

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



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

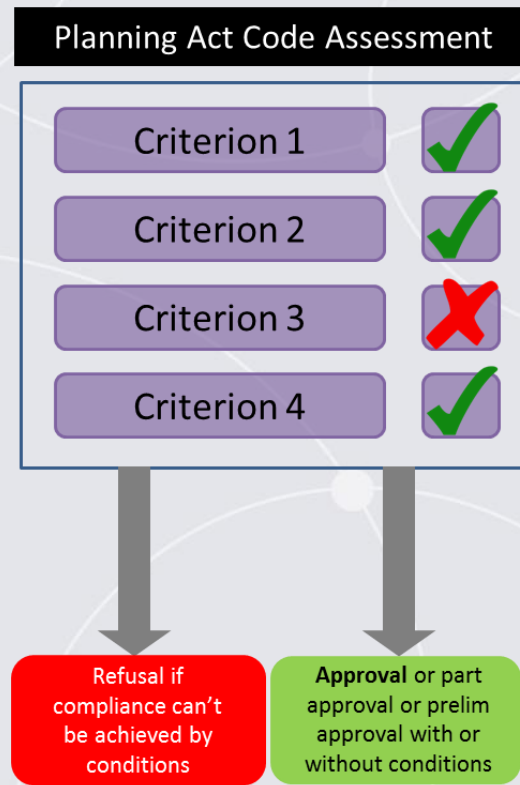
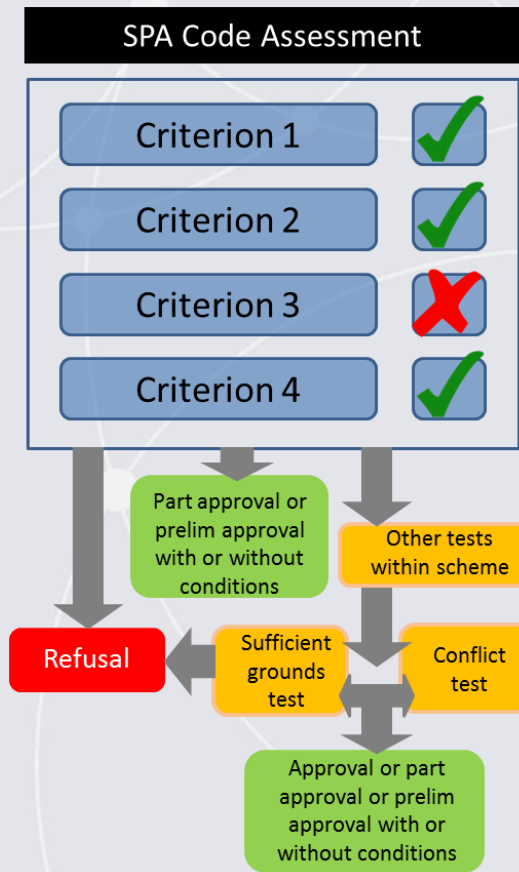


Categories of assessment

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



DA in legislation – key change (decision rules)



