

Contact name: Steve Adams
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Our ref: 460/2(169)

20 May 2005

Hon. Desley Boyle MP
Minister for Local Government and Planning
Minister for the Environment

Attention: Lyndy Rapson
Planning Services
South East Queensland Planning Division
PO Box 31
BRISBANE ALBERT STREET
QLD 4002

Dear Minister,

Mid 2004 amendments to the Brisbane City Plan 2000

Pursuant to Section 18 of Schedule 1 of the *Integrated Planning Act 1997*, please find attached a copy of the proposed Mid 2004 City Plan amendments as modified in response to submissions.

Enclosed is a copy of:

- Council's resolution to proceed with the modified amendments
- A report on the submissions received and Council's response
- 2 copies of the modified amendment package

An electronic copy of the package has also been forwarded to the Department.

In accordance with Section 18(4) of Schedule 1, could you please advise whether any State interests are adversely affected by the modified amendments.

Should you wish to discuss any of the proposed changes, please do not hesitate to contact Steve Adams of City Planning Branch on 3403 9093.

Yours sincerely


Michael Papageorgiou
Manager City Planning
URBAN MANAGEMENT DIVISION

Sent 23 May 2005
SA prep 23.

QFCI

Date: 7/11/11 JM

Exhibit Number: 915

460/2 (169/P1)

DECISION OF THE BRISBANE CITY COUNCIL

URBAN PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

Recommendation of 10 May 2005

Presented to Council: 17 May 2005 and ADOPTED:

OS 78296

A MID 2004 AMENDMENTS TO THE BRISBANE CITY PLAN 2000 460/2(169/P1)

1. The Divisional Manager, Urban Management Division, provides the following background information in relation to this matter.
2. On 8 June 2004, Council resolved to amend City Plan as per the proposed Mid 2004 amendment package. As a result amendments affecting six key areas of change to the City Plan, were publicly exhibited, and these are listed below.

Amendments to Reflect Recent Amendments to State Legislation and State Planning Policies

3. To ensure the City Plan is consistent with the new legislation, it is necessary to update references to the revised *Child Care Act*; include references to the new Acid Sulphate Soils State Planning Policy; and amend the Heritage Place Code to recognise the new assessment processes under the *Queensland Heritage Act*.

Setting Maximum Building Heights for Development in Multi-Purpose and Special Purpose Centres and Local Plans and Clarifying Related Definitions

4. Most design Codes in City Plan limit the height of buildings to both a maximum number of storeys and a maximum number of metres above ground level. In the Centre Design Code and 19 Local Plans, building height is only measured in storeys. These amendments nominate a maximum height in metres for all development, ensuring consistency in the determination of building height across the City. Related definitions have also been amended to clarify what constitutes a 'Ground storey' and a 'Storey'.

Amendments to Bowen Hills Local Plan to Include a New Precinct, Improve Retention of Light Industrial Activities and to Clarify Open Space Provisions

5. There is pressure in the Bowen Hills area to redevelop existing light industrial uses for residential purposes. The amendments include new precinct intents, levels of assessment and Code provisions to protect the existing industrial areas.

Amendments to New Farm and Teneriffe Hill Local Plan to Improve the Structure, Remove Redundant Provisions and to Clarify Design Guidelines for Houses

6. The amendments remove redundant provisions relating to specific sites that have since redeveloped in accordance with the "special area" requirements. The amendments also restructure the format of the Local Plan so that it is consistent with the structure of other Local Plans. Amended design guidelines have also been introduced to regulate the size and location of houses.

Amendments to Newstead and Teneriffe Waterfront Local Plan to Improve the Structure, Improve Retention of Light Industrial Activities and to Clarify Precinct Intents

7. There is pressure in the Newstead area to redevelop existing light industrial uses for residential purposes. The amendments include new precinct intents and Code provisions to protect the existing industrial activities.

8. The amendments also restructure the format of the Local Plan so that it is consistent with the structure of other Local Plans.

Amendments to Ensure the Level of Assessment for a Small Lot House in the Emerging Community Area Is Consistent With Other Area Classifications

9. The current level of assessment in the Emerging Community Area, for a house complying with the House Code, is self-assessable, even if it is on a small lot. This is inconsistent with other Area Classifications where the house must comply with the requirements of both the House Code and the Residential Design – Small Lot Code to be self-assessable. The amendments alter the level of assessment for a small lot house in the Emerging Community Area to be consistent with that of Residential Area classifications.
10. On 12 November 2004, after consideration of State interests, the Minister for Local Government and Planning approved the commencement of public notification.
11. The amendments were on statutory exhibition for 30 business days from 11 February 2005 to 29 March 2005. Two submissions were received during the exhibition period. The key issues raised were:
 - the public advertising was claimed not to be carried out correctly;
 - it was noted the amendments to the Heritage Place Code will mean that development approvals previously granted by the Environmental Protection Agency over State listed heritage places will not be recognised by Council, resulting in a higher level of assessment; and
 - it was claimed that the amendments to the Heritage Place Code would give Council the ability to remove heritage buildings without applying a rigorous and transparent process.
12. During the public exhibition period additional consultation was undertaken with industry representatives. Through this consultation, the following concerns were raised:
 - the ability to achieve an industrial/residential mixed use outcome on sites in Bowen Hills, as proposed in the amendments to the Bowen Hills Local Plan, was questioned given financial, design and amenity considerations; and
 - the amendments to the definition of ‘Ground storey’ and ‘Storey’ do not assist in the determination of building height.
13. After consideration of the submissions and industry feedback a number of modifications are proposed to the amendments. The proposed modifications are:
 - the Heritage Place Code will be modified to recognise development approvals previously granted by the Environmental Protection Agency over State listed heritage places;
 - the proposal to achieve an industrial/residential mixed use outcome on sites in Bowen Hills has been removed until the provisions can be tested; and
 - the definitions for ‘Ground storey’ and ‘Storey’ have been modified to better reflect building height provisions.
14. The public exhibition complied fully with the requirements of the *Integrated Planning Act 1997* (IPA).
15. The issue raised regarding Council’s ability to remove heritage buildings without applying a rigorous and transparent process relates to an existing provision in City Plan, not a proposed amendment. As such, it must be considered through a future amendment package.
16. A full report on the submissions and industry feedback is included at Attachment A7 submitted.

17. A summary of the revised amendments is at Attachment B submitted. The revised amendments, incorporating modifications in response to submissions and feedback, are at Attachments C to H submitted.
18. Council is now required to consider whether to proceed with the proposed amendments, having regard to the submissions received. Should Council agree to proceed, the proposed amendments will be referred to the Minister for Local Government and Planning for the final consideration of State interests.

Consultation

Officers from Urban Renewal (City Planning Branch), have been consulted and support the proposed changes to the Bowen Hills Local Plan made in response to industry feedback.

A Senior Heritage Architect, of the Heritage Unit (City Planning Branch), has been consulted and supports the proposed changes to the Heritage Place Code made in response to the submissions.

19. The Divisional Manager therefore submits the following draft resolutions, with which the Committee concurs.
20. **RECOMMENDATION:**

TO RESPOND TO AMENDMENTS TO THE QUEENSLAND HERITAGE ACT, CHILD CARE ACT AND THE INTRODUCTION OF A NEW STATE PLANNING POLICY

THAT IT BE RESOLVED THAT:

- (i) As:
 - (a) On 8 June 2004, Council resolved, pursuant to Section 9(2) of Schedule 1 of the *Integrated Planning Act 1997* (IPA), to propose to amend the Brisbane City Plan 2000 (the Planning Scheme), to respond to amendments to the *Queensland Heritage Act*, *Child Care Act* and the introduction of a new State Planning Policy;
 - (b) Pursuant to Section 9(3) of Schedule 1 of IPA the Minister was given a copy of the proposed amendments for consideration of State Interests;
 - (c) By letter dated 12 November 2004, submitted and tabled, the Minister advised that Council may publicly exhibit the proposed amendments;
 - (d) Pursuant to Section 12 of Schedule 1 of IPA, the proposed amendments were advertised in *The Courier-Mail* on the 11 February 2005, and were publicly exhibited until 29 March 2005, and two submissions were received and are submitted and tabled;
 - (e) Pursuant to Section 17(2) of Schedule 1 of IPA, a report on and response to such submissions has been prepared and is set out at Attachment A7 submitted;

COUNCIL, pursuant to Section 16(1)(b) of Schedule 1 of IPA, after considering every properly made submission, **RESOLVES TO PROCEED WITH THE PROPOSED PLANNING SCHEME AMENDMENTS WITH MODIFICATIONS**, as set out in Attachment C submitted.

- (ii) Council directs, pursuant to Section 18(2) of Schedule 1 of IPA, that the Minister be advised of Council's decision to proceed with the proposed amendments with modifications, and that the Minister be given a copy of such proposed amendments with modifications for reconsideration of State interests.

**TO SET MAXIMUM BUILDING HEIGHTS FOR DEVELOPMENT IN MULTI-PURPOSE AND
SPECIAL USE CENTRES AND SELECT LOCAL PLANS AND CLARIFY RELATED
DEFINITIONS**

THAT IT BE RESOLVED THAT:

- (i) As:
- (a) On 8 June 2004, Council resolved, pursuant to Section 9(2) of Schedule 1 of the *Integrated Planning Act 1997* (IPA), to propose to amend the Brisbane City Plan 2000 (the Planning Scheme), to set maximum building heights for development in Multi-purpose and Special Use Centres and select Local Plans and clarify related definitions;
 - (b) Pursuant to Section 9(3) of Schedule 1 of IPA the Minister was given a copy of the proposed amendments for consideration of State Interests;
 - (c) By letter dated 12 November 2004, which is tabled, the Minister advised that Council may publicly exhibit the proposed amendments;
 - (d) Pursuant to Section 12 of Schedule 1 of IPA, the proposed amendments were advertised in *The Courier-Mail* on the 11 February 2005, and were publicly exhibited until 29 March 2005, and two submissions were received and are submitted and tabled;
 - (e) Pursuant to Section 17(2) of Schedule 1 of IPA, a report on and response to such submissions has been prepared and is set out at Attachment A7 submitted;

COUNCIL, pursuant to Section 16(1)(b) of Schedule 1 of IPA after considering every properly made submission, **RESOLVES TO PROCEED WITH THE PROPOSED PLANNING SCHEME AMENDMENTS WITH MODIFICATIONS**, as set out in Attachment D submitted.

- (ii) Council directs, pursuant to Section 18(2) of Schedule 1 of IPA, that the Minister be advised of Council's decision to proceed with the proposed amendments with modifications, and that the Minister be given a copy of such proposed amendments with modifications for reconsideration of State interests.

**TO INCLUDE A NEW PRECINCT, REQUIRE LIGHT INDUSTRIAL ACTIVITIES TO BE
RETAINED AND TO CLARIFY OPEN SPACE PROVISIONS IN THE BOWEN HILLS LOCAL
PLAN**

THAT IT BE RESOLVED THAT:

- (i) As:
- (a) On 8 June 2004, Council resolved, pursuant to Section 9(2) of Schedule 1 of the *Integrated Planning Act 1997* (IPA), to propose to amend the Brisbane City Plan 2000 (the Planning Scheme), to include a new precinct, require light industrial activities to be retained and to clarify open space provisions in the Bowen Hills Local Plan;
 - (b) Pursuant to Section 9(3) of Schedule 1 of IPA, the Minister was given a copy of the proposed amendments for consideration of State Interests;

- (c) By letter dated 12 November 2004, submitted and tabled, the Minister advised that Council may publicly exhibit the proposed amendments;
- (d) Pursuant to Section 12 of Schedule 1 of IPA, the proposed amendments were advertised in *The Courier-Mail* on the 11 February 2005, and were publicly exhibited until 29 March 2005, and two submissions were received and are tabled;
- (e) Pursuant to Section 17(2) of Schedule 1 of IPA, a report on and response to such submissions has been prepared and is set out at Attachment A7 submitted;

COUNCIL, pursuant to Section 16(1)(b) of Schedule 1 of IPA, after considering every properly made submission, **RESOLVES TO PROCEED WITH THE PROPOSED PLANNING SCHEME AMENDMENTS WITH MODIFICATIONS**, as set out in Attachment E submitted.

- (ii) Council directs, pursuant to Section 18(2) of Schedule 1 of IPA, that the Minister be advised of Council's decision to proceed with the proposed amendments with modifications, and that the Minister be given a copy of such proposed amendments with modifications for reconsideration of State interests.

TO IMPROVE THE STRUCTURE OF THE LEVEL OF ASSESSMENT TABLES, REMOVE REDUNDANT PROVISIONS AND TO CLARIFY THE DESIGN GUIDELINES FOR HOUSES IN THE NEW FARM AND TENERIFFE HILL LOCAL PLAN

THAT IE BE RESOLVED THAT:

- (i) As:
 - (a) On 8 June 2004, Council resolved, pursuant to Section 9(2) of Schedule 1 of the *Integrated Planning Act 1997* (IPA), to propose to amend the Brisbane City Plan 2000 (the Planning Scheme), to improve the structure of the level of assessment tables, remove redundant provisions and to clarify the design guidelines for houses in the New Farm and Teneriffe Hill Local Plan;
 - (b) Pursuant to Section 9(3) of Schedule 1 of IPA, the Minister was given a copy of the proposed amendments for consideration of State Interests;
 - (c) By letter dated 12 November 2004, submitted and tabled, the Minister advised that Council may publicly exhibit the proposed amendments;
 - (d) Pursuant to Section 12 of Schedule 1 of IPA, the proposed amendments were advertised in *The Courier-Mail* on the 11 February 2005, and were publicly exhibited until 29 March 2005, and two submissions were received and are submitted and tabled;
 - (e) Pursuant to Section 17(2) of Schedule 1 of IPA, a report on and response to such submissions has been prepared and is set out at Attachment A7 submitted;

COUNCIL, pursuant to Section 16(1)(b) of Schedule 1 of IPA, after considering every properly made submission, **RESOLVES TO PROCEED WITH THE PROPOSED PLANNING SCHEME AMENDMENTS** as set out in Attachment F submitted.

- (ii) Council directs, pursuant to Section 18(2) of Schedule 1 of IPA, that the Minister be advised of Council's decision to proceed with the proposed amendments with modifications, and that the Minister be given a copy of such proposed amendments with modifications for reconsideration of State interests.

TO IMPROVE THE STRUCTURE OF THE LEVEL OF ASSESSMENT TABLES, REQUIRE LIGHT INDUSTRIAL ACTIVITIES TO BE RETAINED AND TO CLARIFY PRECINCT INTENTS OF THE NEWSTEAD AND TENERIFFE WATERFRONT LOCAL PLAN

THAT IT BE RESOLVED THAT:

- (i) As:
- (a) On 8 June 2004, Council resolved, pursuant to Section 9(2) of Schedule 1 of the *Integrated Planning Act 1997* (IPA), to propose to amend the Brisbane City Plan 2000 (the Planning Scheme), to improve the structure of the level of assessment tables, require light industrial activities to be retained and to clarify precinct intents of the Newstead and Teneriffe Waterfront Local Plan;
 - (b) Pursuant to Section 9(3) of Schedule 1 of IPA, the Minister was given a copy of the proposed amendments for consideration of State Interests;
 - (c) By letter dated 12 November 2004, submitted and tabled, the Minister advised that Council may publicly exhibit the proposed amendments;
 - (d) Pursuant to Section 12 of Schedule 1 of IPA, the proposed amendments were advertised in *The Courier-Mail* on the 11 February 2005, and were publicly exhibited until 29 March 2005, and two submissions were received and are submitted and tabled;
 - (e) Pursuant to Section 17(2) of Schedule 1 of IPA, a report on and response to such submissions has been prepared and is set out at Attachment A7 submitted;

COUNCIL, pursuant to Section 16(1)(b) of Schedule 1 of IPA, after considering every properly made submission, **RESOLVES TO PROCEED WITH THE PROPOSED PLANNING SCHEME AMENDMENTS WITH MODIFICATIONS**, as set out in Attachment G submitted.

- (ii) Council directs, pursuant to Section 18(2) of Schedule 1 of IPA, that the Minister be advised of Council's decision to proceed with the proposed amendments with modifications, and that the Minister be given a copy of such proposed amendments with modifications for reconsideration of State interests.

TO ENSURE THE LEVEL OF ASSESSMENT FOR A SMALL LOT HOUSE IN THE EMERGING COMMUNITY AREA IS CONSISTENT WITH OTHER AREA CLASSIFICATIONS

THAT IT BE RESOLVED THAT:

- (i) As:
- (a) On 8 June 2004, Council resolved, pursuant to Section 9(2) of Schedule 1 of the *Integrated Planning Act 1997* (IPA), to propose to amend the Brisbane City Plan 2000 (the Planning Scheme), amendments to ensure the level of assessment for a small lot house in the Emerging Community Area is consistent with other Area classifications;

- (b) Pursuant to Section 9(3) of Schedule 1 of IPA, the Minister was given a copy of the proposed amendments for consideration of State Interests;
- (c) By letter dated 12 November 2004, submitted and tabled, the Minister advised that Council may publicly exhibit the proposed amendments;
- (d) Pursuant to Section 12 of Schedule 1 of IPA, the proposed amendments were advertised in *The Courier-Mail* on the 11 February 2005, and were publicly exhibited until 29 March 2005, and two submissions were received and are tabled;
- (e) Pursuant to Section 17(2) of Schedule 1 of IPA a report on and response to such submissions has been prepared and is set out at Attachment A7 submitted;

COUNCIL, pursuant to Section 16(1)(b) of Schedule 1 of IPA after considering every properly made submission, **RESOLVES TO PROCEED WITH THE PROPOSED PLANNING SCHEME AMENDMENTS** as set out in Attachment H submitted.

- (ii) Council directs, pursuant to Section 18(2) of Schedule 1 of IPA, that the Minister be advised of Council's decision to proceed with the proposed amendments with modifications, and that the Minister be given a copy of such proposed amendments with modifications for reconsideration of State interests.

1.0 FILE NUMBER: 460/2(169/P1)

SUBMISSION TO THE URBAN PLANNING AND ECONOMIC COMMITTEE

2.0 TITLE

Mid 2004 Amendments to the Brisbane City Plan 2000

3.0 ISSUE/PURPOSE

- To report on submissions received to the proposed Mid 2004 Amendments to City Plan
- To proceed with the proposed amendments with modifications

4.0 PROPONENT

Terry Hogan, Divisional Manager, Urban Management Division

5.0 SUBMISSION PREPARED BY

Steve Adams, Program Officer, ext 39093

6.0 DATE

6 May 2005

7.0 FOR COMMITTEE APPROVAL OR RECOMMENDATION TO COUNCIL

For recommendation to Council

8.0 RECOMMENDATION

That Council resolve as per the draft resolutions "A1" and "A6" attached

9.0 DIVISIONAL MANAGER


Terry Hogan
Divisional Manager
URBAN MANAGEMENT DIVISION

11.0 BACKGROUND

On 8 June 2004, Council resolved to amend City Plan as per the proposed Mid 2004 amendment package. As a result amendments were publicly exhibited affecting six key areas of change to the City Plan, being:

- **Amendments to reflect recent amendments to State legislation and State Planning Policies**

To ensure the City Plan is consistent with the new legislation, it is necessary to update references to the revised Child Care Act; include references to the new Acid Sulphate Soils State Planning Policy, and amend the Heritage Place Code to recognise the new assessment processes under the Qld Heritage Act.

