

Fact Sheet

An overview of how the Minister's extension notice under the Planning Act 2016 that took effect on 29 April 2022 applies to undertaking approved development

The COVID-19 applicable event 1/2021 was declared on 29 June 2021. During this applicable event, on 29 April 2022, the Planning Minister published an extension notice providing additional time for undertaking approved development to assist local governments, business, industry and the state government manage the impacts of COVID-19 on their operations.

The notice applies to the whole of Queensland and is effective until 24 June 2022.

Which development approvals receive the extension?

The extension notice extended the periods stated in the notice by **one year (12 months)**. The extension notice applies to development approvals and compliance permits either in effect on 29 April 2022, or those that come into effect between 29 April 2022 and 24 June 2022. See over page for a copy of the notice.

The extension applies in perpetuity, even though the effect of the notice ends on 24 June 2022.

When does the extension apply?

The extension notice will apply from the day the notice is published on the department's website until 24 June 2022 (unless revoked earlier).

This means that development approvals which were either in effect on 29 April 2022, or those that come into effect between 29 April 2022 and 24 June 2022, will automatically have an additional one year to undertake the approved development.

Where a development approval had received any of the previous six-month extension notices given by the Planning Minister in July 2020 and/or September 2021, and was still in effect on 29 April 2022, this extension applies in addition to the previous extensions already provided.

Examples of how the extension may apply are provided below:

- A development approval that would have ordinarily lapsed on 29 April 2022 will not lapse until 29 April 2023.
- A development approval that was in effect on 29 April 2022 and was due to lapse on 29 April 2023 now won't lapse until 29 April 2024.
- A development approval that came into effect on 29 April 2022 that would have ordinarily lapsed on 29 April 2026, would now not lapse until 29 April 2027.
- Where an approval was originally due to lapse on 15 June 2022 and an extension application had been in approved in May 2021 extending the currency period until 15 June 2023, this would now not lapse until 15 June 2024.
- Where an approval was originally due to lapse in April 2022 and an extension application had been approved 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

Some examples of when the extension notice does not apply include:

- The extension does not revive development approvals that had lapsed before 29 April 2022.



The extension does not apply to development approvals granted between 29 April 2022 and 24 June 2022 that only took effect after 24 June 2022.



The extension does not apply in addition to an extension application decision that is given after 29 April 2022 – for example, where an extension application had been approved on 2 May 2022 extending the currency period until 23 May 2023, the lapse date remains unchanged as 23 May 2023.



The extension notice applies to building development approvals except those for building works 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 29 April 2022 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, Minister Assisting the Premier on Olympics, notify under section 275R of the *Planning Act 2016*, that I extend by a period of twelve (12) 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 29 April 2022 to 24 June 2022.

STEVEN MILES MP
DEPUTY PREMIER
Minister for State Development,
Infrastructure, Local Government and Planning
Minister Assisting the Premier on Olympics Infrastructure

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