than 100 persons.

(2) However, subsection (1) does not apply to the extent the material change of use is—

(a) excluded development; or

(b) an exempt material change of use.

(3) Subsection (4) applies if—

(a) the material change of use involves excluded development or an exempt material change of use; and

(b) because of the carrying out of the excluded development or exempt material change of use only, the use results in a gross floor area of more than 2,500m^2 on the premises, or provides accommodation for more than 100 persons.

(4) The material change of use is not assessable development under subsection (1).

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Division 8 Assessment by assessment manager

Table 1—Assessable development under ss 27J, 27L, 27M, 27N, 27Q or 27R		
Column 1		**Column 2**
1	Category of assessment	Impact assessment
2	Assessment benchmarks	—
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—

Division 9 Referral agency's assessment

Table 1AA—Assessable development under s 27J		
Column 1		**Column 2**
1	Development application requiring referral	Development application for a material change of use of premises that is assessable development under section 27J
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	(a) The material change of use avoids adversely impacting the regional biodiversity network, regional landscape values or natural economic resource areas stated in the SEQ regional plan or, if the adverse impact can not be avoided, the adverse impact is minimised (b) The material change of use does not involve a residential use other than tourist accommodation or accommodation for employees

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Table 1AA—Assessable development under s 27J	
Column 1	**Column 2**
	(c) Any commercial, industrial or retail activity carried out as part of the use is ancillary to the use (d) The material change of use is consistent with the SEQ regional plan, including the outcomes and strategies, and subregional directions, stated in the plan
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	1,714 fee units

Table 1—Assessable development under ss 27L, 27M, 27N, 27Q or 27R	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use of premises that is assessable development under section 27L, 27M, 27N, 27Q or 27R
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	(a) When the use starts, the premises— (i) will have direct access to transport infrastructure that is reasonably required for, and adequate to service, the use; and (ii) will be serviced by infrastructure (including, for example, infrastructure for electricity, stormwater, water supply and the treatment and disposal of waste) that is adequate for the use

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Table 1—Assessable development under ss 27L, 27M, 27N, 27Q or 27R	
Column 1	**Column 2**
	(b) The provision of the infrastructure mentioned in paragraph (a)(i) and (ii) is practical and economically feasible having regard to the location and characteristics of the premises (c) The use is compatible with the physical characteristics of the premises (d) The use is compatible with the use of other premises in the surrounding area (e) The material change of use avoids an area that involves a risk of serious harm to persons or property from natural events or processes, including, for example, bush fires, coastal erosion, flooding or landslides (f) If the material change of use can not avoid an area mentioned in paragraph (e), the material change of use minimises the risk of serious harm mentioned in that paragraph (g) The material change of use is consistent with the SEQ regional plan, including the outcomes and strategies, subregional directions, and northern inter-urban break core values stated in the plan (h) The locational requirements or environmental impacts of the material change of use require it to be inside the SEQ northern inter-urban break (i) The locational requirements or environmental impacts of the material change of use require it to be outside the SEQ urban footprint

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Table 1—Assessable development under ss 27L, 27M, 27N, 27Q or 27R	
Column 1	**Column 2**
	Note— See also section 41A. (j) There is an overriding need, in the public interest, for the material change of use to be carried out *Note—* See also section 41B.
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	1,714 fee units

Part 17 Tidal works or work in a coastal management district

Division 1 Assessable development

28 Assessable development—operational work that is tidal works or work in a coastal management district

(1) Operational work is assessable development, if the work is—

(a) tidal works; or

(b) any of the following carried out completely or partly in a coastal management district—

(i) interfering with quarry material, as defined under the Coastal Act, on State coastal land above high-water mark;

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(ii) disposing of dredge spoil, or other solid waste material, in tidal water;

(iii) constructing an artificial waterway;

(iv) removing or interfering with coastal dunes on land, other than State coastal land, that is in an erosion prone area.

(2) However, subsection (1) does not apply to operational work that—

(a) is accepted development under schedule 7, part 3, section 10; or

(b) is excluded work; or

(c) is PDA-related development.

(3) In this section—

excluded work means operational work, other than work that section 166(4) of the Act applies in relation to, that—

(a) is maintenance work on a lawful work; or

(b) is tidal works that alter a prescribed structure, other than an alteration that—

(i) creates a roofed structure, including a shed or a gazebo; or

(ii) changes the footprint of the prescribed structure; or

(iii) changes the dimensions or structural capacity of the prescribed structure; or

(iv) may affect safe navigable access to, or from, tidal water or to, or from, properties next to tidal water, including alterations to clearance heights or lighting; or

(c) is stated in subsection (1)(b)(i) or (iv), if the work is minor work that—

(i) has an insignificant impact on coastal management; and

(ii) is reversible or expendable.

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prescribed structure means a lawful structure that is—

(a) a boat ramp; or

(b) a bridge; or

(c) a jetty; or

(d) a pontoon; or

(e) a slipway; or

(f) a wharf.

Division 2 Assessment by assessment manager

Table 1—Assessable development under s 28		
Column 1		**Column 2**
1	Category of assessment	Code assessment
2	Assessment benchmarks	If the local government is the prescribed assessment manager—the Coastal Regulation, schedule 3 If the chief executive is the prescribed assessment manager—the State development assessment provisions
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—
5	Fee for development application if the chief executive is the assessment manager— (a) if— (i) the operational work involves the disposal of dredge spoil or other solid waste material in tidal water; or	 6,859 fee units

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Table 1—Assessable development under s 28	
Column 1	**Column 2**
(ii) the operational work is for the construction of an artificial waterway	
(b) if the operational work is for coastal management purposes that involve beach nourishment or stinger net enclosures	Nil
(c) if the operational work is directly related to the provision of lifesaving or rescue services by a volunteer community organisation	Nil
(d) otherwise	3,430 fee units

Division 3 Referral agency's assessment

Table 1—Assessable development under s 28	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work that is assessable development under section 28, other than an application— (a) for prescribed tidal works in a canal; or (b) for tidal works that is for the installation, maintenance or repair of overhead cables or lines that extend over tidal water; or (c) for tidal works that is boring or tunnelling under the bed of tidal water, if the works do not disturb the bed of the tidal water (d) that the chief executive is the prescribed assessment manager for

Table 1—Assessable development under s 28	
Column 1	**Column 2**
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral—	
(a) if—	6,859 fee units
(i) the operational work involves the disposal of dredge spoil or other solid waste material in tidal water; or	
(ii) the operational work is for the construction of an artificial waterway	
(b) if the operational work is for coastal management purposes that involve beach nourishment or stinger net enclosures	Nil
(c) if the operational work is directly related to the provision of lifesaving or rescue services by a volunteer community organisation	Nil
(d) if the operational work is tidal works for a single boat ramp, jetty, pontoon or similar structure	856 fee units
(e) otherwise	3,430 fee units

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Table 2—Assessable development under s 28 in tidal waters	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work that is assessable development under section 28, other than work for government supported transport infrastructure or carried out by the Gold Coast Waterways Authority, if the work is in tidal waters and any of the following apply— (a) the work is tidal works, other than the following tidal works in Gold Coast waters— (i) a boat ramp, jetty or private pontoon; (ii) a drainage outlet; (iii) a stormwater outlet; (iv) a revetment wall associated tidal works in subparagraphs (i) to (iii); (b) the work is the disposal of dredge spoil, or other solid waste material, in tidal water; (c) the work is reclaiming land under tidal water; (d) the work is constructing a canal, if the canal relates to reconfiguring a lot
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—

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Table 2—Assessable development under s 28 in tidal waters	
Column 1	**Column 2**
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral—	
(a) if the tidal works are—	1,714 fee units
(i) a boat ramp, jetty or pontoon with capacity for a single vessel; or	
(ii) a deck, or other structure, that is for private use, other than a structure mentioned in subparagraph (i); or	
(iii) a drainage outlet; or	
(iv) a stormwater outlet; or	
(v) a revetment wall associated with tidal works stated in subparagraph (i)	
(b) if the tidal works are—	3,430 fee units
(i) a boat ramp, jetty or pontoon with capacity for more than 1 vessel, but no more than 5 vessels; or	
(ii) a revetment wall associated with tidal works stated in subparagraph (i)	
(c) otherwise	6,859 fee units

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Table 3—Assessable development under s 28 in Gold Coast waters	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work that is assessable development under section 28, other than work for government supported transport infrastructure, if the work is carried out in Gold Coast waters and is— (a) tidal works; or (b) disposing of dredge spoil or other solid waste material in tidal water; or (c) reclaiming land under tidal water; or (d) constructing a canal, if the canal relates to reconfiguring a lot
2 Referral agency	The Gold Coast Waterways Authority
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The purposes of the *Gold Coast Waterways Authority Act 2012*
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil

Table 4—Assessable development under s 28 involving a marina	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work that is assessable development under section 28, if the application— (a) is for tidal works; and

Table 4—Assessable development under s 28 involving a marina	
Column 1	**Column 2**
	(b) involves a marina, as defined under the *Transport Operations (Marine Pollution) Act 1995*, with more than 6 vessel berths
2 Referral agency	Queensland Fire and Rescue
3 Limitations on referral agency's powers	Referral agency may give advice only
4 Matters referral agency's assessment must be against	The document called 'Guidelines for Fire Safety Systems in Marinas' made by Queensland Fire and Rescue and published on its website
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	Nil

Table 5—Reconfiguring a lot in a coastal management district or for a canal	
Column 1	**Column 2**
1 Development application requiring referral	Development application for reconfiguring a lot that is assessable development under section 21, if— (a) all or part of the lot is within a coastal management district and the reconfiguration involves— (i) moving a boundary of the lot that is within an erosion prone area; or (ii) moving a boundary of the lot into, or within 30m of, an erosion prone area; or

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Table 5—Reconfiguring a lot in a coastal management district or for a canal	
Column 1	**Column 2**
	(iii) creating a new lot that has a boundary within, or within 30m of, an erosion prone area; or (b) the reconfiguration relates to the construction of a canal
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral— (a) if the reconfiguration is in connection with the construction of an artificial waterway (b) if the premises are to be reconfigured to create 100 or more lots (c) otherwise	 13,715 fee units 13,715 fee units 6,859 fee units

Table 6—Material change of use involving work in a coastal management district	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use that is assessable development under a local categorising instrument, if carrying out the change of use will involve— (a) operational work that—

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Table 6—Material change of use involving work in a coastal management district	
Column 1	**Column 2**
	(i) is carried out completely or partly in an erosion prone area in a coastal management district; and (ii) is extracting, excavating or filling 1,000m^3 or more, or clearing native vegetation from an area of 1,000m^2 or more; or (b) building work, carried out completely or partly in an erosion prone area in a coastal management district, if the building work involves increasing the gross floor area on the premises by 1,000m^2 or more *Examples for paragraph (b)—* 1 There are no existing buildings or structures on the premises and the building work involves constructing 1 or more new buildings with a total gross floor area of 1,000m^2 2 There is an existing building on the premises and the building work involves an extension of the gross floor area of the building by 1,000m^2
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—

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Table 6—Material change of use involving work in a coastal management district	
Column 1	**Column 2**
8 Fee for referral—	
(a) if the material change of use involves reconfiguring a lot stated in table 5, item 1, column 2	Nil
(b) otherwise	3,430 fee units

Part 19 Water-related development

Division 1 Taking or interfering with water

Subdivision 1 Assessable development

29 Assessable development—operational work that involves taking or interfering with water

Operational work that involves the following work is assessable development, unless the work is PDA-related development or accepted development under schedule 7, part 3, section 5—

(a) taking or interfering with water in—

(i) a watercourse, lake or spring; or

(ii) a dam constructed on a watercourse or lake;

(b) taking or interfering with underground water through an artesian bore, as defined under the Water Act, schedule 4, other than through a monitoring bore;

(c) taking or interfering with underground water through a subartesian bore, if—

(i) the works are prescribed as assessable development under the Water Act, section 39(f); or

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(ii) the work does not comply with the requirements that are prescribed under the Water Act, section 1014(2)(f) for the work to be characterised as accepted development;

(d) taking or interfering with underground water in a part of an underground water area, if the work is prescribed as assessable development for the part under the Water Act, section 1046(2)(b);

Note—

See also the Water Act, section 1046(3).

(e) taking overland flow water, if—

(i) the works are prescribed as assessable development under the Water Act, section 39(f); or

(ii) the work does not comply with the requirements that are prescribed under the Water Act, section 1014(2)(f) for the work to be characterised as accepted development.

Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 29		
Column 1		**Column 2**
1	Category of assessment	Code assessment, if the chief executive is the prescribed assessment manager
2	Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—

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Table 1—Assessable development under s 29	
Column 1	**Column 2**
5 Fee for development application if the chief executive is the assessment manager—	
(a) if the work involves the taking of water	170 fee units
(b) if the work involves interfering with water	6,859 fee units

Subdivision 3 Referral agency's assessment

Table 1—Assessable development under s 29	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work that is assessable development under section 29, unless the chief executive is the prescribed assessment manager for the application
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

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Division 2 Removing quarry material

Subdivision 1 Assessable development

30 Assessable development—development for removing quarry material

Development for removing quarry material from a watercourse or lake is assessable development, unless the development is PDA-related development.

Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 30	
Column 1	**Column 2**
1 Category of assessment	Code assessment, if the chief executive is the prescribed assessment manager
2 Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—
5 Fee for development application, if the chief executive is the assessment manager	3,430 fee units

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Subdivision 3 Referral agency's assessment

Table 1—Assessable development under s 30		
Column 1		**Column 2**
1	Development application requiring referral	Development application for assessable development under section 30, unless the chief executive is the prescribed assessment manager for the application
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	The State development assessment provisions
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—
8	Fee for referral—	
	(a) if the development is building work on Brisbane core port land	Nil
	(b) otherwise	3,430 fee units

Division 3 Referable dams

Subdivision 1 Assessable development

31 Assessable development—operational work for referable dams

Operational work that is the construction of a dam, or relates to a dam, is assessable development, if—

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(a) because of the work, the dam must be failure impact assessed; and

(b) the accepted failure impact assessment for the dam states the dam has a category 1 failure impact rating or a category 2 failure impact rating.

Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 31	
Column 1	**Column 2**
1 Category of assessment	Code assessment, if the chief executive is the prescribed assessment manager
2 Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—
5 Fee for development application if the chief executive is the assessment manager—	
(a) if the accepted failure impact assessment for the dam states the dam has, or will have, a category 2 failure impact rating	13,715 fee units
(b) if the accepted failure impact assessment for the dam states the dam has, or will have, a category 1 failure impact rating, and the dam is, or is intended to be—	6,859 fee units
(i) more than 20m high; and	
(ii) capable of impounding 5,000ML or more	

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Table 1—Assessable development under s 31	
Column 1	**Column 2**
(c) otherwise	3,430 fee units

Subdivision 3 Referral agency's assessment

Table 1—Assessable development under s 31		
Column 1		**Column 2**
1	Development application requiring referral	Development application for operational work that is assessable development under section 31, unless the chief executive is the prescribed assessment manager for the application
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	The State development assessment provisions
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—
8	Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

Division 4 Levees

Subdivision 1 Assessable development

32 Assessable development—operational work for levees

The following operational work is assessable development—

(a) construction of a new category 2 levee;

(b) construction of a new category 3 levee;

(c) modification of an existing levee if, after the modification, the levee will fulfil the requirements for a category 2 levee;

(d) modification of an existing levee if, after the modification, the levee will fulfil the requirements for a category 3 levee.

Subdivision 2 Assessment by assessment manager

Table 1—Assessable development under s 32	
Column 1	**Column 2**
1 Category of assessment	Code assessment, if the development application is for development that is assessable development under section 32(a) or (c) Impact assessment, if the development application is for development that is assessable development under section 32(b) or (d)
2 Assessment benchmarks	The Water Regulation, schedule 10
3 Matters code assessment must have regard to	—

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Table 1—Assessable development under s 32	
Column 1	**Column 2**
4 Matters impact assessment must have regard to	—

Subdivision 3 Referral agency's assessment

Table 1—Assessable development under s 32(b) or (d)	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work that is assessable development under section 32(b) or (d)
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	6,859 fee units

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Part 20 Wetland protection area

Division 1 Prohibited development

33 Prohibited development—operational work in a wetland protection area

Operational work that is high impact earthworks in a wetland protection area is prohibited development, if—

(a) the development is carried out for—

(i) electricity operating works; or

(ii) government supported transport infrastructure; and

(b) the development is not accepted development under schedule 7, part 3, section 9.

Division 2 Assessable development

34 Assessable development—operational work in wetland protection area

Operational work that is high impact earthworks in a wetland protection area is assessable development, unless the operational work—

(a) is for a domestic housing activity; or

(b) is the natural and ordinary consequence of development that is a material change of use, or reconfiguring a lot, and all of the following apply—

(i) the material change of use or reconfiguration involves high impact earthworks in a wetland protection area;

(ii) a development permit is in effect for the material change of use or reconfiguration;

(iii) the chief executive, or the chief executive (environment), had functions and powers as a

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referral agency or prescribed assessment manager in relation to the earthworks for the development application for the development permit; or

(c) is accepted development under schedule 7, part 3, section 9.

Division 3 Assessment by assessment manager

Table 1—Assessable development under s 34	
Column 1	**Column 2**
1 Category of assessment	Code assessment, if the chief executive is the prescribed assessment manager
2 Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—
5 Fee for development application, if the chief executive is the assessment manager	3,430 fee units

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Division 4 Referral agency's assessment

Table 1—Assessable development under s 34	
Column 1	**Column 2**
1 Development application requiring referral	Development application for operational work that is assessable development under section 34, unless the chief executive is the prescribed assessment manager for the application
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

Table 2—Reconfiguring a lot in a wetland protection area	
Column 1	**Column 2**
1 Development application requiring referral	Development application for reconfiguring a lot that is assessable development under section 21, if— (a) all or part of the premises are in a wetland protection area; and (b) the reconfiguration results in more than 6 lots, or any lot created is less than 5ha; and

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Table 2—Reconfiguring a lot in a wetland protection area	
Column 1	**Column 2**
	(c) the reconfiguration involves operational work that is high impact earthworks in a wetland protection area, other than operational work— (i) for a domestic housing activity; or (ii) that is accepted development under schedule 7, part 3, section 9
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	3,430 fee units

Table 3—Material change of use of premises in wetland protection area	
Column 1	**Column 2**
1 Development application requiring referral	Development application for a material change of use that is assessable development under a local categorising instrument, other than a material change of use relating to a domestic housing activity, government supported transport infrastructure or electricity operating works, if— (a) all or part of the premises are in a wetland protection area; and

Table 3—Material change of use of premises in wetland protection area		
Column 1		**Column 2**
		(b) the material change of use involves operational work that is high impact earthworks in a wetland protection area
2	Referral agency	The chief executive
3	Limitations on referral agency's powers	—
4	Matters referral agency's assessment must be against	The State development assessment provisions
5	Matters referral agency's assessment must have regard to	—
6	Matters referral agency's assessment may be against	—
7	Matters referral agency's assessment may have regard to	—
8	Fee for referral	3,430 fee units

Part 21 Wind farms

Division 1 Assessable development

35 Assessable development—material change of use for a wind farm

A material change of use of premises for a wind farm is assessable development, unless the whole of the premises are subject to a designation for infrastructure for electricity operating works for a wind farm.

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Division 2 Assessment by assessment manager

Table 1—Assessable development under s 35		
Column 1		**Column 2**
1	Category of assessment	Impact assessment
2	Assessment benchmarks	If the chief executive is the prescribed assessment manager—the State development assessment provisions If the development is in a priority development area and the chief executive is the prescribed assessment manager—the relevant development instrument under the Economic Development Act for the priority development area
3	Matters code assessment must have regard to	—
4	Matters impact assessment must have regard to	—
5	Fee for development application, if the chief executive is the assessment manager	13,715 fee units

Division 3 Referral agency's assessment

Table 1—Assessable development under s 35		
Column 1		**Column 2**
1	Development application requiring referral	Development application for a material change of use of premises that is assessable development under section 35, if the chief executive is not the assessment manager for the application
2	Referral agency	The chief executive

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Table 1—Assessable development under s 35	
Column 1	**Column 2**
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions If the development is in a priority development area—the relevant development instrument under the Economic Development Act for the priority development area
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

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Schedule 11 Assessment benchmarks in relation to koala habitat in SEQ region

schedule 10, part 10, divisions 5 and 6

Part 1 Preliminary

1 Application of schedule

This schedule does not apply in relation to a development application for development if—

(a) the chief executive is the prescribed assessment manager for the development application; or

(b) the development is for a coordinated project; or

(c) the development is in a State development area; or

(d) the development is in the area of a development control plan that the old Act, section 857 applies to; or

(e) the development is for infrastructure stated in schedule 5 and is carried out by or for the State or a public sector entity; or

(f) the development is PDA-related development; or

(g) the development results in a development footprint of 500m^2 or less; or

(h) the development is carried out under a development permit given for an application that was properly made before 7 February 2020; or

(i) the development is consistent with a development approval—

(i) in effect for the premises on which the development is carried out; and

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(ii) given for an application that was properly made before 7 February 2020.

Note—

Under schedule 10, part 10, division 1, section 16, this schedule applies only in relation to development on a lot that is completely or partly in the SEQ region.

2 Meaning of *safe koala movement measure*

A ***safe koala movement measure*** is a measure that enables the safe movement of koalas by—

(a) providing opportunities for koalas to feed, disperse and seek refuge; or

(b) reducing threats to koalas.

Examples of measures—

- retaining koala habitat trees, within the meaning of the *Nature Conservation (Koala) Conservation Plan 2017*, and other native vegetation in landscaping
- rehabilitating an area that has been cleared of native vegetation
- using koala-friendly fencing that koalas can safely climb through, over or under
- installing a fauna overpass or underpass that koalas can use to move above or below an area that is dangerous for koalas
- installing koala safety fencing to prevent koalas from entering an area that is dangerous for koalas or to direct koalas towards fauna infrastructure
- using koala-safe road design and placement to reduce the threat of vehicle strikes and allow koalas to move through the landscape

Part 2 Development on premises in koala priority areas not interfering with koala habitat

3 Application of part

(1) This part applies in relation to a development application for development if—

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(a) the development is—

(i) building work; or

(ii) a material change of use of premises; or

(iii) operational work; or

(iv) reconfiguring a lot; and

(b) the development does not involve interfering with koala habitat in a koala habitat area; and

(c) the premises on which the development is carried out includes an area that is both—

(i) a koala priority area; and

(ii) a koala habitat area.

(2) However, this part does not apply to the extent the development must be assessed against the assessment benchmarks under part 3.

4 Assessment benchmarks

(1) The following matters are assessment benchmarks for the development—

(a) the development provides, on the premises, the safe koala movement measures necessary to maximise the safe movement of koalas—

(i) within a koala habitat area on the premises; and

(ii) between a koala habitat area on the premises (the ***first area***) and a koala habitat area or ecological corridor within 200m of the first area;

Examples of an ecological corridor—

an ecological, linkage or stepping-stone habitat corridor shown on a map in a local planning instrument

(b) either—

(i) each building, structure or works associated with the development is at least 50m from a koala habitat area; or

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(ii) the development complies with each of the criteria stated in subsection (2).

(2) For subsection (1)(b)(ii), the criteria are as follows—

(a) any change to the condition of soil as a result of the development does not adversely affect a koala habitat area;

Examples of changes to the condition of soil—

- the addition of nutrients to the soil
- the erosion of the soil
- the compaction of the soil

(b) any alteration of hydrological flows as a result of the development does not adversely affect a koala habitat area;

(c) any landscaping associated with the development that involves planting non-native vegetation does not adversely affect a koala habitat area;

(d) the development does not adversely affect a koala habitat area by resulting in the increased growth or spread of weeds in the koala habitat area;

(e) a building, structure or works associated with the development is located to minimise the amount of vegetation required to be cleared for safety purposes.

Examples of clearing for safety purposes—

clearing for a fire break or to reduce risks from falling branches

Part 3 Development in identified koala broad-hectare areas

5 Application of part

(1) This part applies in relation to a development application for development to the extent the development—

(a) is in an identified koala broad-hectare area; and

(b) is—

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(i) assessable development under a planning scheme or TLPI; or

(ii) reconfiguring a lot that is assessable development under schedule 10, part 14, division 1, section 21.

(2) However, this part does not apply—

(a) if the development results in a total area on the premises of 500m^2 or less of 1 or more koala habitat areas being cleared of native vegetation since 7 February 2020; or

(b) to the extent the development is for an extractive industry.

6 Assessment benchmarks

The following matters are assessment benchmarks for the development—

(a) the development provides, on the premises, the safe koala movement measures necessary to maximise the safe movement of koalas within and through the premises;

(b) any clearing of native vegetation complies with the *Nature Conservation (Koala) Conservation Plan 2017*, sections 10 and 11 to the extent the sections apply to the clearing;

(c) measures are implemented to ensure that a construction activity on the premises does not increase the risk of death or injury to koalas;

(d) any area on the premises that is cleared of native vegetation as a result of a construction activity is progressively rehabilitated.

