

Queensland



Integrated Planning Act 1997

INTEGRATED PLANNING REGULATION 1998

**Reprinted as in force on 5 September 2001
(includes amendments up to SL No. 136 of 2001)**

Reprint No. 3

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This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Queensland



INTEGRATED PLANNING REGULATION 1998

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INTEGRATED PLANNING REGULATION 1998

[as amended by all amendments that commenced on or before 5 September 2001]

1 Short title

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

2 Commencement

This regulation commences on 30 March 1998.

2A Definitions

In this regulation—

“**administering authority**” has the meaning given by the *Environmental Protection Act 1994*.

“**area management advice**” means a written notice given by the administering authority to the local government about planning for or managing land contaminated because of natural mineralisation, industrial activity or unexploded ordnance.

“**Building Code of Australia**” means the Building Code of Australia as defined under the *Building Act 1975*.

“**future State-controlled road**” means a road or land that the chief executive administering the *Transport Infrastructure Act 1994* has notified the local government in writing is intended to become a State-controlled road.

“**GFA**” means gross floor area for a development application.

“**land use plan**” means a plan approved under the *Transport Infrastructure Act 1994*, section 171.¹

“**LGA population 1**” means a local government area mentioned in schedule 5.

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

“LGA population 2” means a local government area that is not an LGA population 1.

“port authority” means a port authority as defined under the *Transport Infrastructure Act 1994*.

“State-controlled road” includes a future state-controlled road.

“strategic port land” means strategic port land as defined under the *Transport Infrastructure Act 1994*.

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

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

“TSA” means total site area for a development application.

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

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

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

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

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

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

3 Type of assessment for assessable development

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

3A Alternative assessment manager—Act s 3.1.7

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

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

4 Referral agencies and jurisdiction

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

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

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

5 Referral agency assessment period—Act, s 3.3.14

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

5A Court fees

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

6 Tribunal appeal fees—Act, s 4.2.15

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

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

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

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

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

7 Fast track fee—Act, s 4.2.16

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

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

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

8 Qualifications of referee—Act, s 4.2.37

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

- (a) registration as an architect under the *Architects Act 1985*; or

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

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

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

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

10 Offence about acting as private certifier

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

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

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

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

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

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

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

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

(2) The notice must be—

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

(3) The lettering on the notice must be—

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

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

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

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

(7) In this section—

“road frontage”, for land, means—

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

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

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

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

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

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

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

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

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

(3) This section expires on 30 March 2003.

SCHEDULE 1**TYPE OF ASSESSMENT FOR ASSESSABLE
DEVELOPMENT**

section 3

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

SCHEDULE 1A

ALTERNATIVE ASSESSMENT MANAGERS

section 3A

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

Column 1	Column 2
Assessable development	Assessment manager
<p>1. Assessable development under the <i>Environmental Protection Act 1994</i>, section 75, if—</p> <p>(a) the development is not assessable development under a planning scheme; and</p> <p>(b) the application does not include other assessable development; and</p> <p>(c) no other assessment manager is prescribed for the development in this schedule</p>	<p>The administering authority</p>
<p>2. Operational work that is—</p> <p>(a) the clearing of native vegetation; and</p> <p>(b) assessable development under schedule 8 of the Act; and</p> <p>(c) not wholly on strategic port land; and</p> <p>(d) not included in an application for other assessable development</p>	<p>The chief executive administering the <i>Vegetation Management Act 1999</i></p>
<p>3. Development wholly on strategic port land</p>	<p>Chief executive officer of the port authority for the land</p>

SCHEDULE 1A (continued)

PART 2—FOR OTHER ASSESSABLE DEVELOPMENT

Column 1	Column 2
Assessable development	Assessment manager
<p>1. Assessable development under the <i>Environmental Protection Act 1994</i>, section 75, if—</p> <p>(a) all or part of the development is not assessable development under a planning scheme; and</p> <p>(b) the application does not include other assessable development; and</p> <p>(c) no other assessment manager is prescribed for the development in this schedule</p>	The administering authority
<p>2. Operational work that is—</p> <p>(a) the clearing of native vegetation; and</p> <p>(b) assessable development under schedule 8 of the Act; and</p> <p>(c) not wholly on strategic port land; and</p> <p>(d) not included in an application for other assessable development</p>	The chief executive administering the <i>Vegetation Management Act 1999</i>
<p>3. Development wholly on strategic port land</p>	Chief executive officer of the port authority for the land

