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

|  |  |  |
| --- | --- | --- |
| 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](FortitudeValleyLP.docx) |
| If in the City Centre zone precinct of the Principal centre zone or the Inner city zone precinct of the Mixed use zone |
| [Bar](Definitions.docx#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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code;
2. [gross floor area](Definitions.docx#GFA) 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](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | Not applicable |
| If involving an existing premises, where:1. on a site indicated as SEA buffer in the special entertainment area on [Figure a](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code;
2. complying with all acceptable outcomes in section A of the [Centre or mixed use code](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | 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](FortitudeValleyLP.docx#Figurea) 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](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | [Centre or mixed use code](CentreUseCode.docx)—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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code;
2. not complying with all acceptable outcomes in section A of the [Centre or mixed use code](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | [Centre or mixed use code](CentreUseCode.docx)—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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code, where:1. [gross floor area](Definitions.docx#GFA) 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 code](FortitudeValleyLP.docx)[Centre or mixed use code](CentreUseCode.docx)—purpose, overall outcomes and section A outcomes only |
| [Club](Definitions.docx#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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code | [Fortitude Valley neighbourhood plan code](FortitudeValleyLP.docx)[Centre or mixed use code](CentreUseCode.docx)[Prescribed secondary code](Part5TablesOfAssessmentIntro.docx#Pt535PreSecCode) |
| [Food and drink outlet](Definitions.docx#FoodDrink) | 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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code;
2. [gross floor area](Definitions.docx#GFA) 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](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | Not applicable |
| If involving an existing premises, where:1. on a site indicated as SEA buffer in the special entertainment area on [Figure a](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code;
2. complying with all acceptable outcomes in section A of the [Centre or mixed use code](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | 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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code;
2. [gross floor area](Definitions.docx#GFA) 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](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | [Centre or mixed use code](CentreUseCode.docx)—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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code;
2. not complying with all acceptable outcomes in section A of the [Centre or mixed use code](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | [Centre or mixed use code](CentreUseCode.docx)—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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code, where:1. [gross floor area](Definitions.docx#GFA) 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 code](FortitudeValleyLP.docx)[Centre or mixed use code](CentreUseCode.docx)—purpose, overall outcomes and section A outcomes only |
| [Hotel](Definitions.docx#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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code;
2. [gross floor area](Definitions.docx#GFA) 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](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | Not applicable |
| If involving an existing premises, where:1. on a site indicated as SEA buffer in the special entertainment area on [Figure a](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code;
2. complying with all acceptable outcomes in section A of the [Centre or mixed use code](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | 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](FortitudeValleyLP.docx#Figurea) 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](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | [Centre or mixed use code](CentreUseCode.docx)—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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code;
2. not complying with all acceptable outcomes in section A of the [Centre or mixed use code](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | [Centre or mixed use code](CentreUseCode.docx)—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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code, where:1. [gross floor area](Definitions.docx#GFA) 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 code](FortitudeValleyLP.docx)[Centre or mixed use code](CentreUseCode.docx)—purpose, overall outcomes and section A outcomes only |
| [Indoor sport and recreation](Definitions.docx#IndoorSport) | 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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code | [Fortitude Valley neighbourhood plan code](FortitudeValleyLP.docx)[Centre or mixed use code](CentreUseCode.docx)—section A acceptable outcomes only |
| [Nightclub entertainment facility](Definitions.docx#Nightclub) | 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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code;
2. [gross floor area](Definitions.docx#GFA) 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](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | Not applicable |
