

# Australian Planning & Development Terminology

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# Strategic planning

TERM	QUEENSLAND	NEW SOUTH WALES	AUSTRALIAN CAPITAL TERRITORY	VICTORIA	TASMANIA	SOUTH AUSTRALIA	WESTERN AUSTRALIA	NORTHERN TERRITORY
<b>State Planning documents (statutory)</b>	State planning policies, state planning regulatory provisions, Queensland Planning Provisions, MALPI (making and amending local planning instruments)	State environmental planning policies, Ministerial Directions	The National Capital Plan and the ACT Planning Strategy	Victoria Planning Provisions (includes the State Planning Policy Framework), Ministerial Directions	State Sustainable Development Policies (State Policies) & Planning Directives	South Australian Planning Strategy (1 metro volume and 7 regional volumes)	State Planning Policies	NT Planning Scheme (Northern Territory Land Use Framework)
<b>State Planning documents (non-statutory)</b>	Guidelines for SPP	NSW State Plan, Metropolitan Plan for Sydney to 2036	n/a	Metropolitan planning strategy & regional growth plans	n/a	n/a	State Planning Strategy; other WAPC Plans and Policies	Reference documents (under the NT Planning Scheme)
<b>Regional planning documents (statutory or non-statutory)</b>	Regional plans (some)	Regional environmental plans (metro strategy)		Regional growth plans (non statutory)	Regional Land Use Strategies (Statutory)	South Australian Planning Strategy (1 metro volume and 7 regional volumes)	Region Planning Schemes; Improvement Plans; Improvement Schemes; Regional Structure Plans	Framework plans
<b>Local planning documents (statutory)</b>	Local planning instruments (scheme for whole LGA)	Local environmental plans	Territory Plan 2008	Planning schemes (includes Local Planning Policies)	Planning Schemes	Development Plans (for each council but plans are owned by Minister)	Local Planning Schemes	Planning Schemes
<b>Local planning documents (non-statutory)</b>	Local planning strategies or masterplans	Development control plans	n/a	n/a	n/a	Council Strategic Directions Report	Local Planning Strategies; Local Planning Policies	n/a
<b>Zones</b>	Zones	Zones	Zones	Zones	Zones	Zones	Zones	Zones
<b>Overlays</b>	Overlays	n/a	Overlays	Overlays		Overlays	Special Control Areas	n/a
<b>Precincts (sub zones)</b>	Precincts	Precincts, Items, Sub Zones	Precinct Codes	Local schedules to zones		Policy Areas/Precincts	N/A (as defined by Local Planning Schemes)	Area plans
<b>Amending plans</b>	Local Planning Scheme Amendment		Territory Plan Technical Amendments	n/a	Amendment to a planning scheme (Local) & Planning Directive (State)	Development Plan Amendment	Region or Local Planning Scheme Amendment	n/a
<b>Rezoning</b>	n/a	Planning Proposals	Territory Plan Variations (other than Technical Amendments)	Rezoning	Dispensation	Development Plan Amendment	Region or Local Planning Scheme Amendment	Rezoning or Planning Scheme Amendments

## PRIMARY PLANNING LEGISLATION

Queensland – Sustainable Planning Act 2009 | New South Wales – Environmental Planning & Assessment Act 1979 | Australian Capital Territory – Planning and Development Act 2007  
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 Western Australia – Planning & Development Act 2005 | Northern Territory – Planning Act & Regulations

