

TEMPORARY LOCAL PLANNING INSTRUMENT NO. 01 OF 2023

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 01/23 – 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 This TLPI recognises that the operation and logistics of new and existing industrial uses are associated with impacts such as noise, odour, light and dust which may impact on the amenity of the local area.
- 2.5 This TLPI seeks to ensure development on land in an Industry zone¹ within the CRIP is appropriately regulated to protect the integrity of new and existing industry uses and to ensure future uses will not result in reverse amenity or transport impacts that compromise existing and future industrial uses within the CRIP.
- 2.6 New non-industrial development and intensification of existing non-industrial development is not supported on land in an Industry zone within the CRIP, unless compliant with this TLPI.
- 2.7 New development within the CRIP supports the economic prosperity and growth of the Australia TradeCoast REC and the industrial intent of the area.

3. Purpose of the TLPI

- 3.1 The purpose of the TLPI is to:

¹ 'Industry zone' is land contained within the General industry A zone precinct, General industry B zone precinct and General industry C zone precinct of the Industry zone as contained within the planning scheme

- i. continue to protect the integrity of land in an 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; and
- ii. ensure incompatible non-industrial uses do not undermine the viability of, and continued and future operation of, established and envisaged industrial development; and
- iii. protect the effective operation of established and envisaged industrial uses by avoiding encroachment by incompatible non-industrial development that may generate reverse amenity or transport impacts; and
- iv. improve the capacity, operating and safety performance of the transport network to support traffic and transport movements generated by new development; and
- v. ensure development enables safe and efficient access to the CRIP, including public passenger transport infrastructure and active transport infrastructure.

3.2 To achieve this purpose, the TLPI:

- i. suspends parts of the planning scheme, for development to which this TLPI applies; and
- ii. prescribes a category of assessment for development for a material change of use, for the uses to which this TLPI applies; and
- 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.

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 30 June 2023.

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 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 within the CRIP identified in Figure 1.
- 6.3 This TLPI applies to assessable development for a material change of use for all uses² where on land within the CRIP identified in Figure 1.
- 6.4 This TLPI does not apply to:
- i. accepted development for a material change of use
 - ii. development on land outside of the CRIP identified in Figure 1
 - iii. development in a zone other than in an Industry zone within the CRIP.
- 6.5 The category of assessment for development for a material change of use to which this TLPI applies is impact assessment, other than for the following:
- 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
- 6.6 This TLPI does not vary the category of assessment under the planning scheme for development identified in Section 6.5 (i.) to (xv.)
- 6.7 This TLPI suspends the following sections of the planning scheme when assessing a development application for development to which this TLPI applies:

² Use is defined under the *Planning Act 2016* to include an ancillary use of a premises

- 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.
- 6.8 The provisions in this TLPI apply in addition to the provisions in any other applicable local planning instrument (unless stated otherwise).

Colmslie Road Industry Precinct Provisions

7. Compliance with the Colmslie Road Industry Precinct Provisions

- 7.1 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.

8. Assessment benchmarks

Overall outcomes

- 8.1 The purpose of the CRIP Provisions will be achieved through the following overall outcomes:
- i. land in an Industry zone within the CRIP is for new and existing industry uses; and
 - ii. land and industrial uses in an Industry zone within the CRIP are protected from 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 an Industry zone within the CRIP; and
 - iv. office uses do not locate on land in an Industry zone within the CRIP unless ancillary to or directly associated with an industrial use on the same site; and
 - v. indoor sport and recreation and outdoor sport and recreation uses do not locate on land in an Industry zone within the CRIP; and
 - vi. large format retail does not locate on land in an Industry zone with the CRIP unless in 'Area B'; and
 - vii. the only non-industrial uses contained on land in an Industry zone within the CRIP:
 - a. are small-scale food and drink outlet or shop or large format retail 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; and
 - b. do not involve a clustering of non-industrial uses; and
 - c. do not locate in a catchment which is already serviced by an existing or approved non-industrial use, except where located in 'Area A' or 'Area B' identified in Figure 2; and
 - d. are those needed to facilitate the economic growth and

- e. do not adversely impact on the continued operation of nearby industrial uses or compromise the industrial function of the CRIP.
- viii. development must not result in an adverse impact on the safety or efficiency of the transport network; and
- ix. development must provide safe and direct access to public passenger transport infrastructure and active transport infrastructure.

Specific outcomes

- 8.2 Development for a food and drink outlet outside of Area A identified in Figure 2:
 - i. directly serves the local industrial workforce in the CRIP; and
 - ii. contains a maximum gross floor area of 250m²; and
 - iii. does not contain an outdoor seating or outdoor dining area greater than 50m²; and
 - iv. has hours of operation which are limited to 6am to 7pm Monday to Saturday excluding public holidays, where in a General Industry A (IN1) zone precinct identified in Figure 1; and
 - v. is not located within 400 metres walking distance of an existing or approved premises containing a food and drink outlet.
- 8.3 Development for a food and drink outlet in Area A identified in Figure 2 must:
 - i. be located in a building of state or local cultural heritage significance; and
 - ii. contain a maximum gross floor area of 250m²; and
 - iii. be co-located with a primary industrial use; and
 - iv. not contain an outdoor seating or dining area greater than 50m².
- 8.4 Development for a shop where located outside of Area A in Figure 2:
 - i. directly serves the local industrial workforce or industry businesses in the CRIP; and
 - ii. contains a maximum gross floor area of 250m²; and
 - iii. has hours of operation which are limited to 6am to 7pm Monday to Saturday excluding public holidays, where in the General industry A (IN1) zone precinct identified in Figure 1; and
 - iv. is not located within 400 metres walking distance of an existing or approved premises containing a shop.
- 8.5 Development for a Shop where located in Area A identified in Figure 2 must:
 - i. be located in a building of state or local cultural heritage significance; and
 - ii. contain a maximum gross floor area of 50m²; and
 - iii. be co-located with a primary industrial use.
- 8.6 Development for a Large format retail:
 - i. is located only in Area B identified in Figure 2; and
 - ii. contains a maximum gross floor area of 500m²

