



Queensland

Planning (Caboolture West Interim Structure Plan) Amendment Regulation 2023

Subordinate Legislation 2023 No. 13

made under the

Planning Act 2016

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[s 1]

1 Short title

This regulation may be cited as the *Planning (Caboolture West Interim Structure Plan) Amendment Regulation 2023*.

2 Commencement

This regulation commences on 14 March 2023.

3 Regulation amended

This regulation amends the *Planning Regulation 2017*.

4 Amendment of s 17 (Assessment benchmarks that local categorising instruments may not be inconsistent with—Act, s 43)

(1) Section 17—

insert—

(h) an assessment benchmark stated in the Caboolture West interim structure plan for the Caboolture West growth area.

(2) Section 17—

insert—

(2) However, subsection (1)(h) applies only to the extent the local categorising instrument applies to the Caboolture West growth area.

5 Amendment of sch 10 (Development assessment)

Schedule 10—

insert—

Part 2A

**Caboolture West
interim structure plan**

Division 1

Prohibited development

3A Prohibited development—development in Caboolture West investigation area

- (1) Development in the Caboolture West investigation area is prohibited development.
- (2) However, subsection (1) does not apply to the extent the development—
 - (a) is accepted development under a categorising instrument; or
 - (b) is a material change of use of premises that the Moreton Bay Regional Council's planning scheme, table 5.9.3.1.1—
 - (i) includes in the interim activities activity group; and
 - (ii) states is assessable development requiring code assessment; or
 - (c) is, or is for, reconfiguring a lot to which schedule 12 applies; or
 - (d) is, or is for, reconfiguring a lot to rearrange the boundaries of the lot; or
 - (e) is carried out under a development permit given for an application that was properly made before 27 July 2022; or
 - (f) is consistent with a development approval—
 - (i) in effect for the premises on which the development is carried out; and
 - (ii) given for an application that was properly made before 27 July 2022.
- (3) In this section—

Caboolture West investigation area means the area shown as investigation area on the map called 'Caboolture West growth area and investigation area', dated 22 February 2023 and published on the department's website.

3B Prohibited development—particular development in Caboolture West growth area

- (1) Development on a State school site in the Caboolture West growth area is prohibited development.
- (2) However, subsection (1) does not apply to the extent the development—
 - (a) is for a State school under the *Education (General Provisions) Act 2006*; or
 - (b) is operational work that is—
 - (i) filling or excavating, including, for example, bulk earthworks; or
 - (ii) extracting gravel, rock, sand or soil; or
 - (iii) the clearing of vegetation; or
 - (iv) for a stormwater drain; or
 - (v) for road transport infrastructure; or
 - (vi) for street lighting, a transmission grid or a supply network; or
 - (vii) landscaping; or
 - (c) is operational work required under a water approval under the SEQ Water Act; or
 - (d) is for reconfiguring a lot that includes all or part of a State school site and the reconfiguration does not result in land within the State school site being reconfigured in a way mentioned in schedule 2 of the Act, definition *reconfiguring a lot*, paragraph (a), (d) or (e).

Division 2 Assessable development

3C Assessable development—particular operational work in Caboolture West growth area

Development on a State school site in the Caboolture West growth area is assessable development to the extent the development is operational work that is—

- (a) filling or excavating, including, for example, bulk earthworks; or
- (b) extracting gravel, rock, sand or soil; or
- (c) the clearing of vegetation; or
- (d) for a stormwater drain; or
- (e) for road transport infrastructure; or
- (f) for street lighting, a transmission grid or a supply network; or
- (g) landscaping.

Division 3 Assessment by assessment manager

Table 1—Development in Caboolture West growth area that is assessable development under s 3C

Column 1	Column 2
1 Category of assessment	Code assessment
2 Assessment benchmarks	For a development application for development in the Caboolture West growth area that is assessable development under section 3C—the assessment benchmarks for the development stated in the Caboolture West interim structure plan

[s 5]

Table 1—Development in Caboolture West growth area that is assessable development under s 3C	
Column 1	Column 2
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—

Table 2—Development in Caboolture West growth area that is assessable development under a local categorising instrument	
Column 1	Column 2
1 Category of assessment	<p>The category of assessment stated for the development in a local categorising instrument for the local government area of the Moreton Bay Regional Council</p> <p>If the category of assessment under the planning scheme applies for the development, for determining the category of assessment for this item, the planning scheme applies as if—</p>

Table 2—Development in Caboolture West growth area that is assessable development under a local categorising instrument	
Column 1	Column 2
	<p>(a) premises shown as urban living precinct in the Caboolture West interim structure plan map were included in the urban living precinct under the planning scheme and an approved neighbourhood development plan applied to the premises; and</p> <p>(b) premises shown as green network precinct in the Caboolture West interim structure plan map were included in the green network precinct under the planning scheme and an approved neighbourhood development plan applied to the premises; and</p> <p>(c) premises shown as next generation sub-precinct in the Caboolture West interim structure plan map were included in the next generation sub-precinct under the planning scheme and an approved neighbourhood development plan applied to the premises</p>
2 Assessment benchmarks	For a development application for development in the Caboolture West growth area that is assessable development under a local categorising instrument—the assessment benchmarks for the development stated in the Caboolture West interim structure plan
3 Matters code assessment must have regard to	—
4 Matters impact assessment must have regard to	—

6 Amendment of sch 24 (Dictionary)

Schedule 24—

insert—

approved neighbourhood development plan means a neighbourhood development plan under the Moreton Bay Regional Council's planning scheme approved by the Moreton Bay Regional Council.

Caboolture West growth area means the area shown as growth area on the map called 'Caboolture West growth area and investigation area', dated 22 February 2023 and published on the department's website.

Caboolture West interim structure plan means the document called 'Caboolture West Interim Structure Plan' made by the Minister on 22 February 2023 and published on the department's website.

Caboolture West interim structure plan map means the map called 'Caboolture West interim structure plan map', dated 22 February 2023 and published on the department's website.

State school site means premises identified as a State secondary school or State primary school in the Caboolture West interim structure plan, schedule 1.

ENDNOTES

- 1 Made by the Governor in Council on 9 March 2023.
- 2 Notified on the Queensland legislation website on 10 March 2023.
- 3 The administering agency is the Department of State Development, Infrastructure, Local Government and Planning.

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