



Queensland

*Integrated Planning Act 1997*

# Integrated Planning Regulation 1998

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(includes commenced amendments up to 2004 SL No. 178)

Reprint No. 3Q

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## Queensland

# Integrated Planning Regulation 1998

## Contents

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		Page
1	Short title . . . . .	3
2	Commencement . . . . .	3
2A	Definitions . . . . .	3
2B	Meaning of land contiguous to a state-controlled road . . . . .	5
2C	Meaning of inconsistent with plans for state-controlled road infrastructure . . . . .	5
3	Type of assessment for assessable development . . . . .	5
3A	Alternative assessment manager—Act s 3.1.7 . . . . .	5
4	Referral agencies and jurisdiction . . . . .	6
5	Referral agency assessment period—Act, s 3.3.14 . . . . .	6
5AA	Jurisdiction of tribunals—Act, s 4.2.7 . . . . .	6
5A	Court fees . . . . .	7
6	Tribunal appeal fees—Act, s 4.2.15 . . . . .	7
7	Fast track fee—Act, s 4.2.16 . . . . .	7
8	Qualifications of general referees—Act, s 4.2.37 . . . . .	8
9	General manager of Queensland Building Services Authority may prosecute certain offences . . . . .	10
10	Offence about acting as private certifier . . . . .	10
11	Requirements for placing public notices on land—Act, s 3.4.4 . . . . .	10
12	Prescribed applications for referral coordination—Act, s 6.1.35C . . . . .	11
<b>Schedule 1</b>	<b>Type of assessment for assessable development . . . . .</b>	<b>13</b>
<b>Schedule 1A</b>	<b>Alternative assessment managers . . . . .</b>	<b>15</b>
<b>Schedule 2</b>	<b>Referral agencies and jurisdiction . . . . .</b>	<b>19</b>
<b>Schedule 3</b>	<b>Referral agency assessment periods . . . . .</b>	<b>35</b>
<b>Schedule 4</b>	<b>Thresholds for development not contiguous to state-controlled roads . . . . .</b>	<b>36</b>
<b>Schedule 5</b>	<b>LGA population 1 areas . . . . .</b>	<b>39</b>

<b>Schedule 6</b>	<b>Facilities</b> .....	40
<b>Schedule 7</b>	<b>Areas</b> .....	42
<b>Schedule 8</b>	<b>Court fees</b> .....	44
<b>Endnotes</b>		
1	Index to endnotes .....	46
2	Date to which amendments incorporated .....	46
3	Key .....	46
4	Table of reprints .....	47
5	List of legislation .....	47
6	List of annotations .....	50

# Integrated Planning Regulation 1998

[as amended by all amendments that commenced on or before 20 September 2004]

## 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*.

*alternative provisions* has the meaning given under the Standard Building Regulation, section 5.<sup>1</sup>

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

*Building Code of Australia* means the Building Code of Australia as defined under the *Building Act 1975*, section 3.

*canal* means a canal as defined under the *Coastal Protection and Management Act 1995*, section 5C.

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1 Standard Building Regulation, section 5 (Definitions)—

*alternative provisions* means provisions mentioned in part 3 that are—

- (a) identified or stated in a planning scheme; and
- (b) alternative to the provisions of QDC, part 11 or 12; and
- (c) qualitative statements or quantitative statements.

*Integrated Planning Regulation 1998*

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**fire safety system** means a fire safety system as defined under the Building Code of Australia, Volume 1, Part A1.

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

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

**land use plan** means a plan approved under the *Transport Infrastructure Act 1994*, section 171.<sup>2</sup>

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

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

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

**Queensland Development Code** means the Queensland Development Code under the *Standard Building Regulation 1993*, section 6A.<sup>3</sup>

**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.

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2 *Transport Infrastructure Act 1994*, section 286 (Approval of land use plans)  
Section 171 was renumbered as section 286 under the *Transport Infrastructure Act 1994*, section 491.

3 *Standard Building Regulation 1993*, section 6A (Meaning of *Queensland Development Code*)

**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.

#### **5AA Jurisdiction of tribunals—Act, s 4.2.7**

The following matters are prescribed for the Act, section 4.2.7(2)(b)—

- (a) a decision on a development application about the alternative provisions;
- (b) a decision on a broadscale application as defined under the *Vegetation Management Act 1999*;
- (c) a decision on a vegetation clearing application as defined under the *Vegetation Management Act 1999*, but only if the chief executive is the assessment manager for the application.



**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) Subsections (2) and (3) prescribe the fees payable for an appeal against a decision mentioned in section 5AA(a) started by a building referral agency, 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—\$255; 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 m<sup>2</sup> or less—\$365; or
  - (c) if the decision is about a class 2, 3, 4, 5, 6, 7, 8 or 9 building with a floor area greater than 500 m<sup>2</sup>—\$530.
- (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—\$420; 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 m<sup>2</sup> or less—\$530; or
  - (c) if the decision is about a class 2, 3, 4, 5, 6, 7, 8 or 9 building with a floor area greater than 500 m<sup>2</sup>—\$785.
- (4) The fee payable for an appeal against a decision mentioned in section 5AA(b) or (c) is \$250.

