

DECISION OF THE BRISBANE CITY COUNCIL
ESTABLISHMENT AND CO-ORDINATION Committee's Recommendation of
17 OCTOBER 2005

460/2(169/P1)
 X.REF.....
 26 OCT 2005
 INFORMATION MANAGEMENT
 ATTACH No. AOS 170348

Presented to Council: 25 OCTOBER 2005, and ADOPTED

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

- 65. The Divisional Manager, City Policy and Strategy Division, provides the following background information in relation to this matter.
- 66. At its meeting held on 8 June 2004, Council resolved to propose to amend the Brisbane City Plan 2000 to include the Mid 2004 amendment package.
- 67. The Minister for Local Government and Planning approved the commencement of public notification of the amendments on 12 November 2004, and they were exhibited for 30 business days from 11 February 2004 to 29 March 2004.
- 68. On 17 May 2005, Council resolved to proceed with the Mid 2004 amendments with modifications, after considering submissions received during the public consultation process.
- 69. As required by the *Integrated Planning Act 1997*, the package was referred to the Minister for a second review of State interests. By letter dated 28 July 2005, as set out in Attachment B submitted, the Minister advised that Council may now adopt the proposed amendments.
- 70. This is the final resolution that, if adopted, will make the amendments (as modified) effective on 1 January 2006.
- 71. The package, as set out in Attachments C to H submitted, includes:
 - Amendments to reflect recent changes to State legislation and State Planning Policies. These include references to the revised *Child Care Act*; the new Acid Sulphate Soils State Planning Policy and 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. This amendment sets a maximum height in metres for buildings in 19 Local Plans and the Centre Design Code.
 - Amendments to Bowen Hills Local Plan to include a new precinct, improve retention of light industrial activities and to clarify open space provisions.
 - Amendments to New Farm and Teneriffe Hill Local Plan to improve the structure, remove redundant provisions and to clarify design guidelines for houses.
 - Amendments to Newstead and Teneriffe Waterfront Local Plan to improve the structure, improve retention of light industrial activities and to clarify related precinct intents.
 - Amendments to ensure the level of assessment for a small lot house in the Emerging Community Area is consistent with other Area classifications. The amendments alter the level of assessment for a small lot house in the Emerging Community Area to self assessable where complying with the acceptable solutions of the Residential Design - Small Lot Code.

Exhibit Number: 916
 QFCI
 Date: 7/11/11
 JM

72. Council must now decide whether to adopt the proposed amendments. Under the *Integrated Planning Act 1997*, further amendment is not possible without recommencing the statutory process.
73. The Divisional Manager therefore submits the following draft resolutions, with which the Committee concurs.
74. **RECOMMENDATION:**

**AMENDMENTS REQUIRED AS A RESULT OF 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), which is required as a result of amendments to the *Queensland Heritage Act, Child Care Act* and the introduction of a new State Planning Policy (proposed amendments);
 - (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) Pursuant to Section 11 of Schedule 1 of IPA, by letter dated 12 November 2004, the Minister advised that Council may publicly notify the proposed amendments;
 - (d) Pursuant to Section 12 of Schedule 1 of IPA, the proposed amendments were publicly exhibited from 11 February 2005, by a notice in *The Courier-Mail*, with the final date for receipt of submissions being 29 March 2005, and two properly made submissions were received;
 - (e) At its meeting held on 17 May 2005, Council considered the properly made submissions and, pursuant to Section 16 of Schedule 1 of IPA, resolved to proceed with such proposed amendments with modifications;
 - (f) Pursuant to Section 18(2) of Schedule 1 of IPA, a copy of such modified amendments was given to the Minister for reconsideration of State interests; and
 - (g) By letter dated 28 July 2005, copy submitted at Attachment B, the Minister advised Council that it may adopt such proposed modified amendments;
- Pursuant to Section 19 of Schedule 1 of IPA, COUNCIL ADOPTS SUCH PROPOSED
AMENDMENTS WITH MODIFICATIONS, as set out at Attachment C submitted,
TO BECOME EFFECTIVE ON 1 JANUARY 2006.**
- (ii) Council directs that all actions be taken pursuant to Sections 20 and 21 of Schedule 1 of IPA to complete the planning scheme amendment process.

