



Development Assessment Process

This information sheet provides a summary of the Development Assessment system under the *Planning Act 2016* (PA) and the *Development Assessment Rules* (DA Rules).

What is the DA process?

Under the PA and the DA Rules there are five possible parts of the development process which may apply to an application. These are:

- Application part
- Referral part
- Information request part
- Public notification part
- Decision part
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It is important to note that not all parts will apply to all applications. A brief summary of the parts is provided below.

Application part

Once the Council receives a development application, the application part begins. This part is used to determine if the application has been properly made in accordance with the *Planning Act 2016*. If an application is not properly made, Council will send an 'action notice' and the applicant will have 20 business days to respond. An applicant can extend the period to respond to the action notice by agreement with Council. If the application has been properly made and it is an impact assessable application, requires a referral, or was previously not properly made, then Council will send a 'confirmation notice'. The application part ends when Council issues a confirmation notice or, if a confirmation notice is not required, 10 business days after the application is properly made.

This part has a maximum duration of 30 business days, excluding extensions, depending on whether the application is properly made or not.

Referral part

This part will not apply to all applications.

If an application requires referral, the referral agencies will be identified on the confirmation notice and the applicant must give each referral agency a copy of the application and confirmation notice within 10 business days of receiving the confirmation notice, or a further period agreed between the applicant and Council, otherwise the application will lapse. Generally, a referral agency has 25 business days*, or a further period agreed with the applicant, to consider the proposed application and provide its response, which includes their information request period.

This stage has a maximum duration of 30 business days*, excluding extensions and the applicant's information response period.

*The DA Rules may provide alternative referral agency assessment periods for particular referral agencies.

Information request part

This part will not apply to all applications.

For Council to assess an application properly, more detail or information may be required from the applicant. If this is required, Council will send an 'information request' to the applicant who will have up to 3 months, or a further period agreed with Council, to respond with full or partial information or by saying that no additional information will be provided.

An applicant can advise on DA Form 1 that they do not wish to receive an information request (unless the application involves building work, a variation request, an environmental authority, or under the *Transport Infrastructure Act 1994*). However, Council is not required to accept any additional information provided by the applicant during the development assessment process unless by agreement.

If after the response period Council receives no response, the application moves to the next part.

Public notification part

Public notification only applies when any part of the application requires impact assessment or the application includes a variation approval. The public notification part allows the community the opportunity to make submissions, including objections, and secure the right to appeal any decision of Council in the Planning and Environment Court.

The public notification period for most applications will be 15 business days, unless the application involves a variation request and then it will be a minimum 30 business days, or a regulation prescribes an alternative notification period.

Public notification must start within 20 business days of:

- Where no information request or referral agencies- the confirmation notice being given; or
- Where no information request but with referral agencies- the start of the last referral assessment period; or
- Where information request and referral agencies- the information request part finishing.

The applicant must advise Council the intended start date to notification, and must within 10 business days, or a further period agreed with Council, of the last day a person can make submission, advise Council that they have correctly undertaken public notification.

The maximum duration of this stage is 60 business days, excluding extensions.

Decision part

The decision part starts once all other parts have been completed, and is where Council assesses the application against all relevant planning instruments and assessment benchmarks and decides whether it should be approved or otherwise.

If the Referral, Information request, and Public notification parts are not applicable to the application, Council can issue a Decision notice within the first 10 business days.

The maximum duration for this stage is 35 business days, excluding extensions.

Need more information?

For additional information, please refer to the *Planning Act 2016*, the *Planning Regulation 2017*, and the *Development Assessment Rules*, which are available at the Department of Infrastructure, Local Government and Planning's [website](#). This website also has fact sheets, flow charts and videos that explain the planning system in Queensland. Alternatively, contact Council on (07) 5424 4000 or email your enquiry to mail@somerset.qld.gov.au.