=

greater certainty for community and developers



A code assessment in current vs new world



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

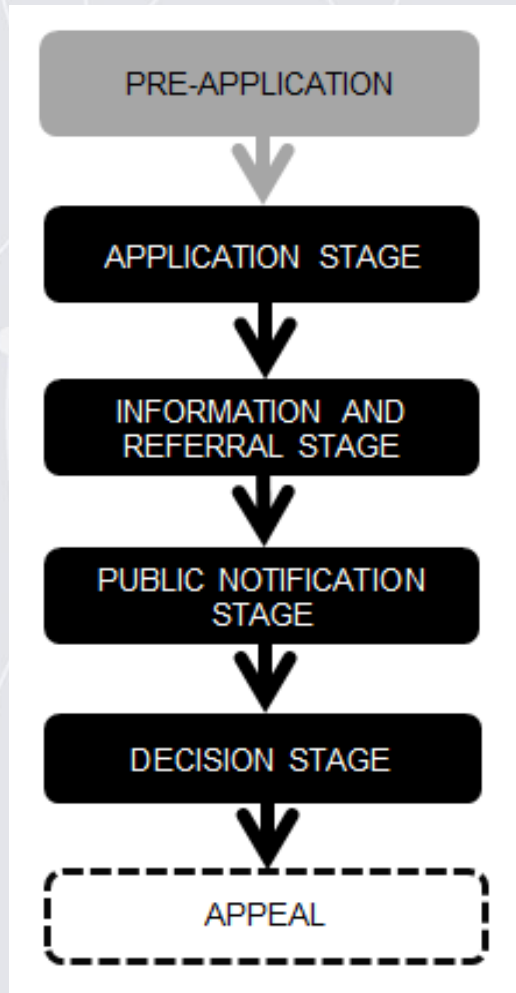


DA Rules – driving principles

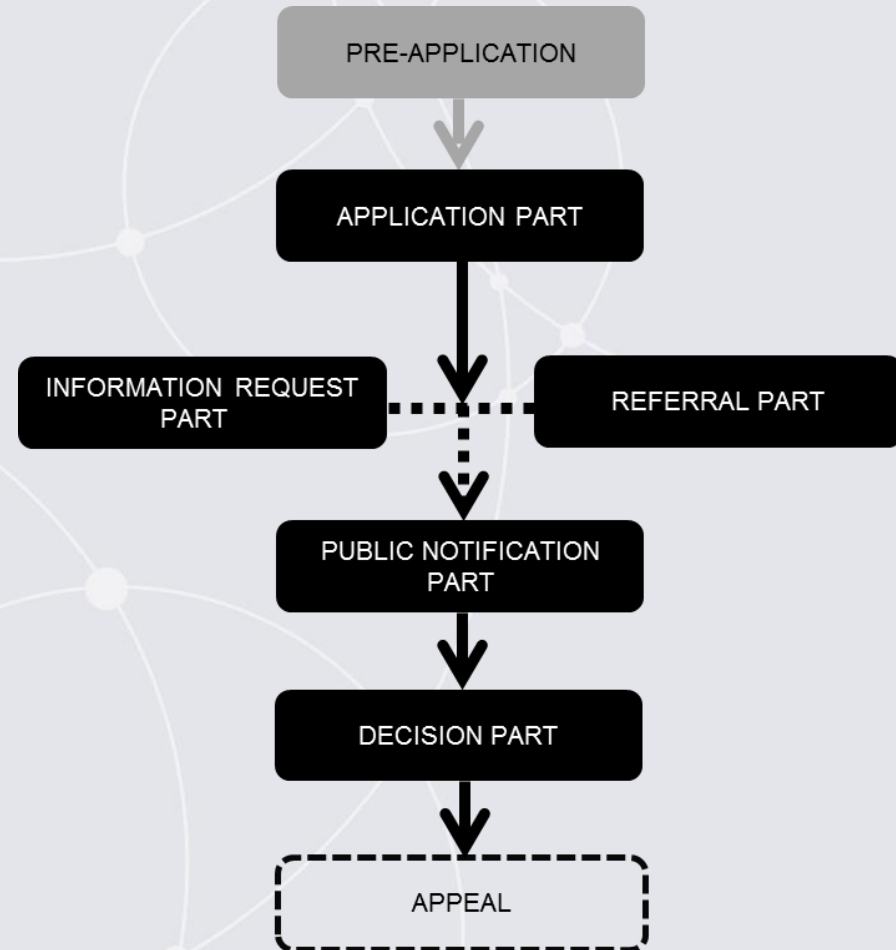
- ✔ Applicant-driven process
- ✔ Process efficiencies
- ✔ Holistic assessment
- ✔ Open communications
- ✔ Enhanced public notification
- ✔ User friendly



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
Code: with no referral + no information request		
20bd	40bd	45bd
Code: with no referral + with information request		
30bd	60bd	45bd
Code: with referral + with information request		
70b	130bd	75bd
Impact: with no referral		
55bd*	85bd*	60bd* (no submissions) 70bd* (submissions)
Impact: with referral		
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

