

**Urban Land Development Authority**

**WOOLLOONGABBA**

**INTERIM LAND USE PLAN 2010**

**April 2010**

**Version 1**



# Contents

<b>Preliminary .....</b>	<b>1</b>
Introduction .....	1
Background .....	1
Urban Development Area.....	1
Purpose of the ILUP .....	1
Relationship with local government planning scheme .....	1
Relationship with other legislation.....	1
<b>Development Assessment Procedures .....</b>	<b>4</b>
Levels of assessment.....	4
<b>Schedules .....</b>	<b>5</b>
Schedule 1: Exempt Development.....	5
Schedule 2: Definitions.....	7

# Preliminary

## Introduction

The Woolloongabba Interim Land Use Plan (ILUP) has been prepared pursuant to Section 8 of the *Urban Land Development Authority Act 2007* and applies only to land within the declared Woolloongabba Urban Development Area (UDA) identified in Figure 1.

This ILUP commences on declaration.

## Background

The *Urban Land Development Authority Act 2007* (the Act) provides for particular parts of the State to be declared as areas called urban development areas.

The main purposes of the Act are to facilitate the following in the urban development areas:

- » the availability of land for urban purposes
- » the provision of a range of housing options to address diverse community needs
- » the provision of infrastructure for urban purposes
- » planning principles that give effect to ecological sustainability and best practice urban design, and
- » the provision of an ongoing availability of affordable housing options for low to moderate income households.

The Urban Land Development Authority (ULDA) is a statutory authority under the Act and is a key element of the Queensland Housing Affordability Strategy.

The ULDA is tasked to plan, carry out, promote or coordinate and control, the development of land in declared urban development areas.

## Urban Development Area

The Woolloongabba UDA was declared by a regulation, pursuant to Part 2 Division 1 Section 7 of the Act.

The Woolloongabba UDA is located approximately 2km south east of the Brisbane Central Business District, see figure 1. The site has an area of approximately 10 hectares and is bounded by Stanley and Vulture Streets to the north and south and extending west from Main Street through to Allen Street adjacent to the Mater hospital. The site is very well serviced by local amenities and public transport with excellent access to the Pacific Motorway.

The site is currently occupied by the State Government's Goprint and Landcentre buildings, part of the Pacific Motorway and freeway ramps and a small number of privately owned parcels on the corner of Stanley St and Melton Road.

There are substantial benefits in coordinating the land use planning for the Woolloongabba UDA with the Brisbane Cross River Rail proposal, which has been recently declared as a project of state significance. The Cross River Rail proposal identifies a new underground train station at Woolloongabba and declaration of the UDA will help to ensure adequate land use and transport integration as well as the opportunity to rationalise and consolidate freeway ramps on both sides of the motorway creating viable development opportunities and reconnecting Woolloongabba to the Mater precinct.

The UDA boundary complements Brisbane City Council's Woolloongabba and Kangaroo Point neighbourhood plans.

The *South East Queensland Regional Plan 2009 - 2031* identifies Woolloongabba as part of the frame area to support the primary activity centre of the Brisbane CBD. It recognises that the frame area provides distinct opportunities for commercial, legal, government, retail, community and entertainment precincts as well as significant residential communities.

Development under the Woolloongabba ILUP will demonstrate the efficient provision of transit oriented development, in association with the busway station and future underground rail station, whilst encouraging a wider choice in housing style and the provision of affordable product in a mixed-use, high density, urban environment.

## **Purpose of the ILUP**

The purpose of this ILUP is to ensure that the future development opportunities to be determined during the preparation of the development scheme are not compromised.

The ILUP remains in force until such time as the development scheme takes effect.

