

# Economic Development Queensland



\*Indicative view from Cliveden Avenue

## Oxley Priority Development Area Development Scheme

Department of State Development, Manufacturing, Infrastructure and Planning

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# 1 Introduction

## 1.1 Economic Development Act

The *Economic Development Act 2012* (the ED Act)<sup>1</sup> establishes the Minister for Economic Development Queensland (MEDQ) as a corporation sole to exercise the functions and powers of the ED Act.

The main purpose of the ED Act<sup>2</sup> is to facilitate economic development and development for community purposes. The ED Act<sup>3</sup> seeks to achieve this by establishing the MEDQ and providing for a streamlined planning and development framework for particular parts of the state declared as Priority Development Areas (PDAs).

## 1.2 Priority Development Area description

The Oxley PDA was declared by regulation<sup>4</sup> on 10 August 2018 and is identified on map 1. The PDA is approximately 19 hectares.

The PDA is located approximately 11 kilometres south west of the Brisbane central business district in the suburb of Oxley. The PDA is bordered by Cliveden Avenue to the north, bushland to the west and surrounded by existing residential dwellings on Blackheath Road to the east and Seventeen Mile Rocks Road to the south. The PDA is in close proximity to the Oxley railway station and the Bywater Medical Centre and Canossa Services. The Fort Bushland Reserve is located opposite the PDA on Cliveden Avenue and links through to the Brisbane River.

## 1.3 Application of the development scheme

The Oxley PDA Development Scheme (the development scheme) is applicable to development on land<sup>5</sup> within the Oxley PDA.

From the date of approval under a regulation, the development scheme replaces the Oxley PDA interim land use plan which commenced upon declaration.

## 1.4 Content of the development scheme

The development scheme consists of the following:

- i. a Land use plan that regulates development in the PDA (section 2) and identifies development as PDA-associated development
- ii. an Infrastructure plan that describes infrastructure required to support achievement of the Land use plan and states applicable infrastructure charges (section 3), and
- iii. an Implementation strategy that describes objectives and actions that complement the Land use plan and Infrastructure plan to achieve the main purpose of the ED Act (section 4).

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<sup>1</sup> See section 8 of the ED Act.

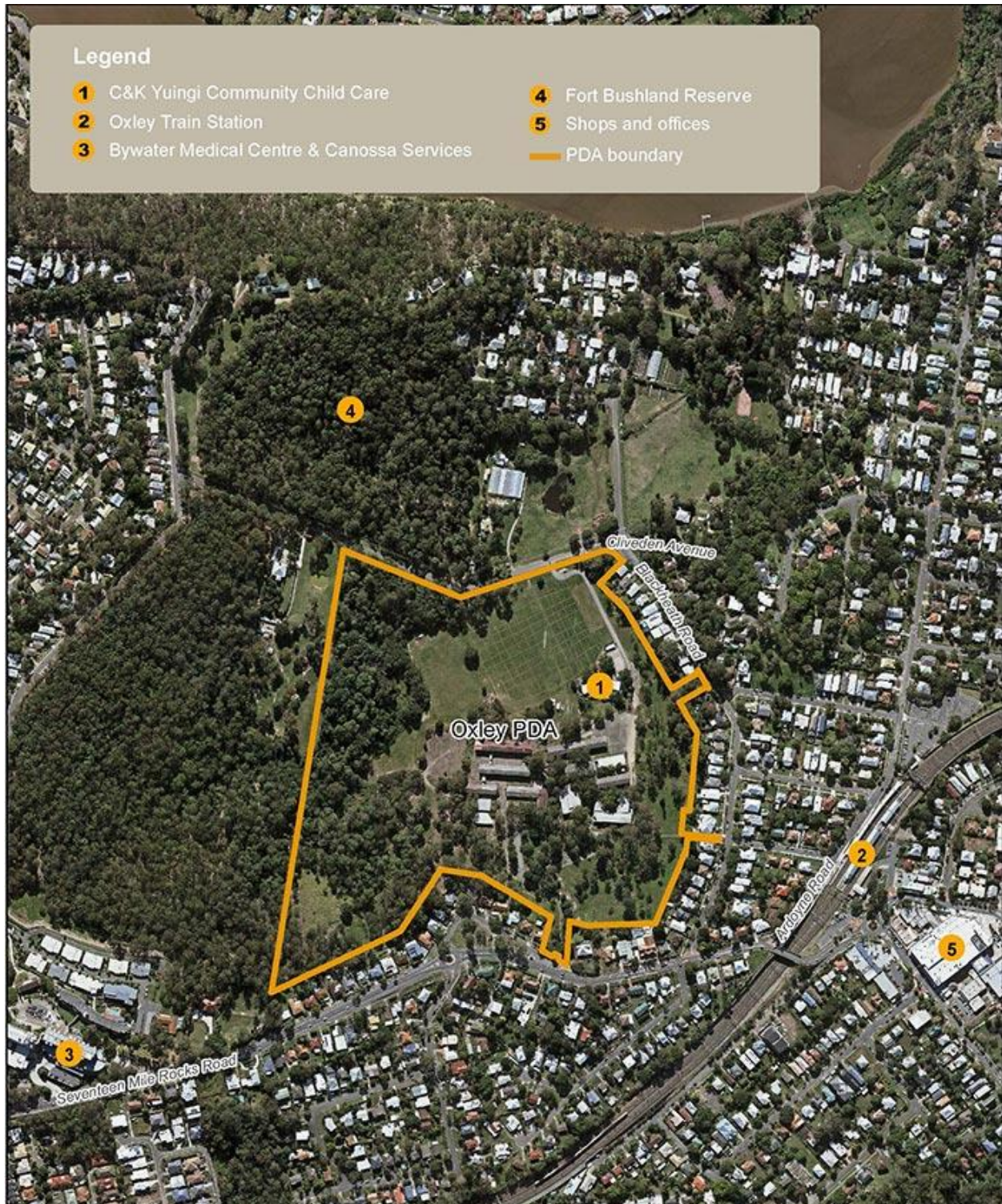
<sup>2</sup> See section 3 of the ED Act.

<sup>3</sup> See section 4 of the ED Act.

<sup>4</sup> See section 37 of the ED Act.