**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 general referees—Act, s 4.2.37**

- (1) For section 4.2.37 of the Act, each of the following qualifications or experience for a member of a tribunal that is to hear and decide a matter is prescribed for the matter—
  - (a) a demonstrated ability—
    - (i) to negotiate and mediate outcomes between parties to an appeal; and
    - (ii) to apply the principles of natural justice; and
    - (iii) to analyse complex technical issues; and
    - (iv) to communicate effectively, including, for example, to write informed, succinct, and well organised reports, submissions, decisions or other documents;
  - (b) demonstrated knowledge of at least 1 of the following the Minister considers is sufficient to enable the person to perform the functions of a member of the tribunal in relation to the matter—
    - (i) building design and construction;
    - (ii) siting of residential buildings;
    - (iii) neighbourhood amenity issues;
    - (iv) relevant health or fire safety issues;
    - (v) the Act, the *Building Act 1975* or the *Plumbing and Drainage Act 2002*;
    - (vi) Building Code of Australia, Queensland Development Code, or Australian Standards relating to building work;
    - (vii) National Plumbing and Drainage Code, or Australian Standards relating to plumbing and drainage work.

- (2) If the matter is about the alternative provisions at least 1 member of the tribunal must, in addition, have—
  - (a) a university qualification in town planning; and
  - (b) substantial experience in interpreting and applying provisions of a planning scheme when assessing development.
- (3) However, if the matter is about a decision mentioned in section 5AA(b) or (c), the qualifications and experience are—
  - (a) a demonstrated ability—
    - (i) to negotiate and mediate outcomes between parties to an appeal; and
    - (ii) to apply the principles of natural justice; and
    - (iii) to analyse complex technical issues; and
    - (iv) to communicate effectively, including, for example, to write informed, succinct, and well organised reports, submissions, decisions or other documents; and
  - (b) demonstrated knowledge of the following—
    - (i) administrative decision-making;
    - (ii) the *Vegetation Management Act 1999*;
    - (iii) the *Integrated Planning Act 1997*;
    - (iv) the role of vegetation in ecological processes; and
  - (c) either—
    - (i) tertiary qualifications in environmental science or natural resource management; or
    - (ii) substantial experience in a field of work requiring the application of environmental science or natural resource management.

## 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 Act, chapter 5, part 3; 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 licensing 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 licence is endorsed as a private certifier when the action was taken.

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)<sup>4</sup> 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

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

- (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.

**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.

## Schedule 1      Type of assessment for assessable development

section 3

Column 1	Column 2
Aspect of assessable development	Type of assessment required
1    The aspects of building work that are assessable under the <i>Building Act 1975</i>	Code assessment
2    Assessable development under the <i>Environmental Protection Act 1994</i> , section 75, if the administering authority for the development is prescribed as the alternative assessment manager under schedule 1A of this regulation	Code assessment
3    Material change of use of premises for a licensed brothel in an industrial area or on strategic port land	Code assessment
4    Material change of use of premises for a licensed brothel other than in an industrial area or on strategic port land, unless a local planning instrument, or amendment of a local planning instrument, made after 1 July 2000 requires code assessment	Impact assessment
5    Operational work that is the clearing of native vegetation if the assessment manager is the chief executive administering the <i>Vegetation Management Act 1999</i>	Code assessment
6    Material change of use of premises on strategic port land	Code assessment
7    Operational work that allows taking, or interfering with, water under the <i>Water Act 2000</i> , if the assessment manager is the chief executive administering the <i>Water Act 2000</i>	Code assessment
8    Operational work that is the construction of a referable dam under the <i>Water Act 2000</i> or that will increase the storage capacity of a referable dam by more than 10%, if the assessment manager is the chief executive administering the <i>Water Act 2000</i>	Code assessment

## Schedule 1 (continued)

Column 1	Column 2
Aspect of assessable development	Type of assessment required
9 Material change of use of premises for a major hazard facility, or possible major hazard facility, as defined under the <i>Dangerous Goods Safety Management Act 2001</i> , if the assessment manager is the chief executive administering the <i>Dangerous Goods Safety Management Act 2001</i>	Code assessment
10 Assessable development under schedule 8, part 1, item 3D of the Act, if the chief executive administering the <i>Coastal Protection and Management Act 1995</i> is prescribed as the alternative assessment manager for the development under schedule 1A	Code assessment
11 Development in a registered place under the <i>Queensland Heritage Act 1992</i> , if the assessment manager is the Queensland Heritage Council	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> <ul style="list-style-type: none"> <li>(a) the development is not assessable development under a planning scheme; and</li> <li>(b) the application does not include other assessable development; and</li> <li>(c) no other assessment manager is prescribed for the development in this schedule</li> </ul>	<p>The administering authority</p>
<p>2 Assessable development, if—</p> <ul style="list-style-type: none"> <li>(a) the development is any of the following operational work— <ul style="list-style-type: none"> <li>(i) the clearing of native vegetation; or</li> <li>(ii) operational work that allows taking, or interfering with, water under the <i>Water Act 2000</i>; or</li> <li>(iii) operational work that is the construction of a referable dam under the <i>Water Act 2000</i> or that will increase the storage capacity of a referable dam by more than 10%; and</li> </ul> </li> <li>(b) the development is not assessable development under a planning scheme; and</li> <li>(c) the application does not include other assessable development; and</li> <li>(d) no other assessment manager is prescribed for the development in this schedule</li> </ul>	<p>The chief executive administering the <i>Vegetation Management Act 1999</i> and the <i>Water Act 2000</i></p>
<p>3 Assessable development wholly on strategic port land</p>	<p>Chief executive officer of the port authority for the land</p>

