

STATE PLANNING POLICY 1/02

Development in the Vicinity of Certain Airports and Aviation Facilities

Integrated Planning Act 1997

STATE PLANNING POLICY 2/92
Planning for Aerodromes and Other Aeronautical Facilities

Repeal of State Planning Policy

The Minister for Local Government and Planning decided on 9 May 2002 to repeal State Planning Policy 2/92 **with effect from 2 August 2002.**

The State Planning Policy was repealed under s.2.4.6 of the *Integrated Planning Act 1997*.

Integrated Planning Act 1997

STATE PLANNING POLICY 1/02
Development in the Vicinity of Certain Airports and Aviation Facilities

The Minister for Local Government and Planning adopted State Planning Policy 1/02 on 9 May 2002.

Making of the State Planning Policy

State Planning Policy 1/02 was made under Schedule 4 of the *Integrated Planning Act 1997*.

Commencement

State Planning Policy 1/02 **took effect on 3 August 2002.**

POSITION STATEMENT

The Queensland Government considers that development in the vicinity of those airports and aviation facilities essential for the State's transport infrastructure or the national defence system should avoid:

- adversely affecting the safety and operational efficiency of those airports and aviation facilities;
- large increases in the numbers of people adversely affected by significant aircraft noise; and
- increasing the risk to public safety near the ends of airport runways.

1. PURPOSE OF THE POLICY

- 1.1** This State Planning Policy ('the SPP') sets out the State's interest concerning development in the vicinity of those airports and aviation facilities considered essential for the State's transport infrastructure or the national defence system.

2. APPLICATION OF THE POLICY

- 2.1** Under the *Integrated Planning Act 1997* (IPA), the SPP has effect when development applications are assessed, when planning schemes are made or amended, and when land is designated for community infrastructure¹.

Area to which the Policy applies

- 2.2** The SPP applies in the vicinity of those civil, military and joint-use airports² and aviation facilities² identified in Annex 1, but does not apply to those airports or aviation facilities themselves.
- 2.3** The specific areas to which the SPP applies vary with the issue being addressed and the particular airport or aviation facility, but are generally:
- beneath, or in the vicinity of, the airports' operational airspace²;
 - in the vicinity of the aviation facilities;
 - within areas defined by the 20 Australian Noise Exposure Forecast (ANEF)² contour at and around each airport; and
 - the public safety areas identified in Annex 3.

¹ SPP 1/02 Guideline: *Development in the Vicinity of Certain Airports and Aviation Facilities* describes in more detail how the SPP applies.

² See Section 9, Glossary.

Development to which the Policy applies

- 2.4** The SPP applies to development that:
- involves the actions or activities described in Annex 2 where these could adversely affect the safety and operational efficiency of operational airspace or the functioning of aviation facilities; or
 - has the potential to increase the number of people living, working, congregating or attending education establishments, hospitals or public buildings within areas defined by the 20 Australian Noise Exposure Forecast (ANEF)³ contour; or
 - has the potential to increase the number of people or the use/storage of hazardous materials within public safety areas.

3. USING THE POLICY

- 3.1** The main outcome statements are depicted in bold within text boxes (Outcomes 1 to 7) and must be read in conjunction with the rest of the text.
- 3.2** Technical terms are explained or defined in Section 9, Glossary.
- 3.3** The following documents provide advice about implementing this SPP and are declared to be ‘extrinsic material’ under the *Statutory Instruments Act 1992*:
- SPP 1/02 Guideline: *Development in the Vicinity of Certain Airports and Aviation Facilities* (SPP 1/02 Guideline), as amended from time to time; and
 - Australian Standard AS 2021- 2000: *Acoustics – Aircraft Noise Intrusion – Building Siting and Construction* (AS 2021) or any Australian Standard that supersedes AS 2021.

4. COMMONWEALTH REQUIREMENTS

- 4.1** Under the *Civil Aviation Act 1988* and supporting *Civil Aviation Regulations*, certain airports are licensed and the Civil Aviation Safety Authority (CASA) exercises powers to protect operational airspace³ around those airports⁴. In addition, the Commonwealth Government’s *Airports Act 1996* and the supporting *Airports (Protection of Airspace) Regulations* provides additional powers to protect the former Commonwealth airports of Archerfield, Brisbane, Coolangatta, Mount Isa and Townsville (civil component only). Although these five airports are leased to private operators, they are ‘Commonwealth places’ and therefore remain under the jurisdiction of the Commonwealth.
- 4.2** The Department of Defence operates military airports at Amberley, Oakey and Scherger, and is a joint operator of the civil/military airport at Townsville under the *Defence Act 1903* and the *Defence Act (Areas Control Regulation)*. This legislation, either alone or in conjunction with the *Airports Act 1996*, provides for the protection of operational airspace around these airports.