<sup>5</sup> See section 47A of the Acts Interpretation Act 1954

# Map 1 Oxley PDA boundary

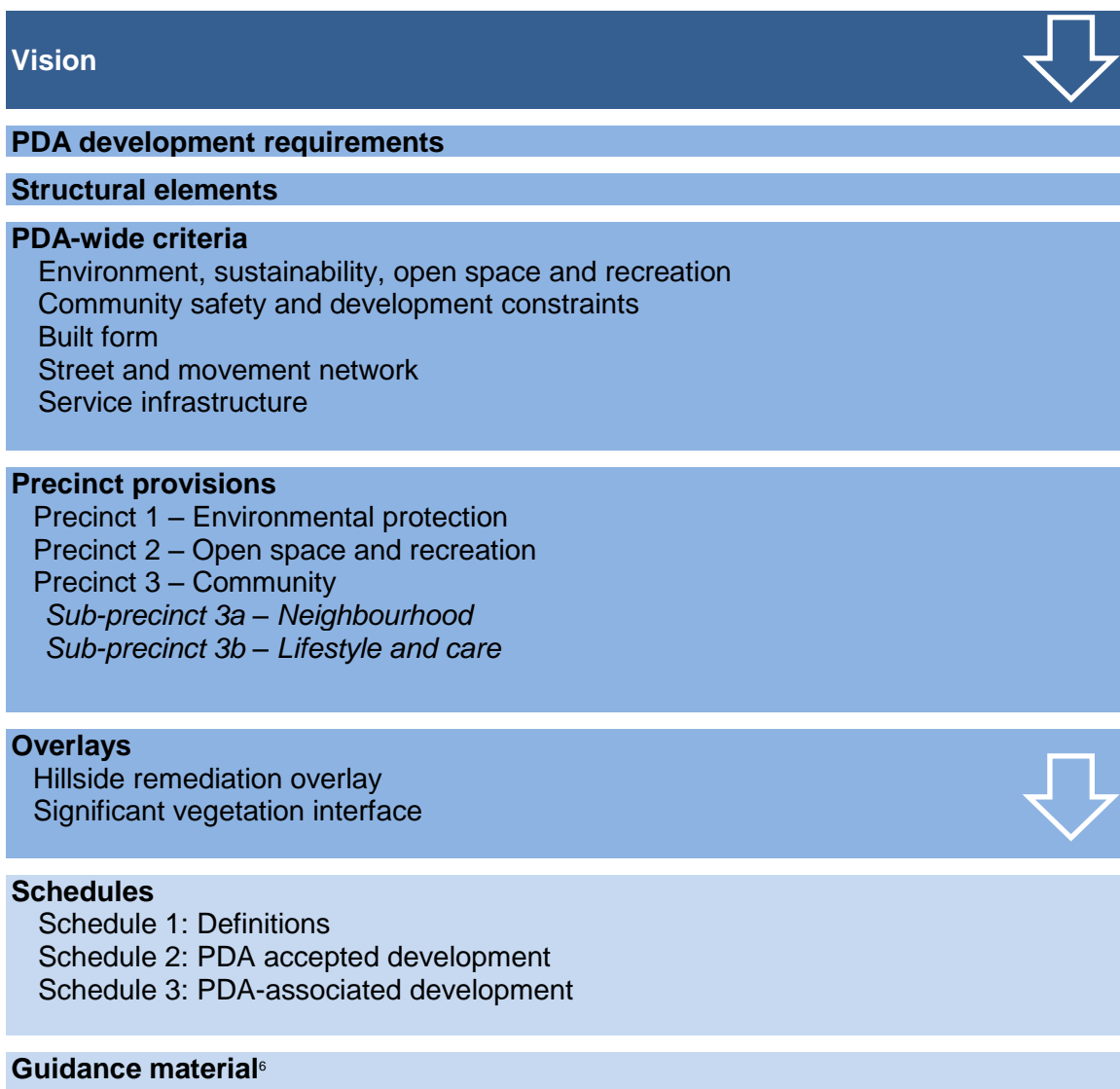


## 2 Land use plan

### 2.1 Components of the Land use plan

The land use plan establishes a hierarchy of provisions through the:

- i. Vision for the PDA, and
- ii. The PDA development requirements, which are organised in a hierarchy where:
  - a. The structural elements and PDA-wide criteria establish outcomes and quantitative measures to achieve the vision, and
  - b. The precinct provisions and overlays establish outcomes and quantitative measures, to achieve the structural elements and PDA-wide criteria.



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<sup>6</sup> Refer to State government guidelines available at [www.dsdmip.qld.gov.au](http://www.dsdmip.qld.gov.au). Guidelines should be read in conjunction with the Land use plan, Infrastructure plan and Implementation strategy and any other document or guideline called up by the development scheme.

### **2.1.1 Vision**

The vision in section 2.3 identifies the overall strategic outcomes to be achieved in the PDA, that:

- i. seek to achieve the purpose of the ED Act for the PDA, and
- ii. provide the basis for the PDA development requirements.

### **2.1.2 PDA development requirements**

The PDA development requirements apply to all PDA assessable development and incorporate:

- i. Structural elements (section 2.4)
- ii. PDA-wide criteria (section 2.5)
- iii. Precinct provisions (section 2.6), and
- iv. Overlays (section 2.7).

### **2.1.3 Schedules**

Schedule 1 identifies PDA accepted development.

Schedule 2 defines terms used in the development scheme.

Schedule 3 identifies PDA-associated development.

### **2.1.4 Guidance material**

Guidance material includes EDQ guidelines and any other document or guideline that is either referenced in the development scheme or as developed through the Implementation strategy.



## 2.2 Development assessment

### 2.2.1 Interpretation

The interpretation of terms and definitions will rely on:

- i. Section 33 of the ED Act which defines development; and
- ii. Schedule 2 of this development scheme which provides the definitions required to interpret and apply the development scheme with reference to the ED Act and the Brisbane City Council Planning Scheme 2014 (Brisbane City Plan).

### 2.2.2 PDA development applications

To the extent the Land use plan (section 2), Infrastructure plan (section 3), Implementation strategy (section 4) and the guidance material are relevant, they are to be taken into account in the preparation of a PDA development application and the assessment of the application by the MEDQ.

Development proponents are encouraged to hold pre-application discussions with the MEDQ to obtain feedback and advice on compliance with the development scheme to expedite the development application assessment process and timeframes.

### 2.2.3 Categories of development

#### PDA accepted development

Column 1 in tables 1, 2 and 3 identify PDA accepted development.

#### PDA assessable development<sup>7</sup>

Column 2A in tables 1, 2 and 3 identifies PDA assessable development that is permissible development.

Column 2B in tables 1, 2 and 3 identifies PDA assessable development that is prohibited development under the development scheme.

Table 4 identifies PDA-associated development which is PDA assessable development.

### 2.2.4 Development consistent with the Land use plan

PDA assessable development (permissible development) is consistent with the Land use plan if it is consistent with all outcomes of the relevant PDA development requirements<sup>8</sup>.

However, development that is inconsistent with any of the outcomes of the relevant PDA development requirements, may be consistent with the land use plan if the development is consistent with the vision, and::

- i. the development is an interim use<sup>9</sup>; or
- ii. there are sufficient grounds to justify the approval of the development despite any inconsistency with the relevant provisions of the PDA development requirements.

In this section 'grounds' means matters of public interest which include the matters specified as the main purpose of the ED Act as well as:

- i. superior design outcomes<sup>10</sup>; and

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<sup>7</sup> Under section 73 of the ED Act, PDA assessable development cannot be carried out without a PDA development permit.

<sup>8</sup> Refer to the hierarchy of provisions described under section 2.1 of the scheme for further guidance.

<sup>9</sup> Refer to section 2.2.11

<sup>10</sup> Input from external experts, including urban design, will provide guidance on the assessment and acceptance of superior design outcomes.

- ii. overwhelming community need.

'Grounds' does not include the personal circumstances of an applicant, owner or interested third party.

### **2.2.5 Development inconsistent with the Land use plan**

PDA assessable development identified in tables 1, 2 and 3 as prohibited development is inconsistent with the development scheme.

Development that is inconsistent with the Land use plan cannot be granted a PDA development approval<sup>11</sup>.

### **2.2.6 Plans of development**

A Plan of development (PoD)<sup>12</sup> may:

- i. accompany a PDA development application for a material change of use or reconfiguring a lot
- ii. consider any proposed use, and any associated building work or operational work, and
- iii. form part of a PDA development approval.

Schedule 1 identifies development consistent with an approved PoD as PDA accepted development.

### **2.2.7 Notice of applications**

The MEDQ may require public notification:

- i. for the first development application for a reconfiguring of a lot to define the precinct boundaries, or
- ii. if the development application is for a use or of a size or nature which, in the opinion of the MEDQ, warrants public notification.

### **2.2.8 State interests**

Relevant matters of State interest<sup>13</sup> have been considered in the preparation of this development scheme and will be considered further as part of the assessment of a PDA development application<sup>14</sup>.

### **2.2.9 Relationship with other legislation**

In addition to assessment against the development scheme, development may require assessment against other legislation including, but not limited to, the *Nature Conservation Act 1992*, *Environmental Protection Act 1994*, *Plumbing and Drainage Act 2002*, *Building Act 1975* and the *Planning Act 2016* including subordinate legislation.

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

Schedule 6 of the *Planning Regulation 2017* prohibits Brisbane City Plan from making PDA-related development assessable under the *Planning Act 2016*. However, schedule 2 adopts

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<sup>11</sup> Section 86 of the ED Act

<sup>12</sup> For further advice of preparing a PoD refer to the applicable EDQ practice note available at <http://www.dsdmip.qld.gov.au/resources/guideline/pda/practice-note-10-plans-of-development.pdf>

<sup>13</sup> Relevant matters include natural hazards and biodiversity as current at the time of making the development scheme.

