



Development assessment—documents the assessment manager must keep available for inspection or purchase

This fact sheet identifies the responsibilities of assessment managers under the *Sustainable Planning Act 2009* (SPA) to keep certain documents available for public inspection and purchase, or inspection only.

Development applications to be kept available for inspection and purchase

The following documents must be kept available for inspection and purchase in relation to each development application received by the assessment manager:

- the application, including supporting material
- any acknowledgement notice
- any information request
- any properly made submission
- any referral agency's response.

The above listed documents must be kept available for inspection and purchase from the time the assessment manager receives the application until either the application is withdrawn or lapses, or the last appeal period for the application ends.

The assessment manager can withhold from public scrutiny any supporting material containing sensitive security information. The assessment manager may also remove the name, address and signature of submitters before making submissions available to the public.

Other documents the assessment manager must keep available for inspection and purchase

Copies of each of the following documents must also be kept available by the assessment manager for inspection and purchase:

- decision notice and negotiated decision notice given by the assessment manager, including any plans and specifications approved by the assessment manager in relation to the notice
- decision notice and negotiated decision notice given to the assessment manager by a private certifier
- deemed approval notice given to the assessment manager
- written notice given to the assessment manager by the Minister calling in a development application
- direction given by the Minister instructing the assessment manager to attach conditions to a development approval
- agreement to which the assessment manager or a concurrence agency is a party about a condition of a development approval
- show cause notice and enforcement notice given by the assessment manager as an assessing authority
- enforcement order made by the Court on the application of the assessment manager as an assessing authority
- inspection certificates or other documents about the inspection of building work that the assessment manager must keep under the *Building Act 1975*
- building development application approved for a building in its area:



- if the application was made to a private certifier (class A), the documents given to the local government under section 86 of the *Building Act 1975*
- if the application was made to the local government, the application and the approval documents for the application as defined under the *Building Act 1975*. If the approval is for a class 10 building (other than a swimming pool fence), this information must be held by the assessment manager until the building's demolition or removal, or for 10 years after the approval is issued, whichever happens first. For any other class of building or for a swimming pool fence, this information must be kept until the building's demolition or removal.

The above listed documents may be contained in hard copy or electronic form in one or more registers kept for the purpose.

The assessment manager can withhold from public scrutiny any material mentioned in the last two dot points above containing sensitive security information, or information of a purely private nature about an individual, for example, someone's residential address.

Information to be kept on the assessment manager's website

If the assessment manager has a website, the assessment manager must publish on the website:

- all decision notices and negotiated decision notices given by the assessment manager
- all deemed approval notices given to the assessment manager.

Documents the assessment manager must keep available for inspection only

The assessment manager must keep available for inspection only:

- an official copy of the *Sustainable Planning Act 2009* (SPA) and every regulation made under SPA that is still in force
- a register of all development applications, including applications made to the assessment manager and applications given to the assessment manager by a private certifier. This obligation does not apply until a decision notice for the application is given, or was required to be given, or the application lapses or is withdrawn.

The register of development applications may be in hard copy or electronic form and must include for each application:

- a property description that identifies the premises or the location of the premises to which the application related
- the type of development applied for
- the names of any referral agencies
- whether the application was withdrawn, lapsed or decided
- if the application was decided:
 - the day the decision was made
 - whether the application was approved, approved subject to conditions or refused
 - whether the application was deemed to have been approved under section 331 of SPA
 - for an application approved subject to conditions, whether any of the conditions included the conditions of a concurrence agency, and if so, the name of the concurrence agency
 - whether a negotiated decision notice also was given for the application
 - for an application that was approved, whether there has subsequently been a permissible change to the approval.



- if there was an appeal about the decision, whether the decision was changed because of the outcome of the appeal
- other information about the application prescribed under a regulation.

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Further information

Further fact sheets on related matters are available on the department's website, www.dip.qld.gov.au/spa

More information can be found in the *Sustainable Planning Act 2009*, the *Sustainable Planning Regulation 2009* and from:

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