

List of Amendments

AMENDMENT NO.	TITLE	ADOPTION DATE	COMMENCEMENT DATE
1	Planning Scheme Policy No. DC1 - Water Supply Infrastructure and Sewerage Infrastructure	9 August 2000	12 August 2000
2	Supplementary Table of Development Assessment, Planning Area No. 1 – Maroochydore, Precinct 3 – Sunshine Plaza	n/a	31 August 2001 ¹
3	Round 1 Amendments	24 April 2002	7 May 2002
4	Development Contributions (DC) Policies	24 September 2003	3 December 2003
5	Retail and Commercial Centres Hierarchy	22 December 2004	21 January 2005
6	Development Contributions (DC) Policies – ‘Unit Charge’ and ‘Fees and Charges’ provisions	22 December 2004	9 February 2005
7	New Development Contributions (DC) Policies – DCA, DC2, DC3, DC4, DC5 and DC6	22 June 2005	1 July 2005
8	Planning Scheme Policy DC1 - Water Supply and Sewerage Infrastructure	27 July 2005	30 July 2005
9	Round 2 Amendments (Planning Scheme Policies)	28 September 2005	21 August 2006
10	Round 2 Amendments (Volumes 1 to 4), Short Term Amendments and Minor Amendments (Peregian South)	26 July 2006	21 August 2006
11	Development Contributions (DC) Policies – Indexation Amendments	22 November 2006	1 December 2006
12	Development Contribution (DC) Policies – DCA, DC1, DC2, DC3, DC4, DC5 and DC6	10 October 2007	1 November 2007
14	Planning Scheme Policies Nos. 5, 6, 7 and 9	24 October 2007	21 April 2008
15 & 16	Planning Scheme Policies 4, 5, 6, 12, 13 & 14	21 August 2008	30 September 2008
17	Development Contribution (DC) Policies – DCA, DC1, DC2, DC3, DC4, DC5 and DC6	19 June 2008	30 June 2008
13	Sippy Downs Towns Centre Master Plan New Planning Scheme Policy No. 11	4 December 2008	9 February 2009
21	Planning Scheme Policy 5 Operational Works – Water and Sewer component	29 October 2009	11 November 2009
Order No 3.	Amendment relating to 9 Nye Avenue, Buderim, Lot 1 on RP108407	26 November 2009 (Order in Council)	27 November 2009 (Date notice published in Gazette)

¹ This notation refers to a preliminary approval overriding the planning scheme pursuant to a Court Order dated 6 February 2001. The preliminary approval took effect on 6 February 2001.

**MAROOCHY PLAN 2000 – PLANNING SCHEME AMENDMENT (Approval of Amendment)
(Order No.3 2009)**

INSTRUCTIONS FOR REPLACEMENT PAGES

Please follow the instructions provided below in order to correctly replace the amended sections of Maroochy Plan 2000. The amendments will replace sections from Volumes 1 & 4.

INSTRUCTIONS

Volume 1

1. *Remove* existing pages 61-62, *Insert* new pages 61-62
2. *Remove* existing pages 169-170; *Insert* new pages 169-170

Volume 4

1. *Remove* existing pages 3-4, *Insert* new pages 3-4

If you have any queries or comments regarding the amendments, please contact Strategic Planning Branch on telephone number (07) 5441 8004.

