

## General Advice

Amended 1 January 2010

# HOW DO I DETERMINE IF AN APPLICATION IS REQUIRED AND HOW DO I LODGE AN APPLICATION?

This brochure is intended to help you determine whether you require a planning application for your proposal, and if so, how you should make this application.

Note: For a more complete explanation of how the City Plan operates, applicants are recommended to read the following City Plan sections:

- Section 1—Introduction, Chapter 3—Areas and Assessment Processes
- Section 2—General Assessment Processes, Chapter 3—Areas and Assessment Processes
- Section 1—Introduction, Chapter 4—Local Plans
- Section 1—Introduction, Chapter 5—Codes and Related Provisions.

### Part 1—Is an application necessary?

In summary, the following elements of any proposed activity **DO NOT require an application to be made** under the City Plan (irrespective of whether a proposal is a material change of use):

- minor building work and all other exempt development listed in Section 2.3 of Chapter 3
- building work requiring only code assessment against the *Building Act 1975* (assessment of building work against the City Plan results in a preliminary approval for building work only)
- self assessable development
- carrying out plumbing and drainage work
- carrying out operational work (except filling or excavation), e.g. placing an advertising device on premises.

To determine whether an application must be made to carry out development, it is recommended that both Schedule 3 of the *Sustainable Planning Regulations 2009* and the City Plan be reviewed. City Plan is available in CD-ROM format from Customer Service Centres and Regional Business Centres.

To determine whether your proposal requires a planning application to be lodged under the City Plan, use the following questions as a guide:

#### Question 1 Does the proposal involve 'development'?

There are five types of development under the *Sustainable Development Act 2009*:

- assessable—either code assessable or impact assessable
- self assessable
- exempt
- development requiring compliance assessment
- prohibited development.

Only 'assessable' development needs a development approval, which must be obtained before work can commence.

The *Sustainable Development Act 2009* defines five aspects of development:

- building work
- plumbing or drainage work
- operational work
- reconfiguring a lot
- a material change of use.



Of these, the City Plan triggers development applications for the following:

- building work, except where only requiring code assessment against the *Building Act 1975*
- operational work, for filling or excavation or in relation to a Heritage Place
- reconfiguring a lot
- a material change of use unless identified as being exempt or self assessable.

### Question 2

#### Is the proposal exempt development?

Refer to separate brochure '*General Advice: What development is exempt under the City Plan?*' to clarify whether the proposal is exempt.

If exempt, no application or assessment against the Codes or other parts of the City Plan are required.

### Question 3

#### Is the proposal self assessable development?

Refer to the relevant level of assessment table in the City Plan.

In summary, the following development may be self assessable in particular Areas and under certain circumstances:

- **House** (against the House Code)
- **Home Business** (against the Home Business Code)
- **Park** (against the Park Code)
- **Farm** (against the Farm Code)
- **Industry** (against the Industrial Amenity and Performance Code)
- **Commercial Character Building Activities** (against the Commercial Character Building Code)
- **Centre Activities** (against the Centre Amenity and Performance Code)
- **Special Purposes, multi-unit dwelling or short term accommodation** (against the Centre Amenity and Performance Code)
- **Community Uses** (against the Community Use Code)
- **Outdoor Lighting** (against the Light Nuisance Code).

A proposal listed as being self assessable will not require an application if it complies with:

- the definition for that use
- the specific criteria in the relevant level of assessment table for the area classification
- the specific criteria in the level of assessment tables of any relevant Local Plan

- the specified Acceptable Solutions in the 'primary' Code—no other Codes in Chapter 5 will be used in assessing the proposal
- the specified Acceptable Solutions in any relevant Local Plan Code

The proposal may also be subject to the requirements of relevant local laws.

Refer to the separate brochures on each type of self assessable development to check whether a planning application is required.

