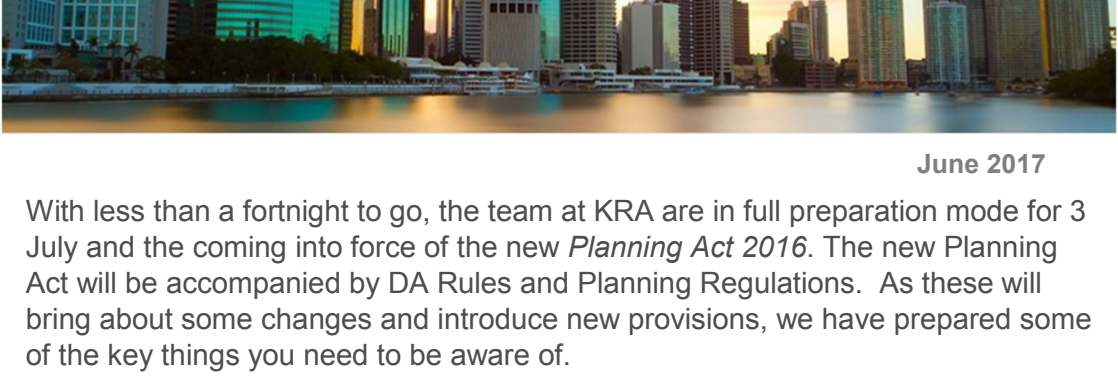


New Planning Act 2016 Update



June 2017

With less than a fortnight to go, the team at KRA are in full preparation mode for 3 July and the coming into force of the new *Planning Act 2016*. The new Planning Act will be accompanied by DA Rules and Planning Regulations. As these will bring about some changes and introduce new provisions, we have prepared some of the key things you need to be aware of.

TERMINOLOGY UPDATE – KNOW THE LINGO

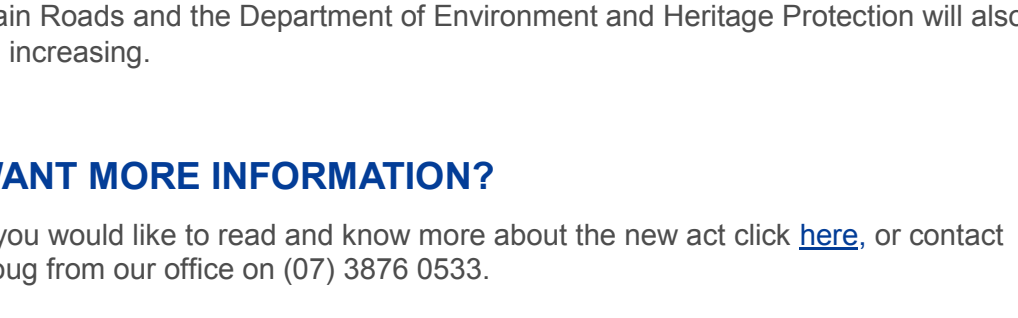
Some key terms are changing under the new Act. For example, exempt and self-assessable development will now be referred to as 'accepted development'. Assessment criteria commonly referred to as 'codes' will be replaced by 'assessment benchmarks', and an Acknowledgment Notice will be called a 'Confirmation Notice'.

TIMEFRAMES

With the new Act comes new development assessment timeframes. The changed timeframes will affect all parties involved including Councils, Referral Agencies and applicants. Some key changes include:

- The timeframe for applicants to respond to an Information Request (IR) has reduced from 6 months to 3 months;
- There are no 'automatic' extensions of IR and Decision Periods by Assessment Managers (usually Councils) and Referral Agencies;
- The decision period is now 35 business days. This timeframe includes the number of days taken by Council to make an information request (e.g. If Council takes 10 business days to send an IR, the decision period will be reduced to 25 business days);
- Applicants have the ability to 'stop the clock' – the application assessment can be temporarily stopped (for as many time as desired) for up to a maximum of 130 business days;
- Longer currency periods for development approvals. For example, the currency period for a Material Change of Use (MCU) has been increased from 4 to 6 years. For Reconfiguring a Lot, the period has increased from 2 to 4 years; and
- Removal of currency period 'rolling provisions' – this is the unofficial term to describe the current process whereby a related approval (e.g. operational work approval following an MCU or Reconfiguring a Lot approval) automatically extends the currency period for the original approval. This will mean that you may need to extend the currency period for existing approvals that have not been enacted or where you have not yet obtained a related approval.

The following graph compares the overall assessment timeframes (business days) between the current and new planning framework for a range of development application scenarios.



Source: Department of Infrastructure, Local Government and Planning 2017

NEW BCC FEES AND CHARGES

As of 1 July 2017 Brisbane City Council will be updating their development assessment fees and charges. Council has recently released the new fees which are available on Council's website [here](#).

Come 3 July, the referral fees for agency's including Department of Transport and Main Roads and the Department of Environment and Heritage Protection will also be increasing.

WANT MORE INFORMATION?

If you would like to read and know more about the new act click [here](#), or contact Doug from our office on (07) 3876 0533.

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Ken Ryan & Associates Pty Ltd—June 2017