**APPENDIX 1 – IPO AND DPO OPERATION**

| Overlay Function | IPO | DPO |
| --- | --- | --- |
| Enables the preparation and approval of a plan to guide use and development of land. | YES | YES |
| * Is an amendment needed to approve or change the plan? | YES  An amendment **is** needed to approve or change the plan.  The plan is incorporated into the planning scheme.  A new or changed incorporated plan will normally be exhibited. Unresolved submissions will be referred to a panel.  The Minister for Planning approves the plan. | NO  An amendment **is not** needed to approve or change the development plan.  The development plan is prepared to the ‘satisfaction of the responsible authority’.  There are no processes for exhibiting the development plan or making submissions.  The responsible authority approves the development plan.  Note: Although an amendment is not required to approve or change the plan, an amendment is still required to introduce, amend or remove the DPO and the schedule to the overlay. |
| * Does the overlay prescribe the content required in a plan? | YES  A plan must describe:   * the land to which it applies * the proposed use and development of each part of the land * any other matters specified in a schedule. | YES  A plan must describe:   * the land to which it applies * the proposed use and development of each part of the land * any other matters specified in a schedule. |
| Prevents planning permits being granted for development proposals until a plan has been approved. | YES  An incorporated plan must have been incorporated into this scheme before a permit is granted. | YES  A development plan must have been prepared to the satisfaction of the responsible authority before a permit is granted. |
| * Can the schedule be drafted to allow a permit to be granted before a plan is approved? | YES | YES |
| Requires a planning permit to be determined ‘generally in accordance’ with an approved plan. | YES | YES |
| * Can a permit be granted for a proposal that is not *‘generally in accordance’* with the plan? | YES  A permit **can be** granted for a proposal that is not *‘generally in accordance’* with the plan, where the schedule to the overlay provides for it.  Decision guidelines can also be introduced. | NO  A permit **cannot be** granted for a proposal unless it is *‘generally in accordance’* with the plan.  The responsible authority determines what is ‘*generally in accordance’*. |
| Exempts permits from statutory notice and review provisions, where there is an approved plan and where it is appropriate to do so. | YES  Applications that are *‘generally in accordance’* with the plan are exempt from:   * most notice requirements * third-party review rights. | YES  If a development plan has been prepared to the satisfaction of the responsible authority applications are exempt from:   * most notice requirements * third-party review rights. |
| Enables conditions and requirements to be specified that must be applied to any permit granted. | YES  Permit conditions and requirements can be specified in the schedule. | YES  Permit conditions and requirements can be specified in the schedule. |
| * Can a schedule introduce a new permit requirement for use or development, beyond that specified by the zone? | NO | NO |
| * Can a schedule prohibit use or development? | NO | NO |
| * Can a schedule introduce additional decision guidelines for an application? | YES  A schedule to the IPO **can** be drafted to introduce additional decision guidelines for applications that are not generally in accordance with the incorporated plan. | NO  A schedule to the DPO **cannot** introduce additional decision guidelines. A permit cannot be granted unless the proposal is *‘generally in accordance’* with the development plan. |