

Planning guideline June 2017



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Part 1 Overview

1.1 Introduction

High quality urban design and effective place making is an essential element of good design; improving community health and wellbeing, facilitating social cohesion, and creating resilient, sustainable and affordable communities.

The Planning Regulation 2017 (the Planning Regulation) establishes a referral trigger that provides the state with the opportunity to influence and advise applicants and local governments on the suitability of proposed design outcomes for significant projects across Queensland. Significant projects are those deemed to have an opportunity and role to play in contributing to the well-being and liveability of communities through high quality urban design.

The State Development Assessment Provisions (SDAP) includes *State code 24: Urban design outcomes for significant projects* (the code) which applies to development referred to the State Assessment and Referral Agency (SARA) under the new trigger. The *Urban design outcomes for significant projects state code - Planning guideline* (the guideline) supports the code whilst providing additional guidance in relation to the interpretation and application of the referral trigger.

The structure of the referral trigger and the code differs to other Planning Regulation triggers and SDAP codes as the design referral is for advice only. Importantly, referral of a significant project is not required where written advice evaluating the urban design for the development ('written urban design advice') is lodged with the development application. Written urban design advice can only be provided at the pre-lodgement stage by the Office of the Queensland Government Architect (OQGA) or a gazetted urban design review entity convened by a local government. The establishment of a gazetted urban design review entity by a local government will provide the local government with the ability to facilitate the process of ensuring high quality urban design outcomes for significant projects within their local areas.

1.2 Purpose

The guideline provides important information to assist applicants and local governments relating to:

- applying the referral trigger and the code
- the process for obtaining written urban design advice from the OQGA
- addressing the code when preparing a development application to be referred under the trigger
- establishing a gazetted urban design review entity (by a local government) for the purpose of providing written urban design advice.

1.3 Using the guideline

This guideline consists of the following parts:

- Part 1 provides an introduction to the code and guideline.
- Part 2 provides an overview of the development assessment process for significant projects, including:
 - Assessment pathway 1: No referral to SARA.
 - Assessment pathway 2: Referral to SARA.
 - o Guidance for assessment managers in determining where referral is required.
- Part 3 provides information for local governments who wish to establish an entity for the purpose of providing written urban design advice.
- Part 4 provides additional supporting information and materials intended to assist applicants in demonstrating how the urban design principles included within the code have been incorporated and that a robust design process has been followed.
- Appendices provide additional technical guidance for applicants and local governments.

Part 2 Assessment framework

2.1 Development assessment overview

SARA is responsible for delivering a co-ordinated, whole-of-government approach to the state's assessment of development applications by providing a single agency lodgement and assessment point for development applications where the state has a jurisdiction.

Schedule 10, Part 18 of the Planning Regulation includes an urban design referral advice trigger that provides the state with the opportunity to influence and advise applicants and local governments on the suitability of proposed design outcomes for significant projects across Queensland. A significant project is defined by the trigger and includes a range of urban uses depending on local government area, zoning, primary use and gross floor area. The urban design referral advice trigger is reproduced in Appendix 2.

If a proposal involves a material change of use for a significant project as defined by the trigger, there are two possible assessment pathways for the urban design aspect (please refer to Figure 1 on the following page):

- 1. Assessment pathway 1: No referral to SARA; or
- 2. Assessment pathway 2: Referral to SARA.

Assessment pathway 1 (see section 2.2 of this guideline) avoids the requirement to refer the development application to SARA by obtaining written urban design advice from either the OQGA or a gazetted urban design review entity convened by a local government. The written urban design advice must be lodged with the application.

It is highly recommended that assessment pathway 1 be pursued where possible as it provides the best opportunity of ensuring that good urban design principles are embedded early in the design of a proposal, prior to lodgement of a development application.

Assessment pathway 2 (see section 2.3 of this guideline) applies when written urban design advice is not attached to a development application for a significant project at lodgement, and means that the applicant will need to refer the development application to SARA as an advice agency.

