

# **THE NEW BRISBANE CITY CENTRE NEIGHBOURHOOD PLAN**

## **BRISBANE DEVELOPMENT ASSOCIATION**

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#### Introduction

Welcome to the five-year reunion of the lunch BDA had in February 2004, to discuss the proposed City Centre Local Plan.

You may recall that that draft Plan proposed to limit heights of buildings in the City Centre, primarily in order to achieve a supposed urban-design inspired “shaping” of the city centre.

This faced opposition from professional and industry stakeholders including on that day, and eventually it came to be seen that what the City Centre looked like depended on where you were viewing it from.

Anyway, more tall buildings made it look better and more interesting.

After the 2004 Council election the proposed Local Plan was abandoned and the late Trevor Reddacliff was appointed to prepare a City Centre Master Plan.

Later that year was the diversion of the Temporary Local Planning Instrument proposal, the main purpose of which was to introduce some controls to discourage development of residential towers in the City Centre. This was intended to be achieved by prescribing minimum sized sites, and lower plot ratios and greater setbacks for residential buildings. In the face of industry opposition again, the State eventually rejected the proposal.

The Council then went on to prepare the City Centre Master Plan, with the participation of many stakeholders including many in this room, and we had a number of BDA presentations by Trevor Reddacliff. The draft was released in September 2005 and a final version in the following year.

By then, it had been decided that instead of height limits, we should have “an adventure with height”. Not only does it work, in terms of city image, but it implies that the more functions and activities that can be built into the city centre, the better use is made of existing city centre infrastructure.

However while directions were set out in the Master Plan on a number of issues, there were still other matters to be resolved about future city centre development and these were addressed in a new Neighbourhood Plan, publicly notified in late 2007, adopted in 2008 and taking effect on 1<sup>st</sup> January this year. So what does it look like and what does it mean for development in the City Centre?

### Fundamentals

First, the City Centre Neighbourhood Plan is the Plan for the City Centre and overrides all other planning instruments.

Secondly, most development continues to be assessed via Code Assessment under the Integrated Planning Act. Given the complexity and scale of the city centre, this is quite extraordinary on the face of it. It is ironic to consider that a block of five apartments in a Low Medium Density Residential Area at Stafford requires impact assessment, while projects worth many tens of millions of dollars in the city centre can be evaluated by code assessment. However, what it has meant for the drafting of the Neighbourhood Plan is that the document has to set out every matter in detail, which the City wants to address, about development in the city centre. So the Neighbourhood Plan is intended to be a complete articulation of policy. Conform to the plan and approval is assured – this is intended to encourage certainty and investment security.

Consequently, however, the Plan is extensive and a lot of issues are covered. Most of the Plan comprises the **City Centre Neighbourhood Plan Code** – this includes a Vision, nine Development Outcomes, a range of performance criteria and acceptable solutions (57 that apply generally and a further 54 that apply in some particular, Special Context Areas), 7 maps that are used to complement the performance criteria and acceptable solutions, and some special additional measures such as about transferable development rights, tangential rectangle calculations (yes, the dream continues), Strategic Redevelopment Areas and Public Domain Engagement Reports.

While quite a proportion of the city centre is in one, or in a small number of cases two, **Special Context Areas**, the special controls for these areas are not extensive, for the most part:

The general rule is that most of the city centre is under the same planning controls – there has been no significant attempt to zone the city into different parts for different land uses, although nightclubs are excluded from Petrie Bight and there are some special provisions oriented towards retailing around the Mall.

The 57 performance criteria that apply generally in the City Centre are organised according to the nine development outcomes:

- The role of the City Centre for business and administration is promoted
- The history and public spaces of the City Centre are respected
- A vital City Centre
- The City Centre provides a high quality pedestrian and public domain experience
- Excellent design in all buildings and places
- Appropriate high density living
- A City Centre that responds to its sub-tropical climate
- Centre of the River City
- A City of parts

The Neighbourhood Plan has more important consequences for some of these outcomes than others and I want to focus on some of the innovations, and two themes that the Plan emphasises, namely:

- Offices vs residential; and
- Urban design.

