

# Queensland's planning system – development assessment system

## Overview

*Planning Act 2016*



# Fast Facts

- New instrument = DA Rules
- New categories of development
- New requirement to publish reasons
- Public notification in the legislation
- Bounded code assessment

# DA in the new framework – at a high level

Planning Act	Regulation	DA Rules
<ul style="list-style-type: none"><li>• SARA retained</li><li>• Public notification timeframes</li><li>• Alternative assessment managers</li><li>• Requirements for properly made</li><li>• All post approval applications – changes/ extensions/ appeals</li><li>• Decision rules</li><li>• Statement of reasons</li></ul>	<ul style="list-style-type: none"><li>• Who is the assessment manager/ referral agency</li><li>• Assessable development and referral triggers</li><li>• Assessment benchmarks</li><li>• Prohibited development</li><li>• Fees (SARA)</li><li>• Publicly accessible documents</li></ul>	<ul style="list-style-type: none"><li>• Development assessment process (lodgement to decision)</li><li>• Public notification requirements</li><li>• Includes changes to applications</li></ul>



# In the legislation

- [Chapter 3 – Development Assessment](#)
- [Planning Bill explanatory notes](#)
- New decision rules
- Public notification timeframes enshrined in the Act
- Requirement to publish reasons for decisions
- Changes to post approval processes

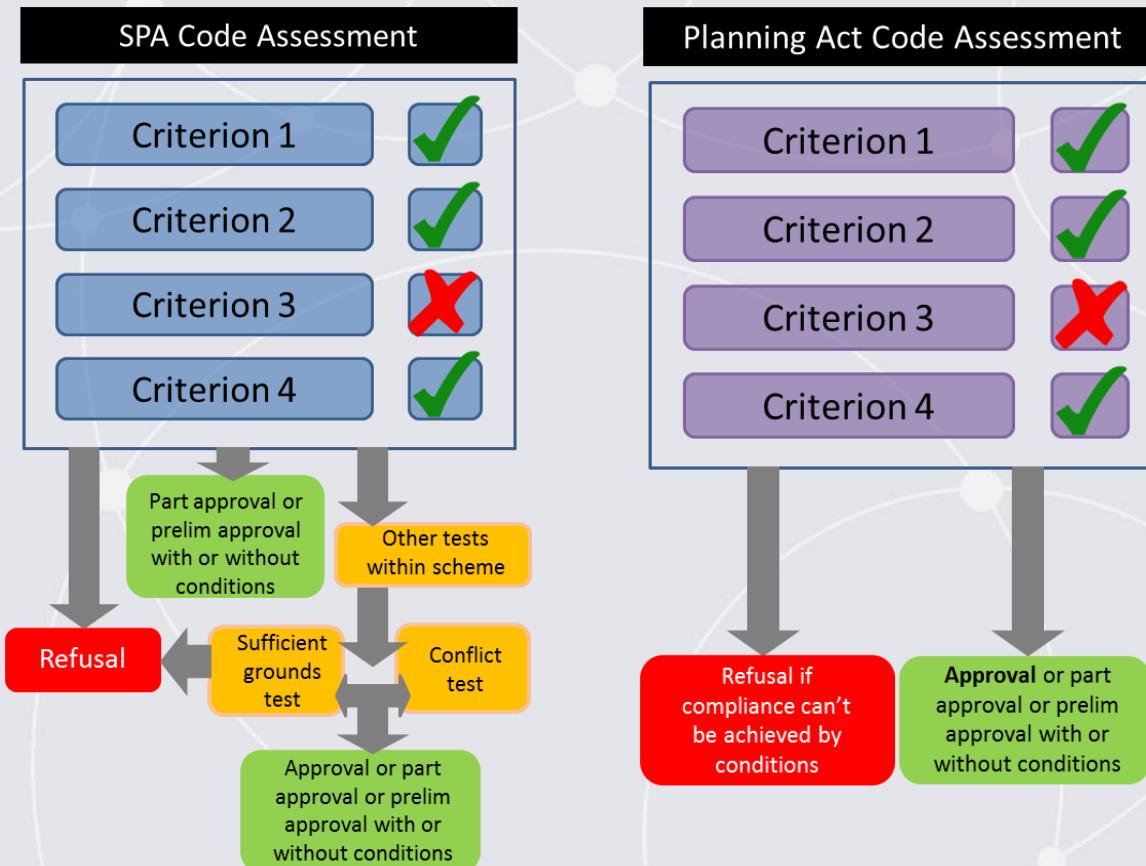


# Categories of assessment

Accepted	Assessable	Prohibited
All development other than assessable or prohibited development or identified as such in a categorising instrument.	<p>Development a categorising instrument states can only be carried out with a development approval.</p> <p><b>Code assessment</b></p> <p><b>Impact assessment</b></p>	Development identified in a categorising instrument as prohibited.