- **Setting maximum building heights for development in Multi-purpose and Special Purpose Centres and Local Plans and clarifying related definitions**

Most design Codes in City Plan limit the height of buildings to both a maximum number of storeys and a maximum number of metres above ground level. In the Centre Design Code and 19 Local Plans building height is only measured in storeys. These amendments nominate a maximum height in metres for all development, ensuring consistency in the determination of building height across the City. Related definitions have also been amended to clarify what constitutes a 'Ground storey' and a 'Storey'.

- **Amendments to Bowen Hills Local Plan to include a new precinct, improve retention of light industrial activities and to clarify open space provisions**

There is pressure in the Bowen Hills area to redevelop existing light industrial uses for residential purposes. The amendments include new precinct intents, levels of assessment and Code provisions to protect the existing industrial areas.

- **Amendments to New Farm and Teneriffe Hill Local Plan to improve the structure, remove redundant provisions and to clarify design guidelines for houses**

The amendments remove redundant provisions relating to specific sites that have since redeveloped in accordance with the "special area" requirements. The amendments also restructure the format of the Local Plan so that it is consistent with the structure of other Local Plans. Amended design guidelines have also been introduced to regulate the size and location of houses.

- **Amendments to Newstead and Teneriffe Waterfront Local Plan to improve the structure, improve retention of light industrial activities and to clarify precinct intents**

There is pressure in the Newstead area to redevelop existing light industrial uses for residential purposes. The amendments include new precinct intents and Code provisions to protect the existing industrial activities.

The amendments also restructure the format of the Local Plan so that it is consistent with the structure of other Local Plans.

- **Amendments to ensure the level of assessment for a small lot house in the Emerging Community Area is consistent with other Area classifications**

The current level of assessment in the Emerging Community Area, for a house complying with the House Code is self assessable, even if it is on a small lot. This is inconsistent with other Area classifications where the house must comply with the requirements of both the House Code and the Residential Design – Small Lot Code to be self assessable. The amendments alter the level of assessment for a small lot house in the Emerging Community Area to be consistent with that of Residential Area classifications.

On 12 November 2004, after consideration of State interests, the Minister for Local Government and Planning approved the commencement of public notification.

The amendments were on statutory exhibition for 30 business days from 11 February 2005 to 29 March 2005. 2 submissions were received during the exhibition period.

The key issues raised were:

- The public advertising was claimed not to be carried out correctly
- It was noted the amendments to the Heritage Place Code will mean that development approvals previously granted by the Environmental Protection Agency over State listed heritage places will not be recognised by Council, resulting in a higher level of assessment
- It was claimed that the amendments to the Heritage Place Code would give Council the ability to remove heritage buildings without applying a rigorous and transparent process.

During the public exhibition period additional consultation was undertaken with industry representatives. Through this consultation the following concerns were raised:

- The ability to achieve an industrial/residential mixed use outcome on sites in Bowen Hills, as proposed in the amendments to the Bowen Hills Local Plan, was questioned given financial, design and amenity considerations
- The amendments to the definition of 'Ground storey' and 'Storey' do not assist in the determination of building height

After consideration of the submissions and industry feedback a number of modifications are proposed to the amendments. The proposed modifications are:

- The Heritage Place Code will be modified to recognise development approvals previously granted by the Environmental Protection Agency over State listed heritage places
- The proposal to achieve an industrial/residential mixed use outcome on sites in Bowen Hills has been removed until the provisions can be tested

- The definitions for 'Ground storey' and 'Storey' have been modified to better reflect building height provisions

The public exhibition complied fully with the requirements of the *Integrated Planning Act*.

The issue raised regarding Council's ability to remove heritage buildings without applying a rigorous and transparent process relates to an existing provision in City Plan, not a proposed amendment. As such it must be considered through a future amendment package.

A full report on the submissions and industry feedback is included at Attachment A7.

A summary of the revised amendments is at Attachment B. The revised amendments, incorporating modifications in response to submissions and feedback, are at Attachments C to H.

Council is now required to consider whether to proceed with the proposed amendments, having regard to the submissions received. Should Council agree to proceed, the proposed amendments will be referred to the Minister for Local Government and Planning for the final consideration of State interests.

12.0 FUNDING

Nil

13.0 CONSULTATION

Councillor David Hinchliffe, Chair of the Urban Planning and Economic Development has been consulted and supports the modified amendments.

Officers from Urban Renewal (City Planning Branch) have been consulted and support the proposed changes to the Bowen Hills Local Plan made in response to industry feedback.

Laurie Jones (Senior Heritage Architect) of the Heritage Unit (City Planning Branch) has been consulted and supports the proposed changes to the Heritage Place Code made in response to the submissions.

Geoff Woodberry of Brisbane City Legal Practice has been consulted on the draft resolutions.

14.0 CUSTOMER IMPACT

City Plan users, industry and residents will benefit from greater certainty about development requirements.

The modifications to the Bowen Hills Local Plan, Heritage Place Code and building height provisions are expected to be well received by industry representatives.

The submitter who raised concerns about Council's ability to remove heritage buildings from the Heritage Register without a transparent process may be aggrieved that this issue has not been addressed as part of this process. As the issue relates to an existing provision of City Plan, rather than an advertised amendment, Council is unable to respond to the issue through these amendments. However, the issue has been noted and will be addressed in the next available package of amendments to City Plan.

The removal of sites from the Heritage Register will mean the property owners will not be subject to unnecessary heritage planning provisions.

15.0 OPTIONS

Option 1: That Council resolve to proceed with the proposed amendments to City Plan as modified in Attachment "A1" to "A6".

Option 2: That Council resolve to proceed with the proposed amendments to City Plan as originally exhibited.

Option 3: That Council resolve to not proceed with the proposed amendments.

Option 1 is the preferred option

Attachment A7

**Mid 2004 City Plan Amendments
Report on Submissions and Industry
Feedback**

Submitter details

Submission No.	Name	Address
Mid2004/001	[REDACTED]	Brannock & Associates GPO Box 552 BRISBANE QLD 4001
Mid2004/002	[REDACTED]	4/19 Lucinda St TARINGA QLD 4068

Summary and response to submissions

Submission No.	Issue raised	Response	Proposed modifications
Mid2004/001	<p>Amendment C5 proposes to delete Section 1.3(c) of the Heritage Code which provides for a lower level of assessment for an application on the site of a State Heritage listed building where prior approval has already been granted by the Environmental Protection Agency (EPA).</p> <p>The reason for the amendment is that prior approval is no longer available from EPA under the revised Heritage Act.</p> <p>Whilst prior approvals are no longer available, the amendment will mean that approvals granted by the EPA prior to the change in the Heritage Act will not be recognised, despite still being valid under the Act. This will mean an application previously considered Code assessable under City Plan would become impact assessable.</p>	<p>It is agreed that the removal of this provision will have the unintended consequence of superseding previous approvals granted by the EPA.</p> <p>Rather than delete the section it will be clarified that it only applies to approvals granted under the superseded provisions of the Heritage Act. This will ensure existing approvals are recognised, whilst highlighting this option is no longer available under the revised Heritage Act.</p>	<p>Modify Amendment C5 to clarify that Section 1.3(c) of the Heritage Place Code only applies to approval granted under the superseded provisions of the Heritage Act.</p>
Mid2004/002	<p>Section 1.3(c) should remain ensuring that prior approvals granted by the EPA are still recognised</p> <p>Amendment C13 is referred to as a <i>minor correction</i> for clarification of <i>terminology in the Heritage Place Code</i>. The reason this amendment has not been publicly advertised is that it is considered a minor amendment. The amendment does not meet the definition of a "minor amendment" under the Integrated Planning Act 1997 (IPA). Nor have the advertising requirements of Schedule 1 advertising requirements have been met. Given Council's failure to advertise this proposed amendment it can not become valid.</p>	<p>The proposed amendment is not, nor was it proposed as a "minor amendment" as defined under IPA.</p> <p>The proposed amendment was advertised in accordance with the requirements of the Schedule 1 of IPA.</p>	<p>N/A</p>

Mid2004/002	Amendment C13 proposes to delete the word <i>citation</i> and replace it with <i>report</i> . The grounds being the term <i>report</i> is more appropriate for documentation supporting the removal of a site from the Heritage Register. However the same amendment is not being made to the Heritage Register Planning Scheme Policy which uses the term <i>citation</i> in the same context	To ensure consistency an additional amendment will be proposed to change the terminology in the Planning Scheme Policy.	Introduce a new Amendment C14 to address the inappropriate use of the word <i>citation</i> in the Heritage Register Planning Scheme Policy.
Mid2004/002	A <i>citation</i> has a specific meaning as defined in the Heritage Register Planning Scheme Policy. The term <i>report</i> is much more general, and by usual definition need not even be in writing. There is no indication that a report prepared in response to a development application need refer to any intrinsic qualities of the place. Heritage significance is thus made irrelevant. Indeed nothing is made relevant in the preparation of a report and thus the basis of decisions to withhold protection can become completely arbitrary.	The report is prepared to assist in the assessment of a development proposal against the Heritage Place Code. In doing so it must naturally address the intrinsic heritage value of the property, otherwise it would have no worth and be subject to challenge. Any such report must be documented on file. To do otherwise would be contrary to Council's procedures on documentation and would open Council's decision to challenge.	N/A
Mid2004/002	Another outcome of the proposed amendment is to allow the paragraph in the Heritage Place Code to be read alone, without reference to the wording in the Heritage Register Planning Scheme Policy from which it currently derives. A literal reading of the amended paragraph means the measure will come to apply to all places on the Brisbane Heritage Register; not just those which were entered before a citation was prepared. There is no longer a requirement to implement the process of removing a place from the Brisbane Heritage Register once the decision to withhold protection from a place is made.	The provision does apply to all places on the register. This is not unreasonable. Not all of the sites listed in the Register have been subject to a comprehensive investigation of their heritage value. This includes sites transferred from the Heritage Register of the superseded Town Plan. Furthermore Council's standards for listing on the Register have become more refined, and some of the earlier listed sites may not meet our current standards. Whilst the provision means the Heritage Place Code is no longer applied and can change the level of assessment. It does not automatically remove the site from the register. Council must still formally remove the site from the Register, even if the building has been demolished as a result of a previous development approval.	N/A

Mid2004/002	<p>Invoking the provision under the Heritage Code which allows a report prepared by Council to override the Code and alter the level of assessment, means the final basis of assessment of a development application may bear no relationship to that outlined in an acknowledgment notice. There is not even a requirement for a development application to reach the acknowledgment stage.</p> <p>There appears no reason a development proposal need proceed beyond this point if a 'report' is generated before an acknowledgment notice is issued. The application can then completely avoid the IDAS process and need never appear in the register of development applications.</p> <p>There is no way to know from this register of development applications if, as a result of assessing an application, a report has been generated which does not support retaining a place on the Brisbane Heritage Register. Regardless of the outcome of that particular application's assessment and retention on the Brisbane Heritage Register, if such a report exists it means the basis of future assessment of demolition in particular will change. This change could be as radical as from impact assessment to exempt development. This could be the case even if the application was for a relatively minor, non-notifiable code assessment matter.</p> <p>For those applications that do proceed through IDAS, there is no requirement for a negative report to be placed on the public scrutiny file or any other public record. Demolition may be the first way a person may learn of a registered place's change of status.</p> <p>The only way someone can know the status of a place on the Brisbane Heritage Register is to lodge an FOI request every day to inquire about any changes. These applications take time to process. While waiting for a response, a place may be demolished. Once a place is lost, it is too late for any recourse to the Court.</p>	N/A
	<p>The argument put forward by the submitter has merit. The fact that the level of assessment for a development proposal may change partway through the IDAS process as a result of heritage assessment raises questions about transparency and the ability of residents and developers alike to determine the level of assessment for an application with confidence.</p> <p>This matter requires further investigation, however it can not be addressed through these amendments as the provision in question is not one of the proposed Mid 2004 amendments. It already forms part of City Plan and was adopted on 1 July 2003 in accordance with Schedule 1 of the Act.</p> <p>As per Section 16(2) of Schedule 1, if a modification made in response to a submission changes the amendments significantly from that originally notified, the amendments must be readvertised.</p> <p>It is not considered reasonable to delay the balance of the amendment package for this one provision. The matter will be addressed in the next available package of amendments to the City Plan.</p>	

	<p>Accountability is also severely affected by denial of submitter appeal rights. Where a lodged development proposal does not proceed to the decision stage, these rights are simply denied by Council. Even where a decision notice is issued, judgements by the Court on an appeal will become completely worthless. Regardless of the Court's judgement, a report which does not support retaining a place on the Brisbane Heritage Register will still exist as an outcome of an application's assessment. This will determine the assessment of any future development proposals, regardless of the Court's judgement on that particular approval.</p> <p>Overall, a general effect of this wording is to allow Council decisions to withhold protection from places on the Heritage Register to be kept from the public until a place is demolished, by which time any action such as through the Court is futile. It frustrates the purposes of the Act; allows avoidance of IDAS; and also avoids accountability in particular regards access to the Court.</p>		
Mid2004/002	<p>The section of the Heritage Place Code to which Amendment C13 applies was never advertised in accordance with the requirements of the Integrated Planning Act (IPA). As the previous amendment is invalid, the proposed amendment is also invalid.</p> <p>Sections 2.1.6(a) and 2.1.20(a) of the Act state that amendments to a Planning Scheme and its Policies can only be valid if people are made aware of the existence and nature of the proposals.</p> <p>This was not the case for the amendments to the Heritage Place Code and Heritage Register Planning Scheme Policy that were adopted as part of the 1 July 2003 amendments to City Plan.</p> <p>The adopted wording is substantially different from that which was advertised. Any reasonable person would not have realised the full extent of the amendments proposed by Council to the Heritage Place Code.</p>	<p>The 1 July 2003 amendments to the Heritage Place Code and Heritage Register Planning Scheme Policy were advertised in accordance with the requirements of the IPA.</p> <p>The submitter is questioning Council's interpretation of Section 12(1)(b) of Schedule 1 and Section 2(1)(c) of Schedule 3, being the need to advertise the 'purpose and general effect' of the proposed amendments.</p> <p>It is the submitter's opinion that the purpose and general effect of each individual amendment must be listed in the public notice, similar to the summary of the amendments available during the advertising period. In not doing so people are being misled as to the true nature of the amendments.</p>	N/A

	<p>Council's has also failed to advertise the current proposed amendments in accordance with the Act. The summary of the proposed amendments provided with the public exposure draft is more informative and should be consulted when deciding what should be included in the public notice.</p>	<p>The purpose of the public notice is merely to draw attention to the fact that the Planning Scheme is being amended. It is not meant to provide exhaustive detail on the proposed amendments. The complete amendment package is made available to any persons wishing to further investigate the proposals.</p> <p>It is Council's practice to bundle amendments together of a similar purpose for ease of identification and interpretation. These are referred to as an Attachment. The purpose and general effect of each Attachment is then listed in the public notice. It is Council's opinion that this meets the requirements of the Act.</p> <p>The Act provides no guidance as to level of detail that must be provided in the public notice. Nor does the Department of Local Government & Planning have any implementation notes or guidelines on the subject.</p> <p>As indicated in Attachment 1, Council's advertising notices are no different to those of other local authorities. In fact the detail provided in our public notices exceeds those of other authorities.</p> <p>As per Section 2.1.6 of IPA, Council is satisfied that the advertising has been carried out substantially in compliance with Schedule 1 and that no one has been adversely affected or restricted by the level of information provided in the public notice.</p>	
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Mid2004/002	<p>The adopted Heritage Register Planning Scheme Policy wording suffers further from a conflict with Section 2.1.18(2) of the Act which was inserted a few months after the appearance of the offending wording. This states that a <i>planning scheme policy must not apply, adopt or incorporate another document prepared by the local government</i>. A citation prepared by Council in response to a development application seems inescapably to be another document prepared by the local government. As the Policy amendment wording is invalid on this basis alone, all consequential amendments must also be invalid. This includes the amendment to the Heritage Place Code, and various assessment tables.</p>	<p>The Policy is not applying, adopting or incorporating citations. This section merely outlines the process for entering or removing a place from the Register.</p> <p>Whilst a citation/report is prepared as part of the investigation into the heritage value of a property, it is not referenced or called upon by the Policy itself.</p>	N/A
Mid2004/002	<p>The amendments to the Newstead and Teneriffe Waterfront Local Plan were advertised as the New Farm and Teneriffe Waterfront Local Plan</p>	<p>The public notice did contain a typographical error that identified the wrong suburb name in the Local Plan title.</p> <p>The reference to the Local Plan name was correct in all other publicly available information. Given there is only one Local Plan which refers to the Teneriffe Waterfront, and amendments to the New Farm and Teneriffe Hill Local Plan were advertised in the same package, it is reasonable to assume any person would ascertain which Local Plan was being amended despite the error.</p> <p>As per Section 2.1.6 of IPA, Council is satisfied that the advertising has been carried out substantially in compliance with Schedule 1 and that no one has been adversely affected or restricted by the typographical error.</p>	N/A
Mid2004/002	<p>The maximum building height provisions have not been applied to the Newstead and Teneriffe Waterfront Local Plan.</p>	<p>The Newstead and Teneriffe Waterfront Local Plan already states in Acceptable Solution A1.1 of the Local Plan Code that for the purpose of the Code a storey equates to 3m. As such further clarification of building height in metres is not necessary.</p>	N/A

Mid2004/002	Amendment G7 - In Map C: Open Space and Access the asterisk indicating a <i>major landscape element forming important focal point</i> was removed from Newstead Park. I understand that this was a drafting error.	The removal of the asterisk was a drafting error & will be reinstated	Modify Amendment G7 to reinstate the <i>major landscape element forming important focal point marker</i> in Newstead Park
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Summary and response to industry feedback received during public consultation period

Issue raised	Response	Proposed modifications
<p>Regarding proposed amendments to the Bowen Hills Local Plan and Newstead and Teneriffe Waterfront requiring a mixed use - residential/industrial outcome on individual sites in the proposed Ross St Precinct and Commercial Rd Precinct.</p> <p>Industry representatives raised concerns about the ability to achieve a mixed-use outcome on individual sites in the proposed Ross St Precinct in the Bowen Hill Local Plan and the Commercial Rd Precinct in the Newstead and Teneriffe Waterfront Local Plan.</p> <p>It is considered that financial, design and amenity issues will make it difficult to achieve the proposed outcome. It was considered that such difficulty might result in pressure to approve exclusively residential development within the Precincts.</p>	<p>It is proposed to proceed with the amendments to the Commercial Rd Precinct in Newstead. The long-standing intent for this area has been for mixed-use. The rationale for proceeding with the provisions in this area is that the precinct has already undergone significant redevelopment, with a predominantly residential outcome (contrary to the precinct intent). This is due to the City Plan definition of mixed-use which only stipulates a minimum residential percentage. The requirement for a minimum percentage of industrial activities to be maintained is intended to arrest this recent trend.</p> <p>Should it be found difficult to achieve appropriate mixed-use residential/industrial outcomes due to commercial, design or amenity reasons, this will not result in a greater loss of industry than that is already possible under the current planning provisions.</p> <p>The circumstances of the Commercial Rd Precinct are in contrast to those of the Ross St Precinct, which does not encourage residential development and has seen little residential intrusion.</p> <p>Given the intactness of industrial uses within the Ross St Precinct in Bowen Hills and the overriding need to preserve these, it is considered prudent to maintain the status quo rather than testing the mixed use approach. If the provisions are found to be successful in the Commercial Rd Precinct, they will be applied to the Ross St Precinct and other relevant areas of the City.</p>	<p>Modify Amendment E2, E3 & E5 by removing provisions requiring a mixed residential/industrial use in the Ross St Precinct of the Bowen Hills Local Plan.</p>

<p>Amendment D1 regarding the definition of 'Ground Storey' and linking it to the definition of 'Storey' in order to assist in the determination of building height.</p> <p>Feedback from industry representatives indicated that linking the two definitions did not assist in the determination of building height, particularly where the property slopes and effectively has 2 ground storeys. It was suggested that the definitions be clearly separated.</p>	<p>Discussions with Development & Regulatory Services regarding the feedback indicated that it would be better if it were clarified that 'Ground storey' had no relationship to the determination of building height.</p>	<p>Modify Amendment D1 to clarify that the definition of 'Ground storey' is not applicable when determining overall building height.</p>
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Brisbane City Council

Notice of proposed amendments to the Brisbane City Plan 2000 pursuant to Schedule 1 of the Integrated Planning Act 1997

On 8 June 2004, the Brisbane City Council proposed to amend the Brisbane City Plan 2000 as follows:

- Updated references to new or amended State legislation and policies
- Setting a maximum building height for developments in Multi-purpose and Special Purpose Centres and select Local Plans, and clarification of related definitions
- Introduction of a new precinct in the Bowen Hills Local Plan to protect industrial activities
- Amendments to New Farm and Teneriffe Hill Local Plan to improve structure and clarification of design guidelines for houses
- Amendments to New Farm and Teneriffe Waterfront Local Plan to improve structure and retention of existing light industrial activities, and clarification of precinct intents
- Amendments to ensure the level of assessment for small lot houses in Emerging Community Area is consistent with other Area classifications

Purpose and general effect of the draft amendments

The purpose of the amendments is to ensure the Brisbane City Plan is consistent with relevant State legislation; ensure consistency in the determination of building heights across the City; preserve light industrial activities in the inner city; improve the structure and legibility of select Local Plans; ensure consistency in the level of assessment for small lot houses. The effect will be to clarify Council policy thereby improving interpretation and implementation of the planning scheme.