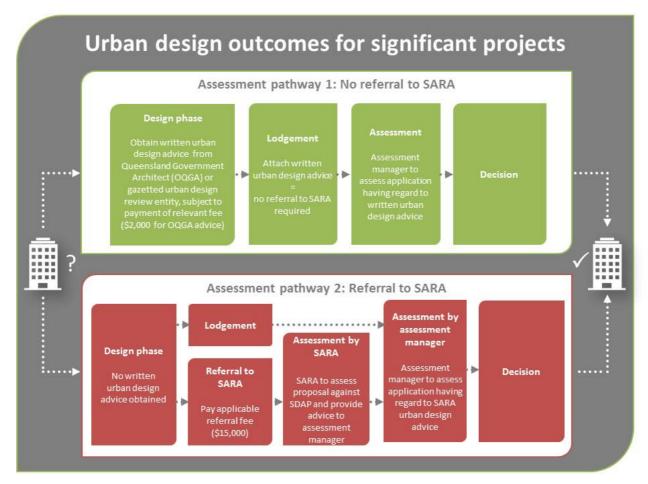


Figure 1: Assessment pathways for significant projects

2.2 Assessment pathway 1: No referral to SARA

Development applications for significant projects are not triggered for referral where written urban design advice, evaluating the proposed urban design response, is given to the assessment manager as part of the application material. Written urban design advice must be provided by the OQGA or a gazetted urban design review entity convened by a local government. The emphasis on seeking written urban design advice aims to encourage applicants to embed good urban design principles early in the design of a proposal, prior to lodgement.

There are two options by which an applicant may seek to obtain written urban design advice from the OQGA (please refer to Figure 2 on the following page):

- Option A: Pre-lodgement urban design review meeting
- Option B: Request for written urban design advice.

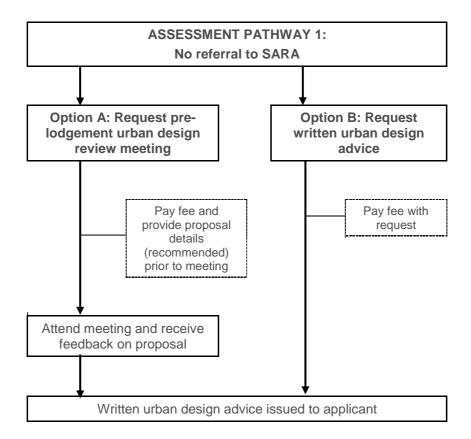


Figure 2: Options for seeking written urban design advice from the OQGA

It is highly recommended that option A be pursued where possible as this option gives the applicant additional opportunity to brief the OQGA on the proposal and to receive detailed feedback.

The following sections set out the process for seeking written urban design advice under each option. Additional information and guidance in relation to OQGA pre-lodgement processes is available on the OQGA website.

<u>Note</u>: Where a gazetted urban design review entity has been convened by a local government, the local government may offer its own pre-lodgement services and should be contacted directly.

2.2.1 Option A: Pre-lodgement urban design review meeting

The process for seeking written urban design advice through a pre-lodgement urban design review meeting consists of two key steps:

- 1. Pre-lodgement urban design review meeting
- 2. Evaluation of project materials and provision of written urban design advice.

Further detail on these steps is provided in the following sections.

It is important to note that the process of seeking written urban design advice is intended to operate both separate from and in addition to any other pre-lodgement meetings that may be warranted in relation to other aspects of a proposal.

Pre-lodgement urban design review meeting

What to expect and what should be presented at a pre-lodgement urban design review meeting?

A pre-lodgement urban design review meeting will be most productive when a clear and legible set of drawings is provided that allows the reviewers to evaluate and comment on the project's urban design intent.

Presentation material should be organised in response to the five part structure of the urban design statement as outlined in Part 4 and Appendix 1 of this guideline, and should be in an A3 format with a digital version supplied prior to the meeting. Additional supporting material (for example, flythroughs) is encouraged where appropriate.

Pre-lodgement meetings are likely to last 1-2 hours, with more complex and larger scale projects possibly requiring longer. Applicants should be prepared to present for approximately 30 minutes, with a collaborative discussion to follow.

Who should attend a pre-lodgement urban design review meeting?

Pre-lodgement urban design review meetings will be chaired by representatives from the OQGA and should be attended by appropriate professional representatives from the project design team.

