

### 3.1 Purpose of the land use plan

The purpose of the land use plan is to regulate orderly development and articulate the preferred form of development within the Urban Development Area (UDA), its precincts and sub-precincts.

Figure 2 details the components of the land use plan and explains their relationship to each other.

### 3.2 Development assessment procedures

#### 3.2.1 Land use plan outcomes

The development scheme's land use plan seeks to achieve outcomes for the Northshore Hamilton UDA which are specified in the following:

- (i) the broad statements of planning intent for the UDA specified in the vision
- (ii) the requirements about the carrying out of development for the UDA.

#### 3.2.2 UDA vision

The vision for the UDA specifies planning outcomes which:

- (i) seek to achieve for the UDA the purposes of the Act
- (ii) are the basis for the requirements about the carrying out of development for the UDA.

The UDA outcomes are spatially represented in Figure 1: Northshore Hamilton Urban Development Area structure plan.

#### 3.2.3 Development requirements

The development requirements are as follows:

- (i) maps that indicate the future development of the following:
  - ▶ the whole UDA
  - ▶ designated parts of the UDA (precincts)
  - ▶ designated parts of precincts (sub-precincts)
- (ii) criteria for the whole UDA (UDA-wide criteria)
- (iii) zones, statements of intent, outcomes, preferred land uses and development parameters for each precinct (precinct criteria) and sub-precinct (sub-precinct criteria)
- (iv) tables specifying the level of assessment for development for each precinct (level of assessment table).

Figure 2: Components of the land use plan and their relationship



### 3.2.4 Levels of assessment

The levels of assessment for the carrying out of development for the UDA are specified in the land use plan in the relevant level of assessment table which state in:

- (i) column 1, UDA exempt development
- (ii) column 2, UDA self assessable development (self assessable development)
- (iii) column 3A, UDA assessable development which is not prohibited (permissible development)
- (iv) column 3B, UDA assessable development which is prohibited (prohibited development).

### 3.2.5 Development consistent with the land use plan

Self-assessable development which complies with any applicable development requirements is consistent with the land use plan.

Permissible development is consistent with the land use plan where:

- (i) the development complies with the requirements about the carrying out of development for the UDA, or
- (ii) the development does not comply with the requirements about the carrying out of development for the UDA but:
  - the development does not conflict with the structure plan or otherwise compromise the UDA planning outcomes in the vision for the UDA

- there are sufficient grounds to approve the development despite the non compliance with the UDA development requirements.

Otherwise the permissible development is inconsistent with the land use plan and must be refused.

Identification of development as permissible development does not mean that a UDA development approval (with or without conditions) will be granted.

Permissible development requires a UDA development application to be lodged with the Urban Land Development Authority (ULDA) for assessment and decision. Approval is required for permissible development to be undertaken.

Prohibited development is inconsistent with the land use plan.

Prohibited development may not be carried out in the UDA.

In this section 'grounds' means matters of public interest which include the matters specified as the main purposes of the Act and:

- superior design outcomes
- overwhelming community need.

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

### 3.2.6 Sub-precinct development requirements

Permissible development in a sub-precinct may not occur unless a detailed plan for the sub-precinct (sub-precinct plan) has been approved or the ULDA advises that, in its opinion, a sub-precinct plan is not required as the development will not compromise the principles and outcomes of the sub-precinct and will not unreasonably prejudice the opportunities for the development of the remaining area in the sub-precinct.

In respect of the first permissible development that requires a sub-precinct plan, a UDA development application relating to all land in the sub-precinct and a sub-precinct plan must be made.

Any variation to an approved sub-precinct plan will require a new sub-precinct plan which must be accompanied by a UDA development application.

A sub-precinct plan must demonstrate how sub-precinct principles and outcomes are achieved and include the following:

- (i) such additional requirements for development in the sub-precinct
- (ii) such other matters specified in a guideline issued by the ULDA.

A sub-precinct plan must be consistent with the vision for the UDA.

### 3.2.7 Consideration in principle

The ULDA may accept, for consideration in principle, a proposed UDA development application (application for consideration in principle).

The ULDA will consider the application for consideration in principle and may decide the following:

- (i) whether it supports the application, with or without qualifications that may amend the application
- (ii) whether it opposes the application
- (iii) whether it cannot accept the proposal until a detailed assessment is made and those details should be the subject of a UDA development application, or
- (iv) whether it has no established view on the proposal and no indication of support or opposition can be given at that time.

The ULDA when considering a UDA development application:

- (i) is not bound by any decision made regarding an application for consideration in principle
- (ii) may give such weight as it considers appropriate to the decision in respect of the application for consideration in principle.

### 3.2.8 Land not included in a zone

This section applies to land which is not shown in the land use plan as being included in a zone or precinct (unallocated land).

Where the unallocated land is adjoined by land included in the same zone or precinct, the unallocated land is deemed to be included in that zone or precinct.

Where the unallocated land is adjoined by land included in different zones or precincts, the unallocated land is deemed to be included in those zones or precincts with the centreline of the unallocated land being the boundary between the zones or precincts.

### 3.2.9 Notification requirements

A UDA development application will require public notification if the development application:

- (i) is accompanied by a sub-precinct plan
- (ii) is for use, size or type which in the opinion of the ULDA warrants public notification.

### 3.2.10 Relationship with local government planning scheme and IPA

This development scheme replaces the Northshore Hamilton Interim Land Use Plan (ILUP).

Unless this development scheme specifically applies a provision of the planning instrument or a plan, policy or code made under the *Integrated Planning Act 1997* (IPA)

or another Act, the development scheme is inconsistent with the provision of the planning instrument or plan, policy or code.

