

CHAPTER 2.12 INDUSTRIAL DEVELOPMENT

1.0 INTRODUCTION

1.1 Objectives of this Chapter

- To encourage employment generating developments
- To promote quality industrial development in Wyong Shire by identifying Council's expectations and requirements relating to design and construction; and
- To control environmental impacts arising from industrial development

1.2 Land to which this Chapter Applies

This chapter applies to all categories of industrial development and specifies Council's requirements relating to individual industrial sites. It applies to all industrially zoned land within Wyong Shire.

1.3 Relationship to other Chapters and Policies

This Chapter should be read in conjunction with other relevant Chapters of this Development Control Plan and other Policy Documents of Council, including but not limited to:

- Chapter 2.11– Parking and Access
- Chapter 3.1 – Waste Management
- Chapter 3.3 – Floodplain Management
- Chapter 3.6 – Tree and Vegetation Management
- Chapter 3.10 – Wetlands Management
- Part 4 – Subdivision
 - Part 6 – Location Specific Development Controls (where relevant)- in particular:
 - 6.11 – North Wyong Industrial Area
 - 6.14 – Tuggerah Precinct
 - 6.18 – Warnervale Business Park
 - 6.19 – Charmhaven West Industrial Area
- Council's Civil Works – Design Guideline and Construction Specification

In certain circumstances, this chapter may also need to be read in conjunction with other documents referenced within the text, and with applicable State Environmental Planning Policies (SEPPs) and other legislation.

1.4 Special Provisions for Local Employment Generation

Council has adopted a Policy and procedure for the expedition of proposals defined as "Employment Generating Development", meaning:

"Development which in the opinion of Council would, after the construction stage, employ 10 or more persons on a full time or equivalent basis, or has a capital investment value of \$5 million or more".

Prior to the lodgement of a development application as defined above, the applicant should consult with Council. Following the pre-lodgement consultation, the applicant will be given a comprehensive list of the information that must accompany the application to enable Council's rapid determination. Priority will be given to the processing of such applications.

Following the lodgement of a complete application, Council's internal procedures are specially adapted for rapid processing of these applications and the applicant will be kept informed as to the progress of the application by the Responsible Officer.

2.0 INDUSTRIAL SITE DEVELOPMENT DESIGN ELEMENTS

2.1 Floor Space Ratio

OBJECTIVE

- To enable industrial development of an acceptable bulk and scale

REQUIREMENTS

- a All activities and processes associated with the industrial use of the site are accommodated on the site in buildings of acceptable bulk and scale (refer s.2.4).
- b A maximum floorspace ratio of 0.8:1 is applicable.

2.2 Site Coverage

OBJECTIVES

- To ensure that all necessary uses and activities associated with industrial development can be satisfactorily accommodated on site
- To limit the extent of built and hardstand areas on site, to assist water infiltration and the implementation of water sensitive design techniques

REQUIREMENTS

- a The extent of built and hardstand areas on site is to be minimised.
- b The development footprint is to be augmented by the design, implementation and maintenance of soft landscape works.
- c Maximum site coverage of 50 percent for the building(s) on site.

2.3 Setbacks

OBJECTIVES

- To require areas around buildings for environmental improvement and protection
- To control the visual impact of buildings and other structures
- To ensure buildings comply with the standards specified in the Building Code of Australia (BCA)

REQUIREMENTS

Minimum setbacks from boundaries shall be as follows:

- a Front: 15 metres if on a State Road; 10 metres on any other road except where otherwise specified in Part 6: Location Specific Development Provisions. A minimum five (5) metre wide landscaped area must be provided within the above setback, except for vehicle access. Suitable landscaping would comprise tree planting incorporating mulch beds in preference to often neglected grass lawns and poorly maintained shrubs.
- b Side and Rear: Nil, provided:
 - i the proposed building meets the requirements of the BCA
 - ii any requirements for bushfire protection are met
 - iii any site specific requirements for setbacks and landscaping are met.
- c Where side or rear setbacks are proposed or required:
 - i narrow and inaccessible setbacks are to be avoided.
 - ii other than area used specifically for access, side and rear setbacks are to be appropriately landscaped.

