

PLANNING POLICY NO. 15

Development Application Requirements

1.0 Purpose

The purpose of this policy is to set out the guidelines for:

- (a) the preparation, submission and advertising of development applications under the planning scheme; and
- (b) the naming of new roads to be created by Reconfiguring a Lot proposals.

1.1 Application of the Policy

This Policy applies to all development applications made under the Rockhampton Planning Scheme.

2.0 Making a Development Application

When formulating the development application, the applicant should ascertain:

- (a) the requirements of the planning scheme (in particular, the intent of the Planning Area and any relevant codes) that are relevant to the land and the type of proposal; and
- (b) the provisions of any other relevant planning scheme policies; and
- (c) whether the land is subject to an Infrastructure Agreement or an Infrastructure Charges or Payments Schedule and, if so, the relevant provisions of the Agreement or Schedule; and
- (d) whether the land is constrained in any way (e.g. flood prone, contaminated etc); and
- (e) whether the land has been subject to any previous Council approvals; and
- (f) the existing or proposed development on adjacent land; and
- (g) whether any specialised reports are required (e.g. slope stability, an environmental management plan, etc); and
- (h) the requirements (if any) of any referral agencies.

Once the relevant information outlined above has been gathered, a sketch plan of the proposal should be prepared. It may be necessary to prepare a site constraints plan to ensure that the proposal is satisfactory in terms of the constraints such as steep land, flood prone areas, wetlands or remnant vegetation.

3.0 Pre-lodgement Meetings

Pre-lodgement meetings between applicants and Council officers are useful to:

- (a) clarify application, referral and assessment procedures; and



- (b) identify likely variations to code requirements and to indicate possible Council concerns; and
- (c) identify those issues of particular importance that will need to be addressed by the application and supporting information.

Preparation for such meetings will ensure that they are more productive. The provision of sketch plans of the proposal will enable Council officers to provide more accurate advice. The meeting should be arranged with Council sufficiently in advance, usually 3 or 4 days, to allow officers to investigate relevant information about the site and to organise attendance by officers from any Council departments that may have subsequent input into the assessment of the development application.

Pre-lodgement meetings are encouraged, particularly for the more complex or contentious proposals. While such consultation and the preparation of sketch plans is not mandatory, it is in the applicant's interest as it could reduce costs in preparing plans and may reduce the time Council needs to determine the application.

Where proposals are impact assessable or may be contentious, applicants are encouraged to consult with local communities in the early stages of the development process. Council may be able to assist with such consultation through the identification of relevant community contacts.

Pre-lodgement meetings with State government departments and other public authorities having advice or concurrence agency status may be similarly useful and are also encouraged.

4.0 Development Application Requirements

4.1 All Development Application Types

The development application must be made in accordance with the relevant provisions of this Planning Scheme Policy, the *Integrated Planning Act 1997* and its Regulations.

The following is to be submitted with the application:

- (a) five (5) copies of the completed Integrated Development Assessment System (IDAS) Application Forms, plans and supporting material;

Note: *Copies of the approved Integrated Development Assessment System Form are available from the Council. Additional copies are to be submitted to referral agencies by the applicant where such agencies are involved.*

- (b) Application fees calculated in accordance with Council's Schedule of Fees and Charges. Application fees will be retained by the Council, unless otherwise determined by the Council or specified in the Act or its Regulations;



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Note: A copy of the current Schedule of Fees is available from Council.

- (c) where necessary to demonstrate compliance with the planning scheme or to justify any inconsistency, supporting material such as specialist traffic, parking, landscaping, heritage, visual assessment, geotechnical reports, etc.; and
- (d) where the proposed development is impact assessable, it is the applicants responsibility to ensure the application is publicly notified in accordance with the Act and Regulations.

Note: Council has prepared and has freely available a Lodgement and Public Notification Kit for prospective applicants of impact assessable applications. This kit explains the public notification process.



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4.2 *All Development Application Types (excluding Operational Works (Advertising Sign) and Reconfiguring a Lot applications)*

In addition to the requirements of the Integrated Development Assessment System Forms, applications for development specified as code or impact assessable in the Level Of Assessment Tables for each Planning Area in the Planning Scheme (see Chapter 3) are to include:

- (a) plans drawn to a scale by a suitably qualified person at a scale of 1:500, or multiples thereof, with at least one copy (reduced if necessary) to A3 size paper; and
- (b) plans showing:
- the north point and scale;
 - the Real Property description of the site;
 - any adjoining roads and public reserves;
 - contours at one (1) metre intervals at least;
 - the position of any watercourse, creek, dam, waterhole or spring and any land within the Q10 and Q100 flood event;
 - the proposed drainage of the site;
 - the size and location of all existing buildings and structures on the land that are to be retained;
 - any existing or proposed water, sewerage or stormwater drainage line on the land;
 - all easements and proposed road re-alignments and truncations adjoining or affecting the land to be developed;
 - if the development is to be staged, the boundaries and sequence of the stages;
 - existing vegetation and indicating which vegetation is to be retained;
 - any additional information necessary to demonstrate compliance with the provisions of the planning scheme (eg location of buildings on adjoining land where developing in residential areas, areas of land instability, etc).