The development scheme prevails to the extent of an inconsistency with any of the following instruments:

- (i) a planning instrument
- (ii) a plan, policy or code made under the IPA or another Act.

## 3.3 UDA Zones

Land within a UDA may be allocated a zone.

The zones that may apply within a UDA are grouped in the following four categories: mixed use, residential, employment and other.

Within each of these categories there are a number of zones. The zones included in the Northshore Hamilton UDA are described below.

### Mixed use category

The **Mixed Use Centre Zone** caters for the widest range, highest order and greatest intensity of commercial, retail, administrative, civic, community, indoor entertainment and leisure facilities, cultural activities and mixed residential.

The **Mixed Use Zone** caters for a range of commercial, retail, administrative, civic, community, indoor entertainment and leisure facilities, cultural activities and residential uses.

### Residential category

The **Residential High Intensity Zone** caters for a range of residential types including multiple residential, other residential (including special needs accommodation). The zone also caters for housing that is affordable, accessible and appropriate, reflecting local housing need.

Densities in this zone will generally be between 60 and 100 dwellings per hectare.

Non-residential land uses such as local shops, food premises, schools, child care centres, churches and community infrastructure that provides direct support to residential uses may be suitable in all residential zones. Non-residential uses can only be established where residential character and amenity are maintained, when the uses cater for the needs of the immediate community and do not undermine the viability of any centres. Home based businesses may occur in all residential zones where residential character and amenity are maintained.

The **Residential Medium Intensity Zone** caters for a range of residential types including houses, multiple residential, other residential (including special needs accommodation). The zone also caters for housing that is affordable, accessible and appropriate, reflecting local housing need.

Densities in this zone will generally be between 30 and 60 dwellings per hectare.

### Employment category

The **Medium Impact Employment Zone** caters for commercial, service and light industry uses which service the local population and visitors and facilitate the expansion of small to medium scale business activities. The Medium Impact Employment Zone can also cater for showrooms (including supporting office and retail) and display facilities, services and trades, such as mechanical workshops and service stations and facilities required by the travelling public such as food premises, visitor accommodation, recreation and amusement. Non-commercial development can also be accommodated where such development complements the intended commercial/enterprise character of the locality.

### Other category

The **Civic and Open Space Zone** caters for a full range of publicly accessible outdoor sport and recreation uses, from informal sports or events on a casual basis and the facilities associated with these such as picnic amenities, children's playground, non-organised sporting facilities, outdoor cultural and educational activities, public swimming pools, outdoor courts and parkland, and sports grounds.

Any structures in the civic and open space zone will only occupy a small part of any site and may include facilities for spectators, club buildings and associated off-street parking facilities.

## 3.4 Purpose of development criteria

The following development criteria apply to all UDA assessable and self-assessable development in the Northshore Hamilton UDA. To the extent that they are relevant, they are to be taken into account in the preparation of UDA development applications and in the assessment of those applications by the ULDA.

In addition to these UDA-wide development requirements, land may be subject to precinct specific development requirements and sub-precinct development principles. Precincts and sub-precincts for the Northshore Hamilton UDA are identified in Figure 6 Precinct and zoning plan.

UDA wide development criteria should be read in conjunction with the relevant precinct specific development requirements or sub-precinct development principles.

The infrastructure plan and implementation strategy may include further information which should be taken into account in design and project feasibility planning for development proposals.

The Northshore Hamilton UDA-wide development criteria cover the following topics:

- maximum development yield and development contributions
- affordable housing
- urban design
- transport, access, on-site parking and servicing

- sustainability and the environment
- community well-being
- lot design
- clean industry, research and development facilities
- harbour, foreshore and marinas.

## 3.5 Maximum development yield and development contributions

### 3.5.1 Context

The development scheme provides higher development yield in many of the precincts within the declared UDAs.

Within the Northshore Hamilton UDA, considerable infrastructure investment is required to enable higher development yield across the UDA above that currently allowed for under the Brisbane City Council City Plan 2000.

The infrastructure works required to service this higher development yield are greater than can be funded by Brisbane City Council's (BCC) standard infill infrastructure charging regime.

Consequently, the creation of a healthy, sustainable and well serviced community in the Northshore Hamilton UDA will require positive intervention by the ULDA in relation to the achievement of essential infrastructure, affordable, accessible and appropriate housing and ecologically sustainable outcomes.

However, it is not considered responsible to use public money to pay for the infrastructure when the infrastructure and associated higher development yield will result in a windfall gain to private land owners.

To fund these works, and to retain an incentive for the landowner to develop, a portion of the uplift of land value gained through the higher development yield created through the development scheme will be required to be paid as a development contribution.

In addition, to achieve sustainable and healthy high density outcomes, proactive intervention will be required in the provision of affordable housing and achievement of ecologically sustainable outcomes.

The contribution arising from the uplift of land value, called a major infrastructure and affordable housing development contribution, will be applied within the UDAs to fund the provision of major infrastructure, affordable housing and ecological sustainability.

For fairness, landowners that do not want to develop above current permitted BCC City Plan densities should not be required to pay the major infrastructure and affordable housing development contribution. In this circumstance only the standard BCC Infrastructure Charges Schedule (ICS) type charge would apply. However, the 5% diversity requirement under the ULDA's Affordable Housing Strategy will still apply.

### 3.5.2 Maximum development yield

The maximum development yield allowable under this development scheme will be the greater of that:

- (i) shown in land use plan: precincts where a ULDA development agreement has been entered into with the ULDA in accordance with the infrastructure plan and implementation strategy
- (ii) as provided for under section 3.2.5 where a ULDA development agreement has been entered into with the ULDA in accordance with the infrastructure plan and implementation strategy
- (iii) shown in map 2 or
- (iv) where evidence is provided that there is a BCC development approval that has not lapsed (a "valid approval") - the development yield permitted by the valid approval.