³ See Section 9, Glossary.

⁴ When this SPP was adopted, all the airports listed in Annex 1 except Bamaga/Injinoo were licensed.

- 4.3** The SPP needs to be considered **in addition to** the requirements of all relevant Commonwealth legislation⁵.

5. THE NEED TO PROTECT AIRPORTS AND THE NEARBY COMMUNITY

Protecting Airports and Aviation Facilities

- 5.1** The airports and aviation facilities to which this SPP applies are essential elements of the National and State air transport network or the national defence system, and comprise a considerable investment. It is therefore essential that these airports together with those aviation facilities, be protected from development that could undermine their safety or operational efficiency. Development can adversely affect airports, aircraft operations and the functioning of aviation facilities both directly and indirectly.

Direct Impacts

- 5.2** The direct impacts involve development that has the potential to adversely affect an airport's operational airspace. The safety and efficiency of operational airspace can be compromised not only by buildings and structures, but also by 'outputs' (such as smoke, plumes and lighting) and congregations of wildlife, particularly birds or bats.
- 5.3** The functioning of navigation, communication or surveillance aviation facilities, some of which are considerable distances from airports, can be affected by physical 'line of sight' obstructions and 'outputs' such as significant electrical or electro-magnetic emissions. Annex 2 lists the actions and activities likely to compromise the operational integrity of operational airspace and aviation facilities.

Indirect Impacts

- 5.4** The indirect impacts of development arise when people living in, working in, or visiting that development perceive aircraft noise as a significant problem and consequently campaign to curtail aircraft operations to reduce the noise impacts. Therefore, encroachment by incompatible development may ultimately compromise the future of the airports to which this SPP applies⁶.

Protecting the Community

- 5.5** Incompatible development encroaching on airports also has implications for community amenity and public safety.

Community Amenity

- 5.6** People living, working and congregating in areas adversely affected by significant aircraft noise experience a reduction in amenity. Therefore, development in the vicinity of airports needs to be compatible with forecast levels of aircraft noise.

⁵ SPP 1/02 Guideline provides more information about Commonwealth requirements.

⁶ See Annex 1.

Public Safety

- 5.7** While past experience demonstrates that air transport is safe, an increased risk of an aircraft accident exists at, and immediately beyond, the ends of runways. Decisions about development need to reflect that risk to protect the safety of people in the aircraft and on the ground.

6. DEVELOPMENT OUTCOMES AND DEVELOPMENT ASSESSMENT

- 6.1** This section sets out the development outcomes expected in the vicinity of those airports and aviation facilities considered essential for the State's transport infrastructure or the national defence system. When development applications are assessed against this SPP or land is being designated for community infrastructure, regard must be had to Outcomes 1 to 4 and the remainder of Section 6. However, this SPP is not to be used when assessing development applications for building work assessable only against the *Standard Building Regulation*.

Operational Airspace and Aviation Facilities

Outcome 1: When undertaking development to which this SPP applies⁷, adverse effects on the safety and operational efficiency of operational airspace⁸ and the functioning of aviation facilities⁸ are avoided by:

- **not including the actions and activities listed in Annex 2; or**
- **including appropriate site planning and management plans that avoid the potential adverse effects of such activities.**

- 6.2** Where not depicted in the planning scheme, the areas and dimensions of an airport's operational airspace can be obtained from the airport operator and are found in the airport master plans⁸.
- 6.3** For each type of aviation facility described in Annex 1, there is a differing defined sensitive area within which development involving certain actions and activities could have adverse effects on the aviation facility concerned⁹.
- 6.4** When assessing development applications, the assessment manager will need to confirm whether the proposed development includes actions and activities that have the potential to adversely affect operational airspace or the functioning of aviation facilities. Where further clarification is necessary, it should be the subject of an information request under IDAS⁸.

⁷ See Section 2.

⁸ See Section 9, Glossary.

⁹ The differing dimensions of the sensitive areas are set out in the SPP 1/02 Guideline.

