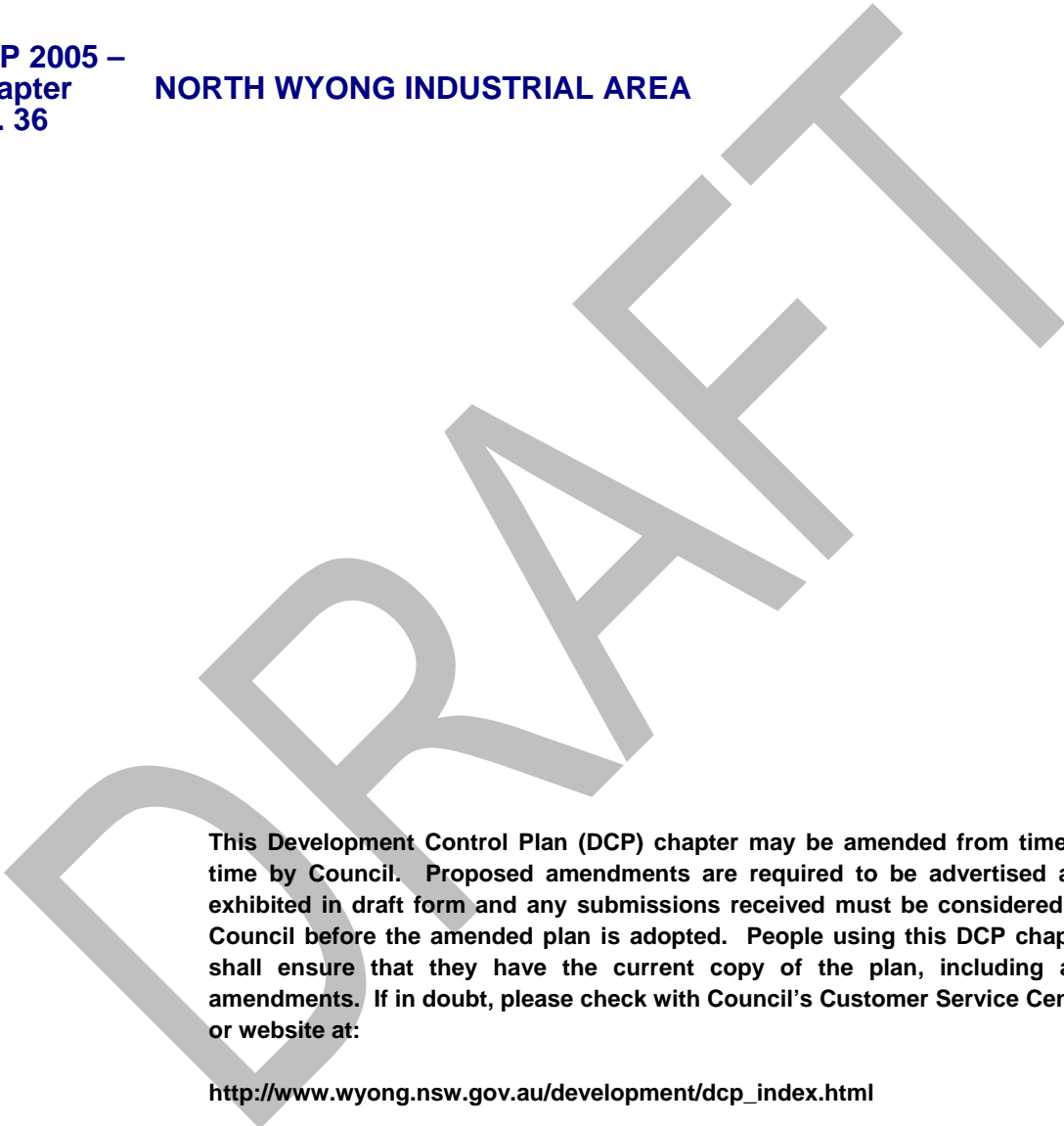


**DCP 2005 –
Chapter
No. 36**

NORTH WYONG INDUSTRIAL AREA



This Development Control Plan (DCP) chapter may be amended from time to time by Council. Proposed amendments are required to be advertised and exhibited in draft form and any submissions received must be considered by Council before the amended plan is adopted. People using this DCP chapter shall ensure that they have the current copy of the plan, including any amendments. If in doubt, please check with Council’s Customer Service Centre or website at:

http://www.wyong.nsw.gov.au/development/dcp_index.html

Adopted as per council resolution Dated:	
Effective:	
Certified in accordance with the Environmental Planning and Assessment Act 1979 and Regulations	General Manager:
	Dated:

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1 ADVISORY

1.1 What is this Chapter Called?

This Chapter is called "Chapter 36 – North Wyong Industrial Area".