**TO SET MAXIMUM BUILDING HEIGHTS FOR DEVELOPMENT IN MULTI-PURPOSE
AND SPECIAL USE CENTRES AND PARTICULAR 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 particular Local Plans, and clarify related definitions (proposed amendments);
 - (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) Pursuant to Section 11 of Schedule 1 of IPA, by letter dated 12 November 2004, the Minister advised that Council may publicly notify the proposed amendments;
 - (d) Pursuant to Section 12 of Schedule 1 of IPA, the proposed amendments were publicly exhibited from 11 February 2005, by a notice in *The Courier-Mail*, with the final date for receipt of submissions being 29 March 2005, and two properly made submissions were received;
 - (e) At its meeting held on 17 May 2005, Council considered the properly made submissions and, pursuant to Section 16 of Schedule 1 of IPA, resolved to proceed with such proposed amendments with modifications;
 - (f) Pursuant to Section 18(2) of Schedule 1 of IPA, a copy of such modified amendments was given to the Minister for reconsideration of State interests; and
 - (g) By letter dated 28 July 2005, copy submitted at Attachment B, the Minister advised Council that it may adopt such proposed modified amendments;

Pursuant to Section 19 of Schedule 1 of IPA, **COUNCIL ADOPTS SUCH PROPOSED AMENDMENTS WITH MODIFICATIONS**, as set out at Attachment D submitted, **TO BECOME EFFECTIVE ON 1 JANUARY 2006.**

- (ii) Council directs that all actions be taken pursuant to Sections 20 and 21 of Schedule 1 of IPA to complete the planning scheme amendment process.

**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) Pursuant to Section 11 of Schedule 1 of IPA, by letter dated 12 November 2004, the Minister advised that Council may publicly notify the proposed amendments;
- (d) Pursuant to Section 12 of Schedule 1 of IPA, the proposed amendments were publicly exhibited from 11 February 2005, by a notice in *The Courier-Mail*, with the final date for receipt of submissions being 29 March 2005, and two properly made submissions were received;
- (e) At its meeting held on 17 May 2005, Council considered the properly made submissions and, pursuant to Section 16 of Schedule 1 of IPA, resolved to proceed with such proposed amendments with modifications;
- (f) Pursuant to Section 18(2) of Schedule 1 of IPA, a copy of such modified amendments was given to the Minister for reconsideration of State interests; and
- (g) By letter dated 28 July 2005, copy submitted at Attachment B, the Minister advised Council that it may adopt such proposed modified amendments;

Pursuant to Section 19 of Schedule 1 of IPA, **COUNCIL ADOPTS SUCH PROPOSED AMENDMENTS WITH MODIFICATIONS**, as set out at Attachment E submitted, **TO BECOME EFFECTIVE ON 1 JANUARY 2006.**

- (ii) Council directs that all actions be taken pursuant to Sections 20 and 21 of Schedule 1 of IPA to complete the planning scheme amendment process.

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 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, 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) Pursuant to Section 11 of Schedule 1 of IPA, by letter dated 12 November 2004, the Minister advised that Council may publicly notify the proposed amendments;
 - (d) Pursuant to Section 12 of Schedule 1 of IPA, the proposed amendments were publicly exhibited from 11 February 2005, by a notice in *The Courier-Mail*, with the final date for receipt of submissions being 29 March 2005, and two properly made submissions were received;

- (e) At its meeting held on 17 May 2005, Council considered the properly made submissions and, pursuant to Section 16 of Schedule 1 of IPA, resolved to proceed with such proposed amendments with modifications;
- (f) Pursuant to Section 18(2) of Schedule 1 of IPA, a copy of such modified amendments was given to the Minister for reconsideration of State interests; and
- (g) By letter dated 28 July 2005, copy submitted at Attachment B, the Minister advised Council that it may adopt such proposed modified amendments;

