

Purpose

The purpose of this policy is to establish a consistent basis for deciding requests to Council for extension of development permits.

Scope

This policy is applicable to all development permits for material change of use, reconfiguration of a lot and operational works.

Policy Statement

When determining a request to extend the currency period of a development permit granted under the *Sustainable Planning Act 2009* or the *Planning Act, 2016* Council will assess the circumstances of each request on its merits, but will be guided by the following principles:

1. Where the original application was decided under the superseded *Sustainable Planning Act, 2009*, a first extension request will automatically be approved to match the new currency periods in the *Planning Act, 2019*. This decision will be made under delegated authority (i.e. 6 years total).
2. For applications decided under the superseded *Sustainable Planning Act, 2009* seeking a second extension or for applications decided under *Planning Act, 2016* seeking a first extension, a 2-year extension will be approved, provided the following circumstances can be demonstrated to Council's satisfaction:
 - 2.1 there are no changes to the approved development apart from Minor or Other Changes approved by Council; and
 - 2.2 the relevant level of assessment for the use has not changed to Impact Assessment; and
 - 2.3 where there have been changes to the zone or overlays affecting the site, the applicant can demonstrate that no more onerous requirements apply to the site (e.g. increased flood immunity levels)

These decisions will be made under delegated authority.

3. Requests for further extensions beyond those listed above will be required to demonstrate that:
 - 3.1 for a material change of use application, building plans have been lodged for approval with a certifier;
 - 3.2 for a reconfiguration of a lot application, a subsequent operational works application has been lodged with Council; and
 - 3.3 for an operational works application, the work has substantially commenced and is expected to be finalised within 6 months.

These applications will be determined by Council.

4. Generally, currency periods will not exceed a total of 10 year unless exceptional circumstances can be demonstrated, or for stage developments.

Requests for Extension of Time – Development Permits

Planning and Development

Applicable Legislation

This policy is in reference to the *Sustainable Planning Act, 2009* and the *Planning Act 2016*.

Definitions

Council refers to Whitsunday Regional Council.

COUNCIL POLICY			
Date Adopted by Council	12 August 2020	Council Resolution	2020/08/12.16
Effective Date	12 August 2020	Next Review Date	
Responsible Officer(s)		Revokes	
Public Consultation: Yes / No			