

# THE TIVOLI THEATRE

Town Planning Report

Prepared for  
**TIVOLI GROUP**  
17 July 2025

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# CONTENTS

<b>Executive Summary</b>	<b>1</b>
Key Details	1
<b>1. The Site</b>	<b>2</b>
1.1. Site Details	2
1.2. Immediate Surrounds	3
<b>2. The Proposal</b>	<b>4</b>
2.1. Overview of Proposal	4
2.2. Key Proposal Details	6
<b>3. Specialist Reporting</b>	<b>7</b>
3.1. Heritage	7
3.2. Acoustic	7
3.3. Traffic	8
<b>4. State Planning Framework</b>	<b>9</b>
4.1. Economic Development Act 2012	9
4.1.1. Assessment Manager	9
4.1.2. Application Fee	9
4.1.3. Referral Agencies	9
4.2. Bowen Hills Priority Development Area Development Scheme	9
4.2.1. Land Use Definitions	9
4.2.2. Category of Assessment	10
4.2.3. Strategic Vision and Structural Elements	10
4.2.4. PDA Wide Criteria	11
4.2.5. Zoning Provisions	11
4.2.6. Precinct Provisions	12
4.2.7. Assessment of Application Compliance	13
4.3. EDQ Guidelines and Practice Notes	15
<b>5. Conclusion</b>	<b>16</b>
<b>Disclaimer</b>	<b>17</b>

## Appendix A    Appendix

### FIGURES

<b>Figure 1</b> – Site Aerial	2
<b>Figure 2</b> – Immediate Surrounds	3
<b>Figure 3</b> – Extract of Proposed Exterior Render	5
<b>Figure 4</b> – Extract of Proposed Interior Render	5
<b>Figure 5</b> – PDA Structure Plan Extract	10
<b>Figure 6</b> – PDA Zoning Map Extract	11
<b>Figure 7</b> – PDA Precinct Map Extract	12
<b>Figure 8</b> – PDA Precinct 2 Map Extract	13

### PICTURES

Picture 1 – Northern Development	3
Picture 2 – Southern Development	3
Picture 3 – Eastern Development	3
Picture 4 – Western Development	3

**TABLES**

**Table 1** - Development Approvals ..... 1

**Table 2** - Key Details ..... 1

**Table 3** - Site Details ..... 2

**Table 4** - Key Proposal Details..... 6

**Table 5** – Compliance Summary ..... 14

**Table 6** – EDQ Guidelines and Practice Notes ..... 15

**MAPS**

No table of figures entries found.

**CHARTS**

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# EXECUTIVE SUMMARY

This proposed development is for an extension of the Tivoli Theatre, involving the conversion of the current carparking area on site to a semi-enclosed, useable space in conjunction with the main building.

The application seeks the following development approvals:

**Table 1** – Development Approvals

ASPECT OF DEVELOPMENT	DEVELOPMENT APPROVAL SOUGHT	CATEGORY OF ASSESSMENT
Material Change of Use involving a Nightclub Entertainment Facility	Development Permit	Permissible Development

## KEY DETAILS

**Table 2** – Key Details

KEY DETAILS	PROPOSAL DETAILS
Site Address	52 Costin Street, Fortitude Valley
Real Property Description	Lot 5 on RP800278
Planning Area	Bowen Hills Priority Development Area (PDA)
PDA Development Scheme Zone	Mixed Use Zone
PDA Development Scheme Precinct	Precinct 2
Level of Assessment	Permissible Development

