



Queensland

Planning Amendment Regulation 2025

Subordinate Legislation 2025 No. 149

made under the

Planning Act 2016

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1 Short title

This regulation may be cited as the *Planning Amendment Regulation 2025*.

2 Commencement

- (1) This regulation, other than sections 4(1), 14 and 15, commences on 28 November 2025.
- (2) Sections 4(1), 14 and 15 commence on 3 December 2025.

3 Regulation amended

This regulation amends the *Planning Regulation 2017*.

4 Amendment of s 16 (Development local categorising instrument is prohibited from stating is assessable development—Act, s 43)

- (1) Section 16—
insert—
 - (2) This subsection and schedule 6, section 2B expire on 2 December 2026.
- (2) Section 16(3) and (4)—
omit, insert—
 - (3) This subsection and schedule 6, section 7C expire on 16 December 2027.
 - (4) This subsection and schedule 6, section 33 expire on 16 December 2026.

5 Amendment of s 18 (Accepted development—Act, s 44)

Section 18(2), from ‘the day that’ to ‘commences’—

omit, insert—

16 December 2026

6 Amendment of s 20A (When particular development for rural workers' initiative is not assessable development)

Section 20A(3), from 'the day that' to 'commences'—

omit, insert—

16 December 2026

7 Insertion of new pt 4, div 1A

Part 4—

insert—

Division 1A Temporary accepted development

20C Temporary accepted development declaration—Act, s 46A

- (1) For section 46A of the Act, a material change of use of premises stated in schedule 7A is declared to be temporary accepted development for the period starting on 28 November 2025 and ending on 31 December 2029, both dates inclusive.
- (2) This division and schedule 7A expire on 1 January 2030.

8 Replacement of pt 10, hdg (Transitional provision for Nature Conservation and Other Legislation (Koala Protection) Amendment Regulation 2020)

Part 10, heading—

omit, insert—

Part 10 Transitional provisions

Division 1 Transitional provision for Nature Conservation and

Other Legislation (Koala Protection) Amendment Regulation 2020

9 Relocation and renumbering of pts 11–13

Parts 11 to 13—

relocate to part 10 and *renumber* as part 10, divisions 2 to 4.

10 Insertion of new pt 10, div 5

Part 10—

insert—

Division 5 Transitional provisions for Planning Amendment Regulation 2025

77 Definitions for division

In this division—

build to rent housing use term means the use term *build to rent housing* stated in new schedule 3, column 1.

former, for a provision of this regulation, means the provision as in force immediately before the commencement.

new, for a provision of this regulation, means the provision as in force from the commencement.

78 Reference to build to rent administrative term in local planning instrument

- (1) This section applies if, immediately before the commencement, a local planning instrument included the build to rent administrative term.

-
- (2) From the commencement, the local planning instrument may continue to include—
 - (a) the build to rent administrative term; and
 - (b) the definition of the term stated opposite the term in former schedule 4, column 2.
 - (3) Subsection (2) stops applying if the local planning instrument is amended—
 - (a) to include the build to rent housing use term and the definition of the term stated opposite the term in new schedule 3, column 2; or
 - (b) to omit the build to rent administrative term.
 - (4) This section applies despite section 8(2).
 - (5) In this section—

build to rent administrative term means the administrative term *build to rent* stated in former schedule 4, column 1.

79 Application of particular provisions

- (1) Until the prescribed day for a local government area—
 - (a) the following provisions do not apply in relation to the local government area—
 - (i) new schedule 2;
 - (ii) the build to rent housing use term and the definition of the term stated opposite the term in new schedule 3, column 2;
 - (iii) new schedule 24, definition *build to rent housing*;
 - (iv) new schedule 24, definition *multiple dwelling*; and
 - (b) former schedule 2 and former schedule 24, definition *multiple dwelling* continue to

apply in relation to the local government area; and

- (c) this regulation applies in relation to the local government area as if a reference in a provision of the regulation, other than a provision in this division or mentioned in paragraph (a), to build to rent housing were a reference to a multiple dwelling as defined in former schedule 24, definition *multiple dwelling*.

