

TEMPORARY LOCAL PLANNING INSTRUMENT NO. 01 OF 2020

NARANGBA INNOVATION PRECINCT (EAST)

Moreton Bay Regional Council Planning Scheme 2016

1. Short Title

- 1.1 This Temporary Local Planning Instrument (TLPI) may be cited as Temporary Local Planning Instrument 01/20 – Narangba Innovation Precinct (East).

2. Background

- 2.1 The Narangba Innovation Precinct (East) was established in the 1970s to accommodate large scale hard to locate industries. Today the Narangba Innovation Precinct (East) is a regionally significant industrial area and a major employment generator within the Moreton Bay region. The South East Queensland Regional Plan 2017 (*ShapingSEQ*) recognises this area as a Major Enterprise and Industrial Area (MEIA) forming part of the North Lakes–Mango Hill Regional Economic Cluster (REC).
- 2.2 In 2005 a major industrial fire highlighted serious community concerns about community health, safety and the environment. The subsequent Narangba Industrial Estate Health Impact Assessment (Queensland Health, 2011) report examined health, safety and amenity issues associated with Narangba industries (including air, noise and odour emissions) and the changes needed to better address health, safety, amenity and environmental concerns.
- 2.3 The *Moreton Bay Regional Council Planning Scheme 2016* ('MBRC Planning Scheme') prevents expansion of some industries. Industry operators have identified issues with the MBRC Planning Scheme claiming that it is too limiting and prevents even minor changes to certain industry operations.
- 2.4 In addition, the MBRC Planning Scheme is yet to align with *ShapingSEQ*, which means that current planning scheme provisions do not facilitate the outcomes sought by *ShapingSEQ* for the Narangba Innovation Precinct (East) which is identified as a Major Enterprise and Industrial Area.

3. Overview

- 3.1 This TLPI provides an interim policy response to support new investment for industry in the Narangba Innovation Precinct (East) which is located, designed and managed to avoid or mitigate adverse impacts of emissions, including odour, noise or air emissions, on sensitive land uses and the natural environment.

- 3.2 The TLPI seeks to support the region's economic prosperity and growth while avoiding or mitigating adverse impacts on the health, safety and amenity of the community and the natural environment.
- 3.3 This TLPI recognises the importance of the Narangba Innovation Precinct (East) as a regionally and locally significant enterprise and industry area with high employment levels, containing hard to locate industries. Other industrial activities are located in other parts of the Moreton Bay region to retain this area for regionally significant industry that supports economic growth.
- 3.4 In particular, this TLPI seeks to ensure development within the Narangba Innovation Precinct (East) is appropriately regulated to support new High impact industry and the extension of existing High impact industry where adverse amenity impacts are avoided or mitigated to meet acceptable standards.
- 3.5 New Special industry is not supported in the Narangba Innovation Precinct (East). Extensions to existing Special industry operations and new compatible industry on Special industry sites may be supported where adverse amenity impacts are avoided or mitigated to meet acceptable standards.
- 3.6 In addition to the requirements of this TLPI and the MBRC Planning Scheme, other State approval or notification processes under the *Environmental Protection Act 1994* and the *Work, Health and Safety Regulation 2011* may be required for assessment of environmental impacts, hazardous activities (including fire and explosion risk), amenity and community health and safety.

4. Purpose of the TLPI

- 4.1 The purpose of the TLPI is to:
- i. support new and existing High impact industry and existing Special industry to enable new investment in industry to occur to provide economic benefits to the region and local area
 - ii. protect sensitive land uses (such as residential uses) from adverse impacts including odour, air and noise emissions
 - iii. provide a basis for land use decisions, in conjunction with community health and safety and emissions standards in other State approval or notification processes.
- 4.2 To achieve this purpose the TLPI:
- i. suspends parts of the MBRC Planning Scheme, set out in Section 7 of this TLPI

- ii. includes assessment benchmarks for all assessable development within the Narangba Innovation Precinct (East), which is contained in the Strategic framework outcomes (Section 8 of this TLPI) and the Narangba Innovation Precinct (East) Code (Attachment A of this TLPI)
- iii. applies to land identified on a map at Figure A of this TLPI
- iv. amends the level of assessment only for High impact industry and Special industry uses as set out in Schedule 1 of this TLPI
- v. includes definitions in Section 9 of this TLPI for 'existing industry', 'new special industry', 'research and development', 'sensitive land use', and 'storage'.

4.3 The purpose of the TLPI will be achieved through development that is consistent with the Narangba Innovation Precinct (East) Code contained in Attachment A of this TLPI.

