Refer Attachment (A) – Previous Resolutions  
Refer Attachment (B) – City Plan drafting changes  
Refer Attachment (C) – Further Investigations

1 BASIS FOR CONFIDENTIALITY

1.1 I recommend that this report be considered in Closed Session pursuant to section 275 (1) of the Local Government Regulation 2012 for the reason that the matter involves:

   (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

1.2 I recommend that the report/attachment be deemed non-confidential except for those parts deemed by the Chief Executive Officer to remain confidential in accordance with sections 171 (3) and 200 (5) of the Local Government Act 2009.

2 EXECUTIVE SUMMARY

This report addresses a resolution of City Planning Committee in August 2017 to realign the levels of assessment and code provisions for industrial land uses in industrial zones and addresses the outcomes from the ‘Industrial land uses briefing’ held with Councillors.

It is recommended that Council endorse the recommendations including the drafting changes to City Plan (as outlined in Attachment (B) - City Plan drafting changes) as part of City Plan Major Update 3.

3 PURPOSE OF REPORT

This report has been prepared in accordance with the following City Planning Committee resolution (CP17.0830.007) relating to the key findings of the High impact industry zone agenda item:

“3 That a report be brought back to realign levels of assessment and code provisions for industrial land uses in industrial zones.”

In order to address this resolution, an ‘Industrial land uses briefing’ was held with Councillors on 4 October 2017. At the briefing, Councillors were informed about the resulting misalignment of land uses in the tables of assessment for industrial zones following two recent Council resolutions to update the industrial zones in City Plan. These resolutions relate to:

   (i) endorsement of an amendment to City Plan to protect the remaining vacant Medium impact industry zone by raising the level of assessment of Low impact industry and Warehouse land uses to impact assessment (unlisted) where not in an existing building; and

   (ii) the non endorsement of a recommendation to Council to amend City Plan to protect the remaining vacant High impact industry zone by raising the level of...
assessment of Low impact industry and warehouse land uses to impact assessment unlisted where not in an existing building.

The purpose of the briefing was to:

(i) discuss the recently endorsed updates to the levels of assessment in industrial zones;
(ii) to determine whether Councillors still supported the endorsed recommendations; and
(iii) to determine if other updates to the tables of assessment for the industrial zones were required to ensure City Plan industrial zones are appropriately aligned.

Council endorsement is sought for the proposed amendments to City Plan in Attachment (B) relating to the levels of assessment and codes for the following industrial zones:

- Low impact industry zone;
- Medium impact industry zone;
- High impact industry zone; and
- Waterfront and marine industry zone.

It was identified in the Employment Lands Planning Investigation study endorsed by Council that the High impact industry zone is at risk and the remaining vacant land needs to be protected. Council’s resolution to not support recommended changes to City Plan to protect the remaining vacant High impact industry zoned land from being taken up by light industry and small warehouses (warehouses less than 4,000m²) may have consequences for the City in the future.

4 PREVIOUS RESOLUTIONS

Refer Attachment (A) - Previous Resolutions.

5 DISCUSSION

5.1 Background

On 7 June 2017, the City Planning Committee (CP17.0607.005) endorsed the protection of vacant Medium impact industry zoned land from encroachment by low impacting land uses by discouraging Low impact industry and Warehouse land uses from establishing by raising the level of assessment to impact assessment (unlisted).

At the City Planning Committee meeting of 30 August 2017 (CP17.0830.007), a report recommending updates to City Plan to protect the remaining vacant High impact industry zone for high impact industry land uses was presented. This report addressed key findings relating to the High impact industry zone from the Employment Lands Planning Investigation and as such recommended changes to the High impact industry zone to discourage Low impact industry and Warehouse land uses from establishing on vacant High impact industry zoned land by:

- raising the level of assessment to impact assessment (unlisted); and
ITEM 4 (Continued)
RECOMMENDATIONS TO UPDATE CITY PLAN REFLECTING THE KEY FINDINGS OF THE INDUSTRIAL LAND USES BRIEFING WITH COUNCILLORS
PD113/1275/03(P1) CONFIDENTIAL

- increasing the minimum lot size from 4,000m² to 1 hectare.

