

GUIDE TO INDUSTRIAL DEVELOPMENT



Dedicated to a better Brisbane

BRISBANE CITY PLAN 2014 | FACT SHEET

Brisbane City Plan 2014 (City Plan) has been developed by Brisbane City Council in consultation with the community and guides how land in Brisbane can be used and developed. City Plan facilitates industrial development by supporting a simple, fast and clear development assessment process. It also provides greater certainty in property development by consolidating and presenting information up front.

This guide will help you as an owner, or potential owner of industrial land or an industrial business in Brisbane, determine how City Plan applies to building, upgrading, extending or altering an industrial premises and commencing an industrial business (otherwise known as an industrial use).

How does City Plan apply to industrial development?

City Plan balances the need for industrial development with the need to protect the community and environment from industrial pollution and hazards.

What is industrial development?

The *Planning Act 2016* defines development as occurring when building, upgrading, extending, altering, commencing or re-establishing an industrial business.

Existing industrial development

If the subject site has existing use rights under development approvals issued before *Brisbane City Plan 2014* commenced, these will not change. However, City Plan applies to any new development such as an extension to a warehouse, a change in the type of industrial activity on a site or new extended hours of operation for an existing business.

When is a development application required?

Development needs to comply with City Plan, but not all development requires approval from Council. Under *Brisbane City Plan 2014*, there are four categories of development and assessment for a development.

- 1. Accepted development** – the proposed development does not need assessment against *Brisbane City Plan 2014*.
- 2. Accepted development, subject to requirements** – for certain common development types you may not need to lodge a development application (i.e. it may be 'self-assessable').

- 3. Code assessable** – you need to apply to Council and we will assess your application against the relevant codes in *Brisbane City Plan 2014*. This application will not require public notification.

- 4. Impact assessable** – you need to apply to Council to assess your application against the relevant codes in *Brisbane City Plan 2014*. Depending on the type of development, the assessment can range across all provisions of City Plan. This application will require public notification.

The category of development and assessment is based on the potential impact on nearby **sensitive uses** and zones. A sensitive use is a child care centre, community care centre, community residence, dual occupancy, dwelling house, dwelling unit, educational establishment, health care services, hospital, multiple dwelling, relocatable home park, residential care facility, retirement facility, rooming accommodation, short term accommodation or tourist park.

A **Sensitive zone** includes all residential zones and centre zones, the Emerging community zone, the Mixed use zone, the Rural residential zone and some Community facilities zone precincts (education purposes, health care purposes and major health care).

Lower categories of development and assessment can apply to industrial development where it is not close to these uses. If the industrial activity generates high levels of noise, particularly during the night or early morning, emits odour or air pollutants, or involves outdoor work or significant volumes of hazardous materials, it presents a higher potential risk to sensitive uses and is more likely to require development approval. Alternatively, if the industrial activity generates negligible noise, odour or air emissions, and does not involve storing or handling significant quantities of hazardous materials, it is more likely to be accepted development, subject to requirements.

Examples of classifying industrial development

Example A: Change of tenancy and business name – not development

Mr Nguyen has bought an existing manufacturing business from Mr Singh. Mr Nguyen changes the business name but does not do any building, upgrading, extending or altering or commence any new uses.

Mr Nguyen does not need to apply for a development approval as there is no new development.

Example B: Change of tenancy with a change of use – development

Mr Smith is moving into an existing industrial building previously occupied by a motor mechanic. Mr Smith is planning to have a furniture manufacturing business. As Mr Smith is changing the type of industry use (from motor mechanic to furniture manufacture), it is development.

Mr Smith will use this guide to check whether he can self-assess his new business or needs to apply for development approval.



