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# BRISBANE CITY COUNCIL

## TEMPORARY LOCAL PLANNING INSTRUMENT 04/19

### PROTECTION OF BUILDINGS CONSTRUCTED PRIOR TO 1911

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#### 1. Short title

This Temporary Local Planning Instrument (TLPI) may be cited as Temporary Local Planning Instrument 04/19 – Protection of buildings constructed prior to 1911.

#### 2. Purpose

The purpose of this TLPI is to:

- implement the policy direction in the Strategic framework of the *Brisbane City Plan 2014*, in particular Theme 2: Brisbane's outstanding lifestyle and Element 2.1 – Brisbane's identity
- provide for the assessment of any removal, demolition or partial demolition of the buildings on land identified in Table 1 and constructed prior to 1911
- protect the identified buildings until *Brisbane City Plan 2014* is amended to afford the buildings protection pursuant to the Pre-1911 building overlay and Pre-1911 building overlay code.

#### 3. Application

This TLPI applies to building work involving the removal, demolition or partial demolition of a building on the land identified in Table 1: Buildings deemed to be identified on the Pre-1911 building overlay map and constructed prior to 1911, on the date of commencement of this TLPI. These sites are deemed to be contained in the Pre-1911 building overlay and identified on the Pre-1911 building overlay map in the Pre-1911 building site sub-category of *Brisbane City Plan 2014*.

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

This TLPI applies assessment provisions to development of the nominated land and applies in addition to the current provisions of *Brisbane City Plan 2014*.

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

#### 4. Duration

This TLPI has effect for a period of two years from the date of commencement.

#### 5. Terms used in this TLPI

Terms used in this TLPI have the same meaning as in the *Planning Act 2016* or *Brisbane City Plan 2014*, unless otherwise defined in this TLPI.

## 6. Effect of this Temporary Local Planning Instrument

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

**Table 1: Sites deemed to be identified on the Pre-1911 building overlay map**

Unit	House number	Street Name	Suburb	Lot number	Plan number
	395	Coronation Drive	Auchenflower	8	SP135233
	81	Lang Parade	Auchenflower	10	RP80180
	83	Lang Parade	Auchenflower	11	RP80180
	22	Hampton Street	East Brisbane	19	RP11580
	24	Hampton Street	East Brisbane	18	RP11580
	236	Cornwall Street	Stones Corner	137	RP12942
	59	Browning Street	South Brisbane	1	RP48682
	25	Glen Road	Toowong	5	RP45753
	27	Legeyt Street	Windsor	2	RP41678
	34	Grantson Street	Windsor	1	RP18464
	7	Lyons Terrace	Windsor	1	RP75696
	24	Lincoln Street	Stones Corner	52	RP12942
	31	Besant Street	West End	2	RP1450
	232	Ipswich Road	Woolloongabba	5	RP12070
	119	Stoneleigh Street	Lutwyche	19, 20	SP145013
	105-105A	Main Street	Kangaroo Point	3, 827	SP192729
	29	O'Connell Street	Kangaroo Point	2	RP10942
	28	Linton Street	Kangaroo Point	2	RP11338
	29	Princess Street	Kangaroo Point	36	RP11335
	21	Duke Street	Kangaroo Point	100	RP11335
	101	Stoneleigh Street	Lutwyche	30	RP19057
	62-62A	Enoggera Road	Newmarket	42, 44	RP209801
1	19	Cairns Street	East Brisbane	1	GTP2652
	9	Frederick Street	Taringa	2	RP23655
	106	Vulture Street	West End	1	RP1454
	46	Florrie Street	Lutwyche	4	RP106035
	4	Glin Avenue	Newmarket	1	RP86564

**Table 2: Level of assessment table for sites identified in Table 1**

Column 1 – Development	Column 2 – Categories of development and assessment	Column 3 – Assessment benchmarks
<b>Building work</b>		
Building work for removal, demolition, or demolition of a part of, a pre-1911 building, if in the Emerging community zone, Low density residential zone, Low-medium density residential zone, Character residential zone, Environmental management zone, Rural zone or Community facilities zone	<b>Assessable development – Code assessment</b>	
	Note—If the development is impact assessable in the zone or neighbourhood plan, then the level of assessment is not lowered to code assessment.	<a href="#">Pre-1911 building overlay code</a>
Building work for the demolition of a pre-1911 building if in any other zone	<b>Assessable development – Code assessment</b>	
	If complying with acceptable outcome AO3 in the <a href="#">Pre-1911 building overlay code</a> Note—If the development is impact assessable in the zone or neighbourhood plan, then the level of assessment is not lowered to code assessment.	<a href="#">Pre-1911 building overlay code</a>
	<b>Assessable development – Impact assessment</b>	
	If not complying with acceptable outcome AO3 in the <a href="#">Pre-1911 building overlay code</a>	<a href="#">Pre-1911 building overlay code</a>
Building work for the removal of a pre-1911 building if in any other zone	<b>Assessable development – Code assessment</b>	
	If complying with acceptable outcome AO4 in the in the <a href="#">Pre-1911 building overlay code</a> Note—If the development is impact assessable in the zone or neighbourhood plan, then the level of assessment is not lowered to code assessment.	<a href="#">Pre-1911 building overlay code</a>
	<b>Assessable development – Impact assessment</b>	
	If not complying with acceptable outcome AO4 in the <a href="#">Pre-1911 building overlay code</a>	The planning scheme including: <a href="#">Pre-1911 building overlay code</a>