(2) In this section—

prescribed day, for a local government area, means the earlier of the following days—

- (a) the day a local planning instrument for the area is amended to include the build to rent housing use term and the definition of the term stated opposite the term in new schedule 3, column 2;
- (b) the day a local planning instrument is made for the area that includes the build to rent housing use term and the definition of the term stated opposite the term in new schedule 3, column 2;
- (c) the day the planning scheme for the area, in force immediately before the commencement, is replaced.

11 Amendment of sch 2 (Zones for local planning instruments)

- (1) Schedule 2, entry for medium density residential zone, column 2—

insert—

- (ab) build to rent housing; and

- (2) Schedule 2, entry for medium density residential zone, column 2, paragraphs (ab) and (b)—

renumber as paragraphs (b) and (c).

- (3) Schedule 2, entry for high density residential zone, column 2—

insert—

(ab) build to rent housing; and

- (4) Schedule 2, entry for high density residential zone, column 2, paragraphs (ab) and (b)—

renumber as paragraphs (b) and (c).

12 Amendment of sch 3 (Use terms for local planning instruments)

Schedule 3—

insert—

build to rent housing	<i>build to rent housing</i> see the <i>Planning Regulation 2017</i> , schedule 24.
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13 Amendment of sch 4 (Administrative terms for local planning instruments)

Schedule 4, entry for build to rent—

omit.

14 Amendment of sch 6, s 2 (Material change of use for particular buildings or structures)

- (1) Schedule 6, section 2(7)—

omit.

- (2) Schedule 6, section 2(6)—

renumber as schedule 6, section 2(4).

15 Insertion of new sch 6, ss 2A and 2B

After schedule 6, section 2—

insert—

2A Material change of use for rooming accommodation—development approval given before 3 December 2025

- (1) A material change of use of premises for rooming accommodation, if—
 - (a) the accommodation is provided in a class 1 building; and
 - (b) the material change of use involves the carrying out of building work other than minor building work; and
 - (c) the building work—
 - (i) is carried out under a development permit given before 3 December 2025; or
 - (ii) is consistent with a development approval in effect for the premises and given before 3 December 2025; and
 - (d) the use starts within 2 years after the day the building work is completed; and
 - (e) the premises are included in a general residential zone, low density residential zone or low-medium density residential zone under a local categorising instrument; and
 - (f) the material change of use does not result in a new vehicular access to a State-controlled road; and
 - (g) the premises—
 - (i) have no more than 5 bedrooms, including any bedroom used as part of a manager's residence; and
 - (ii) are occupied by no more than 5 persons; and

-
- (h) either—
 - (i) no relevant overlay applies to the premises; or
 - (ii) a relevant overlay applies to the premises and the application of the overlay does not result in the material change of use being categorised as assessable development; and
 - (i) the material change of use does not involve a basement or an underground parking area; and
 - (j) the premises are not on a local heritage register under the *Queensland Heritage Act 1992*; and
 - (k) the material change of use provides landscaping between a building that is on the premises and the front boundary of the premises, excluding any driveway or pedestrian access.
- (2) In this section—
- (a) a reference to a zone using a particular name is taken to be a reference to the zone of that name stated in schedule 2; and
 - (b) a reference to an overlay is a reference to the overlay as identified in the local categorising instrument and relevant to assessment of the material change of use.
- (3) In this section—
- landscaping** means any combination of trees, grass, plants, garden beds and paving.