Pursuant to Section 19 of Schedule 1 of IPA, **COUNCIL ADOPTS SUCH PROPOSED AMENDMENTS WITH MODIFICATIONS**, as set out at Attachment F submitted; **TO BECOME EFFECTIVE ON 1 JANUARY 2006.**

- (ii) Council directs that all actions be taken pursuant to Sections 20 and 21 of Schedule 1 of IPA to complete the planning scheme amendment process.

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) Pursuant to Section 11 of Schedule 1 of IPA, by letter dated 12 November 2004, the Minister advised that Council may publicly notify the proposed amendments;
 - (d) Pursuant to Section 12 of Schedule 1 of IPA, the proposed amendments were publicly exhibited from 11 February 2005, by a notice in *The Courier-Mail*, with the final date for receipt of submissions being 29 March 2005, and two properly made submissions were received;
 - (e) At its meeting held on 17 May 2005, Council considered the properly made submissions and, pursuant to Section 16 of Schedule 1 of IPA, resolved to proceed with such proposed amendments with modifications;
 - (f) Pursuant to Section 18(2) of Schedule 1 of IPA, a copy of such modified amendments was given to the Minister for reconsideration of State interests; and
 - (g) By letter dated 28 July 2005, copy submitted at Attachment B, the Minister advised Council that it may adopt such proposed modified amendments;

Pursuant to Section 19 of Schedule 1 of IPA, **COUNCIL ADOPTS SUCH PROPOSED AMENDMENTS WITH MODIFICATIONS**, as set out at Attachment G submitted, **TO BECOME EFFECTIVE ON 1 JANUARY 2006.**

- (ii) Council directs that all actions be taken pursuant to Sections 20 and 21 of Schedule 1 of IPA to complete the planning scheme amendment process.

**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), 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) Pursuant to Section 11 of Schedule 1 of IPA, by letter dated 12 November 2004, the Minister advised that Council may publicly notify the proposed amendments;
 - (d) Pursuant to Section 12 of Schedule 1 of IPA, the proposed amendments were publicly exhibited from 11 February 2005, by a notice in *The Courier-Mail*, with the final date for receipt of submissions being 29 March 2005, and two properly made submissions were received;
 - (e) At its meeting held on 17 May 2005, Council considered the properly made submissions and, pursuant to Section 16 of Schedule 1 of IPA, resolved to proceed with such proposed amendments with modifications;
 - (f) Pursuant to Section 18(2) of Schedule 1 of IPA, a copy of such modified amendments was given to the Minister for reconsideration of State interests; and
 - (g) By letter dated 28 July 2005, copy submitted at Attachment B, the Minister advised Council that it may adopt such proposed modified amendments;

Pursuant to Section 19 of Schedule 1 of IPA, **COUNCIL ADOPTS SUCH PROPOSED AMENDMENTS WITH MODIFICATIONS**, as set out at Attachment H submitted, **TO BECOME EFFECTIVE ON 1 JANUARY 2006.**

- (ii) Council directs that all actions be taken pursuant to Sections 20 and 21 of Schedule 1 of IPA to complete the planning scheme amendment process.

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

E C17/10-1

**SUBMISSION TO THE ESTABLISHMENT AND CO-ORDINATION
COMMITTEE**

2.0 TITLE

Mid 2004 Package of amendments to the Brisbane City Plan 2000

3.0 ISSUE/PURPOSE

To adopt the proposed Mid 2004 Amendments to the Brisbane City Plan 2000.