Where can I get a copy or further information?

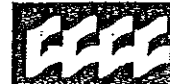
Copies of the draft amendments are available for inspection and purchase from the Brisbane City Council Customer Service Counter, Level 1, 69 Ann Street, Brisbane. For more information please either visit the Council Customer Service Counter or telephone Council on 3403 8888.

Making a Submission

Any person may make a submission to Council regarding the draft amendments. A properly made submission must be in writing and signed by each person making the submission. The submission must state the name and address of each person making the submission, the grounds of the submission and the facts and circumstances relied on in support of those grounds. Submissions must be addressed to the Brisbane City Council, POCP1, GPO Box 1434, BRISBANE, QLD 4001 and be received on or before close of business Tuesday 29 March 2005.

Jude Ahuno Chief Executive Officer

Dedicated to a better Brisbane



Gold Coast City Council

Gold Coast City Council

PUBLIC NOTICE

Exhibition of Gold Coast Planning Scheme Amendment 2

In accordance with the provisions of Schedule 1 of the Integrated Planning Act (1997) (IPA), Council advises that it intends exhibiting Draft Amendment 2 to the Gold Coast Planning Scheme.

Formal exhibition of these documents starts on 7 April 2005 and ends on 25 May 2005.

The exhibited Draft Amendment 2 to the Gold Coast Planning Scheme includes amendments to planning scheme provisions and Local Area Plans for Broadbeach, Coolangatta and Oxenford.

The purpose of the exhibition is to provide the community and State agencies with an opportunity to make comments on these documents.

Copies of the draft documents can be viewed at Council's Nerang, Surfers Paradise, Coolangatta and Beenleigh Customer Service Centres as well as at all Gold Coast Libraries. For more information on any of the documents listed above contact:

Council's Technical Advice Counter at Nerang on (07) 5582 8708 or visit Council's website www.goldcoastcity.com.au/planningscheme

Written submissions about any aspect of the exhibited documents may be made to the Chief Executive Officer of Gold Coast City Council. Submissions must:

- be in writing;
- be signed by each person who made the submission;
- state the name and address of each person making the submission;
- state the grounds of the submission and the facts and circumstances in support of the grounds; and
- be received by Gold Coast City Council by close of business on 25 May 2005.

Submissions should be mailed to:

Attention: Strategic & Environmental Policy & Planning Branch
Dale Dickson, Chief Executive Officer,
Gold Coast City Council
PO Box 5042, Gold Coast MC Qld 9729.

or emailed through the website:
www.goldcoastcity.com.au/planningscheme

R9850

Attachment B

**Mid 2004
City Plan Amendments**

**Summary of amendments
Attachments C to H**

(as modified)

Summary of amendments Attachments C to H

Attachment C

Amendments to reflect recent changes to the Queensland Heritage Act and Child Care Act and the introduction of a State Planning Policy

The State government has recently updated the Queensland Heritage Act and Child Care Act and adopted a new State Planning Policies being the State Planning Policy 2/02 – Planning and Managing Development involving Acid Sulfate Soils

To ensure the Plan is compliant with the new legislation, it is necessary to update a number of provisions in the City Plan such as:

- Updating references in the Child Care Facility, Commercial Character Building, Community Use, and Home Business Codes to the most recently introduced State Government child care legislation.
- Recognising that work granted an 'Exemption Certificate' under the modified *Queensland Heritage Act* is exempt from the Heritage Place Code
- Recognising that prior approval of work on a heritage place by the State Heritage Council is no longer possible, and that approval must be sort from the local authority first
- Updating the references to the new Acid Sulfate Soil State Planning Policy in the Acid Sulfate Soil Code and Acid Sulfate Soil Planning Scheme Policy
- Updating the list of matters to be taken into regard when preparing an acid sulfate soils management plan

The detailed amendments proposed to achieve these outcomes are documented at Attachment C.

Attachment D

Setting maximum building heights for development in Multi-purpose and Special Purpose Centres and select Local Plans and clarify relevant definitions

Most design Codes in City Plan limit the height of building to both a maximum number of storeys and a maximum number of metres above ground level. In the Centre Design Code and 19 Local Plans building height is only measured in storeys.

Currently a mezzanine level is not counted as a storey in its own right. This means a building incorporating one or more mezzanines will exceed the intended maximum building height. This issue was highlighted with a recent application under the Redcliffe City Council planning scheme where similar height controls resulted in an application for a 6 storey building (3 "storeys" and 3 "mezzanine" levels) where a 3 storey maximum height limit applied.

The proposed amendments nominate a maximum height in metres for all development, ensuring consistency in the determination of building height across the City.

Related definitions have also been amended to:

- Amend the definition of "Storey" to include mezzanine levels
- Amend the definitions of "Ground Storey" and "Storey" to clarify how to measure building height in storeys, ensuring that building height is always measured on the down hill face of the building. On sloping sites the height of a building has greatest impact when viewed from the lower side.

The detailed amendments proposed to achieve these outcomes are documented at Attachment D.

Attachment E

Amendments to Bowen Hills Local Plan to include a new precinct intent, improve retention of light industrial activities and clarify open space provisions

There is growing development pressure within the Bowen Hills area for the redevelopment of existing light industrial uses for residential purposes. In response to this pressure, the Urban Renewal Task Force undertook two studies to assist in the formulation of a planning response to the development pressure.

The first study was a master planning exercise over land currently included in the Light Industrial Area classification and in the vicinity of Breakfast Creek Road. This exercise explored opportunities for mixed-use development.

Concurrently, the Task Force undertook the Inner City Light Industrial Study in order to determine current and future demand for light industrial uses within the inner city and determine any under-supply or over-supply of suitably classified land under City Plan. The study identified a potential future shortfall of light industrial land within the Bowen Hills area and recommended the retention of light industrial activities within Bowen Hills in order to maintain economic and transport efficiency and promote a sustainable land use pattern.

It is proposed that a new precinct be included within the Local Plan, specifically the "Ross Street Precinct". The precinct intent seeks to retain light industrial uses within the precinct and specifically nominates a number of key 'clean' industry sectors that reflect existing provision and future demand within Bowen Hills.

Specific code provisions have been included for the Ross Street Precinct to ensure appropriate built form and land use outcomes for this new precinct. The provisions have been generally derived from successful provisions in similar localities within the Urban Renewal Task Force area.

As part of the proposal within the new Ross Street Precinct, open space provision along Breakfast Creek and Enoggera Creek, and pedestrian access and circulation within the Local Plan area, were reviewed.

The detailed amendments proposed to achieve these outcomes are documented at Attachment E.

Attachment F

Amendments to New Farm and Teneriffe Hill Local Plan to improve the structure, remove redundant provisions and clarify design guidelines for houses

The New Farm and Teneriffe Hill Local Plan is a 'stand alone' format with respect to determining the level of assessment for a development. That is the level of assessment is determined solely within the Local Plan. This is inconsistent with the current style of drafting, whereby the Local Plan only indicates exceptions to the generic levels of assessment in Chapter 3. It is proposed to convert the Local Plan in to an 'exception only' Plan, this will eliminate the inconsistency and reduce confusion for users of the Plan.

Amendments are also proposed to delete all remaining special areas within the Local Plan, as the provisions are redundant. Three of the deleted special areas were nominated specifically to provide additional guidance to the redevelopment of the sites, which were being used for non-residential purposes and/or had heritage value. These special areas have recently undergone redevelopment for the intended residential purpose, therefore the special area provisions are no longer considered necessary.

Amendments are proposed in relation to the size and positioning of houses in the Low Density Residential and Low-medium Density Residential Precincts. The existing provisions use a gross floor area (gfa) as a tool for controlling the size of houses. The use of gfa as a tool in controlling house size has been found unreliable and is not used elsewhere in the City Plan. Areas such as car parking and verandahs are not calculated as gfa, however they contribute significantly to the bulk of a dwelling.

Controlling house size through the application of setbacks and site coverage has been found to be more effective. It is proposed to replace the gfa restriction precincts with site coverage and rear setback provisions similar to that of the Residential Design – Small Lot Code. These provisions give greater certainty to the size and location of dwellings on allotments

Penalties for the unlawful removal of existing buildings have been deleted, as areas are covered by Council's Demolition Control Precinct. Punitive provisions are of no effect in a planning instrument. Enforcement and penalties are addressed in the Integrated Planning Act.

The detailed amendments proposed to achieve these outcomes are documented at Attachment F.

Attachment G

Amendments to Newstead and Teneriffe Waterfront Local Plan to improve the structure, improve retention of light industrial activities and clarify precinct intents

The Newstead and Teneriffe Waterfront Local Plan is a 'stand alone' format with respect to determining the level of assessment for a development. That is the level of assessment is determined solely within the Local Plan. This is inconsistent with the current style of drafting, whereby the Local Plan only indicates exceptions to the generic levels of assessment in Chapter 3. It is proposed to convert the Local Plan in to an 'exception only' Plan, this will eliminate the inconsistency and reduce confusion for users of the Plan.

The Newstead area is experiencing the same development pressures as Bowen Hills to redevelop existing light industrial uses for residential purposes. The Inner City Light Industrial Study undertaken by the Urban Renewal Task Force identified and recommended the matter be addressed. The existing precinct intents for the Newstead and Commercial Road Precincts require amendment to reinforce Council's long-standing objective to maintain existing levels of industrial and commercial activities within the Inner City. The existing intents are ambiguous and require clarification of the desired outcomes and policy direction.

Additionally, within the Newstead Precinct, it is also necessary to further clarify the intent to protect existing commercial and industrial activities (currently included in the Light Industry Area Classification) from encroachment by residential activities; there being little intrusion of residential uses into this area to date.

Additional requirements for the Commercial Road Precinct, similar to those proposed for Bowen Hills, reinforce the intent to achieve a minimum level (45% allowable gross floor area) of light industrial or business activity as part of any mixed-use redevelopment within the Commercial Road Precinct.

The intent for the Newstead Precinct has also been amended to include reference to proposed *Map D: Newstead Riverpark Structure Plan*. The Structure Plan has been prepared to reflect recent development approvals issued over for the site as part of the overall Newstead Riverpark proposal. The proposed structure plan reflects the Master Plan that was prepared in consultation with the development proponents. The Master Plan was finalised in 2001 and formally approved by a preliminary approval granted by Council December 2002.

The detailed amendments proposed to achieve these outcomes are documented at Attachment G.

Attachment H

Under the current level of assessment table for the Emerging Community Area, a house complying with the House Code is self assessable even if it is on a small lot, being a lot less than 450m² in area and/or with an average width less than 15m.

This is inconsistent with other Area classifications where the house design must comply with the requirements of both the House Code and the Residential Design – Small Lot Code to be self assessable. The provisions of the Small Lot Code manage the scale and bulk of new small lot houses to protect the amenity of the street and adjoining properties.

The amendment alters the level of assessment for a small lot house in the Emerging Community Area to be consistent with that of other Area classifications.

The detailed amendments proposed to achieve these outcomes are documented at Attachment H.

Attachment C

Proposed mid 2004 amendments to Brisbane City Plan 2000:

Amendments to respond to changes in the Child Care Act, Queensland Heritage Act and State Planning Policies

(with modifications)

**Attachment C Proposed mid 2004 amendments to
Brisbane City Plan 2000: Amendments to respond to changes in the Child Care Act,
Queensland Heritage Act and State Planning Policies**

Amendment No	Chapter & Page	Section	Summary of Amendment
Amendments in response to changes in the Child Care Act			
C1	5/30 5/60 5/76	4 4 4	These amendments update the references in the Child Care Facility, Commercial Character Building, Community Use, and Home Business Codes to the most recently introduced State Government child care legislation.
C2	5/55	2	
C3	5/98	4	
Amendments in response to changes in the Queensland Heritage Act			
C4	5/89	1.1	Amendment recognising that work granted an 'Exemption Certificate' under the <i>Queensland Heritage Act</i> is exempt from the Heritage Place Code
C5	5/89	1.3	Amendment recognising that prior approval of work on a heritage place by the State Heritage Council is no longer possible, and that approval must be sort from the local authority first
Amendments in response to the introduction of new State Planning Policies			
C6	1/6	4.3	Update to the list of State Planning Policies recognised in the City Plan
C7	5/13	2	Updating the references to the new Acid Sulfate Soil State Planning Policy in the Acid Sulfate Soil Code
C8	Appendix 2 /5	1	Updating the references to the new Acid Sulfate Soil State Planning Policy in the Acid Sulfate Soil Planning Scheme Policy
C9	Appendix 2 /5	2	
C10	Appendix 2 /5	3	
Minor Corrections			
C11	1/6	5	Clarifying which components of the Plan do not form part of the statutory planning scheme
C12	3/4	2.3	Clarification that the relocation of a pre-1946 building within a lot is not exempt from the Plan
C13	5/89	1	Clarification of terminology in the Heritage Place Code
C14	Appendix 2 /93	3	Clarification of terminology in the Heritage Register Planning Scheme Policy

Amendment Number

C1

Chapter

5

Page

30 – Centre Amenity and Performance Code
61 – Commercial Character Building Code
67 – Community Use Code

Section

Section 4 – Performance Criteria and Acceptable Solutions

Proposed Amendment

Replace the existing non-statutory note under “Where involving a material change of use to a Child Care Facility” with:

“A child care facility will also need to comply with the relevant State Government legislation including the Child Care Act 2002 and the Child Care Regulation 2003”

Reason

This amendment updates the references in the Codes to the most recently introduced State Government child care legislation.

Amendment Number

C2

Chapter

5

Page

55 – Child Care Facility Code

Section

Section 2 – Purpose

Proposed Amendment

Replace the existing non-statutory note with

“A child care facility will also need to comply with the relevant State Government legislation including the Child Care Act 2002 and the Child Care Regulation 2003”

Reason

This amendment updates the references in the Codes to the most recently introduced State Government child care legislation.

Amendment Number

C3

Chapter

5

Page

98 – Home Business Code

Section

Section 4 – Performance Criteria and Acceptable Solutions

Proposed Amendment

In Acceptable Solution A8 for *Self assessable development* and Acceptable Solution A8 for *Impact assessable development*, delete:

'is in accordance with the Child Care Act 1991 and the Child Care (Family Day Care) Regulations 1991'

and insert

'complies with the Child Care Act 2002 and the Child Care Regulation 2003'

Reason

This amendment updates the references in the Codes to the most recently introduced State Government child care legislation.

Amendment Number

C4

Chapter

5

Page

89 – Heritage Place Code

Section

1.1

Proposed Amendment

Delete the 1st paragraph under Section 1.1 being:

This Code will not apply to any assessable development where the work constitutes "Excluded Work" pursuant to Section 8 of the *Queensland Heritage Regulation 1992* and where the Heritage Place is included in the Queensland Heritage Register.

and replace with the following new paragraph:

This Code will not apply to any assessable development where an "Exemption Certificate" has been issued for the work under Section 35 of the *Queensland Heritage Act 1992* and where the Heritage Place is included in the Queensland Heritage Register.

Reason

It is common for a State Heritage listed building to also be listed in the City Plan Heritage Register given its local significance. The purpose of the current paragraph is to ensure that the Heritage Code does not trigger development assessment for minor work on a state listed building that would not have triggered assessment against the Heritage Act itself.

The Heritage Act does not trigger heritage assessment for minor work such as maintenance and repairs. This work was previously defined as "Excluded work" under the *Queensland Heritage Regulation 1992*. Due to recent changes in the legislation the State Heritage Council now issues an "Exemption certificate" under the Act before these minor works can commence. The paragraph has been modified accordingly to reflect the changes to the legislation.

Amendment Number

C5

Chapter

5

Page

89 - Heritage Place Code

Section

1.3

Proposed Amendment

Delete existing point (c) in Section 1.3 and replace with the following new point (c) as follows:

Approval has been issued under the superseded provisions of the *Queensland Heritage Act 1992* where the Heritage Place is included in the Queensland Heritage Register.

Reason

Under the previous version of the Heritage Act it was possible to obtain approval from the State Heritage Council for work on a State listed site, prior to applying for development approval from Brisbane City Council.

Section 1.3 of the Heritage Code identifies building and other works on a heritage place that only trigger Code assessment under City Plan either because of their minor nature or due to prior assessment of the heritage issues. Point (c) recognised prior assessment of heritage issues by the Heritage Council.

Recently the Heritage Act was amended to make it compliant with the Integrated Development Assessment System (IDAS) provisions of the *Integrated Planning Act 1997* (IPA). It is no longer possible to gain approval from the Heritage Council prior to town planning approval. The development application must be lodged with Council in the first instance, and as part of Council's assessment process the application must be referred to the Heritage Council for comment.

The amendment to point (c) reflects the change to the legislation, whilst still recognising pre-existing approvals granted under the superseded provisions of the Act.