2.4 Design and Appearance of Buildings

OBJECTIVES

- To encourage industrial buildings with architectural merit
- To encourage innovative designs for industrial buildings

REQUIREMENTS

- a A building with acceptable bulk and scale:
 - i does not excessively overshadow outdoor staff facilities of adjoining development;
 - ii retains sufficient area in the curtilage of the building(s) to cater for landscape works, setbacks, car parking and access, outdoor staff facilities, outdoor industrial activities, fire radiation zones and other ancillary uses;
 - iii takes account of the landform of the site and minimises cut, fill and retaining works;

- iv takes account of the general bulk and scale of adjoining development;
- v includes architectural treatment of the facades of the building(s) to diminish the apparent height and length of walls, particularly on elevations with street frontage.
- b The design of buildings is to be as architecturally attractive as possible by selective use of materials of suitable texture and colour.
- c Buildings should be sited to avoid the destruction of any prominent landscape features, such as stands of large trees, etc.
- d Buildings should be constructed of high quality, durable, UV stabilised / resistant building materials.
- e The office component of industrial buildings is to be of masonry and glass construction.
- f The reflectivity index for glass used externally in construction of a building shall not exceed 20%.
- g Corrugated iron shall not be used for the predominant wall cladding under any circumstances.
- h All other metal cladding shall be suitably painted.
- i Long blank walls on street frontages are to be avoided. Where this is not possible, they are to be screened by appropriate landscaping or incorporate design features into the walls.
- j Important parts of the building such as corners, entrances, the building base and the roof should be articulated. Corners should not be unduly emphasised but should respond to their particular context and the characteristics of the two (2) streets they may address.
- k No service plumbing or pipes, other than downpipes for the conveyance of roof water, shall be external to the building where visible from any public place.
- l Applicants will be required to indicate on the Development Application plans, building materials and colours proposed. The development is encouraged to draw upon an indigenous colour palette within the existing natural and cultural landscape.
- m Articulated parapets and cornice lines should emphasise the top of the building combining to create a cohesive design and an appropriate scale for the overall façade.
- n Air conditioning units, roof top pergolas, lift over-runs, telecommunications devices and other roof mounted equipment, which protrude above the general roof line of the building, will not be permitted (refer s.2.25).

2.5 Car Parking and Manoeuvring

OBJECTIVES

- To ensure that the car parking demands generated by industrial development are met on site
- To ensure that adequate manoeuvring areas are available on site to permit the forward entry and exit of vehicles
- To ensure that the visual impact of car parking and hardstand areas is softened by landscape screening methods
- To encourage the development of a parking layout which enhances the function and appearance of the development
- To ensure that cyclist and pedestrian needs are adequately and safely accommodated in all industrial areas

REQUIREMENT

Developments are to comply with the relevant provisions of Chapter 2.11 –Parking and Access.

2.6 Off-Street Loading/Unloading

OBJECTIVES

- To ensure that the off street loading / unloading demands generated by industrial development are met on site
- To ensure that adequate manoeuvring areas are available on site to permit the forward entry and exit of vehicles
- To accommodate heavy vehicle parking and manoeuvring
- To ensure satisfactory and safe operation within the adjacent road system

REQUIREMENTS

- a All loading and unloading is to take place within the curtilage of the building.
- b Developments are to comply with the requirements identified within Chapter 2.11–Parking and Access and Australian Standards 2890.1 and 2890.2.
- c If loading areas are undercover, no stormwater pits shall be located in the area and all surface drainage shall be diverted away from the area.
- d All loading and unloading facilities are to be screened from the street with suitable evergreen shrubs and trees (such screening to be indicated upon the submitted landscape plan).
- e Loading/unloading and parking areas are to be separated so as not to cause conflict.
- f If the proposal involves the loading/unloading of dangerous goods or hazardous materials, appropriate bunding must be provided.

2.7 Flooding and Stormwater Management

OBJECTIVES

- To collect and manage stormwater so as not to impact adjacent sites
- To protect the proposed development from flooding
- To manage stormwater discharging from the site so as not to pollute receiving systems and waterways
- To encourage the use of water efficient construction techniques
- To encourage development which can operate in an environmentally sustainable way with regard to water use

REQUIREMENT

All developments shall comply with requirements detailed within Council's Civil Works – Design Guideline and Construction Specification and Chapter 3.3 – Floodplain Management.