## Schedule 1A (continued)

Column 1	Column 2
Assessable development	Assessment manager
<p>4 Material change of use of premises for a major hazard facility, or possible major hazard facility, as defined under the <i>Dangerous Goods Safety Management Act 2001</i>, 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>	<p>The chief executive administering the <i>Dangerous Goods Safety Management Act 2001</i></p>
<p>5 Assessable development under schedule 8, part 1, item 3D of the Act, 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</p>	<p>The chief executive administering the <i>Coastal Protection and Management Act 1995</i></p>
<p>6 Assessable development under schedule 8, part 1, items 3D and 6 of the Act, 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</p>	<p>The chief executive administering the <i>Environmental Protection Act 1994</i> and the <i>Coastal Protection and Management Act 1995</i></p>
<p>7 Development in a registered place under the <i>Queensland Heritage Act 1992</i>, if—</p> <p>(a) the development is not assessable development under a planning scheme; and</p> <p>(b) the application does not involve other assessable development; and</p> <p>(c) no other assessment manager is prescribed for the development in this schedule</p>	<p>Queensland Heritage Council</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> <ul style="list-style-type: none"> <li>(a) all or part of the development is not assessable development under a planning scheme; and</li> <li>(b) the application does not include other assessable development; and</li> <li>(c) no other assessment manager is prescribed for the development in this schedule</li> </ul>	<p>The administering authority</p>
<p>2 Assessable development, if—</p> <ul style="list-style-type: none"> <li>(a) the development is any of the following operational work— <ul style="list-style-type: none"> <li>(i) the clearing of native vegetation; or</li> <li>(ii) operational work that allows taking, or interfering with, water under the <i>Water Act 2000</i>; or</li> <li>(iii) operational work that is the construction of a referable dam under the <i>Water Act 2000</i> or that will increase the storage capacity of a referable dam by more than 10%; and</li> </ul> </li> <li>(b) the development is not assessable development under a planning scheme; and</li> <li>(c) the application does not include other assessable development; and</li> <li>(d) no other assessment manager is prescribed for the development in this schedule</li> </ul>	<p>The chief executive administering the <i>Vegetation Management Act 1999</i> and the <i>Water Act 2000</i></p>
<p>3 Assessable development wholly on strategic port land</p>	<p>Chief executive officer of the port authority for the land</p>

## Schedule 1A (continued)

Column 1	Column 2
Assessable development	Assessment manager
<p>4 Material change of use of premises for a major hazard facility, or possible major hazard facility, as defined under the <i>Dangerous Goods Safety Management Act 2001</i>, 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>	<p>The chief executive administering the <i>Dangerous Goods Safety Management Act 2001</i></p>
<p>5 Assessable development under schedule 8, part 1, item 3D of the Act, if the application does not include other assessable development</p>	<p>The chief executive administering the <i>Coastal Protection and Management Act 1995</i></p>
<p>6 Assessable development, under schedule 8, part 1, items 3D and 6 of the Act, if the application does not include other assessable development</p>	<p>The chief executive administering the <i>Environmental Protection Act 1994</i> and the <i>Coastal Protection and Management Act 1995</i></p>
<p>7 Development in a registered place under the <i>Queensland Heritage Act 1992</i>, if—</p> <p>(a) the development is not assessable development under a planning scheme; and</p> <p>(b) the application does not involve other assessable development; and</p> <p>(c) no other assessment manager is prescribed for the development in this schedule</p>	<p>Queensland Heritage Council</p>

## 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
<b>Building work—special fire services generally</b>			
<p>1 Assessment of a fire safety system for a building or structure, other than for a temporary or special structure, against the Standard Building Regulation, if the building or structure—</p> <p>(a) is required by the Standard Building Regulation to have special fire services as listed in the Standard Building Regulation, schedule 2; or</p> <p>(b) includes an alternative solution, within the meaning of the Building Code of Australia,<sup>a</sup> assessed against the performance requirements of the Building Code of Australia, Volume 1, for the fire safety system</p>	Queensland Fire and Rescue Service	Advice	<p>For a building or structure—</p> <p>(a) if the building or structure is required to have special fire services—the matters mentioned in the Standard Building Regulation, schedule 3; or</p> <p>(b) if the building or structure includes an alternative solution, within the meaning of the Building Code of Australia, assessed against the performance requirements of the Building Code of Australia—the solution's assessment against the <i>Building Act 1975</i></p>

## Schedule 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
<b>Building work—special fire services for budget accommodation buildings</b>			
<p>2 Assessment of a fire safety system for a budget accommodation building against the Standard Building Regulation, if the building work involves a solution assessed against—</p> <p>(a) the performance criteria stated in part 14 of the Queensland Development Code; or</p> <p>(b) the performance requirements of the Building Code of Australia, volumes 1 and 2, for the fire safety system;</p> <p>that includes fire safety management procedures as a condition of the use and occupation of the building.</p>	<p>Queensland Fire and Rescue Service</p>	<p>Advice</p>	<p>Assessment of the fire safety management procedures against the <i>Fire and Rescue Service Act 1990</i></p>
<b>Building work—workplaces involving spray painting</b>			
<p>3 Assessment of an aspect of building work against the Standard Building Regulation if—</p> <p>(a) the Queensland Development Code, part 2, applies to the work; and</p> <p>(b) the work is required to comply with performance criteria for the work, other than by the acceptable solutions for the work, stated in part 2</p>	<p>The chief executive of the department in which the <i>Workplace Health and Safety Act 1995</i> is administered</p>	<p>Concurrence</p>	<p>Assessment of the building work against the performance criteria stated in the Queensland Development Code, part 2</p>