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Part 4 Relationship with other assessment benchmarks

7 When local assessment benchmarks are not inconsistent with part 2 or 3

(1) This section applies if—

(a) a local categorising instrument states assessment benchmarks (***local assessment benchmarks***) for development in relation to which part 2 or 3 applies; and

(b) the local assessment benchmarks are in relation to the conservation of koalas.

(2) The local assessment benchmarks are not inconsistent with the assessment benchmarks under part 2 or 3 to the extent the local assessment benchmarks contain extra requirements for the development.

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Schedule 12 Particular reconfiguring a lot requiring code assessment

section 28(2) and schedule 10, part 14

1 Application of schedule

(1) This schedule applies to reconfiguring a lot if—

(a) the lot is in—

(i) an industry zone; or

(ii) a residential zone, other than a park residential zone or rural residential zone; and

(b) the reconfiguration is the subdivision of 1 lot, other than a rear lot, into 2 lots (each a ***created lot***); and

(c) each created lot is at least the minimum lot size for the relevant zone stated in a local instrument; and

(d) the reconfiguration is consistent with the purpose statement for the relevant zone stated in a local instrument.

(2) However, this schedule does not apply if—

(a) all or part of the premises are in an erosion prone area or any of the following areas under a local instrument—

(i) a flood hazard area;

(ii) a bushfire hazard area;

(iii) a landslide hazard area;

(iv) a storm tide inundation area; or

(b) an overlay in a local instrument applies to all or part of the premises.

2 References to local instrument

In this schedule, a reference to a local instrument is a reference to a local instrument applying to the premises.

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3 Assessment benchmarks

The assessment benchmarks for the reconfiguration are—

(a) the frontage of each created lot complies with the minimum frontage requirements for the relevant zone stated in a local instrument; and

(b) the building envelope of each created lot complies with the building envelope requirements for the relevant zone stated in a local instrument; and

(c) the reconfiguration involves the creation of a rear lot only if the local instrument states that a rear lot is consistent with the relevant zone; and

(d) the number of lots, including rear lots, adjoining each created lot complies with the maximum number of adjoining lots for the relevant zone stated in a local instrument; and

(e) if the reconfiguration creates a rear lot—

(i) an access strip for the rear lot does not adjoin the access strip of more than 1 other rear lot; and

(ii) no more than 2 rear lots are accessed from the head of a single cul-de-sac; and

(f) if a local instrument states minimum setback distances for the relevant zone—the distance of a building or structure from a boundary of a created lot complies with the minimum setback distances stated in the local instrument; and

(g) if the reconfiguration is in a residential zone and a local instrument does not state minimum setback distances for the zone—the distance of an existing building or structure from a boundary of a created lot complies with the minimum setback distances stated in the Queensland Development Code, parts 1.1 to 1.3; and

(h) a new building or structure on the premises—

(i) will comply with the Queensland Development Code, part 1.4; and

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(ii) will be outside of an existing or planned infrastructure easement; and

(i) each created lot has access to the road network through—

(i) direct road frontage; or

(ii) an access strip; or

(iii) an access easement, if a local instrument states that an access easement is consistent with the relevant zone; and

(j) access from each created lot to the road network—

(i) is lawful, safe and practical; and

(ii) is designed and built in accordance with requirements for the relevant zone stated in a local instrument, including requirements about width, length or gradient; and

(k) if a local instrument does not state a minimum width for an access strip or access easement in the relevant zone—an access strip or access easement for a created lot has a minimum width of—

(i) for reconfiguring a lot in a residential zone—5m; or

(ii) for reconfiguring a lot in an industry zone—8m; and

(l) if a local instrument does not state a maximum length requirement for an access strip or access easement in the relevant zone—an access strip or access easement for a created lot has a maximum length of 50m; and

(m) if the premises are in a reticulated water area—each created lot is connected to the reticulated water supply system; and

(n) if the premises are not in a reticulated water area—each created lot has an alternative potable water supply source that complies with the minimum storage capacity requirements for the relevant zone stated in a local instrument; and

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(o) if the premises are in an area with a sewerage service—each created lot is connected to the sewerage service; and

(p) if the premises are not in an area with a sewerage service—each created lot has an effluent treatment and disposal system designed and built in accordance with the requirements stated in a local instrument; and

(q) each lot is connected to a supply network and telecommunication network, if required under a local instrument; and

(r) any other infrastructure necessary to service the lots will be provided, designed and built in accordance with the requirements stated in a local instrument; and

(s) the release of sediment from the premises, including from erosion and sediment-laden stormwater runoff—

(i) is minimised during and after construction; and

(ii) complies with the requirements stated in a local instrument; and

(t) filling and excavating on the premises—

(i) does not cause a vertical change to the natural ground level of more than 1 metre; and

(ii) does not result in ponding on the premises or adjoining land; and

(iii) complies with the requirements stated in a local instrument.

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Schedule 12A Assessment benchmarks for particular reconfiguring a lot

schedule 10, part 14

Part 1 Preliminary

1 Application of schedule

(1) This schedule applies to reconfiguring a lot if—

(a) the reconfiguration is the subdivision of the lot into 2 or more lots (each a ***created lot***); and

(b) the lot being reconfigured is wholly or partly in a prescribed zone under a local instrument applying to the lot; and

(c) no part of the lot being reconfigured is in either of the following zones under a local instrument applying to the lot—

(i) a rural residential zone stated in schedule 2;

(ii) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone mentioned in subparagraph (i); and

(d) at least 1 created lot is intended mainly for a residential purpose; and

(e) the reconfiguration is associated with the construction or extension of a road.

(2) In this section—

prescribed zone means—

(a) any of the following zones stated in schedule 2—

(i) general residential zone, low density residential zone, low-medium density residential zone, medium density residential zone, high density

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residential zone, character residential zone or tourist accommodation zone;

(ii) emerging community zone;

(iii) mixed use zone; or

(b) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone mentioned in paragraph (a).

2 Definitions for schedule

In this schedule—

block, in relation to reconfiguring a lot, means an area consisting of 2 or more adjacent created lots for the reconfiguration.

created lot see section 1(1)(a).

local assessment benchmark, for reconfiguring a lot, means an assessment benchmark for the reconfiguration stated in a local categorising instrument applying to the lot.

new road, in relation to reconfiguring a lot, means—

(a) a road constructed in association with the reconfiguration; or

(b) the extended part of a road that is extended in association with the reconfiguration.

road does not include—

(a) a laneway; or

(b) a pedestrian or bicycle path.

Part 2 Assessment benchmarks

3 Purpose of part

(1) This part sets out assessment benchmarks for reconfiguring a lot to which this schedule applies.

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(2) The purpose of this part is to ensure the reconfiguration supports convenient and comfortable walking for transport, recreation, leisure and exercise in the locality of the lot.

4 Connectivity

The reconfiguration provides connectivity for pedestrians by—

(a) ensuring that any roads constructed or extended in association with the reconfiguration are connected in a grid-like pattern that is responsive to topography and other physical constraints; and

(b) ensuring that, to the extent topography and other physical constraints reasonably permit, any roads constructed or extended in association with the reconfiguration, or footpaths provided in relation to the reconfiguration—

(i) connect to roads and footpaths in surrounding areas; or

(ii) allow for connection to future roads and footpaths in surrounding areas.

5 Maximum length of particular blocks

(1) The reconfiguration provides for convenient pedestrian movement by ensuring the length of each boundary of a block for the reconfiguration does not exceed the lesser of—

(a) a maximum length for a boundary of a block stated in a local assessment benchmark for the reconfiguration; or

(b) 250m.

(2) Subsection (1) does not apply in relation to a block for the reconfiguration that the development application for the reconfiguration states will be subdivided as part of a future stage of development.

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6 Street trees

The reconfiguration provides shade for comfortable walking by—

(a) if a local assessment benchmark for the reconfiguration requires the planting of more than 1 tree per 15m on each side of a new road—complying with the local assessment benchmark; or

(b) otherwise—ensuring at least 1 tree is planted per 15m on each side of a new road.

7 Footpaths

The reconfiguration provides for convenient and comfortable pedestrian movement by ensuring—

(a) for a new road used mainly for providing direct access to a created lot—a footpath is constructed—

(i) if a local assessment benchmark for the reconfiguration requires the construction of a footpath on both sides of the new road—on both sides of the road; or

(ii) otherwise—on at least 1 side of the new road; or

(b) for another new road—a footpath is constructed on both sides of the road.

8 Parks and other areas of open space

(1) The reconfiguration ensures access to areas for recreation, leisure or exercise by ensuring that, to the extent topography and other physical constraints reasonably permit, a part of each block for the reconfiguration is within 400m of a park or another area of open space that is accessible to the public.

(2) In this section—

park includes—

(a) an existing park; and

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(b) a park, to be provided under a development approval, if development of the park has started; and

(c) land identified as a park in a local planning instrument; and

(d) land identified in an LGIP for public park infrastructure.

Part 3 Relationship with other assessment benchmarks

9 When local assessment benchmarks are not inconsistent with pt 2

(1) This section applies if a local assessment benchmark for the reconfiguration is in relation to the purpose mentioned in section 3(2).

(2) The local assessment benchmark is not inconsistent with an assessment benchmark under part 2 to the extent the local assessment benchmark contains extra requirements for the reconfiguration.

Schedule 13 Requirements for cropping involving forestry for wood production

schedule 6, sections 3 and 19

Part 1 Requirements

1 Requirements for material change of use or operational work

(1) This section applies to—

(a) a material change of use of premises for cropping involving forestry for wood production; or

(b) operational work that is, or is necessarily associated with, harvesting trees for wood production.

(2) A local categorising instrument is prohibited from stating that the development is assessable development in a rural zone, if—

(a) the use or work is at a distance of at least the separation distance stated in part 2, table 1, column 2 from a structure or thing stated in part 2, table 1, column 1 opposite the separation distance; and

(b) seedlings within the separation distance stated in paragraph (a) are removed if the seedlings—

(i) are the same species as the trees to be harvested; and

(ii) are not native to the local area; and

(c) for land with a slope of more than 10% but less than 25%—the development uses only—

(i) mechanical strip cultivation on the contour; or

(ii) spot cultivation; or

(iii) manual cultivation; and

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(d) for land with a slope of 25% or more—the development uses only—

(i) spot cultivation; or

(ii) manual cultivation; and

(e) the construction, operation or maintenance of a track or road for the development does not adversely affect—

(i) a natural drainage feature on the land; or

(ii) land that is subject to erosion or landslide; and

(f) a track or road for the development—

(i) is appropriately drained; and

(ii) has a stable surface; and

(g) drainage structures for a track or road for the development are regularly maintained; and

(h) drainage water from a track or road for the development is directed away from exposed soils and onto undisturbed ground or other areas with a stable surface; and

(i) for development involving a forest for wood production that is less than 40ha—a fire break that is at least 7m wide, measured from the base of the outermost tree in the forest to be harvested, is established and maintained; and

(j) for development involving a forest for wood production that is at least 40ha, but less than 100ha—a fire break that is at least 10m wide, measured from the base of the outermost tree in the forest to be harvested, is established and maintained; and

(k) for development involving a forest for wood production that is 100ha or more—

(i) a fire break that is at least 20m wide, measured from the base of the outermost tree in the forest to be harvested, is established and maintained; or

(ii) both of the following things are established and maintained—

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(A) a fire break that is at least 10m wide, measured from the base of the outermost tree in the forest to be harvested;

(B) a fuel reduction area immediately behind the fire break that is at least 10m wide; and

(l) trees to be harvested in the fuel reduction area are pruned to a minimum height of 5m when the trees reach a height of 10m; and

(m) firebreaks are kept clear of flammable material with a height of more than 1m; and

(n) fire access tracks and roads that are at least 4m wide are established and maintained on the premises; and

(o) each part of the forest for wood production is within 250m of a fire access track or road.

(3) Despite subsection (2)(a), the following works may be carried out within the separation distance stated in the subsection—

(a) the construction of roads and tracks for the development;

(b) maintenance works for the development.

(4) In this section—

firebreak means a firebreak between—

(a) the forest for wood production; and

(b) any infrastructure or neighbouring land.

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Part 2 Separation distances

Table 1—Separation distances		
Column 1 Structure or thing		**Column 2 Separation distance**
1	A watercourse shown on the regulated vegetation management map (1:100,000) and classified as stream order 1 to 2 under the Strahler stream order classification system	5m from the defining bank of the watercourse
2	A watercourse shown on the regulated vegetation management map (1:100,000) and classified as stream order 3 to 5 under the Strahler stream order classification system	10m from the defining bank of the watercourse
3	A watercourse shown on the regulated vegetation management map (1:100,000) and classified as stream order 6 under the Strahler stream order classification system	20m from the defining bank of the watercourse
4	A State-owned protected area or forest reserve under the *Nature Conservation Act 1992*	10m from the boundary of the protected area or forest reserve
5	A category A area, category B area, category C area or category R area	10m from the boundary of the area
6	A dwelling	100m from the dwelling, or another distance that complies with the Building Code and AS 3959-2009 *Construction of buildings in bushfire-prone areas*
7	A machinery shed	A distance that is the longer of the following— (a) 25m from the machinery shed; (b) a distance from the machinery shed that equals 1.5 times the maximum height of the trees to be harvested

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Table 1—Separation distances	
Column 1 **Structure or thing**	**Column 2** **Separation distance**
8 A transmission grid, supply network or above-ground pipeline, that services more than 1 premises and is not the subject of an easement	A distance that is the longer of the following— (a) 25m from the structure; (b) a distance from the structure that equals 1.5 times the maximum height of the trees to be harvested

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Schedule 14 Requirements for high impact earthworks in a wetland protection area

schedule 7, part 3, section 9

1 Requirements for high impact earthworks in wetland protection area

(1) This section applies to operational work in a wetland protection area that is high impact earthworks carried out for—

(a) electricity operating works; or

(b) government supported transport infrastructure.

(2) The operational work is accepted development if—

(a) the work is not carried out in a wetland in the wetland protection area; or

(b) both of the following apply—

(i) the work is not carried out within the boundary of a wetland that has been delineated and mapped in accordance with the Queensland Wetland Definition and Delineation Guidelines by, or for, the person carrying out the work;

(ii) the person carrying out the work gives a notice stating the work to be carried out to the chief executive (environment) before the work starts; or

(c) the work complies with section 2; or

(d) the work provides for remedial action to be carried out; or

(e) the person carrying out the work—

(i) provides a counterbalancing environmental offset; and

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(ii) gives a notice stating the work to be carried out to the chief executive (environment) before the work starts.

(3) In this section—

counterbalancing environmental offset means an environmental offset that—

(a) counterbalances any significant adverse impacts of the operational work; and

(b) is calculated in accordance with any relevant environmental offsets policy under the *Environmental Offsets Act 2014*.

Queensland Wetland Definition and Delineation Guidelines means the Queensland Wetland Definition and Delineation Guidelines published by the department in which the Environmental Protection Act is administered.

2 Criteria for operational work

(1) For section 1(2)(c), the operational work must comply with the following criteria—

(a) the operational work is not carried out within a buffer around all wetlands in the wetland protection area that—

(i) for a wetland in an urban area—is at least 50m wide; or

(ii) for a wetland not in an urban area—is at least 200m wide; or

(iii) has the minimum width stated in an environmental evaluation of the wetland;

(b) the operational work—

(i) results in a net ecological benefit to, and improvement of, the environmental values and functioning of all wetlands in the wetland protection area; or

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(ii) involves rehabilitation of the hydrological regime of all wetlands in the wetland protection area; or

(iii) involves restoring the natural hydrological regime of all wetlands in the wetland protection area; or

(iv) does not adversely affect the surface water hydrological regime of any wetland in the wetland protection area; or

(v) minimises adverse impacts on the surface water hydrological regime of all wetlands in the wetland protection area by—

(A) ensuring there is no change to the reference high-flow duration frequency curve, the low-flow duration frequency curve, the low-spells frequency curve, and the mean annual flow to and from each wetland; and

(B) ensuring stream flows into each wetland comply with the environmental flow objectives stated in a water plan under the Water Act applying to the wetland; and

(C) if the work will result in an increased volume or velocity of stormwater flows into a wetland—collecting and re-using the stormwater;

(c) the operational work returns the water table and hydrostatic pressure in the wetland protection area to their natural state, or both of the following apply—

(i) saline water does not enter freshwater aquifers in the wetland protection area;

(ii) the water table and hydrostatic pressure in the wetland protection area are not lowered or raised outside of the bounds of variability existing immediately before the operational work starts;

(d) the operational work—

(i) does not change the quantity or quality of stormwater entering any wetland in the wetland protection area; or

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(ii) results in a change to the quantity or quality of stormwater entering a wetland in the wetland protection area, but the change does not cause the stormwater to be inconsistent with any water quality guidelines and water quality objectives under the *Environmental Protection (Water and Wetland Biodiversity) Policy 2019*; or

(iii) minimises adverse impacts on the wetland protection area caused by stormwater entering the area;

(e) the operational work does not involve clearing vegetation in any wetland in the wetland protection area or in a buffer under paragraph (a);

(f) the operational work—

(i) is not in a buffer under paragraph (a); or

(ii) avoids degrading land in the wetland protection area by using engineering designs and solutions for the horizontal and vertical alignment of infrastructure; or

(iii) complies with an erosion and sediment control plan for the wetland protection area;

(g) the operational work—

(i) is not within an ecological corridor in the wetland protection area; or

(ii) is not within an ecological corridor that is established and maintained in accordance with the Wetland Rehabilitation Guidelines for the Great Barrier Reef Catchment prepared by Wetland Care Australia for the Commonwealth Government; or

(iii) does not adversely affect the movement of fauna that may use or move through a wetland in the wetland protection area as part of the fauna's normal life cycle;

(h) the operational work—

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(i) provides for the removal of non-native pest species from the wetland protection area; or

(ii) includes pest management practices for non-native pest species in the wetland protection area that protect the long-term functioning of wetlands in the area; or

(iii) does not result in the introduction of non-native pest species to a wetland in the wetland protection area; or

(iv) provides pest dispersal prevention measures that manage the threat of non-native pest species to wetlands in the wetland protection area, but do not interfere with the movement of native fauna in the wetland protection area;

(i) the operational work—

(i) does not cause noise, light or visual disturbances to native fauna in the wetland protection area; or

(ii) complies with a noise, light and visual disturbances report;

(j) a monitoring plan is prepared and implemented to monitor the effects of the operational work on the ecological and hydrological functioning of the wetlands in the wetland protection area.

(2) In this section—

environmental evaluation, of a wetland, means an evaluation—

(a) of the environmental values and functioning of the wetland, including threats to the wetland; and

(b) that is carried out by an appropriately qualified person in accordance with the Queensland Wetland Buffer Guideline published by the department in which the Environmental Protection Act is administered.

noise, light and visual disturbances report means a report prepared by a qualified ecologist, or a person with similar experience, that—

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(a) assesses the impacts of noise, light and visual disturbances on native fauna in the wetland protection area; and

(b) recommends measures for mitigating any impacts.

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Schedule 15 Required fee for particular change applications and extension applications

section 39

Column 1	Column 2	Column 3
	Type of application	**Required fee**
1	Change application for a minor change to a development approval—	
	(a) if the development approval was given for a prescribed development application—	856 fee units
	(i) made by a registered non-profit organisation; or	
	(ii) to which section 38 applied	
	(b) otherwise	1,714 fee units
2	Change application other than for a minor change to a development approval	The fee that would be payable to the assessment manager if the change application were a development application
3	Extension application—	
	(a) if the development approval that the extension application relates to was given for a prescribed development application made by a registered non-profit organisation	428 fee units
	(b) otherwise	856 fee units

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Schedule 16 Prescribed amounts

section 52

Notes—

1 This schedule was inserted by amending legislation that commenced on 1 July 2026.

2 See also section 112(2) of the Act.

Column 1	**Column 2**
Use	**Prescribed amount**
Residential uses	
1 Dwelling house 2 Dual occupancy 3 Caretaker's accommodation 4 Multiple dwelling 5 Build to rent housing	1 $27,163.80 for each dwelling with 2 or less bedrooms 2 $38,029.25 for each dwelling with 3 or more bedrooms
Accommodation (short-term)	
1 Tourist park	1 If the tourist park has tent or caravan sites— (a) $13,581.80 for each group of 2 sites or less (b) $19,014.45 for each group of 3 sites 2 If the tourist park has cabins— (a) $13,581.80 for each cabin with 2 or less bedrooms (b) $19,014.45 for each cabin with 3 or more bedrooms
2 Hotel 3 Short-term accommodation 4 Resort complex	1 $13,581.80 for each suite with 2 or less bedrooms 2 $19,014.45 for each suite with 3 or more bedrooms 3 $13,581.80 for each bedroom that is not part of a suite

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Column 1 Use	Column 2 Prescribed amount
Accommodation (long-term)	
1 Relocatable home park	1 $27,163.80 for each relocatable dwelling site for 2 or less bedrooms 2 $38,029.25 for each relocatable dwelling site for 3 or more bedrooms
2 Community residence 3 Retirement facility 4 Rooming accommodation	1 $27,163.80 for each suite with 2 or less bedrooms 2 $38,029.25 for each suite with 3 or more bedrooms 3 $27,163.80 for each bedroom that is not part of a suite
Places of assembly	
1 Club 2 Community use 3 Function facility 4 Funeral parlour 5 Place of worship	1 $95.15 for each square metre of gross floor area 2 $13.60 for each square metre impervious to stormwater
Commercial (bulk goods)	
1 Agricultural supplies store 2 Bulk landscape supplies 3 Garden centre 4 Hardware and trade supplies 5 Outdoor sales 6 Showroom	1 $190.15 for each square metre of gross floor area 2 $13.60 for each square metre impervious to stormwater
Commercial (retail)	
1 Adult store 2 Food and drink outlet 3 Service industry 4 Service station 5 Shop 6 Shopping centre	1 $244.50 for each square metre of gross floor area 2 $13.60 for each square metre impervious to stormwater

Column 1 Use	Column 2 Prescribed amount
Commercial (office)	
1 Office 2 Sales office	1 $190.15 for each square metre of gross floor area 2 $13.60 for each square metre impervious to stormwater
Educational facility	
1 Childcare centre 2 Community care centre 3 Educational establishment	1 $190.15 for each square metre of gross floor area 2 $13.60 for each square metre impervious to stormwater
Entertainment	
1 Hotel 2 Nightclub entertainment facility 3 Theatre 4 Resort complex	1 $271.60 for each square metre of gross floor area, other than areas for providing accommodation 2 $13.60 for each square metre impervious to stormwater
Indoor sport and recreation	
1 Indoor sport and recreation	1 $271.60 for each square metre of gross floor area, other than court areas 2 $27.10 for each square metre of gross floor area that is a court area 3 $13.60 for each square metre impervious to stormwater
High impact industry or special industry	
1 High impact industry 2 Special industry	1 $95.15 for each square metre of gross floor area 2 $13.60 for each square metre impervious to stormwater

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Column 1	Column 2
Use	**Prescribed amount**
Other industry	
1 Low impact industry 2 Medium impact industry 3 Research and technology industry 4 Rural industry 5 Warehouse 6 Marine industry	1 $67.85 for each square metre of gross floor area 2 $13.60 for each square metre impervious to stormwater
High impact rural	
1 Cultivating, in a confined area, aquatic animals or plants for sale 2 Intensive animal industry 3 Intensive horticulture 4 Wholesale nursery 5 Winery	$27.10 for each square metre of gross floor area
Low impact rural	
1 Animal husbandry 2 Cropping 3 Permanent plantation 4 Wind farm	Nil
Essential services	
1 Correctional facility 2 Emergency services 3 Health care service 4 Hospital 5 Residential care facility 6 Veterinary service	1 $190.15 for each square metre of gross floor area 2 $13.60 for each square metre impervious to stormwater

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Column 1	Column 2
Use	**Prescribed amount**
Minor uses	
1 Advertising device 2 Cemetery 3 Home-based business 4 Landing 5 Market 6 Outdoor lighting 7 Park 8 Roadside stall 9 Telecommunications facility 10 Temporary use	Nil
Other uses	
1 Air service 2 Animal keeping 3 Car park 4 Crematorium 5 Extractive industry 6 Major sport, recreation and entertainment facility 7 Motor sport facility 8 Outdoor sport and recreation 9 Port service 10 Tourist attraction 11 Utility installation 12 Workforce accommodation 13 Any other use not listed in column 1, including a use that is unknown	The prescribed amount for another similar use listed in column 1 (other than in this row) that the local government or distributor–retailer decides to apply to the use

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Schedule 17 Tribunal fees

section 56

		Fee units
1	Declaration under the Act, chapter 6, part 2, division 2	286.35
2	Appeal about a development application, change application or extension application involving a material change of use for a classified building—	
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	421.55
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	701.30
3	Appeal about an enforcement notice, if the notice relates to a material change of use for a classified building—	
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	421.55
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	701.30
4	Appeal about a development condition stated in the Act, schedule 1, section 1(2)(d)—	
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	421.55
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	701.30

