Part 1 About the planning scheme

1.1 Introduction

1. The City Plan (the planning scheme) has been prepared in accordance with the *Sustainable Planning Act 2009* (the SP Act) as a framework for managing development in a way that advances the purpose of the SP Act.
2. The planning scheme was amended for alignment with the *Planning Act 2016* (the Act) pursuant to the Minister's rules under section 293 of the Act on 30 May 2017.
3. In seeking to achieve this purpose, the planning scheme sets out the Brisbane City Council’s intention for the future development in the planning scheme area, over the next 20 years.
4. The planning scheme seeks to advance state and regional policies, through more detailed local responses, taking into account the local context.
5. While the planning scheme has been prepared with a 20 year horizon, it will be reviewed periodically in accordance with the Act to ensure that it responds appropriately to the changes of the community at a local, regional and state level.
6. The planning scheme applies to the planning scheme area of the Brisbane City Council including all premises, roads, internal waterways and tidal areas and interrelates with the surrounding local government areas illustrated in Map 1.

Editor’s note—The planning scheme has been amended to align with the regulated requirements as provided in the Act. In accordance with section 16(3) of the Act, the regulated requirements apply instead of the planning scheme, to the extent of any inconsistency.

Editor’s note—State legislation may state that the planning scheme does not apply to certain areas, e.g. Brisbane core port land where there is a land use plan only to the extent of any inconsistency. In accordance with the provisions of section 26 of the *Sustainable Ports Development Act 2015* a port overlay for a master planned area prevails over the planning scheme, to the extent of any inconsistency. The extent of the strategic port area that is not subject to the planning scheme is identified on the State Planning Policy Interactive Mapping System.

Map 1—Local government planning scheme area and context



1.2 Planning scheme components

1. The planning scheme comprises the following components:
2. about the planning scheme;
3. state planning provisions;
4. the strategic framework;
5. local government infrastructure plan;
6. tables of assessment;
7. the zones and precincts in Table 1.2.1;
8. the neighbourhood plans and neighbourhood plan precincts and sub-precincts in Table 1.2.2:
9. the mapping overlays and overlay codes in Table 1.2.3;
10. the relevant prescribed codes as specified in the schedules of the *Planning Regulation 2017* (*the Regulation*) and use and other development codes in Table 1.2.4;
11. land in the planning scheme area which is affected by the following other plans;
12. Bowen Hills UDA Development Scheme;
13. Fitzgibbon UDA Development Scheme;
14. Northshore Hamilton UDA Development Scheme;
15. Woolloongabba UDA Development Scheme;
16. Queen's Wharf Brisbane PDA Development Scheme;
17. Herston Quarter PDA Development Scheme;
18. Oxley PDA Interim Land Use Plan;
19. Yeronga PDA Interim Land Use Plan;
20. South Bank Corporation Area Approved Development Plan;
21. the schedules and appendices in Table 1.2.5;
22. the planning scheme policies that support the planning scheme in Table 1.2.6.

Table 1.2.1—Zones and precincts

|  |  |
| --- | --- |
| Zones | Precinct |
| Residential zones category | |
| Low density residential | Nil |
| Low–medium density residential | 2 storey mix zone precinct  2 or 3 storey mix zone precinct  Up to 3 storeys zone precinct |
| Medium density residential | Nil |
| High density residential | Up to 8 storeys zone precinct  Up to 15 storeys zone precinct |
| Character residential | Character zone precinct  Infill housing zone precinct |
| Tourist accommodation | Nil |
| Centre zones category | |
| Principal centre | City Centre zone precinct  Regional centre zone precinct |
| Major centre | Nil |
| District centre | District zone precinct  Corridor zone precinct |
| Neighbourhood centre | Nil |
| Recreation zones category | |
| Sport and recreation | Local zone precinct  District zone precinct  Metropolitan zone precinct |
| Open space | Local zone precinct  District zone precinct  Metropolitan zone precinct |
| Environmental zones category | |
| Environmental management | Nil |
| Conservation | Local zone precinct  District zone precinct  Metropolitan zone precinct |
| Industry zones category | |
| Low impact industry | Nil |
| Industry | General industry A zone precinct  General industry B zone precinct  General industry C zone precinct |
| Special industry | Nil |
| Industry investigation | Nil |
| Other zones category | |
| Community facilities | Cemetery zone precinct  Community purposes zone precinct  Education purposes zone precinct  Emergency services zone precinct  Health care purposes zone precinct  Major health care zone precinct  Major sports venue zone precinct |
| Emerging community | Nil |
| Extractive industry | Nil |
| Mixed use | Centre frame zone precinct  Corridor zone precinct  Inner city zone precinct |
| Rural | Nil |
| Rural residential | Nil |
| Special purpose | Airport zone precinct  Defence zone precinct  Detention facility zone precinct  Port zone precinct  Transport infrastructure zone precinct  Utility services zone precinct |
| Specialised centre | Brisbane Markets zone precinct  Entertainment and conference centre zone precinct  Large format retail zone precinct  Major education and research facility zone precinct  Marina zone precinct  Mixed industry and business zone precinct |
| Township | Nil |