Areas affected by Significant Aircraft Noise

Outcome 2: Within areas defined by the 20 ANEF¹⁰ contour around airports to which this SPP applies, material changes of use are compatible with forecast levels of aircraft noise except where:

- **the proposed development is a development commitment¹⁰; or**
- **there is an overriding need for the development in the public interest, and no other site is suitable and reasonably available for the proposal.**

6.5 Areas affected by significant aircraft noise are those within the 20 ANEF contour. The ANEF system underpins AS 2021¹¹, which addresses aircraft noise, its compatibility with land uses, and standards of noise attenuation. An airport's ANEF chart can be found in the airport's master plan or by contacting the airport operator.

Compatible Development

6.6 Material changes of use within the 20 ANEF contour are compatible with forecast levels of aircraft noise when consistent with the SPP 1/02 Guideline's classification of land use compatibility within specific ANEF contours¹².

6.7 Development applications for material changes of use in the vicinity of an airport should identify their location in relation to the airport's ANEF chart to help establish whether the proposed use is compatible with the relevant ANEF contour. Where that information is not provided, it should be the subject of an information request under IDAS.

Development Commitments and Overriding Need

6.8 This SPP aims to avoid large increases in the numbers of people exposed to particular levels of aircraft noise. However, this objective may not be achievable in certain circumstances.

- First, existing development commitments for particular material changes of use should not be nullified by applying this SPP. Nevertheless, the adverse impacts of aircraft noise should be mitigated where practicable by the use of appropriate conditions on development permits to achieve Outcome 3.
- Second, in some cases it may be possible to demonstrate that a proposed development would fulfil a particular public interest to an extent that would override the public interest in the development being compatible with forecast levels of aircraft noise.

¹⁰ See Section 9, Glossary.

¹¹ See Paragraph 3.3 above.

¹² This classification is derived from AS 2021 and is set out in the SPP 1/02 Guideline.

- 6.9** Determining an overriding need in the public interest will depend on the circumstances of the particular development proposal. The proposal should result in a significant overall benefit to the community in social or economic terms that outweighs:
- the adverse environmental impacts arising from the development’s exposure to aircraft noise; and
 - the potential risk that occupiers of the development would at some future time pressure the airport to limit aircraft operations for environmental reasons, thereby prejudicing the airport’s efficiency and ultimately, its viability.
- Also, it should be shown that a similar benefit could not be achieved by developing other suitable and reasonably available sites¹³.

Outcome 3: Within particular ANEF contours around airports to which this SPP applies¹⁴, certain development includes noise attenuation measures.

- 6.10** Noise attenuation measures should be required for buildings associated with material changes of use that SPP 1/02 Guideline states are:
- compatible subject to conditions within the applicable ANEF contour; or
 - incompatible within the applicable ANEF contour.
- Material changes of use that are incompatible should only be permitted as a development commitment or on the grounds of overriding need in accordance with Outcome 2.

- 6.11** Where the development is compatible subject to conditions, or incompatible, the noise attenuation measures should be required to achieve the desired indoor noise levels specified in the SPP 1/02 Guideline¹⁵.

Public Safety Areas

- 6.12** Public safety areas are located at both ends of those airport runways specified in Annex 3 and have the dimensions also specified in Annex 3.

Outcome 4: Except where the proposed development is a development commitment¹⁶, development within the public safety areas at the ends of airport runways avoids:

- significant increases in people living, working or congregating in those areas; and
- the use or storage of hazardous materials.

¹³ SPP 1/02 Guideline provides advice about interpreting ‘overriding need’.

¹⁴ See Annex 1.

¹⁵ These standards are derived from AS 2021 and are set out in Chapter 4 of the Guideline. However, if a Queensland code is prepared under the *Standard Building Regulation* addressing the attenuation of aircraft noise in buildings, that code will supersede the standards set out in the SPP 1/02 Guideline for aircraft noise attenuation.

¹⁶ See Section 9, Glossary.

- 6.13** In the public safety areas, the risk of an accident involving aircraft landing and taking off is sufficient to justify restrictions on development within those areas. Increased risks to public safety can arise from development that involves the following:
- residential uses;
 - the manufacture or bulk storage of flammable, explosive or noxious materials;
 - uses that attract large numbers of people (e.g. sports stadium, shopping centre, industrial or commercial uses involving large numbers of workers or customers); or
 - institutional uses (e.g. education establishments, hospitals).
- 6.14** Development commitments stand and should not be nullified by applying this SPP, except where owners/developers agree by negotiation to reduce the scale of the public risk within the public safety areas. However, conditions on development permits should be used to minimise the risk where such conditions are consistent with the development commitment¹⁷.

