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## Planning Act 2016

### TOOWOOMBA REGIONAL COUNCIL TEMPORARY LOCAL PLANNING INSTRUMENT 01/2021 TABLE OF ASSESSMENT FOR BUILDING WORK

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#### 1. Short Title

The Temporary Local Planning Instrument (TLPI) may be cited as Temporary Local Planning Instrument 01/2021 –Table of Assessment for Building Work

#### 2. Purpose

The purpose of this TLPI is to improve clarity relating to the assessment levels for building work identified in Table 5.7:1 – Building Work of the Toowoomba Regional Planning Scheme.

#### 3. Application

This TLPI applies to the whole of the Toowoomba Regional Council planning scheme area.

This TLPI applies to all development that is regulated through Table 5.7:1 – Building Work of the *Toowoomba Regional Planning Scheme*.

#### 4. Interpretation

Where a term used in this TLPI is not defined, the term shall, unless the context otherwise indicates or requires, have the meaning assigned to it by –

- The *Planning Act 2016*;
- The *Toowoomba Regional Planning Scheme*, where the term is not defined in the *Planning Act 2016*.

#### 5. Duration

This TLPI will have effect in accordance with section 23 (6) of the *Planning Act 2016* for a period of two years from the date of commencement. The date of commencement is 16 February 2022.

#### 6. Effect of this TLPI

This TLPI affects the operation of the *Toowoomba Regional Planning Scheme* in the following ways:

- Clarifies that the categories of development and assessment designated in Table 5.7:1 – Building Work apply to all development listed in the table.
- The requirement that “all other building work (not associated with a Material Change of Use)” is qualified to exclude any other building work that is mentioned elsewhere in Table 5.7:1.

## 7. Table of Assessment for Building Work

For the purposes of administering section 5.7 Table 5.7:1 – Building Work of the *Toowoomba Regional Planning Scheme*, the following shall apply and replace the provisions of accepted development subject to requirements for that section.

**Table 5.7:1 – Building Work**

| Zone      | Categories of development and assessment   | Assessment benchmarks for assessable development and requirements for accepted development           |
|-----------|--|--|
| All Zones | <b>Accepted development subject to requirements</b>  |  |
|           | Construction of a Class 10a building (as defined by the Building Code of Australia)<br>If:<br>(i) on the same site as a Heritage place identified in SC6.6.2 of Planning Scheme Policy No. 6; or<br>(ii) on the same site as a Neighbourhood character place identified in SC6.7.2 of Planning Scheme Policy No. 7; or<br>(iii) in the Rural Residential Zone and the gross floor area of all Class 10a buildings (both existing and proposed) on the site would be greater than 10% of the site area. | Heritage Overlay Code<br><br>Neighbourhood Character Overlay Code<br><br>Rural Residential Zone Code |
|           | Building Work that is:<br>a) not listed elsewhere in this table; and<br>b) not associated with a development permit for a Material Change of Use.  | The applicable zone code.  |

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