2B Other material change of use for rooming accommodation

- (1) A material change of use of premises for rooming accommodation, if—

- (a) the accommodation is provided in a class 1 building; and
 - (b) the material change of use—
 - (i) does not involve the carrying out of building work; or
 - (ii) involves the carrying out of minor building work only; and
 - (c) the premises are included in a general residential zone, low density residential zone or low-medium density residential zone under a local categorising instrument; and
 - (d) the material change of use does not result in a new vehicular access to a State-controlled road; and
 - (e) the premises—
 - (i) have no more than 5 bedrooms, including any bedroom used as part of a manager's residence; and
 - (ii) are occupied by no more than 5 persons; and
 - (f) either—
 - (i) no overlay about bush fire hazards, coastal hazards, flood hazards or landslide hazards applies to the premises; or
 - (ii) an overlay about bush fire hazards, coastal hazards, flood hazards or landslide hazards applies to the premises and the application of the overlay does not result in the material change of use being categorised as assessable development.
- (2) A material change of use of premises for rooming accommodation, if—

-
- (a) the accommodation is provided in a class 1 building; and
 - (b) the material change of use involves the carrying out of building work other than minor building work; and
 - (c) the premises are included in a general residential zone, low density residential zone or low-medium density residential zone under a local categorising instrument; and
 - (d) the material change of use does not result in a new vehicular access to a State-controlled road; and
 - (e) the premises—
 - (i) have no more than 5 bedrooms, including any bedroom used as part of a manager's residence; and
 - (ii) are occupied by no more than 5 persons; and
 - (f) either—
 - (i) no relevant overlay applies to the premises; or
 - (ii) a relevant overlay applies to the premises and the application of the overlay does not result in the material change of use being categorised as assessable development; and
 - (g) the material change of use does not involve a basement or an underground parking area; and
 - (h) the premises are not on a local heritage register under the *Queensland Heritage Act 1992*; and
 - (i) the material change of use provides landscaping between a building that is on

[s 16]

the premises and the front boundary of the premises, excluding any driveway or pedestrian access; and

(j) the area of the landscaping mentioned in paragraph (i) is—

(i) for premises with a frontage of less than 15m—at least 30m²; or

(ii) otherwise—at least 40m².

(3) In this section—

(a) a reference to a zone using a particular name is taken to be a reference to the zone of that name stated in schedule 2; and

(b) a reference to an overlay is a reference to the overlay as identified in the local categorising instrument and relevant to assessment of the material change of use.

(4) In this section—

landscaping means any combination of trees, grass, plants and garden beds.

Note—

See also section 16(2).

16 Amendment of sch 6, s 6 (Material change of use for community residence)

(1) Schedule 6, section 6, heading, after ‘residence’—

insert—

—development approval given before 29 November 2025

(2) Schedule 6, section 6(1)—

insert—

(aa) the material change of use involves the carrying out of building work; and

(ab) the building work—

- (i) is carried out under a development permit given before 29 November 2025; or
 - (ii) is consistent with a development approval in effect for the premises and given before 29 November 2025; and
 - (ac) the use starts within 2 years after the day the building work is completed; and
- (3) Schedule 6, section 6(1)(d), ‘paragraph (c)’—
omit, insert—
 paragraph (f)
- (4) Schedule 6, section 6(1)(aa) to (e)—
renumber as schedule 6, section 6(1)(a) to (h).

17 Insertion of new sch 6, s 6A

After schedule 6, section 6—

insert—

6A Other material change of use for community residence

- (1) A material change of use of premises for a community residence, if—
 - (a) the premises are included in a prescribed zone under a local categorising instrument; and
 - (b) the premises have no more than 7 bedrooms, including any bedroom used by a support worker; and
 - (c) either—
 - (i) no relevant overlay applies to the premises; or
 - (ii) a relevant overlay applies to the premises and the application of the overlay does not result in the

material change of use being categorised as assessable development; and

- (d) each building on the premises has a building height of not more than 2 storeys; and
 - (e) no more than 7 support workers attend the residence in a 24-hour period; and
 - (f) at least 2 car parks are provided on the premises for use by residents and visitors; and
 - (g) at least 1 of the car parks stated in paragraph (f) is suitable for persons with disabilities; and
 - (h) at least 1 car park is provided on the premises for use by support workers; and
 - (i) for a community residence that is a class 2 or 3 building—
 - (i) the site cover of the development is not more than 70% of the site; and
 - (ii) the building has a setback of at least—
 - (A) 6m from the front boundary of the premises; and
 - (B) 4m from the rear boundary of the premises; and
 - (C) 1.5m from each side boundary of the premises.
- (2) In this section, a reference to an overlay is a reference to the overlay as identified in the local categorising instrument and relevant to assessment of the material change of use.
- (3) In this section—

building height, of a building, means the number of storeys in the building above ground level.