<sup>14</sup> Section 87 of the ED Act states that any relevant state interest must be considered and decided in a PDA development application. For the purposes of addressing State interests in development assessment, the State Planning Policy (SPP) and State Development Assessment Provisions (SDAP), provide guidance in identifying if a state interest is relevant to the assessment of a PDA development application. For further advice on the consideration of state interests refer to the EDQ Practice Note 14: State interests in development assessment in priority development areas, available at <http://www.dsdmip.qld.gov.au/edq/pdas-guidelines-and-practice-notes.html>

definitions from Brisbane City Plan and the development scheme calls up various other parts of the Brisbane City Plan as guidance.

Under section 71 of the ED Act, if there is a conflict between the development scheme and a planning instrument or assessment benchmarks prescribed by regulation under another Act, the development scheme prevails to the extent of any inconsistency.

### **2.2.11 Interim use**

An interim use is a land use that, because of its nature, scale, form or intensity, is not an appropriate long-term use of the land, but may be appropriate for a short or medium-term period as the PDA develops.

A PDA development application for an interim use must demonstrate that the use will not prejudice or delay:

- i. appropriate long-term uses(s)
- ii. an appropriate intensity of development, or
- iii. infrastructure delivery envisaged by the Vision for the PDA.

Relevant PDA development requirements also apply to all PDA assessable development that is an interim use.

An interim use will only be approved if it can be demonstrated that the use will not preclude or delay an appropriate long-term use; or intensity of development; or infrastructure delivery.

The MEDQ may impose conditions of approval related to the interim use including, for example, limiting the duration of an interim use.

Information to support a PDA development application for an interim use may include:

- i. a suitability assessment, and
- ii. plans showing how the development could transition from the proposed interim use to an appropriate longer-term use.

### **2.2.12 PDA-associated development**

Schedule 3 identifies development external to the PDA that is PDA-associated development. The development specified in Schedule 3 as PDA-associated development is PDA-assessable development under Table 4.

Under section 84(1)(c) of the ED Act notice of application may be required for an application for PDA-associated development.

## 2.3 Vision

Development in the Oxley PDA will:

- i. respect the existing urban and natural environment
- ii. value and protect matters of environmental significance, including vegetation and habitat, ensuring the health and resilience of biodiversity is maintained or enhanced to support ecological processes
- iii. protect people and property and enhance the community's resilience to natural hazards including flood, landslip risk and bushfire
- iv. deliver sustainable communities with a strong identity and access to facilities that meet the needs of the local community
- v. improve connectivity, permeability, safety and accessibility within the PDA for vehicles, cyclists and pedestrians
- vi. manage traffic impacts by limiting through traffic and improving street connections
- vii. promote high-quality urban design in the built form and open space, including best practice sub-tropical design, and
- viii. contribute to the unique sense of community of the surrounding area.

## 2.4 Structural elements

The structural elements plan (Map 2) indicatively illustrates the highest-order physical components that are critical to achieve the Vision. The structural elements plan applies to all PDA assessable (permissible) development in the PDA. To the extent the structural elements plan is relevant, it is to be taken into account in the preparation and assessment of PDA assessable development applications.

Map 2 illustrates the following:

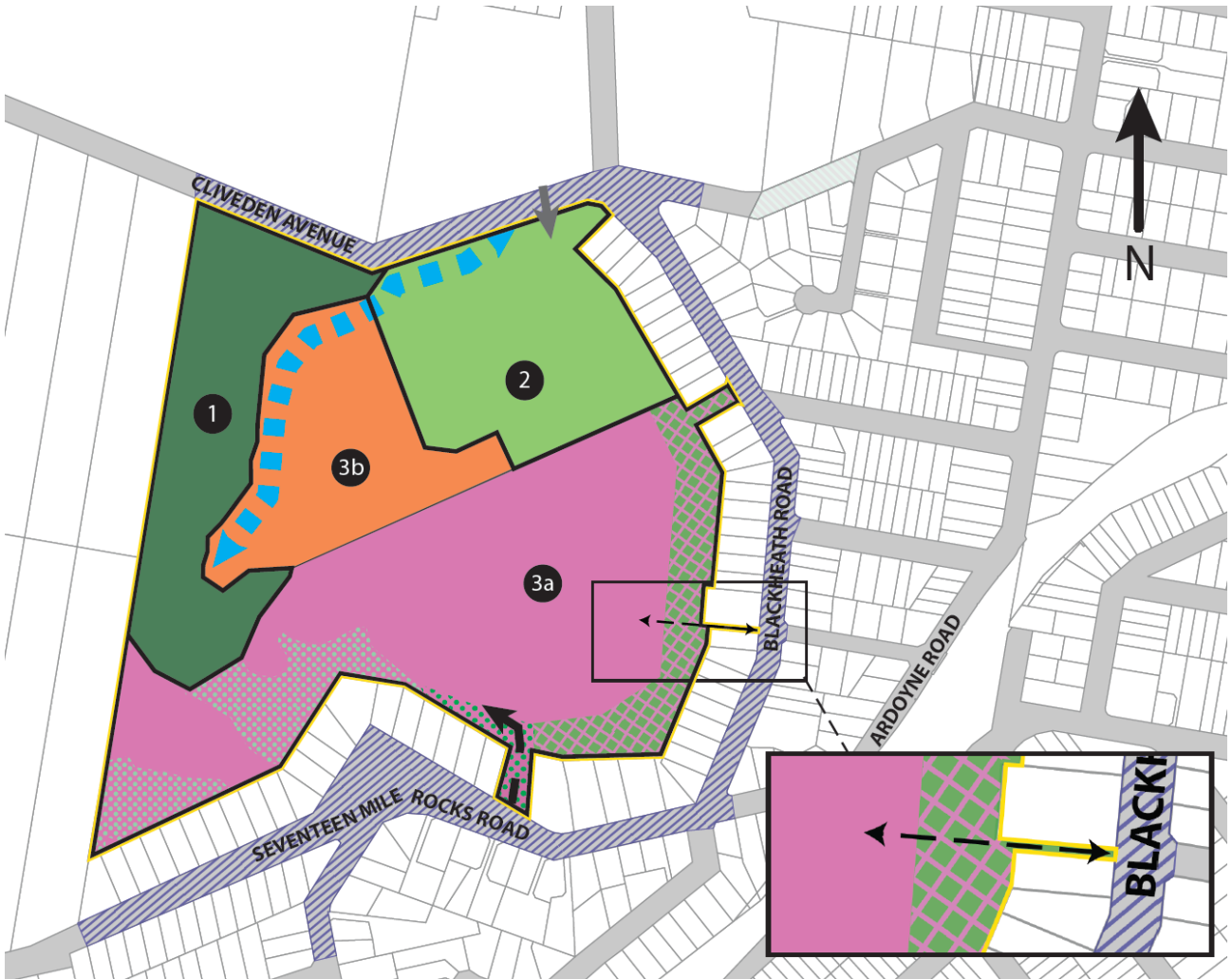
- i. indicative precinct boundaries for precincts 1, 2 and 3 (including sub-precincts 3a and 3b)<sup>15</sup>
- ii. areas that are of environmental significance (Precinct 1)
- iii. key areas of public realm (Precinct 2 Open space and recreation and landscaped entry treatment)
- iv. areas where development will be focused (Precincts 3a and 3b)
- v. indicative overlays identifying areas requiring careful management (Hillside remediation overlay and Significant vegetation interface overlay)
- vi. key access and connections to and from the PDA, and
- vii. primary stormwater management areas.

These structural components are shown in the context of the entire PDA demonstrating how each component will relate and connect to the existing community and infrastructure in the Oxley area.