## Schedule 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
<b>Building work—retail meat premises</b>			
<p>4 Assessment of an aspect of building work against the Standard Building Regulation if—</p> <p>(a) the Queensland Development Code, part 4, applies to the work; and</p> <p>(b) the work is required to comply with performance criteria for the work, other than by the acceptable solutions for the work, stated in part 4</p>	Safe Food Production QLD	Concurrence	Assessment of the building work against the performance criteria stated in the Queensland Development Code, part 4
<b>Building work—private health facilities</b>			
<p>5 Assessment of an aspect of building work against the Standard Building Regulation if—</p> <p>(a) the Queensland Development Code, part 7, applies to the work; and</p> <p>(b) the work is required to comply with performance criteria for the work, other than by the acceptable solutions for the work, stated in part 7</p>	The chief health officer under the <i>Health Act 1937</i>	Concurrence	Assessment of the building work against the performance criteria stated in the Queensland Development Code, part 7

## Schedule 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
<b>Building work—workplace area less than 2.3 m<sup>2</sup></b>			
<p>6 Assessment of an aspect of building work against the Standard Building Regulation if—</p> <p>(a) the Queensland Development Code, part 1, applies to the work; and</p> <p>(b) the work is required to comply with the performance criterion for work areas,<sup>b</sup> other than by the acceptable solution for work areas, stated in part 1</p>	<p>The chief executive of the department in which the <i>Workplace Health and Safety Act 1995</i> is administered</p>	<p>Advice</p>	<p>Assessment of the building work against the performance criteria stated in the Queensland Development Code, part 1</p>
<b>Environmentally relevant activities</b>			
<p>7 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>	<p>The administering authority</p>	<p>Concurrence</p>	<p>Protection of the environment against contaminants—</p> <p>(a) that will or may be released into the environment when the environmentally relevant activity to which the development relates is carried out; and</p> <p>(b) the release of which will or may cause environmental harm</p>



## Schedule 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
<b>Contaminated land</b>			
<p>8 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> <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>	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
(e) the land is wholly or partly within an area for which an area management advice for unexploded ordnance has been issued			
<b>Development contiguous to State-controlled roads</b>			
<p>9 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>	The chief executive administering the <i>Transport Infrastructure Act 1994</i>	<p>For a future state-controlled road not defined by route—</p> <p>Advice; 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)

## Schedule 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
<b>Development not contiguous to State-controlled roads</b>			
<p>10 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>(d) is inconsistent with plans for State-controlled road infrastructure</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>
<p>11 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>	<p>The chief executive administering the <i>Transport Infrastructure Act 1994</i></p>	<p>For up to 5 times the thresholds mentioned in schedule 4, column 3— Advice</p> <p>[Note— See section 6.1.54(5) of the Act]; 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>

## Schedule 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
<b>Clearing vegetation</b>			
12 Operational work that is the clearing of native vegetation, if— (a) it is assessable development under schedule 8 of the Act; and (b) the chief executive administering the <i>Vegetation Management Act 1999</i> is not the assessment manager for the development under schedule 1A	The chief executive administering the <i>Vegetation Management Act 1999</i>	Concurrence	The purposes of the <i>Vegetation Management Act 1999</i>
<b>Strategic port land</b>			
13 Material change of use of premises on strategic port land that is inconsistent with the current land use plan for the strategic port land	The Minister administering the <i>Transport Infrastructure Act 1994</i>	Concurrence	The suitability of the proposed use having regard to the following— (a) the current land use plan; (b) the views about the proposed use of each local government in whose area the premises are situated, and the relevant port authority's representations about the views;

## Schedule 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
			(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
<b>Acid sulfate soils</b>			
14 Development to which State planning policy 2/02 'Planning and managing development involving acid sulfate soils' <sup>c</sup> applies if the development involves—  (a) excavating more than 1 000 m <sup>3</sup> of soil or sediment; or  (b) using more than 1 000 m <sup>3</sup> of material as fill.	The chief executive administering the <i>Land Act 1994</i>	Advice	Planning for, and management of, development involving acid sulfate soils

