

Fact Sheet

An overview of how the Minister's extension notices under the Planning Act 2016 that took effect on 22 December and 6 January 2024 apply to accepting, assessing and deciding development applications in the applicable event areas

The Tropical Cyclone Jasper applicable event that was declared on 21 December 2023, took effect on 22 December 2023 and applies to eight local government areas affected by the event. Since this declaration, five additional local government areas have been identified as affected by Tropical Cyclone Jasper. The Tropical Cyclone Jasper – associated rainfall and flooding applicable event was declared on 5 January 2024 and took effect on 5 January 2024. On both occasions, the Minister for Planning published extension notices providing additional time for certain actions in the development assessment process prescribed by the Development Assessment Rules (DA Rules), to assist local government and other assessing authorities to respond to the impacts of rainfall and flood event.

Which assessment timeframes receive the extensions?

The extension notices extended the periods stated in the notice by **20 business days (b.d.)**. These include:

- » Confirmation Period (section 1.2 of the DA Rules)
- » Referral Agency Assessment Period (section 9.2 and schedule 2 of the DA Rules)
- » Decision Period (section 22.1 of the DA Rules)

Where do the extensions apply?

The extension notices will only apply to development applications within the following local government areas:

Extension notice published on 22 December 2023

- Cairns Regional Council
- Cook Shire Council
- Douglas Shire Council
- Hope Vale Aboriginal Shire
- Mareeba Shire Council
- Tablelands Regional Council
- Wujal Wujal Aboriginal Shire Council
- Yarrabah Aboriginal Shire

Extension notice published on 5 January 2024

- Carpentaria Shire Council
- Cassowary Coast Regional Council
- Hinchinbrook Shire Council
- Kowanyama Aboriginal Shire Council
- Lockhart River Aboriginal Shire Council

When does the extensions apply?

The extension notices apply from the day the notice is published on the department's website until **9 February 2024** (unless revoked earlier).

This means that for development applications within the applicable event area, assessing authorities will have an additional 20 b.d. for each period stated in the notice (i.e. the confirmation period, referral assessment period and the decision period) where that period is active during window of time where the extension notices applies.

Depending on the status of the application in the assessment process, an extension may apply to multiple periods stated in the notice.

The 20 b.d. extensions will apply where the stated period:

- was underway but had not ended on the day the extension notice took effect (e.g. in case of the extension notice published on 22 December 2023, confirmation period was underway on 22 December 2023); or
- commences during the effective period of the notice (i.e. in case of the extension notice published on 22 December 2023, from 22 December 2023, or between 22 December 2023 and 9 February 2024 inclusive).

When the extension does not apply

An extension would not apply to a confirmation period, referral agency assessment period or decision period timeframe that would have not ordinarily occurred within the applicable event extension notice period.