### Question 4

#### Is the proposal assessable development?

The following aspects of development are 'assessable' and will need an application and development permit before work can commence:

- building work, except where only requiring code assessment against the *Building Act 1975*
- operational work, for filling or excavation or in relation to a Heritage Place
- reconfiguring a lot
- a material change of use, unless identified as being exempt or self assessable.

## Part 2—How do I lodge an application?

### When completing the application form

Provide the following mandatory information:

- applicant details
- accurate description of the land
- written consent of the land owner
- details of the proposal
- type/s and nature of development proposed under the *Sustainable Development Act 2009*.

This information is mandatory under the Sustainable Development Act 2009 when lodging a development application and must be provided on the relevant IDAS Form 1 Development Application forms. Council will not accept the application if any part of the mandatory information is incomplete.

Complete the relevant checklist if there is one available for the type of proposal being lodged. Checklists are available for code assessable applications and for common impact assessable applications such as multi-unit dwellings.

Provide supporting information, such as an assessment report to assist in demonstrating compliance with the checklist criteria.

Where no checklist is available, applicants should provide Council with additional information necessary to undertake a comprehensive and timely initial assessment of the proposal.

## Submitting the application

Submit the application form, application checksheet (if available for the type of proposal being lodged), seven copies of drawings and six copies of the assessment report to the Assessment Manager with the correct fee. In most cases this will be the Brisbane City Council when the site is in Brisbane City.

There are currently two ways to lodge an application:

- in person at one of the five Regional Business Centres, or
- by posting to: Brisbane City Council  
GPO Box 1434  
BRISBANE QLD 4001

The Council requires the applicant to pay a fee at the time of lodging an application. Fees are based on a schedule determined as part of the annual Council budget.

## For guidance on how an application will be assessed refer to the separate brochures:

- 'General Advice: How to prepare a code assessable application'
- 'General Advice: How to prepare an impact assessable application'
- the relevant checksheet (if available) for the type of proposal being lodged.

## Types of approvals

There are four types of approvals:

- a **preliminary approval**—a preliminary approval does not authorise development as this is the function of a development permit. It can however be used as a step towards a development permit. Assessment of building work against the planning scheme will only ever result in a preliminary approval for building work. A subsequent development permit for building work will be issued only when the building has been assessed against the *Building Act 1975*
- a **development permit**—a development permit is required before commencing development
- a **compliance permit**
- a **compliance certificate**.

## Part 3—Further assistance

Council is available to assist if you would like to discuss any matter relating to development applications. You can obtain advice either by calling or meeting with us.

## Telephone assistance

Council's Call Centre is available to provide advice about procedures, interpretation of the City Plan, and policies and practices affecting proposed development. You can contact the Call Centre on 3403 8888.

## Regional Business Centres

Council has five Regional Business Centres providing assistance with development and regulatory matters.

They can help with:

- checking City Plan Area classifications
- names and addresses of adjoining owners
- lodgement fees
- PlanFlag Reports and City Plan CD–Rom information, a useful way to identify the relevant planning provisions applying to a particular site. PlanFlag Reports are also available to BIMAP subscribers.

Regional Business Centres are located at:

- Library and Customer Centre, Level 1 North Quay Podium, 266 George Street, Brisbane
- North Regional Business Centre, 960 Gympie Road, Chermside
- South Regional Business Centre, Sunnybank Hills Shoppingtown, 661 Compton Road, Sunnybank Hills
- East Regional Business Centre, 2 Millennium Boulevard, Carindale
- West Regional Business Centre, 70 Station Road, Indooroopilly.

## Self help area

Library and Customer Centre, Level 1 North Quay Podium, Brisbane Square, 266 George Street, Brisbane has an area available to the public to view the City Plan and Planning Scheme Maps.

## Pre-lodgement meeting

Pre-lodgement meetings are useful for identifying issues that applicants need to address in making development applications and ensures applicants are on the 'right track'. To arrange a pre-lodgement meeting, contact the Call Centre on 3403 8888 or collect a Pre-lodgement Meeting Request Form and an information sheet on this service from a Regional Business Centre.