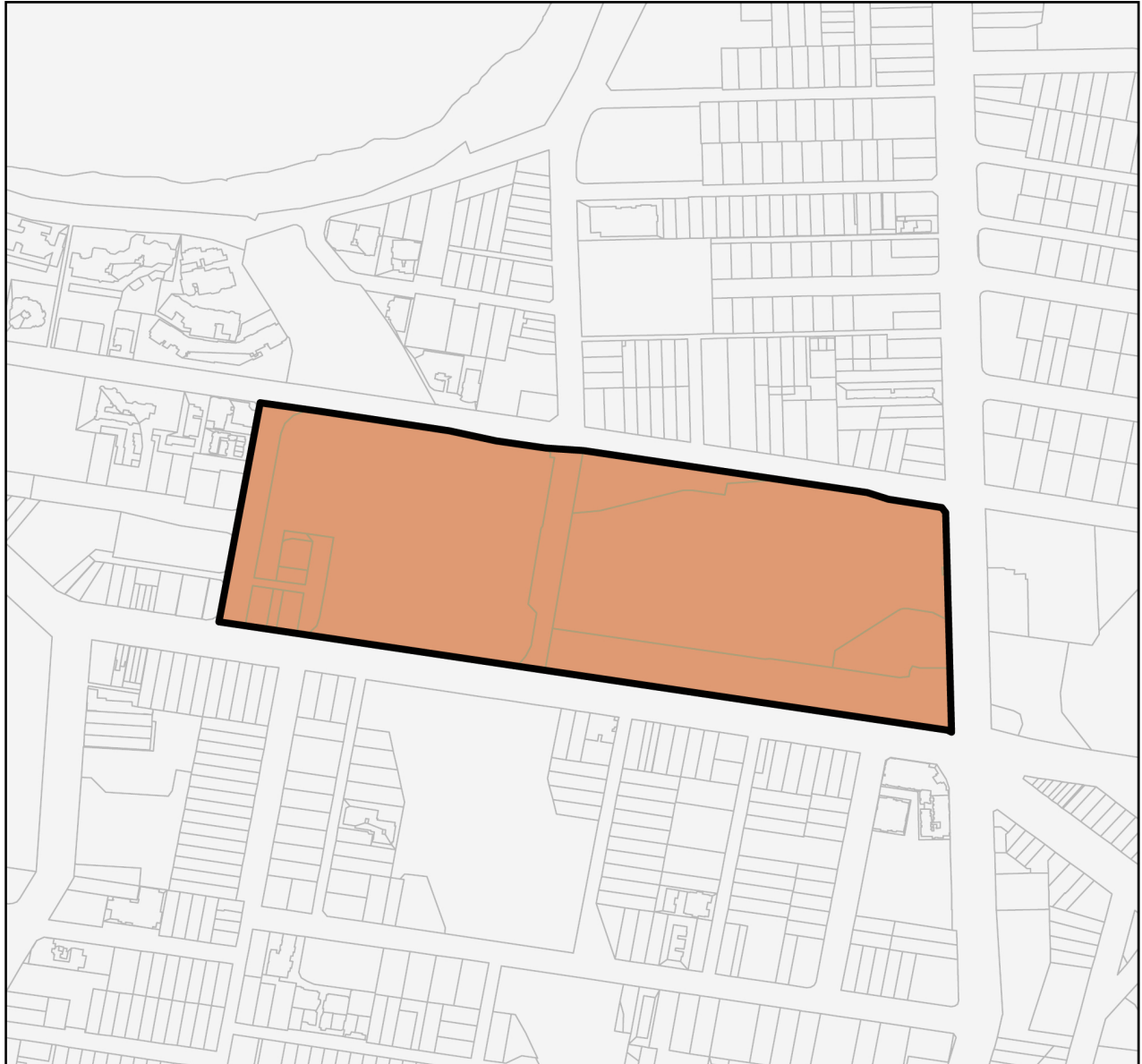
## **Relationship with local government planning scheme**

From the date of declaration of the UDA, the ILUP replaces the local planning scheme.

## **Relationship with other legislation**

While development within the UDA may be exempt and not require assessment against the ILUP, it may require assessment against other legislation including for example the *Building Act 1975* and the *Plumbing and Drainage Act 2002*.

# Figure 1: Woolloongabba UDA



## Key

-  UDA Boundary
-  UDA Area

Source: Digital Cadastre Database, Department of Environment and Resource Management December 2009

Map generated by Spatial Services branch of the Department of Infrastructure and Planning and Urban Land Development Authority.

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Not to Scale

# Development Assessment Procedures

## Levels of assessment

### Within the UDA

All development within the UDA (except for development identified in Schedule 1 as Exempt development) is UDA Assessable Development (Prohibited).