5. Duration of TLPI

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

5.2 In accordance with section 9(3)(a) of the *Planning Act 2016*, the effective date for the TLPI is 3 July 2020.

6. Terms used in this TLPI

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

- i. the MBRC Planning Scheme; or
- ii. the *Planning Act 2016* where the term is not defined in the planning scheme.

6.2 To the extent of any inconsistency between the TLPI and the MBRC Planning Scheme, the TLPI prevails.

7. Effect of this TLPI

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

7.2 This TLPI suspends the following sections of the MBRC Planning Scheme:

- i. Section 3.14.12- third last paragraph;
- ii. Section 6.2.7.3.1 (1) (i);
- iii. Section 6.2.7.3.1 (1) (j);
- iv. Section 6.2.7.4.1 (1) (i);

- v. Section 6.2.7.4.1 (1) (j);
- vi. Section 6.2.7.4.2, Table 6.2.7.4.1, PO65; and
- vii. Schedule 1 definition of 'sensitive land use'.

7.3 This TLPI applies to all assessable development on land identified in Figure A (the 'TLPI Area'). (The TLPI does not apply to development on land outside of Figure A). This TLPI does not apply to accepted development as defined in Table 1.7.7.1 of the MBRC Planning Scheme, or 'accepted development' or 'accepted development subject to requirements' (in Section 5.5.7.3 or Section 5.5.7.4 of the MBRC Planning Scheme).

7.4 The assessment benchmarks in addition to the MBRC Planning Scheme (unless stated otherwise) under this TLPI are:

- i. the Strategic framework outcomes set out in Section 8 of this TLPI, which apply in addition to the Strategic framework outcomes in Section 3.14.12 Element – Enterprise and employment place type of the MBRC Planning Scheme
- ii. the Narangba Innovation Precinct (East) Code at Attachment 1 of this TLPI.

The TLPI Schedule 1 Table of assessment is limited to overriding the MBRC Planning Scheme level of assessment Tables 5.5.7.3.1 and 5.5.7.4.1 for assessable development for Special industry and High impact industry uses only, where on land identified at Figure A of this TLPI.

8. Strategic Framework Outcomes

- 8.1 Narangba Innovation Precinct (East) is a regionally and locally significant enterprise and industry area with high employment levels, containing hard to locate industries.
- 8.2 New Special industry uses are not supported in the Narangba Innovation Precinct (East). Extensions to existing Special industry or new compatible industry on Special industry sites may be supported where adverse amenity impacts can be avoided or mitigated to acceptable standards. High and Medium impact industry is also supported where it can avoid or mitigate adverse amenity impacts.
- 8.3 In areas surrounding Narangba Innovation Precinct (East) new sensitive land uses are not supported as they are incompatible with some existing industries and may adversely impact operating conditions (such as hours of operation).

Editor's note: Extensions to Special industry may be supported and may include new industry uses, industrial processes or operations.

Editor's note: Acceptable standards refers to compliance with the MBRC planning scheme Planning scheme policy SC 6.16 Noise, Environmental Protection (Noise) Policy 2019, Environmental Protection (Air) Policy 2019, Queensland Odour impact assessment from development Guideline, or

other Australian or Queensland standards relevant to the management of the emission (as amended from time to time).

9. Definitions

Term	Definition
Existing industry	The use of a building or land for a Special industry or High impact industry that has lawfully established (or commenced) immediately before the effective date of the TLPI.
New Special industry	A Special industry where not an existing Special industry or an extension to an existing Special industry.
Research and development	<p>Work undertaken towards the innovation and introduction of new or improved products and services directly associated with and ancillary to an existing approved use.</p> <p>Research and development does not exacerbate or worsen health, safety or amenity impacts to sensitive land uses.</p>
Sensitive land use	As defined by the Planning Regulation 2017 Schedule 24.
Storage	<p>Areas used for storage of goods, raw materials or products used in the industry use directly associated with and ancillary to an existing approved use.</p> <p>Note: Storage of hazardous chemicals as defined under the <i>Work, Health and Safety Regulation 2011</i>, including Schedule 15 chemicals, may require the operator to submit a notification to Workplace Health and Safety Queensland.</p>

Attachment A

Narangba Innovation Precinct (East) Code

1. Outline

- 1.1 The provisions in this section comprise the Narangba Innovation Precinct (East) Code:
- i. Compliance with the Narangba Innovation Precinct (East) Code (Section 2)
 - ii. Purpose and overall outcomes for the Narangba Innovation Precinct (East) Code (Section 3)
 - iii. Specific outcomes for the Narangba Innovation Precinct (East) Code (Section 4).

