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**BRISBANE CITY COUNCIL**

**TEMPORARY LOCAL PLANNING INSTRUMENT 03/17**

**CIVIC SPACES AND ICONIC VISTAS**

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**1. Short title**

This Temporary Local Planning Instrument (TLPI) may be cited as Temporary Local Planning Instrument 03/17 – Civic spaces and iconic vistas.

**2. Purpose**

The purpose of this TLPI is to:

- implement the policy direction in the Strategic framework of *Brisbane City Plan 2014*, in particular Theme 2: Brisbane’s outstanding lifestyle, and Element 2.1 – Brisbane’s identity; and
- protect significant civic spaces and iconic vistas until *Brisbane City Plan 2014* is amended to include additional protections for civic spaces and iconic vistas in the City Centre.

**3. Application**

This TLPI applies to any development on the land identified in *Table 1 (Land affected by the TLPI)*.

For Site 1 and Site 2 identified in *Table 1 (Land affected by the TLPI)*, where development is proposed in a ‘key civic space’ area shown on *Figure 1 (Key civic space areas and iconic vista sites)*, this TLPI applies:

- (a) the category of assessment and assessment benchmarks identified in *Table 2 (Categories of development and assessment and assessment benchmarks)*; and
- (b) the assessment benchmarks identified in *Table 3 (Assessment benchmarks for Site 1 and Site 2)*.

For site three identified in *Table 1 (Land affected by the TLPI)*, where development is proposed on an ‘iconic vista site’ shown on *Figure 1*, this TLPI applies:

- (a) the category of assessment and assessment benchmarks identified in *Table 2 (Categories of development and assessment and assessment benchmarks)*; and
- (b) the assessment benchmarks identified in *Table 4 (Assessment benchmarks for Site 3)*.

This TLPI applies in addition to the current provisions of *Brisbane City Plan 2014*.

This TLPI does not apply to prescribed accepted development as defined in *Table 5.3.4.1 – Prescribed accepted development of Brisbane City Plan 2014*.

**4. Duration**

This TLPI has effect for a period of two years from the date of commencement.

## 5. Terms used in this TLPI

Terms used in this TLPI have the same meaning as in the *Planning Act 2016* or *Brisbane City Plan 2014*, unless otherwise defined in this TLPI.

## 6. Effect of this Temporary Local Planning Instrument

- 6.1 Development involving a use listed in Table 2, Column 1 on Site 1 and Site 2 in Table 1, where proposed on, or over, a key civic space area designated on Figure 1, has the category of development and assessment specified in Table 2, Column 2, and must comply with the assessment benchmarks specified in Table 2, Column 3.
- 6.2 Development involving a use listed in Table 2, Column 1 on Site 3 in Table 1, where proposed on, or over, an iconic vista site designated on Figure 1, has the category of development and assessment specified in Table 2, Column 2, and must comply with the assessment benchmarks specified in Table 2, Column 3.
- 6.3 Where development is proposed on premises included in more than one zone, or overlay, the level of assessment is the highest level for each aspect of the development under each of the applicable zones, overlays or this TLPI.

**Table 1: Land affected by the TLPI**

Site reference	Street Number	Street Name	Suburb	Lot number	Plan number
Site 1	266	George Street	Brisbane City	12	SP192709
Site 2	270	Queen Street	Brisbane City	1	RP127671
Site 3	261	Queen Street	Brisbane City	33	RP48556

**Table 2: Categories of assessment and assessment benchmarks**

Column 1 – Use	Column 2 – Categories of development and assessment	Column 3 – Assessment benchmarks
<b>Site 1 and Site 2</b>		
Any use, excluding: <ul style="list-style-type: none"> <li>• Market; or</li> <li>• Park</li> </ul>	Assessable development – Impact assessment	<i>Brisbane City Plan 2014</i> Table 3 of this TLPI
<b>Site 3</b>		
Any use	Assessable development – Impact assessment  If involving an increase in building height above the height of the existing heritage building	<i>Brisbane City Plan 2014</i> Table 4 of this TLPI