### UDA Prohibited Development

UDA Assessable Development (Prohibited) is UDA Assessable Development that is inconsistent with the ILUP and may not be carried out in the urban development area.

### UDA Exempt Development

Development included in Schedule 1 is UDA Exempt Development meaning that a UDA Development Approval is not required prior to carrying out the use or works.

### UDA Assessable Development

Development not mentioned in Table 1 of this ILUP as UDA Self-Assessable Development, UDA Assessable Development (Permissible) and Exempt Development is UDA Assessable Development (Prohibited).

Table 1

Column 1	Column 2	Column 3 UDA Assessable Development	
Areas	UDA Self Assessable Development	Column 3A	Column 3B
		Permissible Development	Prohibited Development
UDA Area	Nil	Nil	<b>All development</b> including development (not defined) except development mentioned in Schedule 1.

# Schedules

## Schedule 1: Exempt Development

### Building work

- i. Minor building and demolition work

### Reconfiguring a lot

- i. Subdivision involving road widening and truncations required as a condition of development approval.
- ii. Amalgamating two or more lots.
- iii. Reconfiguration for a building format plan of subdivision that does not subdivide land on or below the surface of the land.
- iv. Reconfiguring a lot for the incorporation, under the Body Corporate and Community Management Act 1997, section 41, of a lot with common property for a community titles scheme.
- v. Reconfiguring a lot for the conversion, under the Body Corporate and Community Management Act 1997, section 43, of lease common property within the meaning of that Act to a lot in a community titles scheme.
- vi. Reconfiguring a lot in relation to the acquisition, including by agreement, under the Acquisition of Land Act 1967 or otherwise, of land by
  - a constructing authority, as defined under that Act, for a purpose set out in 1-13 (other than part 10, second dot point) of the schedule to that Act
  - an authorised electricity entity.
- vii. Reconfiguring a lot for land held by the State, or a statutory body representing the State, and the land is being subdivided for a purpose set out in the Acquisition of Land Act 1967, schedule, parts 1 to 13 (other than part 10, second dot point) whether or not the land relates to an acquisition.
- viii. Reconfiguring a lot for the Transport Infrastructure Act 1994, section 240.
- ix. Reconfiguring a lot in relation to the acquisition of land for a water infrastructure facility.



## **Operational work**

- i. Clearing vegetation other than Significant vegetation and Significant vegetation where the clearing is consistent with an approved Plan of Development
- ii. Operational work, including filling and excavation, for stormwater management
- iii. Operational work, or plumbing or drainage work (including maintenance and repair work) if the work is carried out by or on behalf of a public sector entity authorised under a State law to carry out the work
- iv. Erecting no more than one (1) satellite dish on premises, where the satellite dish has no dimension greater than one metre
- v. Filling or excavation where:
  - a. to a depth of one vertical metre or less from ground level on land subject to an approved Plan of Development or
  - b. top dressing to a depth of less than 100 vertical millimetres from ground level on land subject to an approved Plan of Development.

## **All aspects of development**

- i. Development directed to be carried out under a notice, order or direction made under a State law.
- ii. Development associated with the decontamination of land.
- iii. Development associated with the establishment or maintenance of a park.

## Schedule 2: Definitions

### Use Definitions

#### Commercial Uses

##### Business

Premises used for administration, clerical, technical, professional, medical or veterinarian services or other business activities where no goods or materials are made, sold or hired on the premises.

##### Home based business

House or multiple residential unit used for an occupation or business activity as a secondary use where:

- a. the floor area used specifically for the home business does not exceed 50m<sup>2</sup>
- b. any visitor accommodation does not exceed 4 visitors
- c. there is no hiring out of materials, goods, appliances or vehicles
- d. there is no repairing, servicing, cleaning or loading of vehicles not normally associated with a house
- e. the maximum height of a new building, structure or object does not exceed the height of the house and the setback is the same as, or greater than, buildings on adjoining properties.

##### Sales office and display home

Premises, including a caravan or relocatable home structure, used for the promotion and/or sale of land and/or buildings within an estate, where such premises are located within the estate which is proposed to be promoted or sold.

