



# LODGING A DEVELOPMENT APPLICATION

The *Planning Act 2016* identifies that some development requires a development application to be assessed and decided before the development can occur. Local government planning schemes and state government legislation set out which types of development require a development application.

Development applications in Queensland are most often made to the relevant local government. Each local government should have information on its website about the best way for an applicant to lodge a development application.

An applicant is the person who makes the development application. The applicant may be the owner of the property the subject of the proposed development or may be a planning consultant or agent acting on behalf of the owner.

## Steps in preparing and lodging a development application

### Step 1: Knowing the zone

Every piece of land in Queensland is included in a zone. Each zone allocates land for different uses. There are zones for residential, commercial and industrial development, for community facilities and services, for rural activities, and covering natural and recreation areas.

Each local government regulates development in its area and therefore each zone may be slightly different across the state. Local governments, through their local planning schemes, will provide more detailed direction on each zone's intended uses and the development depending on the location.

Knowing the zone can help an applicant to understand what can be done with the land. The '[know your zone](#)' cards provide an overview of each zone and identify some uses that may be expected to be developed in each zone. For more detailed information, please contact the relevant local government and view the local planning scheme to establish the zone for a particular land parcel.

Factsheet – July 2021

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## Step 2: Find out whether a development application is needed

Only [development categorised](#) as assessable development, being either impact assessment or code assessment, will require a development application.

Once the proposed development is known, to determine whether the proposed development requires a development application, look at:

- › the relevant local government's planning scheme to see how development is identified – each local government categorises development differently based on their local aspirations and unique circumstances. To view the local planning scheme, visit the relevant local government's website.
- › the Planning Regulation 2017 to confirm whether the proposed development is accepted, assessable or prohibited development. The Planning Regulation is available at the Queensland Legislation [website](#).

If the proposed development is identified as accepted development and meets the requirements no development application will be required. If the proposed development is identified as prohibited development, a development application cannot be made.

We encourage applicants to contact their local government to discuss their proposed development and confirm whether a development application is required.

## Step 3: Find out who the assessment manager is and whether any referrals are required

If the proposed development is identified as assessable development, a development application needs to be lodged with the assessment manager.

Local governments are the assessment managers for most development applications. In some instances, the state government can be the assessment manager. Where the state government is the assessment manager this is coordinated through the State Assessment and Referral Agency (SARA).

Some development applications will require additional assessment by a referral agency. The

Planning Regulation 2017 establishes what matters need to be assessed by a referral agency. When preparing a development application, it is the applicant's responsibility to identify whether there are any referrals associated with the development application. Where an applicant is unsure about the applicable referral agencies, they should contact their relevant local government.

## Step 4: Prepare a 'properly made' application

A development application must meet certain requirements for it to be considered 'properly made'.

A 'properly made' development application:

- › uses the correct [development application form](#) and includes all the required material
- › includes the owner's consent (where required)
- › is accompanied by the required fees (set by the assessment manager).

## Step 5: Lodge a development application

Once the assessment manager and any referral agencies have been identified and the development application is prepared, it can be lodged with the assessment manager.

Depending on who is the assessment manager, the applicant may be able to prepare and lodge the development application electronically. Alternatively, the [development application forms](#) can be downloaded from the department's website and submitted, along with all the relevant application materials, to the assessment manager by email, mail or in person.

Lodgement methods vary across assessment managers. Speak to the relevant assessment manager about the preferred lodgement method. Often online lodgement is preferred, and it may save money if the relevant assessment manager charges an addition fee to scan in the documents.

If lodging a development application with SARA, MyDAS2 may be used to prepare the development application electronically, pay required fees and submit it to the state government.

Once lodged, if the development application does not meet the criteria, it cannot proceed through the development assessment process to decision. The assessment manager will let the applicant know

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if the development application is not ‘properly made’. If it is ‘properly made’, the assessment process will begin.

### Step 6: Development application is assessed

Once the development application is considered ‘properly made’, the development assessment process begins.

Depending on the specific nature of the development application, this may involve:

- › referring the development application to any referral agencies for their assessment and response
- › receiving and responding to an information request from the assessment manager or referral agency
- › notifying the public of the proposed development, if the proposed development is impact assessable.

The time it takes to receive a decision will vary. This depends on the particulars of the development application.

Throughout the assessment process, notices will be exchanged between the applicant and the assessment manager and any referral agencies. The assessment manager has a set period to finalise each step of the process and decide the outcome of the development application.

For more information on the development assessment process, view the [Development Assessment Rules](#) or use the ‘[map your development application](#)’ function on the department’s website.

### Step 7: A decision is made

The assessment manager can issue three types of decisions on a development application:

- › approval of all or part of the development application — this allows the applicant to proceed with the development (subject to any other required permits)
- › approval of all or part of the development application, with conditions — this allows the applicant to progress with the development, but only in line with the conditions attached to the approval

- › refusal — the applicant is not permitted to progress the development.

### Step 8: Appealing a decision and resolving disputes

Applicant and submitters are given certain rights to appeal to a Development Tribunal or the Planning and Environment Court against decisions about a development application.

The appeal process is available when:

- › an applicant is dissatisfied with the decision or a condition of the development approval
- › a person (submitter) is dissatisfied with a development decision.

These appeals are handled by the Planning and Environment Court. For some low-risk, technical matters an applicant may also have the right to appeal to the Development Tribunal.

### Step 9: After a development application is approved

Once the development application has been approved, or approved with conditions, and all relevant appeal periods have ended, the development approval takes effect.

Where a development permit has been given, the applicant needs to make sure any other necessary permits have been obtained before starting the development, such as development permits for operational works or building works.

There are options available under the Planning Act to change an approval once it has been given. The process and requirements for seeking a change to an approval will depend on the timing of the request and also the nature of the changes proposed.

Applicants should also check the currency period on the approval – that is, the length of time given before having to start the development. The Planning Act does provide the ability to request an extension of time if needed.

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