

# Request to apply a superseded planning scheme—Sustainable Planning Act form 2

(Sustainable Planning Act 2009 version 1.0 effective 18 December 2009)

This form is the approved form for requesting a local government to apply a superseded planning scheme under the *Sustainable Planning Act 2009*, section 95. All questions must be completed, unless the form states otherwise.

Attach extra pages if there is insufficient space on this form.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* or the *Sustainable Planning Regulation 2009*.

To the attention of	Chief Executive Officer
Name of local government	
Postal address of local government	

## 1. Contact details of person making request:

Name/s (individual or company name in full)	
For companies, contact name	
Postal address	
Contact phone number	
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
e-mail address (non-mandatory)	@

## 2. What is the nature of the request?

- To apply a superseded planning scheme to the carrying out of assessable development, prohibited development or development requiring compliance assessment that was, under the superseded planning scheme, exempt development or self-assessable development

- To assess and decide a proposed development application under a superseded planning scheme
- To accept a development application for development that is prohibited development under the planning scheme and was assessable development under a superseded planning scheme, and to assess and decide the application under the superseded planning scheme
- To assess and decide a request for compliance assessment under a superseded planning scheme
- To accept a request for compliance assessment of development that is assessable development or prohibited development, and was development requiring compliance assessment under a superseded planning scheme, and to assess and decide the request under the superseded planning scheme

3. Please provide information about the street address for the premises to which this request relates (complete table A and/or table B as applicable. Identify each lot in a separate row. Refer to notes at the end of this form for more information)

Table A

- street address/lot on the plan
- street address/lot on plan for the land adjoining or adjacent to the premises (appropriate for development in water e.g. jetty, pontoon)

Street address				Lot on plan description		Local government area (e.g. Logan, Cairns)
Unit no.	Street no.	Street name and official suburb/ locality name	Post-code	Lot no.	Plan type and plan no.	

Table B—premises coordinates (appropriate for development in remote areas, over part of a lot or in water e.g. channel dredging in Moreton Bay)

Coordinates (note: place each set of coordinates in a separate row)				Zone reference	Datum	Local government area (if applicable)
Easting	Northing	Latitude	Longitude			
					<input type="checkbox"/> GDA94 <input type="checkbox"/> WGS84 <input type="checkbox"/> Other	

4. Is a copy of the proposed development application or request for compliance assessment attached?

- Yes—proceed to question 8  
 No

5. What is the nature of the proposal? (tick applicable box/es)

- material change of use of premises  
 building work  
 operational work  
 reconfiguring a lot  
 document or works

6. What type of approval will be sought? (tick applicable box/es)

- development permit  
 preliminary approval  
 development permit and preliminary approval —provide details below  
 compliance permit  
 compliance certificate

7. Provide a brief description of the proposal (e.g. six unit apartment building, 30 lot residential subdivision)

8. What are the details of the superseded planning scheme?

Title of superseded planning scheme or amendment creating the superseded planning scheme	Date new planning scheme or planning scheme amendment took effect	Provisions of superseded planning scheme relevant to the proposal

Notes for completing this form:

- A superseded planning scheme, for a planning scheme area, means the planning scheme, or any related planning scheme policies, in force immediately before:
  - the planning scheme or policies, under which a development application is made, took effect or
  - the amendment, creating the superseded planning scheme, took effect.
- The local government must decide the request within 30 business days of receiving the request. The local government may extend this period by not more than 10 business days. The person making the request must agree to any further extensions. If the local government does not decide the request within the relevant timeframes, then it is taken to have agreed to the request.
- If a planning scheme or planning scheme amendment creating a superseded planning scheme took effect on or after 18 December 2009, this request must be made within 1 year after the planning scheme or amendment creating the superseded planning scheme took effect. If the local government agrees that a development application or request for compliance assessment may be made under the superseded planning scheme, the application or request must be made within 6 months after the day the person is given or was entitled to be given, notice of the decision.
- If a planning scheme or planning scheme amendment creating a superseded planning scheme took effect before 18 December 2009, this request must be made within 2 years after the day the planning scheme or amendment creating the superseded planning scheme, took effect. If the local government agrees that a development application may be made under the superseded planning scheme, the application must be made within 20 business days after the day the person is given, or was entitled to be given, the local government's notice of the decision.

Privacy—please refer to your assessment manager for further details on the use of information recorded in this form.

OFFICE USE ONLY

Date received

Reference numbers

The *Sustainable Planning Act 2009* is administered by the Department of Infrastructure, Local Government and Planning.