4.0 PROPONENT

Terry Hogan, Divisional Manager, City Policy and Strategy Division

5.0 SUBMISSION PREPARED BY

Beth Melvin, Program Officer, City Planning, ext 34707

6.0 DATE

10 October 2005

7.0 FOR E&C APPROVAL OR RECOMMENDATION TO COUNCIL

For recommendation to Council

8.0 IF FOR RECOMMENDATION TO COUNCIL, IS A COUNCIL
RESOLUTION REQUIRED UNDER AN ACT OR LOCAL LAW?

Yes. Council resolutions are required pursuant to Schedule 1 of the *Integrated
Planning Act 1997*.

9.0 RECOMMENDATION

That Council adopts the draft resolutions at A1 to A6 Attached.

10.0 DIVISIONAL MANAGER

[Redacted Signature]

Tracey Simson
A/DIVISIONAL MANAGER
CITY POLICY AND STRATEGY DIVISION

I Recommend Accordingly

[Redacted Signature]

CHIEF EXECUTIVE OFFICER

APPROVED

[Redacted Signature]

11.0 BACKGROUND

On 8 June 2004, Council resolved to propose to amend the Brisbane City Plan 2000 to include the Mid 2004 amendment package.

The Minister for Local Government and Planning approved the commencement of public notification of the amendments on 12 November 2004, and they were exhibited for 30 business days from 11 February 2004 to 29 March 2004.

On 17 May 2005 Council resolved to proceed with the Mid 2004 amendments with modifications after considering submissions received during the public consultation process.

As required by the *Integrated Planning Act 1997* the package was referred to the Minister for a second review of State interests. By letter dated 28 July 2005 as set out in Attachment B, the Minister advised that Council may now adopt the proposed amendments.

This is the final resolution that, if adopted, will make the amendments (as modified) effective on 1 January 2006.

The package, as set out in Attachments C - H, includes:

- Amendments to reflect recent changes to State legislation and State Planning Policies. These include references to the revised Child Care Act; the new Acid Sulphate Soils State Planning Policy and 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. This amendment sets a maximum height in metres for buildings in 19 Local Plans and the Centre Design Code.
- Amendments to Bowen Hills Local Plan to include a new precinct, improve retention of light industrial activities and to clarify open space provisions.
- Amendments to New Farm and Teneriffe Hill Local Plan to improve the structure, remove redundant provisions and to clarify design guidelines for houses.
- Amendments to Newstead and Teneriffe Waterfront Local Plan to improve the structure, improve retention of light industrial activities and to clarify related precinct intents.
- Amendments to ensure the level of assessment for a small lot house in the Emerging Community Area is consistent with other Area classifications. The amendments alter the level of assessment for a small lot house in the

Emerging Community Area to self assessable where complying with the acceptable solutions of the Residential Design - Small Lot Code.

Council must now decide whether to adopt the proposed amendments. Under the *Integrated Planning Act 1997*, further amendment is not possible without recommencing the statutory process.

12.0 CONSULTATION

Cr David Hinchliffe, Chairperson, Urban Planning and Economic Development Committee (6/10/05)

Cr Carol Cashman, Lord Mayor spokesman for Urban Planning
Amanda Cooper Policy Adviser, Lord Mayor's office (4/10/05)

Geoff Woodberry of Brisbane City Legal Practice has reviewed the draft resolutions.

13.0 IMPLICATIONS OF PROPOSAL

The proposed amendments have been well received by the community.

14.0 COMMERCIAL IN CONFIDENCE

Nil

15.0 CORPORATE PLAN IMPACT

The proposed amendments support the Corporate Plan's Programs.

16.0 CUSTOMER IMPACT

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

17.0 ENVIRONMENTAL IMPACT

The amendments do not change the environmental objectives of the City Plan.

18.0 POLICY IMPACT

The draft amendments are consistent with Council policy.

19.0 FINANCIAL IMPACT

Funding is available in the 2005/2006 budget to cover the cost of further statutory advertising.

20.0 HUMAN RESOURCE IMPACT

Nil

21.0 URGENCY

Approval by Council prior to the end of year recess will enable the amendments to be included within the January 2006 City Plan Update package.

