

MATERIAL CHANGE OF USE

What is a Material Change of Use?

A Material change of use is when a property is developed by altering the way it is utilised. A Material change of use, applies to any of the following:

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

If your development constitutes a Material change of use, a development permit may be required from Council. If you are unsure if the development constitutes a Material change of use please confirm with Council.

Do I need planning approval?

The Townsville City Plan identifies whether your development requires a Development Permit to operate. Firstly, you must determine the defined use of your development by reviewing the use definitions in [Schedule 1](#). Once the use is determined, visit the Table of Assessment in Part 5, which determines the level of assessment for the use within a particular zone. If the site is subject to an overlay you will also need to confirm if the overlay elevates the level of assessment.

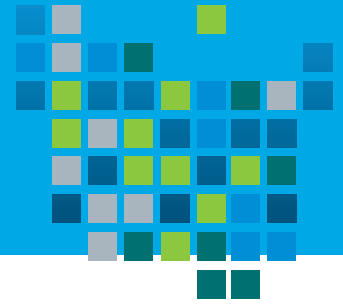
The four levels of assessment are as follows:

Accepted Development	Development does not require a development permit from council to operate.
Accepted development subject to requirements	Development must comply with the Acceptable Outcomes of the applicable codes. If non-compliant, development requires a development permit from Council
Code Assessable	A development permit is required from Council. Assessment is against the applicable codes.
Impact Assessable	A development permit is required from Council. Assessment is against the entire Townsville City Plan and Public Notification is required.

Timeframe

The *Planning Act 2016* and related material sets out the assessment timeframes which vary by assessment level. The below illustration demonstrates the legislative timeline for a code assessable application requiring referral. For impact assessable applications add 15 b.d for Public notification (30 b.d for a variation request application) and 10 b.d for the assessment manager to consider submissions. Timeframes can be extended by mutual agreement.





How to lodge an application

An application can be submitted to Council by one of the following methods:

- Townsville Online Lodgement System (TOLS)
- Email developmentassessment@townsville.qld.gov.au
- In person at Councils Customer Service Centre, 103 Walker Street Townsville
- Post to PO Box 1268 Townsville QLD 4810.

What is required to lodge an application?

When lodging an application the following materials are required to allow the application to be considered 'properly made' and the assessment process to start:

- DA Form 1 ([Development application forms and templates | Planning \(statedevelopment.qld.gov.au\)](#))
- landowners consent
- plans of the development
- report addressing the applicable codes of the [Townsville City Plan](#)
- payment of the development application fees.

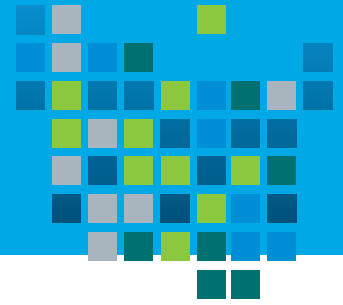
Depending on the nature of the application, technical reports may also be required for Council's assessment of the application (traffic, flood, stormwater, noise etc). Well prepared applications may proceed through the assessment process faster.

Application fees

Fees are applicable to each application lodged with Council. To find the fees associated with a Material Change of Use application for a particular use, please refer to [Fees and Charges schedule](#).

Infrastructure Charges

Council levies infrastructure charges for development which generate additional demand upon trunk infrastructure networks. For more information, please read Councils infrastructure charges information sheet or contact the council for a fee-free infrastructure charge estimate before engaging in any development activity.



Frequently asked questions

How long is an approval valid?

Typically, a development approval, for a Material change of use is current for 6 years from when the approval takes effect. This means that the operation of the use must commence before this period ends. Before a development approval lapses, you can apply to council to extend the currency period.

Can I discuss my proposal with Council before I lodge an application?

Yes. To streamline the development assessment process and improve development outcomes, we recommend discussing the development proposal in detail with the Council before lodging an application. To arrange a free pre-lodgement meeting with the Council, please complete the following form ([link](#)).

Difference between Code and Impact Assessable

A code assessable application is required for uses that align with the property's zoned intent and is assessed against the applicable codes from the Townsville City Plan.

An impact assessable application is required for uses that are not anticipated by the planning scheme and assessed against the entirety of the Townsville City Plan, which includes strategic intent. During the 15-day public notification period, members of the public can make submissions for or against the proposed development. The assessment manager reviews all properly made submissions and considers valid planning grounds raised.

Referral Agencies

During the development assessment process, some applications require assessment by referral agencies. Referrals are commonly required for properties that are subject to state interest or private entity infrastructure. It is the applicant's responsibility to ensure the application is referred to all applicable referral agencies.

Will I need to carry out public notification?

Public notification is mandatory for Impact Assessable Development Applications. The notification process must last at least 15 business days and include:

- notice in the newspaper
- notice posted at the subject site
- notice given to adjoining landowners.

Council will consider any submissions received during the public notification period during its assessment.

What other approvals do I need?

Once you obtain a Material change of use development permit, you may need additional permits. These typically include permits for:

- Operational works, such as earthworks, roads, stormwater, and drainage
- Building work
- Plumbing and drainage
- Road works

It's important to note that there may be additional approvals required beyond the permits listed above.

When can I commence operating my development?

After receiving approval and the appeal period ends (usually 20 business days), you must meet the conditions of the development permit. This may include getting further approvals from council, works onsite, or compliance assessment. You will also need to pay any infrastructure charges that may be applicable.

Can I change an existing development approval?

Yes. If an approval for an existing use on the site already exists, you may request alterations to the development. Depending on the scale of the changes, the approval can be achieved through the 'minor change', or 'other change' mechanism.

Need further info?

For further information regarding the Material change of use process, please contact Council's Planning and Development to discuss.