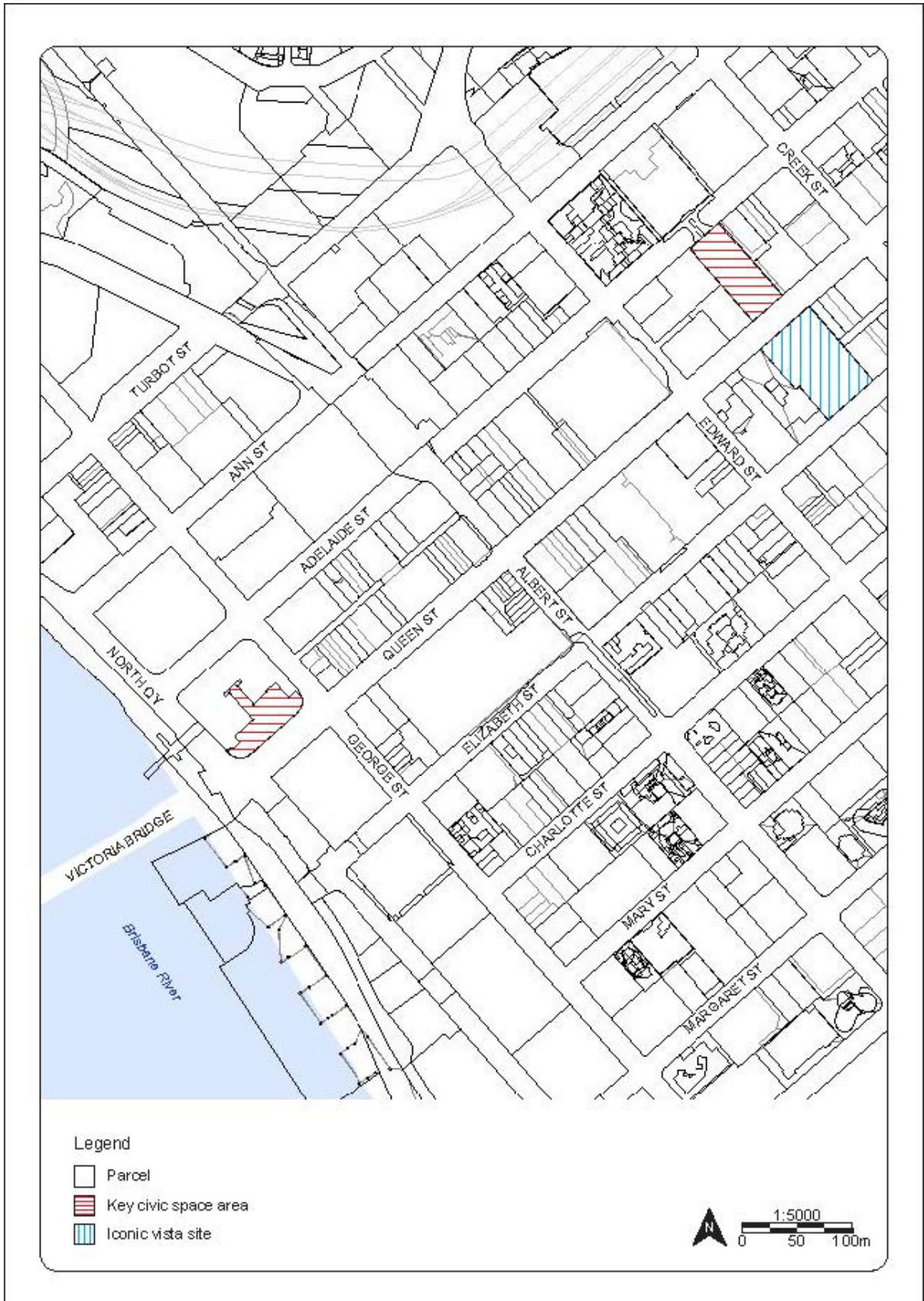
**Table 3: Assessment benchmarks for Site 1 and Site 2**

<b>Overall outcome</b>	
<p>(a) Development maintains key civic space areas identified on Figure 1, and does not result in any permanent buildings being erected within a key civic space area on a site, unless there is both an overwhelming community and economic need demonstrated for the development relative to the public’s interest in maintaining the civic space areas identified on figure 1.</p> <p>(b) Development protects land in the city that is generally accessible to the public, while recognising that accessibility may be limited at certain times due to club events and activities.</p> <p>(c) Development provides for land to make an important contribution to Brisbane’s liveability.</p> <p>(d) Development provides for a wide range of community and cultural activities primarily <a href="#">park</a> to be accommodated at metropolitan level whether they are on publicly or privately owned land.</p> <p>(e) Development accommodates a diverse range of vibrant activities including activities which may generate noise and light during evening hours, sometimes on a regular basis.</p> <p>(f) Development for a compatible land use of <a href="#">market</a> or <a href="#">theatre</a> (where an outdoor cinema) may be located in where it complements the leisure and recreation experience of users.</p> <p>(g) Development provides a <a href="#">park</a> setting that will attract and cater for users from across the Brisbane metropolitan area.</p>	
<b>Performance outcomes</b>	<b>Acceptable outcomes</b>
<p><b>PO1</b></p> <p>When on a site in a key civic space area, as identified on Figure 1, development:</p> <p>(a) does not result in any permanent buildings being erected within the key civic space area; and</p> <p>(b) does not intrude into the air space above the key civic space area.</p> <p><i>Note – For the purposes of Site 2, the key civic space area is the area located above the food court and shopping level. At the Queen Street alignment, the key civic space area is at ground level. At the Adelaide Street alignment, the key civic space area is at one level above ground level.</i></p>	<p><b>AO1</b></p> <p>No acceptable outcome is prescribed.</p>

**Table 4: Assessment benchmarks for Site 3**

<b>Performance outcomes</b>	<b>Acceptable outcomes</b>
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<p><b>PO1</b></p> <p>Development has a maximum building height that does not exceed the height of the existing heritage building known as the Brisbane General Post Office.</p>	<p><b>AO1</b></p> <p>No acceptable outcome is prescribed.</p>
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**Figure 1: Key civic space areas and iconic vista sites**

**Note – The extent of the key civic space area on site one reflects the Plan of Lease for Lot 12 on SP192709 under lease dealing 711076130.**

**Note – For Site 2, the key civic space area is the area located above the food court and shopping level. At the Queen Street alignment, the key civic space area is at ground level. At the Adelaide Street alignment, the key civic space area is at one level above ground level.**