

Queensland



*Integrated Planning Act 1997*

# **INTEGRATED PLANNING (CONTAMINATED LAND) TRANSITIONAL REGULATION 1998**

**Reprinted as in force on 1 April 1998  
(Regulation not amended up to this date)**

**Reprint No. 1**

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# **Information about this reprint**

This regulation is reprinted as at 1 April 1998.

**See endnotes for information about when provisions commenced.**

Queensland



**INTEGRATED PLANNING  
(CONTAMINATED LAND)  
TRANSITIONAL REGULATION 1998**

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## **INTEGRATED PLANNING (CONTAMINATED LAND) TRANSITIONAL REGULATION 1998**

[reprinted as in force on 1 April 1998]

### **Short title**

1. This regulation may be cited as the *Integrated Planning (Contaminated Land) Transitional Regulation 1998*.

### **Commencement**

2. This regulation commences on 30 March 1998.

### **Assessment of sites for contamination**

3.(1) This section applies to land mentioned in the schedule if, in relation to the land—

- (a) the Minister or a local government takes action that would, if the action had been taken immediately before the repeal of the repealed Act, be taken under section 2.18(3)(c)<sup>1</sup> or 2.18(3A) of the repealed Act; or
- (b) an application is made for a development approval that would, if the application had been made immediately before the repeal of the repealed Act, be an application under section 4.3,<sup>2</sup> 4.6,<sup>3</sup> 4.12,<sup>4</sup> 5.1<sup>5</sup> or 5.9<sup>6</sup> of the repealed Act.

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<sup>1</sup> Section 2.18 (Amendment of a planning scheme by Minister or local government)

<sup>2</sup> Section 4.3 (Amendment of a planning scheme etc. by an applicant)

<sup>3</sup> Section 4.6 (Application for rezoning of land in stages)

<sup>4</sup> Section 4.12 (Application for town planning consent)

<sup>5</sup> Section 5.1 (Application for subdivision etc.)

<sup>6</sup> Section 5.9 (Staged subdivision)

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(2) The Minister or the local government, for an action mentioned in subsection (1)(a), must apply to the chief executive of the department that is responsible for the administration of Acts for the protection of the environment for a site contamination report.

(3) The applicant for an application mentioned in subsection (1)(b), when requested by the assessment manager, must apply to the chief executive of the department that is responsible for the administration of Acts for the protection of the environment for a site contamination report.

(4) Each report—

(a) must be prepared by that chief executive at the expense of the applicant; and

(b) may be a report on any study of contamination of the land.

(5) For an action mentioned in subsection (1)(a), the Minister or the local government must not make a decision<sup>7</sup> on proceeding with a proposed planning scheme until the Minister or the local government has received and considered the report.

(6) For an application mentioned in subsection (1)(b), each report is taken to be part of the common material for the application.

## **Expiry**

4. This regulation expires on 5 July 1998.

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<sup>7</sup> The decision is made under schedule 1, section 16 of the Act.

## **SCHEDULE**

section 3

### **LAND**

**1.** Land, if the existing use of the land is, or, if the land is vacant land with no existing use the most recent use of the land, was for 1 or more of the following purposes—

- (a) a purpose mentioned in the *Contaminated Land Regulation 1991*, schedule 1;
- (b) commercial, industrial or municipal refuse disposal;
- (c) electrical transformer manufacturing;
- (d) livestock dipping or spraying;
- (e) mechanical repair shop, including automotive servicing;
- (f) power station.

**2.** Land, if the proposed use of the land is for residential, recreational, educational or similar purposes and the Minister, local government or assessment manager is satisfied the existing use of the land or, in the case of vacant land, an immediate preceding use of the land, is or was for an industrial purpose.

**3.** Land recorded in the contaminated sites register under the *Contaminated Land Act 1991* as a confirmed, probable or restricted site.

## ENDNOTES

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Integrated Planning (Contaminated Land) Transitional Regulation 1998 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

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

## **4 List of legislation**

### **Integrated Planning (Contaminated Land) Regulation 1998 SL No. 58**

made by the Governor in Council on 26 March 1998

notfd gaz 27 March 1998 pp 1310–2

ss 1–2 commenced on date of notification

remaining provisions commenced 30 March 1998 (see s 2)

exp 5 July 1998 (see s 4)