2.8 Earthworks and Retaining Walls

OBJECTIVES

- To avoid the need for excessive cutting and filling on industrial sites while recognising the need in some cases for large areas of level floor space
- To encourage construction techniques for industrial buildings which provide opportunities to minimise cut and fill
- To ensure that developments result from a design process which minimises:
 - site disturbance
 - effect on groundwater
 - disruption of natural drainage patterns
 - impacts upon adjoining services and structures
 - impacts upon access to the subject site, and
 - removal of significant vegetation

REQUIREMENTS

- a Full details of any proposed cut and fill of the site are to be provided together with materials, height and drainage for any proposed retaining walls.
- b Retaining walls shall be constructed of brick or masonry.
- c Retaining walls in excess of 900mm or those subject to significant loads shall be designed by a suitably qualified engineer.

- d Retaining walls located on boundaries shall not undermine or adversely impact upon the structural integrity of existing retaining wall systems on adjacent sites.

2.9 Building Over and Adjacent to Sewer Mains

OBJECTIVES

- To protect and prevent damage to buildings, structures and existing sewer mains
- To reduce maintenance required and costs of re-excavation

REQUIREMENTS

- a Where a building is proposed to be located over a sewer main, the main must be encased with reinforced concrete. The encasement is to be in accordance with Council requirements, with the full cost of design and construction to be borne by the owner.
- b Any footing to be located within the zone of influence of the sewer main trench will require a structural engineer's report.
- c The building foundation system is to be designed so that pressure from the foundation is not transferred to the main. The design must also consider the effect of the sewer main and trench on the building foundations.
- d Outbuildings of light construction erected on a concrete slab may be located over or near a sewer main. Such buildings may contain brickwork to a maximum height of one (1) metre.
- e Concrete slab/footing construction of such outbuildings shall be in accordance with Council's Civil Works – Design Guideline and Construction Specification.
- f It is the responsibility of the owner or builder to determine the location of a sewer main, which may affect or be affected by the proposed building.
- g All proposals shall comply with the requirements of the Water Management Act, 2000.

2.10 Thematic Links

OBJECTIVE

- To ensure that new development matches or complements the established theme of an industrial estate

REQUIREMENT

Where the site is part of an industrial estate development, the design of the building(s), external fixtures (such as lighting), signs and landscaping matches or complements adjacent buildings and the overall theme of the estate.

2.11 Site Landscape Works

OBJECTIVES

- To incorporate existing significant, threatened and endangered vegetation on site into landscape areas
- To provide or retain native fauna habitat and bushland corridors where possible
- To screen car parking, loading and other external activity areas
- To provide functional areas of planting that enhance the presentation of a building
- To create industrial precincts with their own intrinsic and unique landscape characteristics
- To assist in the promotion of water sensitive design elements throughout the site

REQUIREMENTS

- a Significant vegetation is to be identified by an appropriately qualified person and incorporated into the landscape design.
- b The development is designed to optimise retention and survival of significant, threatened and endangered vegetation.
- c Where possible bushland corridors are maintained or created across the estate.
- d Presentation of the building façade to the street is complemented by appropriate landscaping.
- e Planting within car park areas is designed to provide shade, ameliorate views of large expanses of paved areas and parked cars, and to identify entrances to car parks.
- f A Landscape Design Report and associated plan(s), is to be prepared by a suitably qualified landscape professional and submitted with the application.
- g Landscaping style and species selection should match or complement the landscaping theme approved for the estate.
- h Landscape works within side and rear setbacks should be planted with trees of appropriate size at maturity to mitigate the scale of the industrial building(s). Trees should be selected from the Keystone Species List within Chapter 3.6 – Tree and Vegetation Management.
- i The provision/retention of buffer areas adjacent to wetlands in accordance with the provisions of Chapter 3.10 – Wetlands Management and the requirements of the Department of Planning and Infrastructure in relation to State Environmental Planning Policy No. 14 – Coastal Wetlands.

