

EXEMPTION CERTIFICATE APPLICATION

Planning Act 2016
Queensland Heritage Act 1992



Purpose	<p>Exemption certificates to exempt development from assessment can be issued under either the <i>Planning Act 2016</i>, the <i>Queensland Heritage Act 1992</i> or the <i>Economic Development Act 2012</i>. If you are unsure about which legislation applies to your application, please contact Council's Planning Section to confirm.</p> <p>After your application is submitted, Council may issue a 'further advice' letter requesting more information or details be provided to help with assessing the request.</p> <p>A refusal from Council to issue an exemption certificate does not mean the proposed development is not supported in general. If your exemption certificate application is unsuccessful, the proposal may be lodged as an application for assessable development against the Townsville City Plan.</p>
Applicant details Complete either individual or company as applicable	<p>Individual</p> <p>Full name _____</p> <p>Postal address _____</p> <p>Suburb _____ State _____ Post code _____</p> <p>Contact phone number _____</p> <p>Email address _____</p> <p>Corporation/ incorporated association</p> <p>Legal entity name _____</p> <p>Australian company number _____</p> <p>Postal address _____</p> <p>Suburb _____ State _____ Post code _____</p> <p>Contact number _____</p> <p>Email address _____</p>
Property details	<p>Street address _____</p> <p>Suburb _____ State _____ Post code _____</p> <p>Lot on plan description _____</p>
Nature of development	<p>Description of proposed development _____</p> <p>_____</p> <p>_____</p>
Applicable legislation	<p>Under which legislation are you applying?</p> <p><input type="checkbox"/> Section 46 of the <i>Planning Act 2016</i> (for assessable development under the Townsville City Plan) Complete the <i>Planning Act</i> related questions only.</p> <p><input type="checkbox"/> Section 72 of the <i>Queensland Heritage Act 1992</i> (for a Queensland heritage place or a local heritage place on the local heritage register) Complete the <i>Queensland Heritage Act</i> questions only.</p> <p><input type="checkbox"/> Section 71A of the <i>Economic Development Act 2012</i> (for assessable development under the Townsville City Waterfront PDA Development Scheme) Complete the <i>Economic Development Act</i> questions only.</p>

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Planning Act: Exemption reason The Queensland government's Exemption Certificate Factsheet can help you determine which circumstance applies to your development.	<p>Under the <i>Planning Act 2016</i>, if there is an exemption certificate for the proposed development, then a development approval is not required as it would be under normal circumstances. However, to be eligible for an exemption certificate, at least one of the three circumstances under section 46 (3)(b) must apply.</p> <p>Which circumstance applies to the development?</p> <p><input type="checkbox"/> The effects of the development would be minor or inconsequential, considering the circumstances under which the development was categorised as assessable development.</p> <p><input type="checkbox"/> The development was categorised as assessable development only because of particular circumstances that no longer apply.</p> <p><input type="checkbox"/> The development was categorised as assessable development because of an error.</p>
Planning Act: Referral agency	<p>Does the development trigger a referral agency under Schedule 9 of the <i>Planning Regulation 2017</i>?</p> <p><input type="checkbox"/> 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.</p> <p>Note: It is the responsibility of the applicant to obtain written consent from a referral agency. Council cannot issue an exemption certificate without the written agreement of a referral agency.</p> <p><input type="checkbox"/> No</p>
Planning Act: Evidence	<p>Please provide evidence to support your application for an exemption certificate under the selected criteria above. Supporting material may be provided in the following forms (indicate which you are providing):</p> <p><input type="checkbox"/> A statement addressing how the proposed development meets the selected criteria under section 46 (3)(b) of the <i>Planning Act 2016</i></p> <p><input type="checkbox"/> Proposal/building plans for the development (if applicable)</p> <p><input type="checkbox"/> Technical reports from suitably qualified professionals (e.g. a site-specific hydraulic report from a Registered Professional Engineer of Queensland) (if applicable)</p> <p><input type="checkbox"/> Written pre-lodgement or preliminary advice from Council regarding the proposal (i.e. pre-lodgement meeting minutes, email correspondence, formal letters, etc.)</p>

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Heritage Act: Relevant person	<p>Under the <i>Queensland Heritage Act 1992</i>, a relevant person may apply to the local government for an exemption certificate to carry out development on a local heritage place under section 71 of this Act. For the purpose of this Act, a 'relevant person' is either the owner of the place or another person who has an interest in the place with the owner's consent.</p> <p><input type="checkbox"/> I am the owner of the property – please sign below.</p> <p><input type="checkbox"/> I am another person with owner's consent – obtain the owner's consent below or attach separately.</p> <p>Please provide owner's consent with this application form.</p> <p>Owner 1</p> <p>Full name of owner _____</p> <p>Signature _____ Date _____</p> <p>Owner 2</p> <p>Full name of owner _____</p> <p>Signature _____ Date _____</p> <p>Note: Owner's consent can be provided as an attachment to this form.</p>
Heritage Act: Exemption reason	<p>An exemption certificate under the <i>Queensland Heritage Act</i> can only be given in one of the two circumstances below. Please select which applies.</p> <p><input type="checkbox"/> The development is permitted under a heritage agreement or local heritage agreement.</p> <p><input type="checkbox"/> The development will not have a detrimental impact, or will only have a minimal detrimental impact, on the cultural heritage significance of the place.</p>
Heritage Act: Heritage agreement Complete if relevant	<p>For development permitted under a heritage agreement or local heritage agreement, provide the supporting information:</p> <p><input type="checkbox"/> Details of the agreement for the place/a copy of the agreement is attached.</p>
Heritage Act: Minimal impact reason Complete if relevant	<p>For development that will not have a detrimental impact, or will only have a minimal detrimental impact, on the cultural heritage significance of the place, you must provide information to support your application.</p> <p><input type="checkbox"/> Plan/s showing the location of the development in relation to the features of the place that contribute to its cultural heritage significance is attached.</p> <p><input type="checkbox"/> 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 is attached.</p> <p>This may be in the following forms:</p> <p><input type="checkbox"/> Heritage impact statement prepared by a suitably qualified architect or cultural heritage professional (for more information about preparing this statement, refer to Schedule 6.3 Cultural heritage planning scheme policy in the Townsville City Plan)</p> <p><input type="checkbox"/> Photographic evidence and/or detailed survey of the existing site to be affected (for historical records)</p> <p><input type="checkbox"/> Demonstration that any adjoining places of cultural heritage significance within the site or on adjoining sites will not have a detrimental impact or minimal detrimental impact</p> <p><input type="checkbox"/> Other information that Council officers have recommended, or require to assess the application</p>