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<sup>15</sup> Precinct boundaries are to be refined through reconfiguring a lot PDA development applications(s)

# Map 2: Structural Elements Plan



## LEGEND

- PDA boundary
- Existing roads
- Area of PDA-associated development\*
- Primary access
- Secondary access
- Landscaped entry treatment
- Stormwater management
- Pedestrian access

## PRECINCTS\*\*

- Precinct 1: Environmental protection
- Precinct 2: Open space and recreation
- Precinct 3: Community
- Sub-precinct 3a: Neighbourhood
- Sub-precinct 3b: Lifestyle and care

## OVERLAYS

- Hillside remediation
- Significant vegetation interface

\*Refer to schedule 3: PDA-associated development

\*\*Precinct boundaries to be refined through reconfiguring a lot PDA development applications

## 2.5 PDA-wide criteria

### 2.5.1 Environment, sustainability, open space and recreation

The design, siting and layout of development respects the environment, provides for open space and recreation needs of the community and supports sustainable outcomes by:

- i. avoiding or minimising impacts on biodiversity values, ecological features and ecological processes by
  - a. protecting endangered vegetation (identified as environmental protection in map 2) and enhancing the bushland character of the site
  - b. retaining significant vegetation in hillside lots and for street trees and feature trees in roads, public and open space areas
  - c. protecting and managing areas of essential habitat, including wildlife corridors through the PDA, and
  - d. utilising fencing that facilitates the safe movement of fauna
  - e. ensuring additional planting is restricted to local native plant species compatible with the adjacent bushland and habitat values of the site
- ii. providing a range of passive and active open space and recreation facilities
- iii. providing additional planting to stabilise landslip area
- iv. establishing a clear relationship between environmental areas, public open space and adjoining land uses through appropriate interface treatment to address issues of amenity, security and surveillance
- v. maximising recycling opportunities and reducing waste generation
- vi. protecting water quality through the use of best practice total water cycle management and water sensitive urban design principles<sup>16</sup> as well as achieving the water quality objectives for Moreton Bay waters<sup>17</sup>
- vii. promoting innovative and efficient use of energy and water including water recycling and stormwater management, and
- viii. providing for public art<sup>18</sup> which is appropriate to the history of the area.



<sup>16</sup>Refer to the requirements, standards and guidance identified in the Healthy Waterways Water Sensitive Urban Design Technical Design Guidelines for South East Queensland, as amended or replaced from time to time.

<sup>17</sup>Refer to the Environmental Protection (Water) Policy 2009 and State Planning Policy.

<sup>18</sup> For guidance, refer to Brisbane City Plan Infrastructure planning scheme policy, chapter 6 Public art.

### 2.5.2 Community safety and development constraints

The siting, design, construction and operation of development supports community safety and gives appropriate consideration to development constraints by:

- i. avoiding to the greatest extent practicable and then minimising and mitigating adverse impacts from development in areas prone to landslip<sup>19</sup> by ensuring
  - a. development and infrastructure in an area at risk of landslip is located, designed and constructed not to adversely impact the safety of people, public infrastructure, private property and the environment
  - b. development is not at risk from and does not pose a risk to an adjacent or nearby site from landslip
  - c. that vegetation clearing, stormwater management and filling or excavation on a site does not increase the risk of landslip
- ii. avoiding to the greatest extent practicable and then minimising and mitigating adverse impacts from stormwater and flooding<sup>20</sup> by
  - a. providing for efficient and safe evacuation during defined flood events without unduly burdening the city's counter-disaster response unit, particularly for vulnerable uses and difficult to evacuate uses
  - b. providing for essential community infrastructure to remain functional during and immediately after an inundation event
  - c. considering the potential impacts of development on the river's hydrological and hydraulic performance including upstream and downstream from the PDA
  - d. providing public realm surfaces which are durable and flood resilient
  - e. considering the potential impacts from overland flows<sup>21</sup>
  - f. disposing of stormwater with regard to average recurrence intervals in a manner appropriate to the site, the adjacent buildings, the use of the public realm and the severity of potential damage to property, loss of amenity, illness or injury that would result from the failure of the system<sup>22</sup>
  - g. designing the stormwater drainage system to comply with relevant quantity and quality standards<sup>23</sup> and mitigate downstream impacts and impacts on the existing stormwater network, and
  - h. ensuring the stormwater drainage system has regard to the safety of pedestrians and maintains pedestrian access during storm events, ensuring key pedestrian paths are not used for the conveyance of overland flow.
- iii. avoiding, to the greatest extent practicable, then managing or mitigating:
  - a. adverse impacts from pollution and light nuisance

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<sup>19</sup> Refer to the requirements in the Brisbane City Plan Landslip overlay code. Development applications must be supported by a geotechnical investigation for the proposed works (refer to Council's Landslip planning scheme policy). Refer also to Hillside remediation overlay in section 2.7.

<sup>20</sup> Refer to the requirements, standards and guidance identified in the Brisbane City Plan Flood overlay code and Flood planning scheme policy, including the requirements for Flood emergency management plans.

<sup>21</sup> Refer to the requirements, standards and guidance identified in the Department Energy and Water Supply's (DEWS) Queensland Urban Drainage Manual 2013 and the Brisbane City Plan Flood overlay code, as amended or replaced from time to time.

<sup>22</sup> Refer to the requirements, standards and guidance identified in the *Brisbane City Plan 2014 Stormwater code*.

<sup>23</sup> Refer to the requirements, standards and guidance identified in the SPP and PDA guideline no. 13 Engineering standards, where for stormwater quality and quantity, as amended or replaced from time to time.

- b. air quality impacts in proximity to sensitive uses
  - c. noise emissions on sensitive uses<sup>24</sup>,and
  - d. adverse impacts on the environment (including significant vegetation), amenity and accessibility during and after construction including acid sulfate soil erosion and siltation<sup>25</sup>.
- iv. using measures that avoid, minimise and mitigate the risk to life and property from bushfire hazard<sup>26</sup> by
- a. ensuring development involving new premises for vulnerable uses, difficult to evacuate uses and assembly uses is not located in the area of bushfire risk
  - b. locating development in the area of lowest risk from bushfire on the site
  - c. avoiding potential for entrapment during a bushfire, and
  - d. providing effective separation from sources of bushfire risk.



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<sup>24</sup> For guidance on acoustic amenity, refer to the Brisbane City Plan Centre or Mixed use code.

<sup>25</sup> For guidance, refer to the Brisbane City Plan Potential and actual acid sulfate soils overlay code.

<sup>26</sup> Refer to the State Planning Policy 2017 and Brisbane City Plan Bushfire hazard overlay and planning scheme policy, including the requirements for a Bushfire management plan.



### 2.5.3 Built form

Development delivers high quality built form outcomes which:

- i. offer a diversity of housing options in appropriate locations<sup>27</sup>
- ii. promote architectural diversity<sup>28</sup>
- iii. provide for community facilities with adaptable spaces to accommodate a diversity of users<sup>29</sup>
- iv. utilise energy and water-efficient, climatically-responsive sub-tropical design including appropriate solar orientation, shading and shelter, cross ventilation, natural lighting, passive cooling techniques, water recycling and stormwater management<sup>30</sup>
- v. maximise views, vistas and outlooks including to bushland and open space
- vi. are of a height and scale that:
  - a. are compatible with the surrounding neighbourhood
  - b. makes efficient use of land
  - c. are consistent with planned infrastructure, and
  - d. are appropriate for the site area
- vii. provide adequate building separation to allow light penetration and air circulation and to ensure impacts on amenity and privacy including overshadowing are minimised, and
- viii. respect the relationship between new development in the PDA and existing dwelling houses outside the PDA including consideration of appropriate building setback, bulk and massing that minimises the impacts on residential amenity.



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<sup>27</sup> Refer to the guidance provided in QDesign 2018 Principle 6

<sup>28</sup> Refer to the guidance provided in QDesign 2018 Principle 2

<sup>29</sup> Refer to the guidance provided in QDesign 2018 Principle 7

<sup>30</sup> Refer to the guidance provided in QDesign 2018 Principle 1 and Brisbane City Council's *New World City Design Guide: Buildings that Breathe*.