## 1.1. SITE DETAILS

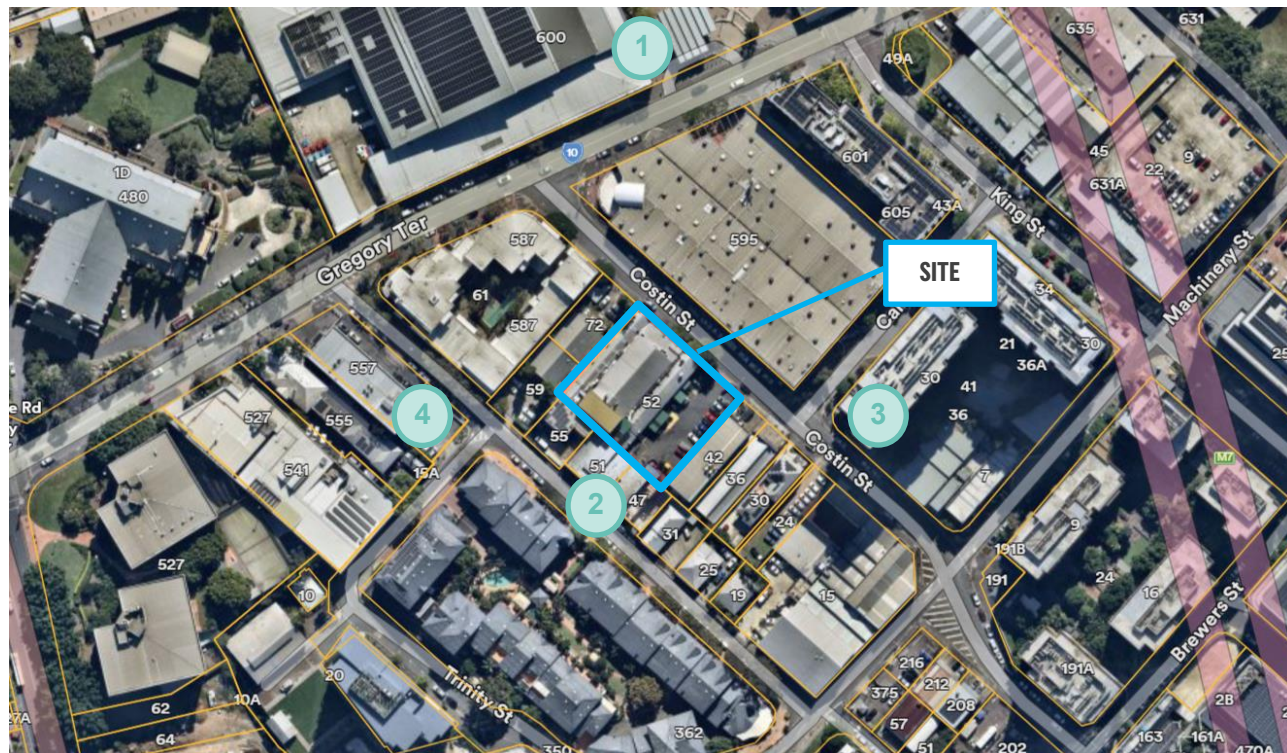
Key details of the site are as follows:

### Table 3 – Site Details

Category	Description
Site Address	52 Costin Street, Fortitude Valley
Real Property Description	Lot 5 on RP800278
Site Area	2,160m <sup>2</sup>
Landowner	PARKEDGE HOLDINGS PTY LTD (A.C.N. 611 500 960)
Easements	N/A
Existing Land Use	Indoor Sport & Recreation; Nightclub

Property searches and signed owner's consent are provided in **Appendix A**

### Figure 1 – Site Aerial



Source: Nearmap



## 1.2. IMMEDIATE SURROUNDS

The site is located in a heavily developed area, with a variety of development and activities surrounding the site:

- **North** – the Brisbane Showgrounds are located north of the site, with several prominent features including the Royal ICC and Exhibition Hall;
- **South** – commercial development immediately adjoins the site to the south, with residential development noted further from the site;
- **East** – a combination of commercial and residential development is noted east within proximity of the site;
- **West** – a combination of commercial and residential development is noted extending west from the site.

The following images correspond to the aerial imagery on the above page.

**Figure 2** – Immediate Surrounds



Picture 1 – Northern Development



Picture 2 – Southern Development



Picture 3 – Eastern Development



Picture 4 – Western Development

Source: Google Maps

## 2. THE PROPOSAL

### 2.1. OVERVIEW OF PROPOSAL

The proposal seeks to allow for an extension to the built form of the Tivoli, through a conversion of the current outdoor parking area into a covered, semi-enclosed space that provides additional useable areas for patrons to the venue. This extension is provided at a scale and built form that is considerate of the existing building, delivering an outcome that enhances the development potential and operations of the site, whilst maintaining the prominence of the Tivoli as a heritage listed site.

This extension is intended to operate in conjunction with the main building on the site, allowing visitors access from the theatre floor to this area to utilise additional bar services areas and amenities, with space available for potential vendors (i.e. food trucks) to operate during events at the premises.

This proposal offers several considerable benefits through the development uplift of the site, including the following:

- The additional capture of patron attendance to the venue provides for improved economic activity – this is a critical aspect given the financial challenges that are faced by live music venues;
- The extension facilitates better crowd control, with opportunities to avoid or limit patron queuing external to the site on the public footpath;
- Impacts of patrons exiting the venue are moderated through the ability to retain patrons on site following the conclusion of shows or events, spreading the exit peak across a longer timeframe;
- The design is respectful of the heritage values of the Tivoli, with the heritage significance and prominence of the site maintained through development without impacts to the heritage fabric; and
- An innovative design with permeability to the street offers private space overview of the public footpath and flexibility in use for a variety of events and experiences.

Additional general and refuse storage are provide as part of the extension, along with a new loading dock to service the venue. Components on site that are critical and cannot be removed or relocated, such as the existing substation and grease trap, are maintained and incorporated into the design effectively, with screening of these components provided as necessary.

Of note, the proposed works are to be staged as follows:

- **Stage 1** works are to involve the provision of core structural components for the development, allowing the area to be maintained for parking prior to interior works being carried out. These works include:
  - Fire rated boundary walls;
  - New ground slab and in ground services;
  - New roof structure and supporting columns; and
  - Entry screening.
- **Stage 2** works are to include the delivery of internal embellishments as part of the operations and patron use of the site.

