Development Guidance Factsheet

Types of development applications

Under the *Planning Act 2016*, there are four types of applications:

- Material change of use
- Reconfiguring a lot
- Operational work
- Building work

What is Material change of use?

Under the Act, a Material change of use (MCU), of premises means:

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

To undertake an assessable (code or impact assessment) MCU of premises, a development approval is required.

What is Reconfiguring a lot?

Under the Act, reconfiguring a lot means:

- creating lots by subdividing another lot; or
- amalgamating two or more lots; or
- rearranging the boundaries of a lot by registering a plan of subdivision; or
- 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:
 - a lease for a term, including renewal options, not exceeding 10 years; or
 - 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
- creating an easement giving access to a lot from a constructed road.

To undertake an assessable (generally code assessment) reconfiguration of a lot, a development approval is required.

What is Operational work?

Under the Act, 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". Examples include:

- excavating or filling that materially affects premises or their use; or
- placing an advertising device on premises; or
- undertaking
 - tidal works; or
 - work in a coastal management district; or
- constructing or raising waterway barrier works; or
- performing work in a declared first habitat area; or
- removing, destroying or damaging a marine plant; or
- undertaking road works on a local government road.

Operational work does not include:

- building work; or
- plumbing or drainage work.





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What is Building work?

Notes

Under the Act, building work means:

- building, repairing, altering, underpinning (whether by vertical or lateral support), moving or demolishing a building or other structure; or
- works regulated under the building assessment provisions; or
- excavating or filling—
 - for, or incidental to, the activities stated in the first paragraph; or
 - that may adversely affect the stability of a building or other structure, whether on the premises on which the building or other structure is situated or on adjacent premises; or
- supporting (vertically or laterally) premises for activities stated in the first paragraph; and
- for a Queensland heritage place, includes—
 - altering, repairing, maintaining or moving a built, natural or landscape feature on the place; and
 - excavating, filling or other disturbances to premises that damage, expose or move archaeological artefacts, as defined under the Queensland Heritage Act 1992, on the place; and
 - altering, repairing or removing artefacts that contribute to the place's cultural heritage significance (furniture or fittings, for example); and
 - altering, repairing or removing building finishes that contribute to the place's cultural heritage significance (paint, wallpaper or plaster, for example); and
- does not include undertaking:
 - operations of any type and all things constructed or installed that allow taking or interfering with water, under the *Water Act 2000*; or
 - tidal works; or
 - work for reconfiguring a lot.

Building work, for administering Development Assessment in relation to a Queensland heritage place, does not include development for which an exemption certificate has been issued under the *Queensland Heritage Act 1992*.

For further information

Please visit Council's website at: bundaberg.qld.gov.au

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