

TEMPORARY LOCAL PLANNING INSTRUMENT NO. 02 OF 2021

COLMSLIE ROAD INDUSTRY PRECINCT

Brisbane City Council City Plan 2014

1. Short Title

- 1.1 This Temporary Local Planning Instrument (TLPI) may be cited as Temporary Local Planning Instrument 02/21 – Colmslie Road Industry Precinct.

2. Overview

- 2.1 This TLPI provides an interim response to protect the Colmslie Road Industry Precinct (CRIP) from encroachment by inappropriate non-industrial uses.
- 2.2 This TLPI seeks to support the economic prosperity and growth of this key component of the Australia TradeCoast Regional Economic Cluster (REC).
- 2.3 This TLPI recognises the importance of the CRIP as a regionally and locally significant industry area with high employment levels, containing diverse and economically significant industries and continuing to support long-standing and hard to locate industries.
- 2.4 In particular, this TLPI seeks to ensure development on land in the Industry zone within the CRIP is appropriately regulated to protect the integrity the Industry zone for new and existing industry uses and to ensure future uses will not result in reverse amenity impacts to existing and future industrial uses within the CRIP.
- 2.5 New non-industrial development and intensification of existing non-industrial development is not supported on land in the Industry zone within the CRIP, unless compliant with the TLPI.

3. Purpose of the TLPI

- 3.1 The purpose of the TLPI is to:
- i. Continue to protect the integrity of land in the Industry zone within the CRIP for new and existing industry uses and enable new investment in industry to occur within the CRIP to provide economic benefits to the region and local area.
 - ii. Ensure incompatible non-industrial uses do not undermine the viability of and continued and future operation of, established and envisaged industrial development.

- iii. Protect the effective operation of established and envisaged industrial uses by avoiding encroaching incompatible non-industrial development that may generate reverse amenity impacts.

3.2 To achieve this purpose the TLPI:

- i. Suspends parts of the planning scheme, for development to which this TLPI applies.
- ii. Prescribes a category of assessment for development for a material change for the uses to which this TLPI applies.
- iii. Includes assessment benchmarks, for development to which this TLPI applies.

3.3 The purpose of the TLPI will be achieved through development that is consistent with the assessment benchmarks contained in the Colmslie Road Industry Precinct Provisions (Attachment A of this TLPI).

4. Duration of this TLPI

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

4.2 In accordance with section 9(3)(a) of the *Planning Act 2016*, the effective date for the TLPI is 29 June 2021.

5. Terms used in this TLPI

5.1 Sensitive use is as defined in section SC1.2.3 of the planning scheme.

5.2 Where a term used in a this TLPI is not defined, the term shall have the meaning assigned to it by:

- i. the *Brisbane City Plan 2014* (the planning scheme); or
- ii. the *Planning Act 2016* where the term is not defined in the planning scheme.

5.3 To the extent of any inconsistency between this TLPI and the planning scheme, the TLPI prevails.

6. Effect of this TLPI

6.1 This TLPI is a local categorising instrument under the *Planning Act 2016* which specifies the categories of assessment and sets out assessment benchmarks for assessing development.

6.2 This TLPI applies to land in the Industry zone within the CRIP identified in Figure A.

- 6.3 This TLPI applies to assessable development for a material change of use for all uses¹ other than for:
- i. Caretaker's accommodation
 - ii. Educational establishment for trade or industry related training where not involving overnight accommodation on premises
 - iii. Emergency services
 - iv. High impact industry
 - v. Low impact industry
 - vi. Marine industry
 - vii. Medium impact industry
 - viii. Park
 - ix. Renewable energy facility
 - x. Research and technology industry
 - xi. Service industry
 - xii. Special industry
 - xiii. Telecommunications facility (where not a broadcasting station or television station)
 - xiv. Utility installation
 - xv. Warehouse.
- 6.4 This TLPI does not apply to:
- i. accepted development for a material change of use
 - ii. development on land outside of the area within the CRIP identified in Figure A
 - iii. development in a zone other than the Industry zone.
- 6.5 The category of assessment for development for a material change of use to which this TLPI applies (in 6.3) is impact assessment where on land in the Industry zone identified within the CRIP in Figure A.
- 6.6 This TLPI suspends the following sections of the planning scheme when assessing a development application for development to which this TLPI applies:
- i. Section 9.3.12, Table 9.3.12.3.A—Performance outcomes and acceptable outcomes, PO23 and AO23; and
 - ii. Section 9.3.12, Table 9.3.12.3.A—Performance outcomes and acceptable outcomes, PO24 and AO24.
- 6.7 The assessment benchmarks applicable to a development application for development to which this TLPI applies, are set out in the Colmslie Road Industry Precinct Provisions (Attachment A of this TLPI). These provisions apply in addition to the provisions in the planning scheme (unless stated otherwise).