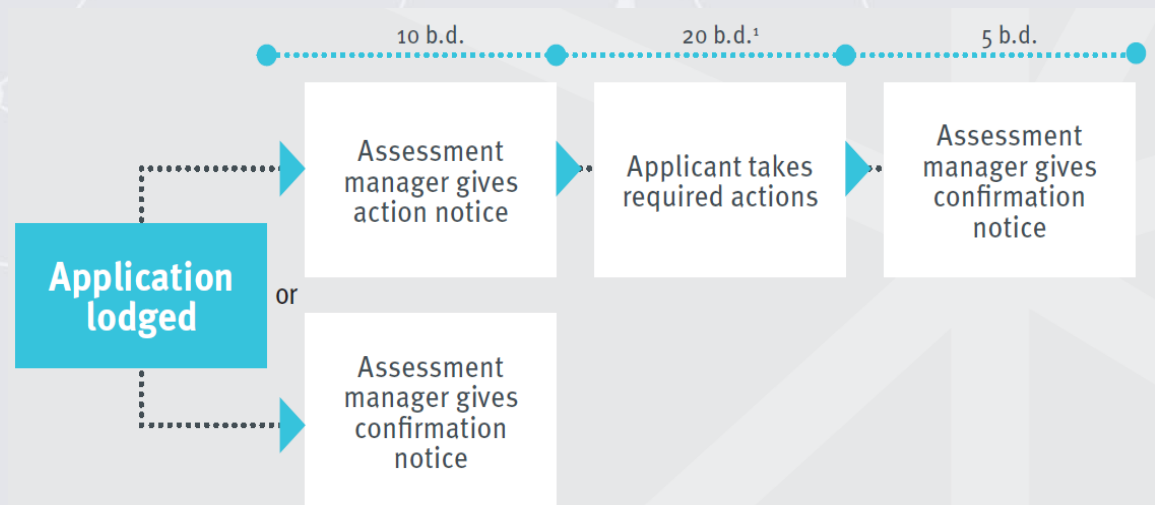
Part 6 – Changes to DA's and referral agency responses