4.3 *All Applications for Reconfiguring a Lot*

In addition to the requirements of the Integrated Development Assessment System Forms, applications for Reconfiguring a Lot specified as code or impact assessable in the Level Of Assessment Tables for each Planning Area in the Planning Scheme (see Chapter 3) are to include:

- (a) plans prepared by a licensed surveyor, on good quality paper or equivalent, and at the following scales:

Rural and Rural Residential Areas or Precincts: 1:1000 or multiples thereof

All other Areas:

- 1-10 allotments 1:500
- 11 allotments, plus 1:1000

- (b) plans showing:

- the north point and scale;
- the Real Property description of the site;



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- all adjoining allotments and reserves;
- contours at one (1) metre intervals at least;
- the position of any watercourse, creek, dam, waterhole or spring and any land within the Q10 and Q100 flood event;
- Proposed drainage methods and the location of a lawful point of discharge for each proposed allotment and any other drainage systems on the land;
- the size and location of all buildings and structures including driveways and car parking areas on the land to be subdivided or within 10 metres of any boundary with adjoining land;
- Any existing water, sewerage, electricity, telecommunications, gas or stormwater drainage lines on the land;
- all proposed new roads, lanes, pathways and reserves for stormwater drainage or public open space;
- all existing roads to which the land has frontage;
- the location and extent of any proposed earthworks or retaining walls, etc;
- if the subdivision is to be staged or there is a residue, the boundaries of the stages or residue and an indicative layout of the future subdivision of those future stages or residue;
- all easements, re-alignments and truncations adjoining or affecting the land to be subdivided;
- all allotments proposed to be created, including their approximate area and dimensions, and all proposed easements and their purposes with each proposed allotment individually numbered;
- where a new road is to be opened, streetscape details of the road reserve;
- existing vegetation and indicating which vegetation is to be retained; and
- any additional information necessary to demonstrate compliance with the provisions of the planning scheme (eg building location envelopes, areas of land instability, alternative subdivision layout of surrounding land where any significant variation is proposed to a Local Area Code applying to the land, etc).

In the case of a subdivision by lease, the three (3) copies of the relevant agreement, dealing or instrument executed by the parties concerned is to be submitted with the application together with two additional copies of the plans incorporated in the agreement, dealing or instrument. The plans are to show the boundaries of the subdivision in relation to the whole of the allotment and are to be in a form acceptable to the Registrar of Titles.

Where staging is proposed, applicants should consider applying for a 'preliminary approval' first. This enables the Council to 'approve in principle' the conceptual layout of the development and formulate general conditions appropriate to the overall development. It should be noted that the subsequent development permit applications for each



stage must comply with the requirements applicable at the time of determination.

As site inspection(s) will be carried out it is important that the proposed lots are readily identifiable in the field as follows;

- (a) in the case of lot reconfigurations involving the opening of a new road, the centre-line of the proposed road should be staked at twenty (20) metre intervals or less with appropriate markings to identify proposed intersections and cul-de-sac heads; and
- (b) in all cases, proposed open space and drainage reserves should be readily identifiable (e.g. by being staked).

Council will not accept operational works that are to become the property of Council, unless they are carried out by suitably qualified consultants and contractors.

In any approval for Reconfiguring a Lot where new road is proposed or when Council grants approval for Operational Works to construct a new road, a copy of Council's list of approved street names is to be provided to the applicant for the applicant's consideration.

Prior to the sealing of the plan of subdivision a written statement is to be submitted to Council detailing:

- (a) a list of proposed road names with at least one (1) alternative name for each new road; and
- (b) any history associated with the proposed name; and
- (c) meanings or reasons associated with the proposed names.

Proposed road names are to satisfy the criteria contained in Schedule 1 to this Policy.

4.4 All Applications for Operational Works (Advertising Sign)

In addition to the requirements of the Integrated Development Assessment System Forms, applications for advertising signs specified as code or impact assessable in the Level Of Assessment Tables for each Planning Area in the Planning Scheme (see Chapter 3) are to include:

- (a) plans showing full details of the advertisement including its contents, design, colours, dimensions, construction and location on the site and/or the building or structure; and
- (b) if the advertisement is periodically displayed, details of when the advertisement is to be displayed; and
- (c) any additional information necessary to demonstrate compliance with the provisions of the Advertising Signs Code and the Planning Scheme or to justify any inconsistency.

