

1 About the planning scheme

Click on the required section from the menu beside.

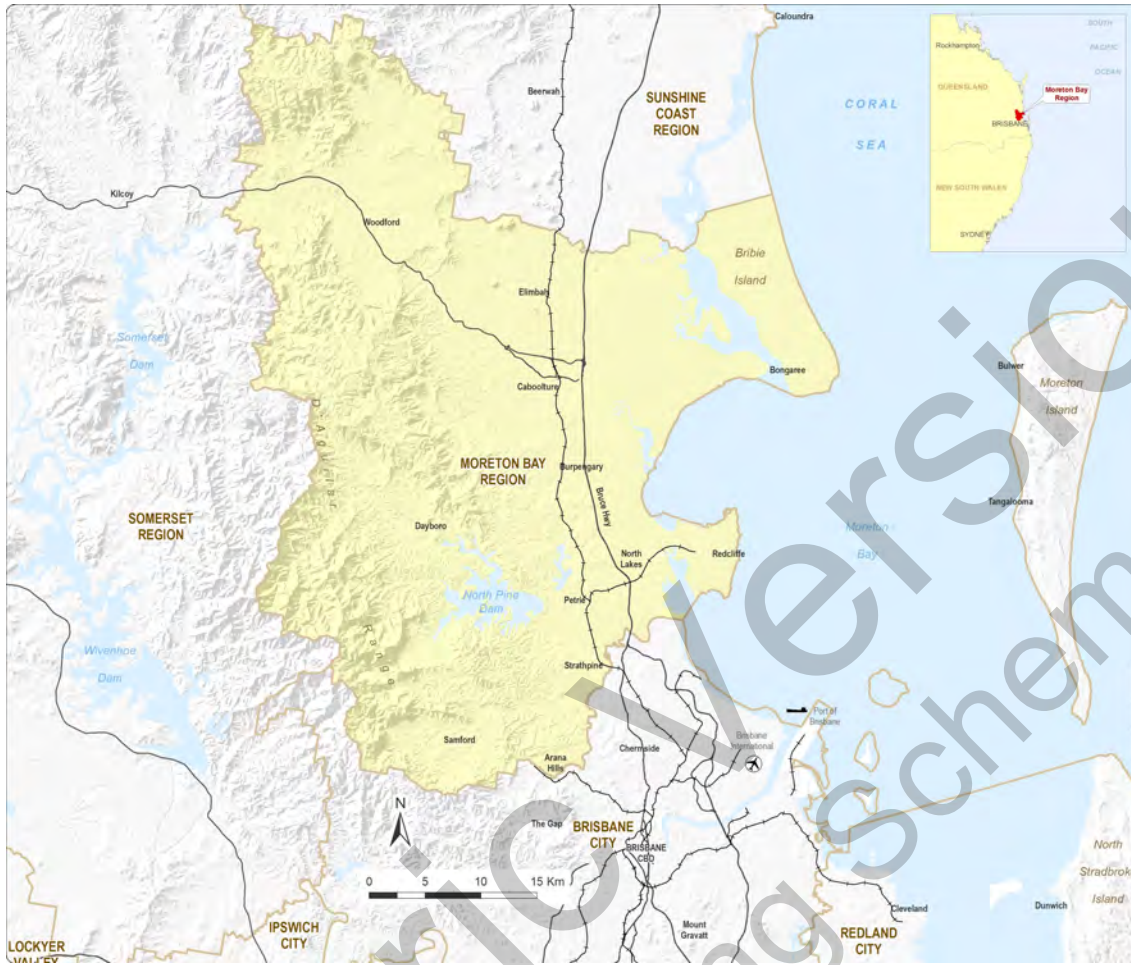
1.1 Introduction

1. The Moreton Bay Regional Council Planning Scheme (planning scheme) has been prepared in accordance with the *Sustainable Planning Act 2009* (the Act) as a framework for managing development in a way that advances the purpose of the Act.
2. In seeking to achieve this purpose, the planning scheme sets out Moreton Bay Regional Council's intention for the future development in the planning scheme area over the next 20 years.
3. The planning scheme seeks to advance state and regional strategies, including state planning policies and the South East Queensland Regional Plan 2009-2031, through more detailed local responses, taking into account the local context.
4. While the planning scheme has been prepared with a 20 years horizon, it will be reviewed periodically in accordance with the Act to ensure that it responds appropriately to the changes of the community at a local, regional and state level.
5. The planning scheme applies to the planning scheme area of Moreton Bay Regional Council including all premises, roads, internal waterways, tidal areas and interrelates with the surrounding local government areas illustrated in Map 1.

Editor's note - State legislation may state that the planning scheme does not apply to certain areas, e.g. Strategic port land under the Transport Infrastructure Act 1994.

