

# Business Resilience Planning Scheme Amendment - Frequently Asked Questions

Answers to frequently asked questions about the proposed amendment

Reference: 1237285

## 1 What is the North Burnett Regional Council Planning Scheme?

A planning scheme identifies how land should be used and the types of development that can go where. North Burnett Regional Council uses the scheme to guide development in the region. It provides a consistent approach to managing the use of land and development.

It is a regulatory document prepared in accordance with the *Planning Act 2016*.

## 2 What is a major amendment?

Amendments to a planning scheme can be minor or major. Amendments are necessary to keep a scheme up-to-date and effective. An amendment can include an update to a map or a change to the written part of the document. This amendment to the North Burnett Regional Council Planning Scheme is considered to be 'major' due to the wide number of changes that are proposed. These changes need to be communicated through the public consultation process, as required by the *Minister's Guidelines and Rules*.

## 3 What is the purpose of the amendment?

The North Burnett Regional Council's 'Business Resilience' amendment is part of an ongoing effort to update and improve regulation. The Council is committed to keeping its scheme contemporary and responsive to the community's needs. The scheme originally commenced in 2014, and Council considers that some parts could be streamlined.

The Council intends that the amendment will make it easier for businesses to start or expand.

## 4 What does the Council propose to change?

A wide range of changes are proposed by the amendment. A summary is provided below.

1. More types of development possible without needing Council approval, such as—
  - a. More business and retail development in the Centre zone (i.e. in the six town centres)
  - b. More community uses in the Community facilities zone;
  - c. More industrial and storage uses in the industry zone; and
  - d. Small-scale eco-tourism and agri-tourism activities in the Rural zone.
2. Statements to encourage social and affordable accommodation;
3. A new Renewable energy facility code to give better direction to this emerging form of development;
4. Deleting Part 4 Priority infrastructure plan (It does not comply with the current legislative requirement but is not cost-effective to update.)

5. Section 1.6 Building work regulated under the planning scheme amended to follow the State's "integrating building work in planning schemes" guideline (2021) – and codes such as Dual occupancy code and Dwelling house code accordingly amended;
6. The use definitions have been replaced with the regulated definitions from the *Planning Regulation 2017*;
7. A comprehensive refresh of the administrative definitions;
8. Minor or administrative amendments to improve formatting and readability; and
9. Zoning and Other maps
  - a. The only zoning changes are to some publicly-controlled land to give flexibility for changes or expansion of the uses libraries, depots, cemeteries etc—most land to be in the Community facilities zone; and
  - b. The mapping associated with Part 4 - Priority Infrastructure Plan is to be removed.

## 5 What is not changing

The amendment does not change—

1. Protections for identified Agricultural land classification Class A and B land;
2. The minimum lot sizes for different zones; and
3. The policy of sustainability or protecting the natural environment—expressed in the Strategic Framework and overlay codes.

## 6 Will this be the first amendment to the North Burnett Regional Council Planning Scheme?

Since the scheme's commencement, there have been five planning scheme amendments before this proposed amendment. You can find out more about previous amendments on the Council's website.

## 7 What will happen if the proposed amendment is adopted?

If adopted, the proposed amendments will be implemented in the North Burnett Regional Council Planning Scheme.

## 8 Will I need to change how I use my land?

The planning scheme amendment cannot take away the right of a landowner to continue lawfully using land. New standards do not apply unless a landowner or occupier intends to undertake development—for example by changing the use of the land, carrying out work (building work or operational work) or subdividing a lot. The lawful use of land can continue.

## 9 If adopted, when will the amendment commence?

The Queensland Government Chief Executive Notice issued under 18(3) of the *Planning Act 2016* outlines the process that Council follows to make the proposed major amendment. After consultation, the following steps will take place:

- Consideration of the state interest review response;
- Consideration of all properly made submissions;
- Notify submitters about the received submissions and consideration process;
- Prepare a report detailing consultation;
- Seek approval from the Minister to adopt the proposed major amendment to the scheme; and
- If a notice is obtained from the Minister advising that the Council can proceed with the major amendment, the Council will consider and decide whether or not to adopt the proposed amendment.

The Council is invested in the commencement of the proposed amendment; however, the process takes time and may take many months to complete. Council needs to follow a legislative process and as part of this will carefully consider all submissions.

## 10 Making a submission

### 10.1 Why should I make a submission?

The public consultation process engages the community in changes to the planning scheme. The Council aims to enhance and refine the existing scheme through the proposed amendment and is actively seeking input and feedback to ensure the changes reflect community expectations and needs. By making a submission, you can explain to the Council how the changes will affect you. The Council can use community comments to create an improved and more effective plan.

### 10.2 What should I write in my submission?

A submission considers what the proposed changes to the scheme mean for you. The Council's planning scheme team can help you understand the details of the proposed amendment to the scheme. A proforma template is available on the Council's website—however using this is optional.

A submission can support or oppose one or more of the proposed changes. Clear reasons for your opinion and supporting evidence should be included with your submission. Make sure your submission is “properly made”.

### 10.3 How can I make a “properly made” submission?

For a submission to be “properly made”, the submission must—

1. Be in writing (including by electronic means);
2. Include the full name and address (business or residential) of each person making the submission;
3. State a postal or electronic address for return correspondence;
4. Be signed by each person making the submission (unless made electronically);
5. Be made to North Burnett Regional Council;
6. Be received by Council on or before 4:30pm on Friday, 18 October 2024; and
7. Include the reasons for the submission, facts and circumstances

*(Schedule 2, Planning Act 2016)*

### 10.4 Where can I deliver my submission?

During the public consultation period for the major amendment, submissions can be made at any North Burnett Regional Council Customer Service and Library Centre, via email or post. A copy of the public notice will be displayed there and on the Council's website.

***In person:***

- Biggenden - 47 Edward St, Biggenden; Monday – Friday 10am – 2pm
- Eidsvold - 36 Moreton St, Eidsvold; Monday – Friday 8:30am – 11:30am; 12:30pm – 4:30pm
- Gayndah - 34 Capper St, Gayndah; Monday – Friday 8:30am – 11:30am; 12:30pm – 4:30pm
- Monto - 50 Newton Street, Monto – Monday – Friday - 8:30am – 11:30am; 12:30pm – 4:30pm
- Mt Perry - 66 Heusman St, Mount Perry - Monday – Friday 10am – 2pm
- Mundubbera - 30 Lyons St, Mundubbera - Monday – Friday - 8:30am – 11:30am; 12:30pm – 4:30pm

**Email:** [admin@northburnett.qld.gov.au](mailto:admin@northburnett.qld.gov.au)

**Website:** [www.northburnett.qld.gov.au](http://www.northburnett.qld.gov.au)

**Post:** North Burnett Regional Council PO Box 390 Gayndah QLD 4625

## 10.5 What will happen to my submission?

Once Council have completed the public consultation period, all “properly made” submissions will be considered by Council. Council may make changes to the proposed amendment in response to the submission material. Submitters will be advised by Council how their submission has been addressed. This information will be published on Council’s website.

## 10.6 Is my submission confidential?

Personal information provided with your submission will be used to respond to your submission, advising how the submission has been addressed. Your information will be retained in the manner authorised under the *Planning Act 2016 (Schedule 22)*. The Council does not need to disclose a submitter’s name, contact details or signature (*s264(7) Planning Act 2016*).