These changes were not supported by City Planning Committee, thereby retaining the current City Plan policy position to allow Low impact industry and Warehouse land uses to establish on land in the High impact industry zone as ‘accepted subject to requirements’.

The non-endorsement of the High Impact industry zone recommendations coupled with the endorsement of the same changes proposed to the Medium impact industry zone has resulted in a policy position that would further encourage the High impact industry zone to be used for Low impact industries and warehouses. This is because the endorsed changes to the Medium impact industry zone would direct these Low impacting industries to the High impact industry zone as they are no longer encouraged to establish in the Medium impact industry zone.

As a consequence of this identified policy misalignment, it was resolved that a report be brought back to City Planning Committee to address the alignment issues and reassess the issue of restricting Low impact industry land uses from locating on scarce Medium and High impact industry zoned land.

5.2 Councillor Briefing

A briefing was held with Councillors on 4 October 2017 to discuss and address the misalignment and to gain Councillors views on the preferred resolution of the issue.

In summary, Councillors requested the following outcomes for industrial land uses in the industrial zones:

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>ZONE</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Low impact industry zone</td>
<td>Medium impact industry zone</td>
</tr>
<tr>
<td>Low impact industry land use</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Medium impact industry land use</td>
<td>×</td>
<td>✓</td>
</tr>
<tr>
<td>High impact industry land use</td>
<td>×</td>
<td>×</td>
</tr>
</tbody>
</table>

In addition to the above outcomes, Councillors requested a review of the High impact industry zone on the western side of the M1 at Yatala with a view to rezoning to the Medium impact industry zone and to offset this by investigating the expansion of the High impact industry zone on the eastern side of the M1 around Stapylton/Ormeau, where appropriately separated from sensitive land uses.

5.2.1 Key Findings from the Councillor Briefing

The key findings and proposed recommendations from the Councillor briefing are outlined below:
a) Outcomes from the Councillors briefing - High impact industry zone

- Retain current resolution of 5 September 2017 (G17.0905.024) for no change to City Plan (i.e. retain the current ability to undertake Low impact industry and Warehouse land uses as accepted subject to requirements in the High impact industry zone); and
- Investigate changing the High impact industry zone on the western side of the M1 at Yatala to the Medium impact industry zone where appropriate, and to offset this by investigating additional High impact industry zoned land on the eastern side of the M1, where appropriately separated from sensitive land uses.

Comment on Outcomes

High impact industry land on the Gold Coast is mainly occupied by large scale industrial operations that export goods and services from the region or provide key inputs to the economy of the City. These features are essential for the Gold Coast to expand the employment base in line with population growth. Not providing an adequate base of High impact industry zoned land will prevent the Gold Coast from attracting or retaining large industrial operations that provide value adding employment opportunities.

As such the protection of High impact industry land for use by High impacting industries is considered essential to achieve the economic opportunities defined in Council’s Economic Development Strategy and the Strategic Framework in City Plan.

Employment on the Gold Coast is dominated by the services and construction sectors. The service sectors do not provide the range of high value, export oriented jobs that are required to diversify our economic base. Given that the majority of our vacant High impact industry land occurs in the Yatala/Stapylton enterprise area, it was identified that this land must be able to house large industrial operations in order to attract investment from intrastate, interstate and overseas operations.

Whilst the objective to attract low impact, small scale knowledge industries is understood and supported, these forms of employment are able to locate in the Low impact industry zone (which is plentiful throughout the Gold Coast). However the remaining vacant High impact industry lands in the Yatala/Stapylton area provides the Gold Coast with a significant competitive advantage in attracting key employers and industries.

At the briefing, Councillors reiterated their desire to retain the current Council resolution to leave current City Plan tables of assessment and provisions for the High impact industry zone unchanged. This current position allows Low impact industry and Warehouse land uses to continue to occupy vacant High impact industry zoned land.

A concern was also raised during the Councillor briefing that High impact industry land uses on the western side of the M1 at Yatala are inappropriate due to the proximity of this area to existing residential development. As such, it was requested that Officers investigate potentially rezoning this area to the Medium impact industry...
zone and offsetting this loss through the identification of new High impact industry zoned land on the eastern side of the M1 at Yatala/Stapylton where appropriately separated from sensitive land uses.