7. MAKING AND AMENDING A PLANNING SCHEME

- 7.1** Planning schemes should aim to achieve Outcomes 1 to 4 in Section 6 by identifying particular information, and containing appropriate planning strategies and development assessment measures.

Identifying relevant information in the Planning Scheme

Outcome 5: The planning scheme identifies:

- a) for each of the airports identified in Annex 1:
 - the operational airspace; and
 - areas within the 20 ANEF¹⁸ contour;
- b) the sensitive areas for the aviation facilities described in Annex 1; and
- c) public safety areas at both ends of those runways as shown in Annex 3.

Operational Airspace and Aviation Facilities

- 7.2** Operational airspace should be identified in the planning scheme using information from the airport's master plan and, for military and joint civil/military airports, the *Defence Act (Areas Control Regulation)* under the *Defence Act 1903*. Where there is no airport master plan, operational airspace should be identified in consultation with the airport operator.
- 7.3** SPP 1/02 Guideline contains information on the types of aviation facilities that occur in the relevant local government areas. For each type of facility, the dimensions of sensitive areas within which development has the potential to affect the functioning of aviation facilities are described in the Guideline.

¹⁷ SPP 1/02 Guideline provides advice about such use of conditions.

¹⁸ See Section 9, Glossary.

Areas affected by Significant Aircraft Noise

- 7.4** The planning scheme should identify the ANEF contours derived from an airport's ANEF chart, which identifies a series of ANEF contours from 20 upwards. An airport's ANEF chart can be found in the airport master plan¹⁹ or by contacting the airport operator.

Public Safety Areas

- 7.5** Annex 3 specifies the airports and runways for which public safety areas should be identified, and the dimensions of those public safety areas.

Reflecting the SPP in Planning Strategies

Outcome 6: For areas to which this SPP applies²⁰, the planning scheme contains planning strategies that give preference to development that:

- a) avoids adversely affecting the safety and efficiency of an airport's operational airspace or the functioning of aviation facilities;**
- b) is compatible with forecast levels of aircraft noise within the 20 ANEF contour; and**
- c) avoids increasing risks to public safety near the ends of airport runways.**

Operational Airspace and Aviation Facilities

- 7.6** Allocated land uses and associated development in the vicinity of airports and aviation facilities should be consistent with Outcome 1.

Areas affected by Significant Aircraft Noise

- 7.7** Allocated land uses and associated development within the 20 ANEF contour should be consistent with Outcome 2 and SPP 1/02 Guideline regarding the suitability of particular land uses within specific ANEF contours.

Public Safety Areas

- 7.8** Allocated land uses and associated development within public safety areas should be consistent with Outcome 4.

¹⁹ See Section 9, Glossary.

²⁰ See Section 2.

Reflecting the SPP in detailed Planning Scheme measures

Outcome 7: The planning scheme contains detailed measures that:

- a) include a code(s) designed to achieve development outcomes that are consistent with Section 6; and**
- b) ensure that development to which this SPP applies is assessable or self-assessable against that planning scheme code(s).**

The planning scheme, or planning scheme policy(s), specifies the information expected to be submitted with development applications subject to the code(s).

- 7.9** The combination of development assessment tables and code(s) in the scheme need to ensure that all relevant development is assessed against specific development standards that are consistent with Section 6.
- 7.10** Section 6 describes the information that should be submitted with development applications that are to be assessed against the code(s). The planning scheme or supporting planning scheme policy(s) should make it clear that where such information is not provided with a development application, that information will be subject to an information request under IDAS²¹.

8. INFORMATION AND ADVICE ON THE POLICY

- 8.1** The Queensland Department of Transport can provide advice on the interpretation and implementation of the policy, and the relevant contacts in appropriate agencies for specific aviation issues.
- 8.2** The Queensland Department of Local Government and Planning can provide advice about reflecting the SPP in planning schemes and the operation of IDAS.

9. GLOSSARY

- 9.1** The following terms are used in the SPP as defined below.

Airport: refers to the airports (civil, military or joint civil/military) listed in Annex 1. The term includes all site facilities and any building, installation and equipment used for the control of aircraft operations and any facility provided at such premises for the housing, servicing, maintenance and repair of aircraft, and for the assembly of passengers or goods.

Airport master plan: sets out the future development and operational parameters of the airport. The plans are prepared and adopted by the airport operator and various components are endorsed by the relevant Commonwealth agencies.

²¹ See Section 9, Glossary.

Airport master plan: sets out the future development and operational parameters of the airport. The plans are prepared and adopted by the airport operator and various components are endorsed by the relevant Commonwealth agencies.