Table 4.2 Table of Development Assessment for Residential Precincts⁴⁹⁵⁰

	Column 1	Column 2	Column 3
Purpose	Circumstances under which material change of use is self assessable ⁵¹	Circumstances under which material change of use is code assessable	Applicable Codes ⁵²
Hillslope Residential			
Either of the following: <ul style="list-style-type: none"> • Detached house • Display home 	Where: <ul style="list-style-type: none"> (a) not a removal house; and (b) no more than one Detached house per lot; and (c) (i) building height is not more than 8.5 metres and not more than 2 storeys if on a site having a slope less than 15% as shown on Steep Land Regulatory Map 1.3 (2 of 2) or as determined by a slope analysis prepared by a surveyor; or (ii) building height is not more than 10 metres and not more than 2 storeys if on a site having a slope of 15% or more as shown on Steep Land Regulatory Map 1.3 (2 of 2) or as determined by a slope analysis prepared by a surveyor 	Where: <ul style="list-style-type: none"> (a) a removal house; and (b) no more than one Detached house per lot; and (c) (i) building height is not more than 8.5 metres and not more than 2 storeys if on a site having a slope less than 15% as shown on Steep Land Regulatory Map 1.3 (2 of 2) or as determined by a slope analysis prepared by a surveyor; or (ii) building height is not more than 10 metres and not more than 2 storeys if on a site having a slope of 15% or more as shown on Steep Land Regulatory Map 1.3 (2 of 2) or as determined by a slope analysis prepared by a surveyor 	Where self assessable: <ul style="list-style-type: none"> • Code for the Development of Detached Houses and Display Homes (Elements 1-9 and 11-17) Where code assessable: <ul style="list-style-type: none"> • Code for the Development of Detached Houses and Display Homes • Where for a detached house on Lot 1 on RP108407 and in accordance with the Planning and Environment Court Order in Appeal No. 37 of 1994 dated 3 July 2009 and Drawing Number 9455/001-dated December 2006 as amended as per the conditions of the order.
Dual Occupancy	None	Where: <ul style="list-style-type: none"> (a) on a site having an area of not less than 800m²; and (b) (i) building height is not more than 8.5 metres and not more than 2 storeys if on a site having a slope less than 15% as shown on Steep Land Regulatory Map 1.3 (2 of 2) or as determined by a slope analysis prepared by a surveyor; or (ii) building height is not more than 10 metres and not more than 2 storeys if on a site having a slope of 15% or more as shown on Steep Land Regulatory Map 1.3 (2 of 2) or as determined by a slope 	<ul style="list-style-type: none"> • Development and Use of Dual Occupancy • Code for Integrated Water Management • Code for Landscaping Design • Operational Works Code • Code for Transport, Traffic and Parking • Code for Nature Conservation and Biodiversity (if the site includes an area listed in (a) to (f), or adjoins land listed in (a) to (e), in the definition of Environmentally sensitive areas) • Code for Waterways and Wetlands (if the site includes, or is located either partially or wholly within

⁴⁹ Development may be affected by Division 2 of the Regulatory Provisions of the South East Queensland Regional Plan 2005-2026.

⁵⁰ Material change of use not referred to in this Table is (subject to the provisions of the Act) impact assessable (refer section 4.1(2) of this Volume)

⁵¹ Self assessable development that does not comply with the applicable acceptable measures is to be taken to be code assessable (refer section 4.1(4) of this Volume).

⁵² Relevant assessment criteria for impact assessable development may include these codes and other relevant provisions of this Planning Scheme in accordance with s3.5.5 of the Act

	Column 1	Column 2	Column 3
Purpose	Circumstances under which material change of use is self assessable⁵¹	Circumstances under which material change of use is code assessable	Applicable Codes⁵²
		analysis prepared by a surveyor	50m of a Waterway or Local Wetland, or within 100m of a Significant Coastal Wetland shown on Figure 4-2.1.2) <ul style="list-style-type: none"> • Heritage Conservation Code (The Purpose and Elements 1 and 2)
Home-based business	Where the use does not involve any of the following uses/activities: <ul style="list-style-type: none"> • any form of vehicle repair/ services; • panel beating; • vehicle detailing; • spray painting; • engine reconditioning or repair; • wood working/ manufacture involving the use of power tools; • furniture manufacture; • metal working; • welding; • dance studio/classes; or • martial arts coaching. 	Development listed in Column 1, if the Acceptable Measures applicable to self assessable development are not able to be complied with	<ul style="list-style-type: none"> • Code for Home-Based Business
Local utility	None ⁵³	On land which abuts a State Controlled Road	<ul style="list-style-type: none"> • Code for Integrated Water Management • Code for Landscaping Design • Operational Works Code • Code for Transport, Traffic and Parking • Code for Waste Management in Commercial and Community Developments • Design Code for Community Safety and Security
Agriculture	Where on land having an area of more than 2 hectares in Precinct 14 - Panorama Scarp Precinct in Planning Area No. 2 (Nambour) or Precinct 3 - Bli Bli North Precinct in Planning Area No. 13 (Bli Bli)	Development listed in Column 1, if the Acceptable Measures applicable to self assessable development are not able to be complied with	<ul style="list-style-type: none"> • Code for Agriculture and Animal Husbandry (A3, A4, A5.1, A5.2 and A5.3)

⁵³ Local utilities are exempt in all circumstances other than those identified in Column 2 (refer section 2.5 of this Volume)