outermost projection, of a building, means the outermost part of the building, other than a part that is—

- (a) a retractable blind; or
- (b) a fixed screen; or
- (c) a rainwater fitting; or
- (d) an ornamental attachment.

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; 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).

setback, for a building, means the shortest distance, measured horizontally, between the outermost projection of the building to the vertical projection of the boundary of the lot where the building is.

site, of development, means the land that the

development is to be carried out on.

Examples—

- 1 If the development is to be carried out on part of a lot, the site of development is that part of the lot.
- 2 If development is to be carried out on part of 1 lot and part of an adjoining lot, the site of the development is both of those parts.

site cover, of development, means the portion of the site, expressed as a percentage, that will be covered by a building, measured to its outermost projection, after the development is carried out, other than a building, or part of a building, that is—

- (a) in a landscaped or open space area, including, for example, a gazebo or shade structure; or
- (b) a basement that is completely below ground level and used for car parking; or
- (c) the eaves of a building; or
- (d) a sun shade.

18 Amendment of sch 6, s 7C (Material change of use for rural workers' accommodation)

Schedule 6, section 7C(c), 'no part of the premises is'—

omit, insert—

the material change of use does not result in the accommodation, or a driveway or footpath to the accommodation, being located

19 Insertion of new sch 6, ss 20B and 20C

After schedule 6, section 20A—

insert—

20B Operational work relating to prescribed water storage infrastructure

Operational work that is constructing or raising waterway barrier works that form, or will form, part of prescribed water storage infrastructure.

20C Operational work relating to pumped hydro energy storage

Operational work that is constructing or raising waterway barrier works on premises if—

- (a) the premises are used for pumped hydro energy storage; and
- (b) the waterway barrier works form, or will form, part of other infrastructure on the premises.

20 Amendment of sch 6, s 33 (Particular development for accommodating employees of rural uses for rural workers' initiative)

- (1) Schedule 6, section 33(3), definition *initiative document*, '22 August 2024'—

omit, insert—

28 November 2025

- (2) Schedule 6, section 33(3), definition *rural workers' initiative*, '9 December 2025'—

omit, insert—

16 December 2026

- (3) Schedule 6, section 33, note, 'section 16(3)'—

omit, insert—

section 16(4)

21 Omission of sch 6, s 34 (Development for relocatable classrooms at State schools)

Schedule 6, section 34—

omit.

22 Amendment of sch 7, s 5 (Operational work for taking or interfering with water)

Schedule 7, section 5(2)(b)(ii), ‘section 1014(2)(g)’—

omit, insert—

section 1014(2)(f)

23 Insertion of new sch 7, ss 6A and 6B

After schedule 7, section 6—

insert—

6A Operational work relating to prescribed water storage infrastructure

Operational work to which schedule 6, section 20B applies.

6B Operational work relating to pumped hydro energy storage

Operational work to which schedule 6, section 20C applies.

24 Insertion of new sch 7A

After schedule 7—

insert—

Schedule 7A Temporary accepted development

section 20C

1 Material change of use for relocatable classrooms at State schools

- (1) A material change of use of premises if—
 - (a) a State school is located on the premises;
and
 - (b) the material change of use involves a relocatable classroom, and any connecting infrastructure for the classroom, only; and
 - (c) the material change of use—
 - (i) does not reduce the number of existing car parking spaces, or the area of a passenger pick up or set down zone for cars or buses, on the premises; and
 - (ii) does not result in changes to an existing vehicular access to a State-controlled road; and
 - (d) for a material change of use that involves the construction of a building—
 - (i) the building height of the building is not more than 9.5m or 2 storeys; and
 - (ii) the building is located the greater of the following distances from a common boundary with adjoining premises used for a residential purpose—
 - (A) 3m;
 - (B) a distance that is equivalent to half of the building height of the building; and
 - (e) the material change of use does not result in a relocatable classroom or connecting infrastructure in any of the following areas under a State planning instrument or local instrument—
 - (i) a bushfire hazard area;