Evaluation of project materials and provision of written urban design advice

Written urban design advice will be based on a review of project materials provided by the applicant. The inclusion of an urban design statement is not essential, however is highly recommended as it gives the applicant the opportunity to demonstrate how the urban design principles established in the code have been reflected in the proposal. Part 4 of this guideline describes the recommended content of an urban design statement, and a suggested structure for the statement is provided in Appendix 1.

The applicant will be provided with a formal letter comprising written urban design advice for the project following the pre-lodgement urban design review meeting. Written urban design advice sought from the OQGA will be provided within 10 business days of the pre-lodgement urban design review meeting.

2.2.2 Option B: Request for written urban design advice

The process for seeking written urban design advice through a direct request to the OQGA (i.e. no pre-lodgement urban design review meeting) consists of two key steps:

- 1. Submission of project materials
- 2. Evaluation of project materials and provision of written urban design advice.

Further detail on these steps is provided below.

Submission of project materials

Written urban design advice will be based on a review of project materials provided by the applicant. The inclusion of an urban design statement is not essential, however is highly recommended as it gives the proponent the opportunity to demonstrate how the urban design principles established in the code have been reflected in the proposal. Part 4 of this guideline describes the recommended content of the urban design statement, and a suggested structure for the statement is provided in Appendix 1.

Requests for written urban design advice should be sent electronically to the OQGA. Contact

details for the OQGA are available through their website.

Evaluation of project materials and provision of written urban design advice

The applicant will be provided with a formal letter comprising written urban design advice for the project following submission of the project materials to the OQGA. Written urban design advice sought from the OQGA will be provided within 10 business days of receiving the project materials supplied by the applicant.

<u>Note</u>: the OQGA reserves the right to refuse to issue written urban design advice where insufficient information has been supplied as part of the project materials to enable meaningful feedback to be provided.

2.2.3 How to arrange a pre-lodgement urban design review meeting, or request written urban design advice

To seek a pre-lodgement urban design review meeting under option A, or to request written pre-lodgement advice under option B, please <u>contact the OQGA</u>. Note that coordination of meetings and the provision of written pre-lodgement advice is the responsibility of the OQGA and is not facilitated by SARA.

While meetings should be held in person where possible, the OQGA may consider meetings via teleconference or videoconference on a case-by-case basis.

In locations where a gazetted urban design entity has been established, these entities should be contacted directly regarding options for obtaining written urban design advice. The OQGA maintains a register of gazetted urban design advice entities throughout Queensland. The register can be accessed on the OQGA website.

To make an enquiry in relation to the trigger or process please contact SARA at saraplanningsupport@dilgp.gld.gov.au.

Fees and payment process

Written urban design advice (either via a pre-lodgement urban design review meeting under option A, or a written request under option B) is available from the OQGA for a fee of \$2,000. Applicants will be invoiced for payment upon booking a pre-lodgement urban design meeting or requesting written urban design advice.

Fees and payment processes for a gazetted urban design review entity will be determined by the relevant local government.

2.2.4 Assessment manager's consideration of written urban design advice

The *Planning Act 2016* (the Act) and the Planning Regulation require that the assessment manager for a development application must have regard to written urban design advice in their assessment of the application. The statutory process in this regard is outlined below:

- Section 45 of the Act sets out that code and impact assessment must be carried out having regard to matters prescribed by the Planning Regulation.
- Sections 27 and 31 of the Planning Regulation state that schedules 9 and 10 of the Planning Regulation prescribe the matters that the assessment must be carried out having regard to, which includes the common material.
- Schedule 24 of the Planning Regulation defines common material as all the material about the application that the assessment manager receives before the application is decided, including:

- o any material attached to, or given with, the development application; and
- any other advice or comment about the application that a person gives to the assessment manager.
- The definition of common material encompasses written urban design advice, which must be lodged (given) with the application in order to avoid the application being triggered for referral.

<u>Note</u>: The Chief Executive of the Department of Infrastructure, Local Government and Planning may at any point ask a local government to demonstrate that written urban design advice has been placed before the assessment manager and has been specifically referenced in the assessment report or advice considered by the assessment manager in making their decision.

2.3 Assessment pathway 2: Referral to SARA

Where a development application is for a significant project and the applicant chooses not to seek written urban design advice from the OQGA or a gazetted urban design review entity, the applicant is required to refer the application to SARA as an advice agency. SARA will seek technical urban design advice from the OQGA and undertake an assessment of the proposal against the code. SARA will then issue an advice agency response to the assessment manager.