2.12 Storage Areas

OBJECTIVE

- To ensure that the visual impact of storage areas is minimised by landscape screening methods

REQUIREMENT

External storage areas are located and/or screened so as not to be visible from outside the site particularly from areas accessible to the public, e.g., railway lines, roads and residential areas.

2.13 Design for Safety

OBJECTIVE

- To minimise opportunities for crime by the design and operation of industrial development:
 - providing for natural surveillance
 - the use of access controls
 - territorial reinforcement, and
 - space management

REQUIREMENTS

- a Clear sightlines are to be maintained over public and private spaces.
- b There is effective lighting of key points.
- c Landscaping does not provide potential offenders with places to hide.
- d Landscaping channels pedestrians into target areas.
- e There is clear transition and boundaries between public and private spaces.
- f Spaces are designed and managed to enforce:
 - i cleanliness;
 - ii rapid removal of graffiti and vandalism;
 - iii replacement of burned out or defective lighting; and
 - iv refurbishment of degraded physical elements, finishes and landscaped works.
- g Appropriate security is provided as part of any development, which may include security cameras in parking areas and the provision of security guard patrols, to ensure safety of staff and the public.
- h Care is taken to ensure that public spaces are not made into secluded spaces through gates and enclosures.

2.14 Security Fencing

OBJECTIVE

- To promote the erection of security fencing and other security devices which do not detract from the appearance of the development

REQUIREMENTS

- a Details of security fencing and other visible security devices are to be included in the Development Application.
- b Security fencing is to be integrated with the site landscaping and the overall design of the building.

2.15 Lighting

OBJECTIVES

- To enable the installation of external lighting which does not detract from the appearance of the development or amenity of the locality
- To illuminate parts of the site to enhance security
- To minimise energy waste by providing the correct lighting orientation and minimising lighting overspill onto adjoining sites

REQUIREMENTS

- a Lighting details shall be provided with the Development Application.
- b Lighting is to be designed so as to not cause light spill onto adjoining sites.
- c Lighting powered by solar batteries or other renewable energy sources is encouraged.

2.16 Site Signs

OBJECTIVES

- To enable clear site identification without adversely affecting the character and streetscape of the locality
- To prevent the proliferation of advertising signs
- To prevent distraction to motorists and minimise the potential for traffic conflicts
- To permit the adequate display of information concerning the identification of premises, the name of the occupier and the activity conducted on the land
- To encourage a coordinated approach to advertising signs where multiple occupancy of sites occur

REQUIREMENTS

- a Signs are used to clearly identify industrial premises without visually dominating the appearance of the development.
- b Signs are to be constructed of high quality, durable materials.
- c Any sign is to be contained wholly within the subject site.
- d Sites are restricted to one sign identifying the name of the occupants and/or products manufactured or produced on site.
- e All signs shall comply with the provisions of Chapter 2.6 – Signage and State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- f Where factory units are proposed, each factory unit development should have a directory board within or near the entry landscape area listing each firm and their unit number within the complex.
- g No signage shall present to the freeway or State roads.

2.17 Encouraging Energy Efficient Construction and Development

OBJECTIVES

- To encourage the use of energy efficient materials and construction techniques
- To encourage development which can operate in an environmentally sustainable way with regard to energy use
- To encourage the use of energy efficient appliances and fittings and where possible the use of renewable energy sources to reduce greenhouse gas emissions

REQUIREMENTS

- a Developments are to be designed and constructed having regard to available energy efficient materials, lighting, heating and cooling.
- b New buildings are to be orientated as much as possible so that they make best use of solar energy and prevailing winds to lower heating and cooling costs.
- c Glazing on north facing facades is encouraged to maximise solar access in winter and glazing to the west is to be minimised to reduce excessive summer solar access.
- d Building materials and insulation are to be used which assist in thermal performance and maintain internal comfort levels.
- e Greenhouse-intensive electric hot water systems are being phased out from 2010 onwards. Low-emission hot water systems are required in new buildings from 2012.
- f The use of top star rated energy smart rated appliances and lighting is required. The Label Star Energy Rating System gives a rating to a range of appliances based on their energy efficiency. The more stars you see, the more efficient the model. Energy Smart lighting includes the use of fluorescent and compact fluorescent globes, self-timing systems, dimmers and motion sensors.