5.0 Public Notification of Development Applications

5.1 Impact Assessable Development Application Types



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In accordance with the requirements of the *Integrated Planning Act 1997*, the applicant will be required to carry out public notification of the application in accordance with the IDAS process. Council has prepared and has freely available a 'Lodgement and Public Notification Kit for Impact Assessment Applications' which provides direction and advice to applicants on how to carry out the public notification process. Applicant's unfamiliar with the public notification process and carrying out public notification themselves are encouraged to obtain a copy of this document.

5.2 Code Assessable Development Application Types

Council has determined that while it wishes to facilitate certain types of development in certain locations, it is necessary to achieve a balance between simplifying the development assessment process for applicants while at the same time informing members of the community of proposed development applications. In determining the Levels of Assessment for land uses in different locations (ie. self, code or impact assessable), Council decided that in accordance with section 3.2.7 of the *Integrated Planning Act 1997*, that it would carry out a public notification process for certain Code Assessable development applications. This process does not confer appeal rights to any third party, but simply and only informs them about the development application and provides them with an opportunity to raise any concerns or issues for Council's attention. This process is completely separate to the development assessment process and any failure of the Council to carry out public notification in accordance with this section does not imply or mean that the application is void or should be refused. Further, this Policy does not limit or fetter the right of the Council to seek third party advice from any other person, group, organisation or authority under section 3.2.7 of the *Integrated Planning Act 1997*.

5.2.1 Which Code Assessable Development Application will be notified automatically as a part of the assessment process.

Council has determined that the following types of Development Applications that are received by Council for consideration or assessment for the purposes of issuing a development permit, where Code Assessable, will be notified under section 5.2 of this Planning Scheme Policy.

Material Change of Use / Building Work	
Development Type	Location
Bed and Breakfast	Any Residential Area; or Any Residential Precinct; or Any Residential Consolidation Area
Caretakers Residence	In any location other than in; <ul style="list-style-type: none"> • A Residential Area; or • A Residential Precinct; or • A Residential



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	Consolidation Area
Duplex	In any location
Home Based Business	Any Residential Area; or Any Residential Precinct; or Any Residential Consolidation Area
Multi-Unit Dwelling	In any location

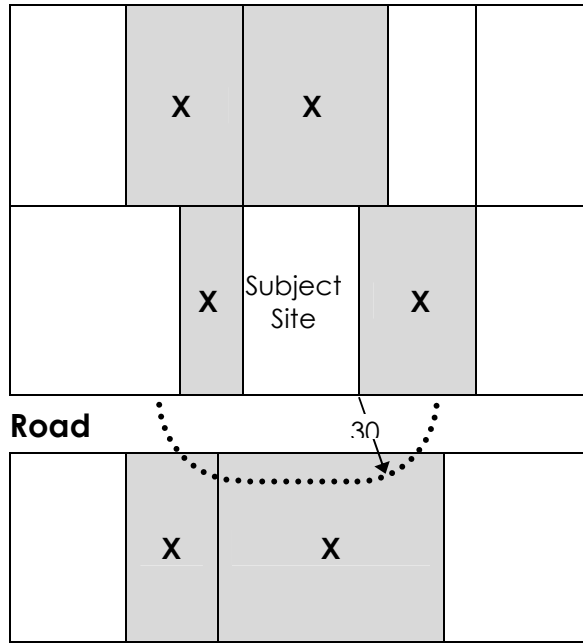
5.2.2 How will Code Assessable Development Applications be notified under this Planning Scheme Policy ?

Public notification under this section will be carried out by the Council. Council has determined that the persons immediately adjoining or opposite a development proposal (ie the owners of land directly adjoining or opposite a development site) will be notified by mail under section 5.2 of this Planning Scheme Policy. Therefore, unlike Impact Assessable development, there will not be a notice in a locally circulating newspaper and there will not be a notice erected on the land notifying the development proposal.

Upon the receipt of a development application required by this Planning Scheme Policy to be notified by Council, Council will issue a letter in accordance with Schedule 2 to the owners of land adjoining the subject site and located opposite a road or lane to the subject site (being within 30 metres). The owners of land that will be notified are shown diagrammatically below. Where an adjoining site is part of a Community Title Scheme, the notice will be sent to the Body Corporate and not individual lot owners.