Example C: New industry use – development

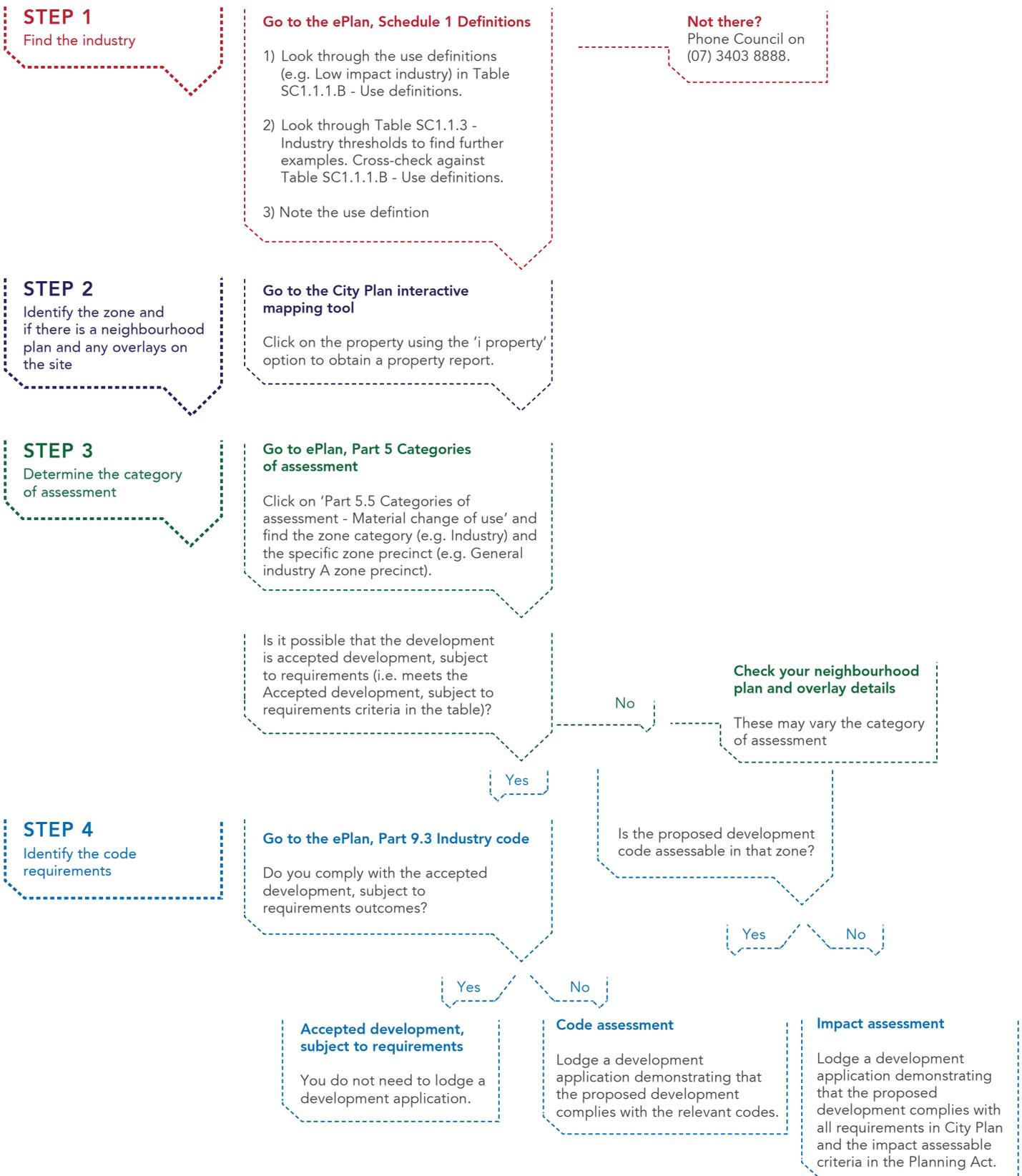
Ms Wong is building a new powder coating business on vacant land in an industrial estate. Building a new industry use is assessable.

Ms Wong will need to apply for development approval.



Overview of using City Plan for industry

The following flowchart summarises the steps for using City Plan to determine the requirements for your industrial development. Note that if there is a neighbourhood plan or any overlays on your site, these may add specific requirements for consideration and could alter your category of development and assessment.



Industry definitions

City Plan defines industry uses to identify the requirements for different types of development. The industry definition for a business will depend on its nature, type and scale and how it might impact on sensitive uses.

[Table SC1.1.1.B – Use Definitions](#) contains descriptions and examples of the different types of industry uses.

To determine the industry definition relevant to a proposed development, use Schedule 1 Definitions ([Table SC1.1.1.B](#) and [Table SC1.1.3 – Industry thresholds](#)) in the ePlan.