22.0 PUBLICITY/MARKETING

The only publicity necessary is a public notice in compliance with the statutory advertising requirements of the *Integrated Planning Act 1997*.

23.0 OPTIONS

Option 1: That Council resolve to adopt the proposed mid 2004 amendments to City Plan at resolutions at "A1" to "A6" to become effective 1 January 2006.

Option 2: That Council does not proceed with the Mid 2004 package of amendments.

Option 1 is recommended.

"A1"

Draft Resolution to adopt amendments to Brisbane City Plan 2000 pursuant to Schedule 1 of the Integrated Planning Act 1997 which are required as a result of amendments to the Queensland Heritage Act, Child Care Act and the introduction of a new State Planning Policy

[RECOMMENDATION:] That Council resolve that
[RESOLUTION:] That

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1 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), which is required as a result of amendments to the Queensland Heritage Act, Child Care Act and the introduction of a new State Planning Policy (proposed amendments);
- (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) Pursuant to Section 11 of Schedule 1 of IPA, by letter dated 12 November 2004, the Minister advised that Council may publicly notify the proposed amendments;
- (d) Pursuant to Section 12 of Schedule 1 of IPA the proposed amendments were publicly exhibited from 11 February by a notice in the Courier Mail with the final date for receipt of submissions being the 29th March and two properly made submissions were received;
- (e) At its meeting of 17 May 2005 Council considered the properly made submissions and, pursuant to Section 16 of Schedule 1 of IPA, resolved to proceed with such proposed amendments with modifications;
- (f) Pursuant to Section 18(2) of Schedule 1 of IPA, a copy of such modified amendments was given to the Minister for reconsideration of State interests;
- (g) By letter dated 28 July 2005, copy at Attachment B, the Minister advised Council that it may adopt such proposed modified amendments;

Pursuant to Section 19 of Schedule 1 of IPA, Council adopts such proposed amendments with modifications, as set out at Attachment C, to become effective on 1 January 2006.

2 Council directs that all actions be taken pursuant to Sections 20 and 21 of Schedule 1 of IPA to complete the planning scheme amendment process.

"A2"

Draft Resolution to adopt amendments to Brisbane City Plan 2000 pursuant to Schedule 1 of the Integrated Planning Act 1997 to set maximum building heights for development in Multi-purpose and Special Use Centres and particular Local Plans and clarify related definitions

RECOMMENDATION: That Council resolve that]
RESOLUTION: That]

2. 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) as at Attachment B, to set maximum building heights for development in Multi-purpose and Special Use Centres and particular Local Plans and clarify related definitions (proposed amendments);
- (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) Pursuant to Section 11 of Schedule 1 of IPA, by letter dated 12 November 2004, the Minister advised that Council may publicly notify the proposed amendments;
- (d) Pursuant to Section 12 of Schedule 1 of IPA the proposed amendments were publicly exhibited from 11 February by a notice in the Courier Mail with the final date for receipt of submissions being the 29th March and two properly made submissions were received;
- (e) At its meeting of 17 May 2005 Council considered the properly made submissions and, pursuant to Section 16 of Schedule 1 of IPA, resolved to proceed with such proposed amendments with modifications;
- (f) Pursuant to Section 18(2) of Schedule 1 of IPA, a copy of such modified amendments was given to the Minister for reconsideration of State interests;
- (h) By letter dated 28 July 2005, copy at Attachment B, the Minister advised Council that it may adopt such proposed modified amendments;

Pursuant to Section 19 of Schedule 1 of IPA, Council adopts such proposed amendments with modifications, as set out at Attachment D, to become effective on 1 January 2006.

2. Council directs that all actions be taken pursuant to Sections 20 and 21 of Schedule 1 of IPA to complete the planning scheme amendment process.

