8.2.26 Waterway corridors overlay code

8.2.26.1 Application

1. This code applies to assessing development in the Waterway corridors overlay, if:
2. accepted development subject to compliance with identified requirements, where acceptable outcomes of this code are identified requirements in a table of assessment for an overlay (section 5.10); or
3. assessable development, where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for an overlay (section 5.10); or
4. impact assessable development.
5. Land in the Waterway corridors overlay is identified on the Waterway corridors overlay map and is included in the following sub-categories:
6. Brisbane River corridor sub-category comprising:
7. section 1;
8. section 2;
9. section 3;
10. section 4;
11. section 5;
12. Citywide waterway corridor sub-category;
13. Local waterway corridor sub-category.
14. When using this code, reference should be made to section 1.5 and section 5.3.3.

Note—The following purpose, overall outcomes, performance outcomes and acceptable outcomes comprise the assessment benchmarks of this code.

Note—Where this code includes performance outcomes or acceptable outcomes that relate to:

* native revegetation within a waterway corridor, guidance is provided in the Planting species planning scheme policy.

Editor’s note—For a proposal to be accepted development subject to compliance with identified requirements, it must meet all the identified acceptable outcomes of this code that relate to the applicable sub-category and any other applicable code. Where it does not meet all identified acceptable outcomes, the proposal becomes assessable development and a development application is required. Where a development application is triggered, only the specific acceptable outcomes that the proposal fails to meet need to be assessed against the corresponding assessable acceptable outcomes or performance outcomes and relevant overall outcomes. Other identified acceptable outcomes that are met are not assessed as part of the development application.

Editor's note—High water mark is defined in the *Coastal Protection and Management Act 1995 (CPMA)*.

8.2.26.2 Purpose

1. The purpose of the Waterway corridors overlay code is to:
2. Implement the policy direction in the Strategic framework, in particular:
3. Theme 2: Brisbane's outstanding lifestyle and Element 2.1 – Brisbane’s identity;
4. Theme 3: Brisbane’s clean and green leading environmental performance and Element 3.1– Brisbane’s environmental values;
5. Theme 5: Brisbane’s CityShape and Element 5.6 – Brisbane’s Greenspace System.
6. Provide for the assessment of the suitability of development in the Waterway corridors overlay.
7. The purpose of the code will be achieved through the following overall outcomes:
8. Development maintains and enhances waterway health values of a waterway corridor while using the waterway corridor to provide opportunities for recreation, urban cooling, and connectivity to open spaces and aesthetic outcomes.
9. Development protects the flood storage and conveyance function of a waterway corridor.
10. Development has a built form which delivers on the principles of the natural water cycle to ensure acceptable environmental flows and to improve water quality within waterways.
11. Development designs the built form to support the natural landscape, recreation and amenity values of the waterway corridor.
12. Development design includes and protects visual and physical connections to the Brisbane River and waterways so that the sense of identity for local communities is reinforced.
13. Development incorporates site measures that protect water habitats, aquatic quality, fish passages and downstream fisheries from water pollution and sedimentation.
14. Development in the Brisbane River corridor sub-category (sections 1 to 5) protects and enhances the corridor's recreational, landscape, scenic amenity, cultural and ecological values, and maintains the corridor's important economic and transport roles.
15. Development is consistent with the character, functions and values along the sections of the Brisbane River corridor sub-category including:
16. section 1—Development protects and enhances river flora and fauna, scenic quality and rural characteristics and landscapes and provides for nature-based recreation.
17. section 2—Development enhances community recreational use in a semi-natural setting, the conservation of major remnant habitat and maintenance of quiet residential amenity.
18. section 3—Development provides for a mix of community, recreational, business, residential and passenger transport uses; the creation of continuous public access along the river's edge; and the highlighting of significant cultural features.
19. section 4—Development maintains attractive riverside communities with a mix of housing, cultural and recreation opportunities; provides for continuous public access along the Brisbane River's northern bank and point access along the southern bank; highlights significant cultural features; and creates a high-quality built environment which focuses on the Brisbane River.
20. Section 5—Development maintains a high level of amenity and quality urban design of major structures; supports port-related activities; maintains or enhances existing public access points; and has regard to the location of adjoining land uses and utility of access.
21. Development within the Citywide waterway corridor sub-category protects and contributes towards the natural functions of the corridors as connections between the catchment headwaters to the Brisbane River or Moreton Bay, as connectors of public open spaces and key destinations throughout the city and as a series of green networks for terrestrial and aquatic biodiversity.
22. Development within the Local waterway corridor sub-category protects and contributes towards the natural functions of the corridor in controlling water quality and flow conditions in the upper catchment and in providing a number of localised community benefits.