# Development assessment

TERM	QUEENSLAND	NEW SOUTH WALES	AUSTRALIAN CAPITAL TERRITORY	VICTORIA	TASMANIA	SOUTH AUSTRALIA	WESTERN AUSTRALIA	NORTHERN TERRITORY
<b>Development types (tracks)</b>								
<b>Exempt</b>	Exempt development	Exempt development	Exempt Development	n/a	Exempt (including Limited Exempt)	Exempt	Exempt	Exempt
<b>No permit/ development without consent</b>	Self Assessable	Development without consent	Exemption Declaration - Single Dwelling only	Usually called 'as of right' development or 'no permit required'	No Permit Required	Exempt	Permitted	Permitted
<b>Code assessable</b>	Code Assessable	n/a	Code assessable (currently used for some Crown lease variation applications)	VicSmart + some single dwellings through the building permit (rescode clause 54)	Permitted in accordance with acceptable solutions, Discretionary performance criteria	Complying (including Res Code)		Discretionary
<b>Merit</b>	Impact Assessable	Local development	Merit assessable	Permit required	S43a combined application/ amendment (LUPAA)	Merit	Discretionary	Discretionary
<b>Prohibited</b>	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	n/a (non-complying but this is not prohibited)	Not Permitted	Prohibited
<b>State development (approval by Minister/State Dept)</b>	Community Infrastructure Development (CID), Coordinated Developments?	State significant	n/a but Minister may decide to consider an application if the application would provide a substantial public benefit	n/a but Minister can be responsible authority for specific classes of development or locations	Projects of State Significance	Major Project/ Development (s.46)	Planning Control Area under Region Scheme	Minister is the consent authority on zoned land outside of 7 urban areas which are the jurisdiction of the Development Consent Authority
<b>Other</b>	Compliance assessment (Technical assessment checklist and form submitted to LGA for checking)	Complying development; Regional Development	Impact Assessable	n/a	Projects of Regional Significance / Major Infrastructure Development Projects	Crown Development (s.49)	Some public works	n/a
<b>Ministerial Call In Provisions</b>	Ministerial Call In	State significant	Ministerial Call In	Ministerial call in	n/a	Major Project/ Development (s.46)	n/a	Ministerial call in
<b>Development application</b>	Development application	Development application	Development Application	Planning permit application	Development application	Development Application	Development Application	Development Application

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# Development assessment (CONTINUED)

TERM	QUEENSLAND	NEW SOUTH WALES	AUSTRALIAN CAPITAL TERRITORY	VICTORIA	TASMANIA	SOUTH AUSTRALIA	WESTERN AUSTRALIA	NORTHERN TERRITORY
<b>Development approval</b>	Decision notice (approval or refusal)	Development Consent	Development Approval	Planning permit	Development permit	Development Authorisation (planning consent + building rules consent = full Development Approval)	Development Approval	Development permit
<b>Approval Body (general)</b>	Assessment manager	Consent Authority	Planning and land authority	Responsible authority	n/a	Relevant authority	N/A	Consent Authority
<b>Approval Body (State)</b>	Chief Executive Officer (State agency) & Minister for call ins	Minister/Director General, Planning Assessment Commission	Minister for development/ Planning and Land authority on Territory land. The National Capital Authority for development in a Designated Area	Minister/Secretary	Tasmanian Planning Commission / Development Assessment Panel (Regional)	Development Assessment Commission	Western Australian Planning Commission (WAPC)	Minister for Lands, Planning and the Environment (or delegate)
<b>Approval Body (Local)</b>	Local council	Local council, Joint Regional Planning Panels	Planning and land authority	Responsible authority (as specified in the planning scheme, usually council, sometimes the Minister)	Plannning authority (local council)	Council (delegation or Council/Regional Development Assessment Panel)	Local Government; In some cases Development Assessment Panel (DAP)	Development Consent Authority or Minister for smaller communities
<b>Conditions</b>	Conditions of approval/grounds for refusal	Conditions of approval/ reasons for refusal	Conditons of approval / reasons for refusal	Permit conditions/ Grounds of refusal	Permit conditions	Conditions	Conditions	Permit Conditions
<b>Deemed decision right</b>	Deemed approval (Code assessable)	n/a	n/a	n/a	Deemed decision to grant a permit (s59)	n/a	Deemed Refusal	Deemed permit
<b>Appeal right for no decision</b>	Appeal right after statutory timeframe (Impact assessable)	Deemed Refusal (appeal right after statutory timeframe) local development	Appeal right after statutory timeframe has expired.	Appeal right after statutory timeframe (merit)		Section 41 appeal	Deemed Refusal	Appeal right due to non-determination of application
<b>Right of Review of Decision (Local level)</b>	Negotiated Decision	Section 82A Review	First party appeal rights	n/a		n/a	N/A	n/a
<b>Third Party Appeal Rights</b>	Appeal (submitter for impact assessable only)	Section 123 appeal (point of law); designated development (objectors only)	Third party appeal rights (except where excluded by Regulation)	Right of Review		Third Party Appeal Rights	Limited to joining appeals afoot (i.e. in progress)	Third party right of appeal

