



Queensland

Sustainable Planning Amendment Regulation (No. 4) 2011

Subordinate Legislation 2011 No. 77

made under the

Sustainable Planning Act 2009

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[s 1]

1 Short title

This regulation may be cited as the *Sustainable Planning Amendment Regulation (No. 4) 2011*.

2 Regulation amended

This regulation amends the *Sustainable Planning Regulation 2009*.

3 Amendment of sch 3 (Assessable development, self-assessable development and type of assessment)

- (1) Schedule 3, part 1, table 4, item 4 and heading—
omit, insert—

‘For particular dams		
4	Operational work that is the construction of a dam or is carried out in relation to a dam if, because of the work, the dam must be failure impact assessed.	Code assessment, if the chief executive administering the Water supply Act is the assessment manager’.

- (2) Schedule 3, part 1, table 5, item 5, column 2, ‘is in a wild river area’—
omit, insert—
‘—
(a) is in a wild river area; and
(b) is not self-assessable development under part 2.’
- (3) Schedule 3, part 2, table 2, item 1, column 2, ‘, other than in a wild river area,’—
omit.
- (4) Schedule 3, part 2, table 4, after item 2, under heading ‘For waterway barrier works’—

insert—

'2A	<p>For assessing operational work against the Fisheries Act, operational work in a wild river area that is the construction or raising of waterway barrier works, if the waterway barrier works are—</p> <p>(a) temporary; and</p> <p>(b) necessary for the maintenance of—</p> <p>(i) existing specified works; or</p> <p>(ii) existing waterway barrier works.'</p>
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(5) Schedule 3, part 2, table 5, item 1 and heading—

*omit, insert—***'For an environmentally relevant activity**

'For an environmentally relevant activity	
1	<p>Development for aspects of—</p> <p>(a) an extraction ERA or a screening ERA carried out in compliance with the code of environmental compliance called 'Code of environmental compliance for certain aspects of extractive and screening industries (ERA 16)', made under a regulation under the Environmental Protection Act; or</p> <p>(b) if the development is not self-assessable development under paragraph (a)—an environmentally relevant activity (other than an agricultural ERA, a mining activity or a chapter 5A activity) for which a code of environmental compliance has been approved or made under a regulation under the Environmental Protection Act, but only to the extent development for the activity is not in a wild river area.'</p>

4 Amendment of sch 4 (Development that can not be declared to be development of a particular type—Act, section 232(2))

Schedule 4, table 5, after item 10—

insert—

'10A	<p>All aspects of development carried out before 1 July 2013 for the construction of the light rail project known as the Gold Coast Rapid Transit project, to provide light rail transport infrastructure along the route shown on the map included in the document called 'Gold Coast rapid transit interactive map features' dated 10 March 2011.</p> <p><i>Editor's note—</i></p> <p>The document called 'Gold Coast rapid transit interactive map features' dated 10 March 2011 is available at <www.goldcoastrapidtransit.qld.gov.au>.'</p>
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5 Amendment of sch 5 (Applicable codes, laws and policies for particular development)

Schedule 5, part 1, table 4, item 5, heading, ‘Referable’—

omit, insert—

‘**Particular**’.

6 Amendment of sch 6 (Assessment manager for development applications)

(1) Schedule 6, table 3, item 3, column 1, subparagraph (a)(ii)—

omit, insert—

‘(ii) the construction of a dam, or that is carried out in relation to a dam, if, because of the work, the dam must be failure impact assessed; and’.

(2) Schedule 6, table 4, item 2, column 1, paragraph (a)(iii)—

omit, insert—

‘(iii) operational work for the construction of a dam, or that is carried out in relation to a dam, if, because of the work, the dam must be failure impact assessed;’.

(3) Schedule 6, table 4, item 5, column 1, paragraph (b)(ii)—

omit, insert—

‘(ii) for the construction of a dam, or that is carried out in relation to a dam, if, because of the work, the dam must be failure impact assessed; and’.