"A3"

Draft Resolution to adopt amendments to Brisbane City Plan 2000 pursuant to Schedule 1 of the Integrated Planning Act 1997 to include a new precinct, require light industrial activities to be retained and to clarify open space provisions in the Bowen Hills Local Plan

[RECOMMENDATION: That Council resolve that
[RESOLUTION: That

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3 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) as at Attachment B, 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) Pursuant to Section 11 of Schedule 1 of IPA, by letter dated 12 November 2004, the Minister advised that Council may publicly notify the proposed amendments;
- (d) Pursuant to Section 12 of Schedule 1 of IPA the proposed amendments were publicly exhibited from 11 February by a notice in the Courier Mail with the final date for receipt of submissions being the 29th March and two properly made submissions were received;
- (e) At its meeting of 17 May 2005 Council considered the properly made submissions and, pursuant to Section 16 of Schedule 1 of IPA, resolved to proceed with such proposed amendments with modifications;
- (f) Pursuant to Section 18(2) of Schedule 1 of IPA, a copy of such modified amendments was given to the Minister for reconsideration of State interests;
- (i) By letter dated 28 July 2005, copy at Attachment B, the Minister advised Council that it may adopt such proposed modified amendments;

Pursuant to Section 19 of Schedule 1 of IPA, Council adopts such proposed amendments with modifications, as set out at Attachment E, to become effective on 1 January 2006.

- 2 Council directs that all actions be taken pursuant to Sections 20 and 21 of Schedule 1 of IPA to complete the planning scheme amendment process.

"A4"

Draft Resolution to adopt amendments to Brisbane City Plan 2000 pursuant to Schedule 1 of the Integrated Planning Act 1997 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

[RECOMMENDATION: That Council resolve that
[RESOLUTION: That

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4 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), as at Attachment B, 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) Pursuant to Section 11 of Schedule 1 of IPA, by letter dated 12 November 2004, the Minister advised that Council may publicly notify the proposed amendments;
- (d) Pursuant to Section 12 of Schedule 1 of IPA the proposed amendments were publicly exhibited from 11 February by a notice in the Courier Mail with the final date for receipt of submissions being the 29th March and two properly made submissions were received;
- (e) At its meeting of 17 May 2005 Council considered the properly made submissions and, pursuant to Section 16 of Schedule 1 of IPA, resolved to proceed with such proposed amendments with modifications;
- (f) Pursuant to Section 18(2) of Schedule 1 of IPA, a copy of such modified amendments was given to the Minister for reconsideration of State interests;
- (j) By letter dated 28 July 2005, copy at Attachment B, the Minister advised Council that it may adopt such proposed modified amendments;

Pursuant to Section 19 of Schedule 1 of IPA, Council adopts such proposed amendments with modifications, as set out at Attachment F, to become effective on 1 January 2006.

- 2 Council directs that all actions be taken pursuant to Sections 20 and 21 of Schedule 1 of IPA to complete the planning scheme amendment process.

"A5"

Draft Resolution to adopt amendments to Brisbane City Plan 2000 pursuant to Schedule 1 of the Integrated Planning Act 1997 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

[RECOMMENDATION: That Council resolve that
[RESOLUTION: That

1
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5 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) as at Attachment B, 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) Pursuant to Section 11 of Schedule 1 of IPA, by letter dated 12 November 2004, the Minister advised that Council may publicly notify the proposed amendments;
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- (e) At its meeting of 17 May 2005 Council considered the properly made submissions and, pursuant to Section 16 of Schedule 1 of IPA, resolved to proceed with such proposed amendments with modifications;
- (f) Pursuant to Section 18(2) of Schedule 1 of IPA, a copy of such modified amendments was given to the Minister for reconsideration of State interests;
- (k) By letter dated 28 July 2005, copy at Attachment B, the Minister advised Council that it may adopt such proposed modified amendments;

Pursuant to Section 19 of Schedule 1 of IPA, Council adopts such proposed amendments with modifications, as set out at Attachment G, to become effective on 1 January 2006.

- 2 Council directs that all actions be taken pursuant to Sections 20 and 21 of Schedule 1 of IPA to complete the planning scheme amendment process.

