

General Advice

Amended 1 January 2010

HOW TO PREPARE A CODE ASSESSABLE APPLICATION

This brochure is intended to help you understand how you should prepare an application where your proposal is subject to code assessment.

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

- *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—What development is code assessable?

In summary, the following development may be code assessable in particular Areas and under certain circumstances. Refer to the following separate brochures for each type of code assessable development. These will help you check whether a proposal is code assessable and provide information on how to lodge a planning application:

- **Centre Activities**
- **Commercial Character Building Activities.** Refer to the '*Commercial and retail development: Checksheet for code assessable Commercial Character Building Activities in a Commercial Character Building*'
- **Community Uses**
- **Building work for removal or demolition in the Demolition Control Precinct or of a Registered Boarding House or of a Commercial Character Building.** Refer to the '*Heritage and character: Checksheet for code assessable demolition or removal of a building*'
- **Emergency Services**
- **Farm**
- **Filling or Excavation.** Refer to the '*Other non-residential development: Checksheet for code assessable Filling or Excavation*'
- **Building work, operational work or subdivision on land adjoining a Heritage Place or minor building work on the site of a Heritage Place**
- **House.** Refer to the '*Residential development: Checksheet for a code assessable House*'
- **Industry**
- **Landing**
- **Outdoor Sport and Recreation**
- **Satellite Dish.** Refer to the '*Other non-residential development: Checksheet for a code assessable Satellite Dish*'
- **Service Station**
- **Special Purposes, multi-unit dwelling or short-term accommodation**
- **Subdivision**
- **Telecommunication Tower**
- **Utility Installation**
- **Warehouse.**



Part 2—Assessment guidance for code assessable development

- approval of an application is required before development can start
- the proposal will be assessed against applicable Codes in Chapter 5 of the City Plan and any applicable Local Plan Code in Chapter 4
- where stated in the Code against which the proposal is assessed, Council will be seeking views from the surrounding community in the form of additional advice or comment from third parties, to promote community awareness of the proposal and to assist in the decision stage of the application. This is indicated in the level of assessment tables by the term Code Assessment—Notifiable
- where the level of assessment table in a Local Plan calls up a Code for use in code assessment rather than notifiable code assessment, the notification requirements of the Code should be disregarded in applying the Code
- the proposal may be subject to the requirements of relevant local laws.

How Local Plans are used in code assessable development:

- a proposal within a Local Plan area will be subject to the Local Plan Code and any other Code/s referred to in the Local Plan's level of assessment table (these Codes may also refer to other applicable or relevant Codes), whether or not the level of assessment is varied by the Local Plan
- the Local Plan Code will include Performance Criteria and Acceptable Solutions that vary from or are in addition to those contained in the Codes in Chapter 5. For example, the Local Plan Code Acceptable Solutions may specify different heights, setbacks and car parking requirements, or provide additional Acceptable Solutions in relation to preferred built form outcomes.

How the Codes are used in code assessable development:

- Codes are the baseline regulations against which development proposals are assessed and are listed alphabetically in Chapter 5 of the City Plan
- all detailed development requirements are expressed in this consistent 'Code' format, regardless of whether the proposal is self, code or impact assessable

- the 'primary' Code applying to the development is indicated in the level of assessment tables. A proposal must be assessed against the 'primary' Code
- that 'primary' Code may refer to other 'secondary' Codes that are to be interpreted as part of the 'primary' Code where applicable
- each Code states in the section called 'Application' what development it applies to. The separate brochures for each type of code assessable development explain in more detail how to determine which 'secondary' Codes a proposal will need to be assessed against
- for code assessment, the Code is the Purpose, Performance Criteria and Acceptable Solutions
- the Acceptable Solutions are in the right hand column of the Code table. In some cases meeting an Acceptable Solution requires compliance with Australian Standards or the Plan's Planning Scheme Policies
- the Performance Criteria are in the left-hand column of the Code table. They provide a statement of the outcome that the Acceptable Solutions must achieve. In some cases, usually where no quantifiable Acceptable Solution can be provided, Codes outline the nature of investigations or process necessary to determine whether Performance Criteria are met
- the Acceptable Solutions represent the preferred way of complying with the Performance Criteria
- a code assessable proposal that complies with all Acceptable Solutions will be approved
- a proposal not complying with an Acceptable Solution must provide sufficient information to demonstrate how the corresponding Performance Criterion has been met
- a proposal that fails to comply with the Performance Criteria (except in insignificant details) and cannot be conditioned to mitigate impacts will be refused
- some Codes also contain notes with information about other relevant legislation or Council's local laws that apply to the development. These references are for guidance only and it should not be implied that these references are inclusive of all other legislative or local law requirements
- in some Codes, a glossary is provided to modify the meaning of a definition in Chapter 3 of the City Plan, or to explain the meaning of terms that are used in that Code.

How Planning Scheme Policies are used in code assessable development:

- the proposal may need to provide information as required by a Planning Scheme Policy (PSP). PSPs may be either referred to in a Code or other provision.

Consideration of a proposal in setting conditions:

In setting conditions for a proposal, Council will enforce the contributions in *Appendix 1—Infrastructure Charges* of the City Plan through conditions attached to development permit or preliminary approval. These charges carry across current infrastructure charges relating to aspects such as water supply and sewerage headworks and contributions for parkland, as well as location specific contributions.

In approving assessable development, conditions of approval may be placed on the proposal to ensure compliance with a Code requirement or provision, or to mitigate impacts.

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, Brisbane Square, 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

The 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.