- (ii) a flood hazard area;
 - (iii) a landslide hazard area; and
 - (f) the chief executive (education), or a person engaged by the chief executive (education) to carry out works for the material change of use, gives a notice, at least 10 business days before the works start, about the material change of use to—
 - (i) the occupier of any adjoining premises; and
 - (ii) the local government of the local government area in which the premises are located.
- (2) In this section—

building height, of a building, means—

- (a) the vertical distance, measured in metres, between the ground level of the building and the highest point on the roof of the building, other than a point that is part of an aerial, chimney, flagpole or load-bearing antenna; or
- (b) the number of storeys in the building above ground level.

chief executive (education) means the chief executive of the department in which the *Education (General Provisions) Act 2006* is administered.

connecting infrastructure, for a relocatable classroom, means infrastructure required to connect existing infrastructure on the premises to any of the following—

- (a) the classroom;
- (b) infrastructure necessary for the classroom;
- (c) infrastructure necessary to access the classroom.

Examples of connecting infrastructure—

roads, paths, lighting, sewers, drains

State school means a school established under the *Education (General Provisions) Act 2006*, section 13.

25 Amendment of sch 10, pt 6 (Fisheries)

Schedule 10, part 6, division 4, subdivision 1, section 12, after ‘section 6’—

insert—

, 6A or 6B

26 Amendment of sch 10, pt 16 (SEQ regional landscape and rural production area and SEQ rural living area)

(1) Schedule 10, part 16, division 2, subdivision 3, table 1, item 4, column 2, paragraphs (a) to (e), (g) and (h)—

omit.

(2) Schedule 10, part 16, division 2, subdivision 3, table 1, item 4, column 2, paragraphs (f) and (i) to (k)—

renumber as paragraphs (a) to (d).

27 Amendment of sch 10, pt 16B (SEQ northern inter-urban break)

(1) Schedule 10, part 16B, division 9, before table 1—

insert—

Table 1AA—Assessable development under s 27J	
Column 1	Column 2
1 Development application requiring referral	Development application for a material change of use of premises that is assessable development under section 27J
2 Referral agency	The chief executive

[s 28]

Table 1AA—Assessable development under s 27J	
Column 1	Column 2
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	(a) The material change of use avoids adversely impacting the regional biodiversity network, regional landscape values or natural economic resource areas stated in the SEQ regional plan or, if the adverse impact can not be avoided, the adverse impact is minimised (b) The material change of use does not involve a residential use other than tourist accommodation or accommodation for employees (c) Any commercial, industrial or retail activity carried out as part of the use is ancillary to the use (d) The material change of use is consistent with the SEQ regional plan, including the outcomes and strategies, and subregional directions, stated in the plan
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—
7 Matters referral agency's assessment may have regard to	—
8 Fee for referral	1,714 fee units

(2) Schedule 10, part 16B, division 9, table 1, heading and item 1, column 2, '27J,'—

omit.

28 Amendment of sch 10, pt 18 (Urban design)

Schedule 10, part 18, table 1, item 1, column 2, paragraph (b)(xiv), after 'than'—

insert—

build to rent housing or

29 Amendment of sch 10, pt 19 (Water-related development)

Schedule 10, part 19, section 29(c)(ii) and (e)(ii), ‘section 1014(2)(g)’—

omit, insert—

section 1014(2)(f)

30 Amendment of sch 16 (Prescribed amounts)

Schedule 16, table, under heading ‘Residential uses’, column 1—

insert—

5 Build to rent housing

31 Amendment of sch 20 (Development impacting on State transport infrastructure and thresholds)

- (1) Schedule 20, under heading ‘Material change of use’, column 1, item 1, before paragraph (a)—

insert—

(aa) build to rent housing;

- (2) Schedule 20, under heading ‘Material change of use’, column 1, item 1, paragraphs (aa) to (h)—

renumber as paragraphs (a) to (i).