### 3.5.3 Development contribution rate

The development contribution rate included in a development agreement entered into pursuant to section 3.5.2 shall:

- be at a rate determined for the UDA or a precinct in the UDA
- except as provided for in section 3.2.5, equate to a charge applied for every square metre of additional GFA in excess of that shown on Map 2 or permitted under a valid approval

- apply in addition to any other infrastructure contribution required under this development scheme and
- be apportioned to infrastructure, affordable housing outcomes (the “affordable housing contribution”) and ecologically sustainable development outcomes, as determined by the ULDA.

### 3.5.4 Development agreement

The development agreement entered into pursuant to section 3.5.2 may include amongst other things provisions prescribing:

- the amount, timing and bonding of monetary contributions
- the arrangements for providing a bank guarantee securing payment of the monetary contribution
- the arrangements for credit for the provision of works or product in lieu of monetary contributions
- mechanisms to ensure an affordable product retains its affordability over the long term and
- any other matter that the ULDA deems appropriate in the achievement of the Act’s purpose.

### 3.5.5 Transitional provisions

For the purposes of calculating the total development contribution to be included in a development agreement entered into pursuant to section 3.5.2, the ULDA may adopt a development yield greater than that shown in Map 2, where the landowner purchased the property prior to 27 March

2008 (being the date of declaration of the Northshore Hamilton UDA) on the basis of a reasonable expectation that a higher development yield than that shown in Map 2 would have been approved by BCC.

In support of a claim under this section, a land owner is to provide information that demonstrates a higher development yield would have been achieved. This information may include:

- a valuation showing that the purchase price was based on achieving a higher development yield
- a development feasibility prepared at or about the time of purchase, but prior to 27 March 2008, based on the higher development yield
- evidence, prepared prior to 27 March 2008, from BCC that a higher development yield was supported or had a likelihood of approval or
- any other material that supports a landowner’s request.

A development agreement entered into pursuant to section 3.5.2, and including a total development contribution calculated from the application of this section, may also include provisions stating the total development contribution will revert to that applying under section 3.5.3 where development has not substantially commenced within the time stated in the development agreement, such time being not less than three years from when the development agreement was entered into.

## 3.6 Affordable housing

### Housing diversity

All residential development (including residential components of a mixed use development) must deliver housing choice to suit a variety of households including: families, singles, couples, work-at-home occupiers, students, retirees, group accommodation households and people with special needs, by offering universal design and a variety in size, configuration, cost, location and tenure.

Except as set out in section 3.5, all residential and mixed use developments must have a minimum of 5% of the gross floor area of all residential dwellings as affordable to rent by households on the median household income for the Brisbane City Council local government area (the “affordable housing component”).

Where an applicant can not demonstrate that this requirement will be achieved by the proposed development:

- the applicant will need to enter into a development agreement with the ULDA by which the applicant agrees to pay to the ULDA an equivalent monetary contribution prior to the development approval for building work being given, or
- if a subsidy is proposed by the applicant to achieve the affordability criteria, the subsidy must be protected by a legal arrangement to the ULDA’s satisfaction.

This residential development is to be accessible, appropriate and designed in accordance with universal and sustainable design principles<sup>1</sup> to meet the changing needs of people and households over time.

The affordable housing component of a development must be distributed throughout the development and:

- be finished to a suitable standard with all reasonable fixtures services and appliances
- achieve high quality design outcomes to avoid identifying them or setting them apart in the community.

### Development agreement – affordable housing

The development scheme may incorporate provisions that, where a proponent elects to utilise the increased density permitted by the development scheme, a percentage of the uplift of land value must be shared with the ULDA as a development contribution.

This contribution will assist the ULDA to:

- deliver essential infrastructure
- provide affordable housing
- achieve ecologically sustainability outcomes.

<sup>1</sup> Refer to “Smart and Sustainable Homes Design Objectives, Department of Public Works (2008). Booklet available from [www.build.qld.gov.au/smart\\_housing/pdf/design\\_objectives\\_08](http://www.build.qld.gov.au/smart_housing/pdf/design_objectives_08)

A development agreement will be required to be entered into with the ULDA where a development proponent wishes to avail themselves of the higher development yield.

A development agreement will include specific provisions in relation to affordable housing.

The development agreement will be required where:

- a housing diversity requirement leads to the provisions of housing product that require a subsidy to meet the affordable housing target
- a proponent is permitted to ‘convert’ provision of affordable housing product to a contribution in lieu
- agreement is reached with a proponent to ‘convert’ a monetary contribution to the provision of product in lieu.

The provisions of a development agreement relating to the provision of affordable housing may include among other things:

- amount, timing and bonding of monetary contributions
- provision of monetary contributions in lieu of built product (refer to Appendix A of the ULDA’s Affordable Housing Strategy for development agreement inclusions)
- provision of a bank guarantee securing payment of the monetary contribution
- provision of built product in lieu of monetary contributions (refer to Appendix B of the ULDA’s Affordable Housing Strategy for development agreement inclusions)

- mechanisms to ensure an affordable product retains its affordability over the long term.

### Mechanisms to retain affordability

The ULDA is seeking to maximise affordable housing outcomes in the UDAs over the long term.

Affordable housing product delivered using some level of subsidy will require mechanisms to ensure:

- affordable purchase product is not resold providing a windfall gain to the first purchaser
- affordable rental product remains affordable to the target group for a significant period of time.

