

Fact sheet

An overview of how the Minister's extension notice under the Planning Act 2016 that took effect on 1 September 2021 applies to undertaking approved development

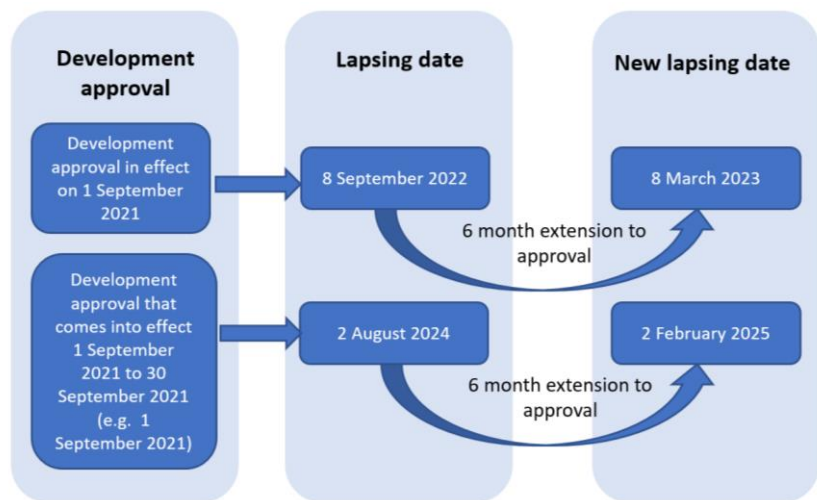
The COVID-19 applicable event 1/2021 was declared on 29 June 2021. During this applicable event, on 1 September 2021, the Minister for Planning published an extension notice providing additional time for undertaking approved development to assist local governments, businesses, industry and the state government to manage the impacts of COVID-19 on their operations.

The notice applies to the whole of Queensland and is effective until 30 September 2021.

Which development approvals receive the extension?

The extension notice extended the periods stated in the notice by six months. The extension notice applied to development approvals and compliance permits that were in effect on 1 September 2021, or that come into effect between 1 September 2021 and 30 September 2021. See over page for a copy of the notice.

The extension applies in perpetuity, even though the effect of the notice ends on 30 September 2021.



Where a development approval had received the six month extension notice given by the Planning Minister in July 2020 and was still in effect on 1 September 2021, this extension applies in addition to the six months already provided.

For example:

- ✓ a development approval that would have ordinarily lapsed on 1 September 2021 will not lapse until 1 March 2022.
- ✓ a development approval that was in effect on 1 September 2021 and was due to lapse on 8 September 2022 now won't lapse until 8 March 2023.
- ✓ a development approval that came into effect on 1 September 2021 that would have ordinarily lapsed on 2 September 2024, would now not lapse until 2 March 2025.
- ✓ where an approval was originally due to lapse in September 2021 and an extension application had been in approved in May 2019 extending the currency period until 2 September 2022, this would now not lapse until March 2023.
- ✓ where an approval would have lapsed prior to 1 September 2021 but there was an extension application lodged prior to the approval lapsing, the extension notice would apply. Section 87 of the Planning Act outlines how the currency period is affected based on the decision that is given by the assessment manager.

When the extension does not apply

The extension notice does not:

- ☒ revive development approvals that had lapsed before 1 September 2021.
- ☒ apply to development approvals given between 1 September 2021– 30 September 2021 that only took effect after 30 September 2021.
- ☒ apply in addition to an extension application decision that is given after 1 September 2021– for example, where an extension application had been approved in September 2021 extending the currency period until 2 September 2022, the lapse date remains unchanged as 2 September 2022.
- ☒ apply to building work approvals to which section 71 of the *Building Act 1975* applies. Section 71 broadly relates to approvals for building work to demolish or remove a building or structure, or rebuild, after removal, a building or structure.

Copy of the 1 September 2021 Ministers extension notice

EXTENSION NOTICE MADE UNDER THE *PLANNING ACT 2016*

I, the Honourable Steven Miles MP, Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning, notify under section 275R of the *Planning Act 2016*, that I extend by a period of six (6) months:

1. development approval and compliance permit currency periods under section 85, section 299(2) or any other relevant provision of the *Planning Act 2016*; and
2. development approval periods for completion of development referenced in section 88, section 342 or any other relevant provision of the *Planning Act 2016*.

This notice does not apply to building development approvals for building works to which section 71 of the *Building Act 1975* applies.

This notice applies to all of the State of Queensland and has effect from 1 September 2021 to 30 September 2021, inclusive.



STEVEN MILES MP
DEPUTY PREMIER
Minister for State Development, Infrastructure,
Local Government and Planning

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