

General Advice

Amended 1 January 2010



HOW TO PREPARE AN IMPACT ASSESSABLE APPLICATION

This brochure is intended to help you understand how you should prepare an application where your proposal is subject to impact 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—Assessment guidance for impact assessable development

General:

- approval of an application is required before development can start
- the proposal must be publicly notified
- the proposal may also be subject to the requirements of relevant local laws
- the proposal will be assessed against the whole planning scheme, including relevant Codes in Chapter 5 of the City Plan and any relevant Local Plan Code in Chapter 4.

How the Strategic Plan is used in impact assessable development:

- the Strategic Plan may be used in the impact assessment process
- Strategic Plan Desired Environmental Outcomes (DEOs) apply across the whole City and will be considered when assessing large scale proposals or when cumulative impacts need to be considered

- consideration will be given to whether the proposal will compromise the achievement of these DEOs
- the strategies give broad directions for how the Scheme is implemented to achieve the DEO. Significant development proposals may be assessed for consistency with the strategies where the Area based DEOs and relevant Codes do not provide sufficient guidance or do not deal with cumulative impacts.

How the Area provisions are used in impact assessable development:

- the proposal cannot be approved if it compromises the achievement of the DEOs for the Area in which the site is located.

How Local Plans are used in impact 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 the level of assessment is varied by the Local Plan



- the development principles and precinct intentions of the Local Plan will also be considered in assessing a proposal (regardless of whether or not the level of assessment is varied by the Local Plan or whether the Local Plan contains a Code).

How the Codes are used in impact assessable development:

- some Codes 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 introduce a new definition for use within that Code
- the 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 may be 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
- where no specific relevant Codes are identified in the level of assessment table, the summary table at the front of Chapter 5 provides a guide to the range of Codes that are likely to be considered in assessing the application. Each Code states in the section called 'Application' what development it applies to
- for impact assessment, the Code is generally 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 a Planning Scheme Policy.
- 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 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
- explain the meaning of terms that are used in that Code.

How Planning Scheme Policies are used in impact 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, or are intended to be used in impact assessment processes
- as a result of the above, one or more supporting reports may need to be prepared. A guide to the range of reports that may be required, when these reports may be requested and details of how to prepare these reports are contained in the Planning Scheme Policies in Appendix 2 of the City Plan
- in preparing these reports, community consultation may be required, as outlined in the Consultation Planning Scheme Policy, in Appendix 2 of the City Plan.

Part 2—Impact assessable—generally appropriate development

This category is for development where it is considered that adverse impacts can usually be mitigated to acceptable levels.

Refer to the following separate brochure for a guide to how to lodge a planning application for particular impact assessable—generally appropriate uses:

- '*Commercial and retail development: Checksheet for an impact assessable Home Business*'

Additional assessment guidance for impact assessable—generally appropriate development:

- the proposal will only be approved where impacts are effectively mitigated to acceptable levels

- a Code may be identified against which the proposal is to be assessed to determine its appropriateness. In these cases, the proposal is to be assessed against the whole planning scheme, including the relevant Code and suggested secondary Codes
- a proposal that complies with all Acceptable Solutions in the relevant 'primary' Code and 'secondary' Codes will be approved, subject to:
 - being able to be conditioned to mitigate any potential adverse impacts to acceptable levels
 - meeting the Code's Purpose
 - meeting the Plan's DEOs
- the Impact Assessable Uses Planning Scheme Policy also provides guidance on the circumstances in which some types of proposals may be generally appropriate
- where there is no specific Code against which to assess the proposal, the assessment process for generally inappropriate impact assessable development, outlined below, will apply.

Part 3—Impact assessable—generally inappropriate development

This category is for development not specifically envisaged by the Plan.

Additional assessment guidance for impact assessable—generally inappropriate development:

- the proposal will need to demonstrate that it accords with the Strategic Plan in Chapter 2
- the proposal will need to demonstrate that there is a social, economic or environmental need for the development that could not be met in an Area where land had been allocated for that use under the Plan.

In assessing impact assessable—generally inappropriate development, or impact assessable—generally appropriate development for which there is no specific Code, the proposal will need to demonstrate that:

- the character, location, siting, bulk, scale, shape, size, height, density, design and external appearance of the proposal accords with the reasonable expectations for the Area in which the site is located
- the proposal has a positive impact on the landscape, scenic quality and streetscape of the locality
- the proposal does not detract from the appearance, environment or amenity of the locality. These effects may relate to issues such

as hours of operation, display of goods or release of any contaminant

- the proposal does not generate greater traffic movement or hazard than is reasonably expected in the surrounding locality by reason of:
 - on-site and on-street parking
 - number or type of vehicle movements
 - manner of access to the site
- the capacity of the road system in the locality is suitable for the proposed activity
- the site has a reasonable level of accessibility by all modes of transport, including pedestrian, cyclist, public transport and private vehicular access, that is appropriate to the development
- an adequate level of utilities and telecommunications infrastructure is available and that any utility upgrading carried out as a consequence of the proposal is within limits reasonably expected for the Area in which the land is classified
- the shared use of telecommunications infrastructure occurs to minimise disruptions and adverse impacts on amenity, communities and the environment
- noise generated by the proposal is within levels expected for the Area in which the land is classified
- the proposal does not result in unreasonable risk or hazard on site or to adjoining lands
- where the proposal is of a nature or a scale not reasonably expected in the Area in which the land is classified, that sufficient land is dedicated for public open space to offset or mitigate impacts. In particular buffers should be provided along waterways, wetlands and areas of biodiversity importance
- the disposal or storage of wastes and other materials will not result in visual blight, environmental degradation or nuisance
- negative community impacts are not generated, including impacts on:
 - community identity, cohesion and cultural practices
 - community health and well-being
 - access to community services and facilities required to support need
 - personal safety
 - housing choice, mix, cost and location
 - access to employment and education.



Part 4—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.

Part 5—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, 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.