8.2.26.3 Performance outcomes and acceptable outcomes

Table 8.2.26.3.A—Performance outcomes and acceptable outcomes

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| Performance outcomes | Acceptable outcomes |
| Section A—If accepted development subject to compliance with identified requirements (acceptable outcomes only) or assessable development, for an extension to the building footprint of an existing dwelling house within the Citywide waterway corridor sub-category or the Local waterway corridor sub-category | |
| PO1  Development ensures that a waterway in the Citywide waterway corridor sub-category and the Local waterway corridor sub-category:   1. performs a natural filtration and infiltration role that maintains water quality and flow conditions; 2. provides fauna connectivity; 3. contributes to cooling the urban environment, via minimal impervious surfaces, retention of vegetation and continuity of naturally landscaped areas. | AO1  Development involving an extension to a dwelling house and ancillary structures, including site works is located within an approved development footprint plan or building envelope plan; or   1. for the Local waterway corridor sub-category: 2. is set back a minimum of 15m from the Waterway corridor sub-category centre-line; or 3. if the existing dwelling house is located within 15m of the Waterway corridor sub-category centre-line, the extension does not extend closer to the centre-line than the existing building footprint; 4. does not result in the removal of vegetation from the balance of the waterway corridor; 5. for the Citywide waterway corridor sub-category: 6. does not extend closer to the Waterway corridor sub-category centre-line than the existing building footprint; 7. does not result in the removal of vegetation from the balance of the waterway corridor. |
| Section B—If accepted development subject to compliance with identified requirements (acceptable outcomes only) or assessable development, for a new dwelling house within the Citywide waterway corridor sub-category or Local waterway corridor sub-category | |
| PO2  Development ensures that a waterway in the Citywide waterway corridor sub-category and the Local waterway corridor sub-category:   1. performs a natural filtration and infiltration role that maintains water quality and flow conditions; 2. provides fauna connectivity; 3. contributes to cooling the urban environment, via minimal impervious surfaces and maximisation of landscaped areas. | AO2  Development is located within an approved development footprint plan or building envelope plan, or where there is no approved development footprint plan or building envelope plan, development is:   1. set back a minimum of 15m from the centre-line of the Local waterway corridor sub-category; 2. not located within the Citywide waterway corridor sub-category. |
| Section C—If accepted development subject to compliance with identified requirements (acceptable outcomes only) or assessable development, for an extension to the building footprint of an existing dwelling house within the Brisbane River corridor sub-category (sections 1-5) | |
| PO3  Development for a dwelling house positively contributes to the scenic landscape values of the Brisbane River by setting development back from the river and its banks wherever possible, and where not possible, does not detract from the Brisbane River’s landscape and scenic amenity values. | AO3  Development involving an extension to a dwelling house is located within an approved development footprint plan or building envelope plan; or   1. for the Brisbane River corridor sub-category – section 1: 2. is set back a minimum of 30m from the high water mark; or 3. if the existing dwelling house is located within 30m of the high water mark, the extension does not extend closer to the high water mark than the existing building footprint; 4. for the Brisbane River corridor sub-category – sections 2, 3, 4 and 5: 5. is set back a minimum of 20m from the high water mark; or 6. if the existing dwelling house is located within 20m of the high water mark, the extension does not extend closer to the high water mark than the existing building footprint. |
| Section D—If accepted development subject to compliance with identified requirements (acceptable outcomes only) or assessable development, for a new dwelling house or dual occupancy in the Brisbane River corridor sub-category (sections 1-5) | |
| PO4  New dwelling houses and dual occupancies positively contribute to the scenic landscape values of the Brisbane River by setting development back from the river and its banks. | AO4  Development in:   1. the Brisbane River corridor sub-category – section 1, is set back 30m from the high water mark; 2. the Brisbane River corridor sub-category – section 2, 3, 4 or 5 is set back 20m from the high water mark. |
| Section E—If accepted subject to compliance with identified requirements (acceptable outcomes only) or assessable building work, for ancillary buildings and structures, swimming pools and tennis courts associated with a dwelling house or dual occupancy, where in the Brisbane River corridor sub-category (sections 1-5) | |
| PO5  Development involving an ancillary building or structure:   1. is constructed of materials that are durable, of low visual impact, visually recessive and complementary to the surrounding buildings; 2. enhances the character and amenity of the site and surrounding area; 3. does not adversely impact upon the riparian landscape; 4. minimises their visual impact on the Brisbane River’s landscape values. | AO5.1  Development involving ancillary buildings or structures and hard-stand areas does not cover more than the following proportion of the corridor:   1. 30% in the Brisbane River corridor sub-category – section 1; 2. 50% in the Brisbane River corridor sub-category – section 2 or 4; 3. 70% in the Brisbane River corridor sub-category – section 3 or 5. |
| AO5.2  Development of an ancillary building or structure is located and of a size consistent with Table 8.2.26.3.B. |
