



Queensland

Planning Amendment Regulation (No. 2) 2024

Subordinate Legislation 2024 No. 251

made under the

Planning Act 2016

Contents

		Page
1	Short title	2
2	Commencement	2
3	Regulation amended	2
4	Amendment of sch 2 (Zones for local planning instruments) . . .	2
5	Amendment of sch 5 (Infrastructure)	3
6	Amendment of sch 6 (Development local categorising instrument is prohibited from stating is assessable development)	3
	7D Material change of use for particular dwelling houses	3

1 Short title

This regulation may be cited as the *Planning Amendment Regulation (No. 2) 2024*.

2 Commencement

This regulation commences on 20 December 2024.

3 Regulation amended

This regulation amends the *Planning Regulation 2017*.

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

Schedule 2, entry for community facilities zone, column 2, from ‘provide’—

omit, insert—

provide for—

- (a) community-related uses, activities and facilities, whether publicly or privately owned, including, for example—
 - (i) educational establishments; and
 - (ii) hospitals; and
 - (iii) transport and telecommunication networks; and
 - (iv) utility installations; and
- (b) residential uses, if all of the dwellings for the residential use, other than caretaker’s accommodation, are—
 - (i) an affordable housing component; and
 - (ii) either on land—
 - (A) associated with a community activity comprised of a community care centre, a place of

worship or a residential care facility; or

- (B) owned, controlled or managed by an entity that carries out a community activity comprised of a community care centre, a place of worship or a residential care facility.

5 Amendment of sch 5 (Infrastructure)

Schedule 5, part 2, item 16, after ‘registered provider’—

insert—

or a registered entity under the *Australian Charities and Not-for-profits Commission Act 2012* (Cwlth)

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

Schedule 6, after section 7C—

insert—

7D Material change of use for particular dwelling houses

- (1) A material change of use of premises for a dwelling house if—
- (a) the premises are in—
- (i) a community facilities zone stated in schedule 2; or
- (ii) a zone, other than a zone stated in schedule 2, that is of a substantially similar type to a zone stated in subparagraph (i); and
- (b) the material change of use involves an existing dwelling, including, for example, a

- presbytery or caretaker's accommodation, on the premises; and
- (c) 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
 - (d) either—
 - (i) none of the following overlays apply to the premises—
 - (A) an overlay about bush fire hazards, coastal hazards, flood hazards or landslide hazards;
 - (B) an overlay about safety hazards arising from historic mining activities, including, for example, mining subsidence and mining contamination;
 - (C) an overlay about development of a local heritage place; or
 - (ii) an overlay mentioned in subparagraph (i) 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) 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.

ENDNOTES

- 1 Made by the Governor in Council on 19 December 2024.
- 2 Notified on the Queensland legislation website on 20 December 2024.
- 3 The administering agency is the Department of State Development, Infrastructure and Planning.

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