There are a number of ways to achieve this outcome:

- Where the affordable housing provider has been approved for the National Rental Affordability Scheme (NRAS) they will be required to retain affordability for 10 years under Australian Government program requirements.
- Formal management agreements can be made with either the Department of Communities or a registered community housing organisation.
- Establishment of a shared equity arrangement with an approved equity partner.
- Limiting the trading of a dwelling to a particular target and income group

through a title covenant. This means that affordable owner occupied units are only on-sold to other eligible buyers, with transfer of ownership occurring through a controlled process which excludes wills, private sales or bequests.

- Placing a covenant and management plan on the title of a property which ensures it is rented at affordable levels to an identified target group for 15 years or more and managed by a registered Not for Profit community housing organisation.

The preferred mechanism will be determined on a project by project basis between the ULDA and the development proponent at the time of development approval and will be set out in the Development Agreement.

### Other matters

In addition to the above provisions the ULDA will develop a detailed implementation plan for the affordable housing strategy covering issues such as:

- monitoring and evaluation
- applying the affordable housing strategy within the development assessment process
- universal and sustainable design guidelines
- facilitating access to Australian Government and Queensland Government affordable housing programs
- roles and responsibilities of government, registered Not for Profit housing

organisations and the private sector

- policy and program development required to support affordable housing delivery including addressing priorities such as covenants and management plans on title and the potential for development of a shared equity scheme.

### Exemptions

The following development types are exempt from providing the affordable housing contributions specified above:

- development for the purpose of affordable housing (including social and community housing) and developed by:
  - the Queensland Department of Housing
  - a registered community housing or non-profit organisation
  - part of a consortium with a registered community housing or non-profit organisation for the provision of affordable housing equivalent to the value of the affordable housing contribution
- development for the purpose of community facilities and services
- development by a government, non-profit or charitable institution providing a community benefit, or
- development for the purpose of a public utility installation.

### 3.7 Urban design and sustainability

The form, type and arrangement of buildings, streets and public spaces within the Northshore Hamilton Urban Development Area (UDA) must demonstrate good urban design and sustainability by addressing each of the elements contained in this section.

All elements of this section must be achieved to the greatest extent practical, having regard to each of the other elements.

#### Placemaking

Development is to contribute to a sense of place by:

- ▶ promoting place identity and distinctive character
- ▶ individually and collectively creating an attractive and appealing place for residents, workers and visitors
- ▶ contributing to permeability of the site and the surrounding area
- ▶ contributing to the legibility of the UDA
- ▶ contributing to a public realm that is inclusive, accessible and safe
- ▶ creating a positive relationship between public and private realms, in particular at street and first floor levels
- ▶ contributing to a wide range and rich variety of activities and uses
- ▶ providing opportunities for formal and informal gathering and interaction
- ▶ connecting with the surrounding areas

- ▶ encouraging pedestrian and cycle use
- ▶ facilitating public transport access and use
- ▶ helping to build and support a local economy
- ▶ helping attract and retain a diverse population.

#### Sub-tropical design

Development is to be climatically responsive by employing appropriate design principles and strategies that ensure:

- ▶ buildings are orientated to optimise seasonal solar gain and loss, taking into consideration major site views and vistas
- ▶ building form allows for cross ventilation and supports a naturally ventilated and comfortable environment
- ▶ weather protection and sun shading (including eaves and overhangs) is incorporated into façades and roof forms to reduce direct solar heat and provide rain protection appropriate to each façade orientation
- ▶ building design incorporates light and shade, providing well detailed and articulated façades
- ▶ outdoor/semi-outdoor living and ‘indoor to outdoor’ integration is provided by the use of balconies, courtyards, roof gardens and large windows creating open facades.

#### Community safety and well-being

Crime Prevention through Environmental

Design (CPTED) principles should underpin the design of all development within the UDA.

In particular, regard should be given to the *Crime Prevention through Environmental Design (CPTED) Guidelines* for Queensland.

Development is to incorporate appropriate safety features in line with current standards and best practice guidance including fire safety, emergency vehicle access and flood immunity<sup>2</sup>.

Development must promote community health and well-being through a design<sup>3</sup> that supports a health and active lifestyle.

All buildings and public and private spaces will be designed to be inclusive and accessible and to comply with relevant standards<sup>4</sup>.

Development adjacent to an identified public passenger transport corridor must be designed to ameliorate the risks associated with proximity to this corridor.

Development in operational air space must not cause a permanent or temporary obstruction, or potential hazard to aircraft movements.

#### Character and culture

To help create place identity and a distinctive character for the UDA, development should seek to protect, incorporate, re-use or re-interpret the heritage, character, cultural features and history of the UDA and surrounding area.

#### Building form

##### (a) General provisions

Buildings are to be well articulated with external balconies, doors and doorways, windows, shade and screening devices, outdoor planting and mixed use tenancies.

The use of materials and design details are to contribute both individually and collectively to a distinctive Northshore Hamilton character.

Residential building design is to ensure visual and noise privacy, adequate balcony size, adequate storage space, adequate room sizes, functional room relationship, and the provision of useable and well connected common outdoor spaces.

<sup>2</sup> Refer to State Planning Policy 1/03, section A4.2 and the State Planning Policy 1/03 Guideline, Appendix 5, Table A. The Defined Flood Event (DFE) is the 1% Annual Exceedance Probability (AEP) Flood.

<sup>3</sup> For example, the design principles in the “Health by Design Guidelines” (National Heart Foundation, Victoria 2004)

<sup>4</sup> Including for example disability discrimination legislation and Australian Standard 1428; Smart and Sustainable Home Design Objectives, Department of Public Works (2008)

## (b) Ground level detail

Ground level building elements are to introduce a variety of details and finishes.

### Entries

Front entries to all buildings are to be emphasised through architectural and landscape treatment, pedestrian paths and awnings so as to be obvious without the need for signage and address requirements for active frontages.