Whilst Officers are in the process of commencing this investigation, given the importance of High impact industry zoned land to our economy it is considered important that this investigation will include appropriate measures to protect this land from encroachment by low impacting industries and small warehouses (less than 4,000m²).

Proposed recommendations for Major Update 3:

- Retain the current levels of assessment in the City Plan High impact industry zone for Low impact industries and warehouse land uses.
- Investigate a zone change for the High impact industry zoned land on the western side of the M1 to the Medium impact industry zone and to offset any loss with new High Impact Industry zoned land which is appropriately separated from sensitive uses on the eastern side of the M1 at Stapylton/Ormeau. It is further recommended that this investigation shall include measures to protect this High impact industry zoned land from encroachment by low impacting industries and small warehouses (less than 4,000m²).

b) Outcomes from the Councillor briefing - Medium impact industry zone

- Rescind part of previous resolution (CP17.0607.005) that relates to the Medium impact industry zone protecting the remaining vacant Medium impact industry zone by raising the level of assessment of Low impact industry and Warehouse land uses to impact assessment (unlisted) where not in an existing building;
- Retain the current levels of assessment in the City Plan for the Medium impact industry zone which allows Low impact industry and Warehouse land uses to establish as ‘accepted subject to requirements’; and
- Discourage High impact industry land uses from occurring in the Medium impact industry zone.

Comments on Outcomes

The non-endorsement of the recommendations for the High impact industry zone resulted in a misalignment that potentially worsens the impacts on the High impact industry zone as it currently stands. The effect of discouraging Low impact industry and warehouses land uses from establishing in the vacant Medium impact industry zone inadvertently encourages these uses to establish in the Low and High impact industry zones.

As highlighted in Section (a) above, advocating the protection of the remaining vacant High impact industry zone, Officers reiterate that it is also important to protect the remaining vacant Medium impact industry zone for Medium impact industry land uses and not Low impact industries and Warehouses that can easily locate in the Low impact industry zone. However, Council’s endorsement to retain the current levels of
assessment for these land uses in the High impact industry zone necessitates a change back to the current City Plan levels of assessment for these uses in the Medium impact industry zone.

During the briefing, Councillors indicated the desire to continue to allow Low impact industries and Warehouses to occur in the Medium impact industry zone.

A concern was also raised by Councillors that High impact industries could establish in the Medium impact industry zone. Whilst High impact industry land uses are not listed in the Medium impact industry zone table of assessment, there is a statement in the Strategic Framework which states in 'Element - Environment health and amenity 3.8.6.1 Specific Outcomes (7)':

"High impact industry and medium impact industry uses only occur outside of areas identified for these uses when it is demonstrated that they will not cause conflict, risk, danger or amenity impacts above accepted standards to any other existing or planned development."

It is considered that this statement only allows High impact industry land uses to establish in the Medium impact industry zone when it exceeds the accepted amenity standards and can mitigate all adverse amenity impacts.

Proposed recommendations for Major Update 3:

- Rescind part of the endorsed resolution of 13 June 2017 (CP17.0607.005) in ‘Attachment A – Recommended updates to City Plan’ relating to the Medium impact industry zone, Future precinct and zone code which included raising the level of assessment for Low impact industry and Warehouse land uses to impact assessment (unlisted) where not in an existing building; and

- Retain the current City Plan levels of assessment for Low impact industry and Warehouses land uses in the Medium impact industry zone.

c) Outcomes from the Councillor briefing - Low Impact Industry zone

- Ensure Medium and High impact industry land uses are not encouraged in the Low impact industry zone.

Comments on Outcomes:

Currently, Medium impact industry land uses are ‘accepted subject to requirements’ in the Low impact industry zone where “if not within 250m of a zone for sensitive land uses” and Code Assessable where proposed within the 250m threshold.