(4) Schedule 6, table 4, item 10, column 1, paragraph (a)(ii)—

omit, insert—

‘(ii) for the construction of a dam, or that is carried out in relation to a dam, if, because of the work, the dam must be failure impact assessed; and’.

(5) Schedule 6, table 4, item 11, column 1, paragraph (b)(ii)—

omit, insert—

‘(ii) for the construction of a dam, or that is carried out in relation to a dam, if, because of the work, the dam must be failure impact assessed; and’.

7 Amendment of sch 7 (Referral agencies and their jurisdictions)

(1) Schedule 7, table 2, item 11 and heading—

omit, insert—

‘Particular dams			
‘11	Operational work for the construction of a dam, or that is carried out in relation to a dam, made assessable under schedule 3, part 1, table 4, item 4	The chief executive administering the Water Supply Act—as a concurrence agency	The purposes of the Water Supply Act, to the extent the purposes relate to a dam that must be failure impact assessed’.

(2) Schedule 7, table 2, item 16, column 1, paragraph (b), ‘1000m’—

omit, insert—

‘100m’.

(3) Schedule 7, table 3, item 2, heading, ‘Land not continuous to’—

omit, insert—

‘**Development impacting on**’.

(4) Schedule 7, table 3, item 2, column 1, ‘on land not contiguous to a State-controlled road’—

omit.

8 Amendment of sch 8 (Special fire services and referral jurisdiction of Queensland Fire and Rescue Service for them)

(1) Schedule 8, part 1, item 3—

omit, insert—

‘3 emergency sound systems and intercom systems’.

[s 8]

- (2) Schedule 8, part 2, entry for Emergency lifts, dot point, ‘officer’s’—

omit, insert—

‘service’.

- (3) Schedule 8, part 2, entry for Emergency warning and intercommunication systems, heading and first and second dot points—

omit, insert—

‘Emergency sound systems and intercom systems

- achievement of specified performance of sound systems and intercom systems
- operation of interface of sound systems and intercom systems’.

- (4) Schedule 8, part 2, entry for Fire detection and alarm systems (other than stand-alone smoke alarms not required to be interconnected or connected to a fire indicator panel), second dot point, ‘local alarm bells’—

omit, insert—

‘repeater panels, strobe lights’.

- (5) Schedule 8, part 2, entry for Fire detection and alarm systems (other than stand-alone smoke alarms not required to be interconnected or connected to a fire indicator panel), after last dot point—

insert—

- if the sensitivity of a fire detection or alarm system can be varied—suitability of the sensitivity setting having regard to the location of the system and the Australian Standard for that system.’.

- (6) Schedule 8, part 2, entry for Firefighting equipment—

insert—

- provision of suitable facilities for testing internal hydrants’.

- (7) Schedule 8, part 2, entry for Prescribed buildings, heading, ‘Prescribed’—

omit, insert—

‘Hazardous’.

- (8) Schedule 8, part 2, entry for Hazardous buildings, as amended under this section, ‘prescribed’—

omit, insert—

‘hazardous’.

9 Amendment of sch 11 (Thresholds for development not contiguous to State-controlled roads)

Schedule 11, heading—

omit, insert—

‘Schedule 11 Development impacting on State-controlled roads and thresholds’.

10 Amendment of sch 14 (State resources)

Schedule 14, item 16, column 1, ‘A referable dam under the Water Supply Act’—

omit, insert—

‘A dam that must be failure impact assessed’.

11 Amendment of sch 26 (Dictionary)

- (1) Schedule 26—

insert—

‘*failure impact assessed* means failure impact assessed under the Water Supply Act, section 343.’.

- (2) Schedule 26, definition *State-controlled road*, from ‘includes’—

[s 11]

omit, insert—

‘includes—

- (a) a future State-controlled road; and
- (b) State toll road corridor land.’.

ENDNOTES

- 1 Made by the Governor in Council on 9 June 2011.
- 2 Notified in the gazette on 10 June 2011.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Local Government and Planning.

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