

Temporary Accepted Development

This fact sheet provides an overview of the new Temporary Accepted Development provisions under the Housing Availability and Affordability (Planning and Other Legislation Amendment) Bill 2023.

Why have the temporary accepted development provisions been introduced?

Local governments generally decide whether a particular type of development needs planning approval, and if so whether public notification is required. This helps local governments to plan appropriately for their community and ensure the right type of development occurs in the right places.

However, in some cases changing the use of a premises (which is a type of development) for a temporary period can help the State and local governments to quickly respond to an urgent or emerging issue. As planning approvals take time, the delivery of development to meet an urgent need can be subject to delays.

Key Features:

- Enables the government to respond to urgent or emergent needs (such as temporary housing).
- Allows development to be declared temporary accepted development for a stated period of time under the Planning Regulation.
- The Planning Regulation may set parameters such as locational requirements or threshold limitations to minimise impacts on the community or the environment.

What is the temporary accepted development framework?

The Bill establishes a framework that allows for a material change of use of a premises to be declared 'temporary accepted development' for a stated period, and therefore does not require planning approval. This provides a mechanism through which the government can respond to urgent and emerging issues to achieve positive community outcomes in a timely manner.

Proposed amendments ¹	
Planning Act	<ul style="list-style-type: none">• The Bill amends the Planning Act to enable a material change of use of a premises be declared temporary accepted development under the Planning Regulation for stated period.• At the end of the state period the use rights afforded under the declaration will cease. At that time, the use rights will revert to what was in place prior to the declaration. Alternatively, if required under the relevant planning scheme, a person may apply for a development approval for the material change of use while the declaration is in place.
Planning Regulation	<ul style="list-style-type: none">• Temporary accepted declarations will be made under the Planning Regulation. The declaration will state the material change of use which will be accepted development and the time period in which development approval is not required.• The declaration may include location requirements or thresholds which must be met.• Proposed declarations will be considered on a case-by-case basis and will require Planning Minister and Governor in Council approval.• There are no declarations proposed for inclusion in the Planning Regulation at this time.

Further information

For further information please contact the Department of State Development, Infrastructure, Local Government and Planning via planning4housing@dasilgp.qld.gov.au.

¹ The table below provides indication of the nature of the amendments.