2. Compliance with the Narangba Innovation Precinct (East) Code

- 2.1 Development that is consistent with the overall outcomes (Section 3) and specific outcomes (Section 4) complies with the Narangba Innovation Precinct (East) Code. Development inconsistent with the outcomes sought constitutes undesirable development and is unlikely to be approved.

3. Purpose and overall outcomes for the Narangba Innovation Precinct (East) Code

- 3.1 The purpose of the Narangba Innovation Precinct (East) Code is to support its development as a Major Enterprise and Industrial Area in South East Queensland by:
- i. providing for new or existing High impact industry and existing Special industry uses that contribute to the regional and local economy; and
 - ii. avoiding or mitigating any potential adverse impacts from emissions or hazardous activities on the health, safety and amenity of the community and the natural environment.
- 3.2 The purpose of the Narangba Innovation Precinct (East) Code will be achieved through the following overall outcomes:
- i. a range of new Medium or High impact industry uses are established in the Narangba Innovation Precinct (East)
 - ii. development for a new Special industry use is not supported in the Narangba Innovation Precinct (East). Extensions to existing Special industry or new compatible or associated industry on Special industry sites may be supported where potential adverse impacts from emissions are avoided or mitigated to acceptable levels

- iii. development is located, designed and managed (including use of technology and contemporary mitigation management) to avoid or mitigate potential adverse off-site impacts including impacts on the health, safety and amenity of sensitive land uses
- iv. development, where an extension of an existing approved use, results in an improvement in the management of potential adverse impacts or no worsening of off-site impacts
- v. development for a new industry use is not supported if appropriate separation cannot be achieved to an existing sensitive land use or land included in a zone intended for sensitive land uses
- vi. development avoids or mitigates potential adverse impacts from emissions or hazardous activities on areas subject to constraint, limitation or environmental value
- vii. development does not compromise the availability of land for hard to locate industry with industry that can readily be accommodated within the Light industry precinct or Mixed industry and business precinct of the Industry zone with uses such as Low impact industry, warehouse or non industry uses
- viii. sensitive land uses or other uses that could compromise the viability of existing Special industry, High or Medium impact industry do not locate in the Narangba Innovation Precinct (East). Offices, Shops and Food and drink outlets that are not ancillary to or associated with the primary industrial use of the premises are not supported.

4. Specific outcomes for the Narangba Innovation Precinct (East)

Where located in Area A	
Performance outcomes	Examples that achieve aspects of the Performance Outcomes
PO1 Development for a new Special industry is not supported in Area A.	No example provided
PO2 Development for an extension to High impact industry comprising ancillary activities for office, research and development or storage is supported in Area A.	No example provided
PO3 Development for High impact industry (where not ancillary office, storage or research and development) or other industry uses (excluding Special industry) avoids or mitigates potential adverse health, safety and amenity impacts from emissions and hazardous activities on sensitive land uses and the natural environment.	No example provided

<p>PO4</p> <p>Development for lower impact industries locate in Area A where off site emissions standards for sensitive land uses can be achieved.</p>	No example provided.
Where located in Area B	
<p>PO5</p> <p>Development for a new Special industry is not supported in Area B.</p>	No example provided.
<p>PO6</p> <p>Development for Medium or High impact industry is supported in Precinct B where the type, size and scale of industry is designed and managed to:</p> <ul style="list-style-type: none"> a) mitigate off site amenity impacts to sensitive land uses; b) benefit from the availability of infrastructure; and c) create synergies with existing high impact industry uses and related services. 	No example provided.
<p>PO7</p> <p>Development for an extension to existing Special industry, and new compatible uses or associated industry on existing Special industry sites, avoids or mitigates potential adverse health, safety and amenity impacts from emissions and hazardous activities on sensitive land uses and the natural environment.</p>	No example provided.
<p>PO8</p> <p>Development for new or extended High Impact or medium impact industry avoids or mitigates potential adverse health, safety and amenity impacts from emissions and hazardous activities on sensitive land uses and the natural environment.</p>	No example provided.
All Areas – Environmental Management and design of premises	
<p>PO9</p> <p>Developments avoids or mitigates potential adverse health, safety and amenity impacts from emissions and hazardous activities on sensitive land uses and the natural environment.</p>	No example provided.