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Any person notified under this section with a letter, or any other person who is made aware of the application, has the opportunity to advise Council of any concerns or issues they may have in respect to the application prior to Council deciding the application. Any comments submitted to Council must be in writing, signed by the person making the comment and include the persons address. In accordance with section 3.2.8 of the *Integrated Planning Act 1997*, any person may visit Council and view the application. It is recommended however that persons wanting to view the application, contact the Planning Officer responsible for the application to arrange a viewing time. The responsible officer and his/her contact details will be set out on the letter.

5.2.3 How will Submissions be dealt with

Any submission received by Council within the required period in respect to a development application will be given reasonable consideration in the assessment of an application. The weight given to any submission will be determined by the Council having regard to the Codes and Policies that the application will be assessed against. Where an application complies with an Acceptable Solution stated in an applicable code on an issue, the contents of a submission against the proposal on that issue will not be given high regard. However, where a proposal does not comply with an Acceptable Solution stated in the applicable code on an issue, the contents of a submission against the proposal on that issue will be given high regard in the assessment of the application against the Performance Criterion.

The purpose of Section 5 in this policy is to simply allow persons that may be affected by a development proposal to advise Council of their concerns regarding the development proposal without affording the



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persons appeal rights under the Integrated Planning Act 1997. As a result, persons making comment will not be formally notified of the Council's decision in respect to the application but are welcome to contact the Council to ascertain what the Council's decision was.

CHAPTER 6
PLANNING POLICY NO. 15



SCHEDULE 1

Criteria for Naming New Roads

The naming of new roads within or adjoining a lot reconfiguration must:

- (a) have a common theme; and
- (b) be an actual name; and
- (c) not be a combination of names (one word names are preferred); and
- (d) not be a contrived name; and
- (e) not be difficult to spell or pronounce; and
- (f) not duplicate or be similar to any named road or street within the city or adjacent local government areas; and
- (g) not be crude or have derogatory or negative connotations

And, must be either of the following;

- (a) have a relationship to the historical or environmental context of the area or city; or
- (b) have a relationship to existing themes of adjacent areas;

As an alternative when the above criteria cannot be met, Council holds a list of approved;

- (i) names of persons that have made significant contributions to the City; and
- (ii) names of cattle breeds

that will be approved by Council and are encouraged wherever possible to be used by developers. Council at its discretion can decide at any time in any instance it deems appropriate, that a name on the list is to be used instead, regardless of any proposal presented by a developer, even if it satisfies the above listed criteria.

However, in any major development of a master planned residential estate where there will be ten (10) or more new roads in the whole development, at least one (1) of those ten (10) new road names must be chosen from the Council's approved street name list. If there were twenty (20) new roads, then two (2) names would need to be chosen from the approved street name list and so on in any multiples of ten (10).



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SCHEDULE 2

Letter to 3rd parties in accordance with section 3.2.7 of IPA

<name>
<address>

<date>

Dear Sir/Madam

REQUEST FOR COMMENT – ROCKHAMPTON CITY PLAN

DEVELOPMENT APPLICATION FOR <insert application type> - APPLICATION NUMBER <insert application number> - <insert location> FOR <insert name of applicant>

Council is in receipt of a development application seeking approval for <insert application type> which is proposed on the above mentioned site. Under the Rockhampton City Plan, the application is code assessable only and therefore does not require the applicant to carry out formal public notification. As the owner of land adjacent to or opposite the subject site, and in accordance with s3.2.7 of the *Integrated Planning Act 1997*, Council wishes to inform you that the application has been received and to offer you the opportunity to make comment in respect to the development application. This will be the only form of request for comment issued by the Council.

Details of the proposal may be inspected at;

**Rockhampton Regional Council,
Customer Service Centre
City Hall
Bolsover Street, Rockhampton City.**

Comments may be lodged at the Rockhampton Regional Council Customer Service Centre located at City Hall or posted to:

**Rockhampton Regional Council
PO Box 1860
Rockhampton, 4700**

Any comments in respect to the development application should be submitted to Council **in writing within 10 business days from the date of this letter and must be signed and include the street address of the person making the comments.** Any comments received will be taken into account by Council in the assessment of the application in accordance with the Council's Development Application Requirements Planning Scheme Policy. However, it is important to note that lodging any comments does not give any right to appeal against the Council's decision on the application or any conditions attached to that decision. Under Council's policy, you will not be formally notified of Council's decision however are welcome to contact me at anytime to ascertain what the Council's decision was.

Should you have any queries in respect to the development application, I have been nominated as the Planning Officer responsible for the assessment of this application and may be contacted on telephone number 4936 8343. Should you wish to view the application it would be appreciated if you made contact with me to arrange a time in order that I can ensure that the application will be accessible at the time of your visit. Further; should you require any other information please do not hesitate in contacting me on the above telephone number.

Yours faithfully

<name>