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		Fee units
5	Appeal about a development application, change application or extension application involving building work under the Building Act relating to a class 1 building or class 10 building or structure—	
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	421.55
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	701.30
6	Appeal about a decision under the Building Act, or the *Plumbing and Drainage Act 2018*, that may be made to a tribunal and for which an information notice is required to be given, if the decision relates to a class 1 building or class 10 building or structure—	
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	421.55
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	701.30
7	Appeal about a decision under the Building Act about the inspection of building work, if the decision relates to a class 1 building or class 10 building or structure—	
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	421.55
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	701.30
8	Appeal about an enforcement notice, if the notice relates to a class 1 building or class 10 building or structure—	

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		Fee units
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	421.55
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	701.30
9	Appeal about a decision under the Residential Services Act, section 29, if the decision relates to a class 1 building or class 10 building or structure—	
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	421.55
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	701.30
10	Appeal about a development application, change application or extension application involving building work under the Building Act relating to a class 2, 3, 4, 5, 6, 7, 8 or 9 building with a floor area of 500m^2 or less—	
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	614.15
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	886.15
11	Appeal about a decision under the Building Act, or the *Plumbing and Drainage Act 2018*, that may be made to a tribunal and for which an information notice is required to be given, if the decision relates to a class 2, 3, 4, 5, 6, 7, 8 or 9 building with a floor area of 500m^2 or less—	
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	614.15

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		Fee units
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	886.15
12	Appeal about a decision under the Building Act about the inspection of building work, if the decision relates to a class 2, 3, 4, 5, 6, 7, 8 or 9 building with a floor area of 500m^2 or less—	
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	614.15
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	886.15
13	Appeal about an enforcement notice, if the notice relates to a class 2, 3, 4, 5, 6, 7, 8 or 9 building with a floor area of 500m^2 or less—	
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	614.15
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	886.15
14	Appeal about a decision under the Residential Services Act, section 29, if the decision relates to a class 2, 3, 4, 5, 6, 7, 8 or 9 building with a floor area of 500m^2 or less—	
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	614.15
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	886.15

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		Fee units
15	Appeal about a development application, change application or extension application involving building work under the Building Act relating to 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 tribunal without a site inspection by the tribunal or a member of the tribunal	886.15
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	1,316.85
16	Appeal about a decision under the Building Act, or the *Plumbing and Drainage Act 2018*, that may be made to a tribunal and for which an information notice is required to be given, if the decision relates to 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 tribunal without a site inspection by the tribunal or a member of the tribunal	886.15
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	1,316.85
17	Appeal about a decision under the Building Act about the inspection of building work, if the decision relates to 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 tribunal without a site inspection by the tribunal or a member of the tribunal	886.15
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	1,316.85

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		Fee units
18	Appeal about an enforcement notice given in relation to a matter relating to the Building Act or the *Plumbing and Drainage Act 2018*, if the notice relates to 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 tribunal without a site inspection by the tribunal or a member of the tribunal	886.15
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	1,316.85
19	Appeal about a decision under the Residential Services Act, section 29, if the decision relates to 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 tribunal without a site inspection by the tribunal or a member of the tribunal	886.15
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	1,316.85
20	Appeal about an infrastructure charges notice or conversion application—	
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	739.05
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	1,018.90
21	Appeal under the SEQ Water Act, section 99BRBE—	
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	421.55

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		Fee units
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	701.30
22	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 tribunal without a site inspection by the tribunal or a member of the tribunal	739.05
	(ii) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	1,018.90
	(b) otherwise	714.10
23	Appeal under the SEQ Water Act, section 99BRBFA—	
	(a) if the appeal is to be decided by a tribunal without a site inspection by the tribunal or a member of the tribunal	739.05
	(b) if the appeal is to be decided by a tribunal after a site inspection by the tribunal or a member of the tribunal	1,018.90

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Schedule 18 Approving plans of subdivision

section 69

1 Request for approval of plan of subdivision

(1) A person may, by notice, ask a local government to approve a plan of subdivision for reconfiguring a lot.

(2) The request—

(a) if the local government has a form for the request—must be in that form; and

(b) must be accompanied by the required fee.

(3) If the request relates to reconfiguring a lot that is approved under a development permit, the request may be made only if the development permit is in effect.

(4) If a development condition of a development permit requires the plan of subdivision to be given to the local government, the request must be made—

(a) if the development permit states a date by which the request must be made—on or before the stated date; or

(b) otherwise—within 2 years after the development permit takes effect, or the longer period agreed between the person and the local government.

2 Assessing request

(1) If the request relates to a plan of subdivision for reconfiguring a lot that is approved under a development permit, or a plan of subdivision required under a development condition of a development permit, the request must be assessed against the following criteria—

(a) the development conditions of the development permit about the reconfiguration have been complied with, or the applicant has given satisfactory security to the local government to ensure compliance with the conditions;

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(b) for a reconfiguration requiring operational work—

(i) the development conditions of the development permit about the operational work have been complied with; or

(ii) the applicant has given satisfactory security to the local government to ensure compliance with the development conditions;

(c) there are no outstanding rates or charges levied by the local government or expenses that are a charge over the land under any Act;

(d) the plan has been prepared in accordance with the development permit;

(e) the conditions of a water approval under the SEQ Water Act have been complied with;

(f) there are no outstanding fees or charges levied by a distributor-retailer under the SEQ Water Act.

(2) If the request relates to a plan of subdivision for reconfiguring a lot that is not assessable development, the request must be assessed against the following criteria—

(a) the plan is consistent with any development permit relevant to the premises;

(b) there are no outstanding rates or charges levied by the local government or expenses that are a charge over the land under any Act;

(c) the conditions of a water approval under the SEQ Water Act have been complied with;

(d) there are no outstanding fees or charges levied by a distributor-retailer under the SEQ Water Act.

3 Deciding request

(1) If the request complies with the criteria for the request stated in section 2, the local government must approve the request.

(2) The local government must give notice of the approval to the person making the request within—

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(a) if the request complies with the criteria stated in section 2 when it is received by the local government—20 business days after it is received; or

(b) if the request does not comply with the criteria stated in section 2 when it is received by the local government—20 business days after the person gives notice to the local government that the criteria stated in section 2 have been complied with; or

(c) another period agreed between the local government and the person making the request.

(3) If the Act that the plan of subdivision is to be registered or recorded under requires a particular form for the registration or recording, the notice must be in that form.

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Schedule 19 Special fire services and matters for referral agency's assessment

schedule 9, part 3, division 3

Part 1 Special fire services

1 air-handling systems used for smoke control

2 emergency lifts

3 sound systems and intercom systems for emergency purposes

4 fire control centres

5 fire detection and alarm systems, other than—

(a) stand-alone smoke alarms not required to be interconnected or connected to a fire indicator panel; or

(b) smoke alarms in a class 1 building that are required to be interconnected; or

(c) smoke alarms in a sole-occupancy unit in a class 2, 3 or 4 building that are required to be interconnected

6 fire hydrants

7 fire mains, other than fire mains that connect only fire hose reels

8 services provided under conditions imposed under the Building Act, section 79

9 services required under the Building Code, volume 1, part E1.10

10 smoke and heat venting systems

11 smoke exhaust systems

12 special automatic fire suppression systems, including foam, deluge and gas flooding systems

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13 sprinklers, including wall-wetting sprinklers

14 stairwell pressurisation systems

15 vehicular access for large isolated buildings

Part 2 Matters referral agency's assessment must be against

Smoke control systems

- achievement of specified performance of systems
- suitability of automatic detector operation of stairwell pressurisation systems, smoke-and-heat vents and smoke exhaust systems
- suitability of operational controls and indicators

Emergency lifts

- operation of fire service controls in lifts

Sound systems and intercom systems for emergency purposes

- achievement of specified performance of sound systems and intercom systems
- operation of interface of sound systems and intercom systems
- location of main emergency control panel and warden intercom points
- suitability of warning tone and sound pressure levels under test

Fire control centres

- location of control centre

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- suitability of contents, ventilation, signage, lighting and sound levels of control centre

Fire detection and alarm systems, other than stand-alone smoke alarms not required to be interconnected or connected to a fire indicator panel

- achievement of specified performance of detection and alarm systems
- location and operation of main fire indicator panel, sub-indicator panels, mimic panels, repeater panels, strobe lights and directional signs
- operation of direct fire service alarm
- suitability of nominated types of detection in all areas, and the location of manual call points
- suitability of weather protection, accessibility and lighting of equipment
- if the sensitivity of a fire detection or alarm system can be changed—suitability of the sensitivity setting having regard to the location of the system and the Australian Standard for that system

Firefighting equipment

- achievement of specified performance
- location and suitability of booster connections and enclosures
- location and suitability of internal and roof hydrants and external hydrants including fire separation from neighbouring buildings
- operation of fixed pump-set controls and status indication
- provision of extra hydrant services as stated in AS 2419
- provision of suitable facilities for testing internal hydrants

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- provisions for connection of fire authority portable relay booster pump
- provisions for hardstanding for fire appliances

Hazardous buildings

- suitability of special fire services and site requirements for hazardous buildings stated in the Building Act, section 79

Provision for special fire hazards

- suitability of special fire services for the protection of special hazards as stated in the Building Code, volume 1, part E1.10

Special automatic fire suppression systems

- achievement of specified performance
- location of control valves
- provision of access for fire service vehicles
- provision of interface with other systems and direct fire service alarm
- suitability of extinguishment media

Sprinklers

- operation of direct fire service alarm and location of directional signs
- operation of pump-set controls and status indications
- provision of suitable fire protection for special hazards as stated in AS 2118
- location of valve room, pump-sets, water alarm and booster point

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Wall-wetting sprinklers

- location of isolating valves
- provision of suitable signs

Large isolated buildings

- suitability of site provisions for access by fire service vehicles

Schedule 20 Development impacting on State transport infrastructure and thresholds

schedule 10, part 9, division 4, subdivision 1

Column 1 Purpose	Column 2 Threshold for local government area 1	Column 3 Threshold for local government area 2
Material change of use		
1 Accommodation activity that is 1, or a combination, of the following— (a) build to rent housing; (b) a dual occupancy; (c) a dwelling house; (d) a multiple dwelling; (e) a relocatable home park; (f) a retirement facility; (g) rooming accommodation; (h) rural workers' accommodation; (i) workforce accommodation	200 dwellings	50 dwellings
2 Accommodation activity that is 1, or a combination, of the following— (a) nature-based tourism; (b) a resort complex; (c) short-term accommodation; (d) a tourist park	Premises designed to accommodate 300 people	Premises designed to accommodate 75 people

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Column 1 Purpose	Column 2 Threshold for local government area 1	Column 3 Threshold for local government area 2
3 Club 4 Hotel 5 Function facility 6 Theatre	8,000m² increase of gross floor area or seating capacity for 1,500 people	4,000m² gross floor area or seating capacity for 1,500 people
7 Shop 8 Showroom 9 Shopping centre (including theatres, food and drink outlets and offices) 10 Hardware and trade supplies	8,000m² increase of gross floor area	4,000m² gross floor area
11 Office	12,000m² increase of gross floor area	6,000m² gross floor area
12 Hospital 13 Residential care facility	100 beds	50 beds
14 Educational establishment that is 1, or a combination, of the following— (a) a primary school; (b) a secondary school; (c) a college; (d) a university; (e) a technical institute	All new establishments and extensions to establishments likely to accommodate an extra 100 students	All new establishments and extensions to establishments likely to accommodate an extra 100 students
15 Tourist attraction 16 Major sport, recreation and entertainment facility	5,000m² total site area or, if totally indoor, 8,000m² increase of gross floor area	5,000m² total site area or, if totally indoor, 4,000m² gross floor area
17 Extractive industry 18 High impact industry, other than an abattoir 19 Special industry	Using machinery having an annual throughput of product of 10,000t	Using machinery having an annual throughput of product of 10,000t

Column 1 Purpose	Column 2 Threshold for local government area 1	Column 3 Threshold for local government area 2
20 Intensive animal industry 21 High impact industry that is an abattoir	Total facility capacity of— (a) for cattle—2,000 head; or (b) for pigs—3,000 head; or (c) for sheep—10,000 head; or (d) for poultry—200,000 birds	Total facility capacity of— (a) for cattle—2,000 head; or (b) for pigs—3,000 head; or (c) for sheep—10,000 head; or (d) for poultry—200,000 birds
22 A use that is 1, or a combination, of the following— (a) warehouse; (b) medium impact industry; (c) low impact industry	16,000m^2 gross floor area (combined total of uses)	8,000m^2 gross floor area (combined total of uses)
23 Car park (including heavy vehicle parking)	5,000m^2 total site area	5,000m^2 total site area
24 Airport, bus or ferry terminal	All	All
Reconfiguring a lot		
25 Accommodation activity that is 1, or a combination, of the following— (a) build to rent housing; (b) a dual occupancy; (c) a dwelling house; (d) a multiple dwelling; (e) a relocatable home park; (f) a retirement facility; (g) rooming accommodation; (h) rural workers' accommodation; (i) workforce accommodation	200 dwellings	50 dwellings

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Column 1 Purpose	Column 2 Threshold for local government area 1	Column 3 Threshold for local government area 2
26 Accommodation activity that is 1, or a combination, of the following— (a) nature-based tourism; (b) a resort complex; (c) short-term accommodation; (d) a tourist park	Premises designed to accommodate 300 people	Premises designed to accommodate 75 people
27 Agricultural supplies store 28 Bulk landscape supplies 29 Food and drink outlet 30 Garden centre 31 Hardware and trade supplies 32 Market 33 Office 34 Outdoor sales 35 Parking station 36 Sales office 37 Service station 38 Shop 39 Shopping centre 40 Showroom 41 Veterinary service	12,000m^2 total site area (combined total)	3,000m^2 total site area (combined total)
42 Industry activity	32,000m^2 total site area (combined total)	16,000m^2 total site area (combined total)
Operational works		

Column 1 Purpose	Column 2 Threshold for local government area 1	Column 3 Threshold for local government area 2
43 Filling or excavating not related to a material change of use or reconfiguring a lot	Filling or excavating that involves— (a) 10,000t of material being transported to the premises; or (b) 10,000t of material being transported from the premises; or (c) 10,000t of material being transported to and from the premises	Filling or excavating that involves— (a) 10,000t of material being transported to the premises; or (b) 10,000t of material being transported from the premises; or (c) 10,000t of material being transported to and from the premises

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Schedule 21 Exempt clearing work

schedule 24, definition *exempt clearing work*

Part 1 Clearing and other activities or matters—general

1 Clearing and other activities or matters for premises generally

(1) Clearing vegetation under a development approval for a material change of use or reconfiguring a lot, if—

(a) the approval is for a development application for which the chief executive is a referral agency in relation to vegetation clearing; or

(b) the approval is for a development application—

(i) that relates only to lots of less than 5ha; and

(ii) for which a local government is the prescribed assessment manager.

(2) Clearing an area of vegetation within a watercourse, as defined under the Vegetation Management Act, schedule, or a lake for an activity, other than an activity relating to a material change of use or reconfiguring a lot, if—

(a) the clearing is—

(i) subject to an approval process, and is approved under the Act or another Act; or

(ii) a necessary and unavoidable consequence of an activity allowed by a permit given under the Water Act, section 221; or

(iii) a necessary and unavoidable consequence of an activity carried out under the Riverine Protection Permit Exemption Requirements; and

(b) either—

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(i) the clearing is under an accepted development vegetation clearing code, other than if the vegetation is in a category A area; or

(ii) the area is less than 0.5ha of a least concern regional ecosystem in a category B area; or

(iii) the area is less than 0.5ha in a category C, R or X area.

(3) Clearing vegetation in an area declared under the Vegetation Management Act, section 19F, if the clearing is carried out—

(a) under the management plan for the area; and

(b) for—

(i) 1 or more purposes stated in the Vegetation Management Act, section 22A(2)(b), (c), (f), (g), (h) or (j); or

(ii) establishing a necessary fence, firebreak, road or vehicular track and the clearing can not reasonably be avoided or minimised.

(4) Clearing vegetation—

(a) under a land management agreement for a lease under the Land Act; and

(b) for 1 or more of the purposes stated in the Vegetation Management Act, section 22A(2)(b), (c), (d), (f), (g), (h) or (j).

(5) A traditional Aboriginal or Torres Strait Islander cultural activity, other than a commercial activity.

(6) A resource activity as defined under the Environmental Protection Act, section 107.

(7) Development for geothermal exploration carried out under a geothermal exploration permit under the *Geothermal Energy Act 2010*.

(8) Clearing vegetation, for an airport-related purpose, on airport premises.

(9) An activity under the *Fire Services Act 1990*, section 145F, 145G, 149I or 149K(3)(a).

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(10) An activity under—

(a) the Electricity Act, section 101 or 112A; or

(b) the *Electricity Regulation 2006*, section 17.

(11) An activity authorised under the Forestry Act.

(12) Clearing vegetation on premises in an area for which an area management plan under the Vegetation Management Act, section 20J is in force at the time of the clearing, if—

(a) the owner of the premises, within the meaning of that Act, or a person authorised by the owner, does the clearing; and

(b) the clearing complies with the area management plan, including any condition of the plan requiring the owner to give notice of the clearing to the chief executive of the department in which that Act is administered.

(13) Clearing vegetation on land stated in the Forestry Act, section 55(1)(b), (c) or (d) to the extent the clearing is for accessing and extracting quarry material for road works under the Transport Infrastructure Act.

(14) Clearing vegetation for the construction or maintenance of infrastructure stated in schedule 5, if—

(a) the clearing is on designated premises; or

(b) the infrastructure is government supported transport infrastructure.

(15) Clearing vegetation in an area for which a disaster situation declaration has been made, if the clearing—

(a) is necessary to prevent or minimise—

(i) loss of human life, or illness or injury to humans; or

(ii) property loss or damage; or

(iii) damage to the environment; and

(b) happens during the period starting when the disaster situation declaration was made and ending on the later of the following days—

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(i) the day that is 1 year after the day on which the disaster situation declaration was made;

(ii) another day decided by the chief executive by notice.

(16) Clearing vegetation that is necessary to carry out a cadastral survey of an existing property boundary, geotechnical survey or geological survey, if the area cleared is—

(a) for an area in which the survey is conducted—a maximum area of $100m^2$; and

(b) for an area necessary for reasonable access to the area in which the survey is conducted—a maximum of 10m wide.

(17) Clearing vegetation that is necessary to remediate contaminated land recorded in the environmental management register or contaminated land register.

(18) Clearing vegetation that is necessary to carry out activities authorised to be carried out on an abandoned mine site under the *Mineral Resources Act 1989*, section 344C or 344D.

(19) Clearing vegetation that the Vegetation Management Act does not apply to or affect.

Note—

For clearing vegetation that the Vegetation Management Act does not affect, see, for example, section 74 of that Act.

(19A) Clearing vegetation in accordance with a restoration notice under the Vegetation Management Act or an enforcement notice under the Act if the clearing is carried out for—

(a) 1 or more of the purposes stated in the Vegetation Management Act, section 22A(2)(b), (c), (g) or (j); or

(b) establishing a necessary fence, firebreak, road or vehicular track and the clearing can not reasonably be avoided or minimised.

(20) In this section—

airport premises means premises used, or to be used, completely or partly for an airport-related purpose.

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airport-related purpose means—

(a) the construction, operation or maintenance of a strategic airport, including—

(i) air transport infrastructure; and

(ii) core airport infrastructure on airport land; or

(b) an activity or facility supporting the economical, efficient or safe functioning of a strategic airport; or

Examples for paragraph (b)—

- manufacturing aircraft or aircraft components
- servicing aircraft

(c) an activity or facility supporting the financial viability of a strategic airport; or

Examples for paragraph (c)—

- operating an air charter business or air freight depot
- operating a flight training or skydiving business

(d) for premises on airport land—development consistent with the land use plan for the airport land.

disaster situation declaration, for an area, means a declaration of a disaster situation for the area under the *Disaster Management Act 2003*, section 64 or 69 if—

(a) the declaration relates to an event stated in section 16(1)(a) of that Act; and

(b) the disaster situation has not ended under section 71 of that Act.

management plan, for an area declared under the Vegetation Management Act, section 19F, means the management plan for the area that accompanied the notice given by the owner of the land under section 19E of that Act, as amended from time to time.

remediate, contaminated land, see the Environmental Protection Act, schedule 4.

Riverine Protection Permit Exemption Requirements means the document called the 'Riverine Protection Permit Exemption Requirements' that is—

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(a) approved by the chief executive of the department in which the Water Act is administered; and

(b) published on that department's website.

Part 2 Clearing for particular land

2 Freehold land

For freehold land, clearing vegetation—

(a) for a forest practice; or

(b) that is residential clearing; or

(c) that is necessary for essential management; or

(d) in a category X area; or

(e) that is PDA-related development; or

(f) under an accepted development vegetation clearing code, other than clearing in a category A area; or

(g) that is the following vegetation, if the clearing is for urban purposes in an urban area—

(i) regulated regrowth vegetation;

(ii) an of concern regional ecosystem in a category B area;

(iii) a least concern regional ecosystem in a category B area; or

(h) that is the following vegetation, if the clearing is necessary for routine management in an area of the land—

(i) regulated regrowth vegetation;

(ii) a least concern regional ecosystem in a category B area; or

(i) for development—

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(i) that is for an extractive industry, as defined under the Vegetation Management Act, schedule, in a key resource area; and

(ii) to the extent the clearing involves clearing regulated regrowth vegetation, other than in a category A area; or

(j) for development—

(i) that is a significant community project; and

(ii) to the extent the clearing involves clearing regulated regrowth vegetation, other than in a category A area.

3 Indigenous land

For indigenous land, clearing vegetation—

(a) for a forest practice, other than on land on which the State owns the trees; or

(b) for residential clearing; or

(c) that is necessary for essential management; or

(d) in a category X area; or

(e) that is PDA-related development; or

(f) under an accepted development vegetation clearing code, other than in a category A area; or

(g) that is gathering, digging or removing forest products for use under the *Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984*, section 62; or

(h) that is the following vegetation, if the clearing is for urban purposes in an urban area—

(i) regulated regrowth vegetation;

(ii) an of concern regional ecosystem in a category B area;

(iii) a least concern regional ecosystem in a category B area; or

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(i) that is necessary for routine management in an area of the land, if the vegetation is—

(i) regulated regrowth vegetation; or

(ii) a least concern regional ecosystem in a category B area; or

(j) for development—

(i) that is for an extractive industry, as defined under the Vegetation Management Act, schedule, in a key resource area; and

(ii) to the extent the clearing involves clearing regulated regrowth vegetation, other than in a category A area; or

(k) for development—

(i) that is a significant community project; and

(ii) to the extent the clearing involves clearing regulated regrowth vegetation, other than in a category A area.

4 Land leased under Land Act

(1) For land leased under the Land Act for agriculture or grazing purposes, clearing vegetation—

(a) that is residential clearing; or

(b) that is necessary for essential management; or

(c) in a category X area; or

(d) under an accepted development vegetation clearing code, other than in a category A area; or

(e) that is necessary for routine management in an area of the land, if the vegetation is—

(i) regulated regrowth vegetation; or

(ii) a least concern regional ecosystem in a category B area; or

(f) for development—

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(i) that is for an extractive industry, as defined under the Vegetation Management Act, schedule, in a key resource area; and

(ii) to the extent the clearing involves clearing regulated regrowth vegetation, other than in a category A area; or

(g) for development—

(i) that is a significant community project; and

(ii) to the extent the clearing involves clearing regulated regrowth vegetation, other than in a category A area.

(2) For land leased under the Land Act, other than for agriculture or grazing purposes, clearing vegetation that is consistent with the purposes of the lease, if the clearing—

(a) is residential clearing; or

(b) is necessary for essential management; or

(c) is in a category R area or category X area; or

(d) is under an accepted development vegetation clearing code, other than in a category A area; or

(e) is for urban purposes in an urban area and involves clearing vegetation that is—

(i) regulated regrowth vegetation; or

(ii) an of concern regional ecosystem in a category B area; or

(iii) a least concern regional ecosystem in a category B area; or

(f) is necessary for routine management in an area of the land and the vegetation is—

(i) regulated regrowth vegetation; or

(ii) a least concern regional ecosystem in a category B area.

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5 Land dedicated as a road under Land Act

For land that is dedicated as a road under the Land Act, clearing vegetation—

(a) that is carried out by a local government, or by or for the chief executive (transport), if the clearing—

(i) is necessary to construct or maintain road transport infrastructure or to source construction material for roads; or

(ii) is a category R area or category X area; or

(b) that is carried out by a local government—

(i) to remove vegetation that is not native vegetation; or

(ii) in accordance with a biosecurity plan made by the local government under the *Biosecurity Act 2014*; or

(c) that is necessary to remove or reduce the imminent risk that the vegetation poses of serious personal injury or damage to infrastructure; or

(d) by fire under the *Fire Services Act 1990* to reduce hazardous fuel load; or

(e) that is necessary to maintain infrastructure on the road, other than fences; or

(f) that is necessary to maintain a boundary fence to the maximum width of 3m; or

(g) that is necessary for reasonable access to adjoining land from the formed road for a maximum width of 10m; or

(h) that is necessary to maintain a firebreak or garden on the road; or

(i) under an accepted development vegetation clearing code, other than in a category A area.