**Figure 3** and **Figure 4** below visualise the proposed development outcome.



**Figure 3** – Extract of Proposed Exterior Render



Source: JDA Co.

**Figure 4** – Extract of Proposed Interior Render



Source: JDA Co.

Detailed architectural plans illustrating the proposed development are provided in **Appendix B**.

## 2.2. KEY PROPOSAL DETAILS

The below table outlines the key development metrics of the proposed development.

**Table 4** – Key Proposal Details

PARAMETER	PROPOSAL
Defined Land Use	Nightclub Entertainment Facility
Setbacks	<ul style="list-style-type: none"><li>▪ Front – 0m</li><li>▪ Side – 0m</li><li>▪ Rear – 0.6m</li></ul>
Height	9.1m
Vehicle Access	1 x driveway crossover to Costin Street (retained)
Carparking	N/A
Servicing	The site is designed to facilitate AV service design, which will enter the site from Costin Street via the retained crossover.
Heritage Classification	Local Heritage Place (BCC)

## 3. SPECIALIST REPORTING

### 3.1. HERITAGE

The Tivoli is noted as a local heritage place, having been listed in Brisbane City Council's registrar of heritage places since 2019. It is observed that whilst this listing is identified under Council's own mapping and online records, the Bowen Hills PDA Development Scheme does not identify this site as a local heritage place. Notwithstanding this, the site should remain considered a heritage place within the PDA, as captured under the Development Scheme definitions:

#### *Heritage Place*

*Means a place listed on either or both the Queensland Heritage Register or Brisbane City Plan Heritage Overlay, as amended and replaced from time to time.*

Given the significance of the site, a Heritage Impact Statement has been prepared by JDA Co to assess the proposed development and determine any potential impacts to the heritage character of the site. This assessment has found that:

- The Tivoli has substantially changed since the 1980s with significant alterations;
- The proposed works – vital in maintaining the sites functionality and viability as a key cultural and entertainment venue – primarily impact the south east elevations of the existing building, which has been subject to historic substantial alterations;
- The proposed works are demonstrated to retain the values identified under the local heritage listing (criteria A, E & H); and
- The proposed works are found to have no impact on original fabric, built form or setting, and are managed and mitigated in a satisfactory manner through a well-considered design for the proposed extension.

Accordingly, this assessment recommends that the proposed works are considered favourably. A copy of this assessment is located in **Appendix C** for further consideration.

### 3.2. ACOUSTIC

Given the nature of the proposed development to host events and functions in conjunction with the main operation of The Tivoli, a Noise Impact Assessment has been prepared by SoundBASE Consulting Engineers to assess the potential impacts to surrounding amenity, based on noise sources from the proposed development including:

- Amplified entertainment within the development;
- Patrons; and
- Mechanical plant and equipment.

Based on the assessment carried out and the assumptions provided in this report, it is found that the proposal should be able to appropriately mitigate any potential impacts resulting from noise emissions, subject to the following recommendations:

- The provision of a sound absorptive roof over the extension;
- Sound absorptive treatments to parts of the wall of the extension to minimise reverberant noise build-up and reduce reflective noise off the Tivoli façade;
- An enclosed gable at the northeast end of the roof, to provide line-of-site screening; and

A copy of this assessment is provided in **Appendix D** for further consideration.

### 3.3. TRAFFIC

Schedule 3 of the Bowen Hills PDA Development Scheme advises that:

*All car parking areas are designed in accordance with the relevant requirements set out in Brisbane City Plan, Transport, Access, Parking and Servicing Planning Scheme Policy.*

Under the *Brisbane City Plan 2014* (City Plan), the site is observed as being within the City Core area, per mapping provided under the Transport, Access, Parking and Servicing (TAPS) Code. As a result, the site is subject to specific parking rates for development within the City Core under the corresponding TAPS Planning Scheme Policy (PSP), in which a maximum parking rate of 1 space per 200m<sup>2</sup> is prescribed. Given that this PSP provides a maximum rate (as opposed to the standard minimum rate requirement) to minimise the extent of private vehicle usage within the City Core area, no dedicated parking is required to service the proposed development.

It is further noted that the proposed extension maintains the existing vehicle crossover and access point from Costin Street for servicing, with this existing approved access and egress arrangement a longstanding aspect that is endorsed within the existing authorised land use. Noting that this servicing arrangement for the venue and its operations will remain unchanged (i.e. on-site refuse collection, loading/unloading & other service vehicle activities), this aspect of development is deemed appropriate for the proposal, and should not require the application to reassess the adequacy of current approved operations.

The proposed development may also be utilised for temporary parking for vehicles associated with events on the premises, such as food trucks to cater for patrons to the venue.

## 4. STATE PLANNING FRAMEWORK

### 4.1. ECONOMIC DEVELOPMENT ACT 2012

The *Economic Development Act 2012* (the Act) provides for particular parts of the State to be declared as areas called Priority Development Areas (PDA). The main purpose of the Act is to:

*“facilitate economic development, and development for community purposes, in the State.”*

The proposed development is considered to further the main purpose of the Act through the facilitation of economic development.