SCHEDULE 2

REFERRAL AGENCIES AND JURISDICTION

section 4

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
Building work—special fire services			
1. Assessment of an aspect of building work (other than temporary or special structures) against the Standard Building Regulation if the building work is required by the Standard Building Regulation to contain special fire services listed in schedule 2 of that regulation	Queensland Fire and Rescue Authority	Advice	Fire safety
Building work—workplace area less than 2.3 m²			
2. Assessment of an aspect of building work against the Standard Building Regulation, if the application involves a workplace area less than 2.3 m ² (free of any encumbrance) for each employee	The chief executive administering the <i>Workplace Health and Safety Act 1995</i>	Advice	Workplace health and safety

SCHEDULE 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
Environmentally relevant activities			
<p>3. Assessable development under the <i>Environmental Protection Act 1994</i>, section 75, if the administering authority is not the alternative assessment manager for the development under schedule 1A</p>	The administering authority	Concurrence	Protection of the environment against contaminants— (a) that will or may be released into the environment when the environmentally relevant activity to which the development relates is carried out; and (b) the release of which will or may cause environmental harm
Contaminated land			
<p>4. Reconfiguration of a lot, or a material change of use that is assessable development under a planning scheme if—</p> <p>(a) the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for a notifiable activity under the <i>Environmental Protection Act 1994</i>, schedule 2; or</p>	The administering authority	Concurrence	Protection of the environment by the management of contaminated land

SCHEDULE 2 (continued)

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

SCHEDULE 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
Development contiguous to State-controlled roads			
<p>5. Development on land contiguous to a State-controlled road that is any of the following—</p> <p>(a) a material change of use that is assessable development under a planning scheme;</p> <p>(b) the reconfiguration of a lot (other than a reconfiguration if the total number of lots is not increased and the number of lots abutting the State-controlled road is not increased);</p> <p>(c) operational works that are filling or excavation operations not associated with a material change of use or reconfiguration of a lot</p>	<p>The chief executive administering the <i>Transport Infrastructure Act 1994</i></p>	<p>For a future state-controlled road not defined by route— Advice; or</p> <p>for any other case— Concurrence</p>	<p>The objectives of the <i>Transport Infrastructure Act 1994</i>, section 2(1) and (2)(b)</p>
Development not contiguous to State-controlled roads			
<p>6. Development on land not contiguous to a State-controlled road and in a local government area for which there is a IPA planning scheme (other than a transitional planning scheme), that—</p> <p>(a) is mentioned in schedule 4, column 1; and</p> <p>(b) is for a purpose mentioned in schedule 4, column 2; and</p> <p>(c) exceeds the threshold stated for the development in schedule 4, column 3 for the purpose; and</p>	<p>The chief executive administering the <i>Transport Infrastructure Act 1994</i></p>	<p>Concurrence</p>	<p>The objectives of the <i>Transport Infrastructure Act 1994</i>, section 2(1) and (2)(b)</p>

SCHEDULE 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
(d) is inconsistent with plans for State-controlled road infrastructure			
<p>7. Development on land not contiguous to a State-controlled road and in a local government area for which there is a transitional planning scheme, that—</p> <p>(a) is mentioned in schedule 4, column 1; and</p> <p>(b) is for a purpose mentioned in schedule 4, column 2; and</p> <p>(c) exceeds the threshold stated for the development in schedule 4, column 3 for the purpose</p>	The chief executive administering the <i>Transport Infrastructure Act 1994</i>	<p>For up to 5 times the thresholds mentioned in schedule 4, column 3—</p> <p>Advice</p> <p>[Note—</p> <p>See section 6.1.54(5) of the Act]; or</p> <p>for any other case—</p> <p>Concurrence</p>	The objectives of the <i>Transport Infrastructure Act 1994</i> , section 2(1) and (2)(b)
Clearing vegetation			
<p>8. Operational work that is the clearing of native vegetation and assessable development under schedule 8 of the Act</p>	The chief executive administering the <i>Vegetation Management Act 1999</i>	Concurrence	The purposes of the <i>Vegetation Management Act 1999</i>