#### First, Offices vs Residential Land Use

Really, this is part of a broader issue about land use in the city centre. Concern had been expressed over the last few years, that valuable city centre sites that should be available for use for offices, were being used up with residential projects. The response in 2004 had been to try to introduce indirect measures to discourage residential towers.

The **zoning** of some parts of the city centre only for offices had been discussed as a solution.

The approach that underpins this Neighbourhood Plan is based on the following conclusions:

- It is important that the role of the city centre is maintained as the pre-eminent centre for offices, in the City, the SEQ region and the State;
- However, it is also desirable that there be high density residential development in the city centre, for convenience, the vitality of the city centre, and to offer an alternative housing choice.

The Plan therefore did not attempt to restrict residential development directly, but rather require that:

- Identified existing major office buildings in the city centre be retained as such; and
- 29 Strategic Redevelopment Areas in the city centre, recognised as the best opportunities for major office development, had to yield a certain minimum office component in any redevelopment, that minimum specified in the Plan.

The minimum quantum that had to be realised was based on apportioning a half million square metres of office floorspace between the sites and applies to floorspace above maximum podium height. Of course it is intended that that figure is only a minimum as it is desirable for the city centre to accommodate ultimately more than that.

The SRAs often include sites that are not in the same ownership and amalgamation is encouraged by restriction of development in the SRA until the minimum floorspace is obtained in a redevelopment. After that, any remaining properties can be developed in other ways, if so desired. Six of the 29 sites may instead be developed with a major hotel, recognising that as another important city centre function that needs to be accommodated in the future.

Another strategy in the Neighbourhood Plan, which is related to providing carparking and also to street level amenity, is the requirement for carparking henceforth to be located underground. I mention it at this point, as it is not just about amenity and streetscape, issues that might be addressed by sleeving, but it is also about city centre land use – the Plan takes the position that henceforth the space in the city centre above ground level, closest to the public pedestrian domain, should be used not for cars, but for city-building functions, such as shops, offices, restaurants, meeting spaces, function rooms, gyms, educational premises, cultural facilities and art spaces. Given that 100% site cover is permitted for the first four levels in the city centre, the 29 SRAs alone could yield an **additional** half million square metres in their podiums, when redeveloped – is such a potential resource to be wasted on

carparking? If development in the city centre needs carparking then it is a reasonable balance to pay the extra to put it underground.

### Urban Design

A great deal of the Neighbourhood Plan provisions are about what might be called **urban design**. I will try to summarise the matters that the Plan addresses succinctly.

1. The Plan divides urban design issues up between issues relevant at the broad scale, about towers, and issues relevant at lower levels, the street level environment.
2. Recognising that the opportunities and challenges that are provided by each redevelopment site are different, the Plan invites developers to explain how their development will address the public domain, at the broad level and the street level, through preparation of a Public Domain Engagement Report – parameters for these reports are set out in Section 7 of the Plan (Note that this approach is triggered by performance criteria that have no prescribed acceptable solutions – the developer must make its case)
3. Generally, the podium and tower arrangement of buildings is retained, and plot ratio controlled by the tangential rectangle formula that is contained in the superseded planning scheme, with the following exceptions:
  - An alternative tower arrangement may be approved if the developer demonstrates that it is a superior outcome of equivalent floor area, to a development that conforms with the tangential rectangle calculation;
  - Areas along the river do not have a podium, to promote views and access through to the river;
  - A different approach is permitted for narrow sites
4. Generally, podiums set forward to the street form the street environment up to a height of four storeys, above which well-spaced towers set back from the street frontage may be of unlimited height provided that the floor plate is sufficiently thin (Except for restrictions related to aviation and aeroplane pilots not being able to fly around the city centre).
5. “P18 requires that a building with a tower that influences the city skyline contributes positively to that skyline, exhibits excellent architectural design and is of a quality reflecting the role of the CBD as a modern and major capital city in the Asia Pacific region”