- 8.7 Development for an office:
- i. must be directly associated with a primary industrial use on the same site; and
 - ii. may not exceed 15% of the total gross floor area of the site.
- 8.8 All development:
- i. must not create a safety hazard or result in a worsening of an existing safety hazard for users of the transport network; and
 - ii. must provide safe and direct access to public passenger transport infrastructure and active transport infrastructure; and
 - iii. capable of having a significant adverse impact on the transport network:
 - a. must contribute to the improvement of the operational or safety performance of the transport network; and
 - b. address safety, capacity and efficiency issues on Colmslie Road, Lytton Road, and the Colmslie Road, Lytton Road, Junction Road intersection, identified in **Figure C**.
- 8.9 Development for any other non-industrial 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 1 – Colmslie Road Industry Precinct boundary

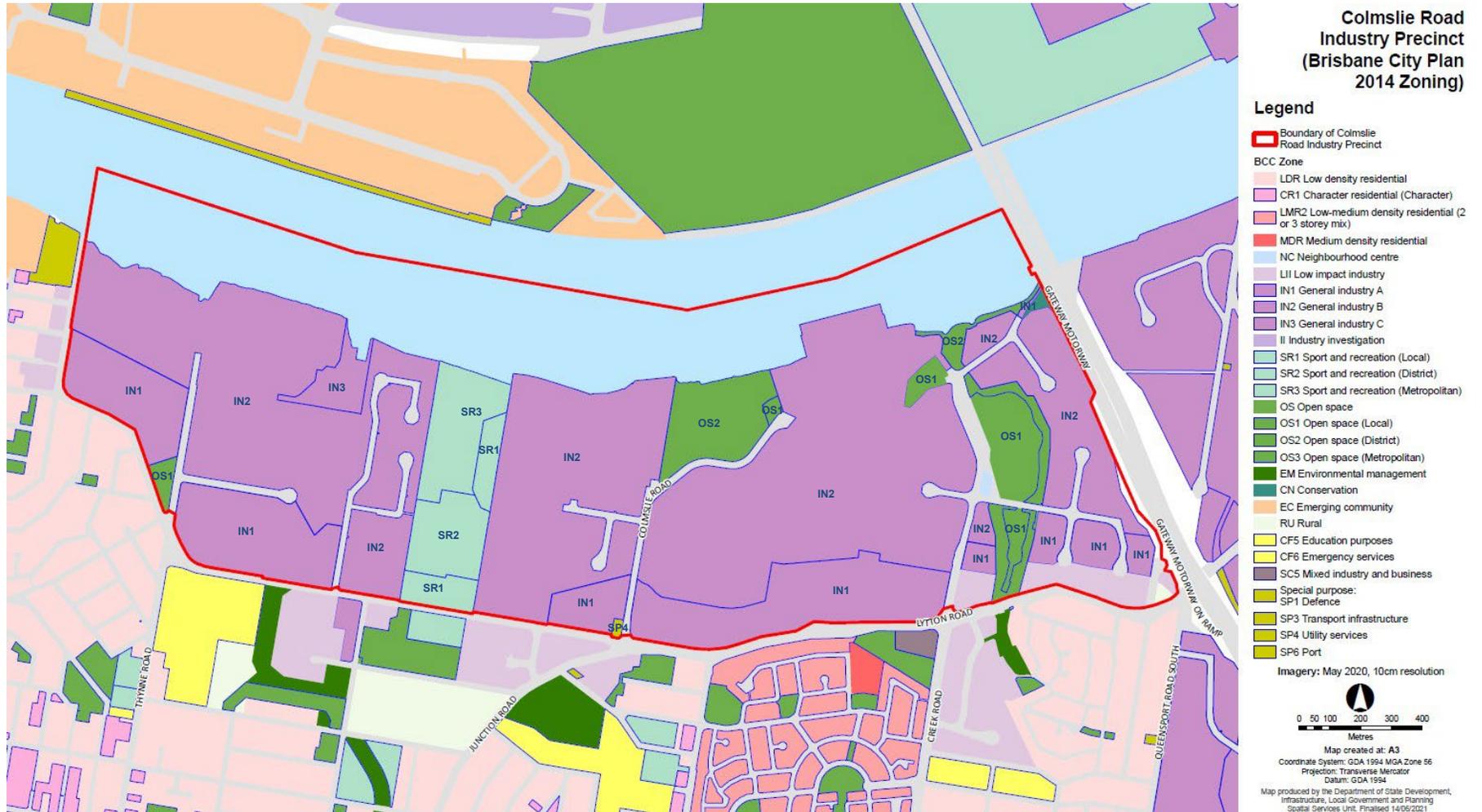


Figure 2 – 'Area A' and 'Area B' boundaries



Figure 3 – Strategic transport connections