SCHEDULE 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
Strategic port land			
<p>9. Material change of use of premises on strategic port land that is inconsistent with the current land use plan for the strategic port land</p>	<p>The Minister administering the <i>Transport Infrastructure Act 1994</i></p>	<p>Concurrence</p>	<p>The suitability of the proposed use having regard to the following—</p> <p>(a) the current land use plan;</p> <p>(b) the views about the proposed use of each local government in whose area the premises are situated, and the relevant port authority's representations about the views;</p> <p>(c) unless the referral agency is satisfied public consultation about the proposed use would not be practicable because of urgent or exceptional circumstances—the results of public consultation about the proposed use carried out by or on behalf of the relevant port authority, and the port authority's representations about the results</p>

SCHEDULE 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
Acid sulfate soils			
<p>10. Development that—</p> <p>(a) is subject to impact assessment under a planning scheme or assessed as development requiring impact assessment under a transitional planning scheme; and</p> <p>(b) is on land below 5 m Australian height datum or in an area identified in a planning scheme as an area containing acid sulfate soils; and</p> <p>(c) involves any of the following activities—</p> <p>(i) excavating more than 1 000 m³ of material from an area identified as an area containing acid sulfate soils; or</p> <p>(ii) using more than 1 000 m³ of material as fill; or</p> <p>(iii) dewatering land by permanent or temporary drainage of overland stormwater or surface water, or the removal of groundwater from soils or sediments, by, for example, drainage channels or pumps</p>	<p>The chief executive administering the <i>Land Act 1994</i></p>	<p>Advice</p>	<p>Planning for, and management of, coastal development in areas containing acid sulfate soils</p>

SCHEDULE 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
Private health facilities			
<p>11. Assessment of an aspect of building work against the Standard Building Regulation if the building work—</p> <p>(a) is for a private health facility under the <i>Private Health Facilities Act 1999</i>; and</p> <p>(b) purports to comply with the performance requirement for the work, other than by the deemed-to-satisfy provisions for the work, under the Building Code of Australia, Qld Part H110</p>	<p>The chief health officer under the <i>Health Act 1937</i></p>	<p>Concurrence</p>	<p>Assessment of the building work for compliance with the performance requirement under the Building Code of Australia, Qld Part H110</p>
Declared catchment areas			
<p>12. Development, other than assessable development under the <i>Environmental Protection Act 1994</i>, section 75, in an area declared to be a catchment area under the <i>Water Act 2000</i> if the development is—</p> <p>(a) the reconfiguration of a lot and any lot resulting from the reconfiguration is less than 16 ha; or</p> <p>(b) the establishment or expansion of a waste water disposal system</p>	<p>The chief executive administering the <i>Water Act 2000</i></p>	<p>Concurrence</p>	<p>Preserving water quality in the catchment areas</p>

SCHEDULE 3**REFERRAL AGENCY ASSESSMENT PERIODS**

section 5

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

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

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

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

SCHEDULE 4 (continued)

Column 1	Column 2	Column 3
Type of development	Purpose	Threshold
	Business premises (government or private) Car park Freight depot Outdoor recreation Transit centre	5000 m ² TSA
	Medical centre	1200 m ² GFA
	Theatre or cinema	Seating for 2 000 people
	Child care centre	Capacity for 280 children
	Primary school Secondary school TAFE college University	All
	Tourist facility, other than a totally indoor tourist facility (including aquariums, theme parks or zoos)	5 000 m ² TSA Or for the indoor component for LGA population 1—8 000 m ² GFA LGA population 2—4 000 m ² GFA
	Extractive industry Mineral processing Refinery Smelter	Using machinery having an annual throughput of product of 10000 tonnes
	Abattoir Feedlot Intensive animal-husbandry	2 000 head
	Marina	600 berths