2.3.1 Referral assessment requirements

Where referral to SARA is required, applicants should produce an urban design statement outlining how the proposal responds to the urban design principles included within the code. Please refer to Part 4 and Appendix 1 of this guideline for additional information in relation to preparing an urban design statement.

2.3.2 Referral fee and payment process

Referral to SARA will incur a fee of \$15,000, or the relevant fee as amended from time to time in the Planning Regulation, payable at the time of referral. Payment is to be made via the state's online development assessment system – MyDAS2. Additional information regarding SARA and the lodgement and referral of applications can be found on the department's website: http://www.dilgp.qld.gov.au/planning/development-assessment/state-assessment-and-referral-agency.html.

2.4 Assessment manager's determination of whether referral to SARA is required

An application for a significant project in a prescribed local government area (defined in Schedule 24 of the Planning Regulation) is required to be referred to SARA as an advice agency unless the requirements of Schedule 10, Part 18 of the Planning Regulation are met (refer to Appendix 2 for trigger wording). Parts a-c of the trigger should be easily confirmed by the assessment manager as they relate to:

- The zoning of the land over which the application is made.
- The land use(s) proposed by the application.
- The gross floor area (GFA) of the proposed development.

Under part e of the referral trigger, referral is not required where:

(e) written advice evaluating the urban design for the development given to the applicant by 1 of the following entities is attached to or given with the development application—

- i. the Queensland Government Architect; or
- ii. an entity established by a local government for the purpose of providing advice about urban design, and stated in a gazette notice published by the chief executive for this part.

Written advice evaluating the urban design for the development given by the OQGA or a gazetted urban design review entity will be clearly titled as such, and it should therefore be easy for the assessment manager to identify where advice is included. Nevertheless, where written urban design advice is provided, the assessment manager should review this advice to ensure that it is relevant to the proposal which is the subject of the development application (i.e. that the written urban design advice was not provided in relation to a proposal which is materially different to that forming the subject of the development application). This is to ensure that the written urban design advice lodged with the application is in fact relevant to the proposed development. A checklist is included at Appendix 3 to assist the assessment manager in determining whether the development application as-lodged is materially different to the proposal for which written urban design advice was issued.

Note that a proposal will not be materially different where any differences in the development application as lodged are a reasonably foreseeable result of the applicant acting on the written urban design advice.

In addition, part d of the referral trigger provides that referral is not required where a preliminary approval is in effect, and the Chief Executive has already assessed the development application for the preliminary approval under this trigger. In the event that referral of the preliminary approval was not required due to part e of the trigger (i.e. because written urban design advice was supplied by the applicant), the same written urban design advice may be submitted by the applicant in seeking a development permit. It is not necessary for new written urban design advice to be obtained specifically in relation to the development permit, unless the development permit is not consistent with the concept which was previously considered at the preliminary approval stage.

If you are unsure whether a proposal is materially different and whether referral to SARA under the trigger is required, please contact SARA at saraplanningsupport@dilgp.qld.gov.au.

Part 3 Establishing an entity for the purpose of providing written urban design advice

With agreement from the OQGA, the Chief Executive of the Department of Infrastructure, Local Government and Planning may publish a gazette notice enabling a local government-convened panel (which may consist of one or more local governments) to provide written urban design advice instead of the OQGA. This arrangement will provide local governments with the ability to facilitate the process of ensuring high quality urban design outcomes for significant projects.

An entity's function is to fulfil the requirements for providing written urban design advice. To establish an entity, a formal written request from the applicable local government must be provided to the OQGA for assessment and referral to the Chief Executive for approval. The request must include the following:

- Details of entity members (minimum 3 persons) which is made up of persons with a minimum of ten years' experience each and a professional or technical qualification appropriate to assessing the types of urban design projects that would be referred to the entity. The entity must include members external to the approval agency and include at least one registered Architect.
- 2. A copy of the terms of reference for the proposed entity including role, membership, function, jurisdiction (i.e. the area(s) for which the entity is willing to provide advice), conflicts of interest and code of conduct requirements.
- 3. Confirmation that the entity will fulfil the functional requirements of providing written urban design advice as outlined in section 2.2 of this guideline, in order to allow an applicant to follow pathway 1, in which written urban design advice is received and lodged with the development application.
- 4. Agreement to report membership changes to the OQGA.
- 5. Agreement to maintain records and submit to SARA or the OQGA upon request, the following information:
 - a. summary of each assessment including project title, description, location, development details and gross floor area
 - b. evidence that the written urban design advice has been placed before the assessment manager and has been specifically referenced in the assessment report or advice considered by the assessment manager in making their decision
 - c. brief analysis in relation to the assessment manager's consideration of written urban design advice and how it influenced urban design outcomes.

In considering the formal written request from the applicable local government(s), the OQGA must be satisfied that appropriate processes are in place to ensure that the advice of the gazetted urban design review entity will be placed before the assessment manager and will be specifically referenced in the assessment report or advice considered by the assessment manager in making their decision.

At any stage the Chief Executive, upon advice of the OQGA, may give notice to terminate a gazette notice. This would remove the function of the entity.

Part 4 Urban design principles and urban design statement

4.1 Urban design principles

Significant projects have a critical role to play in contributing to the well-being and liveability of the communities through high quality urban design. Accordingly, significant projects should incorporate the following principles that underpin best practice urban design. Development should:

- 1. Be responsive to local climatic conditions and patterns
- 2. Be inspired by local places and incorporate locally significant character and cultures
- 3. Consider, incorporate and enhance the natural landscape
- 4. Work with and respond to natural systems and processes (i.e. hydrology and ecology)
- 5. Create functional, well defined, legible and connected streets and spaces
- 6. Deliver diverse and well integrated development density and land use mix, sympathetic to local settings and values
- 7. Consider and embed opportunities for adaptation and change
- 8. Be innovative, creative and forward-thinking.

4.2 Demonstrating good urban design – preparing an urban design statement

In addressing the eight urban design principles, applicants should prepare an urban design statement including a description of the overarching project vision and summary of how the urban design principles are reflected in the project. The statement should demonstrate that a robust urban design process has informed the proposal and that high quality outcomes will be achieved.

The statement will be used as the basis for assessment by the OQGA and SARA of applications referred under the Planning Regulation trigger, and should be used to demonstrate the incorporation of the state's urban design principles into development proposals.

The provision of an urban design statement also acknowledges the following:

- 1. Good urban design is an iterative process requiring a continuous cycle of rigorous fact finding, analysis and problem solving, with input from a broad mix of professional disciplines. The statement provides applicants with the opportunity to establish a single and concise central record of key design influences and decisions.
- 2. Quality urban design outcomes are a meaningful response to the unique economic, social and ecological attributes of a site and its surrounds. The statement provides applicants with the opportunity to summarise their contextual research, present their conclusions, and demonstrate how this information has informed design development to deliver a proposal that will contribute to its context.

In summary, the statement gives applicants and their project teams the opportunity to:

- Demonstrate their appreciation of the site and its context
- Record and illustrate their design process
- Share information to improve project understanding, with the statement presenting a clear record of project influences and key decisions
- Illustrate and explain the process that has led to the proposed design.

A good urban design statement should be concise, with the amount of detail typically reflecting the complexity of the project. To write a good urban design statement applicants should:

- Keep it short and to the point
- Use the statement to record the key design influences, strategies and decisions
- Use the statement to demonstrate the depth and variety of professional discipline in the project team

- Illustrate site analysis using accurate and informative maps, diagrams and concise text and tables
- Illustrate and present design concepts and ideas using clear diagrams, artists' impressions and concise text.

An urban design statement should be organised to demonstrate both process and response to the eight urban design principles in the creation of a high quality urban design outcome. Ideally, the document should be in an A3 landscape format, generally no more than 25 pages (including all maps, diagrams and illustrations) and supplied in a digital PDF version. Appendix 1 provides an example urban design statement structure, with additional advice on suggested content.

Appendix 1 – Example urban design statement Project vision

A project vision should be a key element of the statement. The vision should be outward looking; defining the overarching project ambition framed within the neighbourhood context. It is expected that the project vision will evolve, becoming more defined as the design process advances. Drafts of the vision can be used through the design development process and should include key words or statements that capture the objectives of the project in terms of its contributory place role and the intended characteristics of the development outcome. The urban design statement should include imagery and illustrations to support the project vision and proposed project outcomes.