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6 Particular trust land under Land Act

For land that is trust land under the Land Act, other than indigenous land, clearing vegetation—

(a) that is carried out, or allowed to be carried out, by the trustee; and

(b) that is consistent with achieving the purpose of the trust; and

(c) that—

(i) is necessary for essential management; or

(ii) is in a category R area or category X area; or

(iii) is to remove vegetation that is not native vegetation; or

(iv) is in accordance with a relevant biosecurity plan under the *Biosecurity Act 2014*; or

(v) is for urban purposes in an urban area and the vegetation is an of concern regional ecosystem, or a least concern regional ecosystem, in a category B area; or

(vi) is necessary for routine management in an area of the land, if the vegetation is a least concern regional ecosystem in a category B area; or

(vii) is under an accepted development vegetation clearing code, other than in a category A area.

7 Unallocated State land

For land that is unallocated State land, clearing vegetation—

(a) that is carried out, or allowed to be carried out, by the chief executive of the department in which the Land Act is administered; and

(b) that—

(i) is necessary for essential management; or

(ii) is to control declared pests or vegetation that is not native vegetation; or

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(iii) is PDA-related development; or

(iv) is in a category R area or category X area; or

(v) is necessary for routine management in an area of the land, if the vegetation is a least concern regional ecosystem in a category B area; or

(vi) is under an accepted development vegetation clearing code, other than in a category A area.

8 Land subject to a licence or permit under Land Act

For land that is subject to a licence or permit under the Land Act, clearing vegetation—

(a) that is carried out by the licensee or permittee; and

(b) that—

(i) is necessary for essential management; or

(ii) is PDA-related development; or

(iii) is in a category R area or category X area; or

(iv) is for urban purposes in an urban area, if the vegetation is—

(A) regulated regrowth vegetation; or

(B) an of concern regional ecosystem in a category B area; or

(C) a least concern regional ecosystem in a category B area; or

(v) is necessary for routine management in an area of the land, if the vegetation is a least concern regional ecosystem in a category B area or regulated regrowth vegetation; or

(vi) is under an accepted development vegetation clearing code, other than in a category A area.

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Schedule 22 Publicly accessible documents

section 70

Part 1 Local governments

1 Documents local government must keep available for inspection and purchase

(1) A local government must keep the following documents available for inspection and purchase—

(a) each current State planning instrument that applies to the local government area;

(b) each public notice repealing a State planning instrument that applied to the local government area;

(c) each current local planning instrument for the local government area, including any LGIP;

(d) each notice, and any amended notice, given by the chief executive to the local government under section 18(3) of the Act;

(e) each proposed local planning instrument for the local government area, including any proposed amendments of a local planning instrument;

(f) each amendment of a local planning instrument made by the local government;

(g) each public notice published by the local government about—

(i) making or amending, or proposing to make or amend, a local planning instrument; or

(ii) repealing a TLPI or planning scheme policy; or

(iii) reviewing a planning scheme;

(h) a copy of any written reasons given to the chief executive under section 25(2)(a) of the Act;

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(i) each superseded planning scheme for the local government area;

(j) each repealed or expired TLPI for the local government area;

(k) each explanatory statement, report, study, supporting material or document used in the preparation of a local planning instrument for the local government area;

(l) the following documents prepared or used in relation to the making, amendment or review of the local government's LGIP—

(i) each schedule of works model;

(ii) each review checklist;

(iii) each appointed reviewer statement;

(iv) a study or report;

(m) any notice given to the local government by the Minister under section 26 or 27 of the Act;

(n) a report, mentioned in section 30(5) of the Act, prepared by the local government;

(o) each current designation made by the local government;

(p) a designation register for all designations made by the local government that are in effect;

(q) any notice given to the local government by the Minister under section 37(2) or (5), 38(2), 39(3)(a) or 40(2)(a) of the Act;

(r) any notice given or published by the local government under section 37(6) of the Act about making or amending a designation;

(s) any notice given by the local government under section 38(2), 39(3)(b) or 40(2)(b) of the Act;

(t) each exemption certificate given by or to the local government under section 46 of the Act;

(u) an exemption certificate register;

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(v) if the local government keeps a list of persons who are appropriately qualified to be an assessment manager for a development application—the list of persons, including—

(i) the date each person was included on the list; and

(ii) the qualifications, contact details and website address of each person on the list;

(w) any direction given to the local government under section 96 of the Act;

(wa) if the local government is a party to a community benefit agreement for a development application or change application—

(i) the community benefit agreement; and

(ii) any social impact assessment report for the development application or change application given to the local government;

(wb) each copy of a community benefit agreement given to the local government under section 106Z(3) of the Act;

(x) each charges resolution of the local government;

(y) an infrastructure charges register;

(z) each infrastructure charges notice given by the local government on or after 1 January 2020, other than an amended infrastructure charges notice;

(za) each infrastructure charges notice to which paragraph (z) applies that is amended by the local government after 1 January 2020;

(zb) each infrastructure agreement that the local government is a party to, or a copy of which is given to the local government under section 153 of the Act;

(zc) each breakup agreement that the local government is a party to;

(zd) each show cause notice and enforcement notice—

(i) given by the local government under the Act or the Building Act; or

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(ii) a copy of which was given to the local government under the Act or the Building Act by an enforcement authority or private certifier;

(ze) any notice given by, or to, the local government about withdrawing a show cause notice or enforcement notice;

(zf) each enforcement order made by the P&E Court on the application of the local government;

(zg) the local government's register stated in the Building Act, section 251;

(zh) the local government's register of resolutions about land liable to flooding made under the Building Act;

(zi) each exemption given by the local government under the Building Act, chapter 8, part 2, division 3 or 4;

(zj) each document given to the local government by a private certifier (class A) under the Building Act, section 86(1);

(zk) each record the local government must keep under the Building Act, section 230;

(zl) all development information the local government has about a building development application under the Building Act, other than information that may be purchased from the registrar of titles;

(zm) each superseded planning scheme request made to the local government under section 29 of the Act;

(zn) a copy of each economic support instrument and adoption notice published by the local government under section 68E;

(zo) a copy of each notice published by the local government under section 68G(2).

Note—

See also section 3B for an additional document that must be kept available for inspection and purchase by a local government if its planning scheme includes an LGIP.

(2) A State planning instrument stated in subsection (1)(a) must be kept available for inspection and purchase from when the

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instrument is made until it is repealed or replaced, or otherwise expires.

(3) A proposed local planning instrument, or amendment of a local planning instrument, (the ***instrument***) stated in subsection (1)(e) must be kept available for inspection and purchase for the period—

(a) starting—

(i) if the instrument is publicly notified—the day the instrument is publicly notified; or

(ii) otherwise—the day the instrument is proposed to be made; and

(b) ending the day the instrument is made, or the local government decides not to make the instrument.

(4) A notice under subsection (1)(g)(iii) must be kept available for inspection and purchase for 40 business days after the notice is published.

(5) Despite subsection (1), the obligation under subsection (1)(zl) only applies if the person seeking the development information applies for the information in the form approved by the chief executive (housing).

(6) In this section—

appointed reviewer statement means an appointed reviewer statement prepared in accordance with the Minister's rules.

development information, for a building development application under the Building Act, means information about—

(a) the physical characteristics and location of infrastructure related to the application; and

(b) local government easements, encumbrances or estates or interests in land likely to be relevant to the application; and

(c) site characteristic information likely to affect the assessment of the application.

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Examples of information mentioned in paragraph (c)—

- design levels of proposed road or footway works
- design or location of stormwater connections
- design or location of vehicle crossings
- details of any Queensland heritage place or local heritage place
- discharge of swimming pool backwash water
- flood level information
- limitations on driveway gradients
- limitations on the capacity of sewerage, stormwater and water supply services
- location of any erosion control districts
- location of contaminated land
- location of land-slip areas
- location of mine subsidence areas

review checklist means a review checklist prepared in accordance with the Minister's rules.

schedule of works model means a schedule of works model prepared in accordance with the Minister's rules.

2 Documents local government must keep available for inspection only

(1) A local government must keep available for inspection only—

(a) a private certifier application register for the following applications relating to the local government's local government area—

(i) all development applications made to a private certifier as the assessment manager;

(ii) all change applications made to a private certifier as the responsible entity; and

(b) if the local government removes a person from a list stated in section 1(1)(v)—a register of all persons removed from the list which includes the following information for each person removed—

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(i) the person's name and contact details;

(ii) the date the person was originally included in the list;

(iii) the date the person was removed from the list.

(2) Subsection (1)(a) does not apply for a development application or change application until the local government—

(a) is given a copy of the decision notice for the application; or

(b) is advised by the private certifier that the application has lapsed or been withdrawn.

3 Documents local government must or may publish on website

(1) A local government must publish the documents stated in section 1(1)(c), (e) to (j), (l), (n), (p), (r) to (v), (wa), (wc), (z) and (za) on the local government's website.

Note—

See also sections 115(8) and 118(1)(a) of the Act and section 3A of this schedule.

(2) A proposed local planning instrument, or amendment of a local planning instrument, stated in section 1(1)(e) must be kept on the website for the period stated in section 1(3).

(3) A notice stated in section 1(1)(g)(iii) must be kept on the website for 40 business days after the notice is published.

(4) A local government may publish on the local government's website—

(a) a document stated in section 1(1)(d), (zd) or (ze) to (zi); or

(b) the local government's private certifier application register.

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3A Additional documents local government with LGIP must publish on website

(1) This section applies in relation to a local government if its planning scheme includes an LGIP.

(2) The local government must publish on its website a register that—

(a) includes the information that, immediately before 1 January 2020, the local government was required to keep available as part of its infrastructure charges register under section 1(1)(y), other than infrastructure charges information; and

(b) is updated at least monthly to include any information the local government is required to keep available as part of its infrastructure charges register under section 1(1)(y), other than infrastructure charges information; and

(c) is updated at least annually, before 1 December each year, to include the infrastructure charges information the local government is required to keep available as part of its infrastructure charges register under section 1(1)(y); and

(d) can be electronically searched by a person for information in the register about a levied charge and the trunk infrastructure to which the charge relates; and

(e) enables a person to download the results of an electronic search; and

(f) states the day the information in the register was last updated.

(3) Subsection (4) applies if—

(a) the estimated infrastructure charges to be levied by the local government in a financial year, stated in the local government's annual budget or annual report for the financial year, is $20M or more; or

(b) the local government's forecast of future spending on trunk infrastructure for a financial year, stated in the

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local government's annual budget for the financial year, is $20M or more.

(4) As soon as practicable after the end of each quarter in the financial year, the local government must include in its register under subsection (2) trunk infrastructure information about trunk infrastructure provided during the quarter—

(a) by the local government; or

(b) under an infrastructure agreement or condition of a development approval.

(5) If subsection (4) does not apply, the local government must, when it publishes its annual report for a financial year on its website under the *City of Brisbane Regulation 2012* or the *Local Government Regulation 2012*, include in its register under subsection (2) trunk infrastructure information about trunk infrastructure provided during the previous financial year—

(a) by the local government; or

(b) under an infrastructure agreement or condition of a development approval.

(6) In this section—

quarter, for a financial year, means a period of 3 months starting on 1 January, 1 April, 1 July or 1 October.

3B Additional document local government with LGIP must keep available for inspection and purchase

(1) This section applies in relation to a local government if its planning scheme includes an LGIP.

(2) The local government must keep available for inspection and purchase a document that includes the trunk infrastructure information the local government publishes on its website from time to time under section 3A(4) or (5).

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Part 2 Particular assessment managers

4 Application of part

This part applies to an assessment manager, other than a private certifier.

5 Documents assessment manager must keep available for inspection and purchase

(1) An assessment manager must, for each development application and change application, other than a change application for a minor change, made to the assessment manager, keep available for inspection and purchase—

(a) the application and any supporting material for the application; and

(b) any request made by the assessment manager to the applicant for extra information about the application and any response to the request; and

(c) any referral agency's response for the application; and

(d) any properly made submission about the application.

(2) If the assessment manager is a prescribed assessment manager, the assessment manager must also keep the following documents available for inspection and purchase—

(a) for each building development application under the Building Act for a building that is approved by the assessment manager—the application and the approval documents for the application as defined under the Building Act, schedule 2;

(b) any direction given to the assessment manager by the Minister, or a copy of which is given to the assessment manager, under chapter 3, part 6, division 2 of the Act;

(c) any call in notice or proposed call in notice given to the assessment manager;

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(ca) any notice of a proposed declaration given to the assessment manager under section 106C(2) of the Act;

(cb) a declaration notice given to the assessment manager under section 106E(a) of the Act;

(cc) a copy of a notice given to the assessment manager under section 106ZF(3)(b) of the Act;

(d) each decision notice for a development application, change application or extension application, and each negotiated decision notice, given by the assessment manager, including any plans and specifications approved by the assessment manager in relation to the notice;

(e) each decision notice for a development application, change application or extension application, and each negotiated decision notice, a copy of which was given to the assessment manager by a chosen assessment manager;

(f) each notice of the cancellation of a development approval given to the assessment manager by a chosen assessment manager;

(g) each deemed approval notice given to the assessment manager;

(h) each decision notice on a change application given to the assessment manager under section 83(1) of the Act;

(i) each agreement the assessment manager or a referral agency is a party to about a development condition of a development approval;

(j) each show cause notice and enforcement notice given by the assessment manager as an enforcement authority;

(k) each notice given by the assessment manager withdrawing a show cause notice or enforcement notice;

(l) each enforcement order made by the P&E Court on the application of the assessment manager as an enforcement authority.

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(3) The documents stated in subsection (1) must be kept available for inspection and purchase from when the assessment manager receives the development application or change application until—

(a) the application is withdrawn or lapses; or

(b) otherwise—the end of the last period during which an appeal may be made against a decision on the application.

(4) The obligation under subsection (2)(a) applies only until—

(a) if the building the subject of the approval is a class 10 building, other than a swimming pool fence, the earlier of the following to happen—

(i) the building's demolition or removal;

(ii) the end of 10 years from when the approval was given; or

(b) if the building the subject of the approval is of any other class or is a swimming pool fence—the building's demolition or removal.

(5) The obligation under subsection (2)(c) applies in relation to a proposed call in notice for an application only until the Minister gives a call in notice for the application, or decides not to call in the application.

(6) The obligation under subsection (2)(ca) applies in relation to a notice of proposed declaration for an application only until the Minister gives a declaration notice under section 106E(a) of the Act for the application, or decides not to make the declaration.

6 Documents assessment manager must keep available for inspection only

(1) The assessment manager must keep available for inspection only—

(a) an application register for all development applications and change applications, other than change applications

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for a minor change, made to the assessment manager; and

(b) if the assessment manager is a prescribed assessment manager—an application register for all development applications and change applications, other than change applications for a minor change, made to a chosen assessment manager instead of the prescribed assessment manager.

(2) However—

(a) the obligation under subsection (1)(a) stops applying to a person that is a chosen assessment manager if the person is removed from the list of persons appropriately qualified to be an assessment manager held by the prescribed assessment manager; and

(b) subsection (1)(a) does not apply for a development application or change application until the decision notice for the application has been given, or was required to be given, or the application lapses or is withdrawn; and

(c) subsection (1)(b) does not apply for a development application or change application until the prescribed assessment manager—

(i) is given a copy of the decision notice for the application; or

(ii) is advised by the chosen assessment manager that the application has lapsed or been withdrawn.

7 Documents assessment manager must or may publish on website

(1) The assessment manager must publish on the assessment manager's website—

(a) the documents stated in section 5(1); and

(b) if the assessment manager is a prescribed assessment manager—the documents stated in section 5(2)(d) to (h); and

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(c) the assessment manager's application register.

Note—

See also section 63(4) of the Act.

(2) A document stated in section 5(1) must be kept on the website for the period stated in section 5(3), but may be kept on the website after that period has ended.

(3) The obligation under subsection (1)(c) stops applying to a person that is a chosen assessment manager if the person is removed from the list of persons appropriately qualified to be an assessment manager held by the prescribed assessment manager.

(4) A prescribed assessment manager may keep the following documents on the assessment manager's website—

(a) for each development application, change application, extension application or cancellation application made to the prescribed assessment manager, or to a chosen assessment manager instead of the prescribed assessment manager—

(i) all the material about the application the assessment manager has received before the application is decided; and

(ii) each notice, request or agreement about the application given or made under the Act or development assessment rules; and

(iii) all correspondence about the application between the applicant, the assessment manager, a referral agency or a submitter;

(b) a document stated in section 5(2)(i) to (k).

Part 3 Referral agencies

Note—

See also section 56(6) of the Act.

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8 Documents referral agency must keep available for inspection and purchase

A referral agency must keep available for inspection and purchase—

(a) each agreement the referral agency is a party to about a development condition of a development approval; and

(b) each show cause notice and enforcement notice given by the referral agency as an enforcement authority; and

(c) each notice given by the referral agency withdrawing a show cause notice or enforcement notice; and

(d) each enforcement order made by the P&E Court on the application of the referral agency as an enforcement authority.

9 Documents referral agency must keep available for inspection only

(1) A referral agency must keep available for inspection only a register for all development applications and change applications given to the referral agency under section 54 of the Act.

(2) Subsection (1) does not apply for a development application or change application until the decision notice for the application has been given, or was required to be given, or the application lapses or is withdrawn.

(3) The register must include the following information for each development application and change application given to the referral agency—

(a) the day the application was given to the referral agency;

(b) the applicant's name and address;

(c) a property description that identifies the premises or the location of the premises;

(d) if the application is a development application—a description of the proposed development;

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(e) if the application is a change application—a description of the proposed change;

(f) information about the referral agency's powers in assessing the application;

(g) whether the referral agency asked the applicant for extra information about the application;

(h) whether a referral agency's response was given by the referral agency and, if so, the day the response was given;

(i) if the application is a development application that was approved—whether a change application for the approval has been made to the referral agency as the responsible entity and, if the change application was approved, the day it was approved.

10 Documents referral agency may publish on website

A referral agency may publish on the referral agency's website—

(a) a document stated in section 8; or

(b) the referral agency's register stated in section 9(1); or

(c) for each development application and change application given to the referral agency under section 54 of the Act—

(i) the application and all the material about the application the referral agency has received before the application is decided; or

(ii) any request made by the referral agency to the applicant requesting further information about the application and any response to the request; or

(iii) the referral agency's response for the application; or

(iv) each notice, request or agreement about the application given or made under the Act or development assessment rules; or

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(v) all correspondence about the application between the applicant, assessment manager and referral agency; or

(d) for each change application made to the referral agency as the responsible entity—

(i) all the material about the application the referral agency has received before the application is decided; or

(ii) each notice, request or agreement about the application given or made under the Act or development assessment rules; or

(iii) all correspondence about the application between the applicant, the assessment manager and the referral agency.

Part 4 Chief executive

11 Documents chief executive must keep available for inspection and purchase

(1) The chief executive must keep the following documents available for inspection and purchase—

(a) each current State planning instrument;

(b) each proposed State planning instrument, including any proposed amendments of a State planning instrument, and any explanatory statements prepared for the instrument or amendment;

(c) each public notice published by the Minister under section 10, 11, 12 or 13 of the Act;

(d) each amendment of a State planning instrument made under chapter 2, part 2 of the Act;

(e) the Minister's guidelines and rules;

(f) any notice given by the Minister to a local government under section 26(6), 26A(4) or 27(2) of the Act;

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(g) the designation process rules made by the Minister under section 37 of the Act;

(h) each current designation made by the Minister;

(i) a designation register for all designations made by the Minister that are in effect;

(j) each notice given to the chief executive by the Minister under section 38(2), 39(3)(a) or 40(2)(a) of the Act;

(k) any instrument stating standard conditions made by the Minister under section 64(8) of the Act;

(l) the development assessment rules;

(m) if the chief executive keeps a list of persons who are appropriately qualified to be an assessment manager for a development application—the list of persons, including—

(i) the date each person was included on the list; and

(ii) the qualifications, contact details and website address of each person on the list;

(n) each exemption certificate given by the chief executive under section 46 of the Act;

(o) an exemption certificate register;

(p) any direction given by the Minister under chapter 3, part 6, division 2 of the Act;

(q) each call in notice and proposed call in notice given by the Minister;

(r) each report prepared by the Minister under section 97(1) or 106(1) of the Act;

(ra) each notice of a proposed declaration given under section 106C(2) of the Act;

(rb) each declaration notice given under section 106E(a) of the Act;

(rc) each decision notice given for an application decided by the chief executive under chapter 3, part 6A, division 3 of the Act;

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(rd) each report prepared by the chief executive under section 106N(1) of the Act;

(re) each report tabled in the Legislative Assembly under section 106N(2) of the Act;

(rf) each community benefit agreement the department is a party to;

(rg) each notice given by the chief executive under section 106ZE(1) of the Act;

(rh) each report prepared by the chief executive and tabled in the Legislative Assembly under section 106ZH of the Act;

(s) each guideline made by the Minister or chief executive under section 36(3), 116(2), 117(2) or 283 of the Act;

(t) each show cause notice and enforcement notice a copy of which was given to the chief executive under section 170 of the Act;

(u) any notice given to the chief executive about withdrawing a show cause notice or enforcement notice;

(v) each notice of appeal given to the chief executive under section 230(3)(f) of the Act;

(w) a register of registered premises;

(x) a notice given to the chief executive under the old Act, section 456(8), as continued in effect under the P&E Court Act, section 80(1);

(y) a register of temporary use licences given by the chief executive under section 275I of the Act.

(2) A proposed State planning instrument, or amendment of a State planning instrument, (the ***instrument***) stated in subsection (1)(b) must be kept available for inspection and purchase from when the instrument is publicly notified until the instrument is made or the Minister decides not to make the instrument.

(3) The obligation under subsection (1)(q) applies in relation to a proposed call in notice for an application only until the

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Minister gives a call in notice for the application, or decides not to call in the application.

(4) The obligation under subsection (1)(ra) applies in relation to a notice of proposed declaration for an application only until the Minister gives a declaration notice under section 106E(a) of the Act for the application, or decides not to make the declaration.

(5) The register of registered premises must, for each registered premises, include the following information—

(a) the real property description of the premises;

(b) a map of the affected area for the registered premises;

(c) the day the registration ends;

(d) whether any conditions have been imposed on the registration and, if so, what the conditions are;

(e) the type and level of emissions from the activity carried out at the premises.

(6) The register of temporary use licences must, for each temporary use licence given by the chief executive, include the following—

(a) the day the licence was given;

(b) the premises to which the licence relates;

(c) details of the relevant change the subject of the licence;

(d) a copy of the licence;

(e) a copy of a notice given under section 275LE of the Act in relation to a decision to extend the period of the licence;

(f) if the period of the licence is extended under section 275LF of the Act—when the extended period ends;

(g) a copy of a notice given under section 275LJ of the Act in relation to a decision to amend the licence;

(h) if the licence is cancelled under section 275LK or 275LM of the Act—the day the cancellation took effect;

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(i) if the licence is amended under section 275LM of the Act—a copy of the notice of the decision to make the amendment given under section 275LM(4) of the Act;

(j) if the licence is suspended under section 275LM of the Act—the period of the suspension.

12 Documents chief executive must keep available for inspection only

The chief executive must keep the following documents available for inspection only—

(a) each State planning instrument that has been repealed or replaced, or has otherwise expired;

(b) if a current State planning instrument, or a State planning instrument stated in paragraph (a), was amended—the instrument as in effect just before the amendment was made;

(c) all current local planning instruments, including current LGIPs;

(d) all amendments of current local planning instruments;

(e) each public notice published by a local government about repealing a TLPI or planning scheme policy;

(f) each notice given to the chief executive by a local government under section 38(2), 39(3)(b) or 40(2)(b) of the Act;

(g) if the chief executive removes a person from a list stated in section 11(1)(m)—a register of all persons removed from the list that includes the following information for each person removed—

(i) the person's name and contact details;

(ii) the date the person was originally included in the list;

(iii) the date the person was removed from the list;

(h) a list of each local government that gives the chief executive—

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(i) a copy of an economic support instrument and an adoption notice under section 68E(3)(b); and

(ii) a copy of a notice under section 68G(6);

(i) a copy of each economic support instrument and adoption notice given to the chief executive under section 68E(3)(b);

(j) a copy of each notice given to the chief executive under section 68G(6).

13 Documents chief executive must or may keep on website

(1) The chief executive must keep on the department's website—

(a) a document stated in section 11(1)(a) to (e), (g), (i) to (n), (r), (rd) to (rh), (v) or (y); and

(b) a document stated in section 12(a), (b), (h), (i) or (j); and

(c) each notice and amended notice given to a local government under section 18(3) of the Act; and

(d) a proposed call in notice given by the Minister; and

(e) each of the following documents relating to declarations of applications for State facilitated development—

(i) a notice of a proposed declaration given under section 106C(2) of the Act;

(ii) a declaration notice given under section 106E(a) of the Act;

(iii) a decision notice given for an application decided by the chief executive under chapter 3, part 6A, division 3 of the Act.