SCHEDULE 4 (continued)

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

SCHEDULE 5

LGA POPULATION 1 AREAS

section 2A, definition “LGA population 1”

Beaudesert
Brisbane
Bundaberg
Caboolture
Cairns
Caloundra
Cooloola
Gold Coast
Hervey Bay
Ipswich
Logan
Mackay
Maroochy
Noosa
Pine Rivers
Redcliffe
Redland
Rockhampton
Thuringowa
Toowoomba
Townsville

SCHEDULE 6**FACILITIES**

section 12(1)(a)

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

SCHEDULE 6 (continued)

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

SCHEDULE 7**AREAS**

section 12(1)(b)

PART 1—AREAS FOR S 12(1)(B)(I)

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

PART 2—AREAS FOR S 12(1)(B)(II)

1. A designated landscape area as defined under the *Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987*.
2. A protected area, registered place or restricted zone as defined under the *Queensland Heritage Act 1992*.
3. A coastal management control district under the *Beach Protection Act 1968*.

PART 3—AREAS FOR S 12(1)(B)(III)

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

SCHEDULE 7 (continued)

2. The wet tropics area as defined under the *Wet Tropics World Heritage Protection and Management Act 1993*.
3. An area under the *Fisheries Regulation 1995* that is—
 - (a) a fish habitat area under schedule 7; or
 - (b) closed waters under schedule 2 or 3, part 1.
4. An area listed as—
 - (a) a wetland of international importance under the Ramsar Convention as defined under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth); or
 - (b) a wetland of importance within the Queensland chapter of 'A Directory of Important Wetlands in Australia' as published by the Australian Nature Conservation Agency, 1996, Canberra.
5. An area of permanent, periodic or intermittent inundation, whether natural or artificial, with water that is static or flowing, fresh, brackish or salt (including areas of marine water the depth of which is not more than 6 m at low tide) that—
 - (a) under the document called 'State of the Environment Queensland 1999', is a good example of a wetland type occurring within a bioregion as defined in the report; or
 - (b) plays an important ecological or hydrological role in the natural functioning of a major wetland system or complex; or
 - (c) is important as the habitat for terrestrial and aquatic animal taxa at a vulnerable stage in their life cycles, or provides a refuge when adverse conditions, such as drought, prevail; or
 - (d) supports a significant number of the bioregional populations of any native terrestrial and aquatic animal or plant taxa; or
 - (e) supports native terrestrial and aquatic animal or plant taxa, or communities, that are endangered or vulnerable at the bioregional level.

SCHEDULE 8**COURT FEES**

section 5A

	\$
1. Filing a notice of appeal	27.50
2. Setting down an appeal for hearing	54.00
3. Filing an application	13.00
4. Sealing and issuing a subpoena	13.00
5. Issuing a certificate on final judgment, order, finding or decision	38.00
6. Filing an affidavit or deposition	9.40
7. Filing exhibits mentioned in an affidavit or deposition and required to be filed—	
(a) each exhibit	2.00
(b) maximum fee	16.90
8. Sealing a document with the seal of the court	25.00
9. Filing a copy of notice of appeal to the Court of Appeal	25.00
10. Filing a notice of withdrawal of an appeal	13.00
11. Filing an authority to use a person's name as next friend	13.00
12. Filing an appointment of an agent	9.40
13. Filing a document for which no other fee is provided . .	9.40
14. Issuing a copy of a record of the court or a document or exhibit filed in the registry—	
(a) each page	2.70
(b) maximum fee	40.50
15. Issuing a copy of reasons for judgment—each page . . .	1.60
16. Entering a judgment	41.50
17. Filing an order on an application	41.50
18. Opening or keeping the registry open after hours—	
(a) on a Saturday, Sunday, public holiday or court holiday	231.00