Part 7 – Miscellaneous

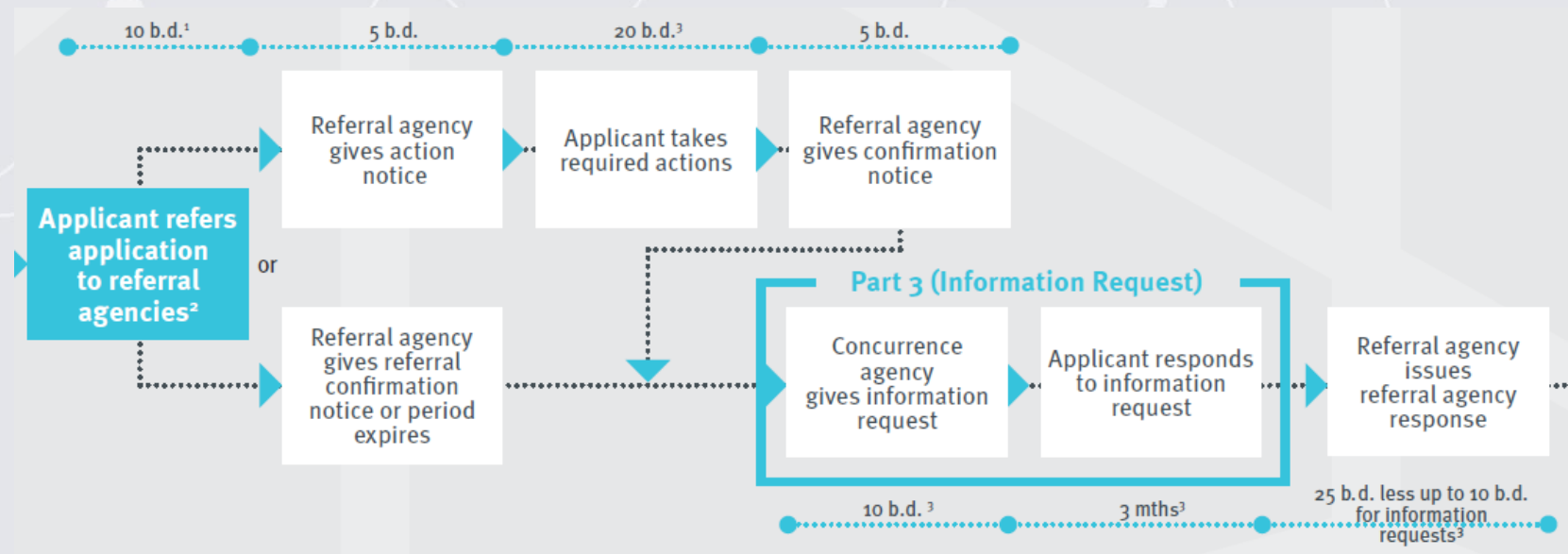


Part 1 Application

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



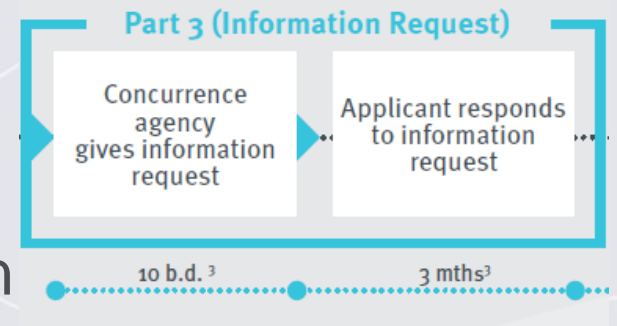
Part 2 Referral



- 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

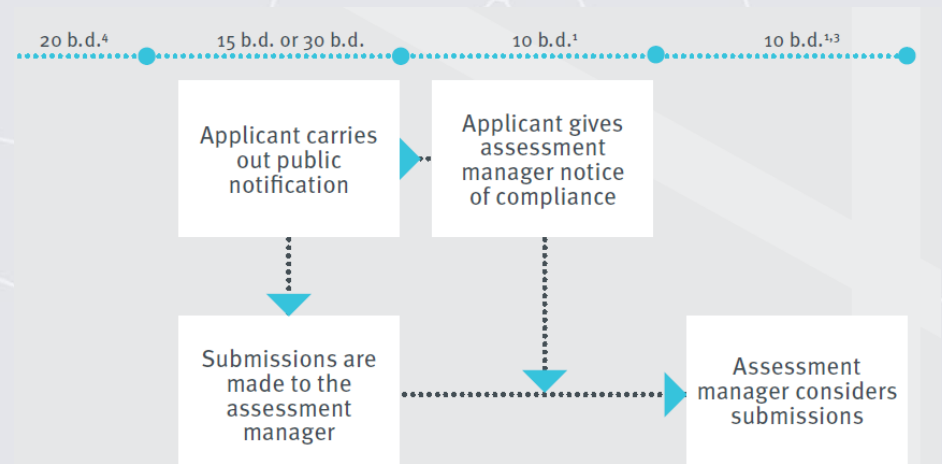


- 3 month applicant response period
- No lapsing if response is not provided
- Can be used together with 'further advice'



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 2000m²



> 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.qld.gov.au>
- > Application ref # DP0027389
- > Or by Scanning QR Code

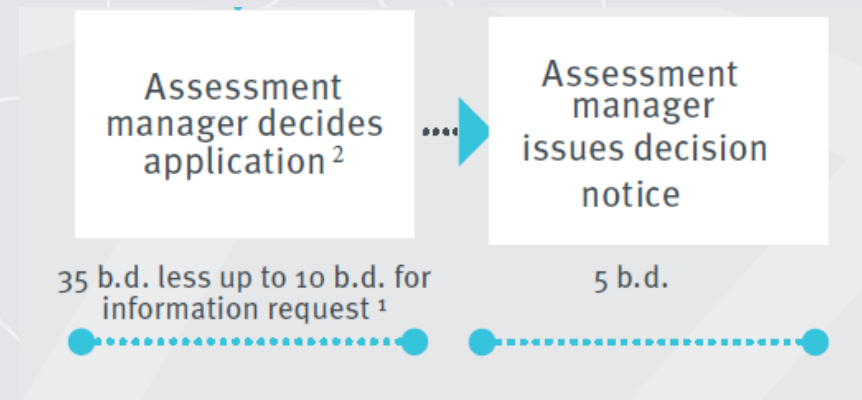
Public notification requirements are in accordance with the Planning Act 2016