- g It is advisable that larger developments (buildings exceeding 4,000m² in area) utilise renewable energy resources for all lighting on site and a statement is to be included with the development application addressing this requirement for the consideration of Council.

2.18 Air Quality and Odour Control

OBJECTIVE

- To protect local air quality and minimise the impact of odour generated by industrial activity

REQUIREMENTS

- a Industrial development likely to generate air pollution and odours is to be located away from residential areas.
- b Best practice techniques are used to reduce the level of risk and degree of impact at the point of production and the point of discharge.
- c Where the development proposed will release odours, an odour impact assessment shall be undertaken and submitted to council with the development application.
- d Where air polluting industries are permissible, no point of pollution discharge is within 300m of the nearest dwelling.
- e Industrial development shall comply with the "Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW", issued by the EPA in November 2006.
- f Where the assessment indicates that a facility will exceed the odour performance criteria prescribed by the EPA, then additional design, management and control strategies for odour mitigation are to be investigated by the proponent and incorporated within the development.

2.19 Noise Generation

OBJECTIVE

- To minimise the impact of noise generated by industrial activity

REQUIREMENTS

- a Acoustic design principles are to be incorporated into the development design. In this regard, industrial noise shall be controlled so that it does not impact upon the amenity of the nearest residential dwelling.
- b Industrial development shall comply with the requirements of the "NSW Industrial Noise Policy" produced by the EPA in December, 1999.
- c An Acoustic Report shall be submitted with the Development Application for any industrial development proposal located within 50 metres of a residential property boundary (other than a Manager's residence on an adjacent industrial site).

2.20 Fire Mitigation and Control

OBJECTIVES

- To minimise the risk due to fire generated by industrial activity
- To ensure that people and property are protected in the case of fire
- To ensure optimal access for fire control and fire fighting personnel and equipment in the case of fire

REQUIREMENTS

- a All buildings on land adjoining bushland are designed and located to minimise potential damage due to bushfire.
- b Practical measures are implemented to achieve the appropriate level of fuel management and bushfire hazard reduction on the site.
- c Access for emergency vehicles including fire trucks is provided and easily identified.
- d Water hydrants are clearly marked and accessible.
- e Flammable and other materials likely to act as fire accelerants are located and stored in a manner to minimise the risk of contact with fire.
- f Flammable materials shall be stored in accordance with relevant guidelines produced by the Department of Planning and Infrastructure and WorkCover requirements.

2.21 Waste Minimisation and Disposal

OBJECTIVES

- To require an environmentally sound approach to the storage and disposal of waste and recyclable materials, which supports the principles of waste minimisation - i.e.; Avoid, Reduce, Reuse, Repair and Recycle
- To satisfy the relevant requirements of Waste Avoidance and Resource Recovery Act, 2001

REQUIREMENTS

- a Waste storage and disposal is to be carried out in accordance with a site and use specific Waste Management Plan which shall be prepared and submitted with the Development Application.
- b The requirements for a Waste Management Plan are identified in Chapter 3.1 – Site Waste Management and Council’s Waste Management Guidelines.
- c Reference should be made to “Specification for Supply of Recycled Material for Pavements, Earthworks and Drainage” produced by Department of Environment, Climate Change and Water in April 2010.

2.22 Contaminated Sites

OBJECTIVE

- To ensure that potentially contaminated land and contaminated land is identified and treated in the appropriate manner

REQUIREMENTS

- a The level of risk from potentially contaminated land or contaminated land is to be accurately determined and an appropriate treatment is determined and implemented in conjunction with development of the site.
- b Any application for industrial development shall comply with the provisions of State Environmental Planning Policy No.55 (SEPP 55) and Wyong Shire Council Policy P1 -Potentially Contaminated Land.

2.23 Disabled Access

OBJECTIVE

- To achieve equitable, cost effective access to buildings and to facilities and services available in buildings for people with disabilities

REQUIREMENTS

- a Access ways are provided to and within a building to enable people with disabilities safely, equitably and with dignity:
 - i to approach the building from the road boundary and from any car parking spaces associated with the building; and
 - ii to access work and public spaces and facilities for personal hygiene.
- b Car parking spaces for use by people with disabilities must be provided to the degree necessary to give equitable access for car parking and be designated and easy to find.
- c Any inbuilt communication system for entry, information or for provision of service must be suitable for occupants who are hearing impaired.
- d Development is to comply with the relevant provisions of the BCA AS1428.1 – Design for access and mobility and the Disability (Access to Premises – Buildings) Standards 2010..