Amendment Number

C6

Chapter

1

Page

6

Section

4.3 – How the City Plan coordinates and integrates the core matters

Proposed Amendment

In the 3rd paragraph of Section 4.3 add the following new dot points to the existing list of dot points:

- State Planning Policy 2/02 – Planning and Managing Development involving Acid Sulfate Soils
- State Planning Policy 1/03 – Mitigating the Adverse Impacts of Flood, Bushfire and Landslide

Reason

Section 4.3 lists all the State Planning Policies (SPP) City Plan recognises and is consistent with. The amendment merely adds recently adopted State policies to the list.

Amendment Number

C7

Chapter

5

Page

13 – Acid Sulfate Soil Code

Section

2 – Using this Code

Proposed Amendment

Delete the non-statutory note after the 2nd paragraph of Section 2 and replace with the following new non-statutory note:

Any Acid Sulfate Soil report or management plan must also be in accordance with State Planning Policy 2/02 - Planning and Managing Development involving Acid Sulfate Soils

Reason

The current note does not refer to the new State Planning Policy SPP. This amendment merely updates the references.

The balance of the Code is consistent with the requirements of the new SPP.

Amendment Number

C8

Appendix

2

Page

5 – Acid Sulfate Soil Planning Scheme Policy

Section

1 – Introduction

Proposed Amendment

Insert the following new paragraph following the 3rd paragraph of Section 1:

State Planning Policy 2/02 – Planning and Managing Development involving Acid Sulfate Soils and the associated guidelines provide additional information on the management and investigation of acid sulfate soils.

Reason

This amendment merely includes reference to the new Acid Sulfate Soil State Planning Policy and associated Guidelines in the Planning Scheme Policy.

Amendment Number

C9

Appendix

2

Page

6 – Acid Sulfate Soil Planning Scheme Policy

Section

2 – Acid sulfate soil investigation reports

Proposed Amendment

In the 2nd paragraph of Section 2 delete the following document reference being:

Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils (ASS) in Queensland (1998) produced by the Queensland Acid Sulfate Soils Investigation Team, Department of Natural Resources

And replace with the following new document reference:

State Planning Policy 2/02 Guideline – Planning and Managing Development involving Acid Sulfate Soils (2002) produced by Natural Resource Sciences, Department of Natural Resources and Mines and Planning Services, Department of Local Government and Planning

Reason

With the introduction of the new Acid Sulfate Soil State Planning Policy and associated Guidelines the reference document for preparing an acid sulfate soil investigation report needs to be updated.

Amendment Number

C10

Appendix

2

Page

6 – Acid Sulfate Soil Planning Scheme Policy

Section

3 – Acid sulfate soil management plans

Proposed Amendment

In the 5th paragraph of Section 3 add the following new dot point to the list:

- Details of the treatment and management of surface drainage waters for disturbed acid sulfate soils

Reason

The State Planning Policy 2/02 Guideline – Planning and Managing Development involving Acid Sulfate Soils identifies matters that should be taken into account when preparing an acid sulfate soil management plan. The matter identified in the proposed amendment is recommended by the Guideline, but is not listed in matters recommended in the Acid Sulfate Soil Planning Scheme Policy. The amendment will ensure consistency between the Planning Scheme Policy and State Planning Policy Guideline.

Amendment Number

C11

Chapter

1

Page

6

Section

5 – Components of the Plan that do not form part of the scheme

Proposed Amendment

Delete the 1st dot point of the section being:

- List of places in *the Queensland Heritage Register of the Queensland Heritage Act 1992*

Reason

City Plan contains numerous maps, indexes, notes and photographs that are merely included for information purposes, do not have statutory weight, and are not officially part of the planning scheme.

It is common for a State Heritage listed building to also be listed in the City Plan Heritage Register given its local significance. For information purposes the City Plan Heritage Register highlights those sites that are also included in the State Heritage Register. The deleted dot point was meant to explain that the State Heritage Register was not a product of the City Plan. Upon review it was decided that the dot point could be misinterpreted to mean that those sites highlighted in the City Plan as also being listed in the State register weren't actually part of the City Plan register.

The deletion of the dot point avoids this confusion. There is sufficient information in the Heritage Register Planning Scheme Policy to indicate that sites can be listed in both heritage registers.

Amendment Number

C12

Chapter

3

Page

4

Section

2.3 – Exempt development

Proposed Amendment

In the 2nd dot point under the sub heading "Exempt development identified by the Plan", delete the words "demolishing, removing or relocating a building" and replace with the words "demolishing or removing a building".

Reason

This section lists the circumstances under which the demolition, removal or relocation of a building does not trigger the need for planning approval.

The term 'relocation' was used to cover the act of relocating a building off site. Discussions with the development industry revealed that the term could be misinterpreted to mean that the relocation of a building within the property was exempt from planning approval.

Council has specific planning provisions regarding the positioning of a building within a property such as setbacks from side boundaries. To avoid confusion and ensure the positioning provisions of the Plan are adhered to the term 'relocation' will be deleted. The term 'removing' is sufficient to cover the act of relocating a building off site.

Amendment Number

C13

Chapter

5

Page

89 - Heritage Place Code

Section

1 - Application

Proposed Amendment

In the 2nd paragraph of Section 1 delete the word "citation" and replace with the word "report".

Reason

The use of the term "citation" is inappropriate in the context of this paragraph. A "citation" is the official term used for the report justifying the listing of a building in the Heritage Register. This paragraph refers to the documentation prepared to support the removal of a building from the Register. In this context the term "report" is more appropriate.

Amendment Number

C14

Chapter

Appendix 2

Page

93 - Heritage Register Planning Scheme Policy

Section

3 – Process for entry in the Heritage Register

Proposed Amendment

In the 2nd and 3rd sentences of the 2nd paragraph of Section 3 delete the word "citation" and replace with the word "report".

Reason

The use of the term "citation" is inappropriate in the context of this paragraph. A "citation" is the official term used for the report justifying the listing of a building in the Heritage Register. This paragraph refers to the documentation prepared to support the removal of a building from the Register. In this context the term "report" is more appropriate.

Attachment D

Proposed mid 2004 Amendments to Brisbane City Plan 2000:

**Setting maximum building heights for
development in Multi-purpose and Special
Purpose Centres and select Local Plans
and clarify relevant definitions**

(with modifications)

Summary: Attachment D

Proposed Amendments to Brisbane City Plan 2000: Setting maximum building heights for development in Multi-purpose and Special Purpose Centres and select Local Plans and clarify relevant definitions

Amendment No:	Chapter / Page	Section	Summary of proposed amendments
D1	3/69	10.2	Amendment to the "Ground Storey" definition to clarify how building heights should be measured
D2	3/74	10.2	Changing the "Storey" definition to : 1. include a mezzanine level as a storey 2. clarify which is the first storey of a building, particularly on sloping sites where storeys can be partly buried 3. clarify that the "Ground Storey" definition has no relationship to the determination of the number of storeys
D3	5/38	Table 2	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in MP1, MP2, MP3, MP4 and Special Purpose Centres
D4	4/18	5.2	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in the Bowen Hill Local Plan
D5	4/18	5.3	
D6	4/19	5.4	
D7	4/26a	5.2	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in the Bulimba District Local Plan
D8	4/26b	5.2	
D9	4/80-82	5.2	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in the Kangaroo Point Peninsula Local Plan
D10	4/102	5.1	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in Milton Local Plan
D11	4/102	5.2	
D12	4/125	5.2	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in the New Farm and Teneriffe Hill Local Plan
D13	4/125	5.3	
D14	4/127	5.4	
D15	4/127	5.5	
D16	4/177	5.2	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in the Petrie Terrace and Spring Hill Local Plan
D17	4/196	5.9	

Amendment No:	Chapter / Page	Section	Summary of proposed amendments
D18	4/238	5.2	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in Aspley Local Plan
D19	4/239	5.3/5.4	
D20	4/238	5.7	
D21	4/242	5.8/5.9	
D22	4/243	5.10	
D23	4/244	5.11	
D24	4/244	5.12	
D25	4/245	5.13	
D26	4/246	5.14	
D27	4/247	5.16	
D28	4/247	5.17	
D29	4/256d	5.3	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in Toowong Indooroopilly Local Plan
D30	4/225f	5.5	
D31	4/328	5.3	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in Forest Lake Local Plan
D32	4/352g	6.1	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in the Wakerley Local Plan
D33	4/352k	6.1	
D34	4/378	5.1	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in the Brookside-Mitchelton Major Centre Local Plan
D35	4/379	5.2	
D36	4/384	5.2	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in the Carindale Major Centre Local Plan
D37	4/386	5.3	
D38	4/394-395	5.1	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in the Chermside Major Centre Local Plan
D39	4/431	5.1	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in Indooroopilly Major Centre Local Plan
D40	4/432	5.2	
D41	4/443	5.2	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in Latrobe and Given Terraces Local Plan
D42	4/447	5.3	
D43	4/467	5.2	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in Racecourse Road Local Plan

Amendment No:	Chapter / Page	Section	Summary of proposed amendments
D44	4/475	5.1	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in the Toombul Nundah Major Centre Local Plan
D45	4/476	5.2	
D46	4/476	5.3	
D47	4/477	5.4	
D48	4/480d	5.2	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in Toowong Local Plan
D49	4/487	5.3	Introducing maximum building height in metres to provide a clearer indication of the maximum building height in Upper Mt Gravatt Major Centre Local Plan
D50	4/489	5.5	
D51	4/489	5.5	

Amendment Number

D1

Chapter

3

Page

69 & 74

Section

Definitions – Section 10.2 - List of definitions

Proposed Amendment

After the existing “Ground Storey” definition include the following:

“The term Ground Storey is not applicable when determining the overall height of a building in storeys.”

Reason

The definition “Ground Storey” is often used to determine the height of a building in “Storeys”, particularly on sloping sites where it is unclear which storey is at ground level, however there is no direct link between the two definitions.

The proposed changes clarify that “Ground Storey” should not be used when determining overall building height in storeys. Building height is measured from the lower side of the building where the impact of overall building height can be greatest.

Amendment Number

D2

Chapter

3.

Page

74

Section

Definitions – Section 10.2 - List of definitions

Proposed Amendment

Delete the existing “Storey” definition, and replace with the following:

“Storey: a space within a building which is situated between one floor level and the floor level next above it and commencing at ground level, or if there is no floor level above, the ceiling or roof, above, but not a space that contains only:

- a lift shaft, stairway or meter room, or
- a bathroom, shower room, laundry, watercloset or other sanitary compartment, or
- a combination of the above

For the purposes of this definition a mezzanine is a storey

The term “Ground Storey” as defined elsewhere in this section is not applicable when determining the overall height of a building in storeys”

Reason

The definition “Storey” in City Plan currently excludes any mezzanine levels within the building. This can add to the overall height of a building as “Storeys” are commonly used as a measure of maximum building height. As a result buildings that have the same number of storeys can vary considerably in overall height.

A recent application in Redcliffe highlighted a similar problem with the Redcliffe planning scheme. In that case a 6 storey unit development, including 3 mezzanine levels, was defined as a 3 storey building.

This amendment ensures that overall building heights are consistent with Area intents by counting mezzanine levels as storeys.

The proposed amendment also clarifies that "Ground Storey" should not be used when determining overall building height in storeys. Building height is measured from the lower side of the building where the impact of overall building height can be greatest.

Amendment Number

D3

Chapter

5

Page

38

Section

Centre Design Code – Section 4 - Performance Criteria and Acceptable Solutions

Proposed Amendment

Reword Table 2 to read:

Type of Centre	Use	Maximum Building height above ground level
Major Centre (MP2)	Non-residential only Residential only Mixed residential/non residential ⁽¹⁾	10 Storeys and 35m 10 Storeys and 35m 10 Storeys and 35m
Suburban Centre (MP3)	Non-residential only Residential only Mixed residential/non residential ⁽¹⁾	2 Storeys and 8.5m 3 Storeys and 10.5m 3 Storeys and 10.5m
Convenience Centre (MP4)	Non-residential only Residential only Mixed residential/non residential ⁽¹⁾	1 Storeys and 5m 2 Storeys and 8.5m 2 Storeys and 8.5m
Special Purpose Centre	All	2 Storeys and 8.5m

(1) Mixed residential/non-residential means a minimum of 30% of the gross floor area is used for residential purposes.

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Adding maximum building height in metres above ground level provides a more consistent and clear measure of the overall height permitted by the planning scheme.

Amendment Number

D4

Chapter

4

Page

18

Section

Bowen Hills Local Plan – Section 5.2 - Residential Village Precinct

Proposed Amendment

Amend acceptable solution A1.2, by inserting the following directly after the words “4 Storeys”:

“, and 14m to the underside of the ceiling of any habitable room”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Bowen Hill Local Plan

Amendment Number

D5

Chapter

4

Page

18

Section

Bowen Hills Local Plan – Section 5.3 – Mixed Use Transit Precinct

Proposed Amendment

2. Amend acceptable solution A2.1, by inserting the following directly after the words “3 Storeys”:

“and 10.5m”

2. Amend acceptable solution A2.2, by inserting the following directly after the words “4 Storeys”:

“and 14m”

2. Amend acceptable solution A2.3, by inserting the following directly after the words “6 Storeys”:

“and 21m”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Bowen Hill Local Plan

Amendment Number

D6

Chapter

4

Page

19

Section

Bowen Hills Local Plan – Section 5.4 – Office Park Precinct

Proposed Amendment

1. Amend acceptable solution A1.2, by inserting the following directly after the words “3 Storeys”:

“and 10.5m”

2. Amend acceptable solution A1.3, by inserting the following directly after the words “4 Storeys”:

“and 14m”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Bowen Hill Local Plan

Amendment Number

D7

Chapter

4

Page

26a

Section

Bulimba District Local Plan – Section 5.2 – Precinct 3.3 – sub Precinct A

Proposed Amendment

Amend acceptable solution A1.2, by inserting the following directly after the words “2 Storeys”:

“and 8.5m”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Bulimba District Local Plan

Amendment Number

D8

Chapter

4

Page

26b

Section

Bulimba District Local Plan – Section 5.2 – Precinct 3.3 – sub Precinct C

Proposed Amendment

Amend acceptable solution A1.2, by inserting the following directly after the words "2 Storeys":

"and 8.5m"

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Bulimba District Local Plan

Amendment Number

D9

Chapter

4

Page

80-82

Section

Kangaroo Point Peninsula Local Plan – Section 5.2 – Dockside Precinct

Proposed Amendment

1. Amend acceptable solution A6.7, by inserting the following directly after the words "10 storeys":

 ",and 30m to the underside of the ceiling of any habitable room,"

2. Amend acceptable solution A7.4, by directly after the words:
 - "2 Storeys" inserting "and 8.5m";
 - "5 Storeys" inserting "and 15m to the underside of the ceiling of any habitable room";
 - "4 Storeys" inserting "and 12m to the underside of the ceiling of any habitable room"

3. Amend acceptable solution A9.3, by inserting the following directly after the words "10 Storeys":

 ", and 30m to the underside of the ceiling of any habitable room,"

4. Amend acceptable solution A10.2, by inserting the following directly after the words "1Storey":

 "and 5m"

5. Amend acceptable solution A11.3, by inserting the following directly after the words ",4 Storeys to the underside of the ceiling of any habitable room.":

 ", and 12m to the underside of the ceiling of any habitable room,"

6. Amend acceptable solution A12.3, by inserting the following directly after the words "3 Storeys":

 " and 9.5m to the underside of the ceiling of any habitable room,"

7. Amend acceptable solution A13.3, by inserting the following directly after the words "8 Storeys":
", and 24m to the underside of the ceiling of any habitable room,"
8. Amend acceptable solution A14.2, by inserting the following directly after the words "6 Storeys":
", and 18m to the underside of the ceiling of any habitable room,"
9. Amend acceptable solution A15.1, by inserting the following directly after the words "3 Storeys":
" and 9.5m to the underside of the ceiling of any habitable room,"
10. Amend acceptable solution A16.2, by inserting the following directly after the words "2 Storeys":
" and 8.5m"

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Kangaroo Point Peninsula Local Plan

Amendment Number

D10

Chapter

4

Page

102

Section

Milton Local Plan – Section 5.1 – Centre Precinct

Proposed Amendment

1. Amend acceptable solution A1.2, by inserting the following directly after the words "2 Storeys":

"and 8.5m above ground level"

2. Amend acceptable solution A2.2, by directly after the words:
"4 Storeys" insert " and 14m above ground level"
"2 Storeys" insert "and 8.5m above ground level"

3. Amend acceptable solution A3.1, by inserting the following directly after the words "4 Storeys above ground level":

"and 14m above ground level"

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Milton Local Plan

Amendment Number

D11

Chapter

4

Page

102

Section

Milton Local Plan – Section 5.2 – Office Precinct

Proposed Amendment

1. Amend acceptable solution A1.2, by inserting the following directly after the words “4 Storeys”:

“and 14m above ground level”

2. Amend acceptable solution A2.2, by inserting the following directly after the words “4 Storeys”:

“and 14m above ground level”

3. Amend acceptable solution A3.3, by directly after the words

“8 Storeys” inserting “and 28m above ground level”

“10 Storeys” inserting “and 35m above ground level”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Milton Local Plan

Amendment Number

D12

Chapter

4

Page

125

Section

New Farm and Teneriffe Hill Local Plan – Section 5.2 – Low Density Living Precinct

Proposed Amendment

Amend acceptable solution A1, by inserting the following directly after the words "2 Storeys":

"and 8.5m above ground level"

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the New Farm Teneriffe Hill Local Plan

Amendment Number

D13

Chapter

4

Page

125

Section

New Farm and Teneriffe Hill Local Plan – Section 5.3 – Low Medium Density Living Precinct

Proposed Amendment

Amend acceptable solution A1, by directly after the words

“no more than 2 Storeys” inserting “and 8.5m above ground level”

“A 3 storey” inserting “ and 9.5m to the underside of the ceiling of any habitable room”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the New Farm and Teneriffe Hill Local Plan

Amendment Number

D14

Chapter

4

Page

127

Section

New Farm and Teneriffe Hill Local Plan – Section 5.4 – Medium Density Living Precinct

Proposed Amendment

Amend acceptable solution A1.1, by inserting the following directly after the words “5 Storeys”:

“and 15m above ground level to the underside of the ceiling of any habitable room”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the New Farm and Teneriffe Hill Local Plan

Amendment Number

D15

Chapter

4

Page

127

Section

New Farm and Teneriffe Hill Local Plan – Section 5.5 – Mixed Use Precinct

Proposed Amendment

1. Amend acceptable solution A1.1, by inserting the following directly after the words "3 Storeys":

"and 10.5m above ground level"

2. Amend acceptable solution A1.2, by inserting the following directly after the words " 4 Storeys":

"and 14m above ground level"

3. Amend acceptable solution A1.3, by inserting the following directly after the words "2 Storeys":

"and 8.5m above ground level"

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the New Farm and Teneriffe Hill Local Plan

Amendment Number

D16

Chapter

4

Page

177

Section

Petrie Terrace and Spring Hill Local Plan – Section 5.2 – Residential precinct

Proposed Amendment

Amend acceptable solution A3.1, by replacing

“HR 10 - - ”

with the following

“HR 10 30 34.2 ”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Petrie Terrace and Spring Hill Local Plan

Amendment Number

D17

Chapter

4

Page

196

Section

Petrie Terrace and Spring Hill Local Plan – Section 5.9 – Police Barracks precinct

Proposed Amendment

Amend acceptable solution A1.8, by inserting the following directly after the words “5 Storeys”:

“and 17.5m”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Petrie Terrace and Spring Hill Local Plan