Note—

See also section 70(1) of the Act.

(2) A proposed State planning instrument, or amendment of a State planning instrument, stated in section 11(1)(b) must be kept on the department's website for the period stated in section 11(2).

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(3) The obligation under subsection (1)(d) applies in relation to a proposed call in notice for an application only until the Minister gives a call in notice for the application, or decides not to call in the application.

(4) The obligation under subsection (1)(e)(i) applies in relation to a notice of a proposed declaration for an application only until the Minister gives a declaration notice under section 106E(a) of the Act for the application, or decides not to make the declaration notice.

(5) The chief executive may keep on the department's website—

(a) any notice given by the Minister to a local government under section 27(2) of the Act; or

(b) a document stated in section 11(1)(o) or (s) to (u); or

(c) a document stated in section 12(c) to (f); or

(d) a call in notice given by the Minister.

Part 5 Private and sensitive information

14 Prescribed documents

The following documents are prescribed for section 264(6) of the Act—

(a) for a local government—a document stated in section 1(1)(zg) to (zl);

(b) for an assessment manager—

(i) the supporting material for a development application or change application; and

(ii) a document stated in section 5(2)(a); and

(iii) the assessment manager's application register.

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Schedule 23 Content of planning and development certificates

section 71

1 Limited planning and development certificates

A limited planning and development certificate for premises must include—

(a) a summary of the provisions of any planning scheme or charges resolution applying specifically to the premises; and

(b) if a TLPI applies to the premises and suspends or otherwise affects the operation of a planning scheme provision stated in paragraph (a)—a description of the way in which the TLPI suspends or otherwise affects the provision; and

(c) if a variation approval is in effect for the premises—a description of the way in which the variation approval varies the effect of a planning scheme provision stated in paragraph (a); and

(d) if a State planning instrument applies to the premises—the name of the instrument; and

(e) a description of any designation applying to the premises; and

(f) a copy of any information recorded for the premises in the infrastructure charges register kept by the local government.

2 Standard planning and development certificates

(1) A standard planning and development certificate for premises, in addition to the information contained in a limited planning and development certificate, must include or be accompanied by—

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(a) a copy of every decision notice or negotiated decision notice for a development approval in effect for the premises; and

(b) details of any changes made to a development approval in effect for the premises; and

(c) details of any approval given to extend the currency period of a development approval in effect for the premises; and

(d) a copy of every deemed approval notice relating to the premises, if the development approval that the notice relates to has not lapsed; and

(e) a copy of any social impact assessment report for an application for a development approval in effect for the premises, if the local government has been given a copy of the report; and

(f) a copy of every continuing approval stated in the repealed IPA, section 6.1.23(1)(a) to (d) relating to, and in effect for, the premises, including any approval, consent or permission that, under the repealed LGP&E Act, section 8.10(8) was continued in effect as if it were an approval, consent or permission stated in the repealed IPA, section 6.1.23(1)(a) to (d); and

(g) details of any decision to approve or refuse an application to amend a planning scheme made under the repealed LGP&E Act, section 4.3, including any conditions of approval, relating to the premises; and

(h) a copy of every compliance certificate given under the old Act relating to the premises and in effect at the time the standard planning and development certificate is given, including any changes made to the compliance certificate; and

(i) a copy of any exemption certificate for development on the premises given by the local government under section 46 of the Act, including—

(i) the day the certificate was given; and

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(ii) if the certificate is no longer in effect for the premises—the day it stopped having effect; and

(j) a copy of any judgment or order of the P&E Court, a tribunal or a building and development dispute resolution committee under the old Act, about—

(i) a development approval in effect for the premises; or

(ii) a condition included in a compliance certificate in effect for the premises; and

(k) a copy of any agreement that the local government is a party to about a development condition of a development approval in effect for the premises; and

(l) a copy of any agreement that a referral agency is a party to about a development condition of a development approval in effect for the premises, if the local government has been given a copy of the agreement; and

(m) a copy of any community benefit agreement applying to the premises that the local government—

(i) is a party to; or

(ii) has received a copy of under section 106Z(3) of the Act; and

(n) a copy of any infrastructure agreement applying to the premises that the local government—

(i) is a party to; or

(ii) has received a copy of under section 153 of the Act; and

(o) a description of each amendment, proposed to be made by the local government to its planning scheme, that has not yet been made at the time the certificate is given; and

(p) a description of a planning scheme that is proposed to replace the local government's existing planning scheme and has not yet been made at the time the certificate is given; and

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(q) if the premises are within a declared master planned area—

(i) a copy of each master plan (a ***current master plan***) applying to the premises that continues to have effect under section 315 of the Act; and

(ii) a copy of each notice of decision or negotiated decision given under the old Act about a master plan application under that repealed Act for a current master plan; and

(iii) a copy of any judgement or order of the P&E Court or a building and development committee under the old Act about a condition included in a current master plan; and

(r) a copy of any decision notice given for a change application made under section 317 of the Act to change a rezoning condition that applies to the premises.

(2) In this section—

declared master planned area means an area identified as a master planned area in a master planned area declaration.

master planned area declaration means a declaration made under the old Act, section 133, as in force before the commencement of the *Sustainable Planning and Other Legislation Amendment Act (No. 2) 2012*, section 29.

3 Full planning and development certificates

(1) A full planning and development certificate for premises, in addition to the information contained in a limited and standard planning and development certificate, must include or be accompanied by—

(a) if a relevant approval for the premises includes conditions (including conditions about the carrying out of works or the payment of money, other than under a community benefit agreement or an infrastructure agreement) imposed, or required to be imposed, by the local government—a statement about the fulfilment or

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non-fulfilment of each condition, at a stated day after the day the certificate was applied for; and

(b) if a community benefit agreement applies to the premises and the local government is a party to the agreement—

(i) details of the nature and extent of any obligations under the agreement that have not been fulfilled; and

(ii) details of any security required under the agreement, including whether any payment required to be made under the security has been made; and

(c) if an infrastructure agreement applies to the premises and the local government is a party to the agreement—

(i) details of the nature and extent of any obligations under the agreement that have not been fulfilled; and

(ii) details of any security required under the agreement, including whether any payment required to be made under the security has been made; and

(d) details of any prosecution, or proceedings for a prosecution, for a development offence under the Act, the old Act or the repealed IPA relating to the premises that the local government is aware of.

(2) However—

(a) subsection (1)(a) does not apply in relation to a condition of a relevant approval if the condition relates to the ongoing use of the premises; and

(b) the applicant may request that a full planning and development certificate be given without the information normally contained in a limited or standard planning and development certificate.

(3) In this section—

relevant approval, for premises, means—

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(a) a development approval in effect for the premises; or

(b) a master plan applying to the premises that continues to have effect under section 315 of the Act.

Schedule 23A Spit building height control and master plan areas

Schedule 10, part 16A, division 1, section 27H(4), definition *Spit building height control area* and schedule 24, definition *Spit master plan area*

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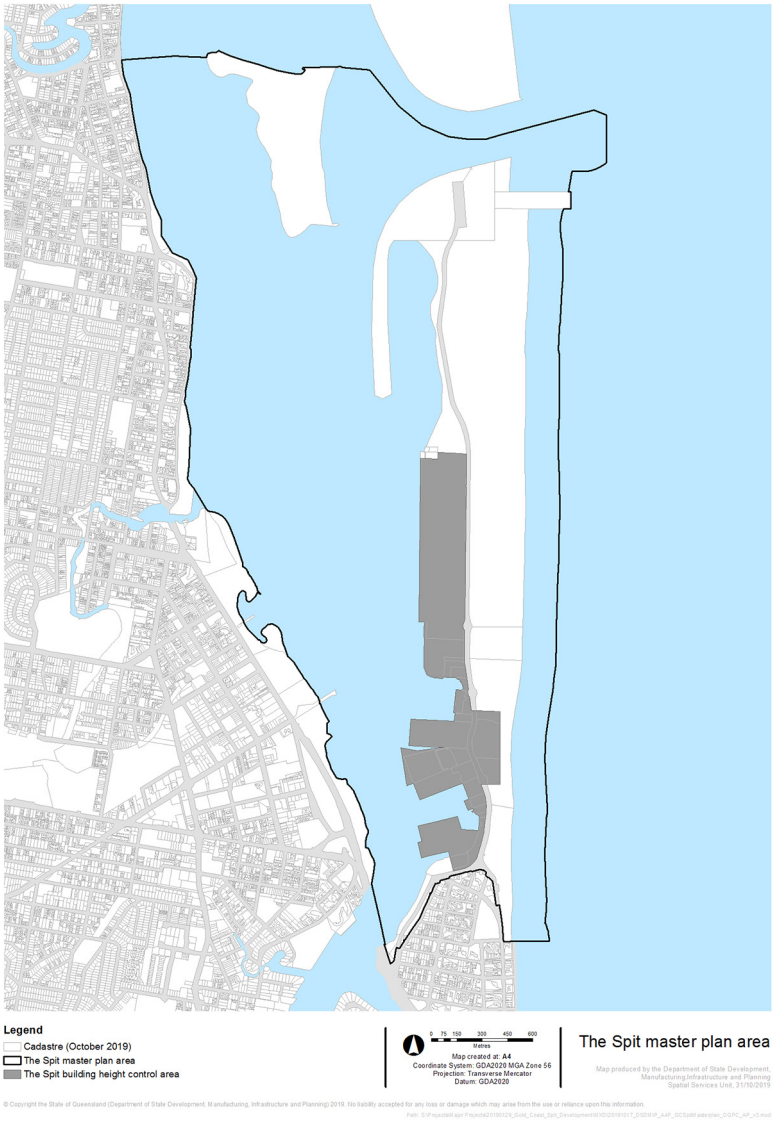
Legend
Cadastre (October 2019)
The Spit master plan area
The Spit building height control area
0 75 150 300 450 600
Metres
Map created at: A4
Coordinate System: GDA2020 MGA Zone 56
Projection: Transverse Mercator
Datum: GDA2020
The Spit master plan area
Map produced by the Department of State Development, Manufacturing,Infrastructure and Planning
Spatial Services Unit, 31/10/2019
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Schedule 23B Prescribed water storage infrastructure

Schedule 24, definition *prescribed water storage infrastructure*

- Bazley Property Dam on an unnamed tributary of Euri Creek
- Biggera Creek Dam on Biggera Creek
- Boondooma Dam on the Boyne River
- Bromelton Off-stream Storage on Allan Creek
- Bunyaville Conservation Park Dam on Albany Creek
- Burdekin Falls Dam on the Burdekin River
- Cania Dam on Three Moon Creek
- Cedar Pocket Dam on Deep Creek
- Cooloolabin Dam on Rocky Creek
- Cooranga Weir on the Boyne River
- Copperlode Falls Dam on Freshwater Creek
- Cressbrook Creek Dam on Cressbrook Creek
- Fairbairn Dam on Nogoa River
- Forest Lake Dam on an unnamed tributary of Blunder Creek
- Fred Haigh Dam on Kolan River
- Gold Creek Dam on Gold Creek
- Gordonbrook Dam on the Stuart River
- Gordon Road Bardon Detention Basin on an unnamed tributary of Ithaca Creek
- Gubberley Creek Detention Basin on an unnamed tributary of Cubberla Creek
- Homebush Recycled Water Dam on an unnamed tributary of Bakers Creek
- Huxley Dam on an unnamed tributary of Apple Tree Creek

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- Ibis Dam on Ibis Creek
- Isis Balancing Storage on an unnamed tributary of the Elliot River
- Jandowae Dam on Jandowae Creek
- Kelly's Off-stream Storage adjacent to Daly Creek
- Kroombit Dam on Kroombit Creek
- Lake Dennis Dam at Priest Gully
- Lake MacDonald Dam on Six Mile Creek
- Limestone Park Detention Basin adjacent to an unnamed tributary of the Bremer River
- Loders Creek Flood Mitigation Dam on Loders Creek
- McKinnon Creek Detention Basin on McKinnon Creek
- Meandu Creek Dam on Meandu Creek
- Middle Creek Dam on Middle Creek
- Moody Creek Detention Basin No 1 on Moody Creek
- Moody Creek Detention Basin No 1A on Moody Creek
- Moogerah Dam on Reynolds Creek
- Mount Morgan Water Supply - No. 7 Dam on the Dee River
- Narlagoon Dam adjacent to the Condamine River
- Nikenbah 800ML Effluent Dam adjacent to Bunya Creek
- North Pine Dam on the North Pine River
- Paluma Dam on Swamp Creek
- Poona Dam on an unnamed tributary of the South Maroochy River
- Rifle Creek Dam on Rifle Creek
- Rockland Creek Dam on Rockland Creek
- Rosewood Detention Basin at Masons Gully
- Somerset Dam on the Stanley River
- Splityard Creek Dam on Splityard Creek

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- Stanwell Water Supply Dam on an unnamed tributary of Quarry Creek
- Suhr's Creek Dam on Suhr's Creek
- Swanbank Cooling Water Dam on Oaky Creek
- Tarong Power Station - Cooling Water Dam on an unnamed tributary of Meandu Creek
- Tinaroo Falls Dam on the Barron River
- West Barron Balancing Storage on the West Barron Main Channel
- Wild River Dam on the Wild River
- Wises Dam adjacent to the Copperfield River
- Wivenhoe Dam on the Brisbane River
- Woongarra Balancing Storage adjacent to the Burnett River
- Yeppoon State High School Dam on Fig Tree Creek

Authorised by the Parliamentary Counsel

Schedule 24 Dictionary

section 3

accepted development vegetation clearing code see the Vegetation Management Act, section 19O(1) and (2).

accepted failure impact assessment, for a dam, means a failure impact assessment of the dam that has been accepted under the Water Supply Act, section 349.

accepted operational work, for a material change of use or reconfiguring a lot, means operational work that—

(a) is the clearing of native vegetation—

(i) for essential management; or

(ii) for routine management; or

(iii) on freehold land, or land leased under the Land Act, if the clearing is necessary for prescribed building work; and

(b) would be assessable development under schedule 10, part 3, division 2, section 5 if it were carried out on the lot immediately before the material change of use or reconfiguration happened, but because of the material change of use or reconfiguration is exempt clearing work.

accommodation activity means—

(a) build to rent housing; or

(b) caretaker's accommodation; or

(c) a community residence; or

(d) a dual occupancy; or

(e) a dwelling house; or

(f) a dwelling unit; or

(g) a home-based business; or

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(h) a multiple dwelling; or

(i) nature-based tourism; or

(j) a relocatable home park; or

(k) a residential care facility; or

(l) a resort complex; or

(m) a retirement facility; or

(n) rooming accommodation; or

(o) rural workers' accommodation; or

(p) short-term accommodation; or

(q) a tourist park; or

(r) workforce accommodation.

adjoining premises means premises that share a common boundary, including premises that meet at a single point on a common boundary.

adoption notice see section 68E(1)(b).

adult store means the use of premises for the primary purpose of displaying or selling—

(a) sexually explicit materials; or

(b) products and devices that are associated with, or used in, a sexual practice or activity.

advertising device—

(a) means a permanent sign, structure or other device used, or intended to be used, for advertising; and

(b) includes a structure, or part of a building, the primary purpose of which is to support the sign, structure or device.

affordable housing component see section 65A(3) of the Act.

Note—

See also section 43C.

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aggregate environmental score, for an environmentally relevant activity, see the Environmental Protection Regulation, section 15.

agricultural supplies store means the use of premises for the sale of agricultural supplies and products.

Examples of agricultural supplies and products—

animal feed, bulk veterinary supplies, chemicals, farm clothing, fertilisers, irrigation materials, saddlery, seeds

aid to navigation see the Marine Safety Act, section 104.

Airport Assets Act means the *Airport Assets (Restructuring and Disposal) Act 2008*.

airport land see the Airport Assets Act, section 7.

air service means the use of premises for—

(a) the arrival or departure of aircraft; or

(b) housing, servicing, refuelling, maintaining or repairing aircraft; or

(c) the assembly and dispersal of passengers or goods on or from an aircraft; or

(d) training and education facilities relating to aviation; or

(e) aviation facilities; or

(f) an activity that—

(i) is ancillary to an activity or facility stated in paragraphs (a) to (e); and

(ii) directly services the needs of aircraft passengers.

Examples of an air service—

airport, air strip, helipad

air transport infrastructure see the Transport Infrastructure Act, schedule 6.

alternative solution see the Building Act, schedule 2.

ancillary works and encroachments, for a road, see the Transport Infrastructure Act, schedule 6.

animal husbandry means the use of premises for—

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(a) producing animals or animal products on native or improved pastures or vegetation; or

(b) a yard, stable, temporary holding facility or machinery repairs and servicing, if the use is ancillary to the use in paragraph (a).

Examples of animal husbandry—

cattle stud, grazing of livestock, non-feedlot dairy

animal keeping means the use of premises for—

(a) boarding, breeding or training animals; or

(b) a holding facility or machinery repairs and servicing, if the use is ancillary to the use in paragraph (a).

Examples of animal keeping—

aviary, cattery, kennel, stables, wildlife refuge

annual budget means—

(a) for the Brisbane City Council—its annual budget under the *City of Brisbane Regulation 2012*, chapter 5, part 2, division 3; or

(b) for another local government—its annual budget under the *Local Government Regulation 2012*, chapter 5, part 2, division 3.

annual report means—

(a) for the Brisbane City Council—its annual report under the *City of Brisbane Regulation 2012*, chapter 5, part 3, division 3; or

(b) for another local government—its annual report under the *Local Government Regulation 2012*, chapter 5, part 3, division 3.

application register means a register that includes the following information for each application that must be recorded in the register—

(a) if the application was made to a chosen assessment manager—the name and contact details of the chosen assessment manager;

(b) the name and address of the applicant;

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(c) the day the application was made;

(d) a property description that identifies the premises or the location of the premises;

(e) if the application was a development application—the type of development applied for;

(f) if the application was a change application—a description of the change applied for;

(g) the names of any referral agencies;

(h) whether the application required code assessment or impact assessment, or both code assessment and impact assessment;

(i) whether public notification of the application was required;

(j) whether the application lapsed or was withdrawn or decided;

(k) if the application was decided—

(i) the day it was decided; and

(ii) whether the application was approved, approved subject to conditions or refused; and

(iii) whether the application was taken to have been approved under section 64 of the Act; and

(iv) for an application approved subject to conditions—whether any of the conditions included the conditions of a referral agency, and if so, the name of the referral agency; and

(v) whether a negotiated decision notice was also given for the application and if so, the day it was given; and

(vi) if the application was a development application that was approved—whether a later change application or extension application for the approval has been approved and, if so, the day the application was approved; and

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(vii) if there was an appeal about the decision—whether the decision was changed because of the outcome of the appeal;

(l) if an approval for the application has been cancelled—the day the cancellation took effect.

approved neighbourhood development plan means a neighbourhood development plan under the Moreton Bay City Council's planning scheme approved by the Moreton Bay City Council.

aquaculture see the Fisheries Act, schedule 1.

artificial waterway see the Coastal Act, section 8.

associated primary industry activity—

(a) means the use of premises for an activity that is associated with 1 or more of the following uses carried out on the same premises or other premises in the surrounding area—

(i) animal husbandry;

(ii) animal keeping;

(iii) aquaculture;

(iv) cropping;

(v) an extractive industry;

(vi) an intensive animal industry;

(vii) intensive horticulture;

(viii) a permanent plantation;

(ix) a rural industry;

(x) a winery; but

Example for paragraph (a)—

the use of premises for storing vehicles that are used for a permanent plantation on adjoining premises

(b) does not include—

(i) a biotechnology industry; or

(ii) a community activity; or

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(iii) indoor recreation; or

(iv) residential development; or

(v) a sport and recreation activity; or

(vi) a tourist activity.

authorised electricity entity means an electricity entity authorised, or taken to be authorised, under the Electricity Act, section 116(1), to acquire land.

bar means the use of premises, with seating for 60 or less people, for—

(a) selling liquor for consumption on the premises; or

(b) an entertainment activity, or preparing and selling food and drink for consumption on the premises, if the use is ancillary to the use in paragraph (a).

basement means a space—

(a) between a floor level in a building and the floor level that is immediately below it; and

(b) no part of which is more than 1m above ground level.

battery storage device—

(a) means plant that—

(i) converts electricity into stored energy; and

(ii) releases stored energy as electricity; and

(b) includes any equipment necessary for the operation of the plant.

battery storage facility means the use of premises for the operation of 1 or more battery storage devices.

biotechnology industry means the use of premises for the production of fuel, chemicals, plastic or other materials using, wholly or mainly, a product, waste product or by-product from a rural activity or utility installation.

block, in relation to reconfiguring a lot, for schedule 12A, see schedule 12A, section 2.

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Brisbane core port land see the Transport Infrastructure Act, section 283K.

Brisbane port LUP means the plan, approved under the Transport Infrastructure Act, chapter 8, part 3C, that regulates development on Brisbane core port land.

budget accommodation building see the Building Act, section 216.

Building Regulation means the *Building Regulation 2021*.

build to rent housing means—

(a) a residential use of premises involving 50 or more dwellings, whether attached or detached, if the dwellings—

(i) are used for residential tenancies under a residential tenancy agreement under the *Residential Tenancies and Rooming Accommodation Act 2008* to which that Act applies; and

(ii) are not held under individual titles; and

(iii) are managed by an on-site manager; and

(iv) are not for public housing; or

(b) the use of premises for a manager's residence or an office that is ancillary to the use in paragraph (a).

bulk landscape supplies means the use of premises for the bulk storage and sale of mainly non-packaged landscaping and gardening supplies, including, for example, soil, gravel, potting mix or mulch.

busway corridor means—

(a) land on which busway transport infrastructure is situated; or

(b) land on which busway transport infrastructure works are carried out; or

(c) land on which services for the maintenance or operation of busway transport infrastructure are situated.

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busway transport infrastructure see the Transport Infrastructure Act, schedule 6.

busway transport infrastructure works see the Transport Infrastructure Act, schedule 6.

Caboolture West growth area means the area shown as growth area on the map called 'Caboolture West growth area and investigation area', dated 22 February 2023 and published on the department's website.

Caboolture West interim structure plan means the document called 'Caboolture West Interim Structure Plan' made by the Minister on 22 February 2023 and published on the department's website.

Caboolture West interim structure plan map means the map called 'Caboolture West interim structure plan map', dated 22 February 2023 and published on the department's website.

caretaker's accommodation means the use of premises for a dwelling for a caretaker of a non-residential use on the same premises.

car wash means the use of premises for the commercial cleaning of motor vehicles.

category 1 failure impact rating see the Water Supply Act, schedule 3.

category 2 failure impact rating see the Water Supply Act, schedule 3.

category 2 levee see the Water Regulation, section 101(3).

category 3 levee see the Water Regulation, section 101(4).

category 1 SEQ development area means an area in the SEQ region identified in a gazette notice by the Minister as a category 1 SEQ development area.

category 2 SEQ development area means an area in the SEQ region identified in a gazette notice by the Minister as a category 2 SEQ development area.

category A area means an area shown on the regulated vegetation management map or a PMAV as a category A area.

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category B area means an area shown on the regulated vegetation management map or a PMAV as a category B area.

category C area means an area shown on the regulated vegetation management map or a PMAV as a category C area.

category R area means an area shown on the regulated vegetation management map or a PMAV as a category R area.

category X area means an area shown on the regulated vegetation management map or a PMAV as a category X area.

cemetery means the use of premises for the interment of bodies or ashes after death.

chief executive (environment) means the chief executive of the department in which the Environmental Protection Act is administered.

chief executive (fisheries) means the chief executive of the department in which the Fisheries Act is administered.

chief executive (housing) means the chief executive of the housing department.

chief executive (transport) means the chief executive of the department in which the Transport Infrastructure Act is administered.

childcare centre means the use of premises for the care, education and minding, but not residence, of children.

Examples of a childcare centre—

before or after school care, crèche, early childhood centre, kindergarten, vacation care

class, for a building or structure, means the classification for the building or structure under the Building Code.

club means the use of premises for—

(a) an association established for social, literary, political, sporting, athletic or other similar purposes; or

(b) preparing and selling food and drink, if the use is ancillary to the use in paragraph (a).

coastal dune means a ridge or hillock of sand or other material—

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(a) on the coast; and

(b) built up by wind.

coastal management see the Coastal Act, section 11.

coastal management district means a coastal management district under the Coastal Act, other than an area declared under section 54(2) of that Act.

Coastal Regulation means the *Coastal Protection and Management Regulation 2017*.

commercial use includes the use of premises for selling goods or providing a service to the public.