### Screening and awnings

Buildings are to respond to local microclimatic conditions by incorporating appropriate weather protection, screening and shading structures on the building facades to channel breezes, filter sunlight, block out night lighting and provide rain protection.

At street level, awnings are to be used to provide all year protection from sun and rain. In particular:

- awnings to primary active frontages must be continuous across the entire street alignment, to a minimum width of 3.0 metres and extend over the footpath to within 0.9 metres of the street kerb
- awnings to secondary frontage commercial and mixed use buildings need not necessarily be continuous but must extend over the footpath to within 0.9 metres of the street kerb for the width of the building's main entry

- buildings on corners should provide an awning over the main entry on each frontage
- for residential buildings where awnings are not provided, street trees are to provide protection from climatic conditions and separate pedestrians from traffic movement.

### Landscaping

Landscaping is to contribute to the visual amenity and liveability of Northshore Hamilton.

For residential development, landscaping must constitute 30% of the site area and provide on site recreation opportunities.

For non-residential and mixed use development, landscaping must be designed and located to provide a positive visual and amenity contribution to the public realm.

In general, landscaping is to be designed and located so that it:

- addresses streets and open spaces and contributes to the amenity of the public realm
- does not undermine personal and property security of the surveillance of footpaths and public open space
- does not encroach into pedestrian and cycle pathways or obscure visibility of path users
- deters crime and vandalism
- responds to microclimatic opportunities.

### Fences and walls

Except for specific feature walls associated with specific uses, fences or walls to ground floor residential uses must be visually permeable. 50% permeability generally provides an appropriate level of visual permeability.

### Storage and bin areas

External storage and bin areas must be contained within the buildings and/or must not be visible from the public realm.

Building design and external storage and bin areas must facilitate the efficient sorting and disposal of waste to maximise recycling opportunities.

### Windows to retail tenancies

Window sills to retail tenancies should be within 100 - 300 millimetres above the corresponding footpath level. Floor levels behind the windows can be higher than this on sloping footpaths.

Use of reflective glass in windows is not appropriate.

### (c) Upper level detail

The upper level elements of buildings must incorporate appropriate elements such as overhangs and sun shading to detail the top of the building against the skyline.

### Balconies

Covered balconies are encouraged in all locations to reflect a sub-tropical character and provide external spaces that can be used

under a variety of weather conditions.

Residential buildings must contain generous balconies attached to major internal living areas overlooking streets and public spaces providing surveillance and connection with the street.

Commercial and mixed use buildings should also feature balconies that overlook streets and public spaces providing surveillance and connection with the street.

In all locations, balconies must be appropriately located and/or screened to maximise privacy between buildings and or to the public realm.

### Roof form

Roofs are to be appropriately designed to ensure plant and equipment is integrated with the overall roof design.

Varied roof forms, building heights and massing of elements is encouraged.

### (d) Building arrangement

High rise buildings are to employ appropriate key massing techniques to achieve distinct lower, middle and upper sections so as to:

- maintain a strong relationship with the street by framing and activating the public realm and entrance spaces while reinforcing the street hierarchy
- deliver a variety of setbacks on the ground floor to create plazas, outdoor dining areas or open vistas
- create internal communal open spaces

and courtyards in both residential and commercial developments

- reduce the visual bulk of the building
- provide roof forms that are more visible and accentuated so as to enliven the skyline of the Northshore Hamilton UDA.

Where residential uses are located above podiums, it is expected that the tower footprints will be smaller to provide roof-space for terraces, roof gardens etc.

#### (e) Building frontages

Buildings in the UDA must contribute to an active and safe public realm.

Map 3 identifies the different frontages within the Northshore Hamilton UDA and describes their role for contributing to an active and safe public realm.

For north eastern facing blocks 30% of the frontages should be to a maximum of three storeys to ensure adequate solar access is achieved at street level and overshadowing is minimised. Refer to Map 4.

#### Primary active frontages

Primary active frontages are the ground level facades which face the street. Within the UDA these frontages are generally concentrated around the three activity centres and plazas.

Buildings on primary active frontages must:

- activate the street for extended hours of the day and night by building up to or near the street edge, generally parallel to the street alignment and supporting a mix of uses

- be visually and physically permeable containing many windows and entrances
- reinforce the priority of the pedestrian by addressing the street, having strongly expressed pedestrian entrances, minimising the number and size of vehicle access points and using appropriate street treatments. If vehicle access points are unavoidable, they should be integrated into the building design to minimise their impact on the safety and amenity of the public realm
- contribute to comfort for pedestrians by delivering continuous awnings providing shelter over footpaths
- incorporate car parking which is either located below ground level or not visible from the public realm
- provide opportunities to overlook the street, increase surveillance and reinforce the active frontage, particularly from upper floors.

#### Secondary active frontages

Buildings on secondary active frontages need not be activated by retail and commercial uses but must:

- address the street and public realm providing casual surveillance
- provide facades that contain well-detailed and articulated access points at frequent intervals along pedestrian networks, and do not include blank walls
- provide awnings located at key entry points.

#### Other frontages

Buildings on other frontages must:

- address the street and public realm but may have a wider variety of setbacks to allow for privacy to be maintained between street and dwelling and cater for courtyards, balconies and deep planting areas
- locate basements, where provided, within building footprints and set back from street alignments to allow areas for deep planting
- emphasise entries through architectural and landscape treatment, pedestrian movement paths, awnings and height.

#### Buildings and public realm relationships

The public realm will provide a network of destination spaces and green links which provide vistas and connections to the Brisbane River and other open space consistent with the structure plan.

The public realm will create a sense of place reflecting the character of the location and the context of its history and uses.

Material and plant selection for the public realm will be appropriate to the location and relative to the sense of place.

Shade trees will be established along streets and within public and private spaces including on-street car parking areas.