Table 1.2.2—Neighbourhood plans precincts and sub-precincts

|  |  |
| --- | --- |
| Neighbourhood plan | Precincts and sub-precincts |
| Acacia Ridge—Archerfield neighbourhood plan | NPP-001: Archerfield Airport  NPP-002: Archerfield north (Granard Road) and Archerfield east (Desgrand Street)  NPP-003: Jackson Road  NPP-004: Elizabeth Street residential  NPP-005: Hellawell Road residential  NPP-006: Coopers Plains residential  NPP-007: Beaudesert Road centre  NPP-007a: Beaudesert Road centre south - Elizabeth Street  NPP-007b: Beaudesert Road centre north - O'Connel Street  NPP-008: Postle Street  NPP-008a: Mixed light industry and centre activities  NPP-008b: District centre  NPP-008c: Residential uses  NPP-009: Coopers Plains centre/office and industry  NPP-010: Queensland Government strategic sites (QGSS)  NPP-010a: Intermodal freight terminal  NPP-010b: Postle Street logistics  NPP-010c: Technical and trades training  NPP-011: Gateway industry/business |
| Albion neighbourhood plan | NPP-001: Station  NPP-002: Albion village  NPP-003: Corunna Street  NPP-004: North  NPP-005: Raceway |
| Algester—Parkinson—Stretton neighbourhood plan | Nil |
| Ashgrove—Grange district neighbourhood plan | NPP-001: Newmarket shopping centre  NPP-002: Ashgrove village  NPP-003: The Grange Terminus  NPP-004: Wilston village  NPP-005: The Brickworks  NPP-006: Council works depot |
| Aspley district neighbourhood plan | NPP-001: Aspley centre  NPP-002: Aspley centre residential  NPP-003: Caravan park  NPP-004: Western residential  NPP-005: Reservoir  NPP-006: Robinson Road centre |
| Australia TradeCoast neighbourhood plan | NPP-001: Pinkenba  NPP-002: Airport  NPP-003: Old airport  NPP-004: Fisherman Islands |
| Banyo—Nudgee neighbourhood plan | NPP-001: Nudgee north  NPP-001a: Nudgee north a  NPP-002: Elliott Road north  NPP-002a: Elliott Road north a  NPP-002b: Elliott Road north b  NPP-002c: Elliott Road north c  NPP-003: Blinzinger Road  NPP-004: Banyo centre  NPP-004a: Banyo centre a  NPP-005: Banyo centre residential  NPP-006: Tufnell Road south  NPP-006a: Tufnell Road south a  NPP-007: St Vincents Road south |
| Bowen Hills neighbourhood plan | NPP-001: Mayne rail yards |
| Bracken Ridge and district neighbourhood plan | NPP-001: Carseldine residential  NPP-002: Bridgeman Downs residential  NPP-003: Taigum residential  NPP-004: West Aspley residential  NPP-005: Relocatable home parks  NPP-006: Bracken Ridge east  NPP-007: Bald Hills village centre  NPP-008: Zillmere industrial  NPP-009: Gawain Road centre  NPP-010: Bald Hills/Bridgeman Downs  NPP-011: Bridgeman Downs  NPP-012: North Bald Hills  NPP-013: Bracken Ridge Road  NPP-014: North Bracken Ridge  NPP-015: Zillmere centre |
| Bulimba neighbourhood plan | NPP-001: Bulimba north  NPP-002: Oxford Street  NPP-002a: Oxford Street B1  NPP-002b: Oxford Street B2  NPP-002c: Oxford Street B3  NPP-003: Hawthorne centre  NPP-004: Bulimba Barracks  NPP-004a: Riverfront recreation  NPP-004b: Community heart  NPP-004c: Residential interface  NPP-004d: Residential core  NPP-004e: Royal Australian Navy  NPP-005: Godwin Street |
| Calamvale district neighbourhood plan | Nil |
| Capalaba West neighbourhood plan | Nil |
| Carina—Carindale neighbourhood plan | Nil |
| Carindale centre neighbourhood plan | NPP-001: Centre core  NPP-002: Centre fringe  NPP-003: Centre residential |
| Centenary suburbs neighbourhood plan | NPP-001: Mt Ommaney mixed use centre  NPP-002: Mt Ommaney Hotel site  NPP-003: Housing diversity  NPP-004: Centenary sport and recreation  NPP-004a: Centenary sport and  recreation (private)  NPP-004b: Centenary sport and  recreation (public)  NPP-004c: Centenary sport and  recreation (private)  NPP-005: Monier Road  NPP-006: Seventeen Mile Rocks industrial  NPP-007: Jennifer Street  NPP-008: Horizon Drive bushland  NPP-009: Old turf farm  NPP-010: Sinnamon Farm heritage |
| Chermside centre neighbourhood plan | NPP-001: Chermside centre activity  NPP-001a: Core  NPP-001b: Gympie Road  NPP-001c: Mixed use  NPP-001d: Playfield Street  NPP-002: Residential north  NPP-002a: High density residential  NPP-002b: Wheller Gardens  NPP-003: Residential south  NPP-004: Community use and sports  NPP-005: Hospital |
| City Centre neighbourhood plan | NPP-001: Retail  NPP-002: Quay Street  NPP-002a: Quay Street north  NPP-002b: Quay Street south  NPP-003: Queen's Wharf  NPP-004: River  NPP-005: Howard Smith Wharves |
| City west neighbourhood plan | NPP-001: Victoria Barracks renewal  NPP-002: Caxton Street  NPP-003: Normanby renewal |
| Clayfield—Wooloowin district neighbourhood plan | Nil |
| Darra—Oxley neighbourhood plan | NPP-001: Darra centre  NPP-001a: Darra suburban centre  NPP-001b: Darra residential  NPP-001c: Darra mixed light industry and business  NPP-001d: Darra industrial  NPP-002: Oxley centre  NPP-002a: Oxley suburban centre  NPP-002b: Oxley residential  NPP-003: Brickworks  NPP-004: Portal Street  NPP-005: Ipswich Motorway  NPP-005a: Ipswich Motorway mixed light industry and business  NPP-005b: Douglas Street light industry  NPP-005c: Douglas Street residential |
| Doolandella neighbourhood plan | Nil |
| Dutton Park—Fairfield neighbourhood plan | NPP-001: Mater Hill  NPP-001a: Health  NPP-001b: Stanley Street and Annerley Road  NPP-001c: Annerley Road  NPP-001d: Education  NPP-002: Boggo Road Urban Village  NPP-002a: Boggo Road Urban Village north  NPP-002b: Boggo Road Urban Village south  Indicative precinct – Subject to further detailed planning and community consultation |
| East Brisbane—Coorparoo district neighbourhood plan | Nil |
| Eastern corridor neighbourhood plan | NPP-001: Buranda  NPP-001a: Buranda core  NPP-001b: Buranda corridor  NPP-001c: Buranda residential  NPP-002: Buranda Station  NPP-002a: Buranda Station core  NPP-002b: Buranda Station corridor  NPP-003: Stones Corner  NPP-003a: Stones Corner core  NPP-003b: Stones Corner corridor  NPP-003c: Stones Corner residential  NPP-004: Langlands Park  NPP-004a: Langlands Park corridor  NPP-004b: Langlands Park residential  NPP-005: Coorparoo  NPP-005a: Coorparoo core  NPP-005b: Coorparoo corridor  NPP-005c: Coorparoo residential  NPP-006: Bennetts Road  NPP-006a: Bennetts Road corridor  NPP-006b: Bennetts Road residential  NPP-007: Annerley  NPP-007a: Annerley corridor  NPP-007b: Annerley residential |
| Enoggera district neighbourhood plan | NPP-001: Alderley shopping centre |
| Everton Park neighbourhood plan | NPP-001: Everton Park centre  NPP-001a: Everton Park centre  NPP-002: Central residential  NPP-002a: Central residential a  NPP-002b: Central residential b  NPP-003: Fallon Park |
| Ferny Grove—Upper Kedron neighbourhood plan | NPP-001: Cedar Creek south  NPP-001a: Centre  NPP-001b: Diverse housing  NPP-001c: Urban edge |
