Structure Planning Code

1 Application

This Code will apply in assessing any impact assessable development including reconfiguring a lot or material change of use in an Emerging Community Area or a Future Industry Area. Subsequent development applications will be facilitated through the provision of greater detail, including a Structure Plan, at the initial application stage.

Applicants may add significant value to a development site by securing a preliminary approval for higher order uses which allows otherwise impact assessable development to become code assessable. This Code provides guidance for applicants on how to obtain approval for commercial uses and multi-unit residential buildings on greenfield sites by using the same process and incurring the same time frames as applications to simply subdivide into house lots. This particularly clarifies the circumstances and the level of detail required in applications for preliminary approval to secure the right to code assessment for higher order uses.

A development proponent may utilise the preliminary approval process by preparing a Structure Plan in all Area Classifications.

The Code may also apply, at Council's discretion, in instances where a Structure Plan provides the necessary planning framework to ensure that new development is planned and occurs in an orderly and integrated fashion. A Structure Plan could be requested in specific urban renewal locations or redevelopment sites.

The scope and detail of the Structure Plan and the extent to which the Code is applied will reflect the size, location and development constraints of the site.

2 Using this Code

In using this Code reference should also be made to Section 1.1—How to use the Codes, at the front of this Chapter.

When this Code is listed in a level of assessment table in Chapter 3 or a Local Plan in Chapter 4 as a Relevant Code for impact assessment:

- the Code is to be read as being the Purpose, Performance Criteria and Acceptable Solutions
- a Local Plan may include a Code that may vary or include additional Purposes, Performance Criteria or Acceptable Solutions
- the relevant components of the Subdivision Code must be considered and complied with in preparing the Structure Plan in accordance with this Code.

List of ‘secondary’ Codes

When this Code is used in impact assessment the following list should be considered as providing a guide to other Codes that may also be used in assessing the proposal:

- Acid Sulfate Soil
- Biodiversity
- Filling and Excavation
- Gas and Oil Pipeline
- Heritage Place
- Industrial Areas—Adjacent Development
- Park Planning and Design
- Stormwater Management
- Transport, Access, Parking and Servicing
- Waterway
- Wetland.

3 Purpose

The purpose of this Code is to:

- ensure that Emerging Community and Future Industry Areas, urban renewal sites and redevelopment sites are planned and developed in an orderly and sequential fashion and have necessary infrastructure and services provided in an efficient and timely manner
- enable fast-tracking of subsequent applications where a preliminary approval contains a sufficiently detailed Structure Plan
- ensure the creation of sustainable communities including the co-location of compatible land uses
- prevent sporadic and out of sequence subdivision of land, particularly on small and isolated sites
- provide certainty for landowners and residents as to the type and location of future land uses and transport infrastructure
- preserve environmental assets and ensure that development is of an intensity that is appropriate to the on-site and local development constraints
- ensure that land uses are of a scale and density that is commensurate with the capacity of the transport network and reflect capital and recurrent infrastructure requirements
- develop self-contained communities that provide choice of housing type, while avoiding large tracts of any one housing type, in Emerging Community Areas.

The purpose of the Subdivision Code must also be considered in the design of a Structure Plan in accordance with the requirements of this Code.
5 Planning framework

Council may adopt a Structure Plan by:

- preparing, on its own initiative or in partnership with others, a Structure Plan that is incorporated into the Plan, or
- granting a preliminary approval to a development application that incorporates a Structure Plan, or
- on less complex sites where a preliminary approval is not warranted an application that contains sufficient detail to fully address the requirements of this Code will be considered to constitute a Structure Plan.

Two types of Structure Plans are envisaged:

- a Neighbourhood Structure Plan, primarily for an Emerging Community Area
- an Industrial Structure Plan for a Future Industry Area.

Interim uses will not be approved in an Emerging Community Area unless it can be demonstrated that the approval will not prejudice the desired future development of the Area. Subdivision that would fragment land so as to inhibit or defer its development for urban or suburban purposes is unlikely to be supported. In addition, uses that obstruct the logical extension of, or prevent connections to, existing urban or suburban development are unlikely to be supported.

5.1 When a Structure Plan is required

A Structure Plan will be required to accompany all impact assessable applications including applications for subdivision in the Emerging Community Area or Future Industry Area, although it may be used for subdivision in any Area.

