




Having your say on a development application

There are a number of ways you can have your say on development occurring in your area. Not all development requires a development application. Your local government planning scheme may specify that some development does not require an application in certain circumstances. This type of development is called 'accepted development' and may occur without the local government, or anyone else, being informed. Examples of this type of development are low impact, low risk activities, like running a small business from home or changing a tenancy in a shopping complex from a shop to a restaurant or doctor surgery.

Finding out about development proposals

Code assessable development applications

	<ul style="list-style-type: none">Some development applications will be called 'code assessable' in your local government's planning scheme. This is for development that is generally expected and can be assessed against clear requirements within the planning scheme called 'assessment benchmarks'.These applications are not required to be publicly notified, which means community members will not be able to make a formal submission.While not required to do so, some applicants may however decide to consult the neighbours of the development or the local community about their development proposal.Some local government provide access to details about current code assessable applications through their website.
	<ul style="list-style-type: none">Local planning schemes describe what type of development is generally expected in an area.Each parcel of land has a planning 'zone', which outlines what uses, such as apartments or houses or industrial businesses.Knowing the zone of a parcel of land, and its surrounding zones, helps people understand what type of development can be built and why certain development may occur without being publicly notified.
	<ul style="list-style-type: none">While not publicly notified, this does not stop you making comment on a code assessable development application to your local government.Your comments should address how the proposal meets, or fails to meet, the assessment benchmarks that apply to it.It is up to the assessment manager to decide how to consider your comments when determining whether the development application complies with the assessment benchmarks in the planning scheme.The earlier comments are received in the development assessment process, the more time the assessment manager will have to consider them.There is no right of appeal about a code assessable development decision.

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Impact assessable development applications



- Some development applications will be 'impact assessable'.
- These are usually more complex proposals and where the local government has identified that the development has the potential for greater impacts.
- These applications will always be publicly notified for a set period of time, called the public notification period.
- The community is made aware of the opportunity to comment during this period via a sign on the land, a notice in a local newspaper, or a letter from the applicant, if you are an adjoining neighbour.
- Some local government also maintain a register of development applications on public notification.



- You may make a submission about any impact assessable development application.
- If your submission is 'properly made' the assessment manager must accept and consider it in deciding the development application.
- By making a properly made submission, you have the right to appeal the decision if you aren't happy with the outcome.
- If a submission is not properly made, the assessment manager may still choose to accept and consider it as part of their assessment of the development the application, but you will not have the right to appeal the decision.

Key things to remember in preparing a submission

Generally

Ensure your view is clear



- Your submission may support or object to all or part of the development proposal. For example, you may wish to express support for the amount of landscaping proposed as part of a development but object to the location of car parking.
- To assist the assessment manager in understanding your views, your submission should include any relevant supporting evidence or documentation.

Ensure it is on topic



- Your submission should state why you support or object to all or part of the proposal.
- Focus on how well believe the proposal meets the planning scheme's intentions.
- The *Planning Act 2016* does not allow consideration of personal circumstances (for example a concern that the proposal will devalue a property). Matters raised should relate to what is in the public interest.

To be properly made

Ensure it is valid



- The submission must be:
 - in writing
 - state the name and address of each person who made the submission
 - signed by each person who made the submission.
- A submission may be written by an individual, be a proforma letter, or be a petition. In all cases the above information must still be included to ensure the submission is 'properly made'.
- For submissions signed by more than one person, such as a petition, one contact email or address for the primary submitter must be identified - this will be the person who correspondence is directed to.

Ensure it is made in time



- A 'properly made' submission must be made to the assessment manager during the public notification period.