Examples of a commercial use—

food and drink outlet, health care service, office, shop

common material, for a development application, means—

(a) all the material about the application that the assessment manager receives before the application is decided, including—

(i) any material relating to a proposed development application that is substantially similar to the development application as made; and

(ii) any material attached to, or given with, the development application, including a social impact assessment report or community benefit agreement for the application; and

(iii) any material relating to the application given to the assessment manager after the application is made; and

(iv) any referral agency's response, including any advice or comment given by a referral agency and any response given under section 57 of the Act; and

(v) any properly made submissions about the application, other than a submission that is withdrawn; and

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(vi) any other submission about the application that the assessment manager has accepted; and

(vii) any other advice or comment about the application that a person gives to the assessment manager; and

(b) if a development approval for the development is in effect—the approval; and

(c) a community benefit agreement or infrastructure agreement applying to the premises.

community activity means—

(a) a childcare centre; or

(b) a community care centre; or

(c) a community residence; or

(d) a community use; or

(e) a detention facility; or

(f) an educational establishment; or

(g) a place of worship; or

(h) a residential care facility; or

(i) tourist accommodation, or accommodation for employees, that is ancillary to a use stated in paragraphs (a) to (i); or

(j) a commercial use that is ancillary to a use stated in paragraphs (a) to (i).

community care centre—

(a) means the use of premises for—

(i) providing social support to members of the public; or

(ii) providing medical care to members of the public, if the use is ancillary to the use in subparagraph (i); but

(b) does not include the use of premises for providing accommodation to members of the public.

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Examples of a community care centre—

disability support service, drop-in centre, respite centre, indigenous support centre

community residence—

(a) means the use of premises for residential accommodation for—

(i) no more than—

(A) 6 children, if the accommodation is provided as part of a program or service under the *Youth Justice Act 1992*; or

(B) 6 persons who require assistance or support with daily living needs; and

(ii) no more than 1 support worker; and

(b) includes a building or structure that is reasonably associated with the use in paragraph (a).

community use means the use of premises for—

(a) providing artistic, social or cultural facilities or community services to the public; or

(b) preparing and selling food and drink, if the use is ancillary to the use in paragraph (a).

Examples of a community use—

art gallery, community centre, community hall, library, museum

concurrence ERA see the Environmental Protection Regulation, section 17.

constructing authority see the Acquisition Act, schedule 2.

contaminated land see the Environmental Protection Act, schedule 4.

contaminated land register means the contaminated land register under the Environmental Protection Act.

coordinated project see the State Development Act, schedule 2.

core airport infrastructure see the Airport Assets Act, schedule 3.

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correctional facility means—

(a) a detention centre under the *Youth Justice Act 1992*; or

(b) a corrective services facility under the *Corrective Services Act 2006*.

created lot—

(a) for schedule 12—see schedule 12, section 1(1)(b); or

(b) for schedule 12A—see schedule 12A, section 1(1)(a).

crematorium means the use of premises for the cremation or aquamation of bodies.

cropping means the use of premises for—

(a) growing and harvesting plants, or plant material, that are cultivated in soil, for commercial purposes; or

(b) harvesting, storing or packing plants or plant material grown on the premises, if the use is ancillary to the use in paragraph (a); or

(c) repairing and servicing machinery used on the premises, if the use is ancillary to the use in paragraph (a).

Examples of cropping—

forestry for wood production, fodder and pasture production, producing fruit, nuts, vegetables and grains, plant fibre production, sugar cane growing, vineyard

dam—

(a) generally, has the meaning given by the Water Act, schedule 4; and

(b) for schedule 8, schedule 10, part 19, division 3 and this schedule, definition *accepted failure impact assessment*—

(i) has the meaning given by the Water Supply Act, schedule 3; and

(ii) includes a proposed dam.

declared fish habitat area see the Fisheries Act, schedule 1.

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declared pest means a plant, other than a native species of plant, that is any of the following under the *Biosecurity Act 2014*—

(a) prohibited matter or restricted matter that is prescribed or declared as invasive biosecurity matter under the *Biosecurity Act 2014*;

(b) controlled biosecurity matter;

(c) regulated biosecurity matter.

defined flood level see the Building Regulation, section 8(5).

defining bank, of a watercourse, means—

(a) the bank that confines the seasonal flows of the watercourse before the point of flooding; or

(b) the seasonal high water line.

designation register means a register that includes the following information for each designation that must be recorded in the register—

(a) the day the designation was made;

(b) the real property description of the designated premises;

(c) the type of infrastructure, and details of the development, for which the premises has been identified;

(d) any requirements for the infrastructure that are included in the designation;

(e) if the designation has been amended—the day the amendment was made.

detention facility means the use of premises for the lawful detention of persons.

Example of a detention facility—

correctional facility

development footprint, on premises, means the total area of the premises covered by a building, structure or landscaping.

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domestic housing activity means the construction or use of a single dwelling on a lot and any reasonably associated building or structure.

Examples of a building or structure that could be reasonably associated with a single dwelling—

a building or structure used for a home-based business, a secondary dwelling

domestic outbuilding means a non-habitable class 10a building that is—

(a) a shed, garage or carport; and

(b) ancillary to a residential use carried out on the premises where the building is.

dual occupancy—

(a) means a residential use of premises involving—

(i) 2 dwellings (whether attached or detached) on a single lot or 2 dwellings (whether attached or detached) on separate lots that share a common property; and

(ii) any domestic outbuilding associated with the dwellings; but

(b) does not include a residential use of premises that involves a secondary dwelling.

dwelling means all or part of a building that—

(a) is used, or capable of being used, as a self-contained residence; and

(b) contains—

(i) food preparation facilities; and

(ii) a bath or shower; and

(iii) a toilet; and

(iv) a wash basin; and

(v) facilities for washing clothes.

dwelling house means a residential use of premises involving—

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(a) 1 dwelling and any domestic outbuildings associated with the dwelling; or

(b) 2 dwellings, 1 of which is a secondary dwelling, and any domestic outbuildings associated with either dwelling.

dwelling unit means the use of premises containing a non-residential use for a single dwelling, other than a dwelling for a caretaker of the non-residential use.

Economic Development Act means the *Economic Development Act 2012*.

economic support instrument see section 68D(1).

educational establishment means the use of premises for—

(a) training and instruction to impart knowledge and develop skills; or

(b) student accommodation, before or after school care, or vacation care, if the use is ancillary to the use in paragraph (a).

Examples of an educational establishment—

college, outdoor education centre, primary school, secondary school, special education facility, technical institute, university

Electrical Safety Act means the *Electrical Safety Act 2002*.

Electricity Act means the *Electricity Act 1994*.

electricity operating works means operating works under the Electricity Act, section 12(3).

emergency services means the use of premises by a government entity or community organisation to provide—

(a) essential emergency services; or

(b) disaster management services; or

(c) management support facilities for the services.

Examples of emergency services—

ambulance station, evacuation centre, fire station, police station

endangered regional ecosystem see the Vegetation Management Act, schedule.

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environmental authority means an environmental authority under the Environmental Protection Act.

environmentally relevant activity see the Environmental Protection Act, section 18.

environmental management register means the environmental management register under the Environmental Protection Act.

Environmental Protection Regulation means the *Environmental Protection Regulation 2019*.

environmental value see the Environmental Protection Act, section 9.

environment facility—

(a) means the use of premises for a facility for the appreciation, conservation or interpretation of an area of cultural, environmental or heritage value; but

(b) does not include the use of premises to provide accommodation for tourists and travellers.

erosion prone area see the Coastal Act, schedule.

essential habitat, for protected wildlife, see the Vegetation Management Act, section 20AC(2).

essential management means clearing native vegetation—

(a) for establishing or maintaining a necessary firebreak to protect infrastructure, other than a fence, road or vehicular track, if the maximum width of the firebreak is equal to 1.5 times the height of the tallest vegetation next to the infrastructure, or 20m, whichever is the wider; or

(b) for establishing a necessary fire management line, if the maximum width of the clearing for the fire management line is 10m; or

(c) necessary to remove or reduce the imminent risk that the vegetation poses of serious personal injury or damage to infrastructure; or

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(d) by fire under the *Fire Services Act 1990* to reduce hazardous fuel load; or

(e) necessary to maintain infrastructure (including core airport infrastructure, buildings, fences, helipads, roads, stockyards, vehicular tracks, watering facilities and constructed drains, other than contour banks), unless the clearing is for sourcing construction material; or

(f) for maintaining a garden or orchard, other than clearing predominant canopy trees to maintain underplantings established within remnant vegetation; or

(g) on land leased under the Land Act for agriculture or grazing purposes, to source construction timber to repair infrastructure on the land, if—

(i) the infrastructure is in need of immediate repair; and

(ii) the clearing does not cause land degradation; and

(iii) restoration of a similar type to, and to the extent of, the removed trees is ensured; or

(h) on freehold land by the owner of the land to source construction timber to maintain infrastructure on any land of the owner, if—

(i) the clearing does not cause land degradation; and

(ii) restoration of a similar type to, and to the extent of, the removed trees is ensured.

excluded area, for schedule 10, part 9, division 4, subdivision 1, means the part of the local government area of the Brisbane City Council or the Gold Coast City Council that is shown as being in the threshold exemption areas layer in the department's development assessment mapping system published on the department's website.

excluded development means development—

(a) on premises in an SEQ rural enterprise precinct, if the development is consistent with the plan approved by the Minister by gazette notice for the precinct; or

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(b) carried out under a development permit, or that is consistent with a variation approval in effect for the premises on which the development is carried out, if the application for the permit or approval—

(i) was properly made under the repealed IPA before 28 July 2009; or

(ii) was assessed by a referral agency under the repealed SEQ SPRP, division 2; or

(iii) was assessed by a referral agency under schedule 10, part 15, division 1 or division 2, subdivision 3; or

(c) that is consistent with a rezoning approval, as defined under the repealed SEQ SPRP, that relates to the premises on which the development is carried out, if the development entitlements under the rezoning approval are reflected in—

(i) a planning scheme; or

(ii) a development permit; or

(ii) a notice stated in the repealed SEQ SPRP, section 1.5(2)(e)(ii); or

(d) stated in schedule 6; or

(e) for a coordinated project; or

(f) in a State development area; or

(g) on premises wholly or partly in the SEQ regional landscape and rural production area or the SEQ rural living area, if—

(i) the premises are included in an urban zone under a local categorising instrument; or

(ii) all of the following apply—

(A) the premises were in a biodiversity development offset area declared by gazette notice under the repealed koala State planning policy;

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(B) the development is carried out under a development permit;

(C) the application for the development permit was properly made before 22 February 2019.

excluded material change of use means a material change of use of premises that—

(a) does not involve a new or changed access between the premises and any of the following—

(i) a State transport corridor;

(ii) a road that intersects with a State-controlled road;

(iii) a road that intersects with a railway crossing; and

(b) is for—

(i) 1 or more of the following uses—

(A) a dwelling house;

(B) a secondary dwelling;

(C) a domestic outbuilding associated with a dwelling house on the premises;

(D) a dwelling unit;

(E) a dual occupancy;

(F) caretaker's accommodation;

(G) a community residence; or

(ii) a use other than a service station, fast food outlet, telecommunication facility or use stated in subparagraph (i), and all of the following apply—

(A) the premises have a gross floor area of no more than 100m^2 and the material change of use does not increase the gross floor area;

(B) the material change of use does not involve building work, other than building work that is wholly inside a building;

(C) if the material change of use involves building or extending a hardstanding

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area—the hardstanding area or extension is not more than 25m^2.

exempt clearing work means operational work that is the clearing of native vegetation—

(a) on prescribed land, if the clearing is—

(i) clearing, or for another activity or matter, stated in schedule 21, part 1; or

(ii) clearing stated in schedule 21, part 2 for the land; or

(b) that, under the Vegetation Management Act, section 74, is not affected by that Act.

exempted development means—

(a) development in a State development area; or

(b) development for a coordinated project; or

(c) development in the area of a development control plan that the old Act, section 857 applies to; or

(d) development for infrastructure stated in schedule 5, if the development is carried out by or for the State or a public sector entity; or

(e) PDA-related development; or

(f) development in a forest reserve under the *Nature Conservation Act 1992*; or

(g) development in any of the following protected areas under the *Nature Conservation Act 1992*—

(i) a national park (scientific);

(ii) a national park;

(iii) a national park (Aboriginal land);

(iv) a national park (Torres Strait Islander land);

(v) a national park (Cape York Peninsula Aboriginal land);

(vi) a conservation park;

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(vii) a resources reserve;

(viii) a special wildlife reserve; or

(h) development in a State forest or timber reserve under the *Forestry Act 1959*; or

(i) development in a forest entitlement area under the *Land Act 1994*; or

(j) development for public housing; or

(k) development, other than development mentioned in any of paragraphs (a) to (j), that results in a total area on the premises of 500m^2 or less of 1 or more koala habitat areas being cleared of native vegetation since 7 February 2020, disregarding an area cleared of native vegetation if any of paragraphs (l) to (p) applies to the clearing; or

(l) development that is or involves operational work that is the clearing of native vegetation and is accepted development under schedule 7, part 3, section 12 other than clearing for—

(i) the construction or maintenance of a fence, road, track, irrigation channel, contour bank or other linear infrastructure, other than a powerline or drainage and erosion control structure, if the cleared area is more than 5m wide; or

(ii) the construction or maintenance of an airstrip or helipad if the cleared area is more than 500m^2; or

(iii) the construction or maintenance of non-linear infrastructure, other than an airstrip or helipad, in a category B area or category C area if the cleared area is more than 500m^2; or

(iv) an extractive industry, other than clearing for a fence, road, track, irrigation channel, contour bank or other linear infrastructure, in a category C area if the cleared area is more than 500m^2; or

(v) the diversion of a section of a watercourse or drainage feature, within the meaning of the *Water Act 2000*, schedule 4, in a way that replicates the

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section, in a category C area if the cleared area is more than 500m^2; or

(m) development that is or involves operational work that is the clearing of native vegetation in a koala habitat area on prescribed land if the clearing is clearing, or for another activity or matter, stated in—

(i) schedule 21, part 1, section 1(2), (3), (5), (6), (8), (9), (10) or (11); or

(ii) schedule 21, part 1 section 1(15), other than clearing necessary to prevent or minimise damage to the environment; or

(iii) schedule 21, part 1, section 1(16), (17), (18) or (19A); or

(n) development that is or involves operational work that is the clearing of native vegetation in a koala habitat area if the clearing—

(i) is on freehold land and is for a forest practice; or

(ii) is on indigenous land, other than land on which the State owns the trees, and is for a forest practice; or

(iii) is on indigenous land and is gathering, digging or removing forest products for use under the *Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984*, section 62; or

(iv) is on land dedicated as a road under the *Land Act 1994* and is stated in schedule 21, part 2, section 5(a)(i) or any of paragraphs (b) to (h) of that section; or

(v) is on land that is trust land under the *Land Act 1994*, other than indigenous land, is carried out, or allowed to be carried out, by the trustee, is consistent with achieving the purpose of the trust and is—

(A) to remove non-native vegetation; or

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(B) in accordance with a relevant biosecurity plan under the *Biosecurity Act 2014*; or

(vi) is on land that is unallocated State land, is carried out, or allowed to be carried out, by the chief executive of the department in which the *Land Act 1994* is administered and is to control declared pests or non-native vegetation; or

(vii) is necessary for essential management and is qualifying clearing; or

(viii) is necessary for a purpose mentioned in definition *routine management*, paragraph (c) or (d); or

(o) development on a lot that is or involves operational work that is the clearing of native vegetation in a koala habitat area if—

(i) the clearing is necessary to establish a necessary fence, road or vehicular track on an existing lot; and

(ii) the clearing is qualifying clearing; and

(iii) the vegetation is regulated regrowth vegetation or a least concern regional ecosystem in a category B area; and

(iv) the maximum width of the clearing for the fence, road or track is—

(A) for a lot that is 5ha or less—5m; or

(B) for a lot that is more than 5ha—10m; or

(p) development that is or involves operational work that is the clearing of native vegetation in an area shown on a PMAV as a category X area if—

(i) an application for the PMAV under the *Vegetation Management Act 1999*, section 20C was made before 7 February 2020; and

(ii) the clearing—

(A) is qualifying clearing; or

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(B) is on land dedicated as a road under the *Land Act 1994* and is carried out by a local government, or by or for the chief executive (transport).

exemption certificate register, for a local government or the chief executive, means a register that includes the following information for each exemption certificate given by the person under section 46 of the Act—

(a) the day the certificate was given;

(b) the real property description of the premises the certificate applies to;

(c) the name of the person the certificate was given to;

(d) the development for which a development approval is not required;

(e) whether the exemption certificate is in effect and, if not, the day the certificate stopped having effect.

exempt material change of use means a material change of use of premises—

(a) for—

(i) an air service; or

(ii) an associated primary industry activity; or

(iii) caretaker's accommodation; or

(iv) a cemetery; or

(v) a crematorium; or

(vi) a dual occupancy, if both dwellings are on a single lot; or

(vii) a dwelling house; or

(viii) a dwelling unit; or

(ix) emergency services; or

(x) an environment facility; or

(xi) an extractive industry; or

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(xii) a landing; or

(xiii) major electricity infrastructure; or

(xiv) a park; or

(xv) a renewable energy facility other than a facility for generating electricity or energy from a source of bioenergy; or

(xvi) a rural activity; or

(xvii) a solar farm; or

(xviii) a substation; or

(xix) a telecommunications facility; or

(xx) a utility installation other than a transport service; or

(xxi) a wind farm; or

(b) that is consistent with a development approval in effect for the premises, if the application for the approval was assessed by a referral agency under schedule 10, part 16.

exempt subdivision means a subdivision that—

(a) is excluded development; or

(b) does not create a new lot; or

(c) creates only 1 new lot, if the new lot is to be used for—

(i) a cemetery; or

(ii) a crematorium; or

(iii) a detention facility; or

(iv) emergency services; or

(v) an environment facility; or

(vi) major electricity infrastructure; or

(vii) a park; or

(viii) a renewable energy facility; or

(ix) a solar farm; or

(x) a substation; or

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(xi) a telecommunications facility; or

(xii) a utility installation other than a transport service; or

(d) divides 1 lot into 2 lots, if—

(i) the divided lot is severed by a road that was gazetted before 2 March 2006 or a State-controlled road; and

(ii) the road forms the whole of the boundary between the lots; or

(e) is consistent with a material change of use approved under a development approval that applies to the lot being subdivided, if the application for the development approval was properly made under the repealed IPA before 31 October 2006; or

(f) is stated in an application for a development approval for a material change of use to be necessary for the material change of use, if—

(i) a development approval was given for the material change of use and is in effect; and

(ii) either—

(A) the material change of use was assessed by a referral agency under schedule 10, part 16; or

(B) the material change of use was assessed by a referral agency under the repealed SEQ SPRP, division 2.1 as complying with the assessment criteria stated in the division for the material change of use; or

(g) is the reconfiguration of a lot and both of the following apply—

(i) the lot is in an area identified in a gazette notice by the Minister as having a rural residential purpose;

(ii) an application for the reconfiguration was properly made under the old Act or the repealed IPA on or before 6 December 2010; or

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(h) is the reconfiguration of a lot and all of the following apply—

(i) the lot is in an SEQ rural subdivision precinct;

(ii) the reconfiguration is consistent with the purpose statement and minimum lot size for the zone applying to the lot under a local planning instrument;

(iii) an application for the reconfiguration was properly made on or before 11 December 2023.

existing levee see the Water Act, section 1247(2).

extractive industry means the use of premises for—

(a) extracting or processing extractive resources; and

(b) any related activities, including, for example, transporting the resources to market.

failure impact assessed means failure impact assessed under the Water Supply Act, section 343.

failure impact assessment see the Water Supply Act, section 342(1).

fast-track development means development that meets the criteria stated in the State development assessment provisions for fast-track development.

fire safety management plan see the *Fire Services Act 1990*, section 146S.

fire safety system see the Building Code, volume 1, part A1.1.

Fisheries Act means the *Fisheries Act 1994*.

flood hazard area means a flood hazard area designated by a local government under the Building Regulation, section 8(1)(a).

food and drink outlet means the use of premises for—

(a) preparing and selling food and drink for consumption on or off the premises; or

(b) providing liquor for consumption on or off the premises, if the use is ancillary to the use in paragraph (a).

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Examples of a food and drink outlet—

cafe, coffee shop, drive-through facility, kiosk, milk bar, restaurant, snack bar, takeaway shop, tearoom

forest practice see the Vegetation Management Act, schedule.

Forestry Act means the *Forestry Act 1959*.

freehold land see the Vegetation Management Act, schedule.

function facility means the use of premises for—

(a) receptions or functions; or

(b) preparing and providing food and liquor for consumption on the premises as part of a reception or function.

funeral parlour—

(a) means the use of premises for—

(i) arranging and conducting funerals, memorials and other similar events; or

(ii) a mortuary; or

(iii) storing and preparing bodies for burial or cremation; but

(b) does not include the use of premises for the burial or cremation of bodies.

future busway corridor means land identified in a guideline made under the Transport Planning Act, section 8E as a future transport corridor for—

(a) busway transport infrastructure; or

(b) busway transport infrastructure works.

future light rail corridor means land identified in a guideline made under the Transport Planning Act, section 8E as a future transport corridor for—

(a) light rail transport infrastructure; or

(b) light rail transport infrastructure works.

future railway corridor means—

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(a) land identified in a guideline made under the Transport Planning Act, section 8E as a future transport corridor for—

(i) rail transport infrastructure; or

(ii) other rail infrastructure; or

(iii) railway works; or

(b) future railway land.

future railway land see the Transport Infrastructure Act, section 242.

future State-controlled road means a road or land that the chief executive (transport) has, by notice given to a local government and published in the gazette under the Transport Infrastructure Act, section 42, stated is intended to become a State-controlled road.

future State-controlled transport tunnel means a tunnel that forms part of a future State transport corridor.

future State transport corridor means—

(a) a future busway corridor; or

(b) a future light rail corridor; or

(c) a future railway corridor; or

(d) a future State-controlled road.

garden centre means the use of premises for—

(a) selling plants; or

(b) selling gardening and landscape products and supplies that are mainly in pre-packaged form; or

(c) a food and drink outlet that is ancillary to the use in paragraph (a).

Gold Coast waters see the *Gold Coast Waterways Authority Act 2012*, section 7(1).

Gold Coast Waterways Authority means the Gold Coast Waterways Authority established under the *Gold Coast Waterways Authority Act 2012*.

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government supported transport infrastructure means infrastructure for transport that is—

(a) funded, wholly or partly, by the State or Commonwealth; or

(b) provided by a person, other than under a development approval or infrastructure agreement, on terms that—

(i) are agreed to by the State or Commonwealth; and

(ii) are intended to support the commercial viability of the infrastructure.

gross floor area, for a building, means the total floor area of all storeys of the building, measured from the outside of the external walls and the centre of any common walls of the building, other than areas used for—

(a) building services, plant or equipment; or

(b) access between levels; or

(c) a ground floor public lobby; or

(d) a mall; or

(e) parking, loading or manoeuvring vehicles; or

(f) unenclosed private balconies, whether roofed or not.

ground level means—

(a) the level of the natural ground; or

(b) if the level of the natural ground has changed, the level as lawfully changed.

hardware and trade supplies means the use of premises for selling, displaying or hiring hardware and trade supplies, including, for example, house fixtures, timber, tools, paint, wallpaper or plumbing supplies.

hazardous chemical facility means the use of premises for a facility at which a prescribed hazardous chemical is present or likely to be present in a quantity that exceeds 10% of the chemical's threshold quantity under the Work Health and Safety Regulation, schedule 15.

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health care service means the use of premises for medical purposes, paramedical purposes, alternative health therapies or general health care, if overnight accommodation is not provided on the premises.

Examples of a health care service—

dental clinic, medical centre, physiotherapy clinic

highest astronomical tide means the highest level of the tides that can be predicted to occur under average meteorological conditions and under any combination of astronomical conditions.

high impact earthworks—

(a) means operational work that changes the form of land, or involves placing a structure on land, in a way that diverts water to or from a wetland in a wetland protection area and involves excavating or filling—

(i) if the work is carried out in the wetland or within 200m of the wetland—more than 100m^3; or

(ii) otherwise—more than 1,000m^3; but

(b) does not include operational work—

(i) that is excavating to establish underground infrastructure, other than infrastructure for drainage or stormwater flows, if the excavated land is to be restored, as far as practicable, to its original contours after the infrastructure is established; or

(ii) to maintain dams, fences, helipads, roads, stockyards, vehicular tracks or watering facilities; or

(iii) to alter, maintain, repair, replace, rehabilitate, remove or service government supported transport infrastructure; or

(iv) to take preventative or remedial action in relation to government supported transport infrastructure; or

(v) to maintain systems and services relating to government supported transport infrastructure; or

(vi) in tidal water; or

(vii) for a forest practice; or

(viii) to reinstate earthworks destroyed by floods or landslides; or

(ix) to restore or conserve the ecological processes or hydrological functions of a wetland protection area; or

(x) to laser level land without change to the previously levelled contours or slopes; or

(xi) for government supported transport infrastructure for which the funding and construction arrangements were approved by the State or Commonwealth before 31 October 2011; or

(xii) carried out under the Electricity Act, section 101 or 112A; or

(xiii) carried out under the *Fire Services Act 1990*, section 145F, 145G or 149I; or

(xiv) carried out under a geothermal exploration permit under the *Geothermal Energy Act 2010*; or

(xv) that is completely or partly in a declared fish habitat area, if the work is prescribed assessable development; or

(xvi) that is constructing or raising waterway barrier works, if the work is accepted development under schedule 7, part 3, section 6, 6A or 6B.

high impact industry means the use of premises for an industrial activity—

(a) that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products; and

(b) that a local planning instrument applying to the premises states is a high impact industry; and

(c) that complies with any thresholds for the activity stated in a local planning instrument applying to the premises,

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including, for example, thresholds relating to the number of products manufactured or the level of emissions produced by the activity.

high-risk waterway means a waterway shown in the waterways spatial data layer as a high-risk waterway.

home-based business means the use of a dwelling or domestic outbuilding on premises for a business activity that is subordinate to the residential use of the premises.