Amendment Number

D18

Chapter

4

Page

238

Section

South Brisbane Local Plan – Section 5.2 – Riverside Open Space Precinct

Proposed Amendment

Amend acceptable solution A1.1, by directly after the words:

“no more than 1 Storey” inserting “and 5m”

“2 storeys” inserting “ and 8.5m”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the South Brisbane Local Plan

Amendment Number

D19

Chapter

4

Page

239

Section

South Brisbane Local Plan – Section 5.3 – Davies Park Precinct
South Brisbane Local Plan - Section 5.4 – Musgrave Park Precinct

Proposed Amendment

Amend acceptable solution A1, by directly after the words

“no more than 1 Storey” inserting “and 5m”

“2 storeys” inserting “ and 8.5m”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the South Brisbane Local Plan

Amendment Number

D20

Chapter

4

Page

238

Section

South Brisbane Local Plan – Section 5.7 – Local Business Precinct

Proposed Amendment

Amend acceptable solution A1.3, by directly after the words

“no more than 2 Storeys” inserting “and 8.5m”

“3 storeys” inserting “and 10.5m”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the South Brisbane Local Plan

Amendment Number

D21

Chapter

4

Page

242

Section

South Brisbane Local Plan – Section 5.8 – Vulture Street West Precinct
South Brisbane Local Plan – Section 5.9 – West End Shopping Precinct

Proposed Amendment

Amend acceptable solution A1.2, by directly after the words

“no more than 2 Storeys” inserting “and 8.5m”

“3 storeys” inserting “ and 10.5m”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the South Brisbane Local Plan

Amendment Number

D22

Chapter

4

Page

243

Section

South Brisbane Local Plan – Section 5.10 – South Brisbane Commercial Precinct

Proposed Amendment

1. Amend acceptable solution A2.1, by directly after the words

“no more than 3 Storeys” inserting “and 10.5m”

“4 storeys” inserting “ and 14m”

2. Amend acceptable solution A2.2, by directly after the words

“no more than 4 Storeys” inserting “and 14m”

“5 storeys” inserting “ and 17.5m”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the South Brisbane Local Plan

Amendment Number

D23

Chapter

4

Page

244

Section

South Brisbane Local Plan – Section 5.11 – Cultural Centre Precinct

Proposed Amendment

Amend acceptable solution A2, by directly after the words

“no more than 4 Storeys” inserting “and 14m”

“5 storeys” inserting “ and 17.5m”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the South Brisbane Local Plan

Amendment Number

D24

Chapter

4

Page

244

Section

South Brisbane Local Plan – Section 5.12 – Education Precinct

Proposed Amendment

Amend acceptable solution A1, by directly after the words

“no more than 2 Storeys” inserting “and 8.5m”

“3 storeys” inserting “ and 10.5m”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building:

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the South Brisbane Local Plan

Amendment Number

D25

Chapter

4

Page

245

Section

South Brisbane Local Plan – Section 5.13 – Mater Hill Precinct

Proposed Amendment

Amend acceptable solution A3, by directly after the words

“no more than 3 Storeys” inserting “and 10.5m”

“4 storeys” inserting “ and 14m”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the South Brisbane Local Plan

Amendment Number

D26

Chapter

4

Page

246

Section

South Brisbane Local Plan – Section 5.14 – West End Woolloongabba Centre Precinct

Proposed Amendment

Amend acceptable solution A2, by directly after the words

“no more than 2 Storeys” insert “and 8.5m”

“3 storeys” insert “ and 10.5m”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the South Brisbane Local Plan

Amendment Number

D27

Chapter

4

Page

247

Section

South Brisbane Local Plan – Section 5.16 – Low Medium Rise Residential Precinct and Medium Rise Residential Precinct

Proposed Amendment

Amend acceptable solution A1, by inserting the following directly after the words “2 to 3 Storeys”:

“and 9.5m to the underside of the ceiling of any habitable room”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the South Brisbane Local Plan

Amendment Number

D28

Chapter

4

Page

247

Section

South Brisbane Local Plan – Section 5.17 – High Rise Residential Precinct

Proposed Amendment

Amend acceptable solution A1.4, by directly after the words

“no more than 8 Storeys” inserting “,and 24m to the underside of the ceiling of any habitable room”

“9 storeys” inserting “, and 27m to the underside of the ceiling of any habitable room,”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the South Brisbane Local Plan

Amendment Number

D29

Chapter

4

Page

256d

Section

Toowong - Indooroopilly District Local Plan – Section 5.3 – Dean Street Shops Precinct

Proposed Amendment

Amend acceptable solution A1, by inserting the following directly after the words “2 Storeys”:

“and 8.5m above ground level”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Toowong - Indooroopilly District Local Plan

Amendment Number

D30

Chapter

4

Page

225f

Section

Toowong - Indooroopilly District Local Plan – Section 5.5 – Taringa Suburban Centre Precinct

Proposed Amendment

1. Amend acceptable solution A5.1, by inserting the following directly after the words "3 Storeys":

"and 10.5m above ground level"

2. Amend acceptable solution A5.2, by inserting the following directly after the words "4 Storeys":

"and 14m above ground level"

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Toowong – Indooroopilly District Local Plan

Amendment Number

D31

Chapter

4

Page

328

Section

Forest Lake Local Plan – Section 5.3 – District Business Centre Precinct

Proposed Amendment

1. Amend acceptable solution A2.1, by inserting the following directly after the words "3 Storeys":

"and 10.5m"

2. Amend acceptable solution A2.2, by inserting the following directly after the words "2 Storeys":

"and 8.5m"

3. Amend acceptable solution A3.2, by inserting the following directly after the words "4 Storeys":

“, and 12m to the underside of the ceiling in any habitable room,”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Forest Lake Local Plan

Amendment Number

D32

Chapter

4

Page

352g

Section

Wakerley Local Plan – Section 6.1 – Very Low Density Housing Precinct

Proposed Amendment

Amend acceptable solution A1.4, by inserting the following directly after the words “no higher than 2 Storeys”:

“and 8.5m above ground level”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Wakerley Local Plan

Amendment Number

D33

Chapter

4

Page

352k

Section

Wakerley Local Plan – Section 6.1 – Convenience Centre development in the Wakerley Central Precinct

Proposed Amendment

Amend acceptable solution A1.4, by inserting the following directly after the words “not exceed 2 Storeys”:

“and 8.5m above ground level”

and deleting the words

“in height”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Wakerley Local Plan

Amendment Number

D34

Chapter

4

Page

378

Section

Brookside-Mitchelton Major Centre Local Plan – Section 5.1 – Brookside Precinct

Proposed Amendment

1. Amend acceptable solution A1.1, by inserting the following directly after the words “3 Storeys”:

“and 10.5m above ground level”

2. Amend acceptable solution A1.2, by inserting the following directly after the words “6 Storeys”:

“and 21m above ground level”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Brookside-Mitchelton Major Centre Local Plan

Amendment Number

D35

Chapter

4

Page

379

Section

Brookside-Mitchelton Major Centre Local Plan – Section 5.2 – Blackwood Street Precinct

Proposed Amendment

Amend acceptable solution A2, by inserting the following directly after the words "4 Storeys":

"and 14m above ground level"

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Brookside-Mitchelton Major Centre Local Plan

Amendment Number

D36

Chapter

4

Page

384

Section

Carindale Major Centre Local Plan – Section 5.2 – Centre Fringe Precinct

Proposed Amendment

Amend acceptable solution A2, by inserting the following directly after the words “8 Storeys”:

“and 28m above ground level”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Carindale Major Centre Local Plan

Amendment Number

D37

Chapter

4

Page

386

Section

Carindale Centre Local Plan – Section 5.3 – Centre Residential Precinct

Proposed Amendment

Amend acceptable solution A2, by inserting the following directly after the words “3 Storeys”:

“and 9.5m from ground level to the underside of the ceiling of any habitable room”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Carindale Major Centre Local Plan

Amendment Number

D38

Chapter

4

Page

394-395

Section

Chermside Major Centre Local Plan – Section 5.1 – General

Proposed Amendment

1. Amend acceptable solution A1.1, by inserting the following directly after the words "8 Storeys":
"and 28m above ground level"
2. Amend acceptable solution A1.2, by after the words:
"3 Storeys" inserting "and 10.5m above ground level"
"8 Storeys" inserting "and 28m above ground level"
3. Amend acceptable solution A1.3, by inserting the following directly after the words "3 Storeys":
"and 10.5m above ground level"
4. Amend acceptable solution A1.4, by after the words:
"2 Storeys" inserting "and 8.5m above ground level"
"3 Storeys" inserting "and 10.5m above ground level"
5. Amend acceptable solution A1.5, by inserting the following directly after the words "2 Storeys":
"and 8.5m above ground level"

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Chermside Major Centre Local Plan

Amendment Number

D39

Chapter

4

Page

431

Section

Indooroopilly Major Centre Local Plan – Section 5.1 – Centre Core Precinct

Proposed Amendment

Amend acceptable solution A2, by inserting the following directly after the words “6 Storeys”:

“and 21m above ground level”

and replacing the words “structures higher than 6 storeys” with

“higher structures”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Indooroopilly Major Centre Local Plan

Amendment Number

D40

Chapter

4

Page

432

Section

Indooroopilly Major Centre Local Plan – Section 5.2 – Centre Fringe Precinct

Proposed Amendment

Amend acceptable solution A2, by inserting the following directly after the words "4 Storeys":

"and 14m above ground level"

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Indooroopilly Major Centre Local Plan

Amendment Number

D41

Chapter

4

Page

443

Section

Latrobe and Given Terraces Local Plan – Section 5.2 – Business Precinct

Proposed Amendment

Amend acceptable solution A5.1, by inserting the following directly after the words “2 Storey building”:

“not exceeding 8.5m above ground level”

and insert the following directly after words “limited to 2 storeys”:

“and 8.5m above ground level”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Latrobe and Given Terraces Local Plan

Amendment Number

D42

Chapter

4

Page

447

Section

Latrobe and Given Terraces Local Plan – Section 5.3 – Residential Precinct

Proposed Amendment

Amend acceptable solution A6.3, by inserting the following directly after the words “3 Storeys”:

“and 9.5 m from ground level to the underside of the ceiling of any habitable room”

and insert the following directly after words “limited to 2 storeys”:

“and 8.5 m above ground level”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Latrobe and Given Terraces Local Plan

Amendment Number

D43

Chapter

4

Page

467

Section

Racecourse Road Local Plan – Section 5.2 – Commercial Precinct and where non residential uses in the Community Precinct

Proposed Amendment

Amend acceptable solution A1.2, by inserting the following directly after the words “3 storeys”:

“and 10.5m above ground level”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Racecourse Road Local Plan.

Amendment Number

D44

Chapter

4

Page

475

Section

Toombul Nundah Major Centre Local Plan – Section 5.1 – Toombul Nundah Village and Office/Business Precincts

Proposed Amendment

Replace "Table 1 Maximum building height " with the following:

Precinct	Use	Maximum Building height above ground level
Toombul Precinct	Non-residential only Residential only Mixed residential/non residential ⁽¹⁾	4 Storeys and 14m 4 Storeys and 14m 8 Storeys and 28m, although only 4 storeys (14 m) of development is permitted within 20m of any road boundary alignment
Nundah Village Precinct	All	4 Storeys and 14m, although only 2 storeys (8.5m) of development is permitted within 6m of the front boundary alignment
Office/business Precinct	AM	6 Storeys and 28m

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Toombul Nundah Major Centre Local Plan

Amendment Number

D45

Chapter

4

Page

476

Section

Toombul-Nundah Major Centre Local Plan – Section 5.2 – Light/Service Industry Precinct

Proposed Amendment

Amend acceptable solution A1.2, by inserting the following directly after the words “3 storeys”:

“and 10.5m above ground level”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Toombul Nundah Major Centre Local Plan.

Amendment Number

D46

Chapter

4

Page

476

Section

Toombul-Nundah Major Centre Local Plan – Section 5.3 – Transitional Precinct

Proposed Amendment

Amend acceptable solution A1.1, by after the words:

“2 Storeys” inserting “and 8.5m above ground level”

“3 Storeys” inserting “and 10.5m above ground level”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Toombul Nundah Major Centre Local Plan.

Amendment Number

D47

Chapter

4

Page

477

Section

Toombul-Nundah Major Centre Local Plan – Section 5.4 – Medium Density Residential Precinct

Proposed Amendment

Amend acceptable solution A1.1, by after the words:

"4 Storeys" inserting	"and 12m from ground level to the underside of the ceiling of any habitable room"
"5 Storeys" inserting	"and 15m from ground level to the underside of the ceiling of any habitable room"

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Toombul Nundah Major Centre Local Plan.

Amendment Number

D48

Chapter

4

Page

480d

Section

Toowong Major Centre Local Plan – Section 5.2 – Centre Fringe Precinct

Proposed Amendment

1. Amend acceptable solution A2.1, by inserting the following directly after the words “4 storeys”:

“and 14m above ground level”

2. Amend acceptable solution A2.2, by inserting the following directly after the words “2 storeys”:

“and 8.5m above ground level”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Toowong Major Centre Local Plan.

Amendment Number

D49

Chapter

4

Page

487

Section

Upper Mount Gravatt Major Centre Local Plan – Section 5.3 – Shop and Office Precinct

Proposed Amendment

Amend acceptable solution A1.1, by inserting the following directly after the words “2-6 storeys”:

“(8.5m-21m) above ground level”

and by inserting the following directly after the words “10 storeys”:

“and 35m above ground level”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Upper Mount Gravatt Major Centre Local Plan.

Amendment Number

D50

Chapter

4

Page

489

Section

Upper Mount Gravatt Major Centre Local Plan – Section 5.5 – Residential Precinct – A. General

Proposed Amendment

Amend acceptable solution A1.2, by

1. Where in sub-precinct A inserting the following directly after the words “5 storeys”:

“and 15m from ground level to the underside of the ceiling of any habitable room”

and inserting the following directly after the words “or 3 storeys”:

“and 9.5m from ground level to the underside of the ceiling of any habitable room”

2. Where in sub-precinct B inserting the following directly after the words “3 storeys”:

“and 9.5m from ground level to the underside of the ceiling of any habitable room”

3. Where in sub-precinct C inserting the following directly after the words “2 storeys” :

“ and 8.5m above ground level”

and inserting the following directly after the words “or 3 storeys”:

“and 9.5m from ground level to the underside of the ceiling of any habitable room”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Upper Mount Gravatt Major Centre Local Plan.

Amendment Number

D51

Chapter

4

Page

489

Section

Upper Mount Gravatt Major Centre Local Plan – Section 5.5 – Residential Precinct – C. Where Located in overlapping Area 2

Proposed Amendment

Amend acceptable solution A2.4, by inserting the following directly after the words “3 storeys”:

“9.5m from ground level to the underside of the ceiling of any habitable room”

Reason

Using storeys as the only measure of maximum building height allows for variation in the overall height of a building due to the use of different floor to ceiling heights within the building.

Introducing maximum building height in metres provides a clearer indication of the maximum building height in the Upper Mount Gravatt Major Centre Local Plan.

Attachment E

**Proposed mid 2004 amendments to
Brisbane City Plan 2000:**

**Amendments to Bowen Hills Local Plan to
include a new precinct, improve retention of
light industrial activities and to clarify open
space provisions**

(with modifications)

Summary: Attachment E

Proposed Amendments to Brisbane City Plan 2000: Amendments to Bowen Hills Local Plan to include a new precinct, improve retention of light industrial activities and to clarify open space provisions

Amendment No:	Chapter/ Page	Section	Summary of proposed amendments
E1	4/14	3.2	Amendment to intent of Mixed Use Transit Precinct to allow for a single supermarket within the precinct area
E2	4/15	3.9	Inclusion of a precinct intent for the new Ross Street Precinct which protects industrial activities and encourages on-going development of a 'clean' industry precinct.
E3	4/16	4.3	Inclusion of an exception table for levels of assessment within the new Ross Street Precinct
E4	4/17 4/19	5.1	Amendment to general code provisions to refine open space, access and circulation provisions
E5	4/19	5	Inclusion of code provisions relating to new Ross Street Precinct
E6	4/20 4/21	Map A Map B	Inclusion of an amended Map A to reflect new Ross Street Precinct, and new Map B to reflect refinement of open space, access and circulation requirements

Amendment Number

E1

Chapter

4

Page

14

Section

3.2 – Mixed Use Transit Precinct

Proposed Amendment

1. Delete the last sentence of the 1st paragraph and replace with the following new sentence:

"Other supporting uses such as convenience retail (including a supermarket), community uses and clean, low impact industries are also appropriate."

2. Delete the 2nd last sentence of the 2nd paragraph and replace with the following new sentence:

"Retail uses will be limited to a single supermarket, and those of a convenience or specialist nature."

Reason

The current intent for the Mixed Use Transit Precinct precludes a supermarket. This is considered inconsistent with the overall intent of the precinct that is meant to be a transit orientated mixed use development that reduces the need for private transport and serves a focal role within the broader Bowen Hills area.

The proposed amendments therefore nominate development of a single supermarket within the precinct as being appropriate and removes any statements that conflict with that desired outcome.

Amendment Number

E2

Chapter

4

Page

15

Section

3 – Precinct Intent

Proposed Amendment

After Section 3.8 - Breakfast Creek Wharf Precinct insert the following new precinct intent:

3.9 Ross Street Precinct

The intent of the Ross Street Precinct is to create a high quality urban area comprising an integrated community of business and service industry employment uses located within dense medium scale buildings and unified by a cohesive streetscape.

The precinct seeks to promote a concentrated area of small business, light industry and showroom functions, that consolidates and reinforces existing land use patterns evident in the precinct. Retention and expansion of existing light industrial and business sector clusters is therefore encouraged, specifically vehicle sales and servicing; printing, publishing and recorded media; and business services, including business or professional advice.

Commercially oriented activities will remain the dominant land use on land fronting Breakfast Creek Road. However, it is not intended that shopping facilities be developed anywhere within the Ross Street Precinct.

New development on lots fronting both Ross Street and Wickham Grove are to address both street frontages and provide high quality street frontages.

New buildings may be built to the street and side boundaries and footpath planting is preferred to setback planting.

Through progressive redevelopment, it is intended to improve the amenity of the area and open up the creek frontage for public use.

Reason

It is proposed that a new precinct be included within the Local Plan, specifically the "Ross Street Precinct". The new precinct currently forms the eastern half of the Light Industry Precinct.

There are currently growing development pressures within the Bowen Hills and Newstead area for the redevelopment of existing light industrial uses for residential purposes. Urban Renewal Brisbane undertook the Inner City Light Industrial Study in early 2004 in order to determine current and future demand for light industrial uses within the inner city and determine any under-supply or over-supply of suitably classified land under City Plan. The study identified a potential future shortfall of light industrial land within the Bowen Hills / Newstead area and recommended the retention of light industrial activities within Bowen Hills and Newstead in order to maintain economic and transport efficiency and promote a sustainable land use pattern. The study also noted the existing provision and future demand within Bowen Hills for 'clean' industries such as vehicle sales and servicing; printing, publishing and recorded media; and business services, including business or professional advice.

The new precinct responds to the outcomes of the Inner City Light Industrial Study and ongoing development pressures within Bowen Hills.