# DA in legislation – key change (decision rules)



greater  
certainty for  
community  
and developers



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# A code assessment in current vs new world



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# An **impact assessment** in current vs new world



# DA Rules

- Instrument that covers the ‘process’ for a development application
- Removed from SPA into this stand alone instrument to assist practitioners
- Public notification timeframes in the legislation
- Made by the Planning Minister on 17 March 2017
- Guidance document available to support the new DA Rules

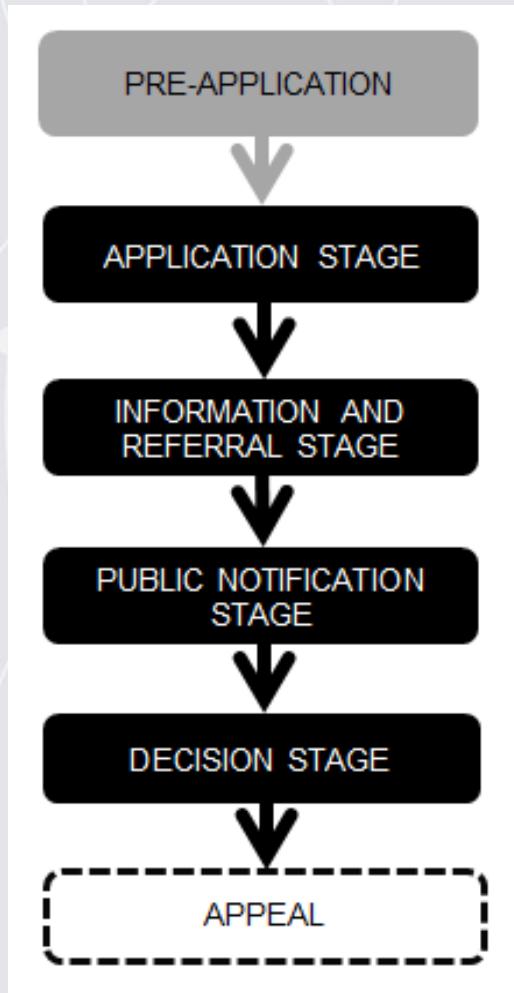


# DA Rules – driving principles

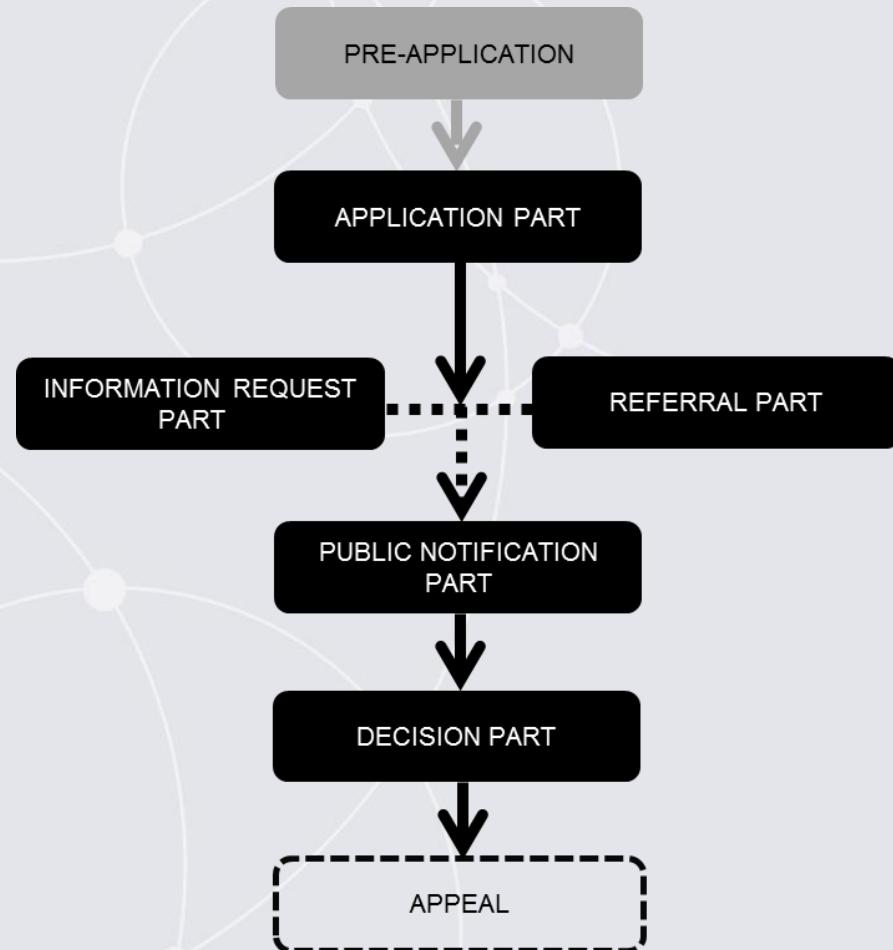
- ✓ Applicant-driven process
- ✓ Process efficiencies
- ✓ Holistic assessment
- ✓ Open communications
- ✓ Enhanced public notification
- ✓ User friendly