Example of a business activity—

a sex work business

hospital means the use of premises for—

(a) the medical or surgical care or treatment of patients, whether or not the care or treatment requires overnight accommodation; or

(b) providing accommodation for patients; or

(c) providing accommodation for employees, or any other use, if the use is ancillary to the use in paragraph (a) or (b).

hotel—

(a) means the use of premises for—

(i) selling liquor for consumption on the premises; or

(ii) a dining or entertainment activity, or providing accommodation to tourists or travellers, if the use is ancillary to the use in subparagraph (i); but

(b) does not include a bar.

household means 1 or more individuals who live together in a dwelling.

housing department means the department in which the *Housing Act 2003* is administered.

identified koala broad-hectare area means an area shown on an identified koala broad-hectare area map as an identified koala broad-hectare area.

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identified koala broad-hectare area map means each of the following maps, dated 31 May 2010 and published by the department in which the *Nature Conservation Act 1992*, part 5, is administered—

(a) identified koala broad-hectare area—01 Oxley Wedge;

(b) identified koala broad-hectare area—02 Rochedale;

(c) identified koala broad-hectare area—03 Coomera;

(d) identified koala broad-hectare area—04 Ripley Valley;

(e) identified koala broad-hectare area—05 Kinross Road;

(f) identified koala broad-hectare area—06 South East Thornlands;

(g) identified koala broad-hectare area—07 Palmview.

indigenous land see the Vegetation Management Act, schedule.

indoor recreation means—

(a) a function facility; or

(b) a hotel; or

(c) indoor sport and recreation; or

(d) a major sport, recreation and entertainment facility at which events are carried out mainly indoors; or

(e) tourist accommodation, or accommodation for employees, that is ancillary to a use stated in paragraphs (a) to (d); or

(f) a commercial use that is ancillary to a use stated in paragraphs (a) to (d).

indoor sport and recreation means the use of premises for a leisure, sport or recreation activity conducted wholly or mainly indoors.

Examples of indoor sport and recreation—

amusement parlour, bowling alley, gymnasium, squash court

industrial area means—

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(a) an area (however described) designated in a planning instrument as industrial; or

Examples of ways of describing industrial areas—

- low impact industry, medium impact industry, high impact industry or special industry
- heavy industry or light industry
- commercial industry
- service industry
- general industry
- waterfront and marine industry
- extractive industry

(b) an area that is predominantly industrial in character, having regard to—

(i) dominant land uses in the area; or

(ii) the planning instruments applying to the area.

industry activity means—

(a) an extractive industry; or

(b) a high impact industry; or

(c) a low impact industry; or

(d) a marine industry; or

(e) a medium impact industry; or

(f) a research and technology industry; or

(g) a service industry; or

(h) a special industry; or

(i) a warehouse.

industry zone, for schedule 12, means an area (however described) designated in a local categorising instrument as industrial.

infrastructure, for schedule 6, part 3, section 20A and the definitions *essential management* and *routine management*, includes a building, or other structure, built or used for any purpose.

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Note—

See also schedule 2 of the Act, definition *infrastructure*.

infrastructure charges information, for a local government, means the following information—

(a) the charges, stated in the local government's annual budget or annual report, that may be levied by the local government during the current financial year and the next 3 financial years;

(b) a forecast of future spending by the local government on trunk infrastructure for the current financial year and the next 3 financial years;

(c) each of the following for the previous financial year—

(i) the total amount of charges levied by the local government and the total amount of charges paid;

(ii) the total amount of offsets given by the local government;

(iii) the total amount of levied charges that were refunded by the local government;

(iv) the total amount of levied charges spent by the local government on providing trunk infrastructure;

(v) the total amount of levied charges that were not spent by the local government.

infrastructure charges register, for a local government, means a register that—

(a) includes the following information for each charge levied by the local government—

(i) the real property description of the premises to which the charge applies;

(ii) the charges resolution under which the charge was levied;

(iii) the amount of the charge levied;

(iv) how the charge was worked out;

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(v) if an automatic increase provision applies to the charge—that the charge is subject to automatic increases and how the increases are worked out under the provision;

(vi) if all or part of the charge has been paid—the amount paid and the day on which it was paid;

(vii) if the charge has not been paid in full—the amount of the charge unpaid;

(viii) details of any offset or refund given;

(ix) if the charge was levied as a result of a development approval—the approval reference number and the day the approval will lapse;

(x) if infrastructure is to be provided instead of paying the charge—details of any infrastructure still to be provided; and

(b) includes the following additional information for each charge levied by the local government on or after 1 January 2020—

(i) the suburb or other locality in which the premises the charge applies to are situated;

(ii) if the levied charge is the subject of an infrastructure agreement—any reference number given to the agreement and the day the agreement was entered into;

(iii) if the charge was levied as a result of a development approval—the day the development application was approved;

(iv) if the levied charge is the subject of an infrastructure charges notice—the notice reference number and the day the local government gave the notice; and

(c) includes infrastructure charges information for the local government.

infrastructure provider, for a development application, means a local government that—

(a) is the prescribed assessment manager for the application; and

(b) either—

(i) supplies trunk infrastructure for development; or

(ii) has an agreement with another person that supplies trunk infrastructure for development.

intensive animal industry—

(a) means the use of premises for—

(i) the intensive production of animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or

(ii) storing and packing feed and produce, if the use is ancillary to the use in subparagraph (i); but

(b) does not include the cultivation of aquatic animals.

Examples of intensive animal industry—

feedlot, piggery, poultry and egg production

intensive horticulture—

(a) means the use of premises for—

(i) the intensive production of plants or plant material carried out indoors on imported media; or

(ii) the intensive production of plants or plant material carried out outside using artificial lights or containers; or

(iii) storing and packing plants or plant material grown on the premises, if the use is ancillary to the use in subparagraph (i) or (ii); but

(b) does not include the cultivation of aquatic plants.

Examples of intensive horticulture—

greenhouse, hydroponic farm, mushroom farm

interfering with koala habitat—

(a) means removing, cutting down, ringbarking, pushing over, poisoning or destroying in any way, including by

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burning, flooding or draining, native vegetation in a koala habitat area; but

(b) does not include destroying standing vegetation by stock, or lopping a tree.

key resource area see the State Planning Policy.

koala habitat area see the *Nature Conservation (Koala) Conservation Plan 2017*, section 7B(1).

koala priority area see the *Nature Conservation (Koala) Conservation Plan 2017*, section 7A(1).

L^{Aeq} means the constant sound pressure level that has the same acoustic energy as a fluctuating noise level.

lake see the Water Act, schedule 4.

land degradation see the Vegetation Management Act, schedule.

landing means the use of premises for a structure—

(a) for mooring, launching, storing and retrieving vessels; and

(b) from which passengers embark and disembark.

land use plan means—

(a) for strategic port land—a plan approved under the Transport Infrastructure Act, section 286; or

(b) for airport land—a land use plan approved under the Airport Assets Act, chapter 3, part 1.

least concern regional ecosystem see the Vegetation Management Act, schedule.

light rail corridor means—

(a) land on which light rail transport infrastructure is situated; or

(b) land on which light rail transport infrastructure works are carried out; or

(c) land on which services for the maintenance or operation of light rail transport infrastructure are situated.

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light rail transport infrastructure see the Transport Infrastructure Act, schedule 6.

light rail transport infrastructure works see the Transport Infrastructure Act, schedule 6.

local assessment benchmark, for reconfiguring a lot, for schedule 12A, see schedule 12A, section 2.

local government area 1 means the local government area of—

(a) Brisbane City Council; or

(b) Bundaberg Regional Council; or

(c) Cairns Regional Council; or

(d) Fraser Coast Regional Council; or

(e) Gold Coast City Council; or

(f) Ipswich City Council; or

(g) Logan City Council; or

(h) Moreton Bay City Council; or

(i) Redland City Council; or

(j) Scenic Rim Regional Council; or

(k) Sunshine Coast Regional Council; or

(l) Townsville City Council.

local government area 2 means a local government area that is not local government area 1.

local instrument means a local planning instrument or variation approval.

lopping, a tree, means cutting or pruning its branches, but does not include—

(a) removing its trunk; or

(b) cutting or pruning its branches so severely that it is likely to die.

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loss of capacity, of tidal land, means the loss of the capacity of the land to sustain marine plants of the quality or quantity sustained on the land before operational work is carried out.

low impact industry means the use of premises for an industrial activity—

(a) that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products; and

(b) that a local planning instrument applying to the premises states is a low impact industry; and

(c) that complies with any thresholds for the activity stated in a local planning instrument applying to the premises, including, for example, thresholds relating to the number of products manufactured or the level of emissions produced by the activity.

low-risk waterway means a waterway shown in the waterways spatial data layer as a low-risk waterway.

maintenance cover, for a sewer, stormwater drain or water main, means a cover, whether above, at, or below ground level, for a chamber through which a person, machine or device may access the sewer, stormwater drain or water main to inspect, maintain or replace the sewer, stormwater drain or water main.

major electricity infrastructure—

(a) means the use of premises for—

(i) a transmission grid or supply network; or

(ii) a telecommunication facility, if the use is ancillary to the use in subparagraph (i); but

(b) does not include the use of premises for a supply network or private electricity works stated in schedule 6, section 26(5), unless the use involves—

(i) a new zone substation or bulk supply substation; or

(ii) the augmentation of a zone substation or bulk supply substation that significantly increases the input or output standard voltage.

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major-risk waterway means a waterway shown in the waterways spatial data layer as a major-risk waterway.

major sport, recreation and entertainment facility means the use of premises for large-scale events, including, for example, major sporting, recreation, conference or entertainment events.

Examples of a major sport, recreation and entertainment facility—

convention centre, exhibition centre, horse racing facility, sports stadium

mapped area see section 59(1)(a)(i).

marine industry means the use of waterfront premises for—

(a) manufacturing, storing, repairing or servicing vessels or maritime infrastructure; or

(b) providing fuel or disposing of waste, if the use is ancillary to the use in paragraph (a).

Examples of marine industry—

boat building, boat storage, dry dock

marine plant see the Fisheries Act, section 8.

Marine Safety Act means the *Transport Operations (Marine Safety) Act 1994*.

market means the use of premises on a regular basis for—

(a) selling goods to the public mainly from temporary structures, including, for example, stalls, booths or trestle tables; or

(b) providing entertainment, if the use is ancillary to the use in paragraph (a).

master planned area, for a priority port, see the Sustainable Ports Act, section 6.

maximum flow velocity of water see the Building Regulation, section 8(5).

medium impact industry means the use of premises for an industrial activity—

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(a) that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products; and

(b) that a local planning instrument applying to the premises states is a medium impact industry; and

(c) that complies with any thresholds for the activity stated in a local planning instrument applying to the premises, including, for example, thresholds relating to the number of products manufactured or the level of emissions produced by the activity.

minor building work means building work that increases the gross floor area of a building by no more than the lesser of the following—

(a) $50m^2$;

(b) an area equal to 5% of the gross floor area of the building.

moderate-risk waterway means a waterway shown in the waterways spatial data layer as a moderate-risk waterway.

modify, for an existing levee, see the Water Regulation, schedule 19.

monitoring bore means a water bore used for monitoring—

(a) the physical characteristics of an aquifer; or

(b) the physical, chemical or biological characteristics of water in an aquifer.

Examples of physical characteristics of water—

standing water level, water discharge rate, water pressure

motor sport facility means the use of premises for—

(a) organised or recreational motor sports; or

(b) facilities for spectators, including, for example, stands, amenities and food and drink outlets, if the use is ancillary to the use in paragraph (a).

Examples of a motor sport facility—

car race track, go-kart track, trail bike park, 4WD park

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multiple dwelling—

(a) means a residential use of premises involving 3 or more dwellings, whether attached or detached; but

(b) does not include build to rent housing.

native vegetation means vegetation under the Vegetation Management Act.

nature-based tourism means the use of premises for a tourism activity, including accommodation for tourists, for the appreciation, conservation or interpretation of—

(a) an area of environmental, cultural or heritage value; or

(b) a local ecosystem; or

(c) the natural environment.

Examples of nature-based tourism—

environmentally responsible accommodation facilities including cabins, huts, lodges and tents

necessary environmental clearing see the Vegetation Management Act, schedule.

new or changed access, between premises and a road or State transport corridor, means—

(a) the use of a new location as a relevant vehicular access between the premises and the road or corridor; or

(b) the construction of a new relevant vehicular access between the premises and the road or corridor; or

(c) the extension of an existing relevant vehicular access between the premises and the road or corridor; or

Example for paragraph (c)—

widening a driveway to allow access by a wide-turning vehicle

(d) an increase in the number of vehicles regularly using an existing relevant vehicular access between the premises and the road or corridor; or

(e) a change in the type of vehicles regularly using an existing relevant vehicular access between the premises and the road or corridor.

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new road, in relation to reconfiguring a lot, for schedule 12A, see schedule 12A, section 2.

nightclub entertainment facility means the use of premises for—

(a) providing entertainment that is cabaret, dancing or music; or

(b) selling liquor, and preparing and selling food, for consumption on the premises, if the use is ancillary to the use in paragraph (a).

noise attenuation land means land shown as noise attenuation land on the map called 'Noise attenuation zone for off-road motorcycling facility', dated March 2017 and published by the department.

noise sensitive place means a dwelling used for residential purposes or short-term accommodation.

non-native vegetation means vegetation that is not native vegetation.

non-referable building work means building work in a declared fish habitat area, if the work is reasonably necessary for—

(a) the maintenance of structures built in accordance with the requirements, under any Act, relating to the structure; or

Examples of structures—

- boat ramps, boardwalks, drains, fences, jetties, roads, safety signs, swimming enclosures and weirs
- powerlines or associated powerline infrastructure

(b) educational or research purposes relating to the declared fish habitat area; or

(c) monitoring the impact of development on the declared fish habitat area; or

(d) the construction or placement of structures, including, for example, safety signs, swimming enclosures or aids to navigation, if—

(i) the impact on the area is minor; and

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(ii) the structures are built in accordance with the requirements, under any Act, relating to the structure.

non-referable material change of use means a material change of use—

(a) for an urban purpose in an urban area; and

(b) that is carried out on a lot, other than a lot that—

(i) if the lot contains vegetation shown on the regulated vegetation management map as a category B area—contains an endangered regional ecosystem; or

(ii) is dedicated as a road under the Land Act; or

(iii) is unallocated State land.

of concern regional ecosystem see the Vegetation Management Act, schedule.

office—

(a) means the use of premises for—

(i) providing an administrative, financial, management or secretarial service or function; or

(ii) the practice of a profession; or

(iii) providing business or professional advice or services; but

(b) does not include the use of premises for making, selling or hiring goods.

Examples of an office—

bank, real estate agency

off-road motorcycling includes motocross, enduro, dirt track riding, moto-trials, mini-khana and recreational trail bike riding.

off-road motorcycling facility means the use of premises for—

(a) off-road motorcycling; or

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(b) facilities that are ancillary to off-road motorcycling.

Examples of ancillary facilities—

- camping facilities
- caretaker's accommodation
- club house facilities
- pit areas
- spectator facilities
- toilets and shower or change room facilities
- vehicle and equipment storage facilities
- viewing stands

off-road motorcycling facility land means land comprising—

(a) lot 50 on SP233714; or

(b) lot 1 on RP61998; or

(c) lot 1 on RP61996; or

(d) lot 3 on RP61997; or

(e) lot 39 on RP17872; or

(f) lot 38 on RP17872.

other rail infrastructure see the Transport Infrastructure Act, schedule 6.

outdoor area, for premises, means an area on the premises other than—

(a) a driveway that is used only for providing access between the premises and a road; or

(b) an area used only for protecting or enhancing the visual amenity of the premises; or

Example for paragraph (b)—

an area used for planting or ornaments

(c) a part of a building that is relevant to calculating the gross floor area of the building.

outdoor sales means the use of premises for—

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(a) displaying, selling, hiring or leasing vehicles, boats, caravans, machinery, equipment or other similar products, if the use is mainly conducted outdoors; or

(b) repairing, servicing, selling or fitting accessories for the products stated in paragraph (a), if the use is ancillary to the use in paragraph (a).

outdoor sport and recreation means the use of premises for—

(a) a recreation or sporting activity that is carried on outdoors and requires areas of open space; or

(b) providing and selling food and drink, change room facilities or storage facilities, if the use is ancillary to the use in paragraph (a).

Examples of outdoor sport and recreation—

cricket oval, driving range, golf course, swimming pool, tennis court

overland flow water see the Water Act, schedule 4.

park means the use of premises, accessible to the public free of charge, for sport, recreation and leisure activities and facilities.

parking station means the use of premises for parking vehicles, other than parking that is ancillary to another use.

PDA-associated development, for a priority development area, see the Economic Development Act, schedule 1.

PDA-related development means—

(a) development in a priority development area; or

(b) PDA-associated development for a priority development area.

permanent plantation means the use of premises for growing, but not harvesting, plants for carbon sequestration, biodiversity, natural resource management or another similar purpose.

Petroleum and Gas Act means the *Petroleum and Gas (Production and Safety) Act 2004*.

place of worship means the use of premises for—

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(a) organised worship and other religious activities; or

(b) social, education or charitable activities, if the use is ancillary to the use in paragraph (a).

plan of subdivision means a plan or agreement (however described) for reconfiguring a lot—

(a) unless the reconfiguration relates to—

(i) the acquisition of land, including by agreement, under the Acquisition Act, by a constructing authority or an authorised electricity entity, for a purpose for which land may be taken under that Act; or

(ii) the acquisition of land by agreement, other than under the Acquisition Act, by a constructing authority or an authorised electricity entity, for a purpose for which land may be taken under that Act; or

(iii) land held by the State, or a statutory body representing the State, that is being reconfigured for a purpose for which land may be taken under the Acquisition Act, whether or not the land relates to an acquisition; or

(iv) the acquisition of land for water infrastructure; or

(v) a lot that is, or includes, airport land, strategic port land or Brisbane core port land; or

(b) other than a plan lodged under the Acquisition Act, section 12A as a result of a reconfiguration stated in paragraph (a)(i).

PMAV means a property map of assessable vegetation under the Vegetation Management Act.

port authority see the Transport Infrastructure Act, schedule 6.

port operator see the Transport Infrastructure Act, section 267.

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port overlay, for a priority port's master planned area, means the port overlay made for the area under the Sustainable Ports Act, part 2, division 3.

port service means the use of premises for—

(a) the arrival and departure of vessels; or

(b) the movement of passengers or goods on or off vessels; or

(c) storing, servicing, maintaining or repairing vessels; or

(d) ancillary uses that directly service the needs of passengers of the vessels.

pre-existing application, for part 5B, division 2, see section 51G.

prescribed assessable development means development stated to be assessable development in—

(a) schedule 9; or

(b) schedule 10, other than schedule 10, part 15 or 16.

prescribed building work means building work for a single dwelling on a lot, and any reasonably associated building or structure, if—

(a) a development permit has been given for the building work; or

(b) the building work is stated in schedule 7, part 1, section 2; or

(c) the dwelling is for public housing.

prescribed clearing means—

(a) clearing vegetation on freehold land or land leased under the Land Act, if—

(i) the clearing is necessary for building a single dwelling on a lot, and any reasonably associated building or structure; and

(ii) there is no other dwelling on the lot; or

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(b) clearing vegetation on indigenous land, if the clearing is necessary for building 1 or more dwellings, and any reasonably associated building or structure, for—

(i) Aboriginal or Torres Strait Islander inhabitants of the land; or

(ii) persons providing educational, health, police or other community services for the inhabitants.

prescribed development application see sections 33(1) and 34(1).

prescribed hazardous chemical—

(a) means a hazardous chemical that—

(i) is stated in the Work Health and Safety Regulation, schedule 15, table 15.1; or

(ii) belongs to a class, type or category of hazardous chemicals stated in the Work Health and Safety Regulation, schedule 15, table 15.2; but

(b) does not include a liquid that is an agricultural chemical product under the *Agricultural and Veterinary Chemicals Code Act 1994* (Cwlth), if—

(i) the liquid is stored on premises in a rural zone; and

(ii) the liquid is for use in a primary industry activity; and

(iii) the total amount of liquid stored on the premises is less than 10,000L; and

(iv) the liquid is stored in packages that are labelled and ready for use by an end user.

prescribed land means—

(a) freehold land; or

(b) indigenous land; or

(c) any of the following under the Land Act—

(i) leased land;

(ii) land dedicated as a road;

(iii) trust land, other than indigenous land;

(iv) unallocated State land;

(v) land subject to a licence or permit; or

(d) land that is the property of the State under the Land Act, section 9 or 13A(1) or (2).

prescribed material change of use, for schedule 10, parts 3 and 9, means—

(a) a material change of use of premises that is assessable development under a local categorising instrument; or

(b) a material change of use of premises for a battery storage facility that is assessable development under schedule 10, part 2, division 1; or

(c) a material change of use of premises for a relevant solar farm that is assessable development under schedule 10, part 16AA, division 1.

prescribed water storage infrastructure means infrastructure stated in schedule 23B.

priority development area see the Economic Development Act, schedule 1.

priority port see the Sustainable Ports Act, section 5.

private certifier application register means a register that includes the following information for each application that must be recorded in the register—

(a) the name and contact details of the private certifier to whom the application was made;

(b) the information stated in this schedule, definition *application register*, paragraphs (b) to (g) and (j) to (l).

private certifier (class A) means a private certifier whose licence under the Building Act has a development approval endorsement under that Act.

public housing—

(a) means housing—

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(i) provided by, or for, the State or a statutory body representing the State; and

(ii) for short or long term residential use; and

(iii) totally or partly subsidised by the State or a statutory body representing the State; and

(b) includes services provided mainly for residents of the housing.

public marine facility see the Transport Infrastructure Act, schedule 6.

pumped hydro energy storage see the *Energy (Renewable Transformation and Jobs) Act 2024*, schedule 1.

qualifying clearing means clearing of vegetation that—

(a) is on freehold land; or

(b) is on indigenous land; or

(c) is on land leased under the *Land Act 1994* for agriculture or grazing purposes; or

(d) is on land leased under the *Land Act 1994*, other than for agriculture or grazing purposes, and is consistent with the purpose of the lease; or

(e) is on trust land under the *Land Act 1994*, other than indigenous land, is carried out, or allowed to be carried out, by the trustee and is consistent with achieving the purpose of the trust; or

(f) is on unallocated State land and is carried out, or allowed to be carried out, by the chief executive of the department in which the *Land Act 1994* is administered; or

(g) is on land that is subject to a licence or permit under the *Land Act 1994* and is carried out by the licensee or permittee.

qualitative statement see the Building Act, section 33(6).

quantifiable standard see the Building Act, section 33(6).

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Queensland Development Code means the document called 'Queensland Development Code' published by the department in which the Building Act is administered.

Queensland Plumbing and Wastewater Code see the *Plumbing and Drainage Act 2018*, section 7(1).

rail transport infrastructure see the Transport Infrastructure Act, schedule 6.

railway corridor means—

(a) land on which rail transport infrastructure or other rail infrastructure is situated; or

(b) land on which railway works are carried out, if the works relate to rail transport infrastructure or other rail infrastructure; or

(c) land on which services for the maintenance or operation of rail transport infrastructure or other rail infrastructure are situated.

railway crossing see the Transport Infrastructure Act, schedule 6.

railway manager see the Transport Infrastructure Act, schedule 6.

railway works see the Transport Infrastructure Act, schedule 6.

referable dam see the Water Supply Act, section 341.

registered non-profit organisation means an incorporated organisation that is—

(a) recorded in the register kept under the *Collections Act 1966*, part 6; or

Note—

The register of charities kept under the *Collections Act 1966* can be inspected on the website of the Office of Fair Trading.

(b) recorded in a register kept under a law of another State substantially corresponding to the register kept under the *Collections Act 1966*, part 6; or

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(c) a registered entity within the meaning of the *Australian Charities and Not-for-profits Commission Act 2012* (Cwlth).