| PO6  Development for a tennis court or swimming pool protects the character of the relevant Brisbane River corridor sub-category section and the need for retaining walls, and is heavily landscaped where in the Brisbane River corridor sub-category – section 1, 2, 3 or 4. | AO6  Development for a tennis court or swimming pool does not create a retaining wall over 1m in height and:   1. for the Brisbane River corridor sub-category – section 1 is set back a minimum 30m horizontal distance from the high water mark 2. for the Brisbane River corridor sub-category – sections 2, 3, 4 and 5: 3. is set back a minimum 20m horizontal distance from the high water mark; or 4. screened from view from the Brisbane River by vegetation or topographic features such as high banks; 5. for the Brisbane River corridor sub-category – section 2, 3 or 4 is located landward of a minimum 6m landscaped area which covers the full width of the site and includes: 6. at least 1 tree that will grow to a height of at least 5m for every 20m2 of landscaped area; 7. a minimum of 50% garden area planted with ground cover and shrubs of various growth forms; 8. a maximum of 50% grassed/lawn area.   Refer to Figure a. |
| Section F—If accepted subject to compliance with identified requirements (acceptable outcomes only) or assessable building work, for dry boat storage in the Brisbane River corridor sub-category (sections 1-5) | |
| PO7  Development involving a dry boat storage facility:   1. is located on the landward side of the high water mark and constructed and designed to: 2. be compatible with the character and amenity of the Brisbane River corridor sub-category section in which the site is located; 3. minimise visual intrusiveness; 4. minimise impacts on the Brisbane River’s landscape values; or 5. where for a boat hoist or lift facility in the Brisbane River corridor sub-category section 2, 3 or 4 is located on land which is unobtrusive when viewed from the Brisbane River and are unroofed. | AO7  Development involving:   1. dry boat storage facility for 1 boat: 2. is located on land; 3. involves hoists or lift facilities catering for 1 boat up to a maximum 4m in length in the case of another form of dry boat storage, is designed for 1 boat up to a maximum 6m in length; or 4. a dry boat storage which does not comply with paragraph (a) is only located: 5. within the Port of Brisbane; or 6. on a site used for marine industry; or 7. within a marina; or 8. on a site used by a recreational or sporting club associated with the Brisbane River. |
| Section G—If accepted subject to compliance with identified requirements (acceptable outcomes only) or assessable operational work, for filling or excavation in the Citywide waterway corridor sub-category or the Local waterway corridor sub-category | |
| PO8  Development involving filling or excavation within a Citywide waterway corridor sub-category or a Local waterway corridor sub-category does not directly, indirectly or cumulatively cause any material increase in flooding or flood hazard or involve significant redistribution of flood storage from high to lower areas in the floodplain.  Note—This can be demonstrated by undertaking earthworks in compliance with the Compensatory earthworks planning scheme policy. | AO8  Development involving filling or excavation in the Citywide waterway corridor sub-category or the Local waterway corridor sub-category:   1. does not exceed 100 mm depth; or 2. is in compliance with the Compensatory earth works planning scheme policy. |
| Section H—If accepted subject to compliance with identified requirements (acceptable outcomes only) or assessable operational work, for filling or excavation in the Brisbane river corridor sub-category (sections 1-5) | |
| PO9  Development involving filling or excavation:   1. minimises the extent of earthworks required; 2. avoids the removal or clearing of native and riparian vegetation; 3. is consistent with the desired character of the Brisbane River corridor sub-category section in which the site is located; 4. presents attractively to public viewing areas such as the Brisbane River, Brisbane riverside walkways and paths, or Brisbane River bridge crossings; 5. ensures steps and ramps are designed to be unobtrusive, use natural or natural-toned materials and minimise the need for cut and fill. | AO9  Development involving filling or excavation in the Brisbane River corridor:   1. does not result in a change in ground level greater than 1m ; 2. where for steps and ramps not involving a change in ground level greater than 1m, does not occur within: 3. for the Brisbane River corridor sub-category section 1, 30m horizontal distance from the high water mark; 4. for the Brisbane River corridor sub-category sections 2, 3, 4 and 5, 20m horizontal distance from the high water mark.   Refer to Figure b. |
| Section I—If for assessable development other than a dwelling house (including excavation or filling) in a Citywide waterway corridor sub-category or the Local waterway corridor sub-category | |
| PO10  Development protects and enhances the values and functions of a waterway corridor by:   1. avoiding fragmentation of the waterway; 2. protecting and enhancing riparian vegetation; 3. providing environmental connectivity along the waterway; 4. maintaining natural flow conditions. | AO10  Development is not located within a waterway corridor. |
| PO11  Development involving fencing in and adjacent to a waterway corridor is located and designed so as not to block water flow and enables aquatic and terrestrial fauna movement. | AO11  Development involving fencing within a waterway corridor incorporates fauna- friendly fencing which is offset by a minimum 300mm above ground level. |
| PO12  Development avoids the fragmentation of a waterway corridor, its riparian landscape values and provides for environmental connectivity along the waterway. | AO12  Development does not dissect a waterway corridor with driveways, pathways or other impervious surfaces. |