# Integrated development assessment system (IDAS)



## DA Rules



# Key changes from SPA

- Electing not to receive an information request
- Confirmation period
- Further advice
- Extension by agreement only
- Stopping a current period
- Lapsing and revival
- Time to consider public submissions
- Period to publish statement of reasons



# Timeframes

IDAS timeframes	IDAS timeframes (+auto extensions)	DA Rules timeframes
<b>Code: with no referral + no information request</b>		
20bd	40bd	45bd
<b>Code: with no referral + with information request</b>		
30bd	60bd	45bd
<b>Code: with referral + with information request</b>		
70b	130bd	75bd
<b>Impact: with no referral</b>		
55bd*	85bd*	60bd* (no submissions) 70bd* (submissions)
<b>Impact: with referral</b>		
85bd*	125bd*	90bd* (no submissions) 100bd* (submissions)

\* An extra 15 bd of public notification is required for applications that include a variation request

# Key changes since DA Rules consultation

- Advice agencies may make an information request
- Applicant must advise the assessment manager when they intend to commence public notifications
- Refreshed public notice signage requirements
- Ministers conditions for deemed approval removed

# DA Rules

Part 1 – Application

Part 2 – Referral

Part 3 – Information request

Part 4 – Public notification

Part 5 – Decision

Part 6 – Changes to DA's and referral agency responses

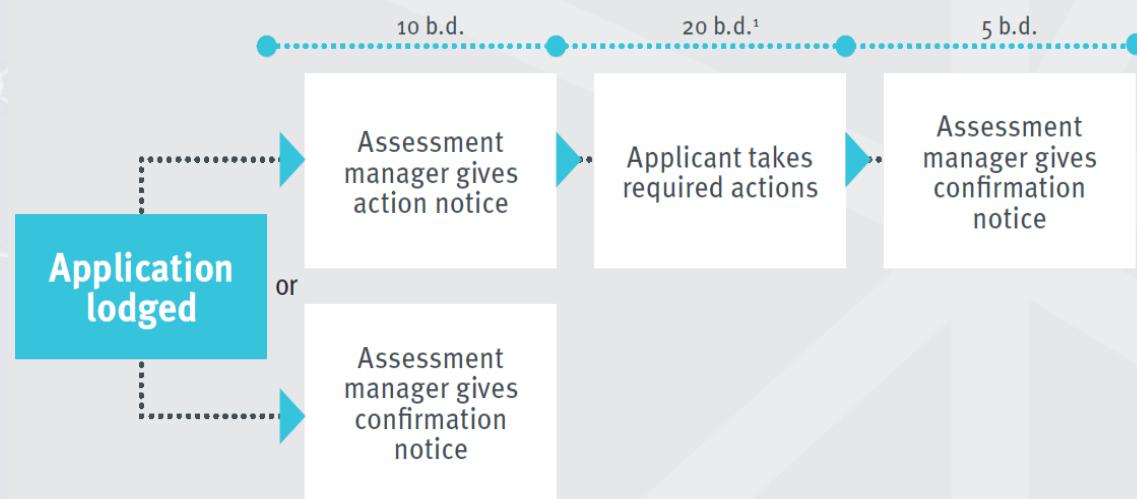
Part 7 – Miscellaneous



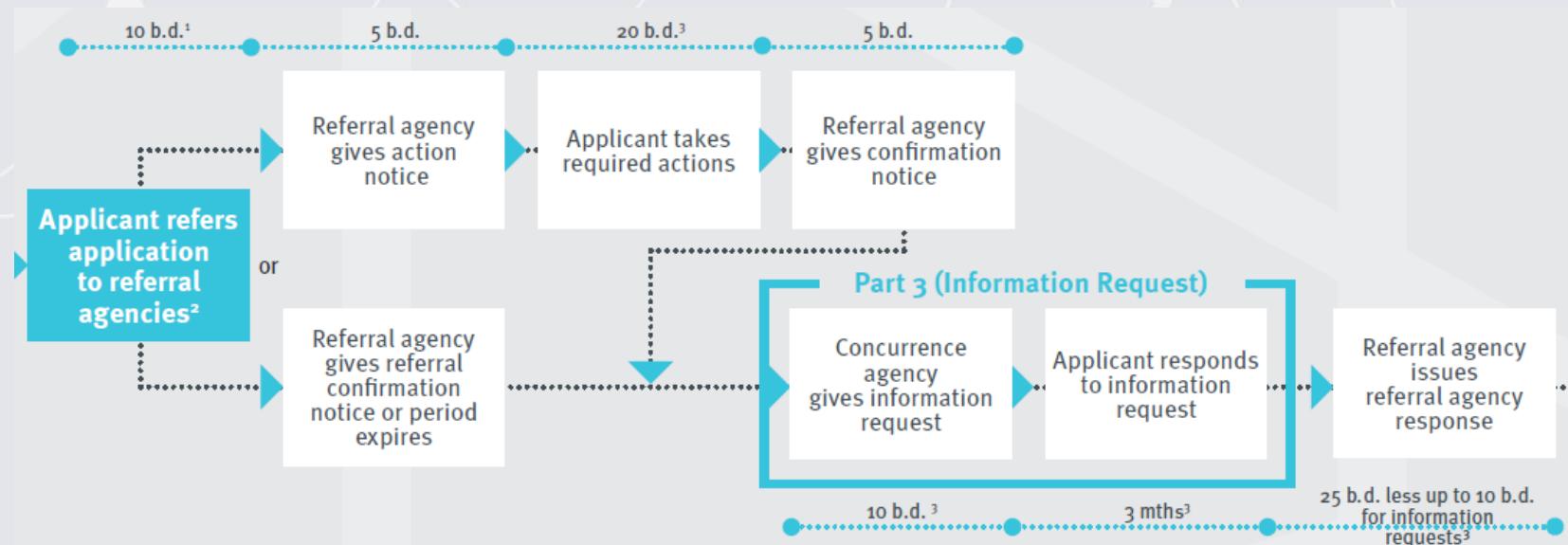
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# Part 1 Application

- Applicant fills in DA Forms (mandated information)
- Lodges to Assessment Manager (outlined in the regulation)



# Part 2 Referral

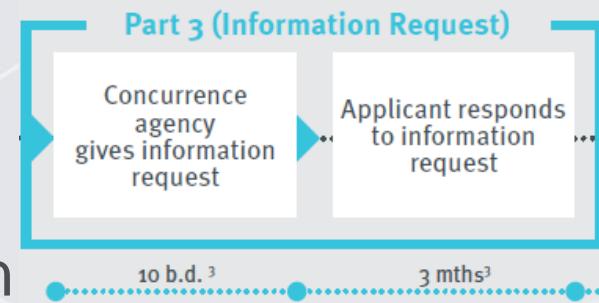


- Application identified as needing referral to the state
- Applicant responsibility to refer to the state (through SARA)