5.4 Table of Development Assessment for Lot Reconfiguration

Table 5.3 Self-Assessable and Assessable Lot Reconfiguration¹⁰²

Column 1	Column 2	Column 3	Column 4
Circumstances under which development is...			
Self-Assessable ¹⁰³	Code Assessment	Impact Assessment	Applicable Codes ¹⁰⁴
Rural Precincts			
None	All other than as referred to in Column 3.	(a) Where other than the subdivision of an existing or approved building and any of the following apply: (i) Creating one or more additional ¹⁰⁵ lots in a Rural Precinct having an area of less than the minimum lot size specified for the relevant Precinct in Table 8.2 – in the Code for Reconfiguring Lots; (ii) Creating one or more additional ¹⁰⁶ lots in Precinct 5 (Buderim Non-Urban) in Planning Area No. 6 (Buderim); or (b) Creating a lot through volumetric subdivision where not associated with an existing or approved building	<ul style="list-style-type: none"> • Code for Reconfiguring Lots • Code for Integrated Water Management • Operational Works Code • Code for Transport, Traffic and Parking • Code for Nature Conservation and Biodiversity (if the site includes an area listed in (a) to (f), or adjoins land listed in (a) to (e), in the definition of Environmentally sensitive areas) • Code for Waterways and Wetlands (if the site includes, or is located either partially or wholly within 50m of a Waterway or Local Wetland, or within 100m of a Significant Coastal Wetland shown on Figure 4-2.1.2) • Heritage Conservation Code (The Purpose and Elements 1 and 2)
Residential Precincts			
None	Where on Lot 1 on RP108407 and in accordance with the Planning and Environment Court Order in Appeal No. 37 of 1994 dated 3 July 2009 and Drawing Number 9455/001-D dated December 2006 as amended as per the conditions of the order. All other than as referred to in Column 3.	(a) Where other than the subdivision of an existing or approved building and any of the following apply: (i) Creating a lot in a Hillslope Residential or Neighbourhood Residential Precinct having an area less than the minimum lot size specified in Table 8.2 in the Code for Reconfiguring Lots ¹⁰⁷ and: (1) the site area of the parent lot/s is less than 1ha; or (2) if more than 25% of the total number of new lots being created are less than	<ul style="list-style-type: none"> • Code for Reconfiguring Lots • Code for Integrated Water Management • Operational Works Code • Code for Transport, Traffic and Parking • Blackall Range Local Area Code (if in the Blackall Range Planning Area) • Buderim Local Area Code (if in the Buderim Planning Area, Precinct 2) • Code for Nature Conservation and Biodiversity (if the site includes an area listed in (a) to (f), or adjoins land listed in (a) to (e), in the definition of Environmentally sensitive

¹⁰² This Table needs to be read in conjunction with Division 3 of the Regulatory Provisions of the South East Queensland Regional Plan. Note that Division 3 may affect any of the Maroochy Plan precincts and is not limited to the rural precincts.

¹⁰³ Self assessable development that does not comply with the applicable acceptable measures is to be taken to be code assessable (refer section 5.1(4) of this Volume).

¹⁰⁴ Relevant assessment criteria for impact assessable development may include these codes and other relevant provisions of this Planning Scheme in accordance with s3.5.5 of the Act

¹⁰⁵ That is, creation of one or more lots other than by way of a realignment of existing boundaries where the total number of lots is not increased.

¹⁰⁶ That is, creation of one or more lots other than by way of a realignment of existing boundaries where the total number of lots is not increased.

¹⁰⁷ Minimum lot sizes stated in Table 8.2 of the Reconfiguring a Lot Code vary according to the particular precinct and the slope category shown on Regulatory Map 1.3.

Column 1	Column 2	Column 3	Column 4
Circumstances under which development is...			
Self-Assessable ¹⁰³	Code Assessment	Impact Assessment	Applicable Codes ¹⁰⁴
		the minimum lot size; or (ii) Creating a lot in a Sustainable Rural Residential Precinct having an area less than the minimum lot size specified in Table 8.2 in the Code for Reconfiguring Lots ¹⁰⁸ (iii) Creating one or more additional ¹⁰⁹ lots in any of the following Precincts: <ul style="list-style-type: none"> • In Planning Area No. 2 (Nambour): <ul style="list-style-type: none"> – Nambour Landscape Conservation (Precinct 7); – Nambour Landscape Residential (Precinct 6); – Burnside West (Precinct 12); – Petrie Creek (Precinct 13); – Panorama Scarp (Precinct 14); – Parklands (Precinct 27); • In Planning Area No. 6 (Buderim): <ul style="list-style-type: none"> – Buderim Scarp Landscape Conservation (Precinct 4) except as provided in Column 2; – Buderim North Hilltop Residential (Precinct 8); – Buderim Scarp Acreage Residential (Precinct 12); – Wises' Farm South (Precinct 15); • In Planning Area No. 13 (Bli Bli): <ul style="list-style-type: none"> – Bli Bli North (Precinct 3); • In Planning Area No. 14 (Palmwoods): <ul style="list-style-type: none"> – Hobson Street Hill (Precinct 6); – Paskins Road Area (Precinct 9); – South-Western Gateway (Precinct 10); – South-Eastern Gateway (Precinct 10); – Jubilee Drive Area (Precinct 12); 	areas) <ul style="list-style-type: none"> • Code for Waterways and Wetlands (if the site includes, or is located either partially or wholly within 50m of a Waterway or Local Wetland, or within 100m of a Significant Coastal Wetland shown on Figure 4-2.1.2) • Heritage Conservation Code (The Purpose and Elements 1 and 2, and if in a Precinct listed in section 7.4(2) of this volume – Element 3) • Code for Detached Houses and Display Homes (if for Detached Houses or Display Homes) Elements 1, 2, 3, and 4 • Where on Lot 1 on RP108407 and in accordance with the Planning and Environment Court Order in Appeal No. 37 of 1994 dated 3 July 2009 and Drawing Number 9455/001-D dated December 2006 as amended as per the conditions of the order.