Project details

This component of the statement provides a concise project overview. It should include the site address illustrated with a scale plan of the site in its neighbourhood context and supported by photographs, client details, a list of the design team/consultants and an indicative project programme.

Work with context

This section of the statement should be used to present a summary of the key findings from site and contextual analysis undertaken. It should be made clear how these findings have formed the starting point for design considerations and the development of design concepts. The eight urban design principles should be utilised as a minimum reference for issues to be considered and addressed. Material to be presented should include:

- 1. Site analysis: Provides a record and critical assessment of existing site attributes and conditions. It should include diagrams, cross sections, plans and text to illustrate the projects understanding of key climatic, heritage, social and ecological influences, etc.
- 2. Opportunities and constraints: Should establish a clear and concise summary of the project opportunities and constraints and be presented against each of the nine urban design principles.
- 3. Design concepts: Should present overarching ideas for the spatial development of the project and any character or example/precedent imagery that may demonstrate the intended design outcomes being sought. This should relate the project concepts back to the analysis work.

Demonstrate urban design outcomes

The proposed design response should communicate the proposed urban structure, form and massing of the project and provide a detailed description of the proposed development character based on each of the urban design principles.

Diagrams, sections, plans and sketches should be used to illustrate the key urban layers such as the movement network, streets and public spaces, and the proposed development footprint. These plans should be supported by simple sketches or illustrations that communicate the proposed character of the project—what does the street look like, how does the building massing work, etc. and should help explain how it responds to the opportunities and constraints.

Demonstrate leadership

The final section of the document provides applicants the opportunity to outline any initiatives which have gone beyond standard practice, to demonstrate client and project ambition to be a market leader and innovate.

Supplementary Supporting Documents

Records of research and analysis: Key diagrams, mapping and summary reports, setting out the

research undertaken in the development of the project and not contained in the body of the statement can be included as supplementary information to the main concise statement.

Appendix 2 – Planning Regulation referral trigger

Schedule 10, Part 18 of the Planning Regulation 2017 states that a development application will require referral under the following circumstances:

Development application for a material change of use of premises in a prescribed local government area that is assessable development under a local categorising instrument, unless—

- (a) the premises are included in a following zone under a local categorising instrument—
 - (i) a rural zone, rural residential zone or township zone stated in schedule 2;
 - (ii) a zone of a substantially similar type to a zone mentioned in paragraph (i); or
- (b) the primary use of the premises will be 1 or a combination of the following—
 - (i) an agricultural supplies store;
 - (ii) animal husbandry;
 - (iii) animal keeping;
 - (iv) bulk landscape supplies;
 - (v) cropping;
 - (vi) a garden centre;
 - (vii) indoor sport and recreation;
 - (viii) an industry activity;
 - (ix) intensive animal husbandry;
 - (x) intensive horticulture;
 - (xi) a showroom;
 - (xii) a motor sport facility:
 - (xiii) a relocatable home park;
 - (xiv) a residential use, other than a multiple dwelling; or
 - (xv) a transport depot;
 - (xvi) a warehouse;
 - (xvii) a wholesale nursery; or
- (c) the material change of use increases the gross floor area on the premises by less than-
 - (i) for premises in the local government area of the Brisbane City Council or the Gold Coast City Council—50,000m²; or
 - (ii) otherwise—25,000m²; or
- (d) a preliminary approval that includes a variation approval is in effect for the material change of use and the chief executive assessed the development application for the preliminary approval against the matters stated in item 4; or (e) written advice evaluating the urban design for the development given to the applicant by 1 of the following entities is attached to or given with the development application—
 - (i) the Queensland Government Architect;
 - (ii) an entity established by a local government for the purpose of providing advice about urban design, and stated in a gazette notice published by the chief executive for this part.