- (3) Schedule 20, under heading ‘Reconfiguring a lot’, column 1, item 25, before paragraph (a)—

insert—

(aa) build to rent housing;

- (4) Schedule 20, under heading ‘Reconfiguring a lot’, column 1, item 25, paragraphs (aa) to (h)—

renumber as paragraphs (a) to (i).

32 Insertion of new sch 23B

After schedule 23A—

insert—

**Schedule 23B Prescribed water
storage infrastructure**

Schedule 24, definition *prescribed water storage infrastructure*

- Burdekin Falls Dam on the Burdekin River
- Copperlode Falls Dam on Freshwater Creek
- Cooranga Weir on the Boyne River
- Cressbrook Creek Dam on Cressbrook Creek
- Fairbairn Dam on Nogoia River
- Fred Haigh Dam on Kolan River
- Gordonbrook Dam on the Stuart River
- Jandowae Dam on Jandowae Creek
- Kroombit Dam on Kroombit Creek
- Lake Dennis Dam at Priest Gully
- Lake MacDonald Dam on Six Mile Creek
- McKinnon Creek Detention Basin on McKinnon Creek
- Middle Creek Dam on Middle Creek
- Moody Creek Detention Basin No 1 on Moody Creek
- Moody Creek Detention Basin No 1A on Moody Creek
- Mount Morgan Water Supply - No. 7 Dam on the Dee River
- North Pine Dam on the North Pine River

- Rifle Creek Dam on Rifle Creek
- Somerset Dam on the Stanley River
- Swanbank Cooling Water Dam on Oaky Creek
- Tinaroo Falls Dam on the Barron River
- Wivenhoe Dam on the Brisbane River

33 Amendment of sch 24 (Dictionary)

(1) Schedule 24, definition *multiple dwelling*—

omit.

(2) Schedule 24—

insert—

build to rent housing means—

- (a) a residential use of premises involving 50 or more dwellings, whether attached or detached, if the dwellings—
 - (i) are used for residential tenancies under a residential tenancy agreement under the *Residential Tenancies and Rooming Accommodation Act 2008* to which that Act applies; and
 - (ii) are not held under individual titles; and
 - (iii) are managed by an on-site manager; and
 - (iv) are not for public housing; or
- (b) the use of premises for a manager's residence or an office that is ancillary to the use in paragraph (a).

multiple dwelling—

- (a) means a residential use of premises involving 3 or more dwellings, whether attached or detached; but

(b) does not include build to rent housing.

prescribed water storage infrastructure means infrastructure stated in schedule 23B.

pumped hydro energy storage see the *Energy (Renewable Transformation and Jobs) Act 2024*, schedule 1.

relevant overlay means—

(a) an overlay, or part of an overlay, that is about—

- (i) bush fire hazards, coastal hazards, flood hazards or landslide hazards; or
- (ii) safety hazards arising from historic mining activities, including, for example, mining subsidence and mining contamination; or

(b) an overlay, or part of an overlay, that includes an overlay code and is about—

- (i) development of a local heritage place; or
- (ii) development in a place with traditional building character; or
- (iii) the protection of areas of natural, environmental or ecological significance, including the protection of the biodiversity, significant animals and plants, wetlands and waterways of such areas; or
- (iv) development within an area identified on a map titled ‘ANEF’ on the State Planning Policy Interactive Mapping System.

(3) Schedule 24, definition *accommodation activity*, before paragraph (a)—

insert—

- 28 November 2025

ENDNOTES

- 1 Made by the Governor in Council on 27 November 2025.
- 2 Notified on the Queensland legislation website on 28 November 2025.
- 3 The administering agency is the Department of State Development, Infrastructure and Planning.

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