Map 1 – Local government planning scheme area and context

1 About the planning scheme



1.2 Planning scheme components

1. The planning scheme comprises the following components:

- a. about the planning scheme;
- b. state planning provisions;
- c. the strategic framework;
- d. the priority infrastructure plan;
- e. tables of assessment;
- f. the following zones:
 - i. Centre zone
 - A. Caboolture centre precinct
 - B. Morayfield centre precinct
 - C. Petrie mill precinct
 - D. Strathpine centre precinct
 - E. District centre precinct
 - F. Local centre precinct
 - G. Specialised centre precinct
 - ii. Community facilities zone
 - A. Abbey precinct
 - B. Airfield precinct
 - C. Utilities precinct
 - D. Lakeside precinct
 - E. Special use precinct
 - iii. Emerging community zone
 - A. Interim precinct
 - B. Transition precinct
 - iv. Environmental management and conservation zone
 - v. Extractive industry zone
 - vi. General residential zone
 - A. Coastal communities precinct
 - B. Suburban neighbourhood precinct

1 About the planning scheme

- C. Next generation neighbourhood precinct
- D. Urban neighbourhood precinct
- vii. Industry zone
 - A. Mixed industry and business precinct
 - B. Light industry precinct
 - C. General industry precinct
 - D. Restricted industry precinct
 - E. Marine industry precinct
- viii. Limited development zone
- ix. Recreation and open space zone
 - A. Sport and recreation precinct
- x. Rural zone
 - A. Agriculture precinct
 - B. Cedarton Foresters Cooperative and Mt Nebo plant nursery precinct
 - C. Hamlet precinct
 - D. Rural living investigation precinct
 - E. Woodfordia and abbey surrounds precinct
- xi. Rural residential zone
- xii. Township zone
 - A. Township centre precinct
 - B. Township convenience precinct
 - C. Township residential precinct
 - D. Township industry precinct
- g. the following local plans:
 - i. Redcliffe Kippa-Ring local plan
 - A. Redcliffe seaside village precinct
 - B. Kippa-Ring village precinct
 - C. Kippa-Ring station precinct
 - D. Local services precinct

- E. Health precinct
- F. Interim residential precinct
- G. Sport and recreation precinct
- H. Open space and recreation precinct
- ii. Woodfordia local plan
 - A. Festival valley precinct
 - B. Event support precinct
 - C. Eastern precinct
 - D. Camping precinct
- iii. Caboolture West local plan
 - A. Urban living precinct
 - B. Town centre precinct
 - C. Enterprise and employment precinct
 - D. Green network precinct
 - E. Rural living precinct
- h. the following overlay codes:
 - i. Coastal hazard
 - ii. Flood hazard
- i. the following overlays without codes:
 - i. Acid sulfate soils
 - ii. Active transport
 - iii. Building heights
 - iv. Bushfire hazard
 - v. Centre walking distances
 - vi. Community activities and neighbourhood hubs
 - vii. Environmental areas
 - viii. Environmental offset receiving areas
 - ix. Extractive resources
 - x. Heritage and landscape character
 - xi. Infrastructure buffers

1 About the planning scheme

- xii. Landslide hazard
 - xiii. Overland flow path
 - xiv. Riparian and wetland setbacks
 - xv. Road hierarchy
 - xvi. Rural residential lot sizes
 - xvii. Scenic amenity
 - xviii. Stormwater catchments
 - xix. Transport noise corridors
- j. the following development codes:
- i. Statewide codes
 - A. Reconfiguring a lot (subdividing one lot into two lots) and associated operational work code
 - B. Community residence code
 - C. Forestry for wood production code
 - ii. Use codes
 - A. Dwelling house code
 - B. Residential uses code
 - iii. Other development codes
 - A. Reconfiguring a lot code
 - B. Works code
 - C. Site earthworks code
 - D. Advertising devices code
- k. the following other plans:
- i. Mango Hill Infrastructure Development Control Plan
- l. schedules and appendices.
2. The following planning scheme policies support the planning scheme:
- a. Planning scheme policy - Acid sulfate soils
 - b. Planning scheme policy - Advertising devices
 - c. Planning scheme policy - Bushfire prone areas
 - d. Planning scheme policy - Caboolture concept plan

- e. Planning scheme policy - Centre and neighbourhood hub design
- f. Planning scheme policy - Economic impact assessment
- g. Planning scheme policy - Environmental areas and corridors
- h. Planning scheme policy - Extractive industry
- i. Planning scheme policy - Flood hazard, coastal hazard and overland flow
- j. Planning scheme policy - Heritage and landscape character
- k. Planning scheme policy - Integrated design
- l. Planning scheme policy - Landslide hazard
- m. Planning scheme policy - Neighbourhood design
- n. Planning scheme policy - Noise
- o. Planning scheme policy - Operational works inspection, maintenance and bonding procedures
- p. Planning scheme policy - Residential design
- q. Planning scheme policy - Stormwater management
- r. Planning scheme policy - Integrated transport assessment
- s. Planning scheme policy - Waste
- t. Planning scheme policy - Woodfordia transport and access management

1 About the planning scheme

1.3 Interpretation

Click on the required section from the menu beside.