Australian Noise Exposure Forecast (ANEF): a single number index (expressed on an ANEF chart as a series of contours) that predicts for a particular future year (usually 10 or 20 years ahead) the cumulative exposure to aircraft noise likely to be experienced by communities near airports during a specified time period (usually one year). [NB: A detailed definition and explanation is set out in the SPP 1/02 Guideline].

Aviation facilities: navigation, communication or surveillance installations provided to assist the safe and efficient movement of aircraft. Such facilities may be located either on or off airport.

Development commitment: includes any of the following:

- development with a valid development approval;
- exempt development, self-assessable development or development only assessable against the *Standard Building Regulation*;
- development clearly consistent with the relevant zone (or equivalent) in a planning scheme;
- development for a land use that is allocated in a transitional planning scheme (e.g. strategic plan, development control plan) where the development intent is clear and unqualified;
- a subdivision or other reconfiguration of allotment boundaries consistent with the requirements of the relevant planning scheme; or
- development consistent with a designation for community infrastructure.

Integrated Development Assessment System (IDAS): IDAS is a framework that establishes a common statutory system under the IPA for making, assessing and deciding development applications – regardless of the nature of development, its location in Queensland or the authority administering the regulatory control.

Operational airspace:

a) for civilian airports:

the areas and vertical dimensions of the Obstacle Limitation Surface (OLS) and the Procedures for Air Navigation Services - Aircraft Operational Surfaces (PANS-OPS); and

b) for military airports:

the areas and vertical dimensions of the Obstruction Clearance Surfaces (OCS) and the height restriction zones defined in the *Defence Act (Areas Control Regulation)* under the *Defence Act 1903*; and

c) for airports operating as joint civil and military airports:

the Joint Obstruction Clearance Surfaces (combination of the military OCSs, height restriction zones and the civilian OLS and PANS-OPS) as depicted in the *Defence Act (Areas Control Regulation)* under the *Defence Act 1903*.

Public safety area: an area defined in this SPP immediately beyond the end of a runway and having a relatively high risk from an aircraft incident. The dimensions of the public safety areas are set out in Annex 3.

Airports and Aviation Facilities to which the SPP applies

Airports

A1.1 The following airports have been determined as being of State significance on the basis that they meet one or more of the following criteria:

- is used as an international gateway or international alternate;
- is used regularly for military purposes;
- is under the control of a State agency as trustee;
- is a key regional hub;
- is an economic, industry, mining or tourism centre;
- is likely to influence major growth, environmental or land use decisions;
- plays a key emergency service role; or
- has a significant number of aircraft movements.

Amberley*	Mackay
Archerfield+	Mareeba
Bamaga / Injinoo	Maroochydore / Sunshine Coast
Brisbane+	Maryborough
Bundaberg	Mount Isa+
Cairns	Oakey*
Coolangatta / Gold Coast+	Proserpine
Emerald	Rockhampton
Gladstone	Scherger*
Hamilton Island	Toowoomba
Hervey Bay	Townsville*+
Horn Island	Weipa
Longreach	

* Military airports that are subject to the *Defence Act (Areas Control Regulation)* implemented by the Commonwealth Department of Defence under the *Defence Act 1903*. Proposed works that would be taller than the height shown in the height restriction zones for these airports require the approval of the Department of Defence.

+ Although leased to private operators (or part leased in the case of the joint civil/military airports), these airports are ‘Commonwealth places’ within the meaning of the *Commonwealth Places (Application of Laws) Act 1970* and come under the regulatory regime of the *Commonwealth Airports Act 1996*. Part 12 of the *Airports Act 1996*, and the *Airports (Protection of Airspace) Regulations* made under this Part provide for the protection of airspace around these airports.

Aviation Facilities

- A1.2** The SPP applies to aviation facilities that have a navigation, communication or surveillance function and are:
- directly associated with the operations of an airport listed above and operated by the airport owner; or
 - a system-wide (or en-route) aviation facility operated by Airservices Australia, the Commonwealth Department of Defence, or another agency under contract to the Commonwealth.
- A1.3** The SPP 1/02 Guideline contains a list of the aviation facilities to which the SPP applies, together with the type of facility and the local government areas in which they are located.
- A1.4** Regard should also be given to Commonwealth legislation covering aviation facilities, in particular the *Air Services Act 1995*, *Civil Aviation Act 1988* and the *Defence Act 1903*.