¹ Use is defined under the *Planning Act 2016* to include an ancillary use of a premises.

Attachment A

Colmslie Road Industry Precinct Provisions

1. Compliance with the Colmslie Road Industry Precinct Provisions

- 1.1 Development that is consistent with the assessment benchmarks complies with the Colmslie Road Industry Precinct (CRIP) Provisions. Development that is inconsistent with these provisions constitutes undesirable development and is unlikely to be approved.

2. Purpose of the Colmslie Road Industry Precinct Provisions

- 2.1 The purpose of the CRIP Provisions is to support the economic prosperity and growth of this key component of the Australia TradeCoast Regional Economic Cluster (REC) as a regionally and locally significant industry area, by:
 - i. protecting the integrity of land in the Industry zone for new and existing industry uses that provide economic benefits to the region and local area; and
 - ii. ensuring incompatible non-industrial uses do not undermine the viability of and continued and future operation of, established and envisaged industrial development; and
 - iii. protecting the effective operation of established and envisaged industrial uses by avoiding encroaching incompatible non-industrial development that may generate reverse amenity impacts.

3. Assessment benchmarks

- 3.1 The purpose of the CRIP Provisions will be achieved through the following overall outcomes:
 - i. land in the Industry zone within the CRIP is used for new and existing industry uses; and
 - ii. land in the Industry zone within the CRIP is protected from use for inappropriate non-industrial activities; and
 - iii. non-industrial development that may result in reverse amenity impacts to industry uses does not locate on land in the Industry zone within the CRIP; and
 - iv. office uses do not locate on land in the Industry zone within the CRIP unless ancillary to an industrial use on the same site, such as an administrative area that directly supports the industrial use; and
 - v. indoor sport and recreation and outdoor sport and recreation uses do not locate on land in the Industry zone within the CRIP; and
 - vi. the only non-industrial uses contained on land in the Industry zone within the CRIP:

- a. are small-scale food and drink outlet or shop uses that provide business services and facilities that are necessary to support the industrial workforce within the CRIP or have a demonstrated direct nexus with industrial businesses; or
- b. do not involve a clustering of small non-industrial uses and do not locate in a catchment which is already serviced by an existing or approved non-industrial use; and
- c. are those needed to facilitate the economic growth and advancement of the industry uses within the CRIP; and
- d. do not adversely impact on the continued operation of nearby industrial uses or compromise the industrial function of the CRIP.

3.2 Development for a food and drink outlet:

- i. serves the local industrial workforce in the CRIP and does not serve a broader catchment in non-industrial zones outside of the CRIP; and
- ii. contains a maximum gross floor area of 250m²; and
- iii. does not contain any outdoor seating or outdoor dining area; and
- iv. has hours of operation which are limited to 6am to 7pm Monday to Saturday excluding public holidays, where in the General industry A zone precinct of the Industry zone; and
- v. is not located within 800 metres walking distance of an existing or approved premises containing a food and drink outlet.

3.3 Development for a shop:

- i. serves the local industrial workforce or industry businesses in the CRIP and does not serve a broader catchment in non-industrial zones outside of the CRIP; and
- ii. contains a maximum gross floor area of 250m²; and
- iii. does not contain any outdoor seating area; and
- iv. has hours of operation which are limited to 6am to 7pm Monday to Saturday excluding public holidays, where in the General industry A zone precinct of the Industry zone; and
- v. is not located within 800 metres walking distance of an existing or approved premises containing a shop.

3.4 Development for any other use:

- i. has a clear nexus with and is necessary to support the viability of, and current and future operation of, industrial activities within the CRIP; and
- ii. does not include a sensitive use; and
- iii. specifically, does not involve an indoor sport and recreation or outdoor sport and recreation use.

Figure A – Colmslie Road Industry Precinct

