



# Ipswich Planning Scheme

## Commenting on an Application

This guide is one of a series of guides which has been prepared to assist people interpret local government planning schemes and implement the Integrated Development Assessment System (IDAS).

User's Guide 6 explains how to find out about the particulars of an application and provide comment to the assessment manager.

Anyone may comment (i.e. make a submission) about an application being assessed by the assessment manager (e.g. the local government, the Environmental Protection Agency or Department of Natural Resources and Mines).

Submissions may be sought in relation to impact assessable development in accordance with the provisions of the *Integrated Planning Act 1997* (IPA). In this situation a submitter is notified of the decision in relation to the application and may appeal against it to the Planning and Environment Court.

### PREPARING A SUBMISSION

When preparing a submission it is important to have a basic understanding of the proposed development as well as the development provisions applying to the land. Any comments made should be relevant to the application and in a format that provides all the necessary information for the assessment manager (e.g. the local government) to fully consider the submission during the assessment of the application.

### How to Find Out the Details of a Development Application

The details of all development applications are available through the public scrutiny process. This information is available while the application is being assessed and decided. Anyone can access this information by visiting the office of the assessment manager.

This enables any person to view the application form, the plans and any reports submitted in support of the application and any comments about the application.

### How to Find Out the Policy and 'Rules' that Apply to a Proposal

The planning scheme applies to the whole of the local government area. The scheme contains the local government's policy direction for the area and specifies what kinds of development requires an application to be made and the assessment criteria used to assess the suitability of development proposed in the local government area.

The Ipswich Planning Scheme is available for viewing at the Ipswich City Council's Planning and Development Department, Customer Service Counter.

Schedule 8 of the IPA also identifies the kinds of development that the State government has determined requires an application. Other State government legislation contains the criteria for assessing these applications (e.g. the Environmental Protection Act 1994 includes assessment criteria for environmentally relevant activities).

Existing use rights and prior approvals over land that are still current will provide certain development entitlements for the land.

### Contents of a Submission

A submission should express concerns and / or support for a proposal. To ensure the assessment manager can consider the issues raised, the submission should be based on the assessment criteria for the application (e.g. the applicable provisions of the planning scheme or those contained in another piece of legislation against which the application is being assessed.)

The code assessment of an application under the planning scheme will include an assessment of whether the proposal is consistent with the codes for—

- the zone, and any overlay if applicable;
- any applicable codes for the purpose or type of development proposed.

The types of issues that may be dealt with during the assessment of an application under the planning scheme may include whether—

- a proposed use is of a type specified as appropriate for the location;
- a proposal minimises adverse effects on nearby uses;
- proposed buildings and other works are consistent with the scale and design of existing buildings and other works in the area;
- a proposal maintains the values of a nearby cultural or natural feature; or
- a proposal maintains the health and safety of residents and visitors, and the amenity they enjoy.

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## How to Format a Submission

The local government may seek community input in any form, but to be most effective a submission should—

- be expressed in writing;
- state the reasons for the submission;
- contain the names and addresses of each person making the submission;
- be signed by each person making the submission;
- be given to the assessment manager (i.e. the authority responsible for assessing and determining the application, e.g. the local government or a State government department);
- be given before the application is decided.

For submissions on impact assessable development, they must be received by the date specified on the public notice.

## CONSIDERATION OF SUBMISSIONS

When deciding the application, the assessment manager must consider the issues raised in the submissions. This consideration may result in the proposal being modified to address the issues.

## AVAILABILITY OF SUBMITTER'S DETAILS

Submissions are not confidential, however the local government may choose to delete the names and addresses of submitters from the submission. Submissions form part of the material available for public scrutiny so that the applicant has the opportunity to address the issues raised.

### What other Guidance is Available?

To provide further assistance, the following additional User's Guides have been prepared—

- User's Guide 1: Features of the Planning Scheme and its Relationship to State Legislation
- User's Guide 2: Determining if an Application is Required
- User's Guide 3: Making an Application
- User's Guide 4: Assessing an Application
- User's Guide 5: Acting on an Approval Assessment Checklist & Examples

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