Note—

The Australian Charities and Not-for-profits Register kept under the *Australian Charities and Not-for-profits Commission Act 2012* (Cwlth) can be inspected on the website of the Australian Charities and Not-for-profits Commission.

registered provider see the *Housing Act 2003*, schedule 4.

regulated regrowth vegetation see the Vegetation Management Act, schedule.

regulated vegetation management map see the Vegetation Management Act, section 20A.

regulatory maps means SEQ RP 1.1 to 1.32, SEQ RP 2.1 to 2.9, SEQ RP 3.1 and SEQ RP 4.1 dated December 2023 and published on the department's website.

relevant overlay means—

(a) an overlay, or part of an overlay, that is about—

(i) bush fire hazards, coastal hazards, flood hazards or landslide hazards; or

(ii) safety hazards arising from historic mining activities, including, for example, mining subsidence and mining contamination; or

(b) an overlay, or part of an overlay, that includes an overlay code and is about—

(i) development of a local heritage place; or

(ii) development in a place with traditional building character; or

(iii) the protection of areas of natural, environmental or ecological significance, including the protection of the biodiversity, significant animals and plants, wetlands and waterways of such areas; or

(iv) development within an area identified on a map titled 'ANEF' on the State Planning Policy Interactive Mapping System.

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relevant service provider means—

(a) for a sewer—the sewerage service provider, as defined under the Water Supply Act, schedule 3, for the sewer; or

(b) for a stormwater drain—the owner of the stormwater drain; or

(c) for a water main—the water service provider, as defined under the Water Supply Act, schedule 3, for the water main.

relevant solar farm means—

(a) a solar farm that has a maximum instantaneous electricity output of 1MW or more; or

(b) a solar farm in a priority development area.

relevant vehicular access, between premises and a road or State transport corridor, means—

(a) a road, other than a pedestrian or bicycle path, that provides access between the premises and the road or corridor; or

(b) a driveway that provides access between the premises and the road or corridor.

relevant zone means the zone applying to premises under a local instrument.

relocatable home park means the use of premises for—

(a) relocatable dwellings for long-term residential accommodation; or

(b) amenity facilities, food and drink outlets, a manager's residence, or recreation facilities for the exclusive use of residents, if the use is ancillary to the use in paragraph (a).

remnant vegetation see the Vegetation Management Act, schedule.

renewable energy facility—

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(a) means the use of premises for the generation of electricity or energy from a renewable energy source, including, for example, sources of bioenergy, geothermal energy, hydropower, ocean energy or wind energy; but

(b) does not include—

(i) the use of premises for the generation of electricity or energy to be used mainly on the premises; or

(ii) a solar farm; or

(iii) a wind farm; or

(iv) the use of premises for pumped hydro energy storage.

repealed IPA means the repealed *Integrated Planning Act 1997*.

repealed koala State planning policy means the State planning policy, made under the old Act, called 'State Planning Policy 2/10–Koala Conservation in South East Queensland' as in force immediately before the State planning policy was repealed under the old Act.

repealed SEQ SPRP—

(a) in relation to an application under the old Act or repealed IPA for a development approval, means the State planning regulatory provisions made under that repealed Act for the SEQ region and as in force when the application was properly made under that repealed Act; or

(b) otherwise, means the State planning regulatory provisions made under the old Act for the SEQ region and as in force immediately before the repeal of the old Act.

research and technology industry means the use of premises for an innovative or emerging industry that involves designing and researching, assembling, manufacturing, maintaining, storing or testing machinery or equipment.

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Examples of research and technology industries—

aeronautical engineering, biotechnology industries, computer component manufacturing, computer server facilities, energy industries, medical laboratories

residential care facility means the use of premises for supervised accommodation, and medical and other support services, for persons who—

(a) can not live independently; and

(b) require regular nursing or personal care.

Examples of a residential care facility—

convalescent home, nursing home

residential clearing means prescribed clearing, if—

(a) the building work for the dwelling that necessitates the clearing is carried out—

(i) under a development permit; or

(ii) by, or for, the State or a public sector entity; or

(b) the dwelling that necessitates the clearing is for public housing.

residential development—

(a) means the use of premises for a residential purpose, including, for example, a relocatable home park or retirement facility; but

(b) does not include—

(i) a community residence; or

(ii) a detention facility; or

(iii) a residential care facility; or

(iv) tourist accommodation; or

(v) accommodation for employees, including rural workers' accommodation.

Residential Services Act means the *Residential Services (Accreditation) Act 2002*.

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residential zone means premises (however described) designated in a local categorising instrument as residential.

Examples of ways of describing premises—

- general residential
- low density, low-medium density, medium density or high density residential
- character residential
- tourist accommodation

resort complex means the use of premises for—

(a) tourist and visitor accommodation that includes integrated leisure facilities; or

Examples of integrated leisure facilities—

bars, meeting and function facilities, restaurants, sporting and fitness facilities

(b) staff accommodation that is ancillary to the use in paragraph (a); or

(c) transport facilities for the premises, including, for example, a ferry terminal or air service.

resource allocation authority means a resource allocation authority issued under the Fisheries Act.

retirement facility means a residential use of premises for—

(a) accommodation for older members of the community, or retired persons, in independent living units or serviced units; or

(b) amenity and community facilities, a manager's residence, health care and support services, preparing food and drink or staff accommodation, if the use is ancillary to the use in paragraph (a).

road, for schedule 12A, see schedule 12A, section 2.

roadside stall means the use of premises for the roadside display and sale of goods in a rural area.

road transport infrastructure see the Transport Infrastructure Act, schedule 6.

rooming accommodation means the use of premises for—

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(a) residential accommodation, if each resident—

(i) has a right to occupy 1 or more rooms on the premises; and

(ii) does not have a right to occupy the whole of the premises; and

(iii) does not occupy a self-contained unit, as defined under the *Residential Tenancies and Rooming Accommodation Act 2008*, schedule 2, or has only limited facilities available for private use; and

(iv) shares other rooms, facilities, furniture or equipment outside of the resident's room with 1 or more other residents, whether or not the rooms, facilities, furniture or equipment are on the same or different premises; or

(b) a manager's residence, an office or providing food or other services to residents, if the use is ancillary to the use in paragraph (a).

Examples of rooming accommodation—

boarding house, hostel, monastery, off-site student accommodation

routine management, for clearing native vegetation on land, means the clearing of native vegetation—

(a) to establish a necessary fence, road or vehicular track, if the maximum width of the clearing for the fence, road or track is 10m; or

(b) to build necessary built infrastructure, including core airport infrastructure, other than contour banks, fences, roads or vehicular tracks, if—

(i) the clearing is not to source construction timber; and

(ii) the total area cleared is less than 2ha; and

(iii) the total area covered by the infrastructure is less than 2ha; or

(c) on freehold land by the owner of the land to source construction timber for establishing necessary infrastructure on any land of the owner, if—

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(i) the clearing does not cause land degradation; and

(ii) restoration of a similar type to, and to the extent of, the removed trees, is ensured; or

(d) by the lessee of land leased under the Land Act for agriculture or grazing purposes to source construction timber, other than commercial timber, for establishing necessary infrastructure on the land, if—

(i) the clearing does not cause land degradation; and

(ii) restoration of a similar type to, and to the extent of, the removed trees, is ensured.

rural activity means—

(a) an agricultural supplies store; or

(b) animal husbandry; or

(c) animal keeping; or

(d) aquaculture; or

(e) cropping; or

(f) an intensive animal industry; or

(g) intensive horticulture; or

(h) a permanent plantation; or

(i) a roadside stall; or

(j) a rural industry; or

(k) rural workers' accommodation; or

(l) a wholesale nursery; or

(m) a winery.

rural industry means the use of premises for—

(a) storing, processing or packaging products from a rural use carried out on the premises or adjoining premises; or

(b) selling products from a rural use carried out on the premises or adjoining premises, if the use is ancillary to the use in paragraph (a).

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rural workers' accommodation means the use of premises for accommodation, whether or not self-contained, for employees of a rural use, if the premises, and the premises where the rural use is carried out, are owned by the same person.

rural zone means premises (however described) designated in a local categorising instrument as rural.

safe koala movement measure see schedule 11, part 1, section 2.

sales office means the use of premises for the temporary display of land parcels or buildings that—

(a) are for sale or proposed to be sold; or

(b) can be won as a prize in a competition.

secondary dwelling means a dwelling on a lot that is used in conjunction with, but subordinate to, another dwelling on the lot, whether or not the dwelling is—

(a) attached to the other dwelling; or

(b) occupied by individuals who are related to, or associated with, the household of the other dwelling.

sensitive land use means—

(a) build to rent housing; or

(b) caretaker's accommodation; or

(c) a childcare centre; or

(d) a community care centre; or

(e) a community residence; or

(f) a detention facility; or

(g) a dual occupancy; or

(h) a dwelling house; or

(i) a dwelling unit; or

(j) an educational establishment; or

(k) a health care service; or

(l) a hospital; or

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(m) a hotel, to the extent the hotel provides accommodation for tourists or travellers; or

(n) a multiple dwelling; or

(o) a relocatable home park; or

(p) a residential care facility; or

(q) a resort complex; or

(r) a retirement facility; or

(s) rooming accommodation; or

(t) rural workers' accommodation; or

(u) short-term accommodation; or

(v) a tourist park; or

(w) workforce accommodation.

SEQ development area means—

(a) a category 1 SEQ development area; or

(b) a category 2 SEQ development area.

SEQ major enterprise and industrial area means an area in the SEQ region shown as being a major enterprise and industrial area in the department's development assessment mapping system published on the department's website.

SEQ northern inter-urban break means an area in the SEQ region identified in a gazette notice by the Minister as the SEQ northern inter-urban break.

SEQ regional landscape and rural production area—

(a) means an area in the SEQ region shown on the regulatory maps as a regional landscape and rural production area; but

(b) does not include an SEQ development area.

SEQ regional plan means the regional plan for the SEQ region.

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SEQ rural enterprise precinct means an area in the SEQ region identified in a gazette notice by the Minister as a rural enterprise precinct.

SEQ rural living area—

(a) means an area in the SEQ region shown on the regulatory maps as a rural living area; but

(b) does not include an SEQ development area.

SEQ rural subdivision precinct means an area in the SEQ region identified in a gazette notice by the Minister as an SEQ rural subdivision precinct.

SEQ urban footprint means a part of the SEQ region shown on the regulatory maps as urban footprint.

service industry means the use of premises for an industrial activity that—

(a) does not result in off-site air, noise or odour emissions; and

(b) is suitable for location with other non-industrial uses.

Examples of service industries—

audio visual equipment repair, bicycle repairs, clock and watch repairs, computer repairs, dry cleaning, film processing, hand engraving, jewellery making, laundromat, locksmith, picture framing, shoe repairs, tailor

service station means the use of premises for—

(a) selling fuel, including, for example, petrol, liquid petroleum gas, automotive distillate or alternative fuels; or

(b) a food and drink outlet, shop, trailer hire, or maintaining, repairing, servicing or washing vehicles, if the use is ancillary to the use in paragraph (a).

sex work business see the *Local Government Act 2009*, section 37A(3).

sewer—

(a) means a sewer that is part of a sewerage system under the *Plumbing and Drainage Act 2018*; and

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(b) includes a maintenance cover for the sewer.

shop means the use of premises for—

(a) displaying, selling or hiring goods; or

(b) providing personal services or betting to the public.

Examples of a shop—

betting agency, corner store, department store, discount variety store, hair dressing salon, liquor store, sex work business other than a home-based sex work business, supermarket

shopping centre means the use of premises for an integrated shopping complex consisting mainly of shops.

short-term accommodation—

(a) means the use of premises for—

(i) providing accommodation of less than 3 consecutive months to tourists or travellers; or

(ii) a manager's residence, office, or recreation facilities for the exclusive use of guests, if the use is ancillary to the use in subparagraph (i); but

(b) does not include a hotel, nature-based tourism, resort complex or tourist park.

showroom means the use of premises for the sale of goods that are of—

(a) a related product line; and

(b) a size, shape or weight that requires—

(i) a large area for handling, display or storage; and

(ii) direct vehicle access to the building that contains the goods by members of the public, to enable the loading and unloading of the goods.

Examples of a showroom—

bulk stationary supplies, bulky goods sales, bulk home supplies, motor vehicle sales showroom

significant community projects see the Vegetation Management Act, section 10(5).

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significant residual impact see the *Environmental Offsets Act 2014*, schedule 2.

site suitability statement, for premises, means a site suitability statement included in a site investigation report, or validation report, for the premises under the Environmental Protection Act.

solar farm—

(a) means the use of premises for the generation of electricity or energy from a source of solar energy, other than electricity or energy to be used mainly on the premises; and

(b) includes the use of premises for any of the following if the use relates, or is ancillary, to the use stated in paragraph (a)—

(i) a building or structure, including, for example, a site office or temporary workers' accommodation;

(ii) a storage area or maintenance facility, including, for example, a lay down area;

(iii) infrastructure or works, including, for example, site access, foundations, electrical works, substations, facilities or devices for storing and releasing energy, or landscaping.

sole-occupancy unit means a room, or other part of a building, used as a dwelling by a person to the exclusion of any other person.

special industry means the use of premises for an industrial activity—

(a) that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products; and

(b) that a local planning instrument applying to the premises states is a special industry; and

(c) that complies with any thresholds for the activity stated in a local planning instrument applying to the premises, including, for example, thresholds relating to the

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number of products manufactured or the level of emissions produced by the activity.

Spit master plan means the document called 'The Spit master plan', dated May 2019 and published by the department.

Spit master plan area means the area shown as The Spit master plan area on the map in schedule 23A.

sport and recreation activity means—

(a) a major sport, recreation and entertainment facility at which events are carried out mainly outdoors; or

(b) a motor sport facility at which the motor sports are carried out mainly outdoors; or

(c) outdoor sport and recreation; or

(d) tourist accommodation, or accommodation for employees, that is ancillary to a use stated in paragraphs (a) to (c); or

(e) a commercial use that is ancillary to a use stated in paragraphs (a) to (c).

spring see the Water Act, schedule 4.

State coastal land see the Coastal Act, section 17.

State-controlled road includes State toll road corridor land.

State-controlled transport tunnel means a tunnel that forms part of a State transport corridor.

State development area see the State Development Act, schedule 2.

State development assessment provisions means the document made by the Minister called 'State development assessment provisions', dated 16 June 2026 and published on the department's website.

State Planning Policy means the State planning policy dated July 2017 and published on the department's website.

State school site means premises identified as a State secondary school or State primary school in the Caboolture West interim structure plan, schedule 1.

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State toll road corridor land see the Transport Infrastructure Act, schedule 6.

State transport corridor means—

(a) a busway corridor; or

(b) a light rail corridor; or

(c) a railway corridor; or

(d) a State-controlled road.

storey—

(a) means a space within a building between 2 floor levels, or a floor level and a ceiling or roof, other than—

(i) a space containing only a lift shaft, stairway or meter room; or

(ii) a space containing only a bathroom, shower room, laundry, toilet or other sanitary compartment; or

(iii) a space containing only a combination of the things stated in subparagraph (i) or (ii); or

(iv) a basement with a ceiling that is not more than 1m above ground level; and

(b) includes—

(i) a mezzanine; and

(ii) a roofed structured that is on, or part of, a rooftop, if the structure does not only accommodate building plant and equipment.

stormwater drain—

(a) means infrastructure used for receiving, storing, transporting or treating stormwater; and

(b) includes a maintenance cover for the stormwater drain.

strategic airport means a strategic airport within the meaning of the State Planning Policy.

strategic port land see the Transport Infrastructure Act, section 286(5).

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subartesian bore see the Water Act, schedule 4.

subdivision means reconfiguring a lot stated in schedule 2 of the Act, definition *reconfiguring a lot*, paragraphs (a) and (d).

substation means the use of premises—

(a) as part of a transmission grid or supply network to—

(i) convert or transform electrical energy from one voltage to another; or

(ii) regulate voltage in an electrical circuit; or

(iii) control electrical circuits; or

(iv) switch electrical current between circuits; or

(b) for a telecommunications facility for—

(i) works as defined under the Electricity Act, section 12(1); or

(ii) workforce operational and safety communications.

substation site—

(a) means premises that contain a substation and are larger than $50m^2$; but

(b) does not include premises used for—

(i) pole mounted substations, transformers or voltage regulators; or

(ii) pad mounted substations or transformers.

supply network see the Electricity Act, section 8.

supporting material, for a development application or change application, means any material, including site plans, elevations and supporting reports, about the aspect of the application assessable against or having regard to the planning scheme that—

(a) was given to the assessment manager by the applicant; and

(b) is in the assessment manager's possession when the request to inspect and purchase is made.

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Sustainable Ports Act means the *Sustainable Ports Development Act 2015*.

telecommunications facility means the use of premises for a facility that is capable of carrying communications and signals by guided or unguided electromagnetic energy.

temporary use means a use that—

(a) is carried out on a non-permanent basis; and

(b) does not involve the construction of, or significant changes to, permanent buildings or structures.

theatre means the use of premises for—

(a) presenting movies, live entertainment or music to the public; or

(b) the production of film or music; or

(c) the following activities or facilities, if the use is ancillary to a use in paragraph (a) or (b)—

(i) preparing and selling food and drink for consumption on the premises;

(ii) facilities for editing and post-production;

(iii) facilities for wardrobe, laundry and make-up;

(iv) set construction workshops;

(v) sound stages.

Example of a theatre—

cinema, concert hall, film studio, music recording studio

tidal area see section 19(3) of the Act.

tidal land see the Fisheries Act, schedule 1.

tidal water see the Coastal Act, schedule.

tourist accommodation means the use of premises for providing accommodation of less than 3 consecutive months to tourists or travellers.

tourist activity means—

(a) nature-based tourism; or

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(b) a resort complex; or

(c) a tourist attraction; or

(d) a tourist park; or

(e) tourist accommodation, or accommodation for employees, that is ancillary to a use stated in paragraphs (a) to (d); or

(f) a commercial use that is ancillary to a use stated in paragraphs (a) to (d).

tourist attraction means the use of premises for—

(a) providing entertainment to, or a recreation facility for, the general public; or

(b) preparing and selling food and drink for consumption on the premises, if the use is ancillary to the use in paragraph (a).

Examples of a tourist attraction—

theme park, zoo

tourist park means the use of premises for—

(a) holiday accommodation in caravans, self-contained cabins, tents or other similar structures; or

(b) amenity facilities, a food and drink outlet, a manager's residence, offices, recreation facilities for the use of occupants and their visitors, or staff accommodation, if the use is ancillary to the use in paragraph (a).

transmission grid see the Electricity Act, section 6.

transport depot means the use of premises for—

(a) storing vehicles, or machinery, that are used for a commercial or public purpose; or

(b) cleaning, repairing or servicing vehicles or machinery, if the use is ancillary to the use in paragraph (a).

Examples of a transport depot—

using premises to store buses, taxis, trucks, heavy vehicles or heavy machinery

transport infrastructure means—

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(a) active transport infrastructure as defined under the Transport Planning Act, section 8A(3); or

(b) air transport infrastructure; or

(c) busway transport infrastructure; or

(d) light rail transport infrastructure; or

(e) miscellaneous transport infrastructure as defined under the Transport Infrastructure Act, section 416; or

(f) other rail infrastructure; or

(g) public marine transport infrastructure as defined under the Transport Infrastructure Act, schedule 6; or

(h) public passenger transport infrastructure as defined under the Transport Planning Act, schedule 1; or

(i) rail transport infrastructure; or

(j) a road on State toll road corridor land; or

(k) a State-controlled road.

Transport Planning Act means the *Transport Planning and Coordination Act 1994*.

transport reasons see the Transport Infrastructure Act, section 283I.

trunk infrastructure information, in relation to trunk infrastructure provided by a local government, or under an infrastructure agreement or condition of a development approval, means the following information—

(a) a description of the trunk infrastructure;

(b) whether the trunk infrastructure is included in the local government's LGIP;

(c) if the trunk infrastructure is included in the local government's LGIP—any LGIP reference number for the trunk infrastructure;

(d) the trunk infrastructure network that the trunk infrastructure is associated with;

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(e) whether the trunk infrastructure was provided by the local government, or under an infrastructure agreement or condition of a development approval;

(f) the suburb or other locality in which the trunk infrastructure is situated;

(g) the cost of providing the trunk infrastructure;

(h) if the trunk infrastructure is provided under a condition of a development approval—the development approval number.

trust land means land comprising a reserve, or deed of grant in trust, under the Land Act.

unallocated State land see the Land Act, schedule 6.

underground water see the Water Act, schedule 4.

underground water area means an area declared to be an underground water area under the Water Act, section 1046(1).

urban activity—

(a) means the use of premises for an urban purpose; but

(b) does not include—

(i) a community activity; or

(ii) indoor recreation; or

(iii) residential development; or

(iv) a sport and recreation activity; or

(v) a tourist activity.

urban area means—

(a) an area identified in a gazette notice by the chief executive as an urban area; or

(b) if no gazette notice has been published—an area identified as an area intended for an urban purpose, or for an urban purpose in the future, on a map in a planning scheme that—

(i) identifies the area using cadastral boundaries; and

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(ii) is used exclusively or mainly to assess development applications.

Example of a map for paragraph (b)—

a zoning map

urban purpose means a purpose for which land is used in cities or towns—

(a) including residential, industrial, sporting, recreation and commercial purposes; but

(b) not including rural residential, environmental, conservation, rural, natural or wilderness area purposes.

urban zone means—

(a) any of the following zones stated in schedule 2—

(i) general residential zone, low density residential zone, low-medium density residential zone, medium density residential zone, high density residential zone or character residential zone;

(ii) centre zone, neighbourhood centre zone, local centre zone, district centre zone, major centre zone or principal centre zone;

(iii) industry zone, low impact industry zone, medium impact industry zone, high impact industry zone, special industry zone, research and technology industry zone, industry investigation zone or waterfront and marine industry zone;

(iv) emerging community zone;

(v) innovation zone;

(vi) mixed use zone;

(vii) specialised centre zone;

(viii) township zone; or

(b) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone stated in paragraph (a).

utility installation means the use of premises for—

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(a) a service for supplying or treating water, hydraulic power or gas; or

(b) a sewerage, drainage or stormwater service; or

(c) a transport service; or

(d) a waste management service; or

(e) a maintenance depot, storage depot or other facility for a service stated in paragraphs (a) to (d).

Vegetation Management Act means the *Vegetation Management Act 1999*.

veterinary service means the use of premises for—

(a) the medical or surgical treatment of animals; or

(b) the short-term stay of animals, if the use is ancillary to the use in paragraph (a).

warehouse means the use of premises for—

(a) storing or distributing goods, whether or not carried out in a building; or

(b) the wholesale of goods, if the use is ancillary to the use in paragraph (a).

Examples of a warehouse—

self-storage facility, storage yard

Water Act means the *Water Act 2000*.

water bore see the Water Act, schedule 4.

watercourse see the Water Act, section 5.

water main—

(a) means infrastructure used for transporting water, other than stormwater; and

(b) includes a maintenance cover for the water main.

Water Regulation means the *Water Regulation 2016*.

Water Supply Act means the *Water Supply (Safety and Reliability) Act 2008*.

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waterway, for a provision about aquaculture or constructing or raising waterway barrier works, see the Fisheries Act, schedule 1.

waterway barrier works see the Fisheries Act, schedule 1.

waterways spatial data layer means the document called 'Queensland waterways for waterway barrier works' that is—

(a) made by the department in which the Fisheries Act is administered; and

(b) published on the Queensland Spatial Catalogue website.

wetland see the Environmental Protection Regulation, schedule 19, part 2.

wetland protection area see the Environmental Protection Regulation, section 186(3).

wholesale nursery means the use of premises for—

(a) the wholesale of plants grown on or next to the premises; or

(b) selling gardening materials, if the use is ancillary to the use in paragraph (a).

wind farm—

(a) means the use of premises for generating electricity by wind force, other than electricity that is to be used mainly on the premises for a domestic or rural use; and

(b) includes the use of premises for any of the following, if the use relates, or is ancillary, to the use stated in paragraph (a)—

(i) a wind turbine, wind monitoring tower or anemometer;

(ii) a building or structure, including, for example, a site office or temporary workers' accommodation;

(iii) a storage area or maintenance facility, including, for example, a lay down area;

(iv) infrastructure or works, including, for example, site access, foundations, electrical works,

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substations, facilities or devices for storing and releasing energy, or landscaping.

wind turbine means a machine or generator that uses wind force to generate electricity, and includes the blades of the machine or generator.

winery means the use of premises for—

(a) making wine; or

(b) selling wine that is made on the premises.

workforce accommodation—

(a) means the use of premises for—

(i) accommodation that is provided for persons who perform work as part of—

(A) a resource extraction project; or

(B) a project identified in a planning scheme as a major industry or infrastructure project; or

(C) a rural use; or

(ii) recreation and entertainment facilities for persons residing at the premises and their visitors, if the use is ancillary to the use in subparagraph (i); but

(b) does not include rural workers' accommodation.

Work Health and Safety Regulation means the *Work Health and Safety Regulation 2011*.

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