#### 4.1.1. Assessment Manager

As the site is contained within the declared Bowen Hills PDA, the MEDQ is the Assessment Manager for this application.

#### 4.1.2. Application Fee

In accordance with EDQ’s *2025-2026 Development Assessment Fees and Charges Schedule*, the proposal is considered to be a Standard application (Type 1), incurring an assessment fee of **\$7,835**.

#### 4.1.3. Referral Agencies

As the site is located within the Bowen Hills PDA, and the Assessment Manager is MEDQ, there are no specific referral agencies for this application. Notwithstanding, it is acknowledged that MEDQ may consult with any entity it considers appropriate for the assessment of this application.

### 4.2. BOWEN HILLS PRIORITY DEVELOPMENT AREA DEVELOPMENT SCHEME

The Act establishes that applications within a PDA are to be assessed under the provisions of the Development Scheme for that area. For the Bowen Hills PDA, the relevant development scheme is the Bowen Hills PDA Development Scheme (the Development Scheme), which was last amended 9 December 2022.

#### 4.2.1. Land Use Definitions

Schedule 1 of the Development Scheme advises that unless defined within the schedule or in the Act, activity groups, use and administrative definitions from the City Plan apply to all development in the PDA.

Per Schedule 1 of the City Plan, the following land use definition is relevant to the proposed development:

***Nightclub Entertainment Facility*** means the use of premises for –

- (a) *providing entertainment that is cabaret, dancing or music; or*
- (b) *selling liquor, and preparing and selling food, for consumption on the premises, if the use is ancillary to the use in paragraph (a).*

It is acknowledged that under the list of use definitions in the City Plan, that the Theatre use definition may be more applicable to the Tivoli and its operations, and by extension the operations of the proposed extension to the venue. However, it is observed under the current approval for the Tivoli (BCC ref: A001636032) that the venue was approved as Indoor Sport & Recreation and Nightclub uses, resulting from the use definitions relevant at the time of approval under the *Integrated Planning Act 1997*.

As such, this proposal is sought under the Nightclub Entertainment Facility use, to remain consistent with the nature of the current approval for the site.



## 4.2.2. Category of Assessment

Under Table 2 of the Development Scheme, all development carried out on a heritage place is identified as Permissible Development. Permissible Development is PDA assessable development, and requires a development approval prior to development commencing.

In addition to this aspect, the proposed development of a Nightclub Entertainment Facility is identified as Permissible Development in its own right, as it is not identified as a Prohibited Use under Table 2, or as an Appropriate Use or Prohibited Use under Table 2A for the Mixed Use Zone.

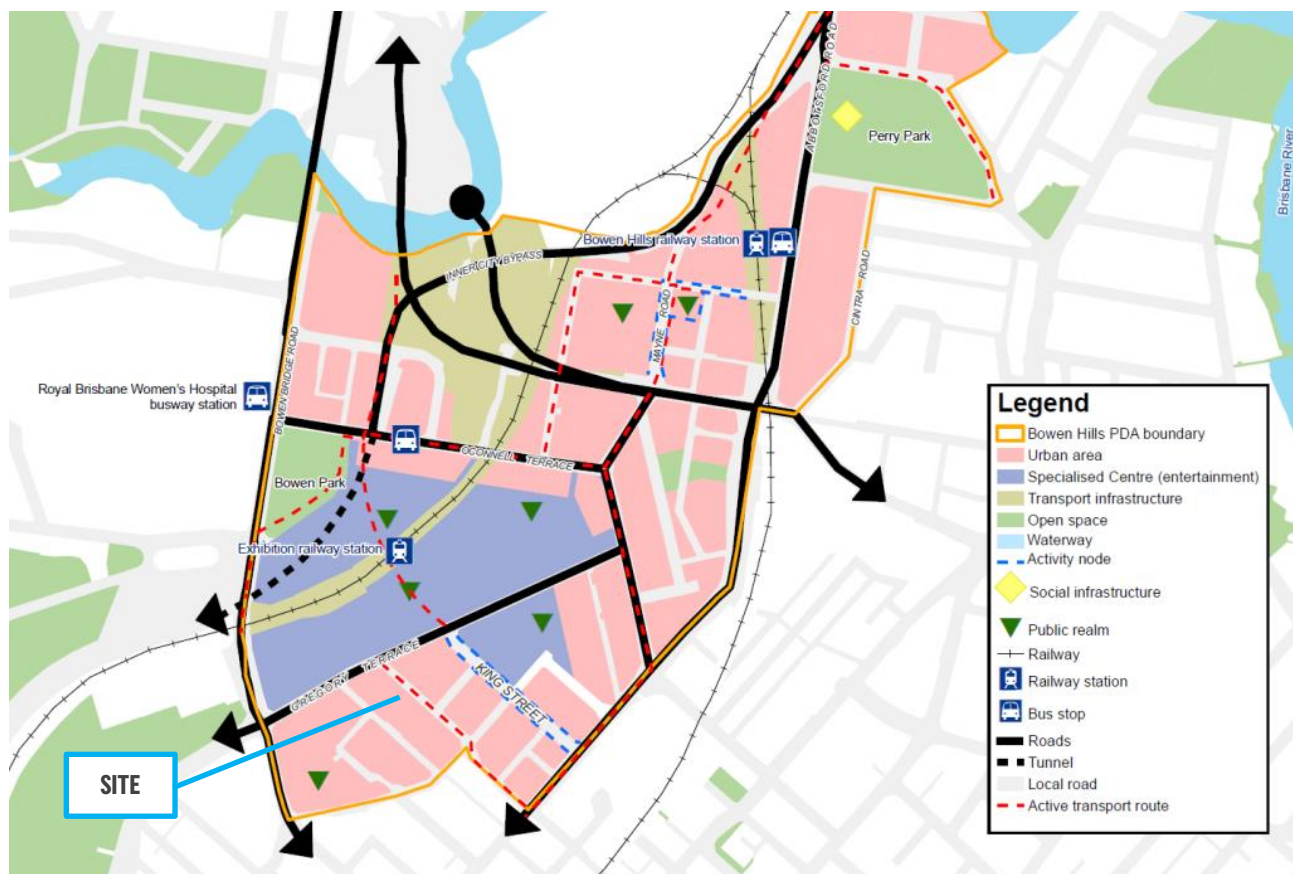
## 4.2.3. Strategic Vision and Structural Elements