| Fig Tree Pocket neighbourhood plan | Nil |
| Forest Lake neighbourhood plan | NPP-001: Residential  NPP-002: District business centre  NPP-003: Blunder Creek environmental and open space  NPP-004: Parkland lots |
| Fortitude Valley neighbourhood plan | NPP-001: Gotha Street  NPP-002: Valley heart  NPP-002a: Special context area  NPP-003: Valley gateway  NPP-004: Light Street hill  NPP-005: James Street  NPP-006: Water Street |
| Hemmant—Lytton neighbourhood plan | NPP-001: Hemmant and Tingalpa Road |
| Holland Park—Tarragindi district neighbourhood plan | NPP-001: Parkland  NPP-002: Greenslopes Busway Station  NPP-002a: Energex depot  NPP-002b: Stephens Mountain  NPP-002c: Nicholson Street  NPP-002d: Greenslopes Hospital  NPP-003: Greenslopes Mall district centre  NPP-004: Greenslopes central neighbourhood centre  NPP-005: Holland Park central district centre  NPP-006: Kuring-gai Avenue neighbourhood centre  NPP-007: Reservoir parkland  NPP-008: Hillside character |
| Indooroopilly centre neighbourhood plan | NPP-001: Multi-purpose centre  NPP-001a: High Street  NPP-001b: Moggill Road north  NPP-001c: Indooroopilly shopping centre mixed use  NPP-002: Witton Barracks  NPP-003: Special context area  NPP-003a: Jackson Street special context area  NPP-003b: Moggill Road west special  context area |
| Ithaca district neighbourhood plan | NPP-001: Butterfield Street  NPP-001a: Butterfield Street a  NPP-001b: Butterfield Street b  NPP-002: Ballymore  NPP-003: Bishop Street  NPP-004: Guthrie Street  NPP-005: Brewery  NPP-006: Enoggera Terrace  NPP-007: Rosalie village  NPP-008: Hillside character |
| Kangaroo Point peninsula neighbourhood plan | NPP-001: Residential  NPP-002: Community convenience centre  NPP-003: Park  NPP-004: Dockside  NPP-004a: Dockside A  NPP-004b: Dockside A1  NPP-004c: Dockside B1  NPP-004d: Dockside B2  NPP-004e: Dockside B3  NPP-004f: Dockside C1  NPP-004g: Dockside C2  NPP-004h: Dockside D1  NPP-004i: Dockside D2  NPP-004j: Dockside E1  NPP-004k: Dockside E2  NPP-004l: Dockside F  NPP-004m: Dockside G  NPP-004n: Dockside H  NPP-004o: Dockside I |
| Kangaroo Point south neighbourhood plan | NPP-001: Main Street  NPP-001a: Neighbourhood heart  NPP-002: Character residential  NPP-003: Raymond Park south  NPP-004: River Terrace  NPP-005: Shaftston Avenue  NPP-006: Vulture Street  NPP-007: Wellington and Lytton roads  NPP-007a: Manilla Street |
| Kelvin Grove urban village neighbourhood plan | NPP-001: Village centre  NPM-001a: Village centre 1  NPM-001b: Village centre 2  NPP-002: Mixed use  NPM-002a: Mixed use 1  NPM-002b: Mixed use 2  NPM-002c: Mixed use 3  NPM-002d: Mixed use 4  NPM-002e: Mixed use 5  NPM-002f: Mixed use 6  NPM-002g: Mixed use 7  NPM-002h: Mixed use 8  NPM-002i: Mixed use 9  NPP-003: Health and recreation  NPM-003a: Health and recreation 1  NPP-004: Residential  NPM-004a: Residential 1  NPM-004b: Residential 2  NPM-004c: Residential 3  NPM-004d: Residential 4  NPM-004e: Residential 5  NPM-004f: Residential 6  NPM-004g: Residential 7 |
| Kuraby neighbourhood plan | Nil |
| Lake Manchester neighbourhood plan | NPP-001: Urban development land  NPP-002: Non-urban land  NPP-003: Natural environment land  NPP-004: Not committed land  NPP-005: Parkland rural  NPP-005a: Parkland rural a |
| Latrobe and Given Terraces neighbourhood plan | NPP-001: Centres  NPP-002: Residential  NPP-003: Mixed use |
| Lower Oxley Creek north neighbourhood plan | NPP-001: Willawong renewable energy  NPP-002: Limited development |
| Lower Oxley Creek south neighbourhood plan | NPP-001: Paradise Road |
| Lutwyche Road corridor neighbourhood plan | NPP-001: Lutwyche centre  NPP-001a: Lutwyche centre mixed use corridor  NPP-001b: Lutwyche centre residential corridor  NPP-002: Windsor east  NPP-002a: Windsor east mixed use corridor  NPP-002b: Windsor east residential corridor  NPP-003: Stafford depot  NPP-004: Albion and Wooloowin railway stations  NPP-005: Sisters of Mercy  NPP-006: Industrial |
| McDowall—Bridgeman Downs neighbourhood plan | Nil |
| Milton neighbourhood plan | NPP-001: Residential  NPP-002: Douglas Street  NPP-003: Office  NPP-003a: Office a  NPP-003b: Office b  NPP-003c: Office c |
| Milton Station neighbourhood plan | NPP-001: Mixed use centre  NPP-002: Mixed use residential  NPP-003: Core residential  NPP-004: Commercial  NPP-004a: Cribb Street |
| Mitchelton centre neighbourhood plan | NPP-001: Brookside  NPP-001a: Brookside A  NPP-001b: Brookside B  NPP-001c: Brookside C  NPP-001d: Brookside D  NPP-001e: Brookside E  NPP-002: Fringe residential  NPP-003: McConaghy Street south  NPP-004: University Road  NPP-004a: University Road east  NPP-004b: University Road west  NPP-005: Blackwood Street  NPP-005a: Blackwood Street west  NPP-005b: Blackwood Street east  NPP-006: Osborne Road south  NPP-006a: Osborne Road south A  NPP-006b: Osborne Road south B  NPP-006c: Osborne Road south C  NPP-007: Prospect Road  NPP-008: Northmore Street |
| Mitchelton neighbourhood plan | Nil |
| Moggill—Bellbowrie district neighbourhood plan | NPP-001: Environmental protection  NPP-002: Established residential  NPP-003: Low density residential  NPP-003a: Church and Witty roads  NPP-003b: Priors Pocket Road  NPP-004: Multi-purpose centres  NPP-005: University of Queensland Pinjarra Hills |
| Moorooka—Stephens district neighbourhood plan | NPP-001: Clifton Hill War Service Homes Estate  NPP-002: Moorvale shopping centre |
| Moreton Island settlements neighbourhood plan | NPP-001: Bulwer  NPP-002: Cowan Cowan  NPP-003: Tangalooma  NPP-004: Kooringal |
| Mt Coot-tha neighbourhood plan | NPP-001: Bushland living  NPP-002: Natural area and recreation  NPP-003: Metropolitan tourist and visitor destination  NPP-004: Telecommunications facility  NPP-005: Institutional uses |
| Mt Gravatt corridor neighbourhood plan | NPP-001: Upper Mt Gravatt  NPP-001a: Upper Mt Gravatt core  NPP-001b: Upper Mt Gravatt mixed use frame  NPP-001c: Upper Mt Gravatt high density residential  NPP-001d: Upper Mt Gravatt medium density residential  NPP-001e: Upper Mt Gravatt aged care  NPP-001f: Everett Street north medium density residential  NPP-002: Mt Gravatt central  NPP-002a: Mt Gravatt central core  NPP-002b: Mt Gravatt central mixed use frame  NPP-002c: Mt Gravatt central medium density residential  NPP-003: Logan Road  NPP-003a: Logan Road mixed use frame  NPP-003b: Logan Road medium to high density residential  NPP-003c: Logan Road low to medium density residential  NPP-004: Kessels Road  NPP-004a: Kessels Road corridor  NPP-004b: Kessels Road medium density residential |