1.3.1 Definitions

1. A term used in the planning scheme has the meaning assigned to that term by one of the following:
 - a. the definitions in Schedule 1 of the planning scheme; or
 - b. the Act; or
 - c. the *Sustainable Planning Regulation 2009* (the Regulation); or
 - d. the *Acts Interpretation Act 1954*; or
 - e. the ordinary meaning where that term is not defined in the Act, the Regulation, Schedule 1 of the planning scheme or the *Acts Interpretation Act 1954*.
2. In the event a term has been assigned a meaning in more than one of the instruments listed in sub-section 1.3.1(1), the meaning contained in the instrument highest on the list will prevail.
3. A reference in the planning scheme to any act includes any regulation or instrument made under it, and where amended or replaced, means the amended or replaced act.
4. A reference in the planning scheme to a specific resource document or standard, means the latest version of the resource document or standard.
5. A reference to a part, section, table or schedule is a reference to a part, section, table or schedule of the planning scheme.

1.3.2 Standard drawings, maps, notes, editor's notes and footnotes

1. Standard drawings contained in codes or schedules are part of the planning scheme.
2. Maps provide information to support the outcomes and are part of the planning scheme.
3. Notes are identified by the title “note” and are part of the planning scheme.
4. Editor’s notes and footnotes are extrinsic material, as per the *Acts Interpretation Act 1954*, are identified by the title “editor’s note” and “footnote” and are provided to assist in the interpretation of the planning scheme; they do not have the force of law.

Note - This is an example of a note.

Editor's note - This is an example of an editor's note.

Footnote ⁽¹⁾ - See example at bottom of page.

1 This is an example of a footnote.

1 About the planning scheme

1.3.3 Punctuation

1. A word followed by “;” or alternatively “; and” is considered to be “and”
2. A word followed by “; or” means either or both options can apply.

Historic Version
MBRC Planning Scheme v1

1.3.4 Zones for roads, waterways and reclaimed land

1. The following applies to a road, closed road, waterway or reclaimed land in the planning scheme area:
 - a. if adjoined on both sides by land in the same zone—the road, closed road, waterway or reclaimed land is in the same zone as the adjoining land;
 - b. if adjoined on one side by land in a zone and adjoined on the other side by land in another zone—the road, closed road, waterway or reclaimed land is in the same zone as the adjoining land when measured from a point equidistant from the adjoining boundaries;
 - c. if the road, closed road, waterway or reclaimed land is adjoined on one side only by land in a zone—the entire waterway or reclaimed land is in the same zone as the adjoining land; or
 - d. if the road, closed road, waterway or reclaimed land is covered by a zone then that zone applies.

Editor's note - The boundaries of the local government area are described by the maps referred to within the *Local Government (Operations) Regulation 2010*.

Historic Version
MBRC Planning Scheme V1

1 About the planning scheme

1.4 Categories of development

1. The categories of development under the Act are:

a. exempt development

Editor's note - A development permit is not required for exempt development.

b. self-assessable development

Editor's note - A development permit is not required for self-assessable development.

c. development requiring compliance assessment

Editor's note - A compliance permit is required for development requiring compliance assessment.

d. assessable development

Editor's note - A development permit is required for assessable development.

e. prohibited development.

Editor's note - A development application or a request for compliance assessment cannot be made for prohibited development.

2. The Act prescribes levels of assessment for certain types of development.

3. The planning scheme also states the level of assessment for certain types of development in the planning scheme area in Part 5.

1.5 Hierarchy of assessment criteria

1. Where there is inconsistency between provisions within the planning scheme, the following rules apply:
 - a. the strategic framework prevails over all other components to the extent of the inconsistency;
 - b. statewide codes prevail over all other components (other than the strategic framework) to the extent of the inconsistency;
 - c. overlays prevail over all other components (other than the strategic framework and statewide codes) to the extent of the inconsistency;
 - d. local plan codes prevail over zone codes, use codes and other development codes to the extent of the inconsistency;
 - e. zone codes prevail over use codes and other development codes to the extent of the inconsistency;
 - f. provisions of Part 10 may override any of the above.

Historic Version
MBRC Planning Scheme V1

1 About the planning scheme

1.6 Building work regulated under the planning scheme

1. Section 78A of the Act states that a local planning instrument must not include provisions about building work to the extent the building work is regulated under the building assessment provisions, unless permitted under the *Building Act 1975*.
2. The building assessment provisions are listed in section 30 of the *Building Act 1975*.

Editor's note - The building assessment provisions are stated in section 30 of the *Building Act 1975* and are a code for integrated development assessment system for the carrying out of building assessment work or self-assessable work (see also section 31 of the *Building Act 1975*)

3. This planning scheme, through Part 5, regulates building work in accordance with sections 32 and 33 of the *Building Act 1975*.