The Bowen Hills PDA is intended to be vibrant urban area which accommodates a diverse, integrated, and balanced range of uses that are connected by high quality public realm. The PDA supports the greatest diversity of uses and intensity of development around high frequency public transport stations within the Mixed Use Zone.

The strategic vision of the Development Scheme is reflected and reinforced by the detailed development provisions and controls outlined in the Development Scheme. The proposed development is fully consistent with and will advance the strategic vision for the Bowen Hills PDA.

Section 2.4 of the Development Scheme details high order structural elements that will support the delivery of the vision within the PDA. **Figure 5** below provides an extract of the Structure Plan of the Development Scheme.

**Figure 5** – PDA Structure Plan Extract



Source: EDQ

As illustrated above, the Structure Plan of the Development Scheme does not outline any higher order requirements for the site or surrounds.



#### 4.2.4. PDA Wide Criteria

Section 2.5 of the Development Scheme outlines a series of PDA wide criteria that establish outcomes and quantitative measures to which will assist to achieve the vision for the PDA. These criteria include the following themes:

- Urban design and public realm;
- Connectivity;
- Sustainable developments;
- Infrastructure planning and delivery;
- Heritage places;
- Environment;
- Flooding; and
- Managing the impacts of infrastructure.

An assessment of the proposed development against the relevant PDA wide criteria of the Development Scheme has been undertaken and is included within **Appendix E**. This assessment reveals that the proposed development fully accords with the relevant criteria detailed in Section 2.5 of the Development Scheme.

#### 4.2.5. Zoning Provisions

The site is designated within the Mixed Use Zone as illustrated in **Figure 6** below.

**Figure 6** – PDA Zoning Map Extract



Source: EDQ

Section 2.6.3 of the Development Scheme outlines the following preferred intent for development within the Mixed Used Zone:

*Development provides a **wide range and intensity** of commercial, retail, health and medical, community, **entertainment, cultural activities** and residential uses in a predominantly high-rise built form. Development comprises a tower and podium typology which addresses the street, within a range of building heights, dependent on site area. The greatest development yields and heights in the zone are achieved on larger lots, development on larger sites reduces visual bulk and shade impacts by providing appropriate setbacks and tower separations.*

