

FACT SHEET

LODGING A DEVELOPMENT APPLICATION – MCU & RoL

WHAT IS A DEVELOPMENT APPLICATION?

A development application is a collection of forms, drawings, reports and plans, typically lodged to a local government, which seeks a *development approval* to undertake assessable *development*.

There are three (3) different types of *development approval* under the *Planning Act 2016* (the Act) that may be obtained for *development*:

- A preliminary approval; or
- A development permit; or
- A combination of a preliminary approval and development permit.

In most cases, you will be applying for a development permit.

There are five (5) types of *development* under the Act:

- **Material Change of Use (MCU);**
- **Reconfiguring a Lot (RoL);**
- Building Work;
- Plumbing and Drainage Work; and
- Operational Work (OPW).

Material Change of Use of a premises means any of the following –

- (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.*

Reconfiguring a Lot means –

- (a) *Creating lots by subdividing another lot; or*
- (b) *Amalgamating 2 or more lots;*
- (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*
 - (iii) *Creating an easement giving access to a lot from a constructed road.*

WHEN DO I NEED TO LODGE DEVELOPMENT APPLICATION?

You need to lodge a development application before you intend to undertake assessable development. Not all development is assessable development.

Assessable development is established under the Act, subordinate legislation and the planning scheme in effect where the development is proposed. Barcaldine Regional Council currently has three planning schemes in effect:

- *Aramac Shire Planning Scheme 2006*;
- *Barcaldine Shire Planning Scheme 2006*; and
- *Jericho Shire Planning Scheme 2006*.

A town planning consultant or representative from Council will be able to advise whether what you are proposing is assessable development and therefore requires development approval to proceed.

Note, to get to a point where you can lawfully start work on your development, it will likely require a series of development applications seeking development approval to be lodged to, and approved by, different authorities. Obtaining development approval for MCU or RoL (“town planning approval” or “land use approval”) is typically the first step in the process to realising your development aspirations.

WHAT DO I NEED TO INCLUDE IN MY DEVELOPMENT APPLICATION?

Once you have confirmed with either a town planning consultant or Council that you require a development permit for MCU or RoL, you will need to lodge a development application seeking the respective development approval. As a minimum, your development application for MCU or RoL should include:

- Completed DA Form 1, obtained from <https://planning.dilqp.qld.gov.au/planning/resources>;
- Where the Applicant is not the landowner, landowner consent;
- Town Planning Report, outlining the proposal and how it complies with the relevant State and local planning framework, particularly the planning scheme in effect at the time;
- Plans, including:
 - Site Plan
 - Floor Plans
 - Elevation Plans
- The requisite development assessment fee, <http://www.barcaldinerc.qld.gov.au/fees-and-charges>

Plans should be scaled and fully dimensioned. As a minimum, a site plan should include:

- The location and site area of the land to which the application relates;
- North point,
- The boundaries of the land;
- Any road frontages, including the name of the road;
- Any existing or proposed easements; and
- Vehicle access and parking areas.

For certain types of development, further technical reporting from specialist consultants may be required to demonstrate compliance with the planning framework. Such technical reporting may include a Stormwater Management Plan, Slope Stability Assessment and Traffic Impact Assessment. Prior to lodgement, Council will be able to advise what technical reporting, if any, is required.

HOW DO I LODGE MY DEVELOPMENT APPLICATION?

Once you have determined that the development you are proposing is assessable development and requires a development approval, and have prepared a development application as outlined in this Fact Sheet, you will need to lodge it with Council.

A development application can be lodged by:

- Email via council@barc.qld.gov.au;
- Post:

Barcaldine Regional Council
PO Box 191
Barcaldine QLD 4725

- In person at 71 Ash Street, Barcaldine QLD 4725

WHERE CAN I FIND MORE USEFUL INFORMATION?

The following links may be useful in understanding development and development assessment in Queensland:

<http://www.barcaldinerc.qld.gov.au/residents/planninganddevelopment.shtml>

<https://planning.dilgp.qld.gov.au/planning/our-planning-system>

<https://planning.dilgp.qld.gov.au/planning/better-planning>

<https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2016-025>

<https://www.legislation.qld.gov.au/view/pdf/inforce/current/sl-2017-0078>