The precinct intent seeks to retain light industrial uses within the precinct and specifically nominates a number of key 'clean' industry sectors that reflect existing provision and future demand within Bowen Hills. Built form statements within the precinct intent are derived from the positive development outcomes sought in the surrounding area and considered appropriate to the new precinct given the on-going development of a cluster of 'clean' industries within the locality.

Amendment Number

E3

Chapter

4

Page

16

Section

4 – Level of Assessment

Proposed Amendment

After Section 4.2 Office Park Precinct, insert the following new level of assessment tablet:

“4.3 Ross Street Precinct

Code Assessment	Applicable Codes
1 Display and Sales Activities where vehicle sales and service.	Bowen Hills Local Plan Code and Centre Amenity and Performance Code and Centre Design Code

Reason

Within the new Ross Street precinct, it is proposed to nominate 'Display and Sales Activities where vehicle sales and service' as requiring code assessment; this represents an exception from the status quo in the underlying Light Industry Area Classification, where Display and Sales Activities are normally Impact (Generally Appropriate).

The reason for specifically amending the level of assessment to code assessment is to encourage display and sales activities (where vehicle sales and service), within the precinct. This reflects the specific precinct intent of the Ross Street Precinct, current development patterns within the proposed precinct, and the outcomes of the Inner City Light Industrial Study. It is considered that code assessment is also an appropriate level of assessment for such uses that will enable Council to encourage Display and Sales Activities (where vehicle sales and service) whilst still allowing for appropriate assessment of the impacts of any such proposal.

Other clean industry uses will also be supported as per the precinct intent, although these are not specifically defined in City Plan and it is therefore problematic to specifically nominate exceptions in the levels of assessment to encourage these uses.

Amendment Number

E4

Chapter

4

Page

17

Section

5.1 – General (Performance Criteria and Acceptable Solutions)

Proposed Amendment

Insert into the table the following new Performance Criteria and Acceptable Solutions P2/A2, A3.2, P4/A4.2/A4.2, A5.1 – A5.3 into the Local Plan Code:

5.1 General

Performance Criteria		Acceptable Solutions	
Pedestrian and cycle access			
P2	Development adjoining Breakfast Creek on sites between 62 Ross Street and the eastern end of Murray Street must contribute to the provision of a continuous creekside bikeway/walkway linking Breakfast Creek Road and the northern end of Wickham Grove	A2	Any proposal for sites adjoining Breakfast Creek between 62 Ross Street and the eastern end of Murray Street provides a creekside bikeway/walkway that has a minimum width of 4.5 m designed in accordance with the <i>Public Riverside Facilities Design and Maintenance Manual</i>
Open Space			
P3		A3.2	Open space linkages are provided to parks and open space
Development fronting Enoggera and Breakfast Creek			
P4	Land adjoining Breakfast and Enoggera Creek must be preserved for public use along the entire creek frontage/s	A4.1	An Open Space corridor is preserved along the southern side of Breakfast and Enoggera Creeks extending from Breakfast Creek Road to Bowen Bridge Road in accordance with the provisions of <i>Map B - Open Space, Access and Circulation</i>
		A4.2	Development on sites adjacent to Breakfast or Enoggera Creeks provides an Open Space Corridor with a minimum width (measured from the top of the revetment wall or the high water mark) of 10 metres on land.

Performance Criteria	Acceptable Solutions
P5	<p data-bbox="710 280 1300 369">A5.1 Building elevations facing the Open Space Corridor are attractively designed to 'front' the creek rather than backing on to it</p> <p data-bbox="710 414 1300 537">A5.2 Building design provides opportunities for passive surveillance through the orientation of windows and balconies towards the Open Space Corridor</p> <p data-bbox="710 582 1300 761">A5.3 Where basement walls fronting the creek are proposed to be more than 1m above finished ground level, they are appropriately screened using a variety of landscape treatments to achieve an attractive frontage to the Open Space Corridor</p>

Renumber the table accordingly.

Reason

As part of the proposal to encourage development of a 'clean' industry cluster within the new Ross Street Precinct, open space provision along Breakfast Creek and Enoggera Creek, and pedestrian access and circulation within the Local Plan area, were reviewed. The proposed amendments to the open space and pedestrian access/circulation provisions ensure these are consistent with the intent of the new Ross Street precinct. The amendments also ensure consistency with adjoining local plans to the west, namely the proposed Ithaca District Local Plan.

Amendment Number

E5

Chapter

4

Page

19

Section

5 – Bowen Hills Local Plan Code

Proposed Amendment

After Section 5.4 – Office Precinct, insert the following new Performance Criteria and Acceptable Solution Table:

5.5 Ross Street Precinct

Performance Criteria		Acceptable Solutions	
P1	Development size and bulk must maintain a 'human scale'.	A1	Maximum plot ratio is no more than 1.25:1
P2	Buildings facing Breakfast Creek Road must have distinctive facades, demonstrating architectural creativity and individuality of design	A2	No Acceptable Solution is prescribed
P3	Setbacks must be relative to building heights and street reserve widths and must not result in buildings that are of an overbearing scale to pedestrians. New buildings may be built to the street and side boundaries and footpath planting is preferred to setback planting.	A3	Building levels up to 3 storeys or 9 m may be built to boundary with any additional storeys setback no less than 6m.

Reason

Specific code provisions have been included for the Ross Street Precinct to ensure appropriate built form and land use outcomes for this new precinct. The provisions have been generally derived from successful provisions in similar localities within the Urban Renewal Brisbane area.

Provisions additional to the Industrial Design Code are proposed so as to achieve a high quality urban streetscape environment. These provisions will assist in the on-going development of 'clean' industry within the area and provide additional amenity commensurate to the precinct's proximity to Breakfast Creek.

Amendment Number

E6

Chapter

4

Page

20 - 21

Section

Map A: Precincts

Map B: Open Space and Circulation

Proposed Amendment

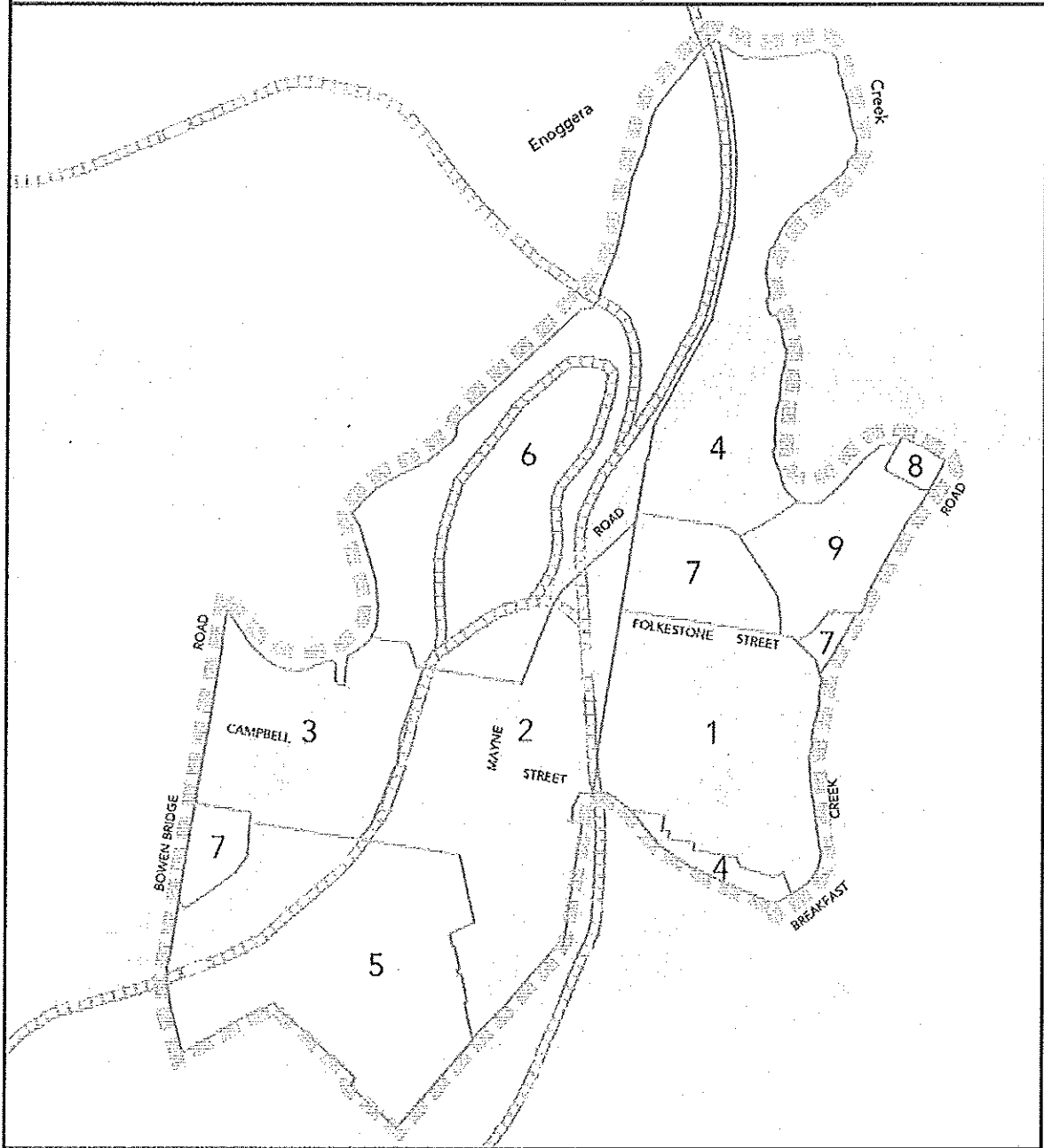
1. Replace current *Map A: Precincts*, with the attached new *Map A: Precincts*.
2. Replace current *Map B: Open Space and Circulation*, with the attached new *Map B: Open Space, Access and Circulation*.



Reason

1. It is necessary to delineate the new Ross Street Precinct in *Map A: Precincts*.
2. As part of the proposal to encourage a 'clean' industry cluster within the new Ross Street Precinct, open space provision along Breakfast Creek and Enoggera Creek, and pedestrian access and circulation within the Local Plan area, were reviewed. The proposed amendments to the open space and pedestrian access/circulation provisions ensure these are consistent with the intent of the new Ross Street precinct. The mapping amendments also reflect recent development outcomes (at Breakfast Creek Wharf) and pedestrian and bikeway infrastructure provision (specifically along the Inner City Bypass).

Additional requirements have been included into the general provisions of the Local Plan code, as outlined in amendment E4. The associated Map B has been updated to reflect the spatial outcomes of these additional requirements.

Map A: Precincts

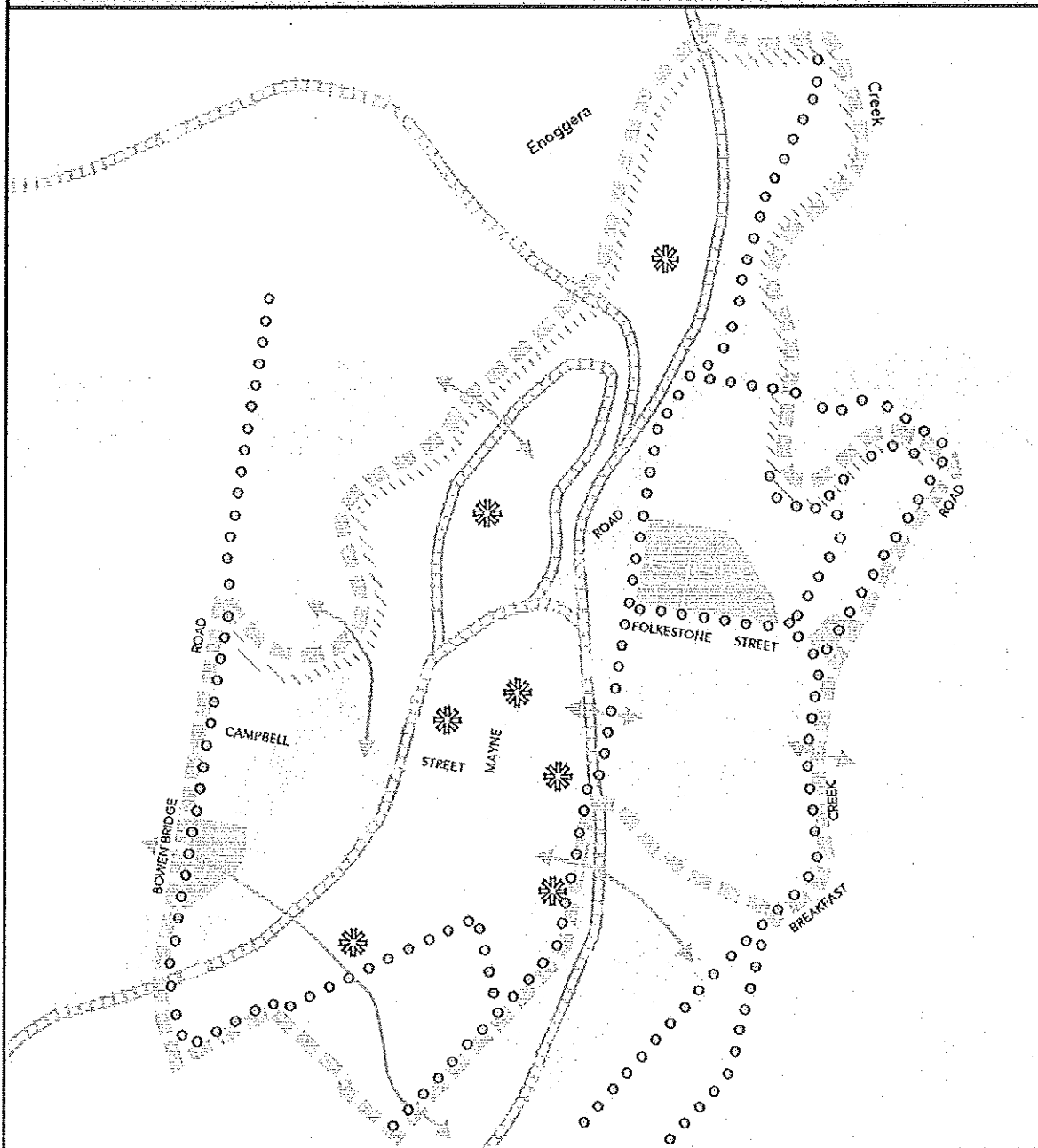



	Local Plan boundary	4	Light Industry	9	Ross Street
	Precinct boundary	5	RNA		
1	Residential Village	6	Mayne Rail Yards		
2	Mixed Use Transit	7	Open Space		
3	Office Park	8	Breakfast Creek Wharf		



BM055478

Map B: Open Space, Access and Circulation



 Local Plan boundary



Desirable pedestrian/cycle links



Open space/sport and recreation area



Preferred location of new open space



Open space corridor



Bike way/walk way



BM055478

Attachment F

**Proposed mid 2004 amendments to
Brisbane City Plan 2000:**

**Amendments to New Farm and Teneriffe Hill
Local Plan to improve the structure, remove
redundant provisions and to clarify design
guidelines for houses**

Summary: Attachment F

Proposed Amendments to Brisbane City Plan 2000: Amendments to New Farm and Teneriffe Hill Local Plan to improve the structure, remove redundant provisions and to clarify design guidelines for houses

Amendment No:	Chapter/ Page	Section	Summary of proposed amendments
F1	3/8 3/14 3/29 3/33 3/55 3/61	2.6 3.2.3 5.2.3 5.5.3 7.2.3 8.3	Corrections in the Plan recognising that the New Farm and Teneriffe Hill Local Plan is no longer a "stand alone" Plan, and that reference must be made to Chapter 3 and the Local Plan to determine the appropriate level of assessment
F2	4/113-114 4/130	3.2.1 3.5.1	Deletion of Special Areas that are no longer relevant or necessary
F3	4/114-123	4	Replacement of the existing "stand alone" Level of assessment tables with new "exception" based Level of assessment table
F4	4/125-129	5.2	Amendments to Local Plan Code with respect to size and location houses in the Low Density Living Precinct
F5	4/126	5.3	Amendments to Local Plan Code with respect to size and location houses in the Low –medium Density Living Precinct
F6	4/127	5.5	Amendments to Local Plan Code to clarify that development in the Mixed Use Centres Precinct must provide for active street frontages
F7	4/130	Map A	Amendments to map to delete Special Areas that are no longer relevant or necessary

Amendment Number

F1

Chapter

3

Page

8, 14, 29, 33, 55 and 61

Section

- 2.6 – Components of the Plan and their relationship to assessment processes
- 3.2.3 – Level of Assessment
- 5.2.3 – Level of assessment – Low Density Residential Area, Character Residential Area and Low-medium Density Residential Area
- 6.2.3 – Level of assessment
- 7.2.3 – Level of assessment
- 8.3 – Level of assessment

Proposed Amendment

1. In the 4th paragraph under the sub-heading 'Chapter 4 Local Plans' remove 'New Farm and Teneriffe Hill' from the list of Local Plans and reinsert in alphabetical order in the list under the 5th dot point. (pg: 8)
2. Under the 3rd dot point delete 'New Farm and Teneriffe Hill' from the list of Local Plans. (pg: 14)
3. Under the 4th dot point remove 'New Farm and Teneriffe Hill' from the list of Local Plans and reinsert in alphabetical order in the list under the 5th dot point. (pg: 29)
4. Under the 4th dot point remove 'New Farm and Teneriffe Hill' from the list of Local Plans and reinsert in alphabetical order in the list under the 5th dot point. (pg: 33)
5. Under the 3rd dot point remove 'New Farm and Teneriffe Hill' from the list of Local Plans and reinsert in alphabetical order in the list under the 4th dot point. (pg: 55)
6. Under the 3rd dot point delete 'New Farm and Teneriffe Hill' from the list of Local Plans. (pg: 61)

Reason

The New Farm and Teneriffe Hill Local Plan is a 'stand alone' format with respect to determining the level of assessment for a development. That is the level of assessment is determined solely within the Local Plan. This is inconsistent with the current style of drafting, whereby the Local Plan only indicates exceptions to the generic levels of assessment in Chapter 3.

It is proposed to convert the New Farm and Teneriffe Hill Local Plan in to an 'exception only' Plan, this will eliminate the inconsistency and reduce confusion for users of the Plan.

In the introduction to each level of assessment table in Chapter 3 it lists those Local Plans that are 'stand alone', these amendments will adjust those lists to reflect the proposed change to an exemption based Plan.

Amendment Number

F2

Chapter

4

Page

113 and 114

Section

3.2.1 – Special Areas (Low-medium Density Living Precinct)

3.5.1 – Special Areas (Parks Precinct)

Proposed Amendment

1. Delete Section 3.2.1 Special Areas (Low-medium Density Living Precinct) in its entirety.
2. Delete Section 3.5.1 Special Area (Parks Precinct) in its entirety.

Reason

This amendment deletes all remaining special areas within the local plan. Three of the deleted special areas were nominated specifically to provide additional guidance to the redevelopment of the sites, which were being used for non-residential purposes and/or had heritage value. These special areas have recently undergone redevelopment for the intended residential purpose, therefore the special area provisions are no longer considered necessary. The Heritage Code will continue apply to any subsequent / further redevelopment of these sites.

