



**SOUTH BURNETT  
REGIONAL COUNCIL**

# Guideline to Generally in Accordance

ECM 3227455  
Version 1 – November 2024

This factsheet provides information about Generally in Accordance.

## What is Generally in Accordance?

Generally In Accordance ('GIA') advice is a non-binding expression of an opinion from an appropriately qualified person that an inconsequential alteration or amendment to a development is considered to be in accordance with the requirements of an approval. GIA is not recognised by planning legislation and does not replace any aspect of the approval.

This interpretation guidance is intended to assist in clarifying if an alteration to the development might be GIA or would require a change request application under the planning legislation, and where necessary, how to seek Council's written advice on GIA.

## What is the background?

Development that is approved by Council requires that development is to be constructed in accordance with approved plans, documents, and conditions. In many circumstances following an approval, alterations to the development may occur as the result of detailed design, improved construction methods or site-specific circumstances.

The *Planning Act 2016* ('Act') recognises changes to a development and provides pathways to amend the approval (refer to the Act for information related to minor change or other changes). Small variations from the approved plans may not require a change application. In these situations, a GIA opinion from an appropriately qualified individual/organisation may be sufficient to demonstrate a development is in accordance with the approval.

## What is a qualified opinion?

A qualified opinion regarding GIA should be sought from an individual or organisation that can provide a GIA opinion which should include sufficient detail to support that opinion.

An appropriately qualified person may include a Building Certifier, Town Planning Consultant, Registered Architect, or -Registered Professional Engineer.

Providing sufficient justification to support an opinion is essential. The GIA opinion should be underpinned by detailed information clearly describing:

- what the variation/s encompass (revision clouded plan/s and documented variations);
- justification as to why the change is of a scope and/or scale that does not warrant a minor change under the Act; and
- reasons why the change is in accordance with the requirements of the approved development.

The clarity and accuracy of the information is pertinent in determining a GIA opinion as the advice may be challenged in the courts by anyone wishing to challenge the lawfulness of the development.

## What general principles to consider?

When determining if an alteration to a development is in accordance with the approval, the following parameters should be considered.

Operational impacts - Does the variation impact the operation of the development? For example, entry/exits to the site, servicing, vehicle maneuvering, consequential impacts.

Submitter concerns - Will the variation impact on any matters raised by submitters during the course of the application?

If Council or an appropriately qualified person considers the changes are material, a formal Change Application may be required to be submitted to Council. Enforcement action may be undertaken by Council to resolve the matter if the development has been completed and/or is operational.

### What could be considered a GIA?

- an alteration that does not involve assessable development. For example, external cladding materials or external colours - where not made assessable by a code or increasing the height of a retaining wall from 600mm to 700mm - where not made assessable by an overlay;
- an alteration that includes only Accepted Development (refer to South Burnett Regional Council Planning Scheme 2017 for details of Accepted Development). For example, moving the internal location of fire stairs could be considered generally in accordance, where the exit point at ground level is not relocated; or
- changes to support minor development tolerances as a result of detailed design. For example, changes to window sizes and locations - where not assessable by an overlay; or changes to the thickness of the floor slab where not increasing the overall building height, number of storeys or minimum height clearances. Changes to align with aspects of development accepted through an associated Operational Works Application.

### What is not a GIA?

- any alteration that requires a Development Condition to be changed;
- any alteration that requires specialist assessment such as an engineering traffic consultant;
- an alteration that does not meet an Acceptable Outcome assessment benchmark and requires consideration against a Performance Outcome assessment benchmark where the Acceptable Outcome was met at the time of the approval or where the alteration exacerbates an approved Performance Outcome. For example, reducing an approved building setback from 2.4m to 2.3m when the acceptable outcome was 3.0m;
- integral component of a development being added or removed. For example, deep planting being removed;
- a change that would trigger the re-calculation of infrastructure charges. For example, changing

two (2) bedroom units into a three (3) bedroom unit within a multiple dwelling complex, even when the building footprint and GFA are not changed;

- a change that alters the number of bedrooms in a multiple dwelling complex. For example, making a one (1) bedroom unit into a two (2) bedrooms - operational impacts;
- adding a balcony or enclosing a balcony to a multiple dwelling;
- the variation may affect the visual appearance of the building and generate overlooking/privacy concerns or reduce access to private open space;
- significant changes to the visual appearance of the development. For example, changes to roof forms);
- any amendments to parking layouts, including changing from single to tandem parking bays;
- changes to operational works applications; and
- changes to an approval issued by the Planning and Environment Court.

### How to request written information from Council?

Council recommends that preliminary advice is sought prior to submitting a request for written information. If it is unclear whether the proposed variation is likely to be GIA, contact Council.

If required for greater certainty, Council can provide general planning information including GIA in writing.

As part of the request, ensure plans are attached that clearly detail the proposed alteration/s, supported by written justification demonstrating why the alteration is in accordance with the approval. Council may agree that the expressed opinion can be considered GIA with the approval or may provide recommendations for alternative processes or considerations under the Act.

### Further Information?

For further information in relation to GIA or would like to speak with a Council officer, you can contact Council via one of the following methods:

- ✉ South Burnett Regional Council  
PO Box 336  
KINGAROY QLD 4610
- ☎ (07) 4189 9100
- @ [info@sbrc.qld.gov.au](mailto:info@sbrc.qld.gov.au)
- 👤 Visiting a Customer Service Centre