SCHEDULE 8 (continued)

	\$
(b) on any other day—	
(i) before 8 a.m. or after 6 p.m.	231.00
(ii) between 8 a.m. and 9 a.m.	115.00
(iii) between 4 p.m. and 6 p.m.	115.00
19. Inspecting the record in an appeal or other proceeding .	10.00
20. Filing a document by leave of the court	13.00
21. Posting a document—each document.	10.50
22. Attending a view—	
(a) within 8 km of the court	61.00
(b) more than 8 km from the court.	115.00
23. Supplying a copy of a call-over list	8.50
24. Making an appointment for assessment of a costs statement.	28.50
25. Assessing a costs statement—for each \$100 or part of \$100 allowed.	8.50
26. Order for the amount assessed under a costs statement .	38.50

ENDNOTES

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 5 September 2001. Future amendments of the Integrated Planning Regulation 1998 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

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

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

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

Reprint No.	Amendments included	Reprint date
1	to SL No. 133 of 1998	6 July 1998
1A	to SL No. 272 of 1998	16 October 1998
1B	to SL No. 117 of 1999	6 July 1999
1C	to SL No. 281 of 1999	10 December 1999
1D	to SL No. 40 of 2000	30 March 2000
1E	to SL No. 75 of 2000	1 September 2000
2	to SL No. 235 of 2000	6 October 2000
2A	to SL No. 295 of 2000	7 December 2000
2B	to SL No. 295 of 2000	22 March 2001

5 List of legislation

Integrated Planning Regulation 1998 SL No. 57

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

as amended by—

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

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

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

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

Integrated Planning Amendment Regulation (No. 2) 1998 SL No. 272 pts 1–2

notfd gaz 9 October 1998 pp 489–91
 commenced on date of notification

Integrated Planning Amendment Regulation (No. 1) 1999 SL No. 117

notfd gaz 25 June 1999 pp 932–8
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 July 1999 (see s 2)

Integrated Planning Amendment Regulation (No. 2) 1999 SL No. 281

notfd gaz 19 November 1999 pp 1149–52
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 December 1999 (see s 2)

Prostitution Act 1999 No. 73 ss 1, 2(2)–(3), 179 sch 3

date of assent 14 December 1999
 ss 1–2 commenced on date of assent
 remaining provisions commenced 1 July 2000 (see s 2(2)–(3))

Integrated Planning Amendment Regulation (No. 1) 2000 SL No. 40

notfd gaz 17 March 2000 pp 1052–3
 ss 1–2 commenced on date of notification
 remaining provisions commenced 30 March 2000 (see s 2)

Integrated Planning Amendment Regulation (No. 2) 2000 SL No. 75

notfd gaz 28 April 2000 pp 1558–9
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 May 2000 (see s 2)

Integrated Planning Amendment Regulation (No. 3) 2000 SL No. 235

notfd gaz 15 September 2000 pp 222–25
 commenced on date of notification

Integrated Planning Amendment Regulation (No. 4) 2000 SL No. 293

notfd gaz 24 November 2000 pp 1188–89
 ss 4–6, 7(4) (so far as it inserts sch 2 item 9) commenced 1 December 2000 (see s 2(1))
 s 7(4) (so far as it inserts sch 2 item 10) commenced 1 January 2001 (see s 2(2))
 remaining provisions commenced on date of notification

Private Health Facilities Regulation 2000 SL No. 295 ss 1–2, 12

notfd gaz 24 November 2000 pp 1188–89
 ss 1–2 commenced on date of notification
 remaining provision commenced 30 November 2000 (see s 2)