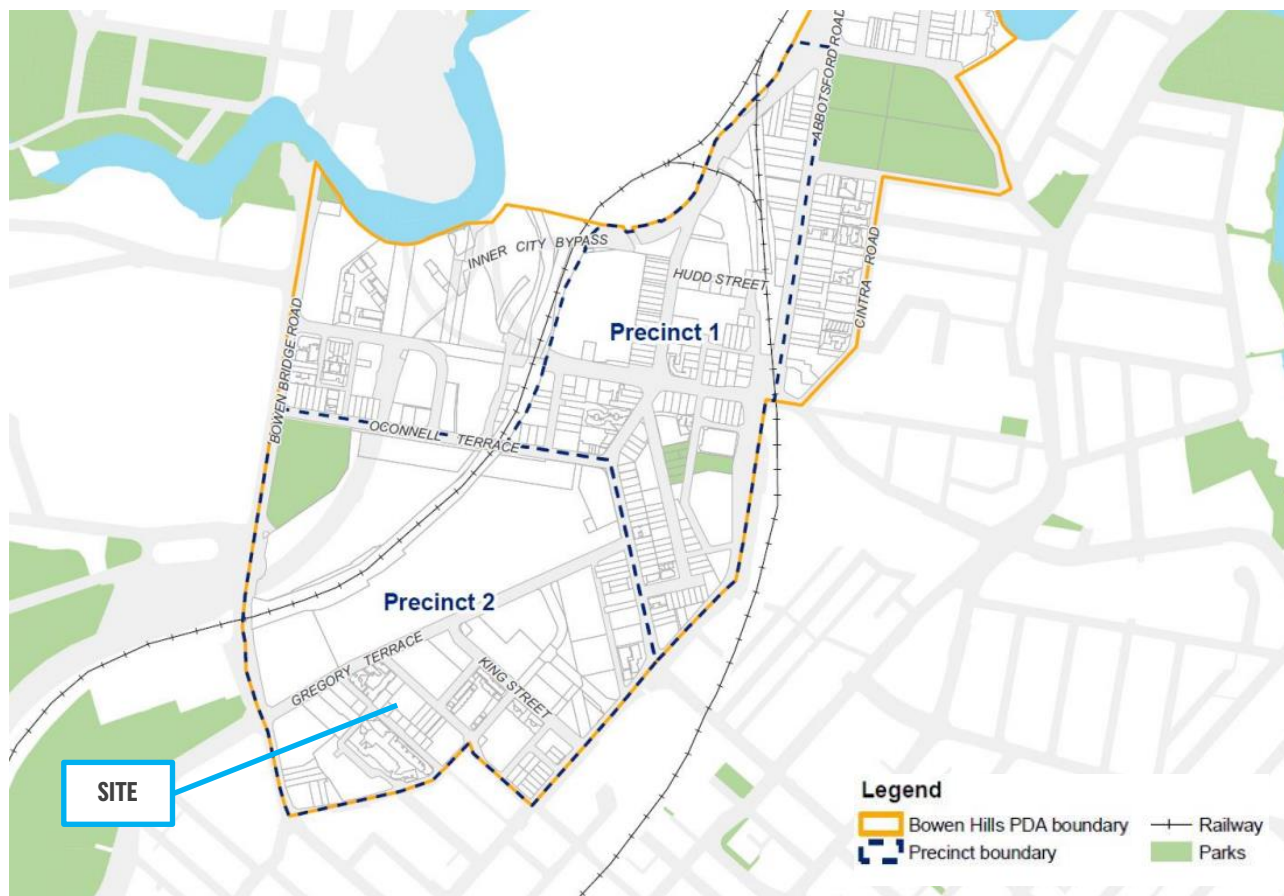
The proposal is consistent with this abovementioned intent for the Mixed Use Zone in view of the proposed uses and development form detailed in Section 2 of this report.

Section 2.6.3 of the Development Scheme provides a series of provisions for development to achieve in this zone. An assessment of these provisions is provided in **Appendix F**, and confirms the development will reasonably satisfy all relevant provisions.

#### 4.2.6. Precinct Provisions

The site is designated within Precinct 2 of the PDA, as seen in **Figure 7** below.

