

Application for Exemption Certificate

An exemption certificate is intended to be used as a tool to address the inappropriate categorisation of development. An exemption certificate may be issued under the *Planning Act 2016* or the *Queensland Heritage Act 1992* and removes the requirement to obtain a development approval.

An exemption certificate will only be issued under limited circumstances as outlined in the relevant legislation.

Before completing the relevant sections of this form, the following must be understood:

- You will need to know which legislation you are applying for an Exemption Certificate under. If you are unsure, please contact the Planning Assessment Team for clarification (07 3829 8999).
- After your application is submitted, Council may issue a 'Further Advice' letter requesting more information or details be provided in order for a decision to be made regarding the exemption certificate.
- A refusal from Council to issue a requested exemption certificate does not necessarily mean the proposed development is not supported. This means that the request has not met the relevant requirements of the applicable Act and therefore, the proposal must be lodged as an application for assessable development against the City Plan.
- Fees apply and must be paid prior to Council considering your application.

Part 1: Applicant Details

Applicant's Name/s (individual or company name in full)

For companies – contact name

Postal address

Suburb			
State		Postcode	
Country			

Contact telephone number

Mobile number (non-mandatory requirement)

Email address

By providing your email address, you consent to receiving all correspondence in relation to this application, electronically.

Part 2: Description of Proposed Development

Part 3: Which legislation are you applying under?

- Section 72 of the *Queensland Heritage Act 1992* (for a Queensland heritage place or a local heritage place on the local heritage register) - **Complete PART 4 only.**
- Section 46 of the *Planning Act 2016* (for assessable development under the City Plan) - **Complete PART 5 only.**

Part 4: Apply for an Exemption Certificate under the *Queensland Heritage Act 1992*

Under the Queensland Heritage Act 1992, a relevant person may apply to local government for an exemption certificate to carry out development on a local heritage place under section 71 of this Act.

An exemption certificate may only be given if the development is permitted under a heritage agreement/local heritage agreement, or if the development will not have a detrimental impact, or will only have a minimal detrimental impact, on the cultural heritage significance of the place.

A 'relevant person' for a heritage place, means the owner of the place or, with the owner's consent, another person who has an interest in the place.

Owner Name:	
Signature:	Date:
Owner Name:	
Signature:	Date:

Owner's consent may be provided as an additional attachment if required.

Please provide the following information in support of your application:

- A plan showing the location of the development in relation to the features of the place that contribute to its cultural heritage significance.
- If the application is for development permitted under a heritage agreement or local heritage agreement for the place — details of the agreement to support the application.

Information showing how the development will not have a detrimental impact, or will only have a minimal detrimental impact, on the cultural heritage significance of the place.

Part 5: Apply for an Exemption Certificate under the *Planning Act 2016*

Under the Planning Act 2016, a development approval is not required for development on premises that is ordinarily considered assessable if there is an exemption certificate issued for the proposed development.

However, in order for local government to issue an exemption certificate, at least one of the three circumstances under section 46 (3)(b) must apply.

Please select which of the following circumstances applies:

- the effects of the development would be minor or inconsequential, considering the circumstances under which the development was categorised as assessable development;
- the development was categorised as assessable development only because of particular circumstances that no longer apply;
- the development was categorised as assessable development because of an error.

Please refer to the *Department of Infrastructure, Local Government and Planning exemption certificate factsheet* to assist with selecting which of the above circumstances apply to your proposed development.

Does the development trigger a referral agency under Schedule 9 and Schedule 10 the Planning Regulation 2017? Yes No

If yes, under section 46 (3)(a) of the Act, for development with a referral agency, a copy of each referral agency's written agreement to the issuing of the exemption certificate must be provided to council with the application.

If no, please proceed with your application.

Please state what type of development this request relates to. (i.e. Material Change of Use - Dwelling House, Reconfiguring a Lot - 1 into 2, Operational Work)

Please provide the following information in support of your application:

- A statement addressing how the proposed development meets the selected criteria under Section 46 (3)(b) of the *Planning Act 2016*.
- Proposed plans for the development (if applicable)
- Any written advice from Redland City Council regarding the proposal (i.e. email correspondence, pre-lodgement meeting minutes, etc.)

Submit

- in person at Council's [Customer Service Centres](#)
- by mail, PO Box 21, Cleveland Qld 4163
- by email to rcc@redland.qld.gov.au or fax on (07) 3829 8765.

Information Privacy Act 2009 – Redland City Council is collecting your personal information in order to process this application. The information will only be used by authorised Council Officers for the purpose of this application and ensuring our records are accurate. Your information will not be given to any other person or agency unless you have given us permission or we are required by law to do so.