| PO13  Development provides stormwater management solutions which assist in the re-naturalisation of a waterway in the Citywide waterway corridor sub-category. | AO13  Development provides stormwater management solutions in a waterway in the Citywide waterway corridor sub-category which involves the removal of any stormwater pipes and re-instatement of an open waterway.  Editor’s note—Guidance on natural channel design principles can be found in the Council publication Natural channel design guidelines.  Note—Advice should be sought from Council as to whether the reinstatement of an open waterway is a suitable solution based on the extent and location of the development. |
| PO14  Development preserves a waterway in the Citywide waterway corridor sub-category for public use if that land is required for ecological, public open space or recreation functions. | AO14  Development provides for the transfer of land to Council in a waterway of the Citywide waterway corridor sub-category in compliance with a neighbourhood plan or the Local government infrastructure plan. |
| PO15  Development is designed to use a waterway which is in the Local waterway corridor sub-category as an environmental and landscape feature in the urban environment. | AO15  Development ensures that a waterway in the Local waterway corridor sub-category is accessible for open space purposes. |
| Section J—If for assessable development, other than for a dwelling house, dual occupancy or excavation and filling, where in the Brisbane River corridor sub-category | |
| PO16  Development of a site in the Brisbane River corridor sub-category abutting the Brisbane River:   1. maintains and enhances the attractive appearance of the Brisbane River and its banks, when viewed from the Brisbane River, from development near the Brisbane River, or from other public viewing points; 2. uses materials for buildings, structures and landscaping which complement surrounding buildings, the visual character of the area and the character, functions and values of the corridor section.   Refer to Figure c. | AO16  Development involving buildings (excluding ancillary buildings or structures), parking and servicing areas, and areas for the storage of materials, goods or solid waste:   1. for the Brisbane River corridor sub-category – section 1 is set back a minimum 30m horizontal distance from the high water mark; 2. for the Brisbane River corridor sub-category – sections 2, 3, 4 and 5 is set back a minimum of 20m from the high water mark; or 3. if the existing development on an adjoining lot is located within 20m of the high water mark, the setback does not extend closer to the high water mark than the existing adjoining development. |
| PO17  Development involving a river wall and fencing does not detract from the Brisbane River's landscape values. | AO17.1  Development involving fencing does not exceed 2m in height above ground level:   1. for the Brisbane River corridor sub-category – section 1, within 30m horizontal distance from the high water mark; 2. for the Brisbane River section sub-category – sections 2, 3, 4 and 5, within 20m horizontal distance from the high water mark. |
| AO17.2  Development involving a river wall:   1. is not constructed in the Brisbane River corridor sub-category – section 1; 2. is only designed and constructed in the Brisbane River corridor sub-category – section 2, 3, 4 or 5 if: 3. consistent with an adjoining existing river wall; 4. no higher than the existing ground level of the land. |
| PO18  Development protects and enhances the values and functions of the Brisbane River Corridor. | AO18  Development does not result in the removal of vegetation from a waterway corridor, except for the removal of plant species declared by the Queensland Government as Class 1, 2 or 3 plants under the Land Protection (Pest and Stock Route Management) Regulations 2003 or environmental weeds identified by Council in the Brisbane Invasive Species Management Plan. |
| PO19  Development preserves riverfront land for public use if that land is required for ecological, public open space or recreation functions. | AO19  Development provides for the transfer of land in the Brisbane River corridor sub-category to Council, in compliance with the Local government infrastructure plan and the Bicycle network overlay map (Riverwalk sub-categories). |
| Section K—Additional performance outcome and acceptable outcome for reconfiguring at lot | |
| PO20  Development ensures that a waterway corridor in the Citywide waterway corridor sub-category or the Local waterway corridor sub-category provides for environmental connectivity along the waterway. | AO20.1  Development within a Citywide waterway corridor sub-category or Local waterway corridor sub-category, which does not require public dedication in accordance with the Local government infrastructure plan:   1. does not increase the number of allotment boundaries which dissect a waterway corridor; 2. retains the corridor within a single allotment. |
| AO20.2  Development within a Citywide waterway corridor sub-category or Local waterway sub-category does not result in new roads or driveways crossing the corridor. |
| Section L—If in the Rochedale urban community neighbourhood plan area | |
| PO21  Development protects and enhances the function of waterway corridors, including:   1. water conveyance; 2. water quality; 3. rehabilitation of ecological health and habitat values; 4. recreation and amenity; 5. preventing development from occurring within the waterway corridor. | AO21.1  Development includes waterway corridors that are a minimum of 60m wide and remain clear of development. |
| AO21.2  Development rehabilitates the waterway corridor in accordance with an approved rehabilitation plan.  Note—Rehabilitation is to be:   * completed within 1 year of the commencement of site works or commencement of use, whichever is sooner; * maintained for a minimum period of 3 years, removing rubbish and weeds, replacing damaged and dead vegetation and managing erosion. |