## Schedule 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
<b>Pastoral worker's accommodation</b>			
<p>15 Assessment of an aspect of building work against the Standard Building Regulation if—</p> <p>(a) the Queensland Development Code, part 21, applies to the work; and</p> <p>(b) the work is required to comply with the performance criterion for accommodation, other than by the acceptable solution for accommodation, stated in the part</p>	<p>The chief executive of the department in which the <i>Pastoral Workers' Accommodation Act 1980</i> is administered</p>	<p>Concurrence</p>	<p>Assessment of the building work against the performance criteria stated in the Queensland Development Code, part 21</p>
<b>Declared catchment areas</b>			
<p>16 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 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
<b>Operational work that allows taking, or interfering with, water</b>			
<p>17 Operational work that allows taking, or interfering with, water under the <i>Water Act 2000</i>, other than operational work in a drainage and embankment area controlling the flow of water into or out of a watercourse, lake or spring, if—</p> <p>(a) it is assessable development under schedule 8 of the Act; and</p> <p>(b) the chief executive administering the <i>Water Act 2000</i> is not the assessment manager for the development under schedule 1A</p>	<p>The chief executive administering the <i>Water Act 2000</i></p>	<p>Concurrence</p>	<p>The purposes of the <i>Water Act 2000</i> to the extent the purposes relate to taking, or interfering with, water</p>
<b>Operational work controlling the flow of water in drainage and embankment areas</b>			
<p>18 Operational work that allows taking, or interfering with, water under the <i>Water Act 2000</i>, that is operational work in a drainage and embankment area controlling the flow of water into or out of a watercourse, lake or spring, if—</p> <p>(a) it is assessable development under schedule 8 of the Act; and</p> <p>(b) the chief executive administering the <i>Water Act 2000</i> is not the assessment manager for the development under schedule 1A</p>	<p>The chief executive administering the <i>Water Act 2000</i></p>	<p>Concurrence</p>	<p>The purposes of the <i>Water Act 2000</i> to the extent the purposes relate to taking, or interfering with, water and the protection of watercourses and water in watercourses</p>

## Schedule 2 (continued)

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



## Schedule 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
<b>Child Care Centres</b>			
22 Assessment of an aspect of building work if— (a) the Queensland Development Code, part 22, applies to the work; and (b) the assessment relates to whether the work complies with the performance criteria stated in that part, other than by complying with the acceptable solutions	The chief executive of the department in which the <i>Child Care Act 2002</i> is administered	Concurrence	Assessment of the building work against the performance criteria stated in the Queensland Development Code, part 22
<b>Tidal works and coastal management districts</b>			
23 Building work on land that is completely or partly seaward of a coastal building line under the <i>Coastal Protection and Management Act 1995</i>	The chief executive administering the <i>Coastal Protection and Management Act 1995</i>	Concurrence	Coastal management, other than amenity and aesthetic significance or value

## Schedule 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
<p>24 Material change of use of premises completely or partly within a coastal management district if the change of use is assessable under a planning scheme and—</p> <p>(a) the carrying out of the change of use will involve operational work carried out completely or partly within the coastal management district; or</p> <p>(b) the carrying out of the change of use will involve building work, carried out completely or partly within the coastal management district, that is—</p> <p>(i) the construction of new premises with a gross floor area of at least 1 000 m<sup>2</sup>; or</p> <p>(ii) the enlargement of the gross floor area of existing premises by at least 1 000 m<sup>2</sup></p>	<p>The chief executive administering the <i>Coastal Protection and Management Act 1995</i></p>	<p>Concurrence</p>	<p>Coastal management, other than amenity and aesthetic significance or value</p>
<p>25 Development that is—</p> <p>(a) reconfiguring a lot that is land situated completely or partly within a coastal management district; or</p> <p>(b) reconfiguring a lot if the reconfiguration is in connection with the construction of a canal</p>	<p>The chief executive administering the <i>Coastal Protection and Management Act 1995</i></p>	<p>Concurrence</p>	<p>Coastal management, other than amenity and aesthetic significance or value</p>

## Schedule 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
26 Operational work that is assessable development under schedule 8, part 1, item 3D of the Act	The chief executive administering the <i>Coastal Protection and Management Act 1995</i>	Concurrence	Coastal management, other than amenity and aesthetic significance or value
27 Development that is on land below high water mark and within the limits of a port under the <i>Transport Infrastructure Act 1994</i> , if the development is—  (a) within 200 m of a shipping channel or an entry and exit shipping corridor for the port; or  (b) within 1 000 m of a swing basin, a commercial shipping wharf, a mooring, anchorage or spoil grounds; or  (c) within 1 000 m of a planned port facility identified in a land use plan	The chief executive officer of the port authority for the land	Concurrence	Port authority functions under the <i>Transport Infrastructure Act 1994</i> , chapter 7, part 3
28 Development that is on land below high water mark and within the limits of a port under the <i>Transport Infrastructure Act 1994</i> , other than development in an area mentioned in item 24(a), (b) or (c)	The chief executive officer of the port authority for the land	Advice	Port authority functions under the <i>Transport Infrastructure Act 1994</i> , chapter 7, part 3

## Schedule 2 (continued)

Column 1	Column 2	Column 3	Column 4
Application involving	Name of referral agency	Type of referral agency	Referral jurisdiction
29 Operational work that 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 is associated with the reconfiguration of a lot	The chief executive administering the <i>Transport Operations (Marine Safety) Act 1994</i>	Concurrence	Navigation and maritime management
<b>Development on a heritage registered place</b>			
31 Development in a registered place under the <i>Queensland Heritage Act 1992</i> , if— (a) it is assessable development under schedule 8 of the Act; and (b) the Queensland Heritage Council is not the assessment manager for the development under schedule 1A	Queensland Heritage Council	Concurrence	The objects of the <i>Queensland Heritage Act 1992</i>

- a Building Code of Australia, part A1 (Interpretation), section A1.1 (Definitions)—  
*Alternative Solution* means a *Building Solution* which complies with the *Performance Requirements* other than by reason of satisfying the *Deemed-to-Satisfy Provisions*.
- b See the Queensland Development Code, part 1, P5, for the performance criterion for work areas.
- c State planning policy 2/02 'Planning and managing development involving acid sulfate soils' is available for inspection on the following websites—
- the department's website at <www.dlgp.qld.gov.au>
  - the Department of Natural Resources and Mines' website at <www.nrm.qld.gov.au>.