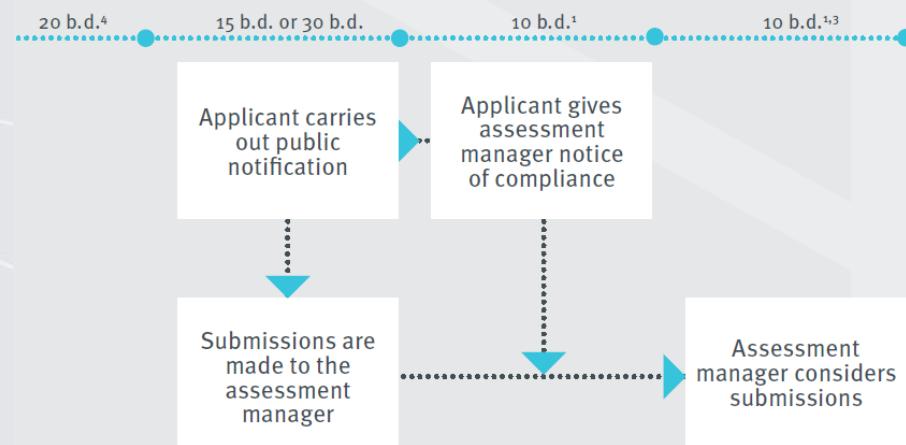
# Part 3 Information request

- Ability for applicant to elect **not to** receive an information request
- New feature that supports applications going straight to decision
- 3 month applicant response period
- No lapsing if response is not provided
- Can be used together with 'further advice'



# Part 4 Public notification

- Where its an impact assessable development = public notification
- Timeframes in the legislation





# Proposed Development



Make a submission between 31 December 2015 - 21 February 2016

- > Multiple Dwelling - 45 Units (Stage 1)
- > Multiple dwelling - 30 units (Stage 2)
- > Multiple dwelling - 54 units (Stage 3)



## Where

123 Settlement Road, Tungston East QLD 2124



## On

Lot 99 on RP33329



## Approval Sought

Development Permit



- > Minimum Lot Size and Frontage
- > Minimum area 2000m<sup>2</sup>



- > Building height
- > Maximum of 10m above natural ground level and no more than 2 storeys



- > Setbacks
- > Rear, side and front setbacks must be observed



- > Site cover
- > Maximum 75% of the total site area for a single storey

### > For further information & submissions

- > (07) 2345-5678
- > mail@anyqldrc.qld.gov.au
- > PO Box 1434, AnyQldTown QLD 4001
- > www.anyqld.qld.gov.au

### > View the Application Online

- > <http://pdonline.anyqldrc.qldgov.au>
- > Application ref # DP0027389
- > Or by Scanning QR Code

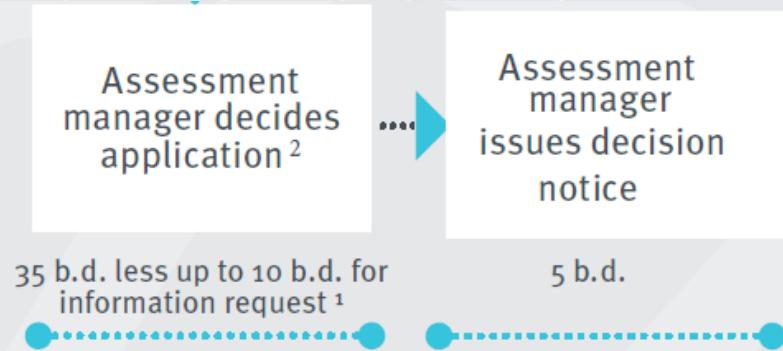
Public notification requirements are in accordance with the Planning Act 2016



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# Part 5 Decision

- Assessment manager decides on the application using all the information available
- 35 b.d. decision period for code and impact applications
- This period includes time to make an information request



# Part 6 Changes

- Effects of changing an application
- Changing referral responses

# Part 7 Misc.

- Further advice
- Missed referral
- Representations about a referral response
- Lapsing
- Extensions
- Stopping a current period
- Native Title
- Statement of reasons



# DA Rules schedules

- Substantially different test
- Other referral agency assessment periods
- Public notification requirements
- Definitions



