Table 5.9.28.A—Fortitude Valley neighbourhood plan: material change of use

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| Use | Categories of development and assessment | Assessment benchmarks |
| If in the neighbourhood plan area |
| MCU, if assessable development where not listed in this table | No change | Fortitude Valley neighbourhood plan code |
| If in the City Centre zone precinct of the Principal centre zone or the Inner city zone precinct of the Mixed use zone |
| Bar | Accepted development, subject to compliance with identified requirements |
| If involving an existing premises, where:1. on a site indicated as SEA core in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. gross floor area is no greater than 100m2 for any licensed part of the premises;
3. not located in the same building as, or within 5m from, a residential use;
4. complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Not applicable |
| If involving an existing premises, where:1. on a site indicated as SEA buffer in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Not applicable |
| Assessable development—Code assessment |
| If involving an existing premises, where:1. on a site indicated as SEA core in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. gross floor area is no greater than 100m2 for any licensed part of the premises;
3. not located in the same building as, or within 5m from a residential use;
4. not complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Centre or mixed use code—purpose, overall outcomes and section A outcomes only |
| If involving an existing premises, where:1. on a site indicated as SEA buffer in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. not complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Centre or mixed use code—purpose, overall outcomes and section A outcomes only |
| If involving an existing premises on a site indicated as SEA core in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code, where:1. gross floor area is greater than 100m2 for any licensed part of the premises; or
2. located in the same building as, or within 5m from, a residential use
 | Fortitude Valley neighbourhood plan codeCentre or mixed use code—purpose, overall outcomes and section A outcomes only |
| Club | Assessable development—Code assessment |
| If involving an existing premises, where on a site indicated as SEA core or SEA buffer in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code | Fortitude Valley neighbourhood plan codeCentre or mixed use codePrescribed secondary code |
| Food and drink outlet | Accepted development, subject to compliance with identified requirements |
| If involving an existing premises, where:1. on a site indicated as SEA core in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. gross floor area is no greater than 100m2 for any licensed part of the premises;
3. not located in the same building as, or within 5m from, a residential use;
4. complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Not applicable |
| If involving an existing premises, where:1. on a site indicated as SEA buffer in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Not applicable |
| Assessable development—Code assessment |
| If involving an existing premises, where:1. on a site indicated as SEA core in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. gross floor area is no greater than 100m2 for any licensed part of the premises;
3. not located in the same building as, or within 5m from, a residential use;
4. not complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Centre or mixed use code—purpose, overall outcomes and section A outcomes only |
| If involving an existing premises, where:1. on a site indicated as SEA buffer in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. not complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Centre or mixed use code—purpose, overall outcomes and section A outcomes only |
| If involving an existing premises on a site indicated as SEA core in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code, where:1. gross floor area is greater than 100m2 for any licensed part of the premises; or
2. located in the same building as, or within 5m from, a residential use
 | Fortitude Valley neighbourhood plan codeCentre or mixed use code—purpose, overall outcomes and section A outcomes only |
| Hotel | Accepted development, subject to compliance with identified requirements |
| If involving an existing premises, where:1. on a site indicated as SEA core in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. gross floor area is no greater than 100m2 for any licensed part of the premises;
3. not located in the same building as, or within 5m from, a residential use;
4. complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Not applicable |
| If involving an existing premises, where:1. on a site indicated as SEA buffer in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Not applicable |
| Assessable development—Code assessment |
| If involving an existing premises, where:1. on a site indicated as SEA core in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. gross floor area is no greater than 100m2 for any licensed part of the premises;
3. not located in the same building as, or within 5m from a residential use;
4. not complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Centre or mixed use code—purpose, overall outcomes and section A outcomes only |
| If involving an existing premises, where:1. on a site indicated as SEA buffer in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. not complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Centre or mixed use code—purpose, overall outcomes and section A outcomes only |
| If involving an existing premises on a site indicated as SEA core in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code, where:1. gross floor area is greater than 100m2 for any licensed part of the premises; or
2. located in the same building as, or within 5m from, a residential use
 | Fortitude Valley neighbourhood plan codeCentre or mixed use code—purpose, overall outcomes and section A outcomes only |