Private and public realms will be clearly delineated but integrated.

Buildings and the public realm will have an appropriate climate-based orientation and design, ensuring shade is provided, breezes can be shared and sunlight reaches internal and external spaces.

Setbacks and integration with the public realm will provide for the movement of pedestrians and standing areas for public transport stops.

Continuous awnings in defined locations will be used to provide protection from the rain and sun and will be integrated with street plantings.

At ground level, buildings and the public realm shall be designed to overlap and integrate shopping, dining and other outdoor activities.

Year round weather protection will be located along all buildings that are built to the boundary of the public realm.

Balconies will be provided to enable surveillance and connection with the public realm.

Building and landscape materials will be durable and of a high quality.

#### Private open space

##### (a) Common areas

Common private open space must be provided in all residential developments and:

- provide for a mixture of outdoor uses and activities
- be positioned for good solar orientation

- ▶ landscaped appropriately for a subtropical environment
- ▶ minimise water use
- ▶ respect privacy of users and residents, including those on neighbouring properties.

### (b) Balconies and other private open space

All residential units must incorporate generous balconies or private open space, attached to major internal living areas and providing room for outdoor private activity and furnishings such as a table, chairs, planting, a BBQ and shade. Balconies should be sized proportionately to the unit size and must not be less than 9m<sup>2</sup> with a minimum dimension of three metres. However, it is considered desirable that 16m<sup>2</sup> of private open space or balcony be achieved for all dwelling units.

Balconies must be appropriately located and/or screened to maximise privacy between buildings and/or the public realm without compromising CPTED principles.

Ground floor private open space must provide privacy but still allow overlooking to the street to promote casual surveillance. Fences should be no higher than 1500mm and are to be visually permeable.

### Lighting

External lighting should be designed to light up the building, particularly entrances and vegetated areas, without overspilling into other buildings or the sky.

External materials should not cause unreasonable glare.

### Riverwalk

The riverwalk will provide continuous public space at the river's edge. It will provide both a linking function as well as being a key linear destination for the UDA.

The design of the riverwalk must ensure that the public space will be accessible to all users of the area, and must create a character that connects to the water's edge.

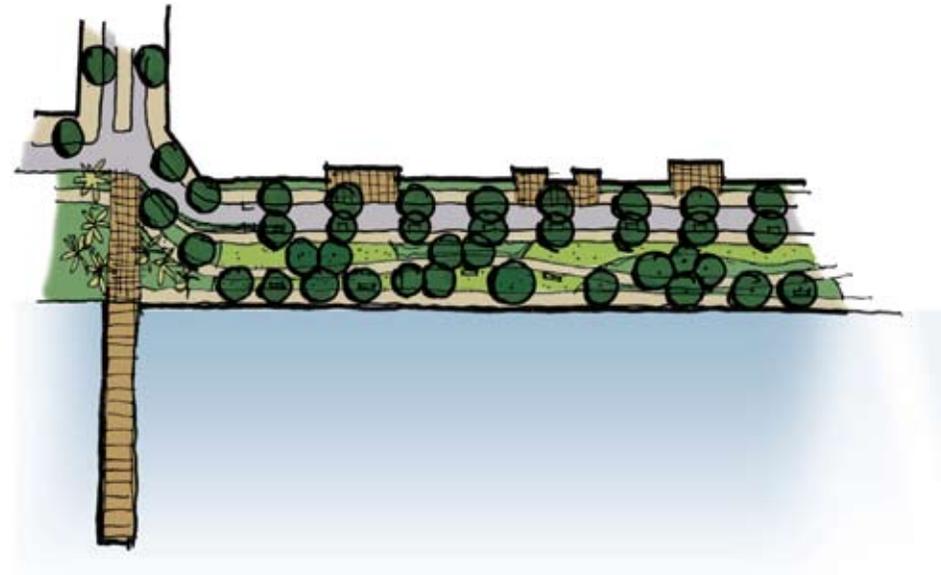
The riverwalk must:

- ▶ provide a continuous pedestrian and cyclist path
- ▶ ensure that pedestrians and cyclists are separated
- ▶ provide shade amenity at appropriate locations along the riverwalk's path
- ▶ provide respite areas away from the movement area
- ▶ provide nodal areas at the end of street alignments
- ▶ provide adequate seating and lighting.

The design of the riverwalk should be similar in nature to other riverwalks in Brisbane<sup>5</sup>.

Figure 3 shows a possible riverwalk outcome for the Northshore Hamilton UDA.

**Figure 3: Indicative riverwalk**



<sup>5</sup> The design, construction and quality of the riverwalk should be generally consistent with Brisbane City Council's Public Riverside Facilities Design Manual and AUSTRROADS Standards parts 13 and 14.

### 3.8 Transport, access, on-site parking and servicing

#### Public transport

The Northshore Hamilton UDA precincts must be developed at a density that can be serviced by a bus rapid transit service. Floor space limitations have been included in each precinct to achieve this. Sub-precinct plans are to incorporate provisions to give effect to the public transport options indicated on the structure plan (refer to Figure 1).

Priority should be given to pedestrian, cycle and public transport modes, over private vehicle use.

#### Transport corridors

Development does not unreasonably constrain future provision of public transport infrastructure (including rail, light rail, road, busway and cycleway infrastructure) and does not adversely impact on the function or operation of existing or future public transport corridors including rail, light rail or busway corridors<sup>6</sup>.

<sup>6</sup> As the planning for the future provision of infrastructure is ongoing, the ULDA may obtain advice from any public sector entity responsible for the planning for or provision of the infrastructure as to whether the proposed development is likely to constrain the provision of future public transport infrastructure or adversely impact on the function or operation of any existing or proposed public transport corridors. The Authority may have regard to any such advice in deciding the development applications.