| New Farm and Teneriffe Hill neighbourhood plan | NPP-001: Low density living  NPP-002: Low–medium density living  NPP-003: Medium density living  NPP-004: Mixed use centre  NPP-004a: Brunswick Street  NPP-004b: Brunswick Street and Merthyr Road  NPP-004c: Merthyr Road and Moray Street  NPP-004d: James and Arthur streets  NPP-004e: Merthyr Road and James Street  NPP-005: Parks |
| Newstead and Teneriffe waterfront neighbourhood plan | NPP-001: Waterfront  NPP-002: Commercial Road  NPP-002a: Heritage  NPP-002b: Riverside  NPP-003: Riverpark  NPP-004: Major parks |
| Newstead north neighbourhood plan | NPP-001: Mixed use transition  NPP-002: Breakfast Creek  NPP-003: Montpelier mixed use  NPP-004: Evelyn Street industrial |
| Nudgee Beach neighbourhood plan | Nil |
| Nundah district neighbourhood plan | NPP-001: St John’s Church  NPP-002: Nellie Street  NPP-003: Tufnell Lodge  NPP-004: Ex Tip Top bakery  NPP-005: Ryans Road industrial |
| Pinkenba—Eagle Farm neighbourhood plan | NPP-001: Eagle Farm  NPP-002: Pinkenba village  NPP-003: Pinkenba north  NPP-004: Bulwer Island  NPP-005: Gateway  NPP-006: Myrtletown |
| Racecourse precinct neighbourhood plan | NPP-001: Racecourse Road  NPP-002: Racecourses  NPP-002a: Eagle Farm racing  NPP-002b: Eagle Farm mixed use  NPP-002c: Eagle Farm community use  NPP-002d: Doomben racing and community use  NPP-002e: Doomben south  NPP-003: Kingsford Smith Drive  NPP-003a: Kingsford Smith Drive west  NPP-003b: Kingsford Smith Drive east  NPP-004: Hendra stables |
| Richlands—Wacol corridor neighbourhood plan | NPP-001: Wacol industrial  NPP-001a: Sanananda Barracks industrial  NPP-001b: Sanananda Barracks mixed industry and business  NPP-002: Richlands central  NPP-002a: Richlands rail hub  NPP-002b: Richlands core  NPP-002c: Richlands frame  NPP-003: Richlands east  NPP-003a: Queensland Police Service Academy |
| River gateway neighbourhood plan | NPP-001: Morningside  NPP-001a: Low–medium density residential  NPP-001b: District centre  NPP-002: Seven Hills TAFE  NPP-003: Cannon Hill/Murarrie  NPP-003a: Low–medium density residential  NPP-003b: Wynnum Road corridor  NPP-003c: Cannon Hill shopping centre  NPP-003d: Park Hill south  NPP-003e: Former CSIRO site  NPP-003f: Cannon Hill Station  NPP-004: Minnippi  NPP-005: Industry |
| Rochedale urban community neighbourhood plan | NPP-001: Town centre  NPP-002: Neighbourhood centre and business service centre  NPP-003: Business park and gateway civic  NPP-003a: Business park  NPP-003b: Gateway civic  NPP-004: Future industry  NPP-005: Potential development area  NPP-005a: Very low density residential  NPP-005b: Low density residential  NPP-005c: Low–medium density residential  NPP-005d: Mixed use  NPP-005e: Proposed busway station  NPP-005f: Community uses |
| Sandgate district neighbourhood plan | NPP-001: Sandgate town centre  NPP-002: The Gas Works  NPP-003: Deagon stables |
| Sandgate Road neighbourhood plan | Nil |
| Sherwood—Graceville district neighbourhood plan | NPP-001: West side character  NPP-002: Corinda centre  NPP-003: Sherwood centre  NPP-004: Honour Avenue centre  NPP-005: Community hub  NPP-006: St Aidan's school  NPP-007: Light industry and employment  NPP-008: Alan Fletcher Research Station/Montrose Access  NPP-009: Sport and recreation |
| South Brisbane riverside neighbourhood plan | NPP-001: South Brisbane reach  NPP-002: Musgrave  NPP-003: Boundary and Vulture  NPP-003a: Village heart  NPP-004: Kurilpa  NPP-004a: Kurilpa south  NPP-004b: Kurilpa north  NPP-005: Riverside north  NPP-006: Buchanan and Davies parks  NPP-006a: Hockings Street  NPP-007: Riverside south |
| Spring Hill neighbourhood plan | NPP-001: City Centre expansion  NPP-002: Spring Hill mixed use  NPP-002a: Spring Hill mixed use a  NPP-002b: Spring Hill mixed use b  NPP-003: Boundary Street heart  NPP-004: Spring Hill east |
| Taringa neighbourhood plan | NPP-001: Taringa core  NPP-002: Taringa gateway  NPP-003: Harrys Road east |
| Toombul—Nundah neighbourhood plan | NPP-001: Nundah village  NPP-001a: Nundah village  MPP-001b: Nundah village  NPP-001c: Nundah village medium density residential  NPP-002: Toombul central  NPP-002a: Toombul east  NPP-003: Union Street  NPP-003a: Union Street medium density residential  NPP-003b: Union Street medium density residential  NPP-004: Oxenham Park  NPP-004a: Oxenham Park medium density residential  NPP-004b: Oxenham Park medium density residential  NPP-005: Nundah north  NPP-005a: Nundah north medium density residential  NPP-006: Toombul west  NPP-006a: Toombul west medium density residential  NPP-006b: Toombul west medium density residential |
| Toowong—Auchenflower neighbourhood plan | NPP-001: Toowong centre  NPP-001a: Toowong centre a  NPP-001b: Toowong centre b  NPP-001c: Toowong centre c  NPP-002: Toowong residential  NPP-003: Memorial Park  NPP-004: Regatta riverside  NPP-004a: Regatta riverside a  NPP-005: Auchenflower heart  NPP-005a: Auchenflower heart a  NPP-005b: Auchenflower heart b  NPP-005c: Auchenflower heart c  NPP-006: Dunmore residential |
| Toowong—Indooroopilly district neighbourhood plan | NPP-001: Milton and Sylvan roads light industry  NPP-002: Dean Street shops  NPP-003: Government research  NPP-004: Woodstock Avenue |
| Wakerley neighbourhood plan | NPP-001: Residential development  NPP-001a: Residential a  NPP-001b: Residential b  NPP-001c: Residential c  NPP-002: Industrial development |
| West End—Woolloongabba district neighbourhood plan | NPP-001: West End estate |
| Western gateway neighbourhood plan | NPP-001: Sumner  NPP-002: Wacol institutional  NPP-003: Wacol industrial  NPP-004: Inala  NPP-005: Carole Park/Ellen Grove |
| Willawong neighbourhood plan | NPP-001: Paradise wetland investigation |
| Woolloongabba centre neighbourhood plan | NPP-001: Woolloongabba core  NPP-002: Woolloongabba hill  NPP-003: Ipswich Road and Stanley Street corridor  NPP-004: Logan Road corridor  NPP-005: Deshon Street |
| Wynnum—Manly neighbourhood plan | NPP-001: Wynnum north  NPP-001a: Wynnum north  NPP-002: Light and service industry  NPP-003: Wynnum central  NPP-003a: Wynnum CBD northern frame  NPP-003b: Parkside residential  NPP-003c: Western residential  NPP-003d: Wynnum central business district  NPP-003e: Bay Terrace  NPP-003f: Wynnum CBD southern frame  NPP-003g: Waterloo Bay Hotel  NPP-003h: Esplanade  NPP-004: Manly harbour village  NPP-005: Wynnum Hospital  NPP-006: Wynnum Road  NPP-007: Lota wetlands |
| Wynnum West neighbourhood plan | Nil |
| Yeerongpilly Transit Oriented Development neighbourhood plan | NPP-001: Mixed use core  NPP-001a: District centre (District)  NPP-001b Mixed use (Centre frame)  NPP-002: Residential mixed use  NPP-002a: High density residential  NPP-002b: Medium density residential  NPP-002c: Low-medium density residential  NPP-003: Low-rise residential  NPP-004: Open space  NPP-005: Major sports venue |