Table 8.2.26.3.B—Siting and design for ancillary buildings and structures

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| --- | --- | --- | --- | --- |
| Sub-category | Min. horizontal setback from high water mark (m) | Max. area within corridor setback (m2) | Max. height of deck or floor above ground level (m) | Max. height of structure above ground level (m) |
| Brisbane River corridor subcategory – section 1 | Less than 10 | Nil | Nil | Nil |
| >10 to <15 | 10 | 1 | 2 (no roof) |
| >15 to <20 | 25 | 1.5 | 3.5 |
| >20 to <25 | 36 | 2 | 3.5 |
| >25 to <30 | 50 | 3 | 3.5 |
| Brisbane River corridor subcategory – section 2 and section 4 (residential land in Hawthorne and Bulimba only) | Less than 5 | 10 | 1 | 2 (no roof) |
| >5 to <10 | 25 | 1 | 3.5 |
| >10 to <15 | 36 | 1.5 | 3.5 |
| >15 to <20 | 50 | 2 | 3.5 |
| More than 20 | - | - | - |
| Brisbane River corridor subcategory –section 3 and section 5 | Less than 20 | 40 | - | 3 |
| More than 20 | - | - | - |
| In sections 2, 3 and 4 – 40m2 building footprint for all roofed structures, including 20m2 for an unenclosed roofed structure such as a pergola | | | | |





