



Information Sheet

15. Other Guidance Changes

Council's Planning Scheme commenced on 1 February 2016. Since this time council has been working on the proposed amendment to the scheme to ensure it remains a living document that supports growth and maintains the region's unique characteristics.

Council previously consulted the community on the proposed improvements to the planning scheme and supporting planning scheme policies. Council has now reviewed and considered much of this feedback, using it to inform the development of a new planning scheme amendment.

Council is now seeking community feedback on the new proposed amendment to the planning scheme and planning scheme policies.

The proposed changes generally aim to improve functionality and address implementation issues which have been identified since the planning scheme first came into effect.

The changes summarised in this information sheet may also be made in other areas of the planning scheme where similar outcomes are sought.

The proposed amendment only relates to changes to certain parts and provisions of the planning scheme. For example, whilst the proposed amendment is seeking to change car parking provisions for secondary dwellings, other requirements for secondary dwelling already exist in the planning scheme (design and setbacks etc.) and are proposed to continue. To determine the requirements for any proposed development the planning scheme must be considered in full.

The proposed key changes described in this information sheet primarily relate to improving clarity in the planning scheme and addressing other minor matters. The most significant changes relate to land use definitions and administrative definitions that support the use of the planning scheme (including the addition of seven new administrative definitions).

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Key changes include the following:

Accepted development

Special requirements for building apply if land is subject to flooding. It is proposed where medium and high risk flood areas have been filled in accordance with an MBRC Drainage master plan these special building requirements will no longer apply. This is because lawful filling of the land results in the site no longer being subject to the same flood risk.

These proposed changes occur in Part 1 of the planning scheme.

Building work

Some building work is regulated by the planning scheme and may be undertaken without approval (with or without compliance with certain criteria). Other legislation identifies some matters where some kind of assessment and approval from council (known as concurrence) is required for building work. Changes are proposed to clarify when concurrence applications for building work is required from council.

These proposed changes occur in Part 5 of the planning scheme.

Community facilities zone - Home based business

The Redcliffe and Caboolture Aerodromes are zoned Community facilities - Airfield precinct in the Planning scheme. Home based businesses are currently permitted without an approval (subject to compliance with certain requirements). As housing is not a use supported in such areas it is proposed to clarify this position by making the home based businesses Impact assessable.

These proposed changes occur in Part 5 of the planning scheme.

Waste management requirements

Waste management is being given more consideration in most zones for development requiring an application. Proposed changes require bins and bin storage areas to comply with the MBRC Planning Scheme Policy (PSP) - Waste and for compliance to be demonstrated in a waste management program. The requirements for a waste management program are included in the PSP and include such information as the number and type of bins plus bin storage, location and collection information.

These proposed changes occur in Part 6, Part 7 and Part 9 of the planning scheme.

Reflecting The Mill at Moreton Bay Priority Development Area

The former Petrie Paper Mill site adjoining Petrie train station will be transformed into a major development area for the region. The Mill at Moreton Bay will see development of a university campus, residential, community and recreation, retail and commercial uses and environmental protection. The Mill at Moreton Bay has its own planning controls separate to the planning scheme known as The Mill Development Scheme 2017. Changes are proposed throughout the planning scheme to reflect approval of the Development Scheme.

These proposed changes occur in Schedule 10 and throughout the planning scheme and planning scheme maps.

Definitions

The list of definitions in the planning scheme is proposed to be amended according to the table below. These proposed changes occur in Schedule 1 and throughout the planning scheme.

Existing definitions proposed to be changed

- *Active frontage*: References to 'ground level' in the existing definition are proposed to be changed to 'ground floor'.
- *Building height*: Changes clarify that building height is to be measured from Natural ground level (which is a new definition in this amendment).
- *Home based business*: Changes clarify that cosmetic tattooing can be a home based business.
- *Ground level*: Changes add a note which clarifies that 'the level of natural ground' is the 'Natural ground level' [new definition] and the 'level as lawfully changed' is the 'Finished ground level' [new definition].
- *Main building line*: Changes clarify that the longest wall in the front elevation of a building excludes a garage, carport or domestic outbuilding.
- *Main street*: Changes clarify that buildings in main streets have active frontages (i.e. those that facilitate exchange and interactivity between the public and private domain).
- *Motor vehicle*: Changes clarify that the definition has been adapted from other legislation.
- *Other essentials for living*: Changes clarify that sharing of utility bills needn't include water bills but may include council rates.
- *Primary frontage*: Changes clarify how to identify which is the primary frontage where there are two existing road frontages.
- *Secondary dwelling*: An Editor's note is to be added to clarify what constitutes 'subordinate' in the existing definition.

New definitions proposed to be added

- *Canal*: Means 'An artificial waterway connected or intended to be connected to tidal water and from which boating access to the tidal water is not hindered by lock, weir or similar structure.' Note - a canal is a type of 'Constructed water body'.
- *Constructed water body*: Means 'Any artificial waterway, including any artificial channel, lake or other body of water. The term includes a canal but does not include a sedimentation basin, stormwater drain (including of natural channel design), treatment wetland, water supply infrastructure or agricultural water body'.
- *Finished ground level*: Means 'is a) if no change in the level of the existing ground surface is proposed, the present day surface level of the land; or b) where a) does not apply, the surface level of the ground following the completion of earthworks undertaken on the land'.
- *Ground floor dwelling*: Means 'A dwelling with a ground floor entrance adjoining the primary frontage and a minimum of one habitable room on the ground floor adjoining the primary frontage'.
- *Integration plan*: Means 'A plan prepared in accordance with Planning scheme policy - Neighbourhood design that illustrates how a site will integrate with the adjoining lots/development with regards to, but limited to the following elements: road and street network; active transport network; park and open space network; land use or lot boundary interface'.
- *Natural ground level*: This new definition clarifies the circumstances in which the natural (or base) ground level can be established.
- *Non-tidal artificial waterway*: Definition of an existing term used in the scheme to indicate it should be a constructed permanent open body of water that may be indirectly connected or not connected to tidal water.

- **Trafficable waterbody:** Means 'a body of water, whether natural, constructed or artificially improved, which is ordinarily of sufficient size and depth to allow use by any occupied, motorised vessel...'. The definition also outlines exclusions such as for wastewater ponds, tailings dams and bodies of water where public boating is not permitted.
- **Topsoil:** Means 'organic material, meeting the requirements of AS4419 - 2003 - Soils for landscaping and gardening use, intended for gardening, turfing or landscaping purposes'.
- **Walking distance:** This definition added to replace 'walkable catchment' and to refer to mapping of walking distances to both train stations and centres.
- **Water allocation side boundary:** Means 'the notional boundary extending from a side boundary of the lot into water in a continuing straight line'.

Definitions proposed to be deleted

- **Walkable catchment:** This definition deleted as it referred to only the area on Overlay map - Centre walking distances. Walking distances are proposed to be mapped from both centres and train stations (refer to new definition Walking distance).

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