Table 1.2.3—Overlays and overlay codes

|  |  |
| --- | --- |
| Mapping overlays  Editor’s note—For all maps refer to City Plan mapping | Overlay codes |
| Active frontages in residential zones overlay | Active frontages in residential zones overlay code |
| Airport environs overlay | Airport environs overlay code |
| Bicycle network overlay | Bicycle network overlay code |
| Biodiversity areas overlay | Biodiversity areas overlay code |
| Bushfire overlay | Bushfire overlay code |
| Coastal hazard overlay | Coastal hazard overlay code |
| Commercial character building overlay | Commercial character building (activities) overlay code  Commercial character building (demolition) overlay code |
| Community purposes network overlay | Community purposes network overlay code |
| Critical infrastructure and movement network overlay | Critical infrastructure and movement network overlay code |
| Dwelling house character overlay | No applicable overlay code |
| Extractive resources overlay | Extractive resources overlay code |
| Flood overlay | Flood overlay code |
| Heritage overlay | Heritage overlay code |
| Industrial amenity overlay | Industrial amenity overlay code |
| Landslide overlay | Landslide overlay code |
| Potential and actual acid sulfate soils overlay | Potential and actual acid sulfate soils overlay code |
| Pre-1911 building overlay | Pre-1911 building overlay code |
| Regional infrastructure corridors and substations overlay | Regional infrastructure corridors and substations overlay code |
| Road hierarchy overlay | Road hierarchy overlay code |
| Significant landscape tree overlay | Significant landscape tree overlay code |
| Streetscape hierarchy overlay | Streetscape hierarchy overlay code |
| Traditional building character overlay | Traditional building character (demolition) overlay code  Traditional building character (design) overlay code |
| Transport air quality corridor overlay | Transport air quality corridor overlay code |
| Transport noise corridor overlay | Transport noise corridor overlay code |
| Water resource catchments overlay | Water resource catchments overlay code |
| Waterway corridors overlay | Waterway corridors overlay code |
| Wetlands overlay | Wetlands overlay code |

Table 1.2.4—Relevant prescribed codes and development codes

|  |
| --- |
| Relevant prescribed codes |
| Reconfiguring a lot (subdividing one lot into two lots) and associated operational work code  Community residence code  Forestry for wood production code |
| Use codes |
| Animal keeping code  Caretaker’s accommodation code  Centre or mixed use code  Childcare centre code  Community facilities code  Dual occupancy code  Dwelling house code  Dwelling house (small lot) code  Extractive industry code  Home-based business code  Indoor sport and recreation code  Industry code  Intensive food production code  Multiple dwelling code  Outdoor sport and recreation code  Park code  Park planning and design code  Residential care facility code  Rooming accommodation code  Rural activities code  Service station code  Short-term accommodation code  Small-scale non-residential uses code  Special purpose code  Specialised centre code  Telecommunications facility code  Tourist park and relocatable home park code |
| Other development codes |
| Demolition of rooming accommodation code  Filling and excavation code  Infrastructure design code  Landscape work code  Operational work code  Outdoor lighting code  Prescribed tidal work code  Stormwater code  Subdivision code  Transport, access, parking and servicing code  Wastewater code |

Table 1.2.5—Schedules and appendices

|  |
| --- |
| Schedules |
| Schedule 1 Definitions  Schedule 2 Mapping  Schedule 3 Local government infrastructure plan mapping and tables  Schedule 4 Notations required under the Planning Act 2016  Schedule 5 Designation of premises for development  Schedule 6 Planning scheme policies |
| Appendices |
| Appendix 1 Index and glossary of abbreviations and acronyms  Appendix 2 Table of amendments |

Table 1.2.6—Planning scheme policies that support the planning scheme

|  |
| --- |
| Planning scheme policies |
| Air quality planning scheme policy  Biodiversity areas planning scheme policy  Bushfire planning scheme policy  Coastal hazard planning scheme policy  Commercial character building planning scheme policy  Compensatory earthworks planning scheme policy  Concrete batching plants planning scheme policy  Consultation planning scheme policy  Crime prevention through environmental design planning scheme policy  Flood planning scheme policy  Graffiti prevention planning scheme policy  Heritage planning scheme policy  Independent design advisory panel planning scheme policy  Industrial hazard and risk assessment planning scheme policy  Infrastructure design planning scheme policy  Landscape design guidelines for water conservation planning scheme policy  Landslide planning scheme policy  Management of hazardous chemicals in flood affected areas planning scheme policy  Management plans planning scheme policy  Noise impact assessment planning scheme policy  Offsets planning scheme policy  Park management plan planning scheme policy  Planting species planning scheme policy  Potential and actual acid sulfate soils planning scheme policy  Refuse planning scheme policy  Social and health impact assessment planning scheme policy  Storage and dispensing of petroleum products planning scheme policy  Structure planning planning scheme policy  Traditional building character planning scheme policy  Transport, access, parking and servicing planning scheme policy  Transport air quality corridor planning scheme policy  Vegetation planning scheme policy |

1.3 Interpretation

1.3.1 Definitions

1. A term used in the planning scheme has the meaning assigned to that term by one of the following:
2. the *Planning Act 2016* (the Act);
3. the *Planning Regulation 2017* (the Regulation);
4. the definitions in Schedule 1of the planning scheme;
5. the *Acts Interpretation Act 1954*;
6. the ordinary meaning where that term is not defined in any of the above.
7. In the event a term has been assigned a meaning in more than one of the instruments listed in sub-section 1.3.1(1), the meaning contained in the instrument highest on the list will prevail.
8. A reference in the planning scheme to any act includes any regulation or instrument made under it, and where amended or replaced, if the context permits, means the amended or replaced act.
9. A reference in the planning scheme to a specific resource document or standard, means the latest version of the resource document or standard.
10. A reference to a part, section, table or schedule is a reference to a part, section, table or schedule of the planning scheme.