| Indoor sport and recreation | Assessable development—Code assessment |
| If involving an existing premises, where on a site indicated as SEA core or buffer in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code | Fortitude Valley neighbourhood plan codeCentre or mixed use code—section A acceptable outcomes only |
| Nightclub entertainment facility | Accepted development, subject to compliance with identified requirements |
| If involving an existing premises, where:1. on a site indicated as SEA buffer in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. gross floor area is no greater than 100m2 for any licensed part of the premises;
3. not located in the same building as, or within 5m from, a residential use;
4. complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Not applicable |
| If involving an existing premises, where:1. on a site indicated as SEA buffer in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Not applicable |
| Assessable development—Code assessment |
| If involving an existing premises, where:1. on a site indicated as SEA core in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. gross floor area is no greater than 100m2 for any licensed part of the premises;
3. not located in the same building as, or within 5m from, a residential use;
4. not complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Centre or mixed use code—purpose, overall outcomes and section A outcomes only |
| If involving an existing premises, where:1. on a site indicated as SEA buffer in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code;
2. not complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Centre or mixed use code—purpose, overall outcomes and section A outcomes only |
| If involving an existing premises on a site indicated as SEA core in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code, where:1. gross floor area is greater than 100m2 for any licensed part of the premises; or
2. located in the same building as, or within 5m from, a residential use
 | Fortitude Valley neighbourhood plan codeCentre or mixed use code—purpose, overall outcomes and section A outcomes only |
| Short-term accommodation | Assessable development—Code assessment |
| If involving an existing premises, where on a site indicated as SEA core or buffer in the special entertainment area on Figure a of the Fortitude Valley Neighbourhood plan code | Fortitude Valley neighbourhood plan codeCentre or mixed use code—purpose, overall outcomes and section A outcomes only |
| If in the Gotha Street precinct (NPP-001), the Light Street hill precinct (NPP-004), the James Street precinct (NPP-005), or the Water Street precinct (NPP-006), where in the City Centre zone precinct of the Principal centre zone or in the Inner city zone precinct of the Mixed use zone |
| Centre activities (activity group) | Accepted development, subject to compliance with identified requirements |
| If involving an existing premises, where:1. not a bar, club, food and drink outlet, hotel, indoor sport and recreation, nightclub entertainment facility or short-term accommodation;
2. gross floor area is no greater than 1,500m2 for any individual tenancy where shop or shop component of a shopping centre;
3. complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Not applicable |
| Assessable development—Code assessment |
| If involving an existing premises, where:1. not a bar, club, food and drink outlet, hotel, indoor sport and recreation, nightclub entertainment facility or short-term accommodation;
2. gross floor area is no greater than 1,500m2 for any individual tenancy where shop or shop component of a shopping centre;
3. not complying with all acceptable outcomes in section A of the Centre or mixed use code
 | Centre or mixed use code—purpose, overall outcomes and section A outcomes only |
| If involving a new premises or an existing premises with an increase in gross floor area, where:1. not a bar, club, food and drink outlet, hotel, indoor sport and recreation, nightclub entertainment facility or short-term accommodation;
2. gross floor area is no greater than 1,500m2 for any individual tenancy where shop or shop component of a shopping centre
 | Fortitude Valley neighbourhood plan codeCentre or mixed use codePrescribed secondary code |
| If in the Light Street hill precinct (NPP-004), or the James Street precinct (NPP-005), where in the up to 3 storeys zone precinct of the Low-medium density residential zone or in the Character residential zone |
| Community use | Assessable development—Code assessment |
| If involving a new premises or an existing premises with an increase in gross floor area | Fortitude Valley neighbourhood plan codeCommunity facilities codePrescribed secondary code |
| Office | Assessable development—Code assessment |
| If involving an existing premises, where gross floor area is no greater than 500m2 | Fortitude Valley neighbourhood plan codeCentre or mixed use codePrescribed secondary code |

Note—A licensed part of the premises is that part of any premises licensed for the sale or consumption of liquor under the *Liquor Act 2002*. Other uses such as shop can occupy other parts of the premises and can exceed 100m2.

Table 5.9.28.B—Fortitude Valley neighbourhood plan: reconfiguring a lot

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| --- | --- | --- |
| Development | Categories of development and assessment | Assessment benchmarks |
| ROL, if assessable development | No change | Fortitude Valley neighbourhood plan code |

Table 5.9.28.C—Fortitude Valley neighbourhood plan: building work

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| --- | --- | --- |
| Development | Categories of development and assessment | Assessment benchmarks |
| Building work, if assessable development | No change | Fortitude Valley neighbourhood plan code |

Table 5.9.28.D—Fortitude Valley neighbourhood plan: operational work

|  |  |  |
| --- | --- | --- |
| Development | Categories of development and assessment | Assessment benchmarks |
| Operational work, if assessable development | No change | Fortitude Valley neighbourhood plan code |