



Ipswich Planning Scheme

Assessing 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 4 explains the development assessment process under IDAS.

ASSESSMENT CRITERIA

Self Assessable Development

For self-assessment an application is not required. However, the person undertaking the development activity is responsible for ensuring compliance with the applicable code/s.

Code Assessment

For code assessment, the local government assesses the application against the—

- "common material"— all material about the application the assessment manager has received and any current development approval; and
- applicable planning scheme code/s.

Impact Assessment

For impact assessment, the local government assesses the application having regard to—

- the "common material" for the application;
- the planning scheme;
- any applicable "State planning policy";
- any approval for the land or adjacent land; and
- any "lawful use" of the land or adjacent land.

ASSESSMENT PROCESS

An application must be assessed using the Integrated Development Assessment System (IDAS) established under IPA. IDAS is the step-by-step process for making, assessing and deciding applications in Queensland.

The Provision of Additional Information

Depending on the level of information submitted with an application, the local government may consider it necessary to request the applicant to provide further information to assist in the assessment. A well prepared application may reduce the need for the local government to request further information during the assessment of the application.

ASSESSING AN APPLICATION AGAINST THE PLANNING SCHEME

Assessment Against an Applicable Code

A planning scheme will contain codes relating to a variety of issues including—

- a particular zone;
- a particular overlay or group of overlays; and
- a stated purpose or type of development.

The format of the code may differ based on whether it is applicable to self-assessable or code assessable development. A code for self-assessable development contains a list of precise requirements so that it is easy for the person undertaking the development to recognise whether the proposal satisfies the requirements. A code for code assessable development contains a clearly stated purpose that is supported by specific outcomes and sometimes probable solutions for achieving the specific outcomes.

The specific outcomes may relate to all development to which the code relates, or may be specific to a type of development activity, certain uses, the location of the proposal, etc., in which case only the outcomes relevant to the proposal are applicable. A probable solution provides a guide for achieving all or part of the applicable specific outcome. The applicant may demonstrate achievement of the specific outcomes in another way and the local government may vary the specific criteria in an approval.

Broader Assessment Against the Scheme

Impact assessment involves a broader assessment, having regard to all relevant provisions of the planning scheme.

DECIDING THE APPLICATION

The assessment manager (e.g. the local government) must decide the application based on the assessment.

Decision for Code Assessable Development

The assessment manager's decision may conflict with an applicable code if there are sufficient grounds to justify the decision, having regard to the purpose of the code. However, if the application is—

- for building work—the decision must not conflict with the *Building Act 1975*;
- assessable against the planning scheme—the decision must not compromise the achievement of the desired environmental outcomes and cannot be inconsistent with any State planning policy.

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The assessment manager may only refuse the application if—

- the development does not comply with the applicable code/s; and
- compliance with the applicable code/s cannot be achieved by imposing conditions.

Decision for Impact Assessable Development

The assessment manager's decision must not—
compromise the achievement of the desired environmental outcomes for the planning scheme;
conflict with the planning scheme unless there are sufficient grounds to justify the decision;
be inconsistent with any applicable State planning policy.

Direction by a Concurrence Agency

If an application is referred to a concurrence agency (e.g. the Environmental Protection Agency for an environmentally relevant activity) and the concurrence agency requires the application to be refused, the assessment manager must refuse it. Alternatively, if a concurrence agency requires certain conditions to be imposed, the assessment manager must impose these conditions in any approval.

THE TYPE OF DECISION

The assessment manager may—

- approve the application—
 - in full, with or without conditions; or
 - in part, with or without conditions; or
- refuse the application.

THE TYPE OF APPROVAL

There are 2 types of approvals that may be given—

- "Development Permit"—the final approval which must be obtained for each assessable development activity (e.g. if a proposal involves material change of use assessable against the planning scheme and building work assessable against the Standard Building Regulation (SBR), a development permit must be obtained for both development activities, through either a single or multiple applications);
- "Preliminary Approval"—a legally binding approval that does not authorise assessable development to occur. It is not necessary to obtain a preliminary approval prior to making an application for a development permit but it may assist in the staging of the applications.

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 5: Acting on an Approval
- User's Guide 6: Commenting on an Application Assessment Checklist & Examples

Users Guide 4



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City Council