Editor’s note—In accordance with section 16(3) of the Act the regulated requirements apply to this planning scheme to the extent of any inconsistency with the planning scheme.

1.3.2 Standard drawings, maps, notes, editor’s notes and footnotes

1. Standard drawings contained in codes or schedules are part of the planning scheme.
2. Maps provide information to support the outcomes and are part of the planning scheme.
3. Notes are identified by the title ‘Note’ and are part of the planning scheme.
4. Editor’s notes and footnotes are extrinsic material, as per the *Acts Interpretation Act 1954*, and are identified by the title ‘Editor’s note’ and ‘Footnote’, and are provided to assist in the interpretation of the planning scheme; they do not have the force of law.

Note—This is an example of a note.

Editor’s note—This is an example of an editor’s note.

Footnote [[1]](#footnote-1)—See example at bottom of page.

1.3.3 Punctuation

1. A word followed by ';' or ‘, and’ is considered to be 'and'.
2. A word followed by '; or' means either or both options can apply.

1.3.4 Zones for roads, closed roads, waterways and reclaimed land

The following applies to a road, closed road, waterway or reclaimed land in the planning scheme area:

1. if adjoined on both sides by land in the same zone—the road, closed road, waterway or reclaimed land is in the same zone as the adjoining land;
2. if adjoined on one side by land in a zone and adjoined on the other side by land in another zone—the road, closed road, waterway or reclaimed land is in the same zone as the adjoining land when measured from a point equidistant from the adjoining boundaries;
3. if the road, closed road, waterway or reclaimed land is adjoined on one side only by land in a zone—the entire waterway or reclaimed land is in the same zone as the adjoining land;
4. if the road, closed road, waterway or reclaimed land is covered by a zone then that zone applies.

Editor’s note—The boundaries of the local government area are described by the maps referred to in the *City of Brisbane Regulation 2012*.

1.4 Categories of development

1. The categories of development under the Act are:
2. accepted development;

Editor’s note—A development approval is not required for development that is accepted development. Under section 44(6)(a) of the Act, if a categorising instrument does not apply a category of development to a particular development, the development is accepted development. Schedule 7 of the Regulation also prescribes accepted development.

1. assessable development:
2. code assessment;
3. impact assessment;

Editor’s note—A development approval is required for assessable development. Schedules 9, 10 and 14 of the Regulation also prescribe assessable development.

1. prohibited development.

Editor’s note—A development application may not be made for prohibited development. Schedule 10 of the Regulation prescribes prohibited development.

1. The planning scheme states the category of development for certain types of development, and specifies the category of assessment for assessable development in the planning scheme area in Part 5.

Editor’s note—Section 43 of the Act identifies that a categorising instrument categorises development and specifies categories of assessment required. A local categorising instrument includes a planning scheme, a TLPI or a variation approval.

1.5 Hierarchy of assessment benchmarks

Where there is inconsistency between provisions in the planning scheme, the following rules apply:

1. the strategic framework prevails over all other components, to the extent of the inconsistency for impact assessment;
2. relevant codes as specified in Schedules 6 and 10 of the Regulation prevail over all other components, to the extent of the inconsistency;
3. overlays prevail over all other components (other than the matters mentioned in (a) and (b), to the extent of the inconsistency;
4. neighbourhood plan codes prevail over zone codes, use codes and other development codes, to the extent of the inconsistency;
5. zone codes prevail over use codes and other development codes, to the extent of the inconsistency;
6. provisions of Part 10 may override any of the above.

1.6 Building work regulated under the planning scheme

1. Section 8(5) of the Act states that a local planning instrument must not include provisions about building work to the extent the building work is regulated under the building assessment provisions, unless allowed under the *Building Act 1975*.
2. The building assessment provisions are listed in section 30 of the *Building Act 1975*.

Editor’s note—The building assessment provisions are stated in section 30 of the *Building Act 1975* and are assessment benchmarks for the carrying out of building assessment work or building work that is accepted development subject to any requirements (see also section 31 of the *Building Act 1975*).

1. This planning scheme, through Part 5, regulates building work in accordance with sections 32 and 33 of the *Building Act 1975*.

Editor’s note—The *Building Act 1975* permits planning schemes to:

* regulate, for the Building Code of Australia (BCA) or the Queensland Development Code (QDC), matters prescribed under a regulation under the *Building Act 1975* (section 32).*These include variations to provisions contained in parts MP1.1, MP1.2 and MP1.3 of the QDC such as heights of buildings related to obstruction and overshadowing, siting and design of buildings to provide visual privacy and adequate sight lines, on-site parking and outdoor living spaces. It may also regulate other matters, such as designating land liable to flooding, designating land as bushfire prone areas and transport noise corridors*;
* deal with an aspect of, or matter related or incidental to building work prescribed under a regulation under section 32 of the *Building Act 1975*;
* specify alternative boundary clearances and site cover provisions for Class 1 and 10 structures under section 33 of the *Building Act 1975*.

Refer to Schedule 9 of the Regulation to determine assessable development, the type of assessment and any referrals applying to the building work.

1. The building assessment provisions in the planning scheme are identified in:
2. Table 1.6.1 for the assessment manager for a building development application;
3. Table 1.6.2 for the Council acting as a referral agency for a building development application.

Table 1.6.1—Building assessment provisions in the planning scheme for an assessment manager

