T 1300 79 49 29
F (07) 4197 4455
E enquiry@frasercoast.qld.gov.au
www.frasercoast.qld.gov.au

Return Information:
Fax: 07 4197 4455 Post: PO Box 1943, Hervey Bay In Person: Council Administration Centres

Advisory Notes Integrated Planning Act 1997
Public Notice of Development Application

Why is public notification required?

The purpose of the public notification process is to give interested community members the opportunity to

- inspect details of the application and if they wish, to make a submission expressing their views about the proposal; and
- to secure the right to appeal any decision by the Assessment Manager.

What Development Applications need to be publicly notified?

Public notification of an application is required if –

- Any part of an application requires impact assessment. This includes an application that requires both code assessment and impact assessment; or
- The application is made under a 'transitional planning scheme' or interim development control provision and would have required public notification had it been made under the repealed *Local Government (Planning and Environment) Act 1990.*

What action do I need to undertake in public notification?

Public notification requires that the following actions be carried out –

a) publishing a notice at least once in a newspaper circulating generally in the locality of the land the subject of the application;

b) placing a notice on the land the subject of the application, in the approved form as prescribed under the *Integrated Planning Regulation 1998* for all of the notification period. The notice must be maintained from the day it is placed on the land until the end of the notification period; and

c) giving a notice to the owners of a land adjoining the land the subject of the application. This includes an owner of an adjoining lot which has a common boundary with the subject site, whether such boundary is measurable or not.

All the notices abovementioned must be in the approved form and a copy is appended. (Notice 1)

What is involved in the newspaper public notice?

Notice in accordance with the required format (copy appended - Notice 1) is to be placed in the Public Notices Section of a locally circulating newspaper (Fraser Coast Chronicle, Observer or Independent are acceptable). Please ensure you are aware of the print deadlines so as to ensure you can fulfil the requirements of a)-c) above in the time restrictions set by the Act (identified below).

Are there any requirements in placing the public notice (sign) on the land?

Yes, the requirements are prescribed by the *Integrated Planning Regulation 1998* and are appended for your information. As the Applicant, you are responsible for ensuring that the sign remains on the site for the whole of public notification period. Further, as in the past, Council recommends that where an application relates to part of a property only, a map/plan of that area suitably dimensioned and accurately presented should be affixed to the Notice for reference purposes. Signs are available for purchase from Council at $62.00 per sign.

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How do I notify adjoining landowners?

Notice must be provided to all adjoining landowners in the approved form. (Copy appended-Notice1). The names and addresses of all adjoining owners can be obtained on request from Council's Customer Service Centres, at a cost of $26.00 per owner. While not required by the Act, you as the applicant may wish to use certified mail in postal delivery of the notice to adjoining landowners. Details of adjoining landowners are also attached in Council's Acknowledgement Notice.

When can public notification commence?

Public Notification can start as soon as either –

- the Acknowledgement Notice is given, provided there are no concurrence agencies and that the Assessment Manager states in the acknowledgment notice that it does not intend making an Information Request; or
- the last information request period ends and if no Information Request has been made during this period; or
- the Applicant gives all information request responses to all information requests made and gives copies of the responses to the Assessment Manager.

Note : All notification actions must be completed within 5 business days after the first of the actions is carried out.

What is the period for notification?

The notification period is a minimum of **15 business days,** however a **30 business day** period applies if any of the following apply to the application –

- the application requires referral coordination in accordance with Chapter 6, Part 7, s 6.7.1A (2) of the *Integrated Planning Act 1997;*
- the application is for particular aquaculture development in accordance with Chapter 5, Part 8A, Division 1, s 5.8A.5 of the *Integrated Planning Act 1997;*

The notification timeframes start from the day **after** the last notification action has been carried out. The notification period **excludes** any business days between (and including) 20 December and 5 January of the following year.

What do I do after I have completed notification?

The IPA requires that when an applicant has carried out notification, the Applicant must, after the notification period has ended, give the Assessment Manager written notice that the Applicant has complied with the requirements of the Act relating to public notification. A Confirmation of Notification form is attached. The decision making period for the application commences the day after the completed 'Confirmation of Notification Procedure' form is received by Council.