The industry uses are:

- Low impact industry
- Medium impact industry
- High impact industry
- Special industry
- Marine industry
- Research and technology industry
- Service industry.

How do you use the tables?

Identify an example in [Table SC1.1.1.B](#) that describes your business activity type and scale. Note the use (e.g. Low impact industry) and cross-check with [Table SC1.1.3](#) to confirm that this is still correct.

To correctly define your industry, your business must meet the description in both tables. If it fits both descriptions (i.e. Low impact industry in [Table SC1.1.1.B](#) and [Table SC1.1.3](#)), this is the industry definition to use in the remaining steps to determine the requirements for your development.

What happens if you cannot find your business in the tables?

If you cannot find an example of your business in the tables, contact a planning and information officer at Council on (07) 3403 8888 to help identify the best-fit definition for your development.

Example D: Motor vehicle repair business without spray painting

Mr Smith is starting a motor vehicle repair business that will operate indoors, during daytime business hours and with no spray painting. He looks at [Table SC1.1.1.B – Use Definitions](#) and finds his business under Low impact industry:

Premises used for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring, treating of products and have one or more of the following attributes:

- *negligible impacts on sensitive land uses due to off-site emissions including aerosol, fume, particle, smoke, odour and noise*
- *minimal traffic generation and heavy-vehicle usage*
- *demands imposed upon the local infrastructure network consistent with surrounding uses*
- *the use generally operates during the day (e.g. 7am to 6pm)*
- *off-site impacts from storage of dangerous goods are negligible*
- *the use is primarily undertaken indoors.*

Mr Smith then goes to [Table SC1.1.3 – Industry thresholds](#) and finds the following example which describes his business:

...(g) Repairing or servicing motor vehicles including mechanical components, radiators, electrical components, wheel alignments, exhausts, tyres, suspension, bull bars, roof racks or air conditioning, if not including spray painting.

Mr Smith's business is Low impact industry as it fits the examples in both tables. Mr Smith can go to step two of the flowchart on page 3 of this guide.

Example E: Motor vehicle repair business with spray painting

Mr Jones is starting a motor vehicle repair business which is indoors and during daytime business hours. It will involve spray painting. Mr Jones finds this business in [Table SC1.1.1.B – Use Definitions under Medium impact industry](#):

Premises used for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring, treating of products and have one or more of the following attributes:

- *potential for noticeable impacts on sensitive land uses due to off-site emissions including aerosol, fume, particle, smoke, odour and noise;*
- *potential for noticeable off-site impacts in the event of fire, explosion or toxic release;*
- *generates high traffic flows in the context of the locality or the road network;*
- *generates an elevated demand on the local infrastructure network;*
- *on-site controls are required for emissions and dangerous goods risks;*
- *the use is primarily undertaken indoors;*
- *evening or night activities are undertaken indoors and not outdoors.*

He then looks at [Table SC1.1.3 – Industry thresholds under Medium Impact Industry – B](#) and finds the following example, which describes his business:

...(y) Spray painting workshop including spray painting vehicles, heavy machinery, signs, equipment or boats, if using:

- (i) less than 20,000 litres of paint product per annum;*
- (ii) spray equipment other than the sole use of aerosol cans or air brush.*

As his business fits the examples in both tables under Medium impact industry, this is the definition for his business.

Industry zones

City Plan separates industry zones and zone precincts designated for higher impacting activities from sensitive areas, such as residential zones. This encourages uses to locate in certain zones and zone precincts by reducing the amount of assessment when development is in the preferred zone or zone precinct.

The zone and zone precinct relates to the future use of the land, and may not reflect the current use of the site. The zone also determines the category of development and assessment and possible technical reports for a development application.

For information on industry zones, refer to the [Brisbane City Plan 2014 Industry zones factsheet 11](#) on Council's website.

What do overlays and neighbourhood plans mean for an industrial development?

Overlays on your site or a neighbourhood plan may add additional assessment requirements, for example biodiversity, waterway corridors and precincts. These may also alter the category of development and assessment. You can find these requirements in the overlay and neighbourhood plan codes that apply to the site.

Are infrastructure charges applicable on accepted development, subject to requirements?

Infrastructure charges will be applicable for accepted development, subject to requirements where they are required by the [Adopted Infrastructure Charges Resolution](#). Infrastructure charges will be calculated and issued for accepted development in response to building approvals.