#### 2.5.4 Street and movement network

Development delivers a high-quality street and movement network, including infrastructure for pedestrians, cyclists and vehicles which:

- i. has a clear hierarchy and is easy to navigate with a well-connected, logical and legible network of routes, intersections and spaces<sup>31</sup>
- ii. maximises public transport patronage by creating an appropriate interface with and orientation to public transport including improved linkages to the Oxley railway station
- iii. creates safe, welcoming, pleasant and character-rich streets and shared areas which prioritise the safety and experience of pedestrians and cyclists and provide clear connections to key locations internal and external to the PDA<sup>32</sup>
- iv. ensures access to and egress from all entries, service areas and car parks:
  - a. is safe, logical and easy to navigate
  - b. does not adversely impact on the public realm
  - c. maximises co-location of servicing and parking openings, and
  - d. does not adversely impact on the existing public road network internal and external to the PDA
- v. minimises conflict between pedestrians, cyclists and motor vehicles through appropriate design
- vi. encourages connections between open space, community facilities and residential uses
- vii. provides car parking and service areas that meet the functional requirements of the PDA<sup>33</sup>
- viii. ensures the safe and efficient operation of the road and active transport network outside of the PDA, including Seventeen Mile Rocks Road (including service road), Blackheath Road and Cliveden Avenue, is not adversely impacted
- ix. provides a primary road access off Seventeen Mile Rocks Road
- x. provides a secondary access from Cliveden Avenue<sup>34</sup> for use by essential vehicles ensuring safe evacuation in case of a bushfire and ensuring efficient access to the open space and recreation precinct by emergency vehicles.
- xi. delivers road network improvements (including public and active transport facilities) both internal and external to the PDA, where required, to facilitate access and movement to and from the site
- xii. provides safe and legible movement options for pedestrians that promote equitable access and respond to the site topography, and
- xiii. ensures wayfinding elements are incorporated to improve connectivity and pedestrian permeability in the PDA and the surrounding area.

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<sup>31</sup> Refer to Brisbane City Plan Road hierarchy overlay code and Infrastructure design planning scheme policy.

<sup>32</sup> Refer to the guidance provided in QDesign 2018 Principles 4 and 5

<sup>33</sup> For guidance, refer to the requirements and standards in Brisbane City Plan Traffic, access, parking and servicing code and planning scheme policy, Austroads guidelines and AS2890 Parking Facilities.

<sup>34</sup> Cliveden Avenue will continue to provide access to the existing Yuingi C & K Childcare centre until the relocated Childcare centre becomes operational.

### 2.5.5 Service infrastructure

The design and operation of development, including during construction, supports the efficient and effective delivery and operation of infrastructure by:

- i. having regard to impacts on the safety and efficiency of the broader transport and traffic network in the surrounding area
- ii. ensuring the delivery of planned infrastructure is not adversely impacted
- iii. providing infrastructure and services in a timely, orderly, integrated and coordinated manner to support urban uses and works
- iv. ensuring infrastructure and services are available or capable of being made available including key infrastructure such as roads, public and active transport, water supply, sewerage, drainage, park network, community facilities, energy and telecommunications
- v. allowing for future advancements in information technology
- vi. ensuring infrastructure and services are located and designed to maximise efficiency and ease of maintenance, and
- vii. allowing for sporting activities and interim uses to have access to water and power.



## 2.6 Precinct provisions

Map 2 identifies precincts 1, 2 and 3 which will be refined through reconfiguring a lot applications<sup>35</sup>.

### 2.6.1 Precinct 1 – Environmental protection

#### 2.6.1.1 Precinct intent

Precinct 1 – Environmental protection includes areas that are of environmental significance and have associated conservation, biodiversity, habitat and scenic amenity values. This area reinforces the sense of place and connection to the natural environment.

This precinct provides, to the greatest extent practicable, enhanced habitat and connections to external corridors, such as the Fort Bushland reserve, that allow wildlife to move between other local bushland areas.

Informal, minor tracks and trails (generally less than two metre-wide made from natural materials) for public use are provided to enhance the appreciation of the environmental qualities.

Adjoining development does not disturb, compromise, diminish or detract from the environmental values.

#### 2.6.1.2 Preferred land uses

Nil.



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<sup>35</sup> An application to define the boundaries of the Community precinct and Environmental protection precinct must be supported by technical advice from a suitably qualified ecologist.

## **2.6.2 Precinct 2 – Open space and recreation**

### **2.6.2.1 Precinct intent**

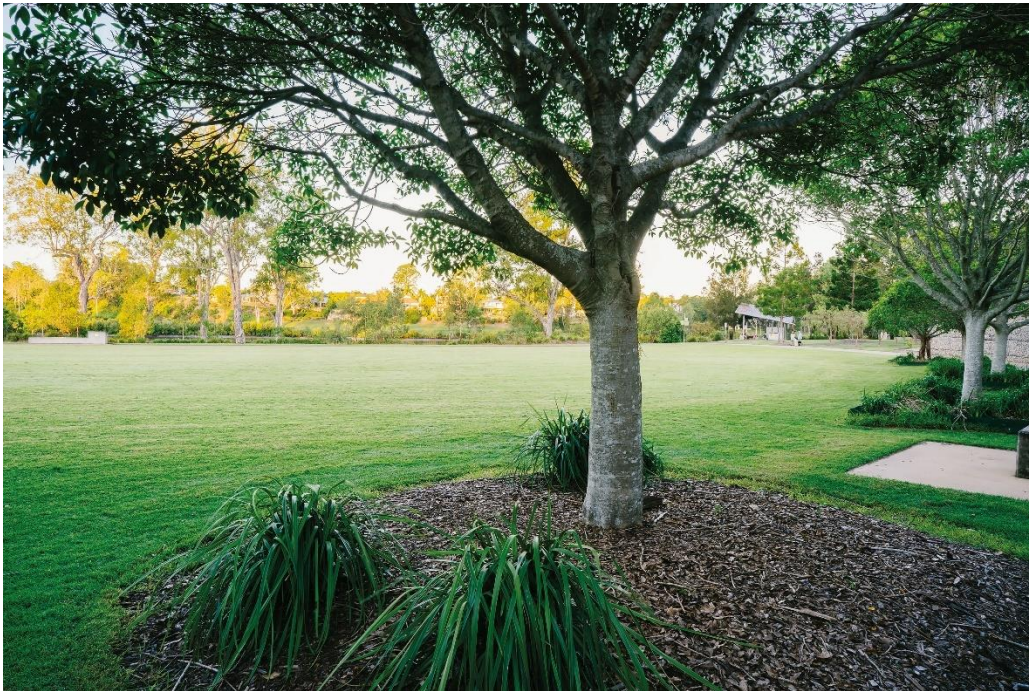
Precinct 2 – Open space and recreation allows only a limited range of low impact, low intensity land uses and includes land constrained by flooding.

This precinct accommodates an integrated open space network, providing for multi-purpose functions that respond to community needs, including informal sport and recreation supported by adequate parking and traffic management.

Significant vegetation is retained, including feature trees where appropriate, to provide fauna habitat as well as shade and shelter for visitors.

### **2.6.2.2 Preferred land uses**

- i. environment facility
- ii. outdoor sport and recreation, and
- iii. park.



## **2.6.3 Precinct 3 – Community**

### **2.6.3.1 Precinct intent**

Precinct 3 – Community, establishes a new neighborhood comprising dwelling houses and community uses as well as a childcare centre, a retirement facility/residential care facility, connected by high quality streetscapes. Planning and design:

- i. gives the community a strong and positive identity by responding to site characteristics, setting, landmarks and views, and through clearly legible street networks, open space networks and use of streetscape elements
- ii. provides generous, well-integrated private open space to promote health and wellbeing and encourage socialisation and leisure pursuits
- iii. delivers development of an appropriate scale which responds to the topography

- iv. incorporates principles for Crime Prevention Through Environmental Design (CPTED)<sup>36</sup>
- v. provides for a new landscaped entry treatment that creates a sense of arrival to the PDA
- vi. ensures visual and noise privacy
- vii. promotes healthy and active lifestyles
- viii. facilitates the siting and design of buildings to conserve energy, preserve vegetation and support design for climate through the street and lot orientation and dimensions
- ix. delivers development that is integrated with the surrounding environment and provides for shared use of facilities by adjoining communities
- x. provides appropriate open spaces for a range of uses and activities
- xi. provides acceptable gradients and ease of wayfinding in the public realm to cater for a range of mobility and health needs
- xii. locates services and utilities to maximise efficiency and ease of maintenance
- xiii. incorporates an adequate buffer where adjoining Precinct 1 to limit impacts on significant vegetation<sup>37</sup>
- xiv. minimises significant adverse impacts from development on significant vegetation<sup>38</sup>, and
- xv. ensures that during construction, measures are taken to sensitively manage fauna, including safe fauna movement opportunities.