1.2 Where does this Chapter Apply?

The land to which this Chapter applies is shown edged heavy black in Appendix 1.

1.3 What is the Purpose of this Chapter?

The purpose of this Chapter is to provide specific development guidelines for development within the North Wyong Industrial Area.

1.4 Objectives

The objectives of this Chapter are:

- To provide direction and guidance for the orderly development of industry within the North Wyong Industrial Estate;
- To encourage Ecologically Sustainable Development (ESD) of currently undeveloped land zoned for industrial purposes. There is to be particular emphasis on:
 - providing opportunities for local employment through a range of lot sizes; and
 - improving amenity through transport links (in particular pedestrian and bicycle infrastructure), landscaping and building design; and
 - incorporation of measures promoting energy efficiency and treatment/reuse of stormwater; and
 - mitigating environmental impacts on adjoining sensitive lands;
- To allow for a range of general industrial uses within the Estate provided that new industrial development does not present unacceptable risks to residential areas or other land by way of pollution, hazards or otherwise; and
- To encourage a high visual standard and operational compatibility between the industrial estate, public lands, major transport corridors and adjoining residential areas; and
- To promote development of a visually attractive form, integrating the built and natural environments.

1.5 What are the Aims of this Chapter?

The aims of this Chapter are:

- To provide consistent controls for existing and new industrial development within the area identified as the North Wyong Industrial Area (Appendix 1);
- To provide for a range of industrial uses with emphasis on small lot industrial development;
- To ensure the economic and orderly development and servicing of land;
- To ensure the incorporation of ESD principles into industrial development design and construction;
- To maintain and enhance mature vegetation within the estate, where possible, to develop a visually attractive form that integrates the built and natural environments;
- To limit the visual, noise, air and traffic impacts of development within the North Wyong Industrial area; and
- To limit the impact of industrial development on the amenity of existing and future residential neighbourhoods, public lands and major transport corridors by way of pollution, hazards, visual amenity or otherwise.

1.6 How does this Chapter Relate to Other Chapters?

This Chapter has been prepared in accordance with Clause 74C of the Environmental Planning and Assessment Act, 1979 (E P & A Act) and is generally consistent with the provisions of Wyong Local Environmental Plan 1991 (WLEP 1991).

Where there is any inconsistency between a provision of this DCP chapter and a provision of any general DCP chapter, the provision of this site specific DCP chapter shall apply. Where an issue is not specifically addressed within this site specific DCP chapter, Council's requirements are provided within generic chapters, for example Chapter 66 – Subdivision and Chapter 75 – Industrial Development.

In certain circumstances, this Chapter will need to be read in conjunction with applicable State Environmental Planning Policies (SEPPs), Local Environmental Planning Policies and Chapters.

1.7 Pre-Application Consultation

Consultation with relevant Council staff is a pre-requisite to lodgement of any development application under this Chapter. The first point of contact should be Council's Duty Planner and/or the Development Assessment Unit.

1.8 Variations to Provisions

- a Whilst this plan is consistent with all relevant legislation at the time of its adoption, applicants should have regard to the provisions of relevant SEPPs and REPs, which may contain provisions which override DCP provisions or provide pathways to request variations to the provisions of this plan and its enabling environmental planning instrument, the WLEP, 1991, e.g., SEPP No.1 – Development Standards.
- b If, in the opinion of Council, the design of the proposed development satisfactorily complies with the objectives set in this DCP, and does not adversely impact upon either the amenity of the locality or immediately adjacent properties, variations to the provisions set in this DCP will be considered. Applicants must demonstrate that a superior design outcome will be achieved as a result of the proposed variation, in response to the site.

Where variations are proposed to provisions set in this DCP, the Development Application shall be accompanied by a submission detailing:

- The particular provision which is proposed to be varied and the extent of the proposed variation;
- The benefits to the design of the proposed development which result from the proposed variation. It shall be noted that Council's principal consideration with respect to variations will be to facilitate good design and not to increase development potential;
- The impact of the proposed variation on the design and its relationship to adjoining development;
- How the proposal satisfies the objectives of the provision to be varied.