| If involving an existing premises, where:1. on a site indicated as SEA buffer in the special entertainment area on [Figure a](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code;
2. complying with all acceptable outcomes in section A of the [Centre or mixed use code](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | 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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code;
2. [gross floor area](Definitions.docx#GFA) 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](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | [Centre or mixed use code](CentreUseCode.docx)—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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code;
2. not complying with all acceptable outcomes in section A of the [Centre or mixed use code](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | [Centre or mixed use code](CentreUseCode.docx)—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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code, where:1. [gross floor area](Definitions.docx#GFA) 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 code](FortitudeValleyLP.docx)[Centre or mixed use code](CentreUseCode.docx)—purpose, overall outcomes and section A outcomes only |
| [Short-term accommodation](Definitions.docx#Shortterm) | 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](FortitudeValleyLP.docx#Figurea) of the Fortitude Valley Neighbourhood plan code | [Fortitude Valley neighbourhood plan code](FortitudeValleyLP.docx)[Centre or mixed use code](CentreUseCode.docx)—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](Definitions.docx#CentreActivities) (activity group) | Accepted development, subject to compliance with identified requirements |
| If involving an existing premises, where:1. not a [bar](Definitions.docx#Bar), [club](Definitions.docx#Club), [food and drink outlet](Definitions.docx#FoodDrink), [hotel](Definitions.docx#Hotel), [indoor sport and recreation](Definitions.docx#IndoorSport), [nightclub entertainment facility](Definitions.docx#Nightclub) or [short-term accommodation](Definitions.docx#Shortterm);
2. [gross floor area](Definitions.docx#GFA) is no greater than 1,500m2 for any individual tenancy where [shop](Definitions.docx#Shop) or shop component of a [shopping centre](Definitions.docx#ShopCentre);
3. complying with all acceptable outcomes in section A of the [Centre or mixed use code](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | Not applicable |
| Assessable development—Code assessment |
| If involving an existing premises, where:1. not a [bar](Definitions.docx#Bar), [club](Definitions.docx#Club), [food and drink outlet](Definitions.docx#FoodDrink), [hotel](Definitions.docx#Hotel), [indoor sport and recreation](Definitions.docx#IndoorSport), [nightclub entertainment facility](Definitions.docx#Nightclub) or [short-term accommodation](Definitions.docx#Shortterm);
2. [gross floor area](Definitions.docx#GFA) is no greater than 1,500m2 for any individual tenancy where [shop](Definitions.docx#Shop) or shop component of a [shopping centre](Definitions.docx#ShopCentre);
3. not complying with all acceptable outcomes in section A of the [Centre or mixed use code](file:///%5C%5Cad%5Cgroups%5CCPS%5CCPED%5CCPBranch%5CC_PConf%5CCPOT_Sandbox%5C2017_Planning%20Act%20readiness%5CTEXT%5CPart%205%20-%20Tables%20of%20assessment%5CPart5NeighbourhoodPlans%5CCentreUseCode.docx)
 | [Centre or mixed use code](CentreUseCode.docx)—purpose, overall outcomes and section A outcomes only |
| If involving a new premises or an existing premises with an increase in [gross floor area](Definitions.docx#GFA), where:1. not a [bar](Definitions.docx#Bar), [club](Definitions.docx#Club), [food and drink outlet](Definitions.docx#FoodDrink), [hotel](Definitions.docx#Hotel), [indoor sport and recreation](Definitions.docx#IndoorSport), [nightclub entertainment facility](Definitions.docx#Nightclub) or [short-term accommodation](Definitions.docx#Shortterm);
2. [gross floor area](Definitions.docx#GFA) is no greater than 1,500m2 for any individual tenancy where [shop](Definitions.docx#Shop) or shop component of a [shopping centre](Definitions.docx#ShopCentre)
 | [Fortitude Valley neighbourhood plan code](FortitudeValleyLP.docx)[Centre or mixed use code](CentreUseCode.docx)[Prescribed secondary code](Part5TablesOfAssessmentIntro.docx#Pt535PreSecCode) |
| 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](Definitions.docx#CommunityUse) | Assessable development—Code assessment |
| If involving a new premises or an existing premises with an increase in [gross floor area](Definitions.docx#GFA) | [Fortitude Valley neighbourhood plan code](FortitudeValleyLP.docx)[Community facilities code](CommunityCode.docx)[Prescribed secondary code](Part5TablesOfAssessmentIntro.docx#Pt535PreSecCode) |
| [Office](Definitions.docx#Office) | Assessable development—Code assessment |
| If involving an existing premises, where [gross floor area](Definitions.docx#GFA) is no greater than 500m2 | [Fortitude Valley neighbourhood plan code](FortitudeValleyLP.docx)[Centre or mixed use code](CentreUseCode.docx)[Prescribed secondary code](Part5TablesOfAssessmentIntro.docx#Pt535PreSecCode) |

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](https://www.legislation.qld.gov.au/Acts_SLs/Acts_SL_L.htm). 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

|  |  |  |
| --- | --- | --- |
| Development | Categories of development and assessment | Assessment benchmarks |
| ROL, if assessable development | No change | [Fortitude Valley neighbourhood plan code](FortitudeValleyLP.docx) |

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

|  |  |  |
| --- | --- | --- |
| Development | Categories of development and assessment | Assessment benchmarks |
| Building work, if assessable development | No change | [Fortitude Valley neighbourhood plan code](FortitudeValleyLP.docx) |

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](FortitudeValleyLP.docx) |