For the purposes of this trigger, Schedule 24 of the Planning Regulation 2017 defines a prescribed local government as follows:

prescribed local government area means the local government area of-

- (a) Brisbane City Council, other than the part of the area to which the City Centre Neighbourhood Plan under the Council's planning scheme applies; or
- (b) Cairns Regional Council; or
- (c) Gold Coast City Council; or
- (d) Ipswich City Council; or
- (e) Logan City Council; or
- (f) Mackay Regional Council; or
- (g) Moreton Bay Regional Council; or
- (h) Noosa Shire Council; or
- (i) Redland City Council; or
- (j) Rockhampton Regional Council; or
- (k) Sunshine Coast Regional Council; or
- (I) Toowoomba Regional Council; or
- (m) Townsville City Council.

Appendix 3 – Checklist: where a development application may be materially different to written urban design advice

The following questions are designed to assist the assessment manager in determining whether a development application is materially different from the proposal for which written urban design advice was provided.

| Question | Yes | No | N/A | | |
|--|--|--|--|--|--|
| Was the written urban design advice provided in relation to the same premises as the development application is made over? Example: Where written urban design advice was issued over lots 1 and 2 on RP1, but the development application is made over lots 1 and 3 on RP1, the advice and | | | | | |
| the application may be materially different. | | | | | |
| Is the nature of the development proposed (i.e. the land use or mix of land uses) generally the same as that for which written urban design advice was provided? | | | | | |
| Example: Where written urban design advice was provided in relation to a residential development but the development application is for commercial purposes, the advice and the application may be materially different. | | | | | |
| However, where the written urban design advice related to a residential development including a small retail tenancy, a development application proposing a residential development including a café may not be materially different. | | | | | |
| Is the scale of the development proposed (e.g. factors including the building height, GFA etc) generally the same as that for which written urban design advice was provided? | | | | | |
| Example: Where written urban design advice was provided in relation to a 5 storey building but the development application is for a 10 storey building, the advice and the application may be materially different. | | | | | |
| However, where the written urban design advice related to a 5 storey building, a development application proposing a 6 storey building may not be materially different. | | | | | |
| Is the visual appearance and amenity of the development generally the same as that for which written urban design advice was provided? | | | | | |
| Example: Where written urban design advice was provided in relation to a proposal which included significant landscaped areas, but the development application is for a proposal with minimal landscaping, the advice and the application may be materially different. | | | | | |
| If you answered 'No' to any of the above, is the discrepancy between the written urban design advice and the development proposal reasonably as a result of either: a. the applicant putting into practice the feedback provided within the written urban design advice, or | | | | | |
| | Was the written urban design advice provided in relation to the same premises as the development application is made over? Example: Where written urban design advice was issued over lots 1 and 2 on RP1, but the development application is made over lots 1 and 3 on RP1, the advice and the application may be materially different. Is the nature of the development proposed (i.e. the land use or mix of land uses) generally the same as that for which written urban design advice was provided? Example: Where written urban design advice was provided in relation to a residential development but the development application is for commercial purposes, the advice and the application may be materially different. However, where the written urban design advice related to a residential development including a small retail tenancy, a development application proposing a residential development including a café may not be materially different. Is the scale of the development proposed (e.g. factors including the building height, GFA etc) generally the same as that for which written urban design advice was provided? Example: Where written urban design advice was provided in relation to a 5 storey building but the development application is for a 10 storey building, the advice and the application may be materially different. However, where the written urban design advice related to a 5 storey building, a development application proposing a 6 storey building may not be materially different. Is the visual appearance and amenity of the development generally the same as that for which written urban design advice was provided? Example: Where written urban design advice was provided in relation to a proposal which included significant landscaped areas, but the development application is for a proposal with minimal landscaping, the advice and the application may be materially different. 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| Question | Yes | No | N/A |
|--|-----|----|-----|
| written urban design advice provided at a conceptual level as part of an application for a preliminary approval, and the development proposal now seeks a development permit. | | | |
| Example: Where written urban design advice was provided in relation to an 8 storey building but the development application is for a 4 storey building, the advice and the application may not be materially different if the change was a direct result of feedback contained in the written urban design advice. | | | |
| Alternatively, if the applicant has previously obtained written urban design advice as part of a seeking a preliminary approval, the same written advice can be relied upon when seeking further development permits. | | | |

If the answer to question 5 is 'No', the development application and the written urban design advice may be materially different, and referral to SARA may therefore still be required.

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