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 relate primarily to the requirements for work undertaken for infrastructure, earthmoving and the like throughout the region. Specifically, the changes relate to the provisions in the Works code (Part 9.4.2) and Site earthworks code (Part 9.4.3) of the planning scheme.

Find out what it means for you

Log on
Visit council’s website to view information and find out what it means for you.

Speak with a planner
Call the planning advice line on 5433 3496 or email mbrc@moretonbay.qld.gov.au

View the plan in person
View a copy at your local council customer service centre.
Proposed key changes include the following:

Various changes to infrastructure and servicing requirements in the Works code
The planning scheme sets out requirements for works related to infrastructure and servicing. Proposed changes span a variety of matters which are briefly outlined below:

- add standards for access driveways to the requirements for works where no council approval is required;
- add stormwater requirements to ensure that ponding or concentration of stormwater from development does not occur on adjoining properties;
- clarify that stormwater runoff, erosion and sediment controls should be constructed in accordance with Planning Scheme Policy - Integrated design (Appendix C);
- clarify and simplify an existing requirement for tree management during works;
- clarify that chipped vegetation resulting from site works cannot be stored in a park or public place unless otherwise approved by council;
- clarify existing requirements in relation to site stabilisation by referring to proven site stabilisation materials and techniques (e.g. turf, established grass seeding etc);
- clarify that a site-specific Erosion and Sediment Control Plan is required to demonstrate earthworks and soil disturbances are managed appropriately for works requiring council approval;
- clarify traffic management matters for works requiring council approval and address matters such as contractor vehicles, access location and routes for construction traffic, haulage routes and traffic control plans;
- add a noise minimisation outcome for works requiring council approval;
- add new requirements to ensure that earthworks do not interfere with or impact council or public infrastructure;
- clarify that street design and construction should be based on the desired street patterns in Planning Scheme Policy - Neighbourhood design and the requirements of Planning Scheme Policy - Operational works inspection, maintenance and bonding procedures;
- clarify that access from an arterial or sub-arterial road is to be flood-free during a minor storm event;
- clarify road network upgrade considerations and the circumstances when an Integrated Transport Assessment is required for works requiring council approval;
- clarify standards for stormwater systems, stormwater quality and easements and systems are designed in accordance with Planning Scheme Policy - Operational works inspection, maintenance and bonding procedures;
- clarify that lots created are sufficiently clear of major flood levels from nearby rivers, creeks and drains without the need for levies or other protective infrastructure;
- clarify that constructed water bodies will not be dedicated to council as public assets unless there is an overriding need in the public interest;
- consolidate existing criteria for utilities and services;
- give further guidance on the design and certification of retaining walls;
- replace existing guidance on excavation and filling;
- clarify outcomes for retaining walls (including those on public land);
- provide additional considerations for the design and construction of bridges;
- supplement existing requirements for the design and construction of access to rear lots;
- introduce criteria around development in a water supply buffer; and
- introduce a new schedule for Stormwater management design objectives covering: drainage control, erosion control, sediment control, water quality and waterway stability and flood flow management.
Various changes to the Site Earthworks Code
The planning scheme sets out requirements for earthworks. Proposed changes span a variety of matters which are briefly outlined below:

- clarify and update the overall outcomes for the Code;
- remove outdated terminology and refer to new State and Council stormwater guidelines;
- amend existing requirements for excavation or filling involving an aggregate volume of 20m³ or less to be permitted without an application to council in all zones except for the Limited development zone;
- clarify that stormwater runoff, erosion and sediment controls should be constructed in accordance with Planning Scheme Policy - Integrated design (Appendix C);
- clarify and simplify an existing requirement for tree management during works not requiring Council approval;
- add a requirement that any damage to council land or infrastructure is repaired or replaced to the satisfaction of council for works not requiring Council approval;
- add clarification around the disposal of cleared vegetation and in particular that burning of vegetation cleared during works is not permitted;
- clarify requirements for construction traffic, hours during which works are permitted and excavation and filling (including placement, extent, material, cut and fill batters and avoidance of nuisance from stormwater flows) for works not requiring an application to council;
- supplement existing setback requirements (to account for on-site effluent irrigation areas and septic trenches) for private dams;
- introduce requirements for management of overflow from dams and avoidance of nuisance to neighbouring properties during flood events;
- provide additional guidance about the submission of a site-specific Erosion and Sediment Control Plan to demonstrate earthworks and soil disturbances are managed appropriately for works requiring council approval;
- add additional considerations, requirements and guidance around traffic management for works requiring council approval and address matters such as contractor vehicles, access location and routes for construction traffic, haulage routes and traffic control plans;
- add a noise minimisation outcome for works requiring council approval;
- add additional considerations and requirements for excavation and filling for works requiring approval for consistency with other parts of the scheme;
- clarify and add additional considerations and requirements for excavation and filling (including placement, extent, material, cut and fill batters and avoidance of nuisance from stormwater flows); and
- clarify considerations for excavation and filling in water, gas and electricity infrastructure buffers.

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