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# Development assessment (CONTINUED)

TERM	QUEENSLAND	NEW SOUTH WALES	AUSTRALIAN CAPITAL TERRITORY	VICTORIA	TASMANIA	SOUTH AUSTRALIA	WESTERN AUSTRALIA	NORTHERN TERRITORY
<b>Permitted inconsistent uses</b>	Preliminary approvals and Existing Use	Existing use rights	Existing use rights	Existing use rights		Non-complying development	Non-conforming Development	Existing use rights
<b>Planning panels (consent body)</b>	n/a	Independent Hearing Assessment Panels	n/a	Planning Approval Committee (still to be established)	Development Assessment Panel (regional)	Council or Regional Development Assessment Panel	Development Assessment Panels (DAP)	n/a
<b>Planning panels (advisory)</b>	Board for Urban Places	Joint Regional Planning Panels, Design Panels, Independent Hearing Assessment Panels	Internal planning and land authority Major Project Review Group and Decision Assurance Panel	Planning Panels Victoria	Resource Management and Planning Appeals Tribunal	Development Policy Advisory Committee	Design Advisory Committees	n/a
<b>Dispute resolution/arbitration</b>	Building & Dispute Resolution Tribunal	Land & Environment Court	ACT Civil and Administrative Tribunal	Victorian Civil & Administrative Tribunal (VCAT)		Environment, Resources and Development Court - Compulsory Conference (prior to hearing)	State Administrative Tribunal (SAT)	Lands, Planning and Mining Tribunal
<b>Appeal Authority</b>	Planning & Environment Court	Land & Environment Court	ACT Civil and Administrative Tribunal	Victorian Civil & Administrative Tribunal (VCAT)		Environment Resources and Development Court	State Administrative Tribunal (SAT)	Lands, Planning and Mining Tribunal

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# Subdivision

TERM	QUEENSLAND	NEW SOUTH WALES	AUSTRALIAN CAPITAL TERRITORY	VICTORIA	TASMANIA	SOUTH AUSTRALIA	WESTERN AUSTRALIA	NORTHERN TERRITORY
<b>Development approval for subdivision</b>	Reconfiguring a lot	Development application & approval/consent	Development Application & Approval	Planning permit	Development application	Development Authorisation/Land Division Consent	Application for Approval of Freehold or Survey Strata Subdivision (Form 1A)	Development consent
<b>Approval Body (general)</b>	Assessment manager	Consent Authority	Planning and land authority	Responsible authority	n/a		Western Australian Planning Commission (WAPC)	Consent Authority
<b>Approval Body (State)</b>	Chief Executive Officer (State agency) & Minister for call ins	Minister/Director General	n/a	n/a	n/a	Development Assessment Commission	WAPC	Minister is the consent authority on all land outside of 7 urban areas which are the jurisdiction of the Development Consent Authority (DCA)
<b>Approval Body (Local)</b>	local council	Local council	n/a	Responsible authority (as specified in the planning scheme, usually council, sometimes the Minister)	Planning authority (local council)	Council	WAPC	Development Consent Authority or Minister for smaller communities or unzoned land
<b>Works approval for subdivision</b>	Operational Works	Construction certificate	Development Approval	Approved engineering plans	Planning permit	Land Division consent requirements	Engineering drawings	Development permit
<b>Completion approval for subdivision</b>	Compliance certificate	Subdivision certificate	Development Approval	Statement of Compliance	n/a	Section 51 Clearance	Clearances	Part 5 approval
<b>Final plan of subdivision for registration</b>	Survey Plan (plan endorsement or sealing)	Subdivision certificate	Deposited Plan	Lodged Plan	Final plan of survey	Final Plan	Diagram of Survey	Endorsed survey plan