"A6"

Draft Resolution to adopt amendments to Brisbane City Plan 2000 pursuant to Schedule 1 of the Integrated Planning Act 1997 to ensure the level of assessment for a small lot house in the Emerging Community Area is consistent with other Area Classifications

[RECOMMENDATION: That Council resolve that]
[RESOLUTION: That]

6 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) as at Attachment B, 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) Pursuant to Section 11 of Schedule 1 of IPA, by letter dated 12 November 2004, the Minister advised that Council may publicly notify the proposed amendments;
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- (f) Pursuant to Section 18(2) of Schedule 1 of IPA, a copy of such modified amendments was given to the Minister for reconsideration of State interests;
- (l) By letter dated 28 July 2005, copy at Attachment B, the Minister advised Council that it may adopt such proposed modified amendments;

Pursuant to Section 19 of Schedule 1 of IPA, Council adopts such proposed amendments with modifications, as set out at Attachment H, to become effective on 1 January 2006.

2 Council directs that all actions be taken pursuant to Sections 20 and 21 of Schedule 1 of IPA to complete the planning scheme amendment process.



Hon Desley Boyle MP
Member for Cairns



Queensland
Government

MC05.937-TPA23110
P/05/01049

28 JUL 2005

Ms Jude Munro
Chief Executive Officer
Brisbane City Council
PO Box 1434
BRISBANE QLD 4001

Minister for Environment

Minister for Local Government
and Planning

Minister for Women

Attention: Robert Imrie

Dear Ms Munro

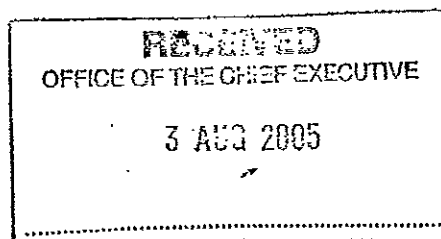
I refer to Brisbane City Council's letter of 20 May 2005 forwarding the Mid 2004 Amendment Package, which includes proposed amendments to the Brisbane City Plan 2000 for reconsideration of State interests, in accordance with section 18(2) of Schedule 1 of the *Integrated Planning Act 1997* (IPA).

Following my reconsideration of State interests in respect of the proposed amendments included in the Mid 2004 Amendment Package I advise, in accordance with section 18(4)(a) of Schedule 1 of the IPA, Council may adopt the Mid 2004 Amendment Package, as forwarded to the Department of Local Government, Planning, Sport and Recreation on 20 May 2005.

Council is to be commended for the work undertaken in addressing State interests in the local government context and for the opportunity to provide State input into the proposed amendments.

Yours sincerely

Desley Boyle MP
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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	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.
	5/60	4	
	5/76	4	
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	Amendment to update the list of matters to be taken into account when preparing an acid sulfate soils management plan
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 : <ol style="list-style-type: none"> 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 South Brisbane 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

Amend ment 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	10 Storeys and 35m
	Residential only	10 Storeys and 35m
	Mixed residential/non residential ⁽¹⁾	10 Storeys and 35m
Suburban Centre (MP3)	Non-residential only	2 Storeys and 8.5m
	Residential only	3 Storeys and 10.5m
	Mixed residential/non residential ⁽¹⁾	3 Storeys and 10.5m
Convenience Centre(MP4)	Non-residential only	1 Storeys and 5m
	Residential only	2 Storeys and 8.5m
	Mixed residential/non residential ⁽¹⁾	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	⁽²⁾	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 Intents

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="708 297 1295 387">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="708 432 1295 555">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="708 600 1295 779">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.

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.

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
P1. Development will provide for the retention of business and industrial employment opportunities	A1. New buildings and refurbishment of existing buildings: <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, whichever is greater

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 Tenerife Waterfront Local Plan.

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

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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
<p>5. 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>	<p>House Code and the Residential Design – Small Lot Code</p>

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.