



Queensland

Planning (Community Residence) Amendment Regulation 2017

Subordinate Legislation 2017 No. 222

made under the

Planning Act 2016

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[s 1]

1 Short title

This regulation may be cited as the *Planning (Community Residence) Amendment Regulation 2017*.

2 Regulation amended

This regulation amends the *Planning Regulation 2017*.

3 Amendment of sch 6 (Development local categorising instrument is prohibited from stating is assessable development)

(1) Schedule 6, part 2, section 6(a)—

omit, insert—

- (a) the premises are included in a prescribed zone under a local categorising instrument; and

(2) Schedule 6, part 2, section 6—

insert—

(2) In this section—

prescribed zone means—

- (a) any of the following zones stated in schedule 2—
 - (i) general residential zone, low density residential zone, low-medium density residential zone, medium density residential zone, high density residential zone, character residential zone or tourist accommodation zone;
 - (ii) centre zone, neighbourhood centre zone, local centre zone, district centre zone, major centre zone or principal centre zone;
 - (iii) community facilities zone;

- (iv) environmental management and conservation zone;
 - (v) rural zone;
 - (vi) rural residential zone; or
 - (b) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone mentioned in paragraph (a).
- (3) Schedule 6, part 2—

insert—

6A Material change of use for particular supervised accommodation service

A material change of use of premises for a supervised accommodation service on lot 409 on SP257441, if—

- (a) at least 13 car parks are provided on the premises; and
- (b) at least 1 of the car parks mentioned in paragraph (a) is suitable for persons with disabilities.

4 Amendment of sch 24 (Dictionary)

- (1) Schedule 24—

insert—

supervised accommodation service—

- (a) means the use of premises for residential accommodation for no less than 7 and no more than 20 children provided as part of a program or service under the *Youth Justice Act 1992*; and
- (b) includes a building or structure that is reasonably associated with the use mentioned in paragraph (a).

- (2) Schedule 24, definition *community activity*—

insert—

(ha) a supervised accommodation service; or

- (3) Schedule 24, definition *community activity*, paragraphs (i) and (j), ‘paragraphs (a) to (h)’—

omit, insert—

paragraphs (a) to (i)

- (4) Schedule 24, definition *community activity*, paragraphs (ha) to (j)—

renumber as paragraphs (i) to (k).

- (5) Schedule 24, definition *community residence*, paragraph (a)(i)—

omit, insert—

(i) no more than—

(A) 6 children, if the accommodation is provided as part of a program or service under the *Youth Justice Act 1992*; or

(B) 6 persons who require assistance or support with daily living needs; and

- (6) Schedule 24, definition *residential development*, paragraph (b)—

insert—

(iiia) a supervised accommodation service; or

- (7) Schedule 24, definition *residential development*, paragraph (b)(iiia) to (v)—

renumber as paragraph (b)(iv) to (vi).

- (8) Schedule 24, definition *sensitive land use*—

insert—

(ua) a supervised accommodation service; or

- (9) Schedule 24, definition *sensitive land use*, paragraphs (ua) and (v)—
renumber as paragraphs (v) and (w).

ENDNOTES

- 1 Made by the Governor in Council on 26 October 2017.
- 2 Notified on the Queensland legislation website on 27 October 2017.
- 3 The administering agency is the Department of Infrastructure, Local Government and Planning.

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