Inclusion of land within Precinct 3 – Community precinct does not imply that all such land can be developed. Some land may not be available or appropriate to be developed due to local site conditions of other constraints.




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<sup>36</sup> Refer to Crime prevention through environmental design guidelines (Queensland Government 2007)

<sup>37</sup> Refer to the State Planning Policy 2017 and Brisbane City Plan bushfire hazard overlay and planning scheme policy, including the requirements for a Bushfire management plan.

<sup>38</sup> Building envelope restrictions or some other mechanism should be employed to ensure development does not occur within the hillside remediation area.

### 2.6.3.2 Preferred land uses

- i. childcare centre
- ii. home-based business – where complying with the Brisbane City Plan Home based business code
- iii. market
- iv. park, and
- v. sales office.

Precinct 3 consists of Sub-precincts 3a and 3b.

### 2.6.3.3 Precinct intent - Sub precinct 3a: Neighbourhood

In addition to the requirements in section 2.6.3.1 for development in Precinct 3, development in Sub precinct 3a will predominantly deliver:

- i. residential development involving detached dwellings on lots averaging 800m<sup>2</sup>, and
- ii. dwelling houses of a form consistent with a low density residential area<sup>39</sup> which do not exceed a building height of two storeys and 9.5m.

### 2.6.3.4 Preferred land uses

In addition to the preferred land uses identified in 2.6.3.2 above:

- dwelling house.



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<sup>39</sup> For guidance refer to the relevant dwelling house code of the Brisbane City Plan

### 2.6.3.5 Precinct intent – Sub-precinct 3b: Lifestyle and care

In addition to the requirements in section 2.6.3.1 for development in Precinct 3, development in Sub-precinct 3b will provide for:

- i. retirement living and residential care services<sup>40</sup>
- ii. community uses, a childcare centre and a community centre which provides adaptable spaces to accommodate a diversity of users
- iii. diverse housing, to cater for the changing needs of the Oxley community including affordable, accessible<sup>41</sup> accommodation for all ages, ageing in place and intergenerational living
- iv. comfortable vantage points to rest, socialise and observe surrounding activities
- v. buildings which do not exceed a building height of 6 storeys and are stepped down to the road frontage to reduce the visual impact and provide a more sensitive transition to street level
- vi. appropriate building separations to ensure visual privacy to adjacent dwellings is maintained
- vii. high quality façade treatments, recesses and projections or other treatments to substantially reduce building bulk and improve attractiveness and climate responsiveness, and
- viii. indoor and outdoor private and communal open spaces for residents, family and friends to encourage rehabilitation and socialisation, and provide opportunities for recreation and activity for all users.



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<sup>40</sup> For guidance, refer to the Retirement and residential care facility code of the Brisbane City Plan

<sup>41</sup> For guidance, refer to PDA Guideline 02 Accessible housing



### 2.6.3.6 Preferred land uses – Sub-precinct 3b: Lifestyle and care

In addition to the preferred land uses identified in 2.6.3.2 above:

- i. community use
- ii. residential care facility, and
- iii. retirement facility.



## 2.7 Overlays

Map 2 identifies overlays which will be refined through development applications. The overlays include additional assessment criteria which apply to particular areas which potentially constrain development.

### 2.7.1 Hillside remediation overlay

Land in this overlay includes areas which may be unsuitable for development due to slope and landslip susceptibility. Revegetation and treatment works are undertaken in this area to stabilise the land and prevent further landslip. Land may be included in the rear of residential lots<sup>42</sup>.

Development:

- i. maintains the safety of people and property on the site and neighbouring properties
- ii. ensures that stormwater management and filling or excavation that may change the hydrology on a site does not increase the risk of landslip
- iii. avoids to the greatest extent practicable the need for vegetation clearing, excessive work or change to the finished landform, and
- iv. ensures the building footprint or vehicular access is not located in any part of the site subject to landslip.



### 2.7.2 Significant vegetation interface overlay

Land in this overlay includes remnant vegetation that is mapped as 'Category B' on the regulated vegetation map that is a 'least concern regional ecosystem' and 'essential habitat'<sup>43</sup>. It also contributes to the scenic amenity of the PDA. Development avoids, to the greatest extent practicable, or minimises and mitigates impacts on biodiversity values of the land in this overlay.<sup>44</sup>

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<sup>42</sup> Building envelope restrictions or some other mechanism should be employed to manage development within the hillside remediation area. Refer also to the requirements in the Brisbane City Plan Landslide overlay code. Development applications are to include details of proposed works within the hillside remediation area, proposed works must be supported by a geotechnical report detailing the level of investigation undertaken and providing recommendations (refer to Council's Landslide planning scheme policy).

<sup>43</sup> Refer to the *Vegetation Management Act 1999* and the Queensland Government's Development Assessment Mapping System.

<sup>44</sup> Development within the significant vegetation interface overlay is supported by an ecological investigation report detailing the impact of development on biodiversity values and management strategies. Significant trees should be identified in a tree survey and where practicable located outside of building envelopes. Refer to *PDA practice note no. 6 Tree retention in residential subdivisions* as amended from time to time.

## 2.8 Categories of development

### 2.8.1 Table 1 – Precinct 1: Environmental protection

Column 1 PDA accepted development	Column 2 – PDA assessable development	
	Column 2A Permissible development	Column 2B Prohibited development
<p>All development prescribed in Schedule 6 of the <i>Planning Regulation 2017</i>, other than part 5, section 28</p> <p>All development prescribed in Schedule 7 of the <i>Planning Regulation 2017</i></p>	<p>Development, other than development prescribed in Column 1, that is:</p> <ul style="list-style-type: none"> <li>• Material change of use and associated Building work for: <ul style="list-style-type: none"> <li>• environment facility, or</li> <li>• park</li> </ul> </li> <li>• Operational work</li> <li>• Reconfiguring a lot, where for accurate identification of areas for environmental protection.</li> </ul>	<p>All other development not mentioned in Column 1 or 2A.</p>

### 2.8.2 Table 2 – Precinct 2: Open space and recreation

Column 1 PDA accepted development	Column 2 – PDA assessable development	
	Column 2A Permissible development	Column 2B Prohibited development
<p>All development specified in Schedule 1.</p> <p>Material change of use for a park.</p>	<p>All development other than development specified in column 1 or column 2B.</p>	<p>Material change of use for:</p> <ul style="list-style-type: none"> <li>• Extractive industry</li> <li>• High impact industry</li> <li>• Medium impact industry, or</li> <li>• Low impact industry.</li> </ul>

### 2.8.3 Table 3 – Precinct 3: Community

Column 1 PDA accepted development	Column 2 – PDA assessable development	
	Column 2A Permissible development	Column 2B Prohibited development
All development specified in Schedule 1.	All development other than development specified in column 1 or column 2B.	Material change of use for: <ul style="list-style-type: none"> <li>• Extractive industry</li> <li>• High impact industry</li> <li>• Medium impact industry</li> <li>• Low impact industry</li> </ul>

### 2.8.4 Table 4 – PDA-associated development

PDA assessable development - permissible development
PDA-associated development specified in schedule 3.

## 3 Infrastructure plan

### 3.1 Purpose

The purpose of this Infrastructure plan is to ensure that the vision is achieved through:

- i. integrating infrastructure planning with land use planning identified in this development scheme
- ii. identifying the infrastructure requirements which may be delivered by the relevant infrastructure provider such as state government, Queensland Urban Utilities (QUU) or developers
- iii. providing a basis for imposing conditions on development approvals, and
- iv. responding to the increased demand on the relevant infrastructure networks.

### 3.2 Infrastructure networks

The following infrastructure networks require additional infrastructure provision or upgrades to support growth in the PDA:

- i. transport (roads, intersections, pedestrian and cycle paths)
- ii. stormwater (quantity and quality)
- iii. parks, community facility and open space
- iv. water supply
- v. sewerage
- vi. electricity, and
- vii. telecommunications.

Table 5 below identifies key infrastructure that will be provided to enable the vision to be delivered.

### 3.3 Infrastructure categories

The infrastructure planned to be delivered within the PDA will fall into one of the following categories:

- i. trunk infrastructure
- ii. non-trunk infrastructure, or
- iii. other infrastructure.