Impact assessable applications for subdivision and development in Future Industry Areas must be accompanied by an Industrial Structure Plan. At that point, this land may be used for light, general or heavy industry, depending on the existing and likely future development in the surrounding Area. A wide range of industries may be encouraged to establish, subject to assessment of environmental performance and cumulative impacts during the structure planning process and the provision of appropriate services.

5.2 The advantages of securing a preliminary approval through a Structure Plan

Section 3.1.6 of the Integrated Planning Act 1997 allows for preliminary approvals to override or vary the effect of the City Plan on the subject land. This process allows for the alteration of a local planning instrument for the assessment of development applications subsequent to the preliminary approval. Specifically it allows for the following:

- alteration of the level of assessment (e.g. self-assessable, code assessable); and
- the identification of applicable Codes (derived from the City Plan).
In all instances the provisions of the *Integrated Planning Act 1997* should be referred to when overriding a local planning instrument.

A Structure Plan is an integral part of a preliminary approval for development, as it is Council’s formal mechanism for facilitating the process under Section 3.1.6 of the Act. A Structure Plan should indicate the following:

- type of development proposed
- scale and density of the development
- location of the proposed development
- balance achieved between development and conservation
- servicing of the development by transport and other infrastructure
- integration of the development with the local context.

A Structure Plan is prepared at the start of a project to obtain a preliminary approval that will guide subsequent development applications. It will be impact assessable in accordance with the requirements of an Emerging Community or Future Industry Area. A Structure Plan may, however, be prepared for any part of the City where an applicant wishes a preliminary approval to facilitate faster assessment of subsequent applications and where development is to occur in an orderly and integrated fashion. Council will grant preliminary approvals which change the level of assessment on parts of greenfields sites which do not abut existing residential areas. Preliminary approvals will not be granted which would have the effect of depriving neighbours and nearby residents of the right to comment on the detailed plans of a proposal if they would otherwise have a legitimate expectation to have submitter and appeal rights.

To obtain a preliminary approval, the Structure Plan will need to contain the information outlined in Section 6. Where it is intended that the preliminary approval enable a less onerous level of assessment for particular uses in subsequent applications, the specific information outlined in Section 5.3 will also need to be contained in the adopted Structure Plan.

A Structure Plan is part of the supporting information accompanying the application and the Structure Plan forms part of the approval.

Council’s preferred approach is that an application containing a Structure Plan will be an application for preliminary approval for a material change of use (whether or not including subdivision).

Once the Structure Plan has been adopted or approved it can be used to guide the design of individual subdivision stages and/or components of a development.

Subsequent subdivision or material change of use applications that are consistent with the preliminary approval applying over the site may be facilitated through less onerous levels of assessment where:

- the Structure Plan is sufficiently detailed, and
- there is sufficient supporting documentation to address all relevant Code/s

The paragraphs below explain the level of detail required in an application to enable the approval to reduce the level of assessment.

**Making small lot houses self assessable:**

All subdivision, including subdivision into small lots (where greater than 400m²) will be code assessable without notification where indicated on an adopted Neighbourhood Structure Plan. Small lot houses will be self assessable against the *House Code* and the Building Envelope Plan where a Building Envelope Plan is nominated as part of either the Neighbourhood Structure Plan or the Detailed Subdivision Layout. A Building Envelope Plan illustrates the envelope where buildings will be constructed on each small lot. The *Subdivision Code* contains the requirements for a Building Envelope Plan.

**Making impact assessable development code assessable:**

For commercial or multi–unit residential development to be code assessable, sufficient detail in an approved Neighbourhood Structure Plan is required. A Neighbourhood Structure Plan that enables subsequent development to become code assessable against the relevant Code should include:

- a proposed building envelope indicating minimum setbacks and access points
- the maximum number of units of the development (for multi–unit residential development)
- maximum gross floor area of the development
- the maximum height of the development
- the proposed location of any servicing and car parking area/s (for commercial uses).

Similarly, approval of an Industrial Structure Plan may result in some development becoming code assessable where it contains sufficient detail to assess the likely impacts on the surrounding area and identifies the Codes applicable to the intended development.