The balance special areas relate to land included within the Parkland Area of City Plan, and currently owned by Council. The Parkland Area provisions of City Plan and Council's ownership of the sites are considered sufficient to regulate future development of the sites. This approach has been adopted in other Local Plans within City Plan

Amendment Number

F3

Chapter

4

Page

114

Section

4 – Level of assessment

Proposed Amendment

Delete all text and level of assessment tables under Section 4 and replace with the following new text and level of assessment tables:

"The following table/s contain exceptions to the level of assessment, overriding the levels of assessment in Chapter 3.

A preliminary approval may change the level of assessment identified in these tables.

The trigger for assessment in the level of assessment table is material change of use and/or building work (associated with a use or structure specified in the level of assessment table) unless otherwise specified.

4.1 General – unless specified in a particular precinct for this Local Plan

A. Where located in the Character Residential Area or Low-medium Density Residential Area

Impact Assessment	Relevant Codes
Generally inappropriate	
1 Short Term Accommodation	

B. Where located in the Medium Density Residential Area

Impact Assessment	Relevant Codes
Generally inappropriate	
1 Short Term Accommodation	

C. Where located in a Multi-purpose Centre

Code Assessment	Applicable Codes
<p>1 Centre Activities (except Restaurant and any premises in MP4 that require a licence for the sale and consumption of liquor on-site, including Hotel and Nightclub) where:</p> <ul style="list-style-type: none"> • not involving building work • not complying with the Acceptable Solutions in the Centre Amenity and Performance Code • complying with the Acceptable Solution for tenancy size 	<p>For all development: New Farm and Teneriffe Hill Local Plan Code AND Centre Amenity and Performance Code</p>
<p>2 Centre Activities (except Restaurant and any premises in MP4 that require a licence for the sale and consumption of liquor on-site, including Hotel and Nightclub) where:</p> <ul style="list-style-type: none"> • involving building work • complying with the Acceptable Solutions for building height and gross floor area • complying with the Acceptable Solution for tenancy size 	<p>Centre Amenity and Performance Code and Centre Design Code</p>

Reason

The New Farm and Teneriffe Hill Local Plan is a 'stand alone' format with respect to determining the level of assessment for a development. That is the level of assessment is determined solely within the Local Plan. This is inconsistent with the current style of drafting, whereby the Local Plan only indicates exceptions to the generic levels of assessment in Chapter 3.

It is proposed to convert the New Farm and Teneriffe Hill Local Plan into an 'exception only' Plan, this will eliminate the inconsistency and improve understanding and ease of use.

The proposed level of assessment tables retain only those exceptions expressed in the previous Character Residential Area or Low-medium Density Residential Area, Medium Density Area and Multi-Purpose Centre. These variations reflect the specific development outcomes sought, as expressed by the respective Development Principles and Precinct Intents. All other listed uses have been deleted as the level of assessment tables in Chapter 3 address them.

Amendment Number

F4

Chapter

4

Page

125

Section

5.2 Low Density Living Precinct

Proposed Amendment

Under Section 5.2 delete Performance Criteria and Acceptable Solution P2/A2 and replace with the following new Performance Criteria and Acceptable Solutions:

Performance Criteria		Acceptable Solutions	
Building Footprint			
P2	Building size and bulk must be consistent with the existing high quality housing character of the locality	A2	The building footprint does not exceed 50% of the site area The building footprint is the proportion of the site (expressed as a percentage covered by buildings or structures measured to the outermost projection, excluding eaves and window hoods
Building Setback			
P3	Buildings are situated on-site to protect the amenity of residents, having regard to breezes, vegetation, sunlight, privacy, and building separation	A3	Minimum rear boundary setback is 6m

Reason

The existing provisions use a gross floor area (gfa) as a tool for controlling the size of houses. The use of gfa as a tool in controlling house size has been found unreliable and is not used elsewhere in the City Plan. Areas such as car parking and verandahs are not calculated as gfa, however they contribute significantly to the bulk of a dwelling.

Controlling house size through the application of setbacks and site coverage has been found to be more effective. It is proposed to replace the gfa restriction of the Low Density Residential Precinct with a site coverage and rear setback provision similar to that of the Residential Design – Small Lot Code. These provisions give greater certainty to the size and location of dwellings on allotments

Penalties for the unlawful removal of existing buildings have been deleted, as the relevant geographical areas are covered by Council's Demolition Control Precinct. There are alternative mechanisms under the Integrated Planning Act and the Demolition Control Precinct provisions to deal with the unlawful removal of buildings.

Amendment Number

F5

Chapter

4

Page

126

Section

5.3 Low-medium Density Living Precinct

Proposed Amendment

1. Under Section 5.3 in the 6th dot point of Acceptable Solution A1 replace the words 'low cost or special needs housing' with the words 'affordable housing'.
2. Under Section 5.3 immediately following the sub-heading 'Gross Floor Area' include the text '(excluding houses)'.
3. Under Section 5.3 immediately following Performance Criteria and Acceptable Solutions P2/A2 include the following additional Performance Criteria and Acceptable Solutions:

Performance Criteria		Acceptable Solutions	
Additional Requirements for Houses			
P3	Building size and bulk must be consistent with the existing high quality housing character of the locality	A3	The building footprint does not exceed 50% of the site area The building footprint is the proportion of the site (expressed as a percentage covered by buildings or structures measured to the outermost projection, excluding eaves and window hoods
P4	Buildings are situated on-site to protect the amenity of residents, having regard to breezes, vegetation, sunlight, privacy, and building separation	A4	Minimum rear boundary setback is 6m

Reason

1. This amendment merely updates the wording to the more commonly used terminology.

2. With the introduction of alternative provisions to regulate the size and location of houses, it is necessary to indicate that the existing gross floor provisions do not apply to houses.
3. The existing provisions use a gross floor area (gfa) as a tool for controlling the size of houses. The use of gfa as a tool in controlling house size has been found unreliable and is not used elsewhere in the City Plan. Areas such as car parking and verandahs are not calculated as gfa, however they contribute significantly to the bulk of a dwelling.

Controlling house size through the application of setbacks and site coverage has been found to be more effective. It is proposed to replace the gfa restriction of the Low-medium Density Residential Precinct with a site coverage and rear setback provision similar to that of the Residential Design – Small Lot Code. These provisions give greater certainty to the size and location of dwellings on allotments

Penalties for the unlawful removal of existing buildings have been deleted, as the relevant geographical areas are covered by Council's Demolition Control Precinct. There are alternative mechanisms under the Integrated Planning Act and the Demolition Control Precinct provisions to deal with the unlawful removal of buildings.

Amendment Number

F6

Chapter

4

Page

127

Section

5.5 Mixed Use Centres Precinct

Proposed Amendment

1. Delete existing Performance Criteria P3 and replace with the new Performance Criteria P3 and insert the new Acceptable Solution A3.3 as follows:

Performance Criteria		Acceptable Solutions	
Building design			
P3	The street frontage must not comprise blank walls and must provide active street frontages at pedestrian level	A3.3	Ground floor tenancies addressing street level must comprise of non-residential uses

Renumber the table accordingly.

2. Delete existing Performance Criteria P6 and replace with the following new Performance Criteria P6:

Building setbacks must be consistent with the setbacks prevailing in the mixed use precinct

Reason

The Local Plan Code has been amended to clarify the long-standing intent that redevelopment of sites within multi-purpose centres must provide for an active street frontage by addressing the street (ie minimal setbacks) and locating non-residential uses on the street frontage. The existing wording of the Local Plan Code did not clearly articulate this intent. This approach reflects that adopted within multi-purpose centres throughout the Urban Renewal Task Force Area.

Amendment Number

F7

Chapter

4

Page

130

Section

Map A: New Farm and Teneriffe Hill

Proposed Amendment

1. Amend *Map A: New Farm and Teneriffe Hill* to remove the area currently shown as Special Area 2 from the Low Medium Density Living Precinct and include within the Parks Precinct
2. Remove all Special Areas from the map and legend of *Map A: New Farm and Teneriffe Hill*.

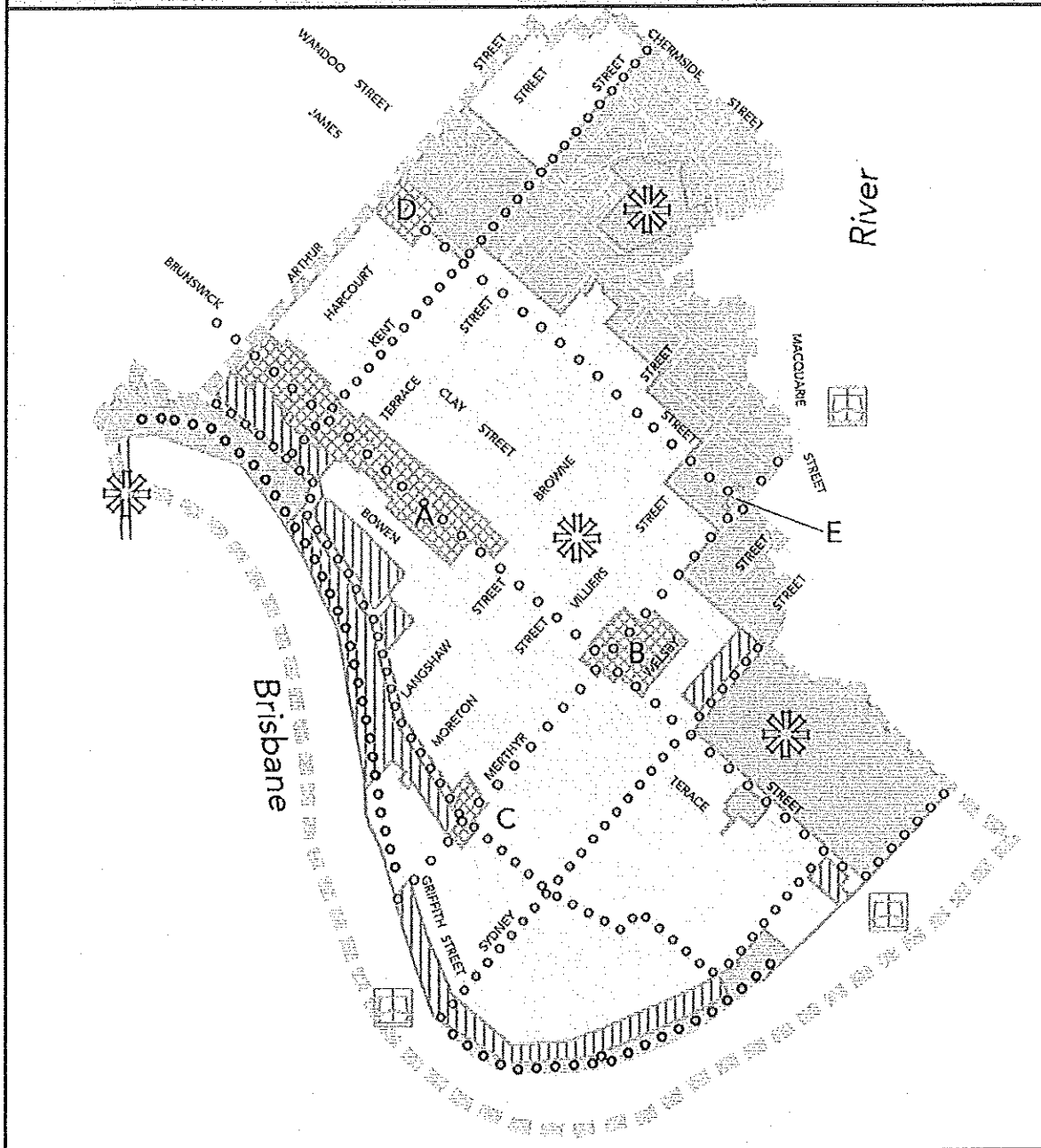
Reason














This amendment deletes all remaining special areas within the local plan. Three of the deleted special areas were nominated specifically to provide additional guidance to the redevelopment of the sites, which were being used for non-residential purposes and/or had heritage value. These special areas have recently undergone redevelopment and the special area provisions are no longer considered to be necessary. The standard heritage provisions will apply to any subsequent / further redevelopment of these deleted sites.

The balance special areas relate to land included within the Parkland Area of City Plan, and currently owned by Council. The Parkland Area provisions of City Plan and Council's ownership of the sites are considered sufficient to regulate future development of the sites. This approach has been adopted in other Local Plans within City Plan.

The proposed amendment to the Parks Precinct reflects the particular site's existing Parkland Area classification.

Map A: New Farm and Teneriffe Hill



	Local Plan boundary		Mixed Use Centres Precinct		Landmark
	Precinct boundary	A	Brunswick Street Area		Ferry link
	Sub-precinct boundary	B	Merthyr Road Area		
	Parks precinct	C	Carramar Area		
	Low Density Living Precinct	D	James Street Area		
	Low Medium Density Living Precinct	E	James/Merthyr Intersection		
	Medium Density Living Precinct		Pedestrian access		
			Preferred local traffic route		
			Bike way		



BM055478

Attachment G

**Proposed mid 2004 amendments to
Brisbane City Plan 2000:**

**Amendments to Newstead and Teneriffe
Waterfront Local Plan to improve the structure,
improve retention of light industrial activities
and to clarify precinct intents**

(with modifications)

Summary: Attachment G

Proposed Amendments to Brisbane City Plan 2000: Amendments to Newstead and Teneriffe Waterfront Local Plan to improve the structure, improve retention of light industrial activities and to clarify precinct intents

Amendment No:	Chapter/ Page	Section	Summary of proposed amendments
G1	3/8 3/14 3/33 3/39 3/55	2.6 3.2.3 5.5.3 6.2.3 7.2.3	Amendments to change the Newstead and Teneriffe Waterfront Local Plan from a "stand alone" Plan to one that provides exceptions to generic City Plan provisions
G2	4/133	3.3 3.4	Amendments to Commercial Road Precinct and Newstead Precinct intents to strengthen intended development outcomes
G3	4/134	4	Replacement of the existing "stand alone" level of assessment tables with new "exception" based level of assessment tables
G4	4/142	4.4	Amendment to the level of assessment table for the Commercial Road Precinct to remove redundant information
G5	4/145	5.1	Amendment to correct the use of terminology
G6	4/148	5.3	Insertion of new code requirements for development within the Commercial Road Precinct
G7	4/151-2	Map B Map C	Correct spelling errors, amend mapping to reflect proposed open space and access arrangements for Newstead Riverpark, and include a new map showing the Newstead Riverpark Structure Plan

Amendment Number

G1

Chapter

3

Page

8, 14, 33, 39 and 55

Section

- 2.6 – Components of the Plan and their relationship to assessment processes
- 3.2.3 – Level of assessment
- 5.5.3 – Level of assessment – Medium Density Residential Area and High Density Residential Area
- 6.2.3 – Level of assessment
- 7.2.3 – Level of assessment

Proposed Amendment

1. In the 2nd column in the 4th paragraph under the sub-heading 'Chapter 4 Local Plans' remove 'Newstead and Teneriffe Waterfront' from the list of Local Plans and reinsert in alphabetical order in the list under the 5th paragraph. (pg: 8)
2. Under the 3rd dot point remove 'Newstead and Teneriffe Waterfront' from the list of Local Plans and reinsert in alphabetical order in the list under the 4th dot point. (pg: 14)
3. Under the 4th dot point remove 'Newstead and Teneriffe Waterfront' from the list of Local Plans and reinsert in alphabetical order in the list under the 5th dot point. (pg: 33)
4. Under the 3rd dot point remove 'Newstead and Teneriffe Waterfront' from the list of Local Plans and reinsert in alphabetical order in the list under the 4th point. (pg: 39)
5. Under the 3rd dot point delete 'Newstead and Teneriffe Waterfront' from the list of Local Plans. (pg: 55)

Reason

The Newstead and Teneriffe Waterfront Local Plan is a 'stand alone' format with respect to determining the level of assessment for a development. That is the level of assessment is determined solely within the Local Plan. This is inconsistent with the current style of drafting, whereby the Local Plan only indicates exceptions to the generic levels of assessment in Chapter 3.

It is proposed to convert the Newstead and Teneriffe Waterfront Local Plan in to an 'exception only' Plan, this will eliminate the inconsistency and reduce confusion for users of the Plan.

In the introduction to each level of assessment table in Chapter 3 it lists those Local Plans that are 'stand alone', these amendments will adjust those lists to reflect the proposed change to an exemption based Plan.

Amendment Number

G2

Chapter

4

Page

133

Section

3.3 Commercial Road Precinct

3.4 Newstead Precinct

Proposed Amendment

1. After the last paragraph in Section 3.3 Commercial Road Precinct, insert the following new paragraph:

New buildings and renovations of existing buildings will need to maintain similar levels of existing business and industrial activity.

2. Replace the 3rd paragraph of Section 3.4 Newstead Precinct with the following new paragraph:

The western end of the parkland is intended to be developed primarily as a mixed-use destination with non-residential at ground floor and mixed use at upper levels, providing a gateway into the parkland area and Fortitude Valley. The gasometer, a focal point for this area, should provide community uses. Within the precinct there is an opportunity to provide a small suburban shopping centre including a supermarket. Towards the riverfront, residential uses dominate, with preferred activation of buildings at ground floor level along High Street and major pedestrian paths.

Details of preferred distribution of uses, circulation and open space is given in Map D – Newstead Riverpark Structure Plan.

To the north of the urban village, land is intended to provide light industrial, commercial and showroom activities within the existing Light Industrial Area classification and residential activities within the existing Medium Density Residential Area. Any residential activities adjoining the Light Industrial Area classification should not have adverse impacts on adjacent light industrial activities.

Reason

The existing precinct intents for the Newstead and Commercial Road Precincts require amendment to reflect Council's objective of maintaining existing levels of industrial and commercial activities within the Inner City.

The need for clarification has been identified by the recent Inner City Light Industrial Study (which found a potential shortfall of light industrial floor space within Bowen Hills / Newstead) and recent development trends and pressures within the suburb.

Additionally, within the Newstead Precinct, it is also necessary to further clarify the intent to protect existing commercial and industrial activities (currently included in the Light Industry Area Classification) from encroachment by residential activities; there being little intrusion of residential uses into this area to date.

The intent for the Newstead Precinct has also been amended to include reference to proposed *Map D: Newstead Riverpark Structure Plan*. The Structure Plan has been prepared to reflect recent development approvals issued over for the site as part of the overall Newstead Riverpark proposal. The proposed structure plan reflects the Master Plan that was prepared in consultation with the development proponents. The Master Plan was finalised in 2001 and formally approved through a preliminary approval granted by Council December 2002.

Amendment Number

G3

Chapter

4

Page

134

Section

4 – Level of assessment

Proposed Amendment

Delete all text under Section 4 and delete the Level of Assessment tables under Section 4.1 and replace with the following new text and Level of Assessment tables:

“The following table/s contain exceptions to the level of assessment, overriding the levels of assessment in Chapter 3.

A preliminary approval may change the level of assessment identified in these tables.

The trigger for assessment in the level of assessment table is material change of use and/or building work (associated with a use or structure specified in the level of assessment table) unless otherwise specified.