Editor's note - The *Building Act 1975* permits planning scheme to:

- regulate, for the *Building Code of Australia* (BCA) or the *Queensland Development Code* (QDC), matters prescribed under a regulation under the *Building Act 1975* (section 32). For example, building height space for on-site parking. It may also regulate other matters, such as designating floor levels of habitable rooms in flood areas, designating areas as being subject to bushfire hazard, noise corridors and end-of trip facilities;
- deal with an aspect of, or matter related or incidental to building work prescribed under a regulation under section 32 of the *Building Act 1975*;
- specify alternative planning scheme provisions under section 33 of the *Building Act 1975*. This relates to alternative design solutions for boundary clearance and site cover provisions MP 1.1, 1.2 and 1.3 of the QDC.

Refer to Schedule 3 of the Regulation to determine assessable development and the type of assessment.

4. The building assessment provisions are contained in the following parts of this planning scheme:

Table 1.6.1 Building assessment provisions in the planning scheme

Building assessment matter in the planning scheme	Section of the planning scheme
<p>Designation of bushfire prone area for the BCA or QDC. (<i>Building Act 1975</i> section 32(a) and <i>Building Regulation 2006</i> section 12). Except for the following, the areas shown on Overlay map - Bushfire hazard as Very high potential bushfire intensity, High potential bushfire intensity, Medium potential bushfire intensity, and Potential impact buffer, are designated bushfire prone areas for section 12 of the Building Regulation 2006:</p> <ol style="list-style-type: none"> a. land in the Centre zone; b. land in the General residential zone; c. land in the Industry zone; d. land in the Township zone. 	<p>Schedule 2:</p> <ol style="list-style-type: none"> a. Overlay map - Bushfire hazard
<p>Designation of flood hazard area (<i>Building Act 1975</i> section 32(a) and <i>Building Regulation 2006</i> section 13(1)(a))</p>	<p>Schedule 2:</p> <p>Land identified in the Flood planning area of the Flood hazard overlay on the Flood hazard overlay map</p>

1 About the planning scheme

<p>Declaration of the following within the Medium and High risk areas of the Flood planning area:</p> <ul style="list-style-type: none"> a. The defined flood event; b. The maximum flow velocity of water; c. A freeboard that is more than 300mm; d. Finished floor level of Class 1 buildings in a flood hazard area 	<p>Flood hazard overlay code</p> <p>Note - All of the relevant building assessment provisions prescribed under the Queensland Development Code specifically for buildings in flood hazard areas apply to development within the Medium and High risk areas of the Flood planning area. Finished floor levels have also been set for other than Class 1 buildings. Please refer to the Flood hazard overlay code for further information.</p>
<p>Declaration of the following within the Balance flood planning area of the Flood planning area:</p> <ul style="list-style-type: none"> a. Finished floor level of Class 1 buildings; b. A freeboard that is more than 300mm 	<p>Column 3 (Flood planning level) of Table 8.2.2.3 of the Flood hazard overlay code.</p> <p>Note - The relevant building assessment provisions prescribed under the Queensland Development Code specifically for buildings in flood hazard areas do not apply to development within the Balance area of the Flood planning area. Finished floor levels have also been set for other than Class 1 buildings. Please refer to the Flood hazard overlay code for further information.</p>
<p>Alternative provisions to QDC boundary clearance and site cover provisions for a dwelling house, including a class 10 building or structure. (<i>Building Act 1975</i> section 33)</p>	<p>Section 6.2.10 Rural zone code Section 6.2.11 Rural residential zone code Section 9.3.1 Dwelling house code</p>
<p>Planning scheme provisions about performance criteria 4, 5, 7, 8 and 9 under QDC part 1.1 or QDC part 1.2 for a dwelling house, including a class 10 building or structure. (<i>Building Regulation 2006</i> section 10)</p>	<p>Section 6.2.10 Rural zone code Section 6.2.11 Rural residential zone code Section 9.3.1 Dwelling house code</p>
<p>Amenity and aesthetic provisions for a dwelling house, including a class 10 building or structure. (<i>Building Regulation 2006</i> schedule 7 Table 1, item 17)</p>	<p>Section 6.2.10 Rural zone code Section 6.2.11 Rural residential zone code Section 9.3.1 Dwelling house code</p>

Editor's note - A decision in relation to building work that is assessable development under the planning scheme should only be issued as a preliminary approval. See section 83(b) of the *Building Act 1975*. Editor's note - In a development application the applicant may request preliminary approval for building work. The decision on that development application can also be taken to be a referral agency's response under section 271 of the Act, for building work assessable against the *Building Act 1975*. The decision notice must state this.

