

Application Requirements & Processing

6 JANUARY 2020



DEVELOPMENT ASSESSMENT INFORMATION

What do I need to include in my application?

For Council to be able to begin assessing your application, it must be properly made in accordance with Section 51 of the *Planning Act 2016*. A properly made application must include:

- The Approved Form/s
- Required Fee – see Council's current Fees & Charges
- Owner's Consent – All landowners must give their written consent to the application
- Supporting information

If the application does not have the above information, it is not properly made and Council cannot begin processing the application.

To assist you with preparing your development application it is recommended that you engage a qualified town planning consultant with knowledge of the *Planning Act 2016*.

What are the approved forms?

- [DA Form 1](#)
- [DA Form 2](#) (only required if development involves Building Work)

How do I fill out the above forms?

You can use the [DA Forms Guides: Forms 1 and 2](#) to assist you in filling out the forms.

What supporting information do I need for my application?

The following information is required to ensure your application is properly made (it is recommended a consultant be engaged to assist with the below supporting information):

- Relevant Plans – this may include site plans, elevation plans, building plans, survey plans, engineering plans. A [DA Forms Guide: Relevant Plans](#) is available.
- Planning Report – this should include the proposed development and address the applicable Planning Scheme codes or other planning instrument. The [DA Forms Guide: Planning Report Template](#) can be used to assist you in preparing your Planning Report.
- Any Technical Reports as required by the Planning Scheme or other categorising instrument. This may include reports such as Stormwater Management Plan, Traffic Management Plan, or Geotechnical Report.

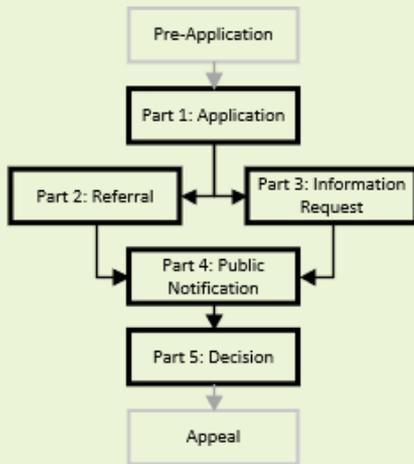
By providing all the necessary supporting information it allows Council to begin processing your application.

How do I lodge an application?

Council's preferred method of lodgement is via email to mailbox@lvrc.qld.gov.au. Alternatively applications can be lodged at Gatton or Laidley Customer Service Centres or sent in the post to Lockyer Valley Regional Council, PO Box 82, Gatton QLD 4343.

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Development Assessment Process



Need further information?

This fact sheet is designed to be a guide to the planning scheme and application process. Additional information can be obtained from the relevant Planning Scheme. If you require further specific information, please contact Council's Customer Service on 1300 00 5872.

Please note this fact sheet may be updated by Council at any time with the most recent version available on Council's website. If you have a printed copy please see Council's website to ensure you have the latest version. ■

Can I meet with Council to discuss my application before I lodge?

Yes. Council has pre-lodgement meeting service available. At this meeting prospective applicants and Council's technical staff can discuss a development proposal prior to lodgement. This meeting is recommended to take place once a proposal plan and specific questions or issues of non-compliance have been developed.

For more information, or to request a pre-lodgement meeting with Council please consult the following [Pre-Lodgement Meeting](#) webpage.

What happens once I have lodged my application to Council?

Once an application has been lodged the Development Assessment Process will begin (see flowchart to left?). Council will determine whether your application is properly made. If it is not properly made, Council will contact you to get the additional information. Once it is properly made the application will proceed to the next parts: Referral, Information Request, Public Notification, and Decision. For more information on the Development Assessment Process, see the [DA Rules](#).

Part 2: Referral

Some applications require referral to a Referral Agency. Question 17 of DA Form 1 lists referral triggers for an application. The [DA Mapping System](#) can be used to help identify referral triggers. A referral may be required in relation to the property or the proposed use. A referral fee may be required as part of the referral assessment.

It is the applicant's responsibility to give a copy of the application to any applicable referral agencies. The Referral Agency can request further information, suggest changes to the application, and impose conditions on the development permit. The Referral Agency may also direct Council to refuse the application.

Part 3: Information Request

Council officers will undertake a preliminary review of your application once it has been lodged. If an information request is required you will be advised in writing. You will have 3 months or a further agreed period to respond to the information requested. An information request can significantly delay the development assessment process. As such it is important to ensure your application includes as much information as possible.

If you do not provide any of the information requested Council may not be in a position to consider the application favourably.

Part 4: Public Notification

Public Notification is about informing the community that Council has received an application. An application that is *Code Assessable* does **NOT** require public notification. An application that is *Impact Assessable* is required to undertake public notification. The application must undergo public notification for the specified period under the *Planning Act 2016* and be undertaken in accordance with the *DA Rules*. Briefly, these requirements include the following actions within the specified period:

- Publish a notice at least once in a local newspaper;
- Place a notice on all road frontages of the premises; and
- Give notice to all adjoining owners.

If you do not undertake public notification properly then you may be required to extend or readvertise the application. It is recommended you engage a consultant with appropriate experience to assist you.

During the public notification period, anyone can lodge a submission to Council in relation to the application. Any submitter will have third party appeal rights and may appeal to the Planning and Environment Court once a decision has been given. Submissions can also be made on *Code Assessable* applications regardless of whether a public notification was made; such submissions do not have a third party appeal right.

Part 5: Decision

Council will undertake an assessment of the application against the applicable planning scheme and any other applicable statutory planning instrument. Once Council has completed assessment and a decision is made, the applicant will be notified by a Notice of Decision. This will state whether the application was approved in full, approved subject to conditions, approved in part subject to conditions, or refused. As part of an approval Council may issue an Infrastructure Charges Notice. [Infrastructure Charges](#) are levied on applicable development to fund the cost of the trunk infrastructure used to support the development. The levied Infrastructure Charge will depend upon the type of development. The Infrastructure Charges must be paid prior to the Plan of Subdivision being signed or the use commencing.

What happens once I have my Notice of Decision?

Once a Notice of Decision has been given, the applicant has 20 business days to:

- Submit a request to Council to negotiate the conditions of approval; and/or
- Submit an appeal with the Planning and Environment Court against conditions of approval or a refused application.

Once the applicant's appeal period has completed, the Notice of Decision will be provided to any submitters. Submitters also have 20 business days where they can appeal to the Planning and Environment Court. It is recommended that an application to appeal be prepared by a suitably qualified consultant with knowledge of the *Planning Act 2016*.

When can I begin development?

You can begin development when:

- The last appeal period ends, or the last appeal ends (whichever occurs last);
- All required development permits have been obtained; and
- Any development conditions required to be complied with are met.

On your Notice of Decision take note of any currency period for your approval. The Notice of Decision will state the period of approval. An approval will end if you do not complete your development, including any conditions of approval, within the specified timeframe.