



Queensland

Planning (Caboolture West Interim Structure Plan) Amendment Regulation 2022

Subordinate Legislation 2022 No. ...

made under the
Planning Act 2016

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Consultation draft - July 2022

[s 1]

1 Short title

This regulation may be cited as the *Planning (Caboolture West Interim Structure Plan) Amendment Regulation 2022*.

2 Commencement

This regulation commences on [date to be confirmed].

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 that the Moreton Bay Regional Council Planning Scheme, table 5.5.3.1.1 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 map’, dated [**date to be confirmed**] and published on the department’s website.

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[s 5]

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 is for a State school under the *Education (General Provisions) Act 2006*.
- (3) In this section—

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

Division 2

**Assessment by
assessment manager**

Table 1—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> <ul style="list-style-type: none"> (a) premises shown as urban living precinct in the Caboolture West interim structure plan map are included in the urban living precinct under the planning scheme and an approved neighbourhood development plan applies to the premises; and (b) premises shown as green network precinct in the Caboolture West interim structure plan map are included in the green network precinct under the planning scheme and an approved neighbourhood development plan applies to the premises; and (c) premises shown as next generation sub-precinct in the Caboolture West interim structure plan map are included in the next generation sub-precinct under the planning scheme and an approved neighbourhood development plan applies to the premises.
2 Assessment benchmarks	<p>For a development application for development in the Caboolture West growth area that is assessable development under a local categorising instrument—the Caboolture West interim structure plan</p>

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[s 6]

Table 1—Development in Caboolture West growth area that is assessable development under a local categorising instrument	
Column 1	Column 2
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 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 map’, dated **[date to be confirmed]** 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 **[date to be confirmed]** and published on the department’s website.

Caboolture West interim structure plan map means the map called ‘Caboolture West interim structure plan map’, dated **[date to be confirmed]** and published on the department’s website.

ENDNOTES

- 1 Made by the Governor in Council on [Made by Governor Date].
- 2 Notified on the Queensland legislation website on [Notification Date].
- 3 The administering agency is the Department of State Development, Infrastructure, Local Government and Planning.

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