Where applicable, an adopted infrastructure charges notice will be issued within 10 business days of Council receiving the building approval.

What if your development is accepted development but does not meet all of the identified acceptable outcomes?

If all of the acceptable outcomes cannot be met, a development application is required. You will need to identify the outcomes you do not meet and address the related performance outcomes (POs) in your application. You will also need to supply a statement with your application that your development complies with the other acceptable outcomes listed in the code. For example, there are performance outcomes for air quality, noise, water quality and hazardous chemicals.

If your development complies with all the acceptable outcomes except for noise, then your development application only needs to show how you will comply with the related performance outcome for noise (e.g. PO2).

How does the Industry code apply to code assessable development?

If your proposed development is code assessable, your application must explain how you comply with the required assessment benchmarks (identified in step 3) in the Industry Code [Table 9.3.12.3.A – Performance outcomes and acceptable outcomes](#).

Are the acceptable outcomes the only way to meet the performance outcome?

No, the acceptable outcomes identify one way of complying with the performance outcomes. You can use other solutions and provide evidence to demonstrate that this will meet the performance outcome with your application. For example, the separation distances (AO1.3) or time periods (AO2.1) in the table are not mandatory requirements, however, preparing an air quality impact or noise impact assessment report can assist in demonstrating how you will achieve the performance outcomes. You can use alternate distances and times if you can demonstrate that these will still achieve the corresponding performance outcome.

How does a planning scheme policy relate to the Industry code?

The assessment benchmarks in the Industry code [Table 9.3.12.3.A – Performance outcomes and acceptable outcomes](#) may call up a specific planning scheme policy. These planning scheme policies contain standards and explain how to address requirements in the codes. For instance, planning scheme policies contain information on the requirements for technical reports where these are needed to demonstrate that the proposed development meets the code.

For example, AO1.6 in the table refers to the concrete batching plants planning scheme policy. If the site is developed according to the air quality provisions of this policy, it will not need an air quality impact report to demonstrate compliance with the performance outcome. However, if only some of the planning scheme policy provisions are used, this does not meet the acceptable outcome and a technical report will need to be submitted to demonstrate that the alternative approach complies with the performance outcome.

Examples of options to meet the code requirements

Example F: Food processing business

Mrs Evans is starting a food processing business, which will be code assessable. PO1, in relation to air quality, requires her development to:

- avoid or minimise air emissions
- achieve air quality criteria.

Mrs Evans has two options.

1. Prepare an air quality impact report in line with the Air quality planning scheme policy to demonstrate that her development will meet these requirements.
2. Comply with each of the relevant acceptable outcomes in the right-hand column corresponding to PO1. Mrs Evans will not need to submit an air quality impact report as the requirements included in AO1 to AO9 are considered by Council to comply with PO1.

Option two reduces development costs as there is no need to employ a specialist consultant to prepare an air quality impact report.

Example G: Engineering works

Mr Presley is lodging a development application for an engineering works. This is a Medium impact industry B in the General industry A zone.

His proposed business has:

- no unsealed roads
- no spray painting or similar work so will not generate air emissions from the site (as per AO1.3).

As Mr Presley complies with PO1 of the Industry code he does not need to submit an air quality impact report with his development application.

Example H: Abrasive blasting (sand blasting business)

Mrs Burleigh-Griffin is lodging a development application for an abrasive blasting business.

Although her business will generate air emissions (as per AO1.3), it also achieves PO1 as it will be at least 250 metres from a sensitive zone. She does not need an air quality impact report as there is a satisfactory distance between her development and a sensitive zone.

If Mrs Burleigh-Griffin's abrasive blasting business will generate air emissions and is located less than 250 metres from a sensitive zone, would need to submit an air quality impact report with her development application to show that she meets the PO1 requirements relating to control of air emissions.

More information

For more information about City Plan visit www.brisbane.qld.gov.au and search for *Brisbane City Plan 2014*, or phone Council on (07) 3403 8888.

Disclaimer: The content of this information sheet is a summary and has been prepared to assist the reader to understand City Plan. Please refer to the full City Plan document, entitled *Brisbane City Plan 2014*, on Council's website for further information.