**Figure 7** – PDA Precinct Map Extract



Source: EDQ

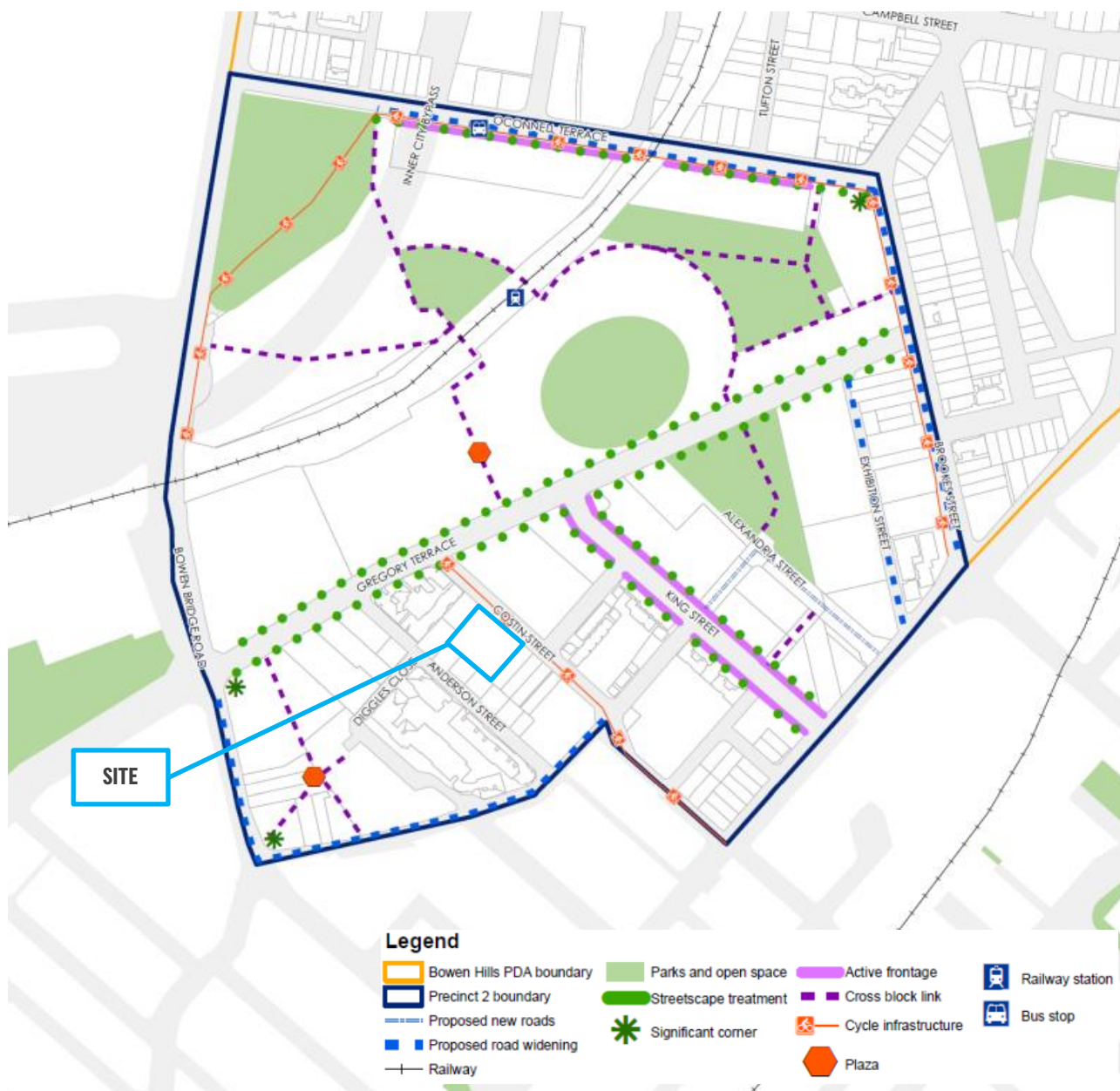
Section 2.7.2 of the Development Scheme outlines the following preferred intent for development in Precinct 2:

*Development of active frontages along the ground plane of King Street, O'Connell Terrace and Brookes Street delivers a mix of retail, commercial and community uses.*

Whilst the site's frontage of Costin Street is not explicitly outlined in this development intent, the proposed development contributes to this intent through the provision of an active frontage and activity that contributes to the mix of uses in the area.

The Development Scheme further refines the intent of Precinct 2 through a specific precinct plan, of which an extract is provided in **Figure 8** below.

**Figure 8 – PDA Precinct 2 Map Extract**



Source: EDQ

As seen from this extract, Costin Street is identified as having future cycle infrastructure. Though the proposal does not incorporate any part of this element into the design (given the nature and scale), the development does not impede on the ability for this infrastructure to be delivered along Costin Street.

Section 2.7.2 of the Development Scheme provides a series of provisions for development to achieve in Precinct 2. An assessment of these provisions is provided in **Appendix G**, and confirms the development will appropriate satisfy all relevant provisions.

#### **4.2.7. Assessment of Application Compliance**

Section 86 of the ED Act states that the MEDQ “cannot grant the PDA development approval applied for if the relevant development would be inconsistent with the land use plan for the relevant priority development area”.

Section 2.2.3 of the Development Scheme identifies that PDA assessable development is consistent with the Land use plan if it is consistent with all outcomes of the relevant PDA development requirements (as per Section 2.1 of the Development Scheme). Development which is inconsistent with specific development requirements may still demonstrate consistency with the Land use plan if development is consistent with the Vision, and:

- (i) The development is an interim use; or
- (ii) There are sufficient grounds to justify the approval of the development despite any inconsistency with the relevant PDA development requirements.

Section 2.2.3 of the Development Scheme defines grounds as:

*...matters of public interest, which include the matters specified as the main purposes of the ED Act as well as:*

- (i) Superior design outcomes, and*
- (ii) Overwhelming community need.*

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

This report provides a detailed assessment of the proposed development against the vision, structural elements, PDA-wide criteria, zoning provisions, and precinct provisions of the Development Scheme (**Appendices E, F and G**), and the relevant EDQ Guidelines and Practice Notes (Section 4.3). A summary of these assessments is provided in the table below.