2.24 Internal Child Care Facilities

OBJECTIVE

- To encourage the provision of employer based child care centres as a component of purpose built industrial development

REQUIREMENTS

- a Child Care Facilities should be located and signposted so that they are predominantly for the use of employees of the industrial development.
- b The development is to comply with relevant provisions of the BCA and of Chapter 2.8 – Child Care Centres.

2.25 Communications Infrastructure

OBJECTIVES

- To enable the provision of communications infrastructure on industrial sites and buildings
- To minimise the visual impact of communications infrastructure

REQUIREMENTS

- a Where possible, all electricity and telecommunications supply to the development and throughout the site is to be placed underground.
- b A precautionary approach is to be adopted to the placement of communication infrastructure having regard to community concerns regarding the potential effect of Electro-magnetic Frequency Radiation
- c Full details of all proposed communication infrastructure proposed to be located on the site or attached to buildings on the site shall be provided with the Development Application.
- d Communication infrastructure such as radio towers, satellite dishes and roof mounted equipment which protrude above the general roof line of the building shall not be permitted except where:
 - i the building is not visible from adjoining residential development or major viewing points such as major roads;
 - ii it is appropriately integrated into the design of the building so as not to detract from the appearance of the development or dominate the skyline
 - iii any communications infrastructure which is proposed as Exempt or Complying Development should comply with Schedule 3A of State Environmental Planning Policy (Infrastructure) 2007.

3.0 USE SPECIFIC CONTROLS

3.1 Car Related Uses

OBJECTIVE

- To address the impact of car related uses in industrial areas

REQUIREMENTS

- a Car related uses in industrial areas shall not generate traffic or parking demands that cannot be met by the local road network and clearly identified parking facilities on site.
- b Compliance with Chapter 2.11 – Parking and Access.
- c Compliance with the requirements of the NSW Environment Protection Authority.
- d Compliance with relevant requirements of Council’s Civil Works – Design Guideline and Construction Specification.

3.2 Brothels and Restricted Premises

OBJECTIVE

- To identify general standards for the development of Brothels and Restricted Premises in industrial areas

REQUIREMENTS

- a Compliance with Chapter 2.14 – Sex Services Premises.
- b Sex Services Premises are only permissible with development consent in IN1 General Industrial and IN2 Light Industrial zones under the WLEP 2013.
- c Restricted Premises are more broadly permissible, subject to development consent.

3.3 Child Care Centres

OBJECTIVE

- To facilitate the development of Child Care Centres in appropriate locations

REQUIREMENTS

- a Where freestanding child care centres are proposed within industrial estates, for example in B6 Enterprise Corridor, B7 Business Park or IN2 Light Industrial zones, they should be located so as to minimise traffic, noise and safety conflicts.
- b In considering a development application for such uses, Council will require the applicant to submit a parking and traffic study to address the likely number of vehicle movements, and any car parking demands generated beyond the requirements of Chapter 2.11 –Parking and Access by these uses.

- c Child care centre proposals will not be supported as refits of existing factory units.
- d The development is to comply with relevant provisions of the BCA and of Chapter 2.8 – Child Care Centres.

3.4 Commercial Recreational Facilities

OBJECTIVE

- The provision of commercial recreational facilities (such as indoor sporting centres) will be encouraged as a compatible use with industrial development

REQUIREMENTS

- a The provision of commercial recreational facilities (such as indoor sporting centres) within zones B6 Enterprise Corridor, B7 Business Park and IN2 Light Industrial zones will be encouraged as a compatible use with industrial development.
- b In considering a development application for such uses under the WLEP 2013, Council will require the applicant to submit a parking and traffic study to address the likely number of vehicle movements, and any car parking demands generated beyond the requirements of Chapter 2.11 –Parking and Access by these uses.
- c The development is to comply with relevant provisions of the BCA.