1 About the planning scheme

1.7 Local government administrative matters

1.7.1 Planning horizon

1. Section 1.1(2) identifies a planning horizon for the planning scheme of 20 years, which correlates to the Strategic Framework (Part 3) setting the vision for development in the planning scheme area for the next 20 years. In accordance with legislative requirements (as noted in section 1.1(4)) the planning scheme will be reviewed periodically. Therefore a shorter planning horizon of 10 years has been adopted for the zones and overlays in the planning scheme, which means the outcomes and assessment criteria for a zone may differ from the Strategic Framework.

1.7.2 Using Strategic Framework in development assessment

1. Development requiring impact assessment will be assessed against the Strategic Framework to the extent relevant.
2. Development requiring code assessment may be assessed against the Strategic Framework to the extent relevant where compliance is not achieved with the overall outcomes of the applicable codes.

1.7.3 Refusing code assessment

1. Development requiring code assessment will be refused where compliance is not achieved with the purpose and overall outcomes of the applicable codes.

1.7.4 Acceptable outcomes not the only outcomes

1. The acceptable outcomes included in a code are not necessarily the exhaustive means of meeting the corresponding performance outcome or purpose of the code in full. An acceptable outcome may be only part of a way to meet the performance outcome. An acceptable outcome is also only one suggested way of meeting the performance criteria. The specific circumstances and characteristics of a development may require a different outcome to the acceptable outcome included in the code in order to meet the performance outcome.

1.7.5 Unique use of overlays

1. Overlays in the planning scheme are mapped and included in Schedule 2. The planning scheme includes both overlays that do not change the level of assessment and overlays that do change the levels of assessment. For those overlays that change the level of assessment, these levels of assessment changes are contained in Part 5, Section 5.10 and their corresponding codes are provided in Part 8, Section 8.2. Additional assessment criteria for the part of a premises affected by an overlay that does not change the level of assessment may be contained in one or more of the following:
 - a. a map for an overlay;
 - b. a zone code included in Part 6;
 - c. a local plan code included in Part 7;
 - d. a development code included in Part 9.

1.7.6 Notation of decisions affecting the planning scheme s.391 of the Act

1. Schedule 4.1 notes decisions affecting the planning scheme in accordance with section 391 of the Act. For the purpose of section 391(1)(a) (approvals that conflict with the planning scheme), notation of the development approval will be included if the development conflicts with overall outcomes or purpose of the applicable code/s.

1.7.7 Exempt development

1 About the planning scheme

1. This section identifies forms of development that, in certain circumstances, are made exempt from regulation under the planning scheme. The assessment tables in section 5.5, 5.6, 5.7, 5.8 and 5.9 list the forms of development shown in column 1 of Table 1.7.7.1 as exempt while column 2 of Table 1.7.7.1 lists the circumstances for when the development is exempt development.

Table 1.7.7.1 Exempt development

Development	Circumstances for being exempt development
Animal husbandry ⁽⁴⁾ Animal keeping ⁽⁵⁾	If regulated by Local Law 2 (Animal Management).
Cemetery ⁽¹²⁾	If: <ul style="list-style-type: none"> a. carried out by or on behalf of the local government; and b. carried out on land owned or administered by the Local Government; and c. not in the following zones, local plans or overlay maps: <ul style="list-style-type: none"> i. Limited development zone; or ii. Environmental management and conservation zone; or iii. Caboolture West local plan - Green network precinct; or iv. Water supply buffer identified on Overlay map – Infrastructure buffers.
Electricity infrastructure (including Major electricity infrastructure ⁽⁴³⁾ and Substation ⁽⁸⁰⁾) where not identified in the <i>Sustainable Planning Regulation (2009)</i> , Schedule 4, Table 5, item 9. Note - Schedule 4 of the <i>Sustainable Planning Regulation (2009)</i> identifies development that can not be declared to be development of a particular type (Act section 232(2)).	If: <ul style="list-style-type: none"> a. not in the following overlay maps: <ul style="list-style-type: none"> i. Medium risk area or High risk area on Overlay map – Flood hazard; or ii. High risk storm tide inundation area on Overlay map – Coastal hazard (storm tide inundation); or iii. Erosion prone area on Overlay map – Coastal hazard (Erosion prone area); AND <ul style="list-style-type: none"> b. involving <i>minor electricity infrastructure</i>; OR, where not b. above, <ul style="list-style-type: none"> c. not projecting above the surface of the ground; or b. involving the reconstruction or alteration of an existing building where the design and external appearance is not materially altered; or c. not involving the erection of a new building.
Environmental facility ⁽²⁶⁾	If:

1 About the planning scheme

Development	Circumstances for being exempt development
	<ul style="list-style-type: none"> a. in the Caboolture West local plan - Green network precinct; and b. not involving building work.
Home based business ⁽³⁵⁾	If involving home based child care as a “stand-alone service” under the <i>Education and Child Care Services Act 2013</i> .
Park ⁽⁵⁷⁾	<p>If undertaken on land that is either owned by Council or is otherwise administered by Council as a trustee under the Land Act 1994.</p> <p>Editor's note - Some Park activities may require an approval as a prescribed activity under a local law.</p>
Telecommunications facility ⁽⁸¹⁾	<p>If:</p> <ul style="list-style-type: none"> a. not in the following zones or local plans: <ul style="list-style-type: none"> i. Limited development zone; or ii. Environmental management and conservation zone; or iii. Caboolture West local plan - Green network precinct; and b. not a facility operated by or on behalf of a carrier under the <i>Telecommunications Act 1997</i>; and c. not involving more than one signal receiving satellite dish; and d. involving a dish with a dimension not greater than: <ul style="list-style-type: none"> i. 1.2m in the General residential zone and Township zone - Township residential precinct; or ii. 1.8m in any other zone. <p>Editor's note - The <i>Commonwealth Telecommunications Act 1997</i> also exempts certain telecommunications facilities from State planning legislation. These facilities are described in the <i>Commonwealth Telecommunications Act 1997</i>, the <i>Telecommunications (Low-impact Facilities) Determination 1997</i>, and the <i>Telecommunications Code of Practice 1997</i>.</p>
Undefined land use - for Native forest practice	If undertaken in accordance with 'Managing a native forest practice - A self-assessable vegetation clearing code' adopted under the Vegetation Management Act.
Utility installation	<p>If:</p> <ul style="list-style-type: none"> a. not in the following zones, local plans or overlay maps: <ul style="list-style-type: none"> i. Limited development zone; or ii. Environmental management and conservation zone; or iii. Caboolture West local plan - Green network precinct; or

1 About the planning scheme

Development	Circumstances for being exempt development
	<ul style="list-style-type: none"> iv. Medium risk area or High risk area on Overlay map – Flood hazard; or v. High risk storm tide inundation area on Overlay map – Coastal hazard (storm tide inundation); or vi. Erosion prone area on Overlay map – Coastal hazard (Erosion prone area); and <p>b. not projecting above the surface of the ground; or</p> <p>c. carried out by or on behalf of the Local Government or other public sector entity for the reticulation or conveyance of water, sewage, stormwater and recycled water, including ancillary maintenance and storage depots and other facilities for the operation of the use (excluding the storage or treatment of water and sewage); or</p> <p>d. road and rail purposes carried out by or on behalf of the Local Government or Queensland Government including:</p> <ul style="list-style-type: none"> i. activities undertaken for road construction and maintenance; ii. traffic signals and controls; iii. depots; iv. road access works; v. road construction site buildings; vi. drainage works; vii. rest area facilities and landscaping; viii. parking areas; ix. public transport infrastructure; x. train stations; xi. control buildings and structures; xii. toll plazas; or <p>e. activities and associated facilities that support the effective management of a State Forest, National Park or Conservation Park; or</p> <p>f. ancillary telecommunication infrastructure not protruding more than 5m above the height of the existing structure and not involving a facility of a carrier under the <i>Telecommunications Act 1997</i>; or</p> <p>g. a waste transfer station carried out by or on behalf of the Local Government; or</p>

1 About the planning scheme

Development	Circumstances for being exempt development
	<p>h. not involving a waste handling, treatment and disposal facility, other than a waste transfer station carried out by or on behalf of the Local Government; or</p> <p>i. involving the reconstruction or alteration of an existing building where the design and external appearance is not materially altered.</p>
<p>Temporary uses</p> <p>Note - For this category of exempt uses, the following terms and expressions have the meaning ascribed to them in Council's local laws and subordinate local laws:</p> <ul style="list-style-type: none"> • prescribed activity; • "establishment or occupation of a temporary home"; • "commercial use of local government controlled areas and roads"; • "operation of temporary entertainment events"; • "undertaking regulated activities on local government controlled areas and roads"; • road; • entertainment event; • public place activity. <p>Editor's note -At the time of commencement, the relevant Council policy is Policy No: 20-2150-018 Film Production on Council Controlled Land.</p>	
Dwelling house	If undertaken under a local law approval for the prescribed activity, "establishment or occupation of a temporary home".
Food and drink outlet	<p>If undertaken under a local law approval for any of the following prescribed activities:</p> <ul style="list-style-type: none"> • "commercial use of local government controlled areas and roads" as itinerant vending, display of goods or sale of goods; or • "operation of temporary entertainment events"; or • "undertaking regulated activities on local government controlled areas and roads" in the form of a public place activity.
Function facility	If undertaken under a local law approval for the prescribed activity, "operation of temporary entertainment events".
Indoor sport and recreation	If undertaken under a local law approval for the prescribed activity, "operation of temporary entertainment events".
Market	<p>If undertaken under a local law approval for any of the following prescribed activities:</p> <ul style="list-style-type: none"> • "commercial use of local government controlled areas and roads" in the form of the display or sale of goods; or • "operation of temporary entertainment events"; or • "undertaking regulated activities on local government controlled areas and roads" in the form of a public place activity.
Motor sport facility	If undertaken under a local law approval for the prescribed activity, "operation of temporary entertainment events".
Nightclub entertainment facility	If undertaken under a local law approval for the prescribed activity, "operation of temporary entertainment events".