6. Based on surveys of the existing city centre fabric, requirements are specified about podium setback and podiums, cross block pedestrian links, primary and secondary pedestrian streets, views protection, ground level setback, pedestrian shelter.
7. Whilst generally, standards apply uniformly across the City Centre, in the case of 18 localities, Special Context Areas, particular provisions apply, through additional performance criteria and acceptable solutions.
8. The requirement to put carparking underground (P23) has been imposed particularly to achieve better activation and surveillance of the street environment and to encourage the use of the city centre space above ground level for productive city centre functions - surely we have got to a point where we can no longer put up with the insulting presentation to the streets of the city centre, of buildings with above ground carparking!
9. Related issues include the width of carpark entries where both underground and above ground parking is provided. Provisions are introduced (P31) to minimise the non-active frontage of new development, by limiting the proportion of the frontage occupied by vehicle entries, service docks, services including fire services and the size of service docks.
10. With respect to vehicle crossovers, certain requirements have been specified designed to limit the interference to pedestrian movement caused by vehicle crossovers (P32).
11. There are also specified principles about activating the street, relating to windows, foyers, footpath awnings, footpath levels, use of materials and public art.

As to other matters:

In general, the effect of mid-winter shadowing has been downplayed compared with earlier planning documents.

Residential accommodation must be above the podium and oriented towards the street.

The transferable site area system is maintained.

The level of assessment for development on a heritage site, except for demolition of a heritage place, becomes code assessable against the Heritage Code.

Garbage collection standards are upgraded to include internalisation, refrigeration and compaction.

Special Context Area 3 relates to the St Johns Cathedral precinct and requires views of the cathedral from the Fortitude Valley approach to be protected.

Special Context Area 13 relates to the Anzac Square to St Stephens Cathedral axis and imposes certain requirements to protect the integrity and significance of that space.

Some important views must be created or protected as shown on Map D,

significantly including this view to the river from Queen Street, the Edward Street vista, the vista down Macrossan Street and the Mary Street axis, looking towards the Story Bridge. (P10)

### Public Domain Engagement Reports

The requirement to prepare a Public Domain Engagement Report is set out in Section 7 of the Neighbourhood Plan and is based on the following propositions:

- First, it is reasonable to require the developers of projects worth multi-millions of dollars, who are able to obtain approval through a code assessment process, to explain and document how their proposals relate to the city environment;
- Secondly, the way that various relevant matters can come together on a particular site is difficult to prescribe in advance, including the opportunity to deliver an outstanding and/or innovative architectural design, and the Public Domain Engagement Report provides, using the language of the planner, the opportunity to demonstrate compliance with the open-ended or qualitative Performance Criteria of the Code

As mentioned earlier, the code is based on identifying that there are some issues that are relevant at the broad scale of the City and the city centre and there are other issues that are all about the environment experienced at street level – a Public Domain Engagement Report is divided up to address these things in turn.

The part of the report that deals with the broad relationship with the public domain should include visual modelling of the building proposals in context, clearly demonstrate the architecture of the proposals and explain the rationale of the design.

The part of the report that deals with the street level environment should include detailed information about facades at ground level, vehicle access, services, podium levels, relationship to adjoining footpaths and public spaces, materials, public art and other matters that affect the relationship between the development and the adjoining public domain.

### In Conclusion,

For the most part, the City Centre Neighbourhood Plan continues the principles and approaches of the Local Plan it succeeds and especially, maintains the code assessment regime for most development. It takes direction about some matters from the City Centre Master Plan. However it significantly moves the planning agenda forward with respect to the following:

- It resolves an approach to conserving sites for development of offices, balancing the need for Brisbane's city centre to maintain its role as the pre-eminent business and administration centre, with providing opportunities for economic development of city centre sites and the desirability of accommodating other land uses in the city centre;
- It clarifies the urban design agenda in certain respects by clearly setting out performance criteria and a range of acceptable solutions, and throws the onus upon developers to explain and demonstrate how their proposals optimise their relationship to the public domain and benefit the city centre, through the need to prepare a Public Domain Engagement Report;
- It raises the bar on certain urban design issues, such as above ground carparking, vehicle footpath crossings, active frontages and loading docks; and
- Finally, whilst maintaining relatively uniform development standards throughout the city centre, it also in a limited number of localities, specifies some particular requirements that are appropriate to achieve a particular outcome in that locality.