Concerns were raised during the Councillor briefing that Medium and High impact industries are occurring in the Low impact industry zone. It is understood that this concern stems from an existing High impact industry land use (with existing use rights) that has been established in the Low impact industry zone.
The current City Plan policy allowing the establishment of ‘Medium impact industry if not within 250m of a zone for sensitive land uses’, that is, where they are located a greater distance than 250m from a zone for sensitive land uses, is based on the previous State Planning Policy industry zone buffer requirements. City Plan industrial zones have been planned and located to ensure the minimum separation distance occurs between the three types of industrial zones (low, medium and high impact) and zones for sensitive land uses.

There are, however some areas of the city where the Low impact industry zone extends beyond 250m of land zoned for sensitive uses, which would have an appropriate separation distance for the Medium impact industry zone. It is within these few areas of the Low impact industry zone where the land use of a ‘Medium impact industry if not within 250m of a zone for sensitive land uses’ would be able to be established.

City Plan currently also allows the establishment of Medium impact industry land uses inside this 250m threshold (Medium impact industry n.e.i) as Code Assessable in the Low impact industry zone. In response to the City Planning Committee’s requested outcome to ensure that Medium impact industry land uses are not encouraged to establish in the Low impact industry zone, it is recommended to remove ‘Medium impact industry n.e.i’ from the Low impact industry zone table of assessment, thereby making this land use impact assessable (unlisted).

High impact industry land uses are already unlisted in the Low impact industry zone Table of assessment due to the potential impacts on sensitive land uses.

As identified earlier in the report, any Medium or High impact industry land use wanting to establish outside the designated Medium or High Impact industry zone will also need to address S3.8.6.1(7) of the Strategic Framework.

Proposed recommendations for Major Update 3:

- Update the Table of assessment for the Low impact industry zone to remove the ability for Medium impact industry land uses within 250m of a zone for sensitive uses to be established by removing ‘Medium impact industry n.e.i’ from the table of assessment; and
- Update the table of assessment for the Low impact industry zone (Future low impact industry precinct) to make Medium impact industry where within 250m of a zone for sensitive land uses impact assessable.

d) Outcomes from the Councillor briefing - Waterfront and marine industry zone

- Strengthen City Plan provisions to require non-marine industrial land uses to have a nexus with the marine industry.

Comment on Outcomes

During the Councillor briefing a concern was raised that the Table of assessment for the Waterfront and marine industry zone allows for the establishment of industrial uses...
land uses (Low impact industry and Medium impact industry land uses) that are not required to have a direct nexus with waterfront and marine industries.

The current policy position in the Waterfront and marine industry zone allows for a number of non-marine industry land uses to be considered where they do not compromise the long term use of the site for waterfront and marine industries.

At Council’s meeting of 13 June 2017 (G17.0613.012) changes to City Plan were endorsed for the Waterfront and marine industry zone, which further strengthened the intent of this zone for use of marine industries, particularly on land with waterfront access by limiting the ability to undertake Low and Medium impact industries to land that does not adjoin water.

The request to amend these land uses to have a ‘nexus with the marine industry’ would be redundant because an industry with a ‘nexus to the marine industry’ would be a ‘Marine industry’ in accordance with the existing land use definitions. It is not considered appropriate to remove the ability to undertake these uses in this zone as they are considered to be complementary uses and do not compromise the long term use of the zone for waterfront and marine industry.

It is recommended to retain the Council resolution of 13 June 2017 which is to continue to facilitate Low and Medium impact industries in the Waterfront and marine industry zone, but only where these uses are not located on the scarce waterfront land.

**Proposed recommendation for Major Update 3:**

- Retain the outcomes of Council’s resolution of 13 June 2017 (CP17.0607.005) in Attachment A relating to the Waterfront and marine industry zone and zone code which retains the ability for Low and Medium impact industry to be developed (as Code Assessable) where on a lot not adjoining the waterfront and strengthening the intent of the zone for use of marine industries.

### 5.3 Next Steps

#### 5.3.1 Major Update 3

The final drafted content arising from the briefing on industrial lands contained in Attachment (B) will be incorporated into the City Plan Major update 3 package, and will be presented to Council for endorsement prior to submission to the Minister for State interest review.