1 About the planning scheme

Development	Circumstances for being exempt development
Outdoor sport and recreation	If undertaken under a local law approval for the prescribed activity, "operation of temporary entertainment events".
Roadside stall	If undertaken within Council administered road reserve under a local law approval for the prescribed activity, "commercial use of local government controlled areas and roads".
Shop	If undertaken under a local law approval for any of the following prescribed activities: <ul style="list-style-type: none"> • "commercial use of local government controlled areas and roads" in the form of the display or sale of goods; or • "operation of temporary entertainment events".
Theatre	If undertaken under a local law approval for the prescribed activity, "operation of temporary entertainment events".
Tourist attraction	If undertaken under a local law approval for the prescribed activity, "operation of temporary entertainment events".
Building work	
Building work, not associated with a material change of use	If: <ol style="list-style-type: none"> a. not in the following zones, precincts or overlay maps: <ol style="list-style-type: none"> i. Limited development zone; or ii. Environmental management and conservation zone; or iii. Township zone - Township centre precinct; or iv. Township zone - Township convenience precinct; or v. Coastal planning area on Overlay map – Coastal hazard (Erosion prone area); or vi. Overlay map - Heritage and landscape character; and b. not a secondary dwelling; and c. results in no net reduction in the minimum quantity and standard of landscaping, private or communal open space or car parking spaces required under the planning scheme or under an existing Development Permit for the use; and d. complies with setback, site cover, building height and roofed area requirements for the applicable zone, precinct or development code; and e. results in: <ol style="list-style-type: none"> i. an increase in gross floor area or roofed area of not more than: <ol style="list-style-type: none"> A. 50m² in the General residential zone, Rural residential zone, Emerging community zone, Rural zone or Township zone - Township residential precinct; or B. 80m² in any other zone and precinct.

1 About the planning scheme

Development	Circumstances for being exempt development
	<p style="text-align: center;">OR</p> <p>ii. raising an existing dwelling house up to the maximum height allowed by Self-assessable acceptable outcomes and Acceptable outcomes for the relevant zone or precinct.</p> <p>Includes any previous increases in gross floor area and roofed area undertaken as exempt development or self-assessable development under the MBRC Planning Scheme.</p>
<p>Building work, restoration or reconstruction of a damaged building or structure</p>	<p>If:</p> <p>a. involving the restoration to its original approved condition of any building that has been accidentally damaged or destroyed; and</p> <p>b. not in the following zones, precincts or overlay maps:</p> <p>i. the Limited development zone; or</p> <p>ii. Overlay map - Heritage and landscape character; or</p> <p>iii. Flood planning area on Overlay map – Flood hazard; or</p> <p>iv. Coastal planning area on Overlay map – Coastal hazard (storm tide inundation); or</p> <p>v. Coastal planning area on Overlay map – Coastal hazard (Erosion prone area).</p>
Operational work	
<p>Operational work, filling or excavation (other than the placement of top soil), not associated with a material change of use or reconfiguring a lot</p>	<p>If:</p> <p>a. in the Rural zone, Rural residential zone or Emerging community zone - Interim precinct; and</p> <p>b. on a lot having an area of 5 ha or more; and</p> <p>c. involving filling or excavation with an aggregate volume of 150m³ or less of material; and</p> <p>d. not mapped as:</p> <p>i. Medium risk area or High risk area on Overlay map – Flood hazard; or</p> <p>ii. Medium risk storm tide inundation area or High risk storm tide inundation area on Overlay map – Coastal hazard (storm tide inundation); or</p> <p>iii. Erosion prone area on Overlay map – Coastal hazard (Erosion prone area); or</p> <p>iv. Overland flow path area on Overlay map - Overland flow path; or</p> <p>v. Land at or below 5m AHD or land above 5m AHD and below 20m AHD on Overlay map - Acid sulfate soils; or</p> <p>vi. Extractive resources transport route buffer where in private land on Overlay map - Extractive resources; or</p>