#### Industrial Uses

##### Extractive industry

Premises used for extraction of sand, gravel, soil, rock, stone or similar substance from land. The use includes ancillary storage, loading or cartage and any crushing, screening, washing, blending or other treatment processes of material extracted from the site.

##### General industry

Premises used for making, assembling, dismantling, breaking up, servicing, storing, repairing goods, or treating waste where potential impacts exist.

##### Warehouse

Premises used for the storage of goods whether or not in a building, including self storage facilities or storage yards.

#### Residential Uses/Residential

##### House

Premises used for residential purposes where on its own lot, used as one self contained dwelling and not subject to community title.

### **Multiple residential**

Premises used for residential purposes if there are two or more dwelling units on any one lot, on its own lot and subject to a community titles scheme. Multiple Residential does not include a house, as defined herein.

### **Other residential**

Premises used for the accommodation and care of aged and retired people, small groups of disadvantaged persons or persons who are being nursed, require ongoing supervision/support, or are convalescing. This use may include but is not limited to ancillary dining and recreation facilities, administration offices, laundries, kitchens, ancillary medical facilities and residential accommodation for management and staff.

### **Retail Uses/Retail**

#### **Fast food premises**

Premises used for the preparation and sale of food to the public generally for immediate consumption on or off the premises. The use may include drive through facilities and ancillary facilities for the consumption of food on the premises.

#### **Market**

Premises used for the display and sale of goods to the public on a regular but infrequent basis, where goods are primarily sold from temporary structures such as stalls, booths or trestle tables. The use includes ancillary food and beverage sales and ancillary entertainment provided for the enjoyment of customers.

#### **Service station**

Premises used for the retail sale of fuel including petrol, liquid petroleum and automotive distillate to refuel motor vehicles.

#### **Shop**

Premises used for the display, sale or hire of goods to the public. The use includes the incidental storage of goods on the premises and the ancillary or incidental preparation of food. It also includes hairdressing, minor appliance repairs, alterations, retail dry cleaning, liquor store, department store, discount department store, discount variety stores and betting agencies.

#### **Shopping centre**

Premises used for display, sale or hire of goods comprising two or more individual tenancies, comprising primarily shops and which function as an integrated complex.

### **Service, community and other uses**

#### **Caretaker's accommodation**

The residential use of part of a premises where in connection with a non residential use on the same premises.

**Car park**

Premises used for the parking of motor vehicles where such parking is not ancillary to some other development on the same site.

**Child care centre**

Premises used for the minding or care, but not residence of children generally under school age. The use includes but is not limited to a kindergarten, creche or early childhood centre.

**Community facility**

Premises used for social or community purposes, such as a community centre, library, public building or the like.

**Educational establishment**

Premises used for systematic training and instruction, including any other ancillary facility. This definition includes prep facilities, primary school, secondary school, college, university, technical institute, academy or other educational centre.

The use may include residential accommodation and other ancillary uses provided for the employees and the students of such premises.

**Emergency service**

Premises used for services which respond to community need in an emergency.

**Environmentally relevant activities**

As defined in the *Environmental Protection Act 1994*.

**Place of assembly**

Premises used for worship and activities of a religious organisation, community or association.

**Utility installation**

Premises used for the purpose of providing utility or telecommunication services, which does not fall within the Schedule of Facilities and Areas under the *Telecommunications Act 1997*. The use may include but is not limited to:

- » A telecommunications tower more than 5m in height
- » An equipment shelter of more than 7.5m<sup>2</sup> in area and 3m in height.

## **Sport, recreation and entertainment uses**

### **Club**

Premises used by persons associated (whether incorporated or not) for social, literary, political, sporting, athletic or other similar purposes to which the general public may also resort and which is, or intends to be, subject to a club licence under the *Liquor Act 1992*. The premises may also include the provision of food and beverages, limited live or recorded entertainment and gaming machines.

### **Indoor sport, entertainment and recreation**

Premises used for leisure, sport or recreation conducted wholly or mainly indoors such as indoor sports and fitness centres, gyms, bowling alleys, squash courts and the like.

### **Outdoor sport and recreation**

Premises used for any sporting or recreational activity, or other leisure pastime, which is conducted wholly or mainly outside of a building.