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<b>Primary building legislation</b>	Building Act 1975 & Building Regulation 2006	Environmental Planning & Assessment Act & Regulation	Building Act 2004 & Building (General) Regulation 2008	Building Act 1993 & Building Regulations 2006	Building Act 2000 & Building Regulation 1994	Development Act 1993 & Regulations 2008	Building Act 2011 & Building Regulations 2012	Building Act & Regulations
<b>Building application</b>	Building Development Application	Construction Certificate	Building Application	Application for a building permit	Building application	Development application	Application for Building Permit (may be Certified (BA1) or Uncertified (BA2))	Building permit application
<b>Building approval</b>	Building approval	Construction certificate (complying development certificate)	Building Approval	Building permit	Permit authority	Building Rules Consent	Building Permit	Building permit
<b>Approval authority (generic)</b>	Assessment manager	Certifying authority	ACT licensed building surveyor appointed as building certifier (all are private sector)	Building surveyor	n/a	Relevant authority	Permit Authority	Building certifier
<b>Local government building surveyors</b>	n/a	Council certifiers	ACT licensed building surveyor appointed as government certifier (only available in market failure)	Municipal building surveyor	Private building surveyors	Council Building Surveyor	Building Surveyors	n/a
<b>Private building surveyors</b>	Private building certifier	Accredited certifiers	ACT licensed building surveyor appointed as building certifier (all are private sector)	Building surveyor	Certificate of completion	Private certifier	Independent Building Surveyors	Private building certifiers
<b>Inspections (during construction)</b>	Inspection certificate	Critical stage inspections	Stage inspection certificate	??	Certificate of likely compliance	Only audit inspections are conducted in SA	Building Surveyor	Inspection certificate
<b>Inspections (final)</b>	Final inspection certificate	Final inspection	Final inspection stage certificate	??	Certificate of final inspection	n/a	Permit Authority	Final inspection
<b>Building completion documents (Occupancy)</b>	Certificate of classification	Occupation Certificate	Certificate of Occupancy and Use	Certificate of Occupancy		Statement of Compliance/Certificate of Occupancy	Certificate of Occupancy	Occupancy permit
<b>Design certification</b>	Compliance certificate	Compliance Certificate	n/a	???		n/a	Certificate of Design Compliance	Section 40 certificate
<b>As built certification (one element of construction)</b>	n/a	Compliance Certificate	n/a	???		Statement of Compliance/Certificate of Occupancy	Certificate of Construction Compliance	Occupancy permit

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# Conveyancing documents

TERM	QUEENSLAND	NEW SOUTH WALES	AUSTRALIAN CAPITAL TERRITORY	VICTORIA	TASMANIA	SOUTH AUSTRALIA	WESTERN AUSTRALIA	NORTHERN TERRITORY
<b>Zoning certificates</b>	Town planning certificate (zoning, approvals, conditions)	Section 149A Planning certificate (zoning & overlays)	n/a	Planning certificate		Section 7 Statement	MRS cl 42; PRS cl 47; GBRS cl 53	Planning certificate
<b>Planning certificate</b>			n/a	Certificate of compliance		Section 7 Statement	N/A	Certificate of compliance
<b>Building certificate</b>		Section 149B Building certificate	Building approval, Certificate of Occupancy and Use, Certificate of Compliance		Building certificate	Section 7 Statement	Occupancy Permit	Occupancy permit

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