#### Car parking

On-site car parking areas, loading bays and service areas are either integrated within or under buildings and sleeved by active frontages, or are located away from the public realm behind buildings.

The use of large blank screens to mask loading areas is not appropriate.

Vehicle service area cross-overs and car parking must not detract from the character of active edges and the public realm.

Co-location of uses and sharing of car parking spaces is encouraged to maximise efficiency.

Development is required to provide car parking (unless otherwise specified in a sub-precinct) in accordance with the following rates<sup>7</sup> identified in Table 1: Car parking rates.

Where a request is made to provide car parking at a rate exceeding that prescribed for the precinct, the request must be accompanied by a strategy to maximise use of pedestrian, cycle and public transport opportunities over private vehicle use.

Where possible, underground car parking areas are to be naturally ventilated.

Ventilation grills and structures should be integrated into the building design, located away from the primary street facade and oriented away from windows of habitable rooms and private open space.

<sup>7</sup> Where use is not specified above, car parking will be provided generally consistent with the rates required in the planning scheme for Brisbane City Council

Table 1: Car parking rates

Land Use	Interim period (prior to the provision of first fixed public transport service)	Long term (after the provision of first fixed public transport service)
Commercial	1 space per 50m <sup>2</sup> GFA 50% to be provided on site 50% to be provided in a shared centrally located and managed interim car parking facility	1 space per 100m <sup>2</sup>
Residential	1.5 spaces per dwelling unit (includes visitor parking) 66% to be provided on site 33% to be provided in a shared centrally located and managed interim car parking facility	1 space per dwelling unit (includes visitor parking)
Retail	1 space per 30m <sup>2</sup> GFA 30% to be provided on site 70% to be provided in a shared centrally located and managed interim car parking facility	1 space per 100m <sup>2</sup>

## Circulation

Development is to support increased accessibility, permeability and movement for pedestrians and cyclists and appropriate movement by vehicles, including emergency vehicles and priority for public transport.

Pedestrian and cycle way paths<sup>8</sup> and high quality cycling facilities are to be incorporated in new roads within the UDA.

Development is to be designed to include safe and highly visible connections to pedestrian and cycle networks through building siting, landscape design elements and treatments.

## End of trip facilities

End of trip facilities for pedestrians and cyclists are to be provided as part of development for non-residential uses including secure, undercover bicycle storage facilities, showers and lockers. Such facilities are to be provided to a standard consistent with AS2890.3.

Bicycle facility targets for apartments are:

- 🔸 residents – to have secure space per dwelling according to AS2890.3
- 🔸 visitors – to have secure space per 400m<sup>2</sup> according to AS2890.3.

Bicycle facility targets for sites other than apartments are:

- 🔸 workers – to have secure space per 200m<sup>2</sup> net lettable area (NLA) according to AS2893.0
- 🔸 visitors – to have secure space per 1000m<sup>2</sup> NLA according to AS2893.0

Bicycle facility targets for sites other than apartments are:

- 🔸 workers – to have secure space per 200m<sup>2</sup> NLA according to AS2893.0
- 🔸 visitors – to have secure space per 1000m<sup>2</sup> NLA according to AS2893.0

## 3.9 Sustainability and the environment

### Safety and risk

The following existing activities have the potential to adversely impact development. These activities and their impact areas are:

- 🔸 fuel storage facilities (Map 8)
- 🔸 asphalt and concrete batching plants (Map 9)
- 🔸 chrome plating facility (Map 10)
- 🔸 marine industry activities (Map 11)
- 🔸 aircraft operations<sup>9</sup>.

Development within the impact areas for the listed activities must demonstrate how the development will not be adversely affected

<sup>9</sup> The impact areas associated with aircraft operations identified under SPP1/02 *Development in the Vicinity of Certain Airports and Aviation Facilities* and the BAC Masterplan.

by the potential environmental impacts associated with the above mentioned ongoing activities<sup>10</sup>.

### Contaminated land

Development must ensure that all land and groundwater will be fit for purpose.

Remediation will meet Environmental Protection Agency (EPA) guidelines for the assessment and management of contaminated land in Queensland.

### Acid sulfate soils (ASS)

The following site works will trigger an acid sulfate soil investigation:

- 🔸 Development areas below 5m Australian Height Datum (AHD) involving the disturbance of greater than 100m<sup>3</sup> of soil
- 🔸 Development areas below 5m AHD requiring the placement of greater than or equal to 500m<sup>3</sup> of fill material in layer of greater than or equal to 0.5m in average depth
- 🔸 Development areas between 5m AHD and 20m AHD requiring the disturbance of greater than or equal to 100m<sup>3</sup> of soil below 5m AHD.

Acid sulfate soils will be treated in accordance with current best practice in

<sup>10</sup> Applicants are required to prepare a safety and risk assessment report for development within the impact area as indicated on Maps 8 - 11. The safety and risk report must detail all proposed buildings, plantings and other physical measures, and operational and management measures to mitigate potential impacts of the listed activities.

Queensland<sup>11</sup>.

### General noise requirements

The design, siting and layout of development must address noise impacts and where necessary incorporate appropriate noise mitigation measures.

Development achieves acceptable noise levels for noise sensitive uses in affected areas<sup>12</sup>.

An acoustic report will be required to evaluate and address potential noise impacts and recommend appropriate noise mitigation measures.

### General air quality

Development will limit exposure and risk associated with pollutants that could have a potentially adverse affect on human health.

Development for industrial uses will be in accordance with best practice air quality guidelines and standards<sup>13</sup>.

### Water management

Development is to demonstrate, to the greatest extent possible, current best practice Water Sensitive Urban Design (WSUD) and Integrated Water Cycle Management (IWCM) principles for Australia.