Integrated Planning Amendment Regulation (No. 1) 2001 SL No. 136

notfd gaz 10 August 2001 pp 1390–1
 commenced on date of notification

6 List of annotations

Definitions

- s 2A ins 1998 SL No. 133 s 4
 def “**Building Code of Australia**” ins 2001 SL No. 136 s 3
 def “**future State-controlled road**” ins 1999 SL No. 281 s 4
 def “**GFA**” ins 1999 SL No. 281 s 4
 def “**land use plan**” ins 2000 SL No. 293 s 4
 def “**LGA population 1**” ins 1999 SL No. 281 s 4
 def “**LGA population 2**” ins 1999 SL No. 281 s 4
 def “**port authority**” ins 2000 SL No. 293 s 4

def “**State-controlled road**” ins 1999 SL No. 281 s 4
 def “**strategic port land**” ins 2000 SL No. 293 s 4
 def “**transitional planning scheme**” ins 2000 SL No. 40 s 4
 def “**TSA**” ins 1999 SL No. 281 s 4

Meaning of “land contiguous to a state-controlled road”

s 2B ins 1999 SL No. 281 s 4

Meaning of “inconsistent with plans for state-controlled road infrastructure”

s 2C ins 1999 SL No. 281 s 5

Type of assessment for assessable development

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

Alternative assessment manager—Act s 3.1.7

s 3A ins 1998 SL No. 133 s 6

Referral agencies and jurisdiction

prov hdg amd 1998 No. 133 s 7(1)

s 4 ins 1998 SL No. 86 s 22
 amd 1998 SL No. 133 s 7(2)–(3); 1999 SL No. 281 s 6; 2001 SL No. 136 s 4

Referral agency assessment period—Act, s 3.3.14

s 5 ins 1998 SL No. 86 s 22
 amd 1998 SL No. 133 s 8

Court fees

s 5A ins 1999 SL No. 117 s 4
 amd 2000 SL No. 40 s 5

Tribunal appeal fees—Act, s 4.2.15

s 6 ins 1998 SL No. 86 s 22

Fast track fee—Act, s 4.2.16

s 7 ins 1998 SL No. 86 s 22

Qualifications of referee—Act, s 4.2.37

s 8 ins 1998 SL No. 86 s 22

General manager of Queensland Building Services Authority may prosecute certain offences

s 9 ins 1998 SL No. 86 s 22

Offence about acting as private certifier

s 10 ins 1998 SL No. 86 s 22

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

s 11 (prev s 3) renum 1998 SL No. 86 s 21

Prescribed applications for referral coordination—Act, s 6.1.35C

s 12 ins 1998 SL No. 272 s 3
 sub 2000 SL No. 40 s 6

Postponed commencement of uncommenced provisions—Building and Integrated Planning Amendment Act

s 13 ins 1998 SL No. 272 s 3
om 2001 SL No. 136 s 5

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

prov hdg amd 1999 SL No. 117 s 5(1)
s 14 ins 1998 SL No. 272 s 3
amd 1999 SL No. 117 s 5(2)–(3)
exp 30 March 2003 (see s 14(3))

SCHEDULE 1—TYPE OF ASSESSMENT FOR ASSESSABLE DEVELOPMENT

ins 1998 SL No. 86 s 23
sub 1998 SL No. 133 s 9
amd 1999 No. 73 s 179 sch 3; 2000 SL No. 40 s 7; 2000 SL No. 235 s 3; 2000
SL No. 293 s 5
sub 2001 SL No. 136 s 6

SCHEDULE 1A—ALTERNATIVE ASSESSMENT MANAGERS

ins 1998 SL No. 133 s 10
amd 2000 SL No. 235 s 4; 2000 SL No. 293 s 6
sub 2001 SL No. 136 s 6

SCHEDULE 2—REFERRAL AGENCIES AND JURISDICTION

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

SCHEDULE 3—REFERRAL AGENCY ASSESSMENT PERIODS

ins 1998 SL No. 86 s 23

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

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

SCHEDULE 5—LGA POPULATION 1 AREAS

ins 1999 SL No. 281 s 8

SCHEDULE 6—FACILITIES

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

SCHEDULE 7—AREAS

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

SCHEDULE 8—COURT FEES

ins 1999 SL No. 117 s 6

(prev sch 4) renum 2000 SL No. 40 s 8

sub 2000 SL No. 75 s 4; 2001 SL No. 136 s 8