Development mentioned in Schedule 4, Table 2, Item 2 of the *Sustainable Planning Regulation* 2009- for particular class 1 buildings or class 10 buildings or structures.

The *Sustainable Planning Regulation* 2009 was introduced on 18 December 2009, containing provisions relating to houses, Class 10 buildings and structures and attached duplexes so that only a building application, rather than a planning and building application, was required in certain circumstances. The Regulation was recently amended such that changes to the assessment of attached duplexes will only apply if a Council expressly nominates to have the provisions of Schedule 4, Table 2, Item 2 apply to attached duplexes. Please be advised that, at this time, the Fraser Coast Regional Council has not resolved to 'opt in' to the provisions relating to attached duplexes and, as such, attached duplexes will not be exempt from assessment against planning schemes.
Other changes incorporated in the amendment, which became effective on 26 March 2010, included the introduction of a new part of the Queensland Development Code for duplex dwellings and an alteration to Schedule 4 of the Regulation regarding the applicability of overlays in determining if certain development is exempt from a material change of use. In relation to these changes please be advised that:

- Attached duplexes are no longer exempt from assessment against the Planning Schemes in any circumstances, reflective of the changes to the *Sustainable Planning Regulation* 2009 and that there is currently no Council resolution to apply the provisions contained in Schedule 4 to duplexes. However, Council is investigating alternative ways to reduce development application timeframes and costs relating to these types of buildings;
- Council officers will review the Hervey Bay, Woocoo and Tiaro Planning Schemes and determine what may be considered to be 'relevant overlays' for affected residential development. This will potentially increase the number of house and shed developments not requiring a material change of use application. In the interim, where an overlay applies to the land subject of a development proposal, the exemption provisions will not apply;
- The QDC Part MP1.3 will not be applicable to applications for attached duplexes as the Council has not resolved under Schedule 4, Table 2, Item 2(f) that the Sustainable Planning Regulation applies to duplexes; and
- An amended Amenity and Aesthetics Policy will be developed and presented to Council for its consideration, reflective of the changes to the *Sustainable Planning Regulation* 2009.

Please direct any queries in relation to this matter to Council's Duty Planner between the hours of 9am and 1pm Monday to Friday by phoning 1300 794 929 or in person at either the Hervey Bay or Maryborough Administration Centres. Telephone enquiries after 1pm will be diverted to an administration officer who will forward your request to the next day's Duty Planner for response.