FACT SHEET

Impact Assessment

What is Impact Assessment?

Impact Assessment under the *Sustainable Planning Act 2009* involves a broader assessment of a development application (in comparison to Code Assessment). An Impact Assessable development application involves an assessment against the following documents:

- The relevant Fraser Coast Regional Council Planning Scheme (all applicable codes, Desired Environmental Outcomes and Strategies)
- Other relevant Local Planning Instruments (where applicable);
- *State Planning Policies* (where applicable)

Rationale for Impact Assessment

The relevant Fraser Coast Regional Council Planning Scheme determines the level/category of assessment for the proposed development based on the zoning of the land and its proposed impacts to surrounding land uses. By a proposed land use being listed as Impact Assessable within the relevant Planning Scheme, Council requires the level of public interest to be gauged during the assessment of the proposed development. Submissions received during the Public Notification Period are taken into consideration during the preparation of a planning report and subsequent decision whether to approve or refuse a development application. It should be noted that this is a more rigorous assessmemt than code assessment as it involves assessment against the Planning Scheme in its entirety.

Impact Assessment

Impact assessable development requires an application and development permit before development can start. Impact assessable development will be assessed against the whole Planning Scheme including the DEO's for the City, the purpose and requirements for the particular zone and, all relevant codes.

For impact assessment the acceptable solutions in the relevant codes represent one way of meeting the performance criteria. There may also be other ways of complying with the performance criteria while still meeting the code's purpose. A proposal that does not comply with an acceptable solution, must demonstrate that the proposed solution meets the relevant performance criteria and purpose of the code. Where no acceptable solution is specified, compliance with the performance criteria must be demonstrated.

Stages of the Impact Assessment Process

Under the Integrated Development Assessment System (IDAS) there are a number of stages that are applicable to an Impact Assessable development application. These stages are listed below:

1. Application Stage (application is lodged with Council);

2. Information and Referral Stage (application is reviewed and further information may be requested by Council or a Referral Agency, where applicable);

3. Notification Stage (public notification of the development application – for further details please refer to *Public Notification of Development Application*); and

4. Decision Stage (stage where Council makes a decision on whether the development application is to be approved).

Stages must progress sequentially, i.e. one stage cannot start until the previous stage has been completed.

Application Stage of Impact Assessment Process

Within ten (10) business days of the application being 'properly made' Council is required to issue the applicant with an Acknowledgment Notice. An Acknowledgment Notice states the following:

- What type of work the applicant is seeking approval for (ie. Material change of use or reconfiguring of a lot);

- The names of all referral agencies for the application (if applicable);

- Public Notification requirement within the *Sustainable Planning Act 2009* (cannot start until the Information and Referral Stage has been completed);

- Whether or not Council will be issuing the applicant with an Information Request (if further information is requested Council has 10 business days to send an Information Request); and

- Whether extended advertising requirement are required (triggered where there are three or more Concurrence Agencies) – if Concurrence Agencies are involved this is the time to refer the application to those agencies (eg. State – Controlled Road trigger would need to be referred to the Department of Transport and Main Roads).

Public Notification

It is a statutory requirement under the *Sustainable Planning Act 2009* that applications subject to Impact Assessment undertake Public Notification. Public Notification under the *Sustainable Planning Act 2009* involves:

- Placing a public notice sign on each street frontage of the subject site;
- Notifying the adjoining land owners of the proposed development by mail; and
- Placing an advertisement in the public notices section in a newspaper.
- Forward to Council the mandatory "Notice of commencement of public notification" *(link attached).*
- At the completion of the requirements the mandatory "Notice of compliance of public notification" *(link attached)* is to be forwarded to Council.

http://www.dip.qld.gov.au/resources/template/notice-commencement-public-notification.doc

http://www.dip.qld.gov.au/resources/template/notice-of-compliance.doc

Further details can be found on the Information Sheet entitled *Public Notification of Development Applications*.

Delegated and Non-delegated Authority

Applications are decided by one of two processes at Fraser Coast Regional Council:

1. Planning and Development Committee Recommendation to Council (non-delegated decision)

Some applications are debated by the Planning and Development Committee (comprises all Councillors) who make recommendations for a decision to the formal Council Meetings held once a month. Generally, applications decided by Council under this process include:

- Any applications that are impact assessable and are defined as a 'non-consistent' use in the relevant zone;
- Impact assessable applications that have received submissions that are not in support of the proposal or have not raised an issue that could otherwise be conditioned within an approval'
- Any applications that have been recommended for refusal; and
- Any application that is contentious or "of interest" due to its nature and/or scale

2. Delegated Authority

Any application that does not fall under the above categories including impact assessable applications that have not received a submission during the public notification process, are decided

by senior Council staff who have been specifically granted delegated authority by Council to decide applications of this nature.

Need Further Information?

For further specific information and procedures on impact assessment contact the Duty Planner on 1300 794 929.