¹⁰⁸ Minimum lot sizes stated in Table 8.2 of the Reconfiguring a Lot Code vary according to the particular precinct. Where Table 8.2 in the code nominates both a minimum lot size and an average lot size, the trigger for impact assessment in accordance with this assessment table is the nominated minimum lot size only.

¹⁰⁹ That is, creation of one or more lots other than by way of a realignment of existing boundaries where the total number of lots is not increased.

1. INTRODUCTION

This Volume contains the codes identified by this Planning Scheme.

1.1 Use of the Codes

(1) The codes included in this Volume of the Planning Scheme deal with the following:

- (i) Part 2 – General Land Use and Development Codes (Environmental Management and general matters)
- (ii) Part 3 - Codes for Rural Development and Use,
- (iii) Part 4 - Codes for Residential Development and Use,
- (iv) Part 5 - Codes for Commercial and Community Development and Use,
- (v) Part 6 - Codes for Industrial Development and Use;
- (vi) Part 7 - Codes for particular Local Areas;
- (vii) Part 8 - Code for Reconfiguring lots; and
- (viii) Part 9 – Other Codes (for other specific development types).

(2) Where there is any inconsistency between the provisions of codes applying to a development, to the extent of such inconsistency the following order of precedence shall apply:

- (i) first - the area specific code (eg local area code or environmental management code),
- (ii) second - other applicable codes.
- (iii) Where on Lot 1 on RP108407 and in accordance with the Planning and Environment Court Order in Appeal No. 37 of 1994 dated 3 July 2009 and Drawing Number 9455/001-D dated December 2006 as amended as per the conditions of the order, as identified as an applicable code in Volume One Column 3 of Table 4.2 and Volume One Column 4 of Table 5.3, take precedence over all other applicable codes.

Diagram showing the Layout of a Typical Page for a Code

1 2.2.1 Design for Climate Code	
2 Purpose:	
3 Performance criteria	4 Acceptable measures:
▪	▪
▪	▪

1.2 Presentation

(1) Structure

Most of the codes have a consistent format as shown below. The code title **1** is followed by a concise statement of the purpose intended to be achieved for that code **2**.

The left column sets out Performance Criteria **3**, and the right column Acceptable Measures **4** related to the relevant Performance Criteria. Additional explanatory materials, including diagrams, are included where required.

(2) Purpose

The statement of purpose is given at the start of each code and expresses Council’s planning intent. A further purpose statement may be given for any or all elements of the code. If such a further statement is given, it is to be taken as part of the code’s purpose.

(3) Performance Criteria

(a) Performance Criteria are statements of the outcomes to be achieved in satisfying the stated purpose. They provide an opportunity for a variety of responses to the design of assessable development.

(b) (i) There will be situations where not all Performance Criteria will be relevant. Development will not be required to meet any Performance Criteria that are not relevant.

(ii) There will also be situations where not all relevant Performance Criteria can be met (eg. where one criterion may be in conflict with another). In such cases the development application may be approved where Council is satisfied that there are sufficient planning grounds to justify the decision having regard to the purpose of the code.

(4) Acceptable Measures

(a) Acceptable Measures are presented as Council's preferred means of meeting the relevant Performance Criteria.

(b) (i) The relevant applicable Acceptable Measures are mandatory for self-assessable development. Self assessable development that does not comply with any applicable acceptable measure is to be taken to be code assessable. An application for code assessment in such circumstances will be assessed against the whole of the code or codes listed in the Tables of Development Assessment as applicable to the self assessable development. It will not be assessed against other codes.

(ii) For assessable development the Acceptable Measures provide an opportunity for streamlining approval processes while achieving the criteria and stated purpose. However, other ways of achieving the Performance Criteria of an applicable code may be proposed by applicants.

(c) For some Performance Criteria, there may not be any Acceptable Measure presented. In such cases:

- assessable development is to use proposal specific means of meeting the criteria, and
- self-assessable development has no compliance requirement.

(d) Assessable development may be designed in accordance with the Acceptable Measures, or using other measures which still meet the Performance Criteria. Indeed, applicants may prefer to design using alternative measures for some aspects of the development and Acceptable Measures for others.

(e) Where Acceptable Measures are not used, the applicant must satisfy Council that the alternative measures satisfactorily meet the Performance Criteria in keeping with the purpose of the code and code element.

1.3 Codes are Applicable to Ongoing Uses

(1) A code that is applicable to a material change of use is also applicable to the ongoing results of that change.