# Change processes

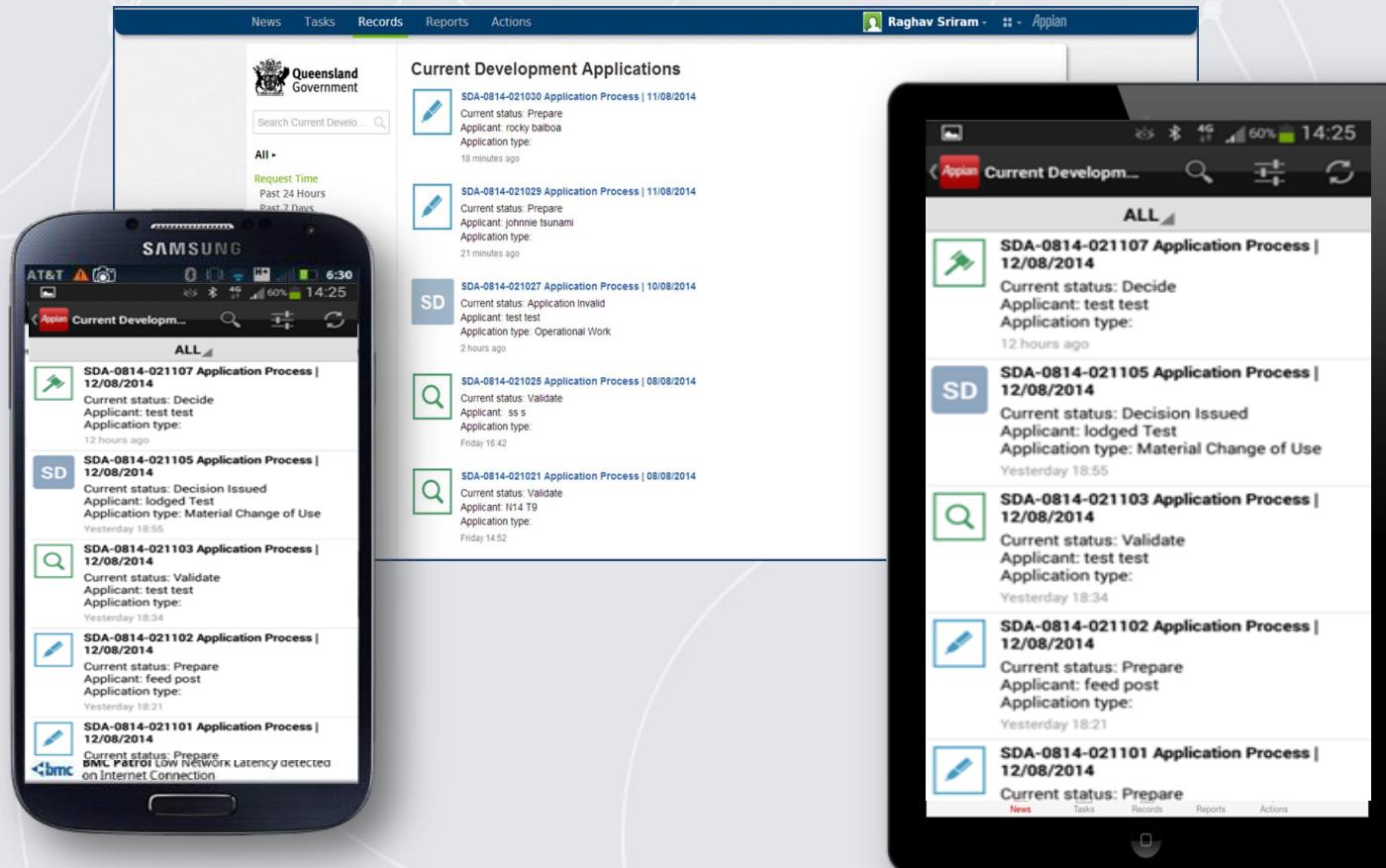
- The planning system allows for changes to a decision and an approval.
- This provides flexibility and responsiveness so applications don't have to 'start from scratch'.

**Note** More details on change processes in the Module: DA – **Changing, cancelling and extending approval processes**



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# MyDAS2



# For further information or questions

- Refer to the support material in this module's learning block
- Check the Planning Reform website learning hub, with information for practitioners and community, at:  
<http://betterplanning.qld.gov.au/planning-reform/resources/learning-hub.html>
- Visit Plan Chat – there are lots of resources in the library and you can post questions in 'our chats'

