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## BRISBANE CITY COUNCIL

### TEMPORARY LOCAL PLANNING INSTRUMENT 02/16

#### PROTECTION OF BUILDINGS CONSTRUCTED PRIOR TO 1911

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##### 1. Short title

This Temporary Local Planning Instrument (TLPI) may be cited as *Temporary Local Planning Instrument 02/16 – Protection of Buildings Constructed Prior to 1911*.

##### 2. Purpose

The purpose of this TLPI is to:-

- implement the policy direction in the Strategic framework of the *Brisbane City Plan 2014*, in particular Theme 2: Brisbane's outstanding lifestyle and Element 2.1 – Brisbane's identity
- provide for the assessment of any removal or demolition of any pre-1911 buildings on land identified in Table 2
- protect the pre-1911 buildings until the *Brisbane City Plan 2014* is amended to afford the buildings' protection pursuant to the Pre-1911 building overlay and Pre-1911 building overlay code.

##### 3. Application

This TLPI applies to assessing building work involving the removal or demolition of a pre-1911 building on land identified in Table 2: Schedule of Buildings Constructed Prior to 1911 on the date of commencement of this TLPI.

These lots are deemed to be contained in the Pre-1911 building overlay and identified on the Pre-1911 building overlay map of the *Brisbane City Plan 2014*.

This TLPI does not apply to prescribed exempt development as defined in Table 5.3.4.1 – Prescribed exempt development of the *Brisbane City Plan 2014* and which is exempt development under Chapter 5 of the *Brisbane City Plan 2014*.

Where an approval is issued under this TLPI by Brisbane City Council as an assessment manager, the approval issued will be a Preliminary approval for building work. Council will also have regard to this TLPI in respect of its role as a concurrence agency for building work.

##### 4. Duration

This TLPI has effect for a period of 1 year from the date of commencement.

##### 5. Terms used in this TLPI

5.1 Terms used in this TLPI have the same meaning as in the *Sustainable Planning Act 2009* or the *Brisbane City Plan 2014*, unless otherwise defined in this TLPI.

## 6. Effect of this Temporary Local Planning Instrument

- 6.1 Development specified in Table 1, Column 1 of this TLPI has the level of assessment specified in Table 1, Column 2 and must comply with the applicable code specified in Table 1, Column 3.
- 6.2 Where development is proposed on premises included in more than one zone, neighbourhood plan or overlay, the level of assessment is the highest level for each aspect of the development under each of the applicable zones, neighbourhood plans, overlays or this TLPI.

**Table 1: Level of assessment table**

Column 1 – Development	Column 2 – Level of assessment	Column 3 - Assessment criteria
<b>All aspects of developments</b>		
MCU, ROL, building work or operational work if prescribed exempt development	<b>Exempt</b>	Not applicable
<b>Building work</b>		
Building work for partial demolition of a pre-1911 building	<b>Code assessment</b>	
	If complying with acceptable outcome AO2 in the <a href="#">Pre-1911 building overlay code</a> Note—If the development is impact assessable in the zone or neighbourhood plan, then the level of assessment is not lowered to code assessment.	<a href="#">Pre-1911 building overlay code</a>
	<b>Impact assessment</b>	
	If not complying with acceptable outcome AO2 in the <a href="#">Pre-1911 building overlay code</a>	The planning scheme including: <a href="#">Pre-1911 building overlay code</a>
Building work for demolition of a pre-1911 building	<b>Code assessment</b>	
	If complying with acceptable outcome AO3 in the <a href="#">Pre-1911 building overlay code</a> Note—If the development is impact assessable in the zone or neighbourhood plan, then the level of assessment is not lowered to code assessment.	<a href="#">Pre-1911 building overlay code</a>
	<b>Impact assessment</b>	
	If not complying with acceptable outcome AO3 in the <a href="#">Pre-1911 building overlay code</a>	The planning scheme including: <a href="#">Pre-1911 building overlay code</a>
Building work for the removal of a pre-1911 building	<b>Code assessment</b>	
	If complying with acceptable outcome AO4 in the in the <a href="#">Pre-1911 building overlay code</a> Note—If the development is impact assessable in the zone or neighbourhood plan, then the level of assessment is not lowered to code assessment.	<a href="#">Pre-1911 building overlay code</a>
	<b>Impact assessment</b>	
	If not complying with acceptable outcome AO4 in the <a href="#">Pre-1911 building overlay code</a>	The planning scheme including: <a href="#">Pre-1911 building overlay code</a>

**Table 2: Schedule of Buildings Constructed Prior to 1911**

<b>Unit</b>	<b>House number</b>	<b>Street Name</b>	<b>Suburb</b>	<b>Lot number</b>	<b>Plan number</b>
	16	Adair Street	Bald Hills	7 & 8	RP29037
	14	Jones Street	Highgate Hill	56	RP11740
	16	Jones Street	Highgate Hill	57	RP11740
	82	Sydney Street	New Farm	16	RP57909
	3	Claremont Street	Red Hill	3	RP20755
	9	Claremont Street	Red Hill	7	RP20755
	195	Upper Brookfield Road	Upper Brookfield	21	SP234163