Table 5 includes infrastructure which is trunk infrastructure, non-trunk infrastructure and other infrastructure. As such, the inclusion of infrastructure in table 5 does not make it eligible for an infrastructure charges offset.

#### 3.3.1 Trunk infrastructure

Trunk infrastructure is the high order shared infrastructure that is planned to service the wider catchments in or external to the PDA, rather than individual development sites. Trunk infrastructure may be delivered by the relevant infrastructure provider such as state government, QUU or by developers if required by a condition of a PDA development approval.

#### 3.3.2 Non-trunk infrastructure

Non-trunk infrastructure is the lower order infrastructure which generally services a single development site, is internal to a development site, or connects the development site to trunk infrastructure. Non-trunk infrastructure will be provided by the applicant, in

accordance with the relevant responsible entity's requirements and as specified in a condition of a PDA development approval. Non-trunk infrastructure will not be eligible for an infrastructure charges offset.

### **3.3.3 Other infrastructure**

Other infrastructure includes infrastructure which is not part of Brisbane City Council's (BCC) or QUU's infrastructure networks. Other infrastructure may include necessary development infrastructure or provision for upgrades to the electricity, gas or telecommunications. Other infrastructure may be delivered by state government, other infrastructure providers or by developers who may be required to deliver or preserve the ability to provide this infrastructure by a condition of a PDA development approval.

### **3.4 Infrastructure charges, funding and conditions**

Infrastructure charges will be based on the applicable BCC or QUU infrastructure charges instruments in force at the time the development application is approved unless:

- i. a development charges and offset plan (DCOP) is approved for the PDA, or
- ii. an infrastructure agreement is entered into between the applicant and the MEDQ.

Applicable trunk infrastructure delivered as part of the development may be offset against the applicable infrastructure charges in accordance with a DCOP or the applicable policy in force at the time of the development approval.

The infrastructure identified in table 5 reflects current understanding at the time of making the development scheme. However, further detailed infrastructure investigations will occur as development progresses. Infrastructure requirements and delivery responsibilities will be reviewed and may be amended over time to reflect the outcomes of these investigations and changing circumstances.

Infrastructure requirements established in the conditions of a PDA development approval must be delivered at the time of development occurring unless otherwise agreed with MEDQ.

### **3.5 Infrastructure agreements**

An infrastructure agreement may be negotiated and entered into with MEDQ and other relevant infrastructure providers to address the provisions and requirements of the infrastructure plan. To the extent an infrastructure agreement is inconsistent with a PDA development approval, the infrastructure agreement prevails.

### **3.6 Infrastructure standards**

Infrastructure will be delivered in accordance with the standards of MEDQ, BCC, state government or relevant infrastructure providers at the time a PDA development application or an Infrastructure Master Plan<sup>45</sup> is approved.

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<sup>45</sup> An IMP identifies existing and future trunk infrastructure required to service ultimate development of a single development approval within a PDA

### 3.7 Table 5: Infrastructure

Infrastructure category	Details
Transport (roads, intersections, pedestrian and cycle paths)	As required to service the PDA and may include upgrades to: <ul style="list-style-type: none"> <li>i. the intersection at Seventeen Mile Rocks Road / Kingsgate Street / existing service road including the existing roundabout</li> <li>ii. Cliveden Avenue to facilitate secondary access, or</li> <li>iii. improved pedestrian links to Blackheath Road.</li> </ul>
Stormwater (quantity and quality)	As required to manage the impacts of the PDA and may include: <ul style="list-style-type: none"> <li>i. construction of an approximate 25m wide overland flow channel near the western property boundary</li> <li>ii. a bio-retention/detention basin for stormwater and quality treatment within Precinct 2: Open space and recreation, or</li> <li>iii. a swale to the north-eastern corner of the site.</li> </ul>
Parks, community facility and open space	As required to manage the impacts of development within the PDA and may include: <ul style="list-style-type: none"> <li>i. open space provision at the north-eastern property boundary.</li> </ul>
Water supply	As required to service the PDA.
Sewerage	As required to service the PDA.
Electricity	As required to service the PDA.
Telecommunications	As required to service the PDA.

## 4 Implementation strategy

### 4.1 Purpose

The ED Act requires a development scheme to include an implementation strategy to achieve the main purpose of the ED Act for the PDA, to the extent that they are not achieved by the Land use plan or Infrastructure plan.

The implementation strategy for the development scheme fulfils this requirement by identifying a number of key objectives and a suite of actions that support the achievement of the Vision for the PDA and support the delivery of economic development and development for community purposes within the PDA.

The key objectives are to:

1. conserve the natural environment
2. maximise community benefit and safety, and
3. minimise impacts on the community.



### 4.2 Objectives and actions

#### 4.2.1 Objective 1: Conserve the natural environment

Actions:

- i. Liaise with Brisbane City Council regarding management of open space, bushland and habitat including opportunities for Land for Wildlife for private properties.
- ii. Investigate opportunities to work with community groups such as the Cliveden Avenue Reserve Bushcare Group and the Fort Bushland Reserve Bushcare Group.
- iii. Determine appropriate mechanisms (e.g. building envelopes) to protect vegetation throughout the PDA, including where on private land.
- iv. Liaise with land owners within/adjacent to land in the Hillside remediation overlay to inform land owners about stormwater management practices and to ensure sustainable land management practices are adopted, clearing is



minimised and the area continues to contribute to the amenity and landscape of the area.

- v. As part of early site establishment activities ensure procedures are in place to identify any visible signs of fauna. If disturbance is deemed unavoidable, a qualified catcher is to be employed to relocate identified fauna.

#### **4.2.2 Objective 2: Maximise community benefit and safety**

Actions:

- i. Ensure there is community benefit and ongoing community engagement during the development of the PDA.
- ii. Liaise with the Department of Education and C&K to determine an appropriate site, design and transition to the new C&K childcare centre.
- iii. Liaise with C&K to ensure the new Yuingi C&K childcare centre is established and operational prior to closure of the existing childcare centre.
- iv. Provide for a continuum of care for elderly residents as well as opportunities for ageing in place to allow local residents to remain in their community.
- v. Investigate strategies that promote healthy ageing.
- vi. Investigate ways in which different residents can interact (elderly and children) for intergenerational learning and wellbeing.
- vii. Investigate an appropriate wayfinding strategy to improve continuity and connectivity between the PDA and key places of interest such as the Oxley railway station and the Fort Bushland Reserve.
- viii. Allow for, and properly manage, events which activate the open space/public realm/community facilities, and which suit the needs of the local community.
- ix. Investigate ways, such as public art, to recognise important historical places, Indigenous heritage past uses of the site, features or people.
- x. Inform residents of the Flood Emergency Management Plan and Bushfire Emergency Management Plan to ensure a coordinated approach that fully considers evacuation trigger levels, roles and responsibilities, particularly for hard to evacuate uses<sup>46</sup>.
- xi. Ensure residents are informed of ongoing obligations regarding the management of land in the Hillside remediation overlay.
- xii. Establish a process to obtain data which:
  - a. adequately monitors and mitigates landslip susceptibility, and
  - b. assists in defining the boundary for the Hillside remediation overlay area.

#### **4.2.3 Objective 3: Minimise adverse impacts on the local community**

Actions:

- i. Develop a communication strategy to ensure residents are informed of any works to be undertaken, including road work and geotechnical work, prior to and during construction. This will also include ways to ensure residents can have relevant questions answered throughout the construction process.
- ii. Minimise loss of trees during works, particularly where trees provide privacy and amenity for existing residents.

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<sup>46</sup> The Brisbane City Plan Bushfire overlay code, Bushfire planning scheme policy and Flood overlay code, Flood planning scheme policy set out requirements for management plans.

- iii. Work with Brisbane City Council to:
  - a. ensure the successful development and delivery of the PDA
  - b. manage all interface issues
  - c. manage development demand on infrastructure networks, and
  - d. ensure efficiency in operations and interactions to provide the best outcomes for the community and future asset owners, particularly regarding parks and recreation areas, open drainage and public infrastructure.