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Item | *Building Act 1975* (BA) and  *Building Regulation 2006* (BR) | Description | Building assessment provisions in planning scheme | |
| 1 | Section 32(a) BA and section 12 BR | Designation of a bushfire prone area for the BCA or QDC | Section 1.7.1 | |
| 2 | Section 32(a) BA and section 13(1)(a) BR | Designation of a flood hazard area | Section 1.7.2 (1) | |
| 3 | Section 32(b) BA and sections 13(1)(b)(i) BR | Declaration within the flood hazard area of the defined flood level | Section 1.7.2 (2) | |
| 4 | Section 32(b) BA and section 13(1)(b)(iv) BR | Declaration within the flood hazard area of a freeboard that is more than 300mm | Section 1.7.2 (2) | |
| 5 | Section 32(b) BA and section 13(1)(b)(v) BR | Declaration within the flood hazard area of the finished flood floor level of class 1 buildings built in all or part of the flood hazard area | Section 1.7.2 (2) | |
| 6 | Section 32(b) BA and section 10 BR | Qualitative statements and quantifiable standards for matters provided for under performance criteria 4 under QDC parts MP 1.1 and MP 1.2 for a single detached class 1 building or a class 10 building or structure located on the same allotment as a single detached class 1 building | Dwelling House Code | PO2 and AO2 |
| PO7 and AO7 |
| Dwelling house (small lot) code | PO2 and AO2 |
| PO3 and AO3 |
| PO4 and AO4 |
| Centenary suburbs neighbourhood plan code | PO1 and AO1 |
| City west neighbourhood plan code | PO1 and AO1 |
| Forest Lake neighbourhood plan code | PO1 and AO1 |
| Fortitude Valley neighbourhood plan code | PO1 and AO1.2 |
| Ithaca district neighbourhood plan code | PO1 and AO1 |
| Latrobe and Given Terraces neighbourhood plan code | PO1 and AO1 |
| Moreton Island settlements neighbourhood plan code | PO1 and AO1 |
| New Farm and Teneriffe Hill neighbourhood plan code | PO1 and AO1 |
| Newstead and Teneriffe waterfront neighbourhood plan code | PO1 and AO1 |
| Nudgee Beach neighbourhood plan code | PO1 and AO1 |
| Spring Hill neighbourhood plan code | PO1 and AO1 |
| PO7 and AO7.2 |
| River gateway neighbourhood plan code | PO1 and AO1.1 |
| Sandgate Road neighbourhood plan code | PO1 and AO1 |
| West End–Woolloongabba district neighbourhood plan code | PO1 and AO1 |
| PO6, AO6.1 and AO6.2 |
| 7 | Section 32(b) BA and section 10 BR | Qualitative statements and quantifiable standards for matters provided for under performance criteria 5 under QDC parts MP 1.1 and MP 1.2 for a single detached class 1 building or a class 10 building or structure located on the same allotment as a single detached class 1 building | Dwelling house (small lot) code | PO9, AO9.1 and AO9.2 |
| PO14, AO14.1, AO14.2 and AO14.3 |
| 8 | Section 32(b) BA and section 10 BR | Qualitative statements and quantifiable standards for the matters provided for under performance criteria 8 under QDC parts MP1.1 and MP1.2 for a single detached class 1 building or a class 10 building or structure located on the same allotment as a single detached class 1 building | Dwelling house code | PO3 and AO3 |
| Dwelling house (small lot) code | PO12 and AO12.1 |
| Spring Hill neighbourhood plan code | PO4 and AO4.1 |
| 9 | Sections 32(b) BA and section 12 BR | Designation of a bushfire prone area for the BCA or QDC for a single detached Class 1a building, if in the Potential impact sub-category of the Bushfire overlay | Bushfire overlay code | PO21 and AO21.2 |
| 10 | Sections 32(c) and 33 BA | Alternative provisions to performance criteria 1 under QDC parts MP1.1 and MP1.2 of the QDC boundary clearance and site cover provisions for particular buildings | Traditional building character (design) overlay code | PO1 and AO1.2 |
| PO2 and AO2.1 |
| PO11 and AO11.1 |
| Dwelling house code | PO6 and AO6 |
| Dwelling house (small lot) code | PO2 and AO2 |
| PO5 and AO5 |
| PO17 and AO17.1 |
| Forest Lake neighbourhood plan code | PO4 and AO4.1 |
| Spring Hill neighbourhood plan code | PO10, AO10.1, AO10.2, AO10.3 and AO10.4 |
| Sherwood–Graceville district neighbourhood plan | PO3 and AO3.3 |
| 11 | Sections 32(c) and 33 BA | Alternative provisions to performance criteria 2 under QDC parts MP1.1 and 1.2 of the QDC boundary clearance and site cover provisions for particular buildings | Dwelling house code | PO6 and AO6 |
| Dwelling house (small lot) code | PO2 and AO2 |
| PO6 and AO6 |
| PO7 and AO7 |
| PO12 and AO12.1 |
| Forest Lake neighbourhood plan code | PO4 and AO4.1 |
| New Farm and Teneriffe Hill neighbourhood plan code | PO3 and AO3 |
| PO6 and AO6 |
| Spring Hill neighbourhood plan code | PO11, AO11.1, AO11.2, AO11.3, AO11.4, AO11.5, AO11.6, AO11.7, AO11.8 and AO11.9 |
| Sherwood–Graceville district neighbourhood plan | PO3, AO3.4 and AO3.5 |
| 12 | Sections 32(c) and 33 BA | Alternative provisions to performance criteria 3 under QDC parts MP1.1 and MP1.2 of the QDC boundary clearance and site cover provisions for particular buildings | Dwelling house (small lot) code | PO8 and AO8 |

Table 1.6.2—Building assessment provisions in the planning scheme for the Council acting as referral agency

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Item | Relevant legislation | Description | Building assessment provisions in planning scheme | |
| 1 | Schedule 9, Part 3, Division 2, Table 1 of the Regulation | Whether a single detached class 1(a)(i) building, class 1(a)(ii) building made up of not more than 2 attached dwellings or a class 10 building or structure will impact on the amenity or the aesthetics of the locality | Traditional building character (design) overlay code where the building work is in the traditional building character overlay | |
| Dwelling house code or Dwelling house (small lot) code where the building work is in the following zones:   1. Rural zone 2. Rural residential zone 3. Environmental Management zone 4. Low density residential zone 5. Character residential zone and zone precincts 6. Low–medium density residential zone and zone precincts 7. Medium density residential zone 8. Emerging community zone 9. Township zone | |
| The neighbourhood plan code relevant to the building work | |
| 2 | Schedule 9, Part 3, Division 2, Table 3, Item 1, Column 2(b) of the Regulation | If under the *Building Act 1975*, section 33, an alternative provision applies for the building work and, under the provision, the proposed building or structure is not of the quantifiable standard for a relevant qualitative statement under the provision, whether the proposed building or structure complies with the qualitative statement | The performance outcomes contained in Items 9, 10 and 11 of Table 1.6.1 | |
| 3 | Schedule 9, Part 3, Division 2, Table 3, Item 1, Column 2(c) of the Regulation | If all of the following apply:   1. under *Building Regulation 2006*, section 10, the planning scheme includes a provision about a matter provided for under performance criteria P4, P5, P7, P8 or P9 of the QDC, part 1.1 or 1.2; 2. the provision applies for building work; 3. under the provision, the proposed building or structure is not of the quantifiable standard for a relevant qualitative statement under the provision,   whether the proposed building or structure complies with the qualitative statement | The performance outcomes contained in Items 6, 7 and 8 of Table 1.6.1 | |
| 4 | Schedule 9, Part 3, Division 2, Table 12, Item 1, Column 2(a) of the Regulation | The matters the local government considers relevant in determining whether the defined flood level stated in the building development application is appropriate, if all or part of the premises the subject of the development application are in a flood hazard area and the application states a defined flood level that is lower than a defined flood level declared by the local government under the *Building Regulation 2006*, section 13 for the part of the flood hazard area where the premises are | Flood overlay code where the building work is in the Flood overlay | Tables 8.2.11.3.B, 8.2.11.3.D, 8.2.11.3.G and 8.2.11.3.L |
| 5 | Schedule 10, Part 8, Division 1, Subdivision 3, Table 1, Item 4, Column 2(b) of the Regulation | Building work on a local heritage place | Heritage overlay code | Sections A and C |

Editor’s note—In a development application the applicant may request preliminary approval for building work. The decision on that development application can also be taken to be a referral agency’s response under section 57(1) of the Act, for building work assessable against the *Building Act 1975*. The decision notice must state this.

