MAY 2023 | INFORMATION SHEET AD-001.2

Assessable development

North Burnett Regional Council Planning Scheme



WHAT IS "DEVELOPMENT"

Planning schemes in Queensland regulate and manage 'development', a term defined in the *Planning Act 2016*. This information sheet explains the different aspects of development and the categories of assessment. Not all projects involve 'development' and not all development requires approval from the Council.

This Information Sheet explains the categories of assessment and development.

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development means—

- - (i) building work; or
 - (ii) plumbing or drainage work; or
 - (iii) operational work; or
- (b) reconfiguring a lot; or
- (c) making a material change of use of premises.

DEFINITION: PLANNING ACT 2016

LOOK AT WHAT'S INSIDE:

What is development
Aspects of development
Categories of assessment
and development

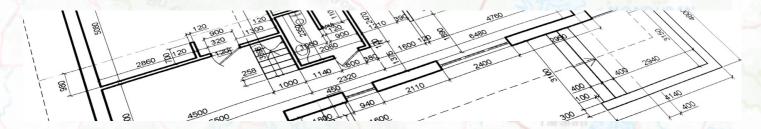
This information sheet focuses on material change of use, reconfiguring a lot, and operational work.











MAKING A MATERIAL CHANGE OF USE OF PREMISES

Making a material change of use, of premises, (often abbreviated as MCU) is a key concept in Queensland's development assessment system.

material change of use, of premises, means any of the following that a regulation made under section 284(2)(a) does not prescribe to be minor change of use—

- (a) the start of a new use of the premises;
- (b) the re-establishment on the premises of a use that has been abandoned;
- (c) a material increase in the intensity or scale of the use of the premises.

DEFINITION: PLANNING ACT 2016

EXAMPLES: MATERIAL CHANGEOF USE

- starting a car repair business on a vacant
 lot
- · converting a dwelling to an office
- restarting a retail use after the building had been used for residential purposes
- doubling the number of cattle in a feedlot
- building a duplex on vacant land





RECONFIGURING A LOT

Reconfiguring could be a subdivision of land, realigning a boundary between two lots, creating an access easement.

reconfiguring a lot, means—

- (a) creating lots by subdividing another lot; or
- (b) amalgamating 2 or more lots; or
- (c) rearranging the boundaries of a lot by registering a plan of subdivision under the Land Act or Land Title Act; or
- (d) dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is—
- (i) a lease for a term, including renewal options, not exceeding 10 years; or
- (ii) an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997: or
- (e) creating an easement giving access to a lot from a constructed road.

DEFINITION: PLANNING ACT 2016

EXAMPLES: RECONFIGURING

- 1. realigning the boundary between two lots
- 2. subdividing one lot into two lots
- 3. creating an easement for vehicular access
- 4. creating a 20 year lease for part of a farm



OPERATIONAL WORK

operational work means work, other than building work or plumbing or drainage work, in, on, over or under premises that materially affects premises or the use of premises.

DEFINITION: PLANNING ACT 2016

EXAMPLES: OPERATIONAL WORK

- 1. filling a lot subject to flood
- 2. subdivision works for a new estate
- 3. placing a billboard on premises
- 4. constructing a dam

IS IT ASSESSABLE

Development can be one of three categories'—
prohibited', 'assessable', or 'accepted' determined
through a 'categorising instrument', either the
Council's planning scheme or the *Planning Regulation 2017*. The regulation prevails if there is
any conflict between the two.

CATEGORIES IN THE PLANNING SCHEME

The planning scheme categorises development through the tables in Part 5.

IMPACT ASSESSMENT

An impact assessable application needs to be publicly notified and allows submitter appeal rights.

CODE ASSESSMENT

The Council assesses code assessable development applications against the relevant codes. There is no public notification or submitter appeal rights.

ACCEPTED DEVELOPMENT

Development can be accepted, or accepted If complying with the acceptable outcomes in a particular code. Accepted development does not need a Council approval under the planning scheme, although it may need other approvals such as a building approval.





CATEGORIES IN THE PLANNING REGULATION

Sometimes the *Planning Regulation 2017* also categorises development. See sections 18, 19, 20 and 20A, and Schedules 6, 7, 9, and 10.

- Schedule 6 identifies development that the planning scheme cannot make assessable.
- Schedule 7 identifies accepted development
- Schedule 9 categorises building work under the Building Act
- Schedule 10 categorises a range of particular development (eg. airport, brothels, clearing native vegetation, contaminated land etc)



- OTHER INFORMATION SHEETS
 - development tips
 making an application
 - making an application
 - · application process
- overlays

FACILITATING GOOD ECONOMIC DEVELOPMENT

We have a long and proud history of development, prosperity and resilience. With readiness we also face challenges including distance, drought, flood and connectivity.

Always receptive to new technology and new ideas, as the digital revolution continues to disrupt and expand economies around the world, North Burnett is gearing up to make the most of emerging opportunities.

The Council is committed to drive ongoing economic growth and innovation in North Burnett.

North Burnett Regional Council aims to be an innovation leader – a destination for business, investment and skills.

Contact Us

Call us for more information about the planning scheme and making an application.



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