<p>PO10</p> <p>Development avoids or mitigates risks to community health and safety, property or the environment from hazards such as fire, explosion and toxic releases that achieves required standards primarily required by State legislation or related policies, including State health, workplace and emissions requirements.</p>	<p>No example provided.</p>
<p>PO11</p> <p>Development is located, designed and managed to avoid or mitigate potential adverse off-site impacts by:</p> <ul style="list-style-type: none"> i. Locating activities involving emissions or the storage of hazardous chemicals on the site to achieve maximum separation to sensitive land uses or within a building or structure to shield or contain potential adverse impacts. ii. Incorporating landscape buffers and fencing to visually screen expanses of hard surface, outdoor storage and areas for vehicle movement and to reduce the scale of buildings in the neighbourhood and when viewed from sensitive land uses. iii. Monitoring noise, air emissions including fumes, dust, odour or electromagnetic radiation to required environmental standards. iv. Incorporating contemporary emission avoidance or mitigation processes or technologies. 	<p>No example provided.</p>
<p>PO12</p> <p>Stormwater management, and water run off associated with fire retardation or spills, is contained, managed and treated to acceptable standards through the use of bunds and storage areas, to avoid or mitigate adverse impacts on the water quality, environmental values or waterways ecosystems.</p>	<p>No example provided.</p>
<p>PO13</p> <p>Development does not unreasonably impact on infrastructure for the locality through the design of the facility or its operating conditions.</p>	<p>No example provided.</p>

<p>PO14</p> <p>Development avoids or mitigates air, odour, light and noise impacts through appropriate siting and building design, to achieve a level of amenity consistent with the zone and zone precinct.</p>	<p>No example provided.</p>
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Editor's note: Where the code references acceptable standards, or the requirement to avoid or mitigate potential adverse health, safety and amenity impacts from emissions and hazardous activities on sensitive land uses and the natural environment, or manage emissions from industry, a report will be required demonstrating compliance with one or a number of the following standards (or other standards relevant to the industry emission) (as amended from time to time):

- i. MBRC planning scheme Planning scheme policy SC 6.16 Noise
- ii. Environmental Protection (Noise) Policy 2019
- iii. Environmental Protection (Air) Policy 2019
- iv. Queensland Odour impact assessment from development Guideline.

Editor's note: Other State approval or notification processes which address environmental protection, hazardous activities (including fire and explosion risk), health, safety and amenity impacts may be required in addition to the requirements of this TLPI and the MBRC planning scheme.

Editor's note: Storage of hazardous chemicals as defined under the *Work, Health and Safety Regulation 2011*, including Schedule 15 chemicals, may require the operator to submit a notification to Workplace Health and Safety Queensland.

SCHEDULE 1 – NARANGBA INNOVATION PRECINCT (EAST) CATEGORY OF ASSESSMENT AND ASSESSMENT BENCHMARKS FOR SPECIAL INDUSTRY AND HIGH IMPACT INDUSTRY

Area	Category of development and assessment	Assessment benchmarks for assessable development
Area A		
High impact industry	Assessable development - Code Assessment	
	If involving an existing High impact industry with an increase in gross floor area where the increase in gross floor area is no greater than 1,000m ² in total for one or a combination of activities ancillary to the High impact industry being: <ul style="list-style-type: none">- Offices;- Research and development; or- Storage.	Narangba Innovation Precinct (East) Code MBRC planning scheme Codes: S6.2.7 Industry Zone Code (General Industry precinct only)
	Assessable development - Impact Assessment	
	Otherwise impact assessment	
Special industry	Assessable development – Impact Assessment	
	In all instances	
All other uses not listed in this table or undefined uses	As determined by the MBRC Planning Scheme. (Note: No Special industry exists in Area A and new Special industry is not supported in Area A and is impact assessable).	
Area B		
Special industry use	Assessable development - Code Assessment	
	If involving an existing Special industry with an increase in gross floor area where the increase in gross floor area is no greater than 1,000m ² in total for one or a combination of activities ancillary to the Special industry being: <ul style="list-style-type: none">- Offices;- Research and development; or- Storage.	Narangba Innovation Precinct (East) Code MBRC planning scheme Codes: S6.2.7 Industry Zone Code (General Industry precinct only) (where located in the General Industry Precinct) or S6.2.7 Industry Zone Code (Restricted Industry Precinct only) (where located in the Restricted Industry Precinct).
	Assessable development - Impact Assessment	
	Otherwise impact assessment	

High impact industry	Code Assessment	
	In all instances	<p>Narangba Innovation Precinct (East) Code</p> <p>MBRC planning scheme Codes:</p> <p>S6.2.7 Industry Zone Code (General Industry precinct only) (where located in the General Industry Precinct) or</p> <p>S6.2.7 Industry Zone Code (Restricted Industry Precinct only) (where located in the Restricted Industry Precinct).</p>
All other uses not listed in this table or undefined uses	As determined by The MBRC Planning Scheme.	