## Schedule 3 Referral agency assessment periods

section 5

Column 1	Column 2
Name of referral agency	Referral agency's assessment period
Chief executive of the department in which the <i>Pastoral Workers' Accommodation Act 1980</i> is administered	20
Queensland Fire and Rescue Service	15

## Schedule 4      **Thresholds for development not contiguous to state-controlled roads**

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

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Type of development</b>	<b>Purpose</b>	<b>Threshold</b>
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 <sup>2</sup> GFA LGA population 2—4 000 m <sup>2</sup> 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 <sup>2</sup> GFA

## Schedule 4 (continued)

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Type of development</b>	<b>Purpose</b>	<b>Threshold</b>
	Business premises (government or private) Car park Freight depot Outdoor recreation Transit centre	5000 m <sup>2</sup> TSA
	Medical centre	1200 m <sup>2</sup> 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 <sup>2</sup> TSA Or for the indoor component for LGA population 1—8 000 m <sup>2</sup> GFA LGA population 2—4 000 m <sup>2</sup> GFA
	Extractive industry Mineral processing Refinery Smelter	Using machinery having an annual throughput of product of 10 000 tonnes
	Abattoir Feedlot Intensive animal-husbandry	2 000 head
	Marina	600 berths

## Schedule 4 (continued)

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Type of development</b>	<b>Purpose</b>	<b>Threshold</b>
	Factory Warehouse Other material change of use	LGA population 1—16 000 m <sup>2</sup> GFA LGA population 2—8 000 m <sup>2</sup> 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 <sup>2</sup> TSA LGA population 2—3 000 m <sup>2</sup> TSA
	Industrial	LGA population 1—32 000 m <sup>2</sup> TSA LGA population 2—16 000 m <sup>2</sup> TSA
	Any other purpose	12 000 m <sup>2</sup> TSA
Operational works	Filling or excavation operation not associated with a material change of use or reconfiguration of a lot	10 000 tonnes



**Schedule 5      LGA population 1 areas**section 2A, definition *LGA population 1*

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

## **Schedule 6      Facilities**

section 12(1)(a)

- 1 Abattoir for killing more than 50 animals a week.
- 2 Aerodrome that is, or is proposed to be, used by commercial operators not normally living at the premises.
- 3 Aquaculture facility for the commercial production of aquatic animals.
- 4 Brewery, unless the brewery's products are for consumption only at the brewery.
- 5 Extractive industry facility for the commercial winning of materials other than minerals as defined under the *Mineral Resources Act 1989*—
  - (a) using more than 2 ha of land for 1 or more of the following—
    - (i) excavation;
    - (ii) processing;
    - (iii) storage;
    - (iv) activities associated with excavation, processing or storage; or
  - (b) for extracting more than 10 000 m<sup>3</sup> 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 m<sup>2</sup>.

## **Schedule 7      Areas**

section 12(1)(b)

### **Part 1                      Areas for s 12(1)(b)(i)**

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

### **Part 3                      Areas for s 12(1)(b)(iii)**

- 1 An area under the *Nature Conservation Act 1992* that is—
  - (a) a protected area; or
  - (b) subject to a conservation agreement; or
  - (c) identified as a critical habitat or an area of major interest.
- 2 The wet tropics area as defined under the *Wet Tropics World Heritage Protection and Management Act 1993*.

**Schedule 7 (continued)**

- 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 . . . . .	32.00
2      Setting down an appeal for hearing . . . . .	60.00
3      Filing an application . . . . .	15.00
4      Sealing and issuing a subpoena . . . . .	15.00
5      Issuing a certificate on final judgment, order, finding or decision . . . . .	43.00
6      Filing an affidavit or deposition . . . . .	10.50
7      Filing exhibits mentioned in an affidavit or deposition and required to be filed—	
(a) each exhibit . . . . .	2.30
(b) maximum fee . . . . .	19.00
8      Sealing a document with the seal of the court . . . . .	28.00
9      Filing a copy of a notice of appeal to the Court of Appeal . . . . .	28.00
10     Filing a notice of withdrawal of an appeal . . . . .	15.00
11     Filing an authority to use a person's name as a next friend . . . . .	15.00
12     Filing an appointment of an agent . . . . .	10.50
13     Filing a document for which no other fee is provided . .	10.50
14     Issuing a copy of a record of the court or a document or exhibit filed in the registry—	
(a) each page . . . . .	3.00
(b) maximum fee . . . . .	45.00
15     Issuing a copy of reasons for judgment—each page . . .	1.70
16     Entering a judgment . . . . .	47.50
17     Filing an order on an application . . . . .	47.50
18     Opening or keeping open the registry after hours—	
(a) on a Saturday, Sunday, public holiday or court holiday . . . . .	260.00