**Table 5 – Compliance Summary**

BENCHMARKS	PROPOSAL
<b>Vision</b>	The proposed development is fully consistent with the vision for the PDA (detailed in Section 2.3 of the Development Scheme), as outlined in Section 4.2.3 above.
<b>Structural Elements</b>	The proposed development is fully consistent with the structural elements sought for the PDA (detailed in Section 2.4 of the Development Scheme), as outlined in Section 4.2.3 above.
<b>PDA-Wide Criteria</b>	The proposed development fully achieves all relevant PDA-wide criteria (detailed in Section 2.5 of the Development Scheme), as outlined in <b>Appendix E</b> .
<b>Zoning Provisions</b>	<p>The proposed development achieves the overwhelming majority relevant zoning provisions detailed in Section 2.6.3 of the Development Scheme.</p> <p>As outlined in the assessment contained within <b>Appendix F</b>, the development seeks to provide reduced setback outcomes that are reflective of the existing conditions on site, as well as seen on adjoining developments and in the wider area. Whilst this outcome does not meet the setback provisions for the zone, the proposed design is considered appropriate for the reasons outlined in the assessment against the zone provisions in <b>Appendix F</b>, and accordingly is deemed to provide sufficient grounds for approval for these reasons.</p> <p>The remaining assessment of the zone provisions within <b>Appendix F</b> outlines that the proposal complies with all other standard zoning provisions for the Development Scheme, as relevant to the development.</p>
<b>Precinct Provisions</b>	The proposed development fully achieves all relevant precinct provisions (detailed in Section 2.7.1 of the Development Scheme), as outlined in <b>Appendix G</b> .
<b>Guidance Material</b>	The proposed development is fully consistent with the relevant Guidelines and Practice Notes, as outlined in Section 4.3 below.



### 4.3. EDQ GUIDELINES AND PRACTICE NOTES

The provisions of the Development Scheme provide the principal planning framework applicable to the application area. Further to the provisions of the Development Scheme, development within the Bowen Hills PDA is to be informed by EDQ's Guidelines and Practice Notes.

**Table 6** below identifies the Guidelines and Practice Notes which hold relevance to the proposal.

**Table 6** – EDQ Guidelines and Practice Notes

<b>GUIDELINE / PRACTICE NOTE</b>	<b>COMMENT</b>
<b>PDA Guideline 7 – Low Rise Buildings</b>	<p>The purpose of Guideline 7 is to guide the planning and design of low rise buildings within PDAs.</p> <p>Guideline 7 is considered to hold relevance to the proposal. An assessment of the proposed development against Guideline 2 has been undertaken, which concludes that the proposed development complies with the intent and provisions of this guideline, to the extent relevant to the proposal.</p>
<b>PDA Guideline 18 – Development Interfaces</b>	<p>The purpose of Guideline 18 is to guide the planning and design of development interfaces between different land uses, to ensure that any potential impacts are appropriately reduced or mitigated.</p> <p>Guideline 18 is considered to hold relevance to the proposal. An assessment of the proposed development against Guideline 18 has been undertaken, which concludes that the proposed development complies with the intent and provisions of this guideline, to the extent relevant to the proposal.</p>

There are no further EDQ Guidelines or Practice Notes which are considered to be of significant relevance to the proposed development.

## 5. CONCLUSION



This report has been prepared on behalf of the *Tivoli Group* (the Applicant) in support of a development proposal for 52 Costin Street, Fortitude Valley. The proposal seeks to allow for an extension to the built form of the Tivoli Theatre, through a conversion of the current outdoor parking area into a covered, semi-enclosed space that provides additional useable areas for patrons in conjunction with the operations of the existing venue.

This application seeks the Minister for Economic Development Queensland's (MEDQ) approval for a PDA Development Permit for a Material Change of Use for a Nightclub Entertainment Facility use. This report addresses the merits of the development with regard to the provisions of the Bowen Hills PDA Development Scheme and the relevant sections of the *Economic Development Act 2012*.

This report and associated appendices provide a detailed assessment of the proposed development against the relevant benchmarks. The following reasons for the approval are highlighted in support of the proposed development:

- The proposal provides an extension to the Tivoli that is commensurate to the scale, operations and nature of use associated with the site, providing an appropriate use for the otherwise underutilised parking area located on site;
- The heritage significance of the Tivoli is maintained through the development, with the proposed works found to have no impact on original fabric, built form or setting, and are managed and mitigated in a satisfactory manner through a well-considered design for the proposed extension;
- The proposal is found to have no detrimental impacts to surrounding amenity as a result of potential noise emissions, subject to the implementation of the recommended mitigation measures; and
- The proposal maintains access and serviceability required to service the functions and operations of both existing and proposed development.

The assessment of the application is to be undertaken in accordance with Section 87 of the ED Act. This report provides the applicant's assessment against these provisions and concludes that the development is appropriate, generally consistent with the state legislative framework and the Development Scheme and is not anticipated to impact upon the amenity of the locality. EDQ's approval of the application is therefore recommended, subject to relevant and reasonable conditions.



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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

## **APPENDIX A**

## **TITLE & OWNER'S CONSENT**

## **APPENDIX B**

## **ARCHITECTURAL PLANS**

## **APPENDIX C**

## **HERITAGE IMPACT STATEMENT**

## **APPENDIX D**

## **NOISE IMPACT ASSESSMENT**

## **APPENDIX E**

## **ASSESSMENT AGAINST PDA WIDE CRITERIA**



## **APPENDIX F**

## **ASSESSMENT AGAINST ZONING PROVISIONS**

## **APPENDIX G**

## **ASSESSMENT AGAINST PRECINCT PROVISIONS**