1 About the planning scheme

Development	Circumstances for being exempt development
	<ul style="list-style-type: none"> vii. Significant tree or Local heritage area on Overlay map - Heritage and landscape character; or viii. Bulk water supply buffer, Gas pipeline buffer or High voltage electricity line buffer on Overlay map – Infrastructure buffers; or ix. Landslide hazard area on Overlay map - Landslide hazard; or x. Riparian and wetland setback buffer on Overlay map - Riparian and wetland setbacks. <p>OR</p> <ul style="list-style-type: none"> a. in all other Zones except the Limited development zone; b. involving filling 5m³ or less of material; c. involving excavation of 5m³ or less of material; d. not mapped as: <ul style="list-style-type: none"> i. Medium risk area or High risk area on Overlay map – Flood hazard; or ii. High risk storm tide inundation area on Overlay map – Coastal hazard (storm tide inundation); or iii. Erosion prone area on Overlay map – Coastal hazard (Erosion prone area); or iv. Overland flow path area on Overlay map - Overland flow path; or v. Extractive resources transport route buffer where in private land on Overlay map - Extractive resources; or vi. Significant tree or Local heritage area on Overlay map - Heritage and landscape character; or vii. Bulk water supply buffer, Gas pipeline buffer or High voltage electricity line buffer identified on Overlay map – Infrastructure buffers; or viii. Riparian and wetland setback buffer on Overlay map - Riparian and wetland setbacks.
Operational work, placing an Advertising device on land, not associated with a material change of use	<p>If regulated by the Moreton Bay Regional Council Local Law for advertising devices.</p> <p>Note - The Moreton Bay Regional Council Local Law regulates advertising devices located on publicly owned land (e.g. road reserves and Council sporting facilities) and advertising devices that do not comply with the definition of 'Advertising device' (e.g. Temporary or mobile devices).</p>
Operational work, clearing vegetation, not associated with a material change of use or reconfiguring a lot	<p>If:</p> <ul style="list-style-type: none"> a. not in the following zones, precincts, local plan or overlay maps:

1 About the planning scheme

Development	Circumstances for being exempt development
	<ul style="list-style-type: none"> i. Limited development zone; or ii. Caboolture West local plan - Green network precinct; or iii. Overlay map - Riparian and wetland setbacks; or iv. Water supply buffer on Overlay map – Infrastructure buffers; <p>AND</p> <ul style="list-style-type: none"> b. not vegetation or a significant tree listed in Schedule 1 or Schedule 2 of Planning scheme policy – Heritage and landscape character; <p>AND</p> <ul style="list-style-type: none"> c. not mapped as High Value Area and Value Offset Area in Overlay map - Environmental areas; and <ul style="list-style-type: none"> i. the vegetation is not native; or ii. the vegetation is native and is: <ul style="list-style-type: none"> A. within an approved development footprint; or B. within 10m of a lawfully established building and reasonably necessary for emergency access or immediately required in response to an accident or emergency; or C. reasonably necessary to remove or reduce the risk of serious personal injury or damage to infrastructure that the vegetation poses; or D. reasonably necessary to construct and maintain a property boundary fence and does not exceed 4m in width either side of the fence where in the Rural, Rural residential and Environmental management and conservation zones. In any other zone, clearing does not exceed 2m in width either side of the fence; or E. reasonably necessary for the purpose of maintenance or works within a registered easement for public infrastructure or drainage purposes; or F. in accordance with a bushfire management plan prepared by a suitably qualified person submitted to and accepted by Council; or G. associated with removal of recognised weed species, maintaining existing open pastures and cropping land, windbreaks, lawns or created gardens; <p>OR, where not A. to G. Above, less than 80cm in diameter when measure at 1.3m from the ground.</p> <p>OR, where not c. above,</p>

1 About the planning scheme

Development	Circumstances for being exempt development
	<p>d. mapped as High Value Area and Value Offset Area on Overlay map - Environmental areas; and</p> <ul style="list-style-type: none"> i. the vegetation is not native; or ii. the vegetation is native and is: <ul style="list-style-type: none"> A. within an approved development footprint; or B. within 10m of a lawfully established building and is reasonably necessary for emergency access or immediately required in response to an accident or emergency; or C. reasonably necessary to remove or reduce the risk of serious personal injury or damage to infrastructure that the vegetation poses; or D. reasonably necessary to construct and maintain a fence and does not exceed 4m in width either side of the fence where in the Rural, Rural residential and Environmental management and conservation zones. In any other zone, clearing does not exceed 2m in width either side of the fence; or E. reasonably necessary for the purpose of maintenance or works within a registered easement for public infrastructure or drainage purposes; or F. in accordance with a bushfire management plan prepared by a suitably qualified person submitted to, and accepted by Council; or G. associated with removal of recognised weed species, maintaining existing open pastures and cropping land, windbreaks, lawns or created gardens. <p>Note - Definition for native vegetation is located in Schedule 1 Definitions.</p> <p>Editor's note - Information detailing how the measurement in H. is undertaken is provided in Australian Standard AS 4970 2009 Protection of Trees on Development Sites - Appendix A.</p> <p>Editor's note - A native tree measuring greater than 80cm in diameter when measured 1.3m from the ground is recognised as a 'habitat tree'. For further information on habitat trees, refer to Planning Scheme Policy - Environmental Areas.</p>