## Schedule 8 (continued)

	\$
(b) on any other day—	
(i) before 8 a.m. or after 6 p.m. . . . .	260.00
(ii) between 8 a.m. and 9 a.m. . . . .	125.00
(iii) between 4 p.m. and 6 p.m. . . . .	125.00
19 Inspecting the record in an appeal or other proceeding .	11.00
20 Filing a document by leave of the court . . . . .	15.00
21 Posting a document—each document . . . . .	12.00
22 Attending a view—	
(a) within 8 km of the court . . . . .	69.00
(b) more than 8 km from the court . . . . .	125.00
23 Supplying a copy of a callover list . . . . .	11.00
24 Making an appointment for assessment of a costs statement . . . . .	32.50
25 Assessing a costs statement—for each \$100 or part of \$100 allowed. . . . .	9.00
26 Order for the amount assessed under a costs statement .	42.00

## Endnotes

### 1 Index to endnotes

	Page
2 Date to which amendments incorporated . . . . .	46
3 Key . . . . .	46
4 Table of reprints . . . . .	47
5 List of legislation . . . . .	47
6 List of annotations . . . . .	50

### 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 20 September 2004. 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)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered



## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Reprint date
1	to 1998 SL No. 133	6 July 1998	6 July 1998
1A	to 1998 SL No. 272	9 October 1998	16 October 1998
1B	to 1999 SL No. 117	1 July 1999	6 July 1999
1C	to 1999 SL No. 281	1 December 1999	10 December 1999
1D	to 2000 SL No. 40	30 March 2000	30 March 2000
1E	to 2000 SL No. 75	1 July 2000	1 September 2000
2	to 2000 SL No. 235	15 September 2000	6 October 2000
2A	to 2000 SL No. 295	1 December 2000	7 December 2000
2B	to 2000 SL No. 295	1 January 2001	22 March 2001
3	to 2001 SL No. 136	10 August 2001	5 September 2001
3A	to 2002 SL No. 66	19 April 2002	1 May 2002
3B	to 2002 SL No. 66	7 May 2002	14 May 2002
			(Column discontinued) Notes
3C	to 2002 SL No. 172	1 July 2002	
3D	to 2002 SL No. 216	23 August 2002	
3E	to 2002 SL No. 216	1 September 2002	
3F	to 2002 SL No. 332	6 December 2002	
3G	to 2003 SL No. 150	1 July 2003	
3H	to 2003 SL No. 189	1 September 2003	
3I	to 2003 SL No. 205	5 September 2003	
3J	to 2003 SL No. 225	29 September 2003	
3K	to 2003 SL No. 225	20 October 2003	
3L	to 2003 SL No. 274	14 November 2003	
3M	to 2003 SL No. 306	28 November 2003	
3N	to 2004 SL No. 47	7 May 2004	
3O	to 2004 SL No. 63	21 May 2004	
3P	to 2004 SL No. 123	9 July 2004	
3Q	to 2004 SL No. 178	20 September 2004	

## 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)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

notfd gaz 24 November 2000 pp 1188–89  
 ss 4–6, 7(4) (so far as it inserts sch 2 item 9) commenced 1 December 2000  
 (see s 2(1))

s 7(4) (so far as it inserts sch 2 item 10) commenced 1 January 2001 (see s 2(2))  
remaining provisions commenced on date of notification

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

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

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

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

**Integrated Planning Amendment Regulation (No. 1) 2002 SL No. 66**

notfd gaz 12 April 2002 pp 1394–5  
ss 1–2 commenced on date of notification  
ss 9–11 commenced 7 May 2002 (see s 2(2))  
ss 4, 12 commenced 1 July 2002 (see s 2(3))  
remaining provisions commenced 19 April 2002 (see s 2(1))

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

notfd gaz 28 June 2002 pp 876–83  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2002 immediately after the  
commencement of the Integrated Planning Amendment Regulation (No. 1) 2002  
SL No. 66 s 12 (see s 2)

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

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

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

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

**Integrated Planning Amendment Regulation (No. 3) 2002 SL No. 332**

notfd gaz 6 December 2002 pp 1162–66  
commenced on date of notification

**Pastoral Workers' Accommodation Regulation 2003 SL No. 150 ss 1–2, pt 9**

notfd gaz 27 June 2003 pp 749–56  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2003 (see s 2)

**Child Care Regulation 2003 SL No. 189 ss 1–2, 131**

notfd gaz 22 August 2003 pp 1372–5  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 September 2003 (see s 2)

**Integrated Planning Amendment Regulation (No. 1) 2003 SL No. 204**

notfd gaz 5 September 2003 pp 57–8  
ss 1–2 commenced on date of notification

remaining provisions commenced 20 October 2003 (see s 2)

Note—An explanatory note was prepared

**Integrated Planning Amendment Regulation (No. 2) 2003 SL No. 205**

notfd gaz 5 September 2003 pp 57–8

commenced on date of notification

**Integrated Planning Amendment Regulation (No. 3) 2003 SL No. 225**

notfd gaz 19 September 2003 pp 219–21

ss 1–2 commenced on date of notification

remaining provisions commenced 29 September 2003 (see s 2)

**Building Legislation Amendment Regulation (No. 1) 2003 SL No. 274 ss 1–2(1), pt 3**

notfd gaz 7 November 2003 pp 757–60

ss 1–2 commenced on date of notification

remaining provisions commenced 14 November 2003 (see s 2(1))

Note—A regulatory impact statement and explanatory note were prepared

**Integrated Planning Amendment Regulation (No. 4) 2003 SL No. 306**

notfd gaz 28 November 2003 pp 1032–5

ss 1–2 commenced on date of notification

remaining provisions commenced 28 November 2003 (see s 2)

