

# Development Approval and Building Approval Fact Sheet

## Definitions

**Planning Act 2016 (PA 2016)** – Queensland's principal planning legislation that coordinates planning at the local, regional, and state levels.

**Integrated Development Assessment System (IDAS)** – forms to be completed when lodging a development application. These forms are used by all local government authorities in Queensland to conduct development assessment under the PA 2016.

**Development Approval (DA)** – refers to the regulatory approval that must be obtained prior to commencing a development. The DA authorises *assessable development* to take place. Approval is issued by the local government authority - with or without conditions or not approved. (*Note: Development Approval can also be referred to as development permit or decision notice*).

**Building Approval (BA)** – refers to how a building or other infrastructure will be constructed. It is required for most developments to ensure a building or other infrastructure complies with building laws, including the National Construction Code (NCC) and the Queensland Development Code (QDC).

**Building Certification** – formal approval of building plans and construction by a registered building certifier. This is achieved by the issue of a Certificate of Occupancy and marks the building ready for lawful use.

## Development Approval Process

There are four steps in the development approval process.

**You will need to seek advice from your local government authority throughout the process.**

### Step 1 – Determine what type of development you are undertaking

To determine if your proposed development is an *assessable development*, you will need to look at the following planning documents:

- *Planning Act 2016 (PA 2016)*
- Local government planning scheme
- Any other planning documents relevant to your local area or type of development

The main types of development under the PA 2016 are:

**Assessable Development** – *development approval* is required before you can begin work on an assessable development. The following works are assessable and need a development application:

- building work
- plumbing or drainage work
- operational work
- reconfiguring a lot (subdivide)
- material change of use of premises
- clearing native vegetation
- demolition of existing building



**Accepted Development** – identified as accepted as it does not need to comply with any code or other requirements of the regional or local planning scheme.

*Note: If a development application is not required a Building Approval may still be required. This must be checked with a building certifier.*

**Prohibited** – development or use that is deemed prohibited under the local planning scheme. Development in protected areas is usually considered prohibited development for example development on contaminated land, developments on koala assessable areas, sport, and recreation developments in another zoned area. **Funding will not be provided to projects under prohibited development.**

### Step 2 – Determine the type of assessment required

If your development is considered an *assessable development*, you must then determine the type of assessment required. Refer to the Sustainable Planning Regulation 2009 and other planning documents. There are two types of assessable development under the PA 2016:

- Code Assessable – applies to development (project) that fits within existing planning instruments but may be inconsistent with existing local planning codes.
- Impact Assessment – assessment of a development (project) against the local planning requirements where it is inconsistent with the designated use. An example is a development which does not align with the current site zoning. An Impact Assessment requires public notification for the community to have a say.

Code Assessment and Impact Assessment require development applications to be submitted.

### Step 3 – Complete the appropriate application and submit to your Local Government Authority

For initial enquiries, most local government authorities offer planning advice. If your organisation has determined that it needs to prepare a development application for approval, it is recommended that you engage a private town planning consultant who can advise on development approvals and prepare the application on your behalf.

You are encouraged to prepare and submit your development application using [MyDAS2](#), the new online preparation and lodgement system. Further information is available at:

<https://planning.statedevelopment.qld.gov.au/planning-framework/planning-online-services>

### Step 4 - Local Government Authority will issue a Decision Notice

A Decision Notice gives approval of your proposed development and may include special conditions.

#### State Assessment and Referral Agency (SARA)

In some cases, development applications may require referral to the [State Assessment and Referral Agency \(SARA\)](#) of the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP). This is only relevant to development applications where a state agency has a jurisdiction. Your town planner or Local Government Authority should advise you if referral is required or, you can contact your local DILGP regional office on <https://www.planning.qld.gov.au/contact-us>.

## Ministerial Infrastructure Designations

A ministerial infrastructure designation (MID) allows for the delivery of essential community infrastructure, for example, hospitals, schools, police/ambulance/fire stations, power lines, water supply infrastructure and sewerage treatment plans etc.

MID provides an alternative process to lodging a development application with the relevant local government. The Planning Minister is responsible for making an infrastructure designation, while the relevant state government department coordinates the assessment process. This includes obtaining assessment advice from other state agencies and technical experts. The Planning Minister makes all decisions relating to MID requests.

The [Minister's Guidelines and Rules \(MGR\)](#) outlines the process for environmental assessment and consultation for making or amending a MID.

Infrastructure designations are mainly requested by state departments, for example, the education department may request designation of a site for a future school.

Private entities may also submit infrastructure designation requests, such as for a private hospital.

The MGR also contains the designation process rules for local government when making and amending a Local Government Infrastructure Designation (LGID). Local government is responsible for infrastructure designations at a local level. A LGID enables local infrastructure to be delivered more efficiently, for example a new library.

State Government's "Development Assessment Mapping System" (DAMS) is a publicly available GIS planning tool to understand what planning overlays a particular land parcel might be within.

<https://planning.statedevelopment.qld.gov.au/planning-framework/mapping>

Further information: [Infrastructure designations | Planning \(statedevelopment.qld.gov.au\)](#)

**IMPORTANT** - A MID over a parcel of land does not cover all types of developments as acceptable. Schedule 5 of the Planning Regulation 2017 lists the classifications of Infrastructure that might receive a MID. Some examples may only contain one type of acceptable infrastructure while another may have multiple. When assessing or approving documentation for projects with a MID, the applicant must show that the MID allows for the development of sport and recreation infrastructure.

## Building Approval Process

After obtaining DA, your next step is to obtain building approval (BA). You must have DA (where applicable) and BA before you can commence construction.

*Note: BA can also be referred to as building permits, development approvals or building certification.*

To determine whether building approval is needed, organisations can contact a Private Building Certifier who is familiar with the Building Regulation.

Minor structures or repairs that are DA exempt or self-assessable may also be exempt from BA. Below are the four steps in the BA process: -

- **Step 1** – *Prepare building plans, seek advice from architecture and/or engineering firms (e.g., survey, architectural engineering plans).*
- **Step 2** – *Apply for BA to your local government authority or by engaging an accredited Building Certifier.* Building Certifiers are familiar with the Building Act and Regulations and the National Construction Code (NCC) and Queensland Development Code (QDC). An internet search will give you a list of Building Certifiers in your local area.
- **Step 3** – *Building Approval will be granted by the building certifier to allow construction to commence.* Inspections are undertaken by the building certifier during the construction and various forms are completed that recognise compliance.
- **Step 4** – *Building Certifier issues a Certificate of Occupancy.* A Certificate of Occupancy is issued when certifiers are satisfied that the work is completed, and the building is suitable for occupation.

## General Information

Timeframes, costs and processes for Development Approval and Building Approval vary between local government authorities.

The *Planning Act 2016* came into effect on 3 July 2017 and supersedes the *Sustainable Planning Act 2009*. While some councils will amend their schemes and processes to align with the new *Planning Act 2016* there is no requirement for them to do so.

Any alternations to terminology under the new Act will supersede previously used terminology.

**Example:** Under the new Act there is no self-assessable development, which was used in the *Sustainable Planning Act 2009*. If this terminology is still being used by a council, it will convert to Accepted Development as this is the terminology prescribed under the new Act.

## Need further information?

Further information can be found on the Building approvals and inspections section on the Queensland Government Website <https://www.business.qld.gov.au/industries/building-property-development/building-construction>

For further information on the requirements of the department's funding programs, please go to the webpage <https://www.dtis.qld.gov.au/sport/funding-programs> or contact your local Sport and Recreation Engagement Officer on 13 QGOV (13 7468).

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