#### 5.3.2 Further Investigation

The Councillor briefing has identified the need to undertake a further investigation into rezoning the High Impact Industry zoned land on the western side of the M1 at Yatala to the Medium impact industry zone, due to the proximity of sensitive land uses.

*REDACTED*
In order to protect the High Impact industry zoned land on the eastern side of the M1 where it is considered to be adequately separated from sensitive land uses, it is recommended that the investigation includes measures to protect this land from encroachment by low impacting industries and small warehouses (less than 4,000m²) as was previously recommended.

6 ALIGNMENT TO THE CORPORATE PLAN, CORPORATE STRATEGIES AND OPERATIONAL PLAN

The initiatives and goals of the Corporate Plan 2022 that have a specific impact on the future growth in employment and where that employment is located are outlined below:

2. Prosperity built on a strong diverse economy
2.1 Our city’s economy is diverse and innovative.
   Key Strategy
   • Implement the Economic Development Strategy and promote the city’s ‘have a go’ attitude to create new start-up businesses and job opportunities.

2.3 We have infrastructure that supports productivity and growth.
   Key Strategy
   • Implement the Economic Development Strategy and to identify and promote key pieces of infrastructure to drive the economy, link business and employment and increase investment (City Plan is a supporting strategy).

7 GOLD COAST 2018 COMMONWEALTH GAMES IMPACT
N/A

8 FUNDING AND RESOURCING REQUIREMENTS
N/A

9 RISK MANAGEMENT

This activity supports the mitigation of the following corporate risk:
CO00510 – City Plan delivers inadequate and/or ineffective strategic development policy (e.g. poor planning, built form, growth, social and environmental outcomes – including flood impacts).
10 STATUTORY MATTERS

The recommended changes to the City Plan contained in this report and attachments will constitute a major amendment under the Ministers Guidelines and Rules (MGR).

This report seeks Council’s endorsement to progress the City Plan amendments outlined in Attachment B - City Plan Drafting Changes.

11 COUNCIL POLICIES

N/A

12 DELEGATIONS

N/A

13 COORDINATION & CONSULTATION

All Councillors were invited to attend the briefing to discuss the industry zones levels of assessment on 4 October 2017. The outcomes from this meeting informed the recommendations in this report.

14 STAKEHOLDER IMPACTS

The policy improvements to City Plan recommended by this report will form part of City Plan Major update 3.

External / community stakeholder Impacts

The community will be consulted when Major update 3 undergoes statutory public notification (with all submissions considered) prior to consideration of adoption.

Internal (Organisational) Stakeholder Impacts

N/A

15 TIMING

This matter is proposed to be progressed as part of the City Plan Major update 3 package. Officers will present the complete package to Council in March 2018 for endorsement to proceed to State Interest Review.

16 CONCLUSION

This report recommends changes to City Plan to realign the levels of assessment in the industrial zones to reflect the outcomes from the Councillor briefing held on 4 October 2017. The outcomes of the Councillor briefing also include an investigation into rezoning the High impact industry zoned land on the western side of the M1 at Yatala to the Medium Impact industry zone due to proximity to existing sensitive land uses in the area, subject to offsetting
that area by identifying new land on the eastern side of the M1 at Stapylton/Ormeau that is suitable and well separated from sensitive uses.

The amendments proposed in this report respond to the Council resolution to realign levels of assessment and code provisions for industrial land uses in industrial zones.

17 RECOMMENDATION

It is recommended that Council resolves as follows:

1 That the report/attachment be deemed non-confidential except for those parts deemed by the Chief Executive Officer to remain confidential in accordance with sections 171 (3) and 200 (5) of the Local Government Act 2009.

2 The recommended drafting changes to City Plan (Attachment (B) - City Plan drafting changes) resulting from the Councillor briefing are endorsed to be included as part of City Plan Major Update 3, including any consequential updates.

3 Undertake further investigations into High impact industry zoned land as outlined in Attachment (C) – Further Investigations.

Author: Tara Williams
A/Principal Regional Planner

Authorised by: Amanda Tzannes
A/Director Economy, Planning and Environment

01/02/2018

TRACKS REF: 64558263V2