**Integrated Planning Amendment Regulation (No. 1) 2004 SL No. 47**

notfd gaz 7 May 2004 pp 47–8

commenced on date of notification

**Vegetation Management and Other Legislation Amendment Regulation (No. 1) 2004  
SL No. 63 pts 1–2**

notfd gaz 21 May 2004 pp 191–4

ss 1–2 commenced on date of notification

remaining provisions commenced 21 May 2004 (see s 2)

Note—An explanatory note was prepared

**Integrated Planning Amendment Regulation (No. 3) 2004 SL No. 123**

notfd gaz 9 July 2004 pp 787–8

commenced on date of notification

**Justice Legislation (Costs and Fees) Amendment Regulation (No. 1) 2004 SL No. 178**

notfd gaz 10 September 2004 pp 173–7

ss 1–2 commenced on date of notification

remaining provisions commenced 20 September 2004 (see s 2)

## 6 List of annotations

### Definitions

- s 2A ins 1998 SL No. 133 s 4  
 def “**alternative provisions**” ins 2003 SL No. 274 s 6  
 def “**Building Code of Australia**” ins 2001 SL No. 136 s 3  
 amd 2002 SL No. 66 s 4(2)  
 def “**canal**” ins 2003 SL No. 204 s 4  
 def “**fire safety system**” ins 2002 SL No. 66 s 4(1)

def “**future State-controlled road**” ins 1999 SL No. 281 s 4  
 def “**GFA**” ins 1999 SL No. 281 s 4  
 def “**land use plan**” ins 2000 SL No. 293 s 4  
 def “**LGA population 1**” ins 1999 SL No. 281 s 4  
 def “**LGA population 2**” ins 1999 SL No. 281 s 4  
 def “**port authority**” ins 2000 SL No. 293 s 4  
 def “**Queensland Development Code**” ins 2003 SL No. 150 s 24  
 def “**State-controlled road**” ins 1999 SL No. 281 s 4  
 def “**strategic port land**” ins 2000 SL No. 293 s 4  
 def “**transitional planning scheme**” ins 2000 SL No. 40 s 4  
 def “**TSA**” ins 1999 SL No. 281 s 4

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

**s 2B** ins 1999 SL No. 281 s 5

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

**s 2C** ins 1999 SL No. 281 s 5

**Type of assessment for assessable development**

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

**Alternative assessment manager—Act s 3.1.7**

**s 3A** ins 1998 SL No. 133 s 6

**Referral 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

**Jurisdiction of tribunals—Act, s 4.2.7**

**s 5AA** ins 2003 SL No. 274 s 7  
 sub 2004 SL No. 63 s 4

**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  
 amd 2003 SL No. 274 s 8; 2004 SL No. 63 s 5; 2004 SL No. 123 s 3

**Fast track fee—Act, s 4.2.16**

**s 7** ins 1998 SL No. 86 s 22

**Qualifications of general referees—Act, s 4.2.37**

**s 8** ins 1998 SL No. 86 s 22  
 amd 2002 SL No. 215 s 12 sch 2; 2003 SL No. 150 s 25  
 sub 2003 SL No. 205 s 3  
 amd 2003 SL No. 274 s 9; 2004 SL No. 63 s 6

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

s 9 ins 1998 SL No. 86 s 22  
amd 2003 SL No. 274 s 10

**Offence about acting as private certifier**

s 10 ins 1998 SL No. 86 s 23  
amd 2003 SL No. 274 s 11

**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  
amd 2002 SL No. 66 ss 5, 9; 2003 SL No. 204 s 5; 2003 SL No. 306 s 4; 2004  
SL No. 47 s 3

**SCHEDULE 1A—ALTERNATIVE ASSESSMENT MANAGERS**

ins 1998 SL No. 133 s 10  
amd 2000 SL No. 235 s 4; 2000 SL No. 293 s 6  
sub 2001 SL No. 136 s 6  
amd 2002 SL No. 66 ss 6, 10; 2002 SL No. 172 s 16; 2003 SL No. 204 s 6;  
2003 SL No. 306 s 5

**SCHEDULE 2—REFERRAL AGENCIES AND JURISDICTION**

ins 1998 SL No. 86 s 23  
sub 1998 SL No. 133 s 11  
amd 1999 SL No. 281 s 7; 2000 SL No. 235 s 5; 2000 SL No. 293 s 7; 2000  
SL No. 295 s 12  
sub 2001 SL No. 136 s 6  
amd 2002 SL No. 66 ss 7, 11, 12; 2002 SL No. 172 s 17; 2002 SL No. 332 s 3;  
2003 SL No. 150 s 26; 2003 SL No. 189 s 131; 2003 SL No. 204 s 7; 2003  
SL No. 274 s 12; 2003 SL No. 306 s 6

**SCHEDULE 3—REFERRAL AGENCY ASSESSMENT PERIODS**

ins 1998 SL No. 86 s 23  
amd 2002 SL No. 66 s 8; 2003 SL No. 150 s 27

**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; 2003 SL No. 204 s 8

**SCHEDULE 8—COURT FEES**

ins 1999 SL No. 117 s 6  
(prev sch 4) renum 2000 SL No. 40 s 8  
sub 2000 SL No. 75 s 4; 2001 SL No. 136 s 8; 2002 SL No. 216 s 4; 2003  
SL No. 225 s 4; 2004 SL No. 178 s 3 sch