1.7 Local government administrative matters

1.7.1 Designated bushfire prone area for AS 3959-2009—Construction of buildings in bushfire-prone areas'

For the purpose of section 32(a) of the *Building Act 1975* and section 12 of the *Building Regulation 2006*, the land identified in Table 1.7.1 is a 'designated bushfire prone area'.

Table 1.7.1—Designated bushfire prone area for AS 3959-2009

|  |  |
| --- | --- |
| Designated bushfire prone area | Land identified in the following sub-categories on the Bushfire overlay map:   * High hazard area sub-category * Medium hazard area sub-category * High hazard buffer sub-category * Medium hazard buffer sub-category * Potential impact sub-category * Very high potential bushfire intensity sub-category * High potential bushfire intensity area sub-category * Medium potential bushfire intensity sub-category * Potential impact buffer sub-category |

1.7.2 Designated flood hazard area for Queensland Development Code MP3.5

1. For the purpose of section 32(a) of the *Building Act 1975*, section 13(1)(a) of the *Building Regulation 2006* and Queensland Development Code MP 3.5 Construction of buildings in flood hazard areas, the land identified in Table 1.7.2 is a 'designated flood hazard area'.

Table 1.7.2—Designated flood hazard area for Queensland Development Code MP3.5

|  |  |
| --- | --- |
| Designated flood hazard area | Land identified in the following sub-categories on the Flood overlay map:   * Creek/waterway flood planning area 1 sub-category * Creek/waterway flood planning area 2 sub-category * Creek/waterway flood planning area 3 sub-category * Creek/waterway flood planning area 4 sub-category * Brisbane River flood planning area 1 sub-category * Brisbane River flood planning area 2a sub-category * Brisbane River flood planning area 2b sub-category * Brisbane River flood planning area 3 sub-category * Brisbane River flood planning area 4 sub-category |

1. For the purpose of section 32(b) of the *Building Act 1975* and section 13(1)(b) of the *Building Regulation 2006*, the Flood overlay addresses the following:
2. the defined flood event;
3. a freeboard that is more than 300mm;
4. the finished floor levels of habitable rooms.

1.7.3 Designated transport noise corridor for Queensland Development Code MP4.4

For the purpose of section 32(b) of the *Building Act 1975* and the Queensland Development Code MP 4.4 Buildings in a transport noise corridor, the land identified in Table 1.7.3 is a 'designated transport noise corridor'.

Table 1.7.3—Designated transport noise corridor for Queensland Development Code MP4.4

|  |  |
| --- | --- |
| Designated transport noise corridor | Land identified in the following sub-categories on the Transport noise corridor overlay map:   1. State designated noise corridor - State - controlled road (mandatory area):   • Category 0: Noise Level < 58 dB(A);  • Category 1: 58 dB(A) – 63 dB(A);  • Category 2: 63 dB(A) – 68 dB(A);  • Category 3: 68 dB(A) – 73 dB(A);  • Category 4: Noise Level > 73 dB(A).   1. State designated noise corridor - State - controlled road (voluntary area):   • Category 0: Noise Level < 58 dB(A);  • Category 1: 58 dB(A) – 63 dB(A);  • Category 2: 63 dB(A) – 68 dB(A);  • Category 3: 68 dB(A) – 73 dB(A);  • Category 4: Noise Level > 73 dB(A).   1. State designated noise corridor - rail network:   • Category 1: 70 dB(A) – 75 dB(A);  • Category 2: 75 dB(A) – 80 dB(A);  • Category 3: 80 dB(A) – 85 dB(A);  • Category 4: Noise Level > 85 dB(A). |

Editor’s note—for the purposes of the *Building Act 1975* and application of the *Queensland Development Code* in relation to declaration of transport noise corridors, the planning scheme has not declared such transport noise corridors.

1.7.4 Declaration for amenity and aesthetic impact referral agency assessment

For the purpose of Schedule 9, Division 2 , Table 1 of the Regulation, building work for a building or structure which is a single detached class 1(a)(i) building, class 1(a)(ii) building comprising not more than 2 attached dwellings or a class 10 building or structure in a locality identified in Table 1.7.4 that does not comply with the acceptable outcomes in the codes identified in Table 1.7.4, is declared to:

1. have an extremely adverse effect on the amenity or likely amenity of the locality; or
2. be in extreme conflict with the character of the locality.

Table 1.7.4—Declared locality and building form for amenity and aesthetic referral agency assessment

|  |  |
| --- | --- |
| Locality | Codes |
| Land in the following zones:   1. Rural zone 2. Rural residential zone 3. Environmental management zone 4. Low density residential zone 5. Character residential zone and zone precincts 6. Low–medium density residential zone and zone precincts 7. Medium density residential zone 8. Emerging community zone | Dwelling house code  Dwelling house (small lot) code |
| Land in the Traditional building character overlay | Traditional building character (design) code |
| Land in a neighbourhood plan area | A relevant neighbourhood plan code to the extent provided |

1.7.5 Designated lawful change to ground level

1. For the purpose of the definition of ground level in Schedule 1, the level of the natural ground is deemed to have been lawfully changed if the level of the natural ground is the prescribed level.
2. For the purpose of the definition of prescribed level in Schedule 1, the 2002 BIMAP contours are the contour information determined by the Council.

1.7.6 Deemed compliance with site cover and setback assessment benchmarks

1. For the purpose of determining compliance with an assessment benchmark for setback, development is deemed to comply with the assessment benchmark if the development exceeds the assessment benchmark only by reason of the inclusion of an outermost projection which is part of a building or structure that is:
2. an eave of a roof; or
3. a sunhood or the like attached to the wall of a building or structure to provide shade or shelter to the wall.

1.7.7 Determination of maximum building height

1. This section applies where the maximum building height for development is specified in storeys in a table of assessment or a code.
2. The specified number of storeys for the development is reduced by 1 storey if the development includes a space that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, that contains only a bathroom, shower room, laundry, water closet or other sanitary compartment.

1.7.8 Repeal of Temporary Local Planning Instrument 01/14 Protection of Residential Buildings Constructed Prior to 1911

Temporary Local Planning Instrument 01/14 Protection of Residential Buildings Constructed Prior to 1911 is repealed on the coming into effect of this planning scheme.

1. Footnote—This is an example of a footnote [↑](#footnote-ref-1)