For other development to be code assessable, the level of detail provided with the Structure Plan must be the same as that required for an application for a material change of use.
change of use under other City Plan provisions.

Despite this, some components of a development proposal may remain subject to impact assessment, where:

- insufficient detail was provided with the Structure Plan to determine whether adverse impacts would be adequately mitigated
- the development could have environmental consequences that could not be adequately assessed as part of the Structure Plan
- the development could have adverse impacts on amenity and it would be reasonable for residents of the area to expect to have the opportunity to comment on the detailed design of the intended development.

6 The Structure Plan

A Structure Plan must identify the major elements of the locality surrounding a development that can impact on the planning and design of the site. It does not constitute an approval for land outside the development site, but ensures the continuation of corridors, networks and linkages and allows for this to occur on the adjoining sites. Approval of a Structure Plan may constitute a preliminary approval that may confer use rights on the development site (see Section 5.2).

The major components of the development are to be designed with consideration of this broader context. It must be clear how the proposed development will integrate with the surrounding community and with the existing parks, service and infrastructure networks and the movement system (road network, public transport facilities and pedestrian and cyclist paths) in the area.

In addition to the general requirements for a Structure Plan, an Industrial Structure Plan must also demonstrate:

- the most appropriate location of different types of industries to minimise land use incompatibilities and conflicts
- integration of the site with surrounding development including any necessary buffering
- that any subdivision proposal is appropriate for the intended industry for the locality.

The scope of a Structure Plan is to be tailored to match the scale and likely impact of the proposed development, and depends on:

- the nature and extent of the proposal, its uses and the sequence of development and external impacts such as stormwater quality and quantity management, traffic generation, public transport availability, infrastructure capacity, wildlife corridor linkages and social impacts.

The more constrained the site, the greater the level of detail required to justify the proposal. In assessing proposals for infill development (where all the site boundaries adjoin existing or approved development) the emphasis will be on consideration of site characteristics and integration with the land use pattern and movement system established on adjoining sites and in the surrounding locality.

6.1 Preparing a Structure Plan

The steps that must be followed and information provided when preparing a Structure Plan are outlined below. Separate map/s and report/s must be provided for each step. When in map form the information is to be provided at a maximum scale of 1:2000 and include a bar scale and north point.

6.1.1 Step 1—Site and context assessment

Prior to preparing the Structure Plan an assessment of the site and its context must be undertaken and a site description of the land prepared, supported by a map containing the following features as a minimum:

- topography—contours and levels
- existing street network and intersections, and their treatments and public transport routes and their stops
- existing residences and structures (e.g. pool, tennis court or shed), land uses and approvals on surrounding sites (including subdivision layout), including the location of nearby schools, shopping centres, employment generators and other community facilities
- location of surrounding existing and proposed park network and pedestrian and cyclist paths (refer to the Bicycle Brisbane Plan).

6.1.2 Step 2—Identification of constraints

Land in an Emerging Community or Future Industry Area is generally suitable for development. However some land has environmental, scenic or other constraints that will influence the location, form and density of development. As a minimum, lands with the following constraints must be identified, mapped and considered in the design of the overall development. Where a Local Plan covers or adjoins
the site, it must be considered in the preparation of a Structure Plan as it may already identify a number of these constraints and approaches to their management.

**Local constraints that must be identified prior to preparing the Structure Plan** include waterway corridors, habitats and ecological corridors and landscape features. In Local Plan areas, larger pockets of these features may already be mapped. In preparing the Structure Plan, refer to Section 4.2 in Local Plans for Outer Suburbs—Chapter 4 of City Plan for guidance on how these features are defined and their implications for development. These implications could affect potential land uses, yield and/or design considerations.

In addition to the constraints identified in Local Plans, a number of constraints are identified or discussed in other parts of the City Plan. **These constraints must be identified and mapped as part of the Structure Planning process, and addressed as recommended by the relevant component of the City Plan.** These include:

- areas subject to the provisions of a State Planning Policy
- Green Space corridors as shown on the Strategic Plan maps
- Waterway Corridors as discussed in the **Waterway Code** and mapped on the Planning Scheme maps
- Wetlands as discussed in the **Wetland Code** and mapped on the Planning Scheme maps
- areas supporting the habitats of significant fauna, flora and vegetation/habitat types listed in the **Natural Assets Planning Scheme Policy**
- land identified in the **Heritage Register Planning Scheme Policy** and mapped on the Planning Scheme maps
- land that meets the criteria for entry as a place of cultural heritage significance in the Heritage Register (refer to the **Heritage Register Planning Scheme Policy**)
- land subject to a High Voltage Electricity Supply Easement
- steeply sloping land that is generally unsuitable for urban development because of potential instability, erosion or other hazard caused by clearing steep land
- local water quality from possible acid sulfate soil run–off and contamination
- flood affected land identified as being below the Flood Regulation Line
- land identified in any Catchment Management Plan, Waterway Management Plan, Stormwater Management Plan or Local Stormwater Management Plan as being required for the purposes of protecting or improving water quality
- major stormwater flow paths and other land required to ensure that a Structure Plan does not compromise compliance with the **Stormwater Management Code**
- Gas or oil pipeline as discussed in the **Gas and Oil Pipeline Code** and mapped on the Planning Scheme maps
- Major Hazard Facility buffer distances and the buffer distances to existing Industrial Areas as discussed in the **Industrial Areas—Adjacent Development Code**
- land with the potential for Acid Sulphate soil, dispersive or erosion prone soil.

### 6.1.3 Step 3—Analysis of site characteristics and constraints and allocation of land uses

Once the site characteristics and constraints have been identified they must be addressed by the Structure Plan as recommended by the relevant Codes and Local Plan where applicable. In some cases it may be possible to develop all or part of constrained sites carefully and sensitively. Alternative approaches may be required to accommodate development, for example lower development yields or sensitive residential design to ensure the retention of land with environmental or scenic constraint or other values. For other sites, development will not be possible. In many cases, a Local Plan or provisions within Codes will articulate whether development is possible, and if so how it should occur.

The application must demonstrate integration, namely:

- compatibility of surrounding uses (existing and proposed) with the proposed use/s
- how the proposal fits into the overall road hierarchy and transport network and how the street network will encourage the emergence of a co–ordinated neighbourhood (refer to the **Subdivision Code, Transport, Access, Parking and Servicing Code, Transport and Traffic Facilities Planning Scheme Policy** and the **Bicycle Brisbane Plan**). This may be supported by the submission of a Transport Land Use Report if necessary
- that consideration has been given to the potential for the subdivision and co–ordinated and integrated development of adjoining Emerging Community or Future Industry Areas
- that the proposal does not prejudice the development of adjoining sites by shifting unreasonable costs of
infrastructure on to adjoining properties, such as parks, stormwater management facilities, roads and bridges.

- how the proposal implements the requirements of applicable Local Plans and applicable infrastructure planning instrument, and Park Concept/Master Plans or Management Plans, Centre Concept Plans, or Stormwater and Waterway Management Plans.

On smaller sites, where it is not possible to include the full range of land uses that support a sustainable community, it is particularly important to demonstrate that parks are well planned (either on the site, or already approved on adjoining land) and an integrated road network can be achieved.

For an Emerging Community Area, the application must demonstrate that the allocation of land uses ensures that:

- **land is used primarily for residential purposes**
- **residential communities are well serviced** and enjoy high amenity by providing for a range of complementary commercial and employment opportunities and community uses and facilities as early as possible. These may include centres, schools, parks, personal services, health care facilities, youth clubs and emergency services.
- **residential development has good access to public transport, local parks, schools, shops and community facilities.** As such, these uses must be accommodated in locations that maximise the service they provide to the community and minimise any associated impacts. These uses must be centrally located or highly accessible to their respective catchments and wherever possible be co-located in or near Centres. Uses that are likely to draw significant levels of non-local traffic into residential streets will not be approved unless there is a significant offsetting community benefit and traffic impacts can be minimised.
- **residential development provides appropriate housing choices for all people** and allows residents the opportunity to remain within their neighbourhoods during all stages of their life, with a range of housing choices provided throughout the area. However, houses at low density including conventional and small lot housing should predominate.
- **the proposal does not impinge on the legitimate operation of existing uses** and is suitably buffered from incompatible existing uses on the site or on adjacent land.