<sup>11</sup> Consideration should be given to State Planning Policy SPP2/02 Planning and Management Involving Acid Sulfate Soils and the Queensland Acid Sulfate Soils Technical Manual.

<sup>12</sup> Refer to *Environmental Protection (Noise) Policy 2008*

<sup>13</sup> Refer to Brisbane City Council's Air Quality Planning Scheme Policy and the Queensland EPA Guidelines on Odour Impact Assessment from Developments.

<sup>8</sup> See for example Austroads - Guide to Traffic Engineering Practice Standards for Pedestrian and Cycle Pathways.

### Biodiversity and habitat

Development must not adversely affect significant vegetation.

Development is to be setback ten metres from the high water mark except where stated otherwise in precincts and sub-precincts.

On-site stormwater management measures must ensure water quality maintains aquatic ecosystem values.

### Energy efficiency

Development is to promote energy efficiency by encouraging:

- alternative energy supply through the use of renewable energy sources
- passive thermal design of buildings
- energy efficient plant and equipment
- use of natural light and energy efficient lighting.

### Lifecycle costs and material

Development is to encourage sustainable features and smart design to reduce construction and operating costs.

Development is to encourage the efficient use of resources and waste minimisation.

### 3.10 Lot design

Lots must have an appropriate area and dimension for the siting and construction of the buildings, the provision of outdoor space, the relationship to adjoining development and public realm, safe and convenient vehicle access, servicing and parking.

Lot frontages must address streets and civic and open space. This is to facilitate personal and property security, surveillance of footpaths and public open space and to deter crime and vandalism.

Lot sizes and dimensions must enable buildings to be sited to:

- protect natural and cultural features, including significant vegetation
- address site constraints including slope, soil erosion, flooding and drainage<sup>14</sup>
- retain special features such as trees
- ensure that lots are not subject to unreasonable risk, hazard, noise impacts or air quality impacts
- ensure reasonable buffers between existing or potential incompatible land uses
- maximise solar orientation benefits to assist energy rating targets.

### 3.11 Clean industry, research and technology facilities

Clean industry, research and technology facilities will be developed according to the following principles:

- buildings must contribute to the future character and image of the precinct. Each building must be designed to a high commercial standard
- buildings with more than one frontage must address both streets
- offices and administration components must address the street, and be designed as an integral part of the overall building
- design must be contemporary in style to create an interesting character
- entry points must be highly visible and legible
- car parking, loading area and storage areas must not be visible from road frontages. High quality and densely planted landscape areas must screen these areas.

### 3.12 Harbour, foreshore and marinas

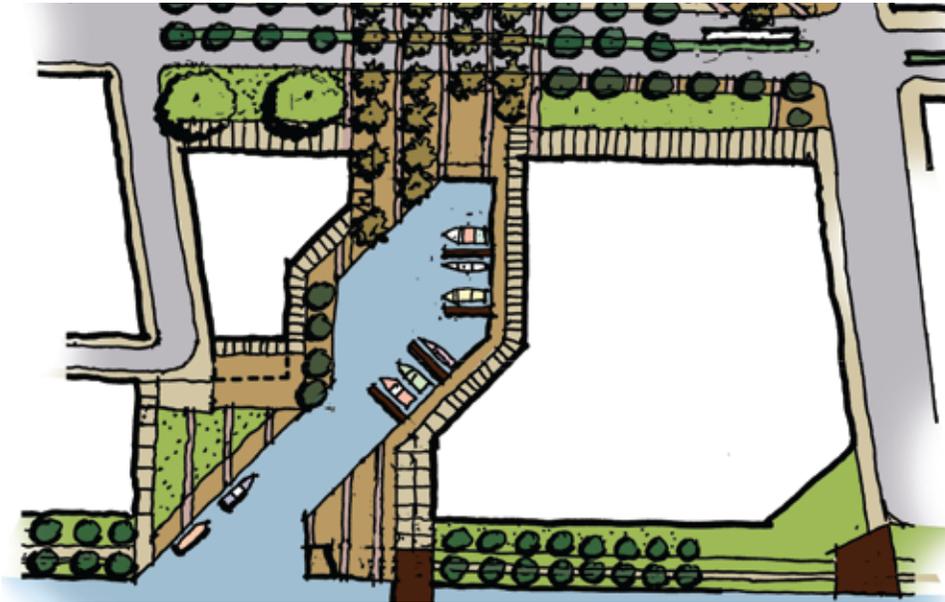
Where proposed:

- a harbour must enhance the appearance and function of the waterfront land
- harbours and marinas must contribute to an efficient marine transport network within the Brisbane River and at broader spatial scales
- harbours must provide safe public access along the foreshore and to maritime facilities
- harbours and marinas must be built in accordance with relevant engineering standards and will not present a hazard to maritime navigation
- harbours and marinas must be designed, constructed and operated to avoid, minimise and mitigate adverse impacts on coastal processes and coastal environmental values
- public access must be maintained.

Figures 4 and 5 show a range of possible harbour outcomes for the Northshore Hamilton UDA.

<sup>14</sup> Having regard to State Planning Policy 1/03: Mitigating the adverse impacts of Flood, Bushfire and Landslide.

Figure 4: Indicative Northshore Urban Village harbour



Tidal works (including prescribed tidal work) will be assessed in accordance with the following:

- ▶ the Prescribed Tidal Work Code included in the *Coastal Protection and Management Regulation 2003*
- ▶ the Environmental Protection Agency's operational policy for the Building and Engineering Standards for Tidal Works
- ▶ AS4997-2005 Guidelines for the Design of Maritime Structures.

These requirements do not apply to works carried out on strategic port land.

Figure 5: Indicative marina