Adverse Effects on Operational Airspace and Aviation Facilities

Operational Airspace

A2.1 Adverse effects on operational airspace can arise from development that involves the following (includes 'Controlled Activities' as per Section 182 of the *Airports Act 1996*):

- a permanent or temporary physical obstruction (natural or man-made) of operational airspace;
- a gaseous plume with a high velocity (exceeding 4.3m per second) that penetrates operational airspace;
- transient intrusions into operational airspace of aviation activities (e.g. parachuting or hot air ballooning);
- a propensity to attract wildlife, in particular flying vertebrates (e.g. birds or bats), into operational airspace (from land uses such as landfill [waste management], race tracks or food processing plants);
- lighting that could:
 - a) distract or temporarily interfere with a pilot's visibility while in control of approaching or departing aircraft; or
 - b) confuse pilots through similarities with approach or runway lighting; or
- the generation and emission of airborne particulate, which may impair the visual conditions in the vicinity of an airport.

Aviation Facilities

A2.2 Adverse effects on the functioning of aviation facilities can arise from development that penetrates a facility's sensitive area by:

- physical 'line of sight' obstructions;
- electrical or electro-magnetic emissions; or
- structures containing a reflective surface.

Note: SPP 1/02 Guideline provides more detail on the actions and activities listed above, including the circumstances where adverse impacts on operational airspace and aviation facilities should be addressed.

ANNEX 3

Airport Runways for which a Public Safety Area applies

A3.1 A public safety area is identified for the main runways at the airports listed below:

- | | | |
|----|--------------------------|-------------------------------|
| a) | Amberley | Mackay |
| | Archerfield | Maroochydore / Sunshine Coast |
| | Brisbane | Oakey |
| | Cairns | Rockhampton |
| | Coolangatta / Gold Coast | Townsville |
| | Gladstone | Scherger |
| | Longreach | |

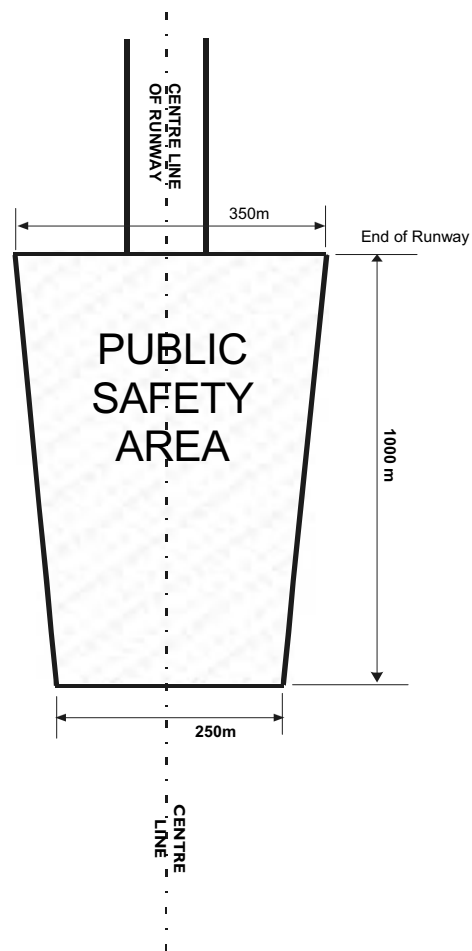
And

- b) Other runways for the airports listed in a) above or for the airports listed in Annex 1 where:
- regular public transport jet aircraft services are provided; or
 - where a high level of aircraft movements exist (i.e. greater than 10,000 per year, excluding light aircraft movements)²².

A3.2 The Queensland Department of Transport can advise which airports are expected to experience such a level of traffic movements.

²² At the time this SPP was adopted, no runways other than those listed in a) met either of these criteria.

DIMENSIONS FOR A PUBLIC SAFETY AREA



Note: Applies to each runway end.

Explanatory Notes:

1. The dimensions above indicate an area where the risk per year, resulting from an aircraft crash, to a representative individual (individual risk) is of the order of 1 in 10,000 (10^{-4}).
2. The dimensions also partially enclose an area of individual risk of the order of 1 in 100,000 (10^{-5}). As general guidance, it would be inappropriate for a use described in Section 6.13 of the SPP to be exposed to a higher individual risk than 1 in 10,000 (10^{-4}).

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Copies of the State Planning Policy 1/02 – *Development in the Vicinity of Certain Airports and Aviation Facilities* are available on the Department of Local Government and Planning's website at www.dlgp.qld.gov.au as well as Queensland Transport's website at www.transport.qld.gov.au

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