## 5 Schedules

### 5.1 Schedule 1 – PDA accepted development

Schedule 1 identifies development that is accepted development in accordance with the categories of development under section 2.8.

<b>1.</b>	<b>Building work</b>
1.1.	Carrying out minor building work other than where in the Hillside remediation overlay
1.2.	Carrying out building work, where for demolition of a building or other structure
1.3.	Carrying out building work associated with an approved or accepted material change of use.
<b>2.</b>	<b>Reconfiguring a lot</b>
2.1.	Reconfiguring a lot where for road widening or truncations required as a condition of a PDA development approval.
<b>3.</b>	<b>Material change of use</b>
3.1.	Making a material change of use of premises for a preferred land use in an existing building where: <ul style="list-style-type: none"> <li>• not increasing gross floor area</li> <li>• not involving building work other than minor building work, and</li> <li>• complying with the applicable car parking space standards in the Brisbane City Plan.</li> </ul>
3.2.	Making a material change of use of premises for a market, if not involving building work or operational work.
3.3.	Making a material change of use of premises for a sales office where occupying a floor area of up to 30m <sup>2</sup> and complying with the applicable car parking space standards in the Brisbane City Plan.
<b>4.</b>	<b>Operational work</b>
4.1.	Carrying out operational work for filling or excavation where the development is not affected by Brisbane City Plan's Potential and actual acid sulfate soil overlay code, Landslide overlay code, Waterway corridors overlay code or Flood overlay code: <ul style="list-style-type: none"> <li>• not resulting in a retaining wall greater than one vertical metre or</li> <li>• not resulting in an increase in the depth or height of the ground level or finished design level greater than one vertical metre.</li> </ul>
4.2.	Carrying out operational work associated with a material change of use that is PDA accepted development.
4.3.	Carrying out operational work in accordance with the conditions of a PDA development approval.
4.4.	Carrying out operational work associated with placing an advertising device on premises. <i>Note—the Brisbane City Council Advertisements Local Law 2013 and Advertisements Subordinate Local Law 2005, as amended or replaced from time to time, apply in the PDA.</i>

4.5.	Carrying out operational work that is clearing of vegetation, other than Significant vegetation unless the clearing of Significant vegetation is: <ul style="list-style-type: none"> <li>• carried out by or on behalf of Brisbane City Council or another public-sector entity, where the works being undertaken are authorised under a State law, or</li> <li>• carried out in accordance with the conditions of a PDA development approval for a material change of use or reconfiguring a lot.</li> </ul>
4.6.	Carrying out operational work associated with the decontamination of land.
<b>5.</b>	<b>Plumbing or drainage work</b>
5.1.	Carrying out plumbing work or drainage work.
<b>6.</b>	<b>All aspects of development</b>
6.1.	Development consistent with an approved Plan of Development.
6.2.	Development prescribed in Schedule 6 of the <i>Planning Regulation 2017</i> , other than Part 5 Section 28.
6.3.	Development prescribed in Schedule 7 of the <i>Planning Regulation 2017</i> .

## 5.2 Schedule 2 – Definitions

Unless defined below or in the *Economic Development Act 2012*, the definitions in schedule 1 of the Brisbane City Plan apply to all development.

*Note—schedule 1 of the Brisbane City Plan includes use definitions, activity groups, industry thresholds and administrative terms.*

**Brisbane City Plan** – means the Brisbane City Council Planning Scheme made under the *Planning Act 2016*, as amended and replaced from time to time.

**Interim use** – refer to section 2.2.1.

**Plan of development** – refer to section 2.2.6

**Significant vegetation** – means all vegetation, except those listed as invasive plants\* vegetation by State or local government, that is significant in its:

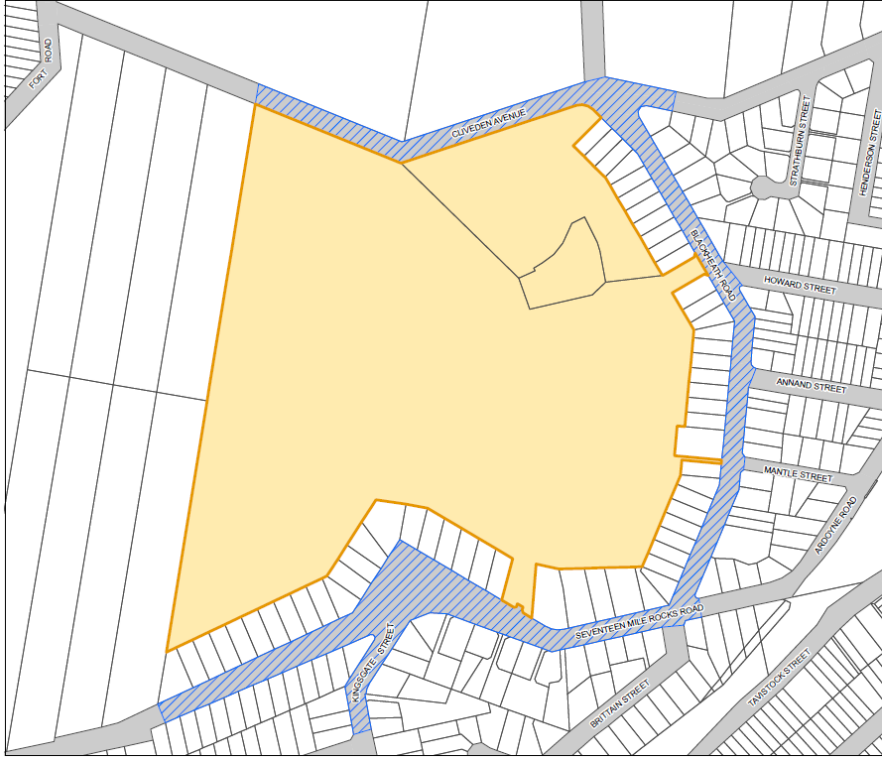
- ecological value at local, state or national levels
- contribution to the preservation of natural landforms
- contribution to the character of the landscape
- cultural or historical value, or
- amenity value to the general public\*\*.

*Note—vegetation may be living or dead and the term includes their root stock.*

*\*Refer to the Biosecurity Act 2014*

*\*\*As part of a relevant development application, a tree survey will be required to determine what is considered significant vegetation.*

### 5.3 Schedule 3 – PDA-associated development

<p><b>Description of PDA-associated development</b></p>	<p>Operational work, if the works:</p> <ol style="list-style-type: none"> <li>I. are carried out by or for the MEDQ</li> <li>II. provide development infrastructure for the Oxley PDA to address the impacts of any development within the Oxley PDA whether or not the development infrastructure has another function or purpose</li> <li>III. facilitate elements illustrated on Map 2 Structural elements plan, and</li> <li>IV. include one or more of the following: <ul style="list-style-type: none"> <li>• roadworks</li> <li>• landscape and footpath works</li> <li>• stormwater works</li> <li>• water connection service works</li> <li>• sewer connection service works</li> <li>• public transport infrastructure works, or</li> <li>• associated ancillary works.</li> </ul> </li> </ol>
<p><b>Description of PDA-associated land</b></p>	<p>The road reserve as identified on Map 3 including part of Seventeen Mile Rocks Road, Kingsgate Street, Blackheath Road and Cliveden Avenue.</p>  <p><b>Map 3: PDA-associated land Oxley Priority Development Area</b></p> <p><b>Key</b></p> <ul style="list-style-type: none"> <li>■ Oxley PDA</li> <li>□ Parcel boundaries (June 2018)</li> <li>▨ PDA-associated land</li> <li>▬ Road caseiment</li> </ul> <p>Source: Department of Natural Resources, Mines and Energy; Digital Cadastre Database: 2018</p> <p>Map generated by the Spatial Services Branch of the Department of State Development, Manufacturing, Infrastructure and Planning (27/02/18)</p> <p>While every care is taken to ensure the accuracy of this product, the Department of State Development, Manufacturing, Infrastructure and Planning and the Department of Natural Resources, Mines and Energy make no representations or warranties about the accuracy, reliability, completeness or suitability for any particular purpose and disclaim all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs you may incur as a result of the product being inaccurate or incomplete in any way or for any reason.</p> <p><b>Queensland Government</b></p>



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