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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



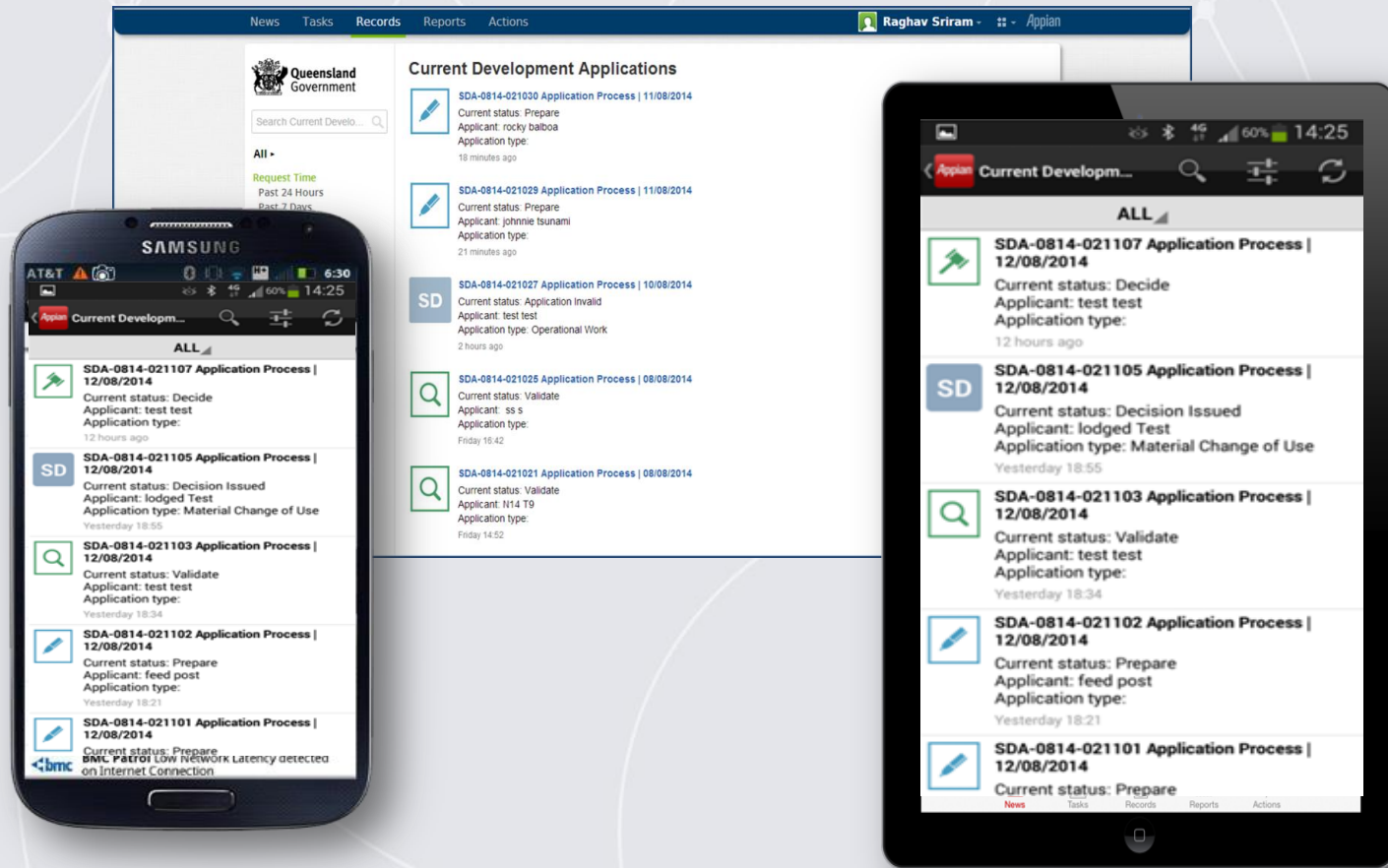
Change processes

- 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**



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'