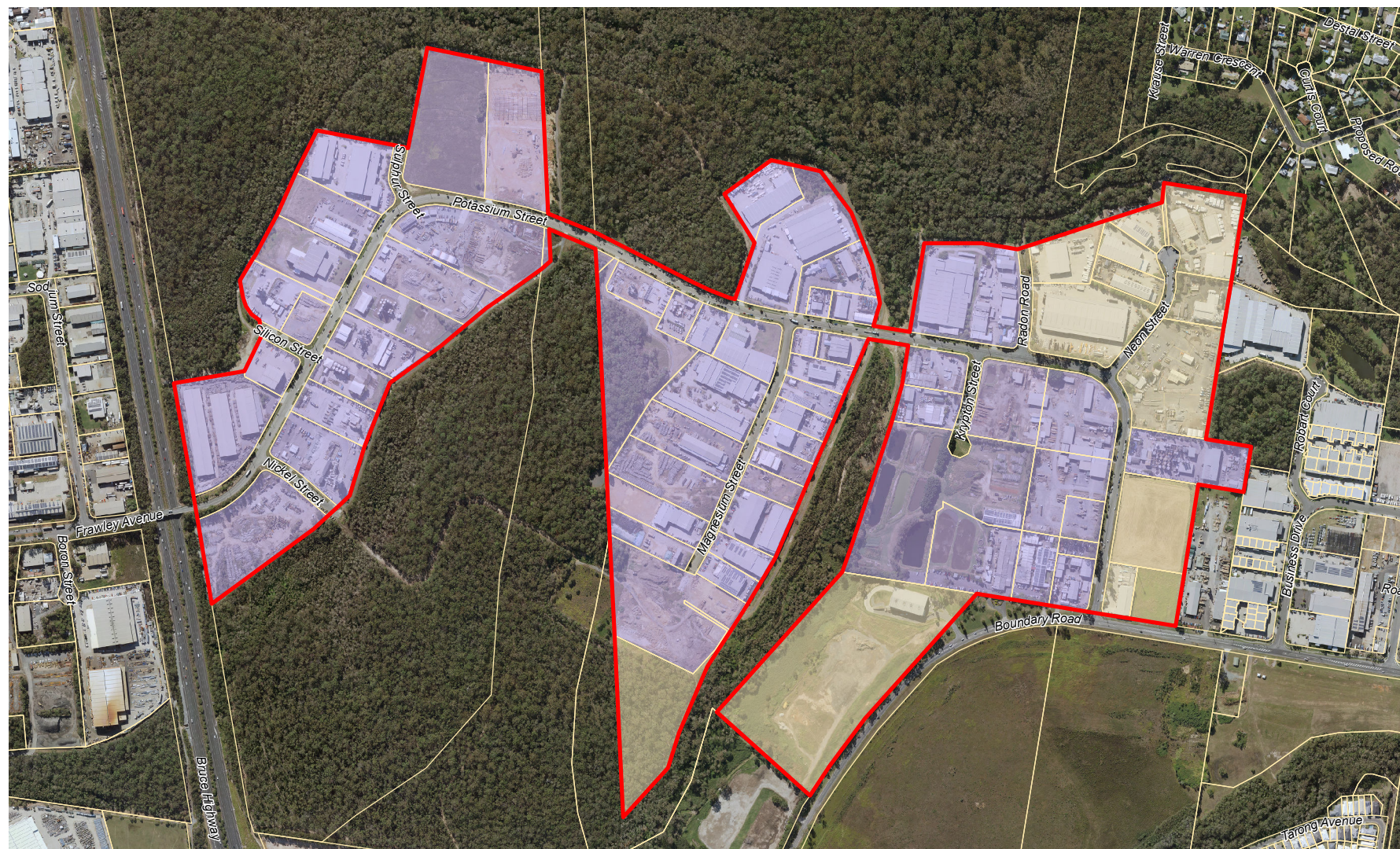
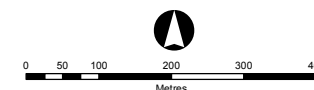


FIGURE A - TLPI 01/2020
Narangba Innovation Precinct (East)
Moreton Bay Regional Council
Planning Scheme

Legend

- Narangba Innovation Precinct East
- Property boundary
- Area A
- Area B

Imagery: June 2019, 10cm resolution



Map created at: A4

Coordinate System: GDA2020 MGA Zone 56
 Projection: Transverse Mercator
 Datum: GDA2020

Map produced by the Spatial Services Unit, 12/06/2020



Queensland
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