

Restricted Development

Application for Restricted Development is received by the State Planning Commission

The applicant is required to provide baseline documents and is encouraged to provide any relevant information in support of the development (refer Practice Direction 4 and Restricted Development Fact Sheet for guidance)

Yes

Adequate information provided?

No

Applicant invoiced initial fees

Information is requested and progress of the application is placed on hold until the information is provided

Applicant pays fees

A delegate of the Commission will review the application and either:

Scenario A

Recommend the application be refused without proceeding to an assessment

OR

Scenario B

Recommend the application proceed to assessment



Scenario A

Recommend the application be refused without proceeding to an assessment

The application will be presented to the State Commission Assessment Panel (SCAP) with a recommendation to REFUSE the application without proceeding to an assessment.
The SCAP will either:

Concur with the recommendation not to proceed and REFUSE the application

OR

Resolve to proceed with an assessment (refer Scenario B)

The applicant will receive notice of the 'refusal to proceed' decision

End of application

OR

The applicant may submit a 'Decision Review Request' within one month of receiving notice

Review fee invoiced

Upon receipt of payment, the Commission will consider the request and either:

Refer the matter back with a direction that the application for planning consent be assessed (refer Scenario B)

OR

Affirm the refusal decision

There are no further appeal rights



Scenario B

The Commission Delegate determines to **proceed** with an assessment

Further information is now required to be provided per Practice Direction 4, including:

- a planning report
- technical reports (such as traffic impacts, noise etc)
- detailed plans and elevations
- any other information requested by the Commission

&

The applicant will be invoiced further fees including:

- Assessment Fees
- Public Notification Fees
- Referral Fees (if required)

- Applicant Pay Fees
- Applicant provides further information per Practice Direction 4 and any other information requested by the Commission delegate

The application is referred to relevant Agencies, who may require the applicant to provide further information or clarification

The application will be publicly notified (20 Business days)
Refer public notification factsheet

No representation received or none to be heard by Panel

Representations received are forwarded to applicant

Applicant responds to Representations (15 business days)

Decision by Delegate (or in some circumstances the application is presented to SCAP for decision)*

Representor / Agency / Council wish to be heard by Panel

Presented to SCAP for decision*

*Decision Appeal Rights

The applicant or a representor may appeal to the ERD Court against the final decision

