



Queensland

Planning (Battery Storage Facilities) and Other Legislation Amendment Regulation 2025

Subordinate Legislation 2025 No. 163

made under the

Economic Development Act 2012

Planning Act 2016

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Planning (Battery Storage Facilities) and Other Legislation Amendment Regulation 2025*.

2 Commencement

This regulation commences on 12 December 2025.

Part 2 Amendment of Economic Development Regulation 2023

3 Regulation amended

This part amends the *Economic Development Regulation 2023*.

4 Amendment of s 2C (PDA accepted development—Act, s 33)

Section 2C—

insert—

- (c) a material change of use of premises for a battery storage facility as defined under the *Planning Regulation 2017*.

Part 3 Amendment of Planning Regulation 2017

5 Regulation amended

This part amends the *Planning Regulation 2017*.

[s 6]

6 Amendment of s 21 (Assessment manager for development applications—Act, s 48)

(1) Section 21—

insert—

(4A) For a development application for—

- (a) a material change of use of premises for a battery storage facility that is assessable development under schedule 10, part 2, division 1 and no other assessable development, the assessment manager is the chief executive; or
- (b) a material change of use of premises for a battery storage facility that is assessable development under schedule 10, part 2, division 1 and other assessable development—
 - (i) if the other assessable development is prescribed assessable development only, the assessment manager is the chief executive; or
 - (ii) otherwise—the assessment manager is the entity decided by the Minister.

(2) Section 21(5), ‘subsection (2), (3) or (4)’—

omit, insert—

any of subsections (2) to (5)

(3) Section 21(4A) to (6)—

renumber as section 21(5) to (7).

7 Amendment of s 51F (Development requiring social impact assessment—Act, s 106T)

Section 51F—

insert—

- (c) a material change of use of premises for a battery storage facility that has a maximum instantaneous electricity output of 50MW or more.

8 Amendment of pt 5B, div 2, hdg (Pre-existing applications)

Part 5B, division 2, heading, after ‘applications’—

insert—

relating to solar farms and wind farms

9 Amendment of ss 51G–51I

Sections 51G(1), 51H(1) and 51I(2)(a), ‘section 51F’—

omit, insert—

section 51F(a) and (b)

10 Insertion of new pt 5B, div 2A

Part 5B—

insert—

**Division 2A Pre-existing applications
relating to battery storage
facilities**

**51IA Process for administering pre-existing
applications relating to battery storage
facilities—Act, s 106U**

- (1) For section 106U of the Act, this section provides for the effect of the enactment of section 51F(c) on the process for administering the following applications (each a *pre-existing application*)—

[s 11]

- (a) a development application for development mentioned in section 51F(c) that was made, but not decided, before 12 December 2025;
 - (b) a change application relating to development mentioned in section 51F(c) that was made, but not decided, before 12 December 2025.
- (2) For this section, an application is a *pre-existing application* even if the application is also for, or relates to, development other than development mentioned in section 51F(c).
- (3) On the commencement of section 51F(c)—
 - (a) if the pre-existing application is a development application that is a properly made application—the application is taken not to be a properly made application, and is taken not to have been accepted, under section 51 of the Act; or
 - (b) if the pre-existing application is a change application that has been accepted under section 79(4) of the Act—the application is taken not to have been accepted under section 79(4) of the Act.
- (4) This section does not apply in relation to a change application for a minor change to a development approval.

11 Amendment of sch 7 (Accepted development)

Schedule 7, after section 15—

insert—

16 Particular development for battery storage facility

Development to which schedule 6, section 26(6) applies.

12 Amendment of sch 10 (Development assessment)

Schedule 10—

insert—

Part 2 Battery storage facilities

Division 1 Assessable development

2 Assessable development—material change of use for battery storage facility

A material change of use of premises for a battery storage facility is assessable development, unless the material change of use is accepted development under schedule 7, section 16.

Division 2 Assessment by assessment manager

Table 1—Assessable development under s 2	
Column 1	Column 2
1 Category of assessment	Impact assessment
2 Assessment benchmarks	<p>If the chief executive is the prescribed assessment manager—the State development assessment provisions</p> <p>If the development is in a priority development area and the chief executive is the prescribed assessment manager—the relevant development instrument under the Economic Development Act for the priority development area</p>

[s 12]

Table 1—Assessable development under s 2	
Column 1	Column 2
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—
5 Fee for development application, if the chief executive is the assessment manager	13,715 fee units

Division 3 Referral agency's assessment

Table 1—Assessable development under s 2	
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 2, if the chief executive is not the assessment manager for the application
2 Referral agency	The chief executive
3 Limitations on referral agency's powers	—
4 Matters referral agency's assessment must be against	The State development assessment provisions If the development is in a priority development area—the relevant development instrument under the Economic Development Act for the priority development area
5 Matters referral agency's assessment must have regard to	—
6 Matters referral agency's assessment may be against	—

Table 1—Assessable development under s 2	
Column 1	Column 2
7 Matters referral agency’s assessment may have regard to	—
8 Fee for referral	The fee that would be payable to the chief executive if the chief executive were the assessment manager

13 Amendment of sch 24 (Dictionary)

- (1) Schedule 24, definition *pre-existing application*—
omit, insert—

pre-existing application, for part 5B, division 2,
see section 51G.

- (2) Schedule 24, definition *State development assessment provisions*, ‘28 November 2025’—
omit, insert—

12 December 2025

Endnotes

ENDNOTES

- 1 Made by the Governor in Council on 11 December 2025.
- 2 Notified on the Queensland legislation website on 12 December 2025.
- 3 The administering agency is the Department of State Development, Infrastructure and Planning.

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