4.1 General – unless specified in a particular precinct for this Local Plan

A. Where located in the Medium Density Residential Area

Impact Assessment	Relevant Codes
Generally appropriate	
1 Multi-unit dwelling where located in an existing Woolstore Building and no increase in either building height or gross floor area is proposed.	Newstead and Teneriffe Waterfront Local Plan Code and Residential Design – Medium Density Code and Residential Design – Character Code
Generally inappropriate	
1 Short Term Accommodation	
2 Utility Installation	

B. Where located in the Light Industry Area

Self Assessment		Applicable Codes
1	Home Business where complying with the self assessment Acceptable Solutions in the Home Business Code	Home Business Code
Code Assessment		Applicable Codes
1	Display and Sales Activities where vehicle sales and service	Newstead and Teneriffe Waterfront Local Plan Code and Centre Activity and Performance Code and Centre Design Code
Impact Assessment		Relevant Codes
Generally inappropriate		
1	Car park	
2	Display and Sales Activities where not vehicle sales and service	
3	Indoor Sport and Recreation	
4	Utility Installation	

Reason

The Newstead and Teneriffe Waterfront Local Plan is a 'stand alone' format with respect to determining the level of assessment for a development. That is the level of assessment is determined solely within the Local Plan. This is inconsistent with the current style of drafting, whereby the Local Plan only indicates exceptions to the generic levels of assessment in Chapter 3.

It is proposed to convert the Newstead and Teneriffe Waterfront Local Plan into an 'exception only' Plan, this will eliminate the inconsistency and improve understanding and ease of use.

The proposed level of assessment tables retain only those exceptions expressed in the previous Medium Density Area and Light Industry Area tables. These variations reflect the specific development outcomes sought, as expressed by the respective Development Principles and Precinct Intents. All other listed uses have been deleted as the level of assessment tables in Chapter 3 address them.

The only variation to the exceptions is the introduction of 'Display and Sales Activities' into the Light Industry table. This use has been transferred from the level of assessment table for the Commercial Road Precinct. The entire Precinct is within the Light Industry Area classification. The relocation of the use is merely a drafting efficiency.

Amendment Number

G4

Chapter

4

Page

142

Section

4.4 Commercial Road Precinct (Level of Assessment table)

Proposed Amendment

Delete point 2 being '**Display and Sales Activities** where vehicle sales and service' under the Code Assessment column of the table. Renumber the table accordingly.

Reason

This amendments supports previous amendment G3 by deleting the reference to Display and Sales Activities as it has been transferred to the Light Industry level of assessment table in the previous section.

Amendment Number

G5

Chapter

4

Page

145

Section

5.1 – General (Performance Criteria and Acceptable Solutions)

Proposed Amendment

In the 6th dot point of Performance Criteria P2, replace words 'local government' with 'local employment'.

Reason

The current local plan incorrectly refers to 'local government' when outlining Council's requirements for commercial development. In the context of the precinct intents for the local plan, reference to 'local employment' in Performance Criteria P2 is the correct terminology.

Amendment Number

G6

Chapter

4

Page

149

Section

5.3 – Industrial Uses

Proposed Amendment

After Section 5.3 Industrial Uses insert the following new Performance Criteria and Acceptable Solutions table:

5.4 Commercial Road Precinct

Performance Criteria	Acceptable Solutions
<p>P1 Development will provide for the retention of business and industrial employment opportunities</p>	<p>A1 New buildings and refurbishment of existing buildings:</p> <ul style="list-style-type: none"> ▪ retain the equivalent gross floor area currently used for light industrial or business activity for such purposes, or ▪ where there is no existing light industrial or business activity, provide a minimum of 45% of allowable gross floor area for light industrial or business activities, <p>whichever is greater</p>

Reason

The Inner City Light Industrial Study found a potential future shortfall of light industrial land within the Newstead / Bowen Hills area.

The additional requirements for the Commercial Road Precinct express an intent to achieve a minimum level (45% allowable gross floor area) of light industrial or business activity as part of any mixed-use redevelopment within the Commercial Road Precinct.

The minimum level of 45% allowable gross floor area is based on the outcomes of the Inner City Light Industrial Study and current existing yields being achieved for light industrial uses within the Newstead area. Industrial development within the area currently achieves effective plot ratios in the order of 0.6 (with an acceptable built

form), which represents 45% of the overall increased 1.25 plot ratio proposed within the Commercial Road Precinct.

The amendment has been drafted to ensure either similar levels of light industrial gross floor area as currently existing are maintained (on individual sites), or at least 45% of the allowable gross floor area is provided as part of any redevelopment, whichever is greater. This gives Council a degree of certainty with respect to the amount of industrial floor space that will be achieved. It also discourages land owners from ceasing or limiting existing light industrial uses in order to minimise industrial floor space that would need to be retained as part of any future redevelopment for mixed-use.

Amendment Number

G7

Chapter

4

Page

151-152

Section

Map B: Building Heights

Map C: Open Space and Access

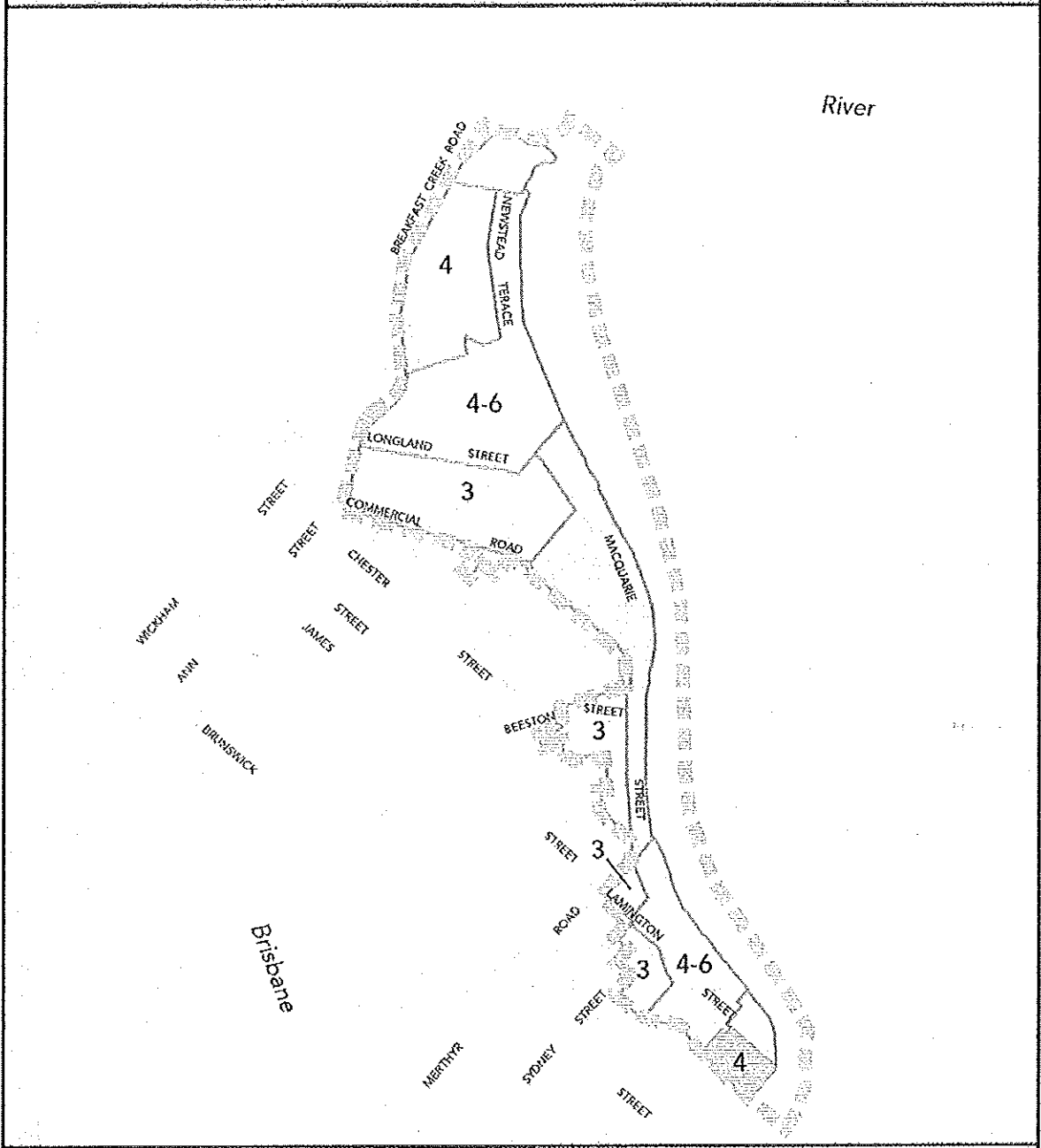
Proposed Amendment



1. Within the legend of *Map B: Building Heights* replace instances of 'stories' with 'storeys'.
2. Replace the existing *Map C: Open Space and Access* with amended *Map C: Open Space and Access*.
3. Insert new *Map D: Newstead Riverpark Structure Plan* after *Map C: Open Space and Access*.


Reason


1. Map B uses the incorrect spelling of 'storeys' when referring to building height.
2. Map C: Open Space and Access has been amended in the vicinity of Newstead Riverpark to make reference to new Map D, which outlines a structure plan over the Newstead Riverpark area. The structure plan depicted on Map D (including proposed road network and open space provision) was determined as part of negotiations over the entire site during consideration of the applications required to facilitate the development of Newstead Riverpark. These negotiations resulted in the adoption of a Master Plan that was formally approved by Council in December 2002. The proposed amendment is to ensure the agreed road network, open space, and intended land uses (as previously approved by Council) are incorporated into the relevant planning mechanisms, namely the Newstead and Teneriffe Waterfront Local Plan.

Map B: Building Heights



 Local Plan boundary
 Building height boundary

 Area where the same maximum building height is considered an acceptable solution

 Building height not exceeding the uppermost sill level of adjacent Woolstore buildings

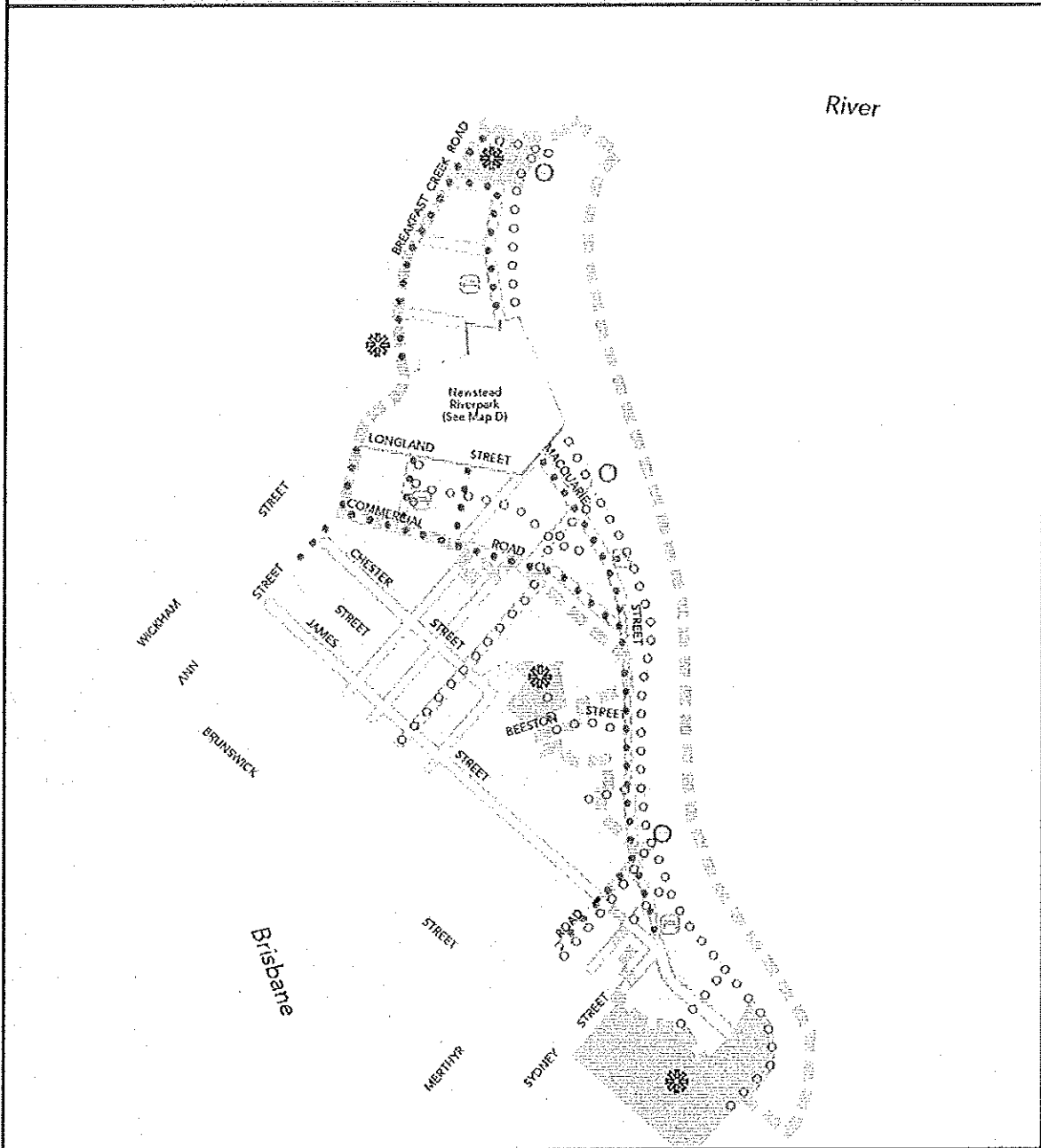
3 Maximum number of storeys above ground level









4-6 Maximum number of storeys above ground level varies from 4 - 6 storeys



BM055478

Map C: Open Space and Access



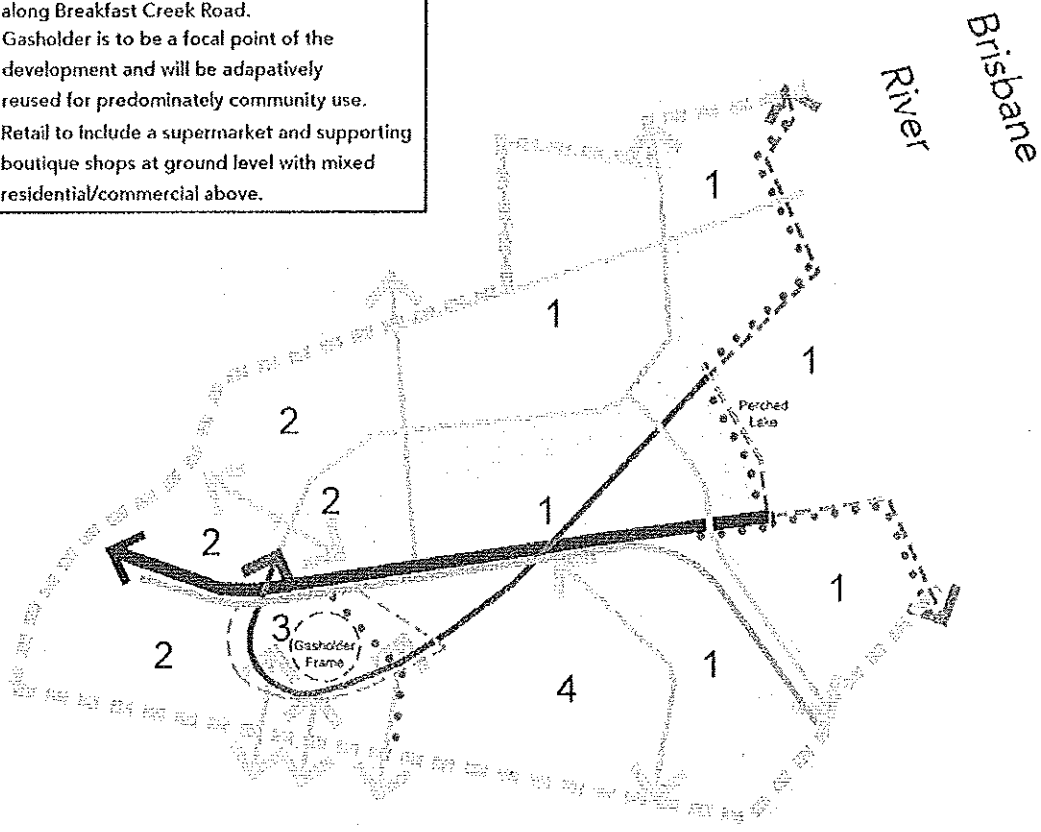
- | | | | |
|---|-----------------------|---|--|
|  | Local Plan boundary |  | Medium - long term requirement for local park or pocket park |
|  | Major open space area |  | Major landscape element forming important focal point |
|  | Streetscape upgrading |  | Main vehicular access route |
|  | Public landing |  | Major pedestrian and cycle link |



BM055478

Map D: Newstead Riverpark - Structure Plan

1. Ground floors within the Residential Precinct fronting High Street are to be mixed use to promote active frontages.
2. Commercial uses to predominate frontage along Breakfast Creek Road.
3. Gasholder is to be a focal point of the development and will be adaptatively reused for predominately community use.
4. Retail to include a supermarket and supporting boutique shops at ground level with mixed residential/commercial above.



	Local Plan boundary		Main pedestrian arc
	Open space		High street
	Precincts		River walk
1	Residential		Secondary pedestrian access
2	Mixed use		On road bicycle facilities
3	Gasholder plaza		Off road bicycle paths and shared footpaths
4	Retail		



BM055478

Attachment H

**Proposed mid 2004 amendments to
Brisbane City Plan 2000:**

**Amendments to ensure the level of
assessment for a small lot house in the
Emerging Community Area is consistent
with other Area classifications**

Amendment Number

H1

Chapter

3

Page

25 - 26

Section

4.3 Level of assessment (Emerging Community Area)

Proposed Amendment

1. Under the 'Self assessment' section of the table add the following text to the end of the 4th dot point:

(whether or not involving extensions or renovations exempt from assessment against the Residential Design – Small Lot Code)

2. Under the 'Self assessment' section of the table insert the following new dot point after the 4th dot point and renumber the rest of the table accordingly:

Self Assessment		Applicable Codes
5.	<p>House</p> <ul style="list-style-type: none">• Where on a lot less than 450m² or with an average width of less than 15m or on a rear lot less than 600m² (excluding access way); and• Where complying with the Acceptable Solutions in Part 1 of the Residential Design – Small Lot Code <p>(Unless the level of assessment has been changed by an adopted or approved Structure Plan)</p>	House Code and the Residential Design – Small Lot Code

3. Under the 'Generally inappropriate' section of the table insert the following new dot point after the 1st dot point and renumber the rest of the table accordingly:

Generally Inappropriate	
2.	<p>House</p> <ul style="list-style-type: none"> • Where on a lot less than 450m² or with an average width of less than 15m or on a rear lot less than 600m² (excluding access way); and • Where not complying with the Acceptable Solutions in Part 1 of the Residential Design – Small Lot Code <p>(Unless the level of assessment has been changed by an adopted or approved Structure Plan)</p>
	House Code and the Residential Design – Small Lot Code

Reason

Under the current level of assessment table for the Emerging Community Area, a house complying with the House Code is self assessable even if it is on a small lot, being a lot less than 450m² in area and/or with an average width less than 15m.

This is inconsistent with other Area classifications where the house design must comply with the requirements of both the House Code and the Residential Design – Small Lot Code to be self assessable. The provisions of the Small Lot Code manage the scale and bulk of new small lot houses to protect the amenity of the street and adjoining properties.

The amendment alters the level of assessment for a small lot house in the Emerging Community Area to be consistent with that of other Area classifications.