What wording do I use in the Notices?

The same wording is to be used in all notices. The notices are to be in the approved form and as indicated earlier, are appended to this Advisory Note, with the following guide provided for completion.

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NOTICE 1

Integrated Planning Act 1997

PUBLIC NOTICE OF DEVELOPMENT APPLICATION

Planning Scheme for the

PROPOSAL: .....

.....

.....

APPLICANT: .....

ON LAND AT: .....

.....

.....

.....

The application can be viewed at either COUNCIL'S ADMINISTRATION CENTRES located at 77 Tavistock Street, Torquay, Hervey Bay and 431 – 433 Kent Street, Maryborough.

Any person may, on or before **4.45pm on _____,** make a signed written submission to THE ASSESSMENT MANAGER, C/- CHIEF EXECUTIVE OFFICER, FRASER COAST REGIONAL COUNCIL, PO BOX 1943, HERVEY BAY QLD 4655

A properly made submission must state the name and address of each person who is making the submission, the grounds of the submission, and the facts and circumstances relied upon in support of the grounds.

NB. Any enquiries in relation to this application should be directed to the FRASER COAST REGIONAL COUNCIL on 1300 79 49 29.

File No:

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GUIDE TO COMPLETING NOTICE 1

PROPOSAL: *(Describe the development)*

APPLICANT: *(Insert name)*

ON LAND AT: *(Insert the site address of each lot to which the application relates, or if the land does not have frontage to a named road or cannot be otherwise sufficiently identified, the property description. In any case, the site address or property description is to be sufficient to locate the land).*

Any Person may on or before ***(Insert last date for receipt of submissions)*** make a signed written objection to the ASSESSMENT MANAGER, C/-CHIEF EXECUTIVE OFFICER at the FRASER COAST REGIONAL COUNCIL.

File No: *(Insert Number referenced in Acknowledgment Notice). (E.g. 513/3-_____)*

REQUIREMENTS FOR PLACING PUBLIC NOTICES ON LAND ACT 3.4.4

1. This section prescribes, for section 3.4.4.(1)(b)1 of the Act, requirements for the placing of a notice on land.

2. The notice must be—
   (a) placed on, or within 1.5m of, the road frontage for the land; and
   (b) mounted at least 300mm above ground level; and
   (c) positioned so that it is visible from the road; and
   (d) made of weatherproof material; and
   (e) not less than 1200mm x 900mm.

3. The lettering on the notice must be—
   (a) for lettering in the heading, as indicated on the approved form of the notice—at least 50mm in height and in a bold style; or
   (b) for lettering in the subheadings, as indicated on the approved form of the notice—at least 25mm in height and in a bold style; or
   (c) for lettering not mentioned in paragraphs (a) and (b)—at least 25mm in height, of regular weight and in sentence case.

4. Each sentence in the notice must start on a new line.

5. If the land has more than 1 road frontage, a notice must be placed on each road frontage for the land.

6. The applicant must maintain the notice from the day it is placed on the land until the end of the notification period.

7. In this section—

   road frontage, for land, means—

   (a) the boundary between the land and any road adjoining the land; or
   (b) if the only access to the land is across other land—the boundary between the other land and any road adjoining the other land at the point of access.

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Confirmation of Notification Procedure

Integrated Planning Act 1997 – Section 3.4.7

Purpose of Form: ***This form will be used to process your confirmation of notification relating to the proposed development.***

***Denotes a Mandatory field**

Dear Sir/Madam

Notice is hereby given that in respect to:

Proposed Development: _____

File Number: _____

the provisions of Part 4 Division 2 (Chapter 3 IDAS) of the *Integrated Planning Act* have been complied with as follows:

a) The application was advertised in _____ (newspaper) on _____;

b) a notice in the approved form was posted on the land as prescribed by the *Integrated Planning Regulation 1998* on

(Insert date of posting on land)_____

to the frontage/s to (Insert road/s/street/s) _____

and was maintained until _____ ; and

c) Notice was served on all adjoining owners (whose names and addresses are listed below) on

(Insert date of service of Notices) _____

Name	Address
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(Signature) _____

(Name of Applicant)_____

Date: _____ _____

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