The use includes such typical premises as outdoor public swimming pools, golf courses and driving ranges, outdoor courts and sportsground, and the like. The term also includes the provision of a clubhouse and other ancillary facilities.

### **Park**

Premises used by the public for free recreation and enjoyment, but used infrequently for events.

Facilities for park users may include children's playground equipment, informal sports fields, vehicle parking and other public conveniences.

### **Other**

#### **Filling or excavation**

Operational work for filling or excavating that materially affects premises or their use.

#### **Reconfiguring a lot**

As defined in the *Sustainable Planning Act 2009*.

## **Administrative definitions**

### **Affordable housing**

Affordable housing is housing which can be reasonably afforded by low to moderate income households. Housing can reasonably be afforded by low income households, if the household spends no more than 30% of its combined annual gross household income on rent or 35% of its combined annual gross household income on home ownership.

Affordable housing encompasses:

- » Private rental housing and home purchase options (including housing aimed at the first home owners market)
- » Social housing (including public and community housing).

**Basement**

A storey below ground level or where the underside of the ceiling projects no more than one metre above ground level.

**Building height**

The maximum vertical distance between the natural ground level and the roof or parapet at any point but not including an antenna, aerial, chimney, flagpole or the like.

**Development scheme**

As defined in the *Urban Land Development Authority Act 2007*.

**Dwelling unit**

Means a building or part of a building used or capable of being used as a self contained residence which must include:

- » Food preparation facilities
- » A bath or shower
- » A toilet and wash basin.

The term includes works ancillary to a dwelling.

**Ground level**

The level on a site which precedes development excluding any site works that are subject to a related development approval, unless approved by the ULDA or established as part of a reconfiguration of the land preceding development.

**Gross floor area**

The total floor area of all storeys of a building, including mezzanines, measured from the external walls or the centre of a common wall, excluding area used for:

- » building services
- » ground floor public lobby
- » a public mall in a shopping complex
- » the parking, loading and manoeuvring of motor vehicles
- » private balconies whether roofed or not.

**Mezzanine**

An intermediate floor within a room.

### **Minor building or demolition work**

Includes:

- » internal building or demolition work
- » external building work up to 25m<sup>2</sup> for roofs over existing decks or paved areas, sun hoods, carports and the like
- » building work up to 10% of approved GFA or lawfully existing GFA at the time of commencement of this ILUP
- » raising a house where the resultant height does not exceed 9.5m
- » external demolition of post-1946 additions, alterations, extensions or outbuildings or pre-1946 free standing outbuildings at the rear of the building.

### **Noise sensitive use**

Means any of the following:

- » House, Multiple residential, Other residential
- » Childcare centre, Community facility, Hospital or Place of assembly
- » Park.

### **Plot ratio**

The ratio between the gross floor area of a building and the total area of the site.

### **Private open space**

An outdoor area for the exclusive use of occupants.

### **Public benefit**

Refers to an outcome that benefits the wider community rather than local, site specific or land ownership desires.

### **Public housing**

As defined in the *Sustainable Planning Act 2009*.

### **Public realm**

Refers to spaces that are used by the general public, including streets, squares, parks and environmental areas.

### **Setback**

The shortest distance measured horizontally from the outermost projection of the building or structure to the vertical projection of the boundary lot.

### **Significant vegetation**

Means all trees with a diameter of equal to or greater than 60cm when measured at 1metre above ground level, but does not include species listed as pest vegetation by the State or local government.

Note: trees may be living or dead and the term includes their root zone<sup>1</sup>.

### **Site cover**

The proportion of the site covered by buildings, including roof overhangs. The term does not include areas of covered private open space.

### **Storey**

Means a space within a building which is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above. This does not mean:

(i) a space that contains only:

- a lift shaft, stairway or meter room
- a bathroom, shower room, laundry, toilet or other sanitary compartment
- accommodation intended for not more than 3 vehicles
- a combination of the above, or

(ii) a mezzanine

### **Urban Design**

Refers to the holistic design of urban environments, including the overall townscape, individual buildings, street networks, streetscapes, parks and other public spaces.

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<sup>1</sup> The root zone is described by the vertical projection of the foliage to a depth of 1 metre below the soil surface and includes buttress roots on and above the soil surface