In relation to specific land uses:

- **concentrations of higher densities of residential uses** must only be located close to Centres or public transport nodes, or where dwellings abut or overlook parks or public land.
- **seniors’ and retirement housing** must be located near social and community services and public transport.
- **‘gated communities’ and introverted estates** are not appropriate, as such residential estates must allow inter-connection of road, pedestrian and cyclist networks, with dwellings that address the street to provide opportunities for casual surveillance of public spaces. Perimeter fences or walls that detract from personal safety on adjoining public areas are inappropriate.
- **relocatable home parks** are appropriate where they are adequately serviced with infrastructure and services for the residents of the park.
- **facilities with extensive land requirements such as sports fields and schools** are identified on the Local Plans for outer suburbs. Where not identified in Local Plans service provider standards should be considered. Education Queensland standards identify that one primary school is required to service a minimum of 3,000 lots and one high school to service a minimum of 8,000 lots over a 15 year planning period. Sports fields should be located out of centres but in areas that are accessible to the community and do not have adverse impacts on residential amenity.
- **child care facilities** require highly accessible sites with high environmental quality and amenity. However, as they can produce deleterious traffic and amenity impacts in residential areas, sites must comply with the locational requirements of the Child Care Facility Code, for example, located close to a Centre to allow joint use of vehicle parking facilities or near a park whose frontage can provide kerb space for parking. Location next to a park also allows play areas to be located where they will not create a noise nuisance and can improve safety in the park by providing opportunities for surveillance.
- **shops** must be located in Centres nominated by the Local Plans for outer suburbs. Fast food stores are to be located only in Centres.
- **small shops or offices below 250m² in gross floor area** are to serve local resident needs only and therefore do not require a site located to attract trade from through traffic. These small shops may be approved outside Centres where their scale and timing is not likely to defer or affect the viability of any Centre nominated in the relevant Local Plan, and they are located and designed in accordance with the Impact Assessable Uses Planning Scheme Policy and:
the Impact Assessable Uses Planning Scheme Policy and:

- where they will not adversely affect residential amenity
- where residents would otherwise not be within 400m walking or cycling distance of land allocated for centre activities
- in close proximity to bikeways
- service stations may be accommodated in an Emerging Community Area by identifying suitable sites on major roads in or next to a Centre and away from existing housing. Adjoining development must be designed in detail sufficient to ensure the service station does not impact on the safety or amenity of any residential use, considering the level of emissions from the site and impact of traffic movements.

Industrial development may occur in Future Industry Areas subject to the identification of environmental performance of the industries and the mechanism of the provision of infrastructure to the site/development.

6.1.4 Step 4—Documenting the Structure Plan

The Structure Plan design, including land use allocation, movement system design, and open space and park network provision, must actively promote achievement of the purpose and performance criteria/acceptable solutions of the Subdivision Code and the intent of any relevant Local Plan. The neighbourhood design requirements and any other relevant components of the Subdivision Code must be addressed when preparing the Structure Plan. The Structure Plan design must also enable the development to comply with the requirements of all other relevant Codes unless specified otherwise by a Local Plan.

The Structure Plan must contain the degree of detail appropriate to the particular proposal and its circumstances and at a minimum map and report on:

- existing and proposed pedestrian and cyclist paths
- existing and proposed road network, including level in the hierarchy
- existing and proposed public transport routes and stops
- proposed staging of the development.

Where a Structure Plan, in association with a preliminary approval application, proposes to alter the level of assessment for subsequent development, a schedule or table must be provided to clearly indicate the proposed land use, the proposed precinct on the Structure Plan map, the proposed level of assessment, and the proposed criteria (if any) for enabling the lower level of assessment.

Refer to Figures a and b for examples of Structure Plan maps for both large and small developments.

6.1.5 Step 5—Community consultation

The preparation of a Structure Plan will entail the level of consultation required by the Integrated Planning Act 1997 for impact assessable development. On smaller sites, the consultation required by the Integrated Planning Act 1997 would generally suffice. However, where the site or the proposal entails complex issues, or involves a large site with multiple precincts and land uses, and/or the Structure Plan is inadequately detailed to facilitate informed public submissions, Council may require additional material and community consultation as part of a formal Information Request. Refer to the Consultation Planning Scheme Policy for guidance on community consultation procedures.
Figure a Neighbourhood Structure Plan—Large Development
Figure b  Neighbourhood Structure Plan—Small Development