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Economic Development Act: Exemption reason	<p>Under the <i>Economic Development Act 2012</i>, if there is an exemption certificate for the proposed development, then a development approval is not required as it would be under normal circumstances. However, to be eligible for an exemption certificate, at least one of the three circumstances under section 71A(1) must apply.</p> <p>Which circumstance applies to the development?</p> <p><input type="checkbox"/> The effects of the development would be minor or inconsequential, considering the circumstances under which the development was categorised as PDA assessable development.</p> <p><input type="checkbox"/> The development was categorised as PDA assessable development only because of particular circumstances that no longer apply.</p> <p><input type="checkbox"/> The development was categorised as PDA assessable development because of an error.</p>
Economic Development Act: Evidence	<p>Please provide evidence to support your application for an exemption certificate under the selected criteria above. Supporting material may be provided in the following forms (indicate which you are providing):</p> <p><input type="checkbox"/> A statement addressing how the proposed development meets the selected criteria under section 71A(1) of the <i>Economic Development Act 2012</i></p> <p><input type="checkbox"/> Proposal/building plans for the development (if applicable)</p> <p><input type="checkbox"/> Technical reports from suitably qualified professionals (e.g. a site-specific hydraulic report from a Registered Professional Engineer of Queensland) (if applicable)</p> <p><input type="checkbox"/> Written pre-lodgement or preliminary advice from Council regarding the proposal (i.e. pre-lodgement meeting minutes, email correspondence, formal letters, etc.)</p>

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Applicant declaration	<p>I declare that the information provided on this form and attachments is true and correct in every detail.</p> <p>I understand that once an exemption certificate application has been lodged with Council for assessment, Council will NOT grant a refund or partial refund of the application fee if the request is assessed and subsequently not supported.</p> <p>Note: To help avoid paying for an unsuccessful application, Council strongly recommends obtaining pre-lodgement advice from Council officers before lodging this application. You can book a pre-lodgement meeting via a form on Council's website.</p> <p>I understand that my application will not be processed for assessment until the application fee has been paid, and that failure to pay the application fee within 24 hours of lodging the request may result in the application lapsing and being returned to me.</p> <p>Signature _____ Date _____</p>
Payment options	<p><input type="checkbox"/> In person: Customer Service Centres are located at:</p> <ul style="list-style-type: none">» 103 Walker Street, Townsville City (Cash, cheque, EFTPOS and/or credit card (Mastercard or Visa)).» CityLibraries Thuringowa, 86 Thuringowa Drive, Thuringowa Central – card payments only. <p><input type="checkbox"/> Cheque <input type="checkbox"/> In person <input type="checkbox"/> Post</p> <p><input type="checkbox"/> Credit card by phone: (Provide phone number to call) _____ (Visa or MasterCard payments are subject to a 0.5% payment processing fee.)</p> <p><input type="checkbox"/> Credit card by phone: I will contact Council on (07) 4417 5325 with my credit card details. (Visa or MasterCard payments are subject to a 0.5% payment processing fee.)</p> <p><input type="checkbox"/> Email me TCC banking details so payment can be made via direct deposit into TCC bank account. Email address _____</p> <p><input type="checkbox"/> Charge to my account with Townsville City Council: Account name _____ Account number _____ Customer reference (optional) _____</p>
Privacy collection statement	<p>Townsville City Council collects and manages personal information in the course of performing its activities, functions and duties. We respect the privacy of the personal information held by us. The way in which Council manages personal information is governed by the <i>Information Privacy Act 2009</i> (Qld). We are collecting your personal information in accordance with the <i>Planning Act 2016</i>, the <i>Queensland Heritage Act 1992</i> or the <i>Economic Development Act 2012</i>. The information will be used to process this application for an exemption certificate, update our records, and to inform any compliance actions as necessary. Generally, we will not disclose your personal information outside of Council unless we are required to do so by law, or unless you give your consent to this disclosure. For further information about how we manage your personal information please see our Information Privacy Policy.</p>
Submit the form	<p>By email developmentassessment@townsville.qld.gov.au</p> <p>By mail Return your completed application form together with cheque/money order payable to Townsville City Council, PO Box 1268, TOWNSVILLE CITY QLD 4810.</p> <p>In person Submit your application to one of the Customer Service Centres: » 103 Walker Street, Townsville City (cash, cheque, EFTPOS and/or credit card (Mastercard or Visa)) » CityLibraries Thuringowa, 86 Thuringowa Drive, Thuringowa Central (card only).</p>