2 GENERAL DESIGN PRINCIPLES

2.1 Subdivision Design

- a The minimum area required for an allotment is 2,000m². Subdivision other than Torrens Title is permitted where appropriate to provide suitably sized industrial bays on individual lots.
- b Notwithstanding the above, an allotment shall not be created with frontage to the main thoroughfare (Donaldson Street / Brussels Road / London Drive) with an area of less than 4,000m² to ensure a range of lot sizes and provide for improved vehicular circulation on sites fronting the major internal thoroughfare.
- c All allotments shall have a minimum width at the building line of 30 metres and the ratio of depth to width shall not exceed 4:1.

2.2 Design and Appearance of Buildings

- a Building design should generally be in accordance with Council's DCP Chapter for Industrial Development (Chapter 75) and the Building Code of Australia. Building design may be enhanced having regard for potential ancillary retail/commercial uses on the ground floor.
- b Building design and construction shall demonstrate architectural merit, innovation and compliance with the principles of ESD appropriate to the type of development proposed. All development applications shall include an analysis demonstrating how Part F (Health & Amenity) and Part J (Energy Efficiency) of the Building Code of Australia have been incorporated into the design.

This may include features such as:

- i. building design and orientation to provide natural light and ventilation to offices, habitable areas and ancillary retail areas;
 - ii. use of suitable insulation to offices, habitable areas and ancillary retail areas;
 - iii. use of performance glass, translucent roof sheeting, louvres or similar measures to provide internal lighting whilst minimising electricity use;
 - iv. provision of solar hot water heating and grid-connected photovoltaic or wind power generation;
 - v. Integrated Water Cycle Management (IWCM) to minimise potable water use; and
 - vi. provision of facilities to encourage public transport, pedestrian and cycle trips (showers, lockers, racks etc).
- c Zero side and rear boundary setbacks will be encouraged (subject to the impact on drainage and services) where the applicant demonstrates that a superior urban design, building presentation and site maintenance outcome will be achieved. Rear boundary setbacks to the Pacific Highway are to be a minimum of 20m in accordance with section 2.3.
 - d Masonry construction shall be suitably treated (painted, rendered etc) to enhance the visual amenity of built form. All metal cladding should be of painted and UV stabilised material and shall be combined with a variety of other materials (such as tinted glass) to enhance the visual amenity of built form. A colour and material schedule shall be lodged with any application.
 - e Building facades shall utilise a variety of building materials, have clearly defined entrances and generally locate any office or ancillary retail component at the front of the site.
 - f Corner site building designs shall be scaled to emphasise the corner and shall address both street frontages, avoiding blank walls.

- g Storage of plant, waste management areas, mechanical ventilation plants, hoppers and the like shall be suitably screened so as not to be viewed from a public place or residence, generally to the rear of individual sites.

2.3 Landscaping

- a Landscaping is to be carried out in accordance with Council's Landscaping Policy for the appropriate category of development. Landscape Assessment and Design Reports shall be submitted with any development application for:
 - i. Category 3 developments,
 - ii. any development adjoining (or within 60m of) the Pacific Highway; or
 - iii. those adjoining (or within 50m) of the land identified as Environmentally Sensitive Lands. These applications must specifically address the management of off-site environmental impacts (edge effects), water management, pollution prevention and bushfire management.
- b In order to provide a consistent landscape theme and contribute positively to the public domain a minimum 20 metre wide landscape buffer is required along the Pacific Hwy/Virginia Road frontage of the industrial estate. The landscape buffer shall incorporate the following features:
 - i. clearly defined planter bed to be fenced with permanent post and rail, or post and wire stock fencing on the Pacific Highway boundary to limit vehicle/pedestrian intrusion;
 - ii. three staggered rows of canopy trees parallel to the Pacific Highway with no more than 5m between tree centres;
 - iii. canopy trees shall be local species from the Eucalyptus or Corymbia genii and sourced from local stock to support habitat strategies within the Shire. Trees are to be suitable to provide for long-term canopy screening of the estate from the Pacific Highway and local residential areas;
 - iv. understorey mass plantings of small native trees, shrubs and groundcovers sourced from local stock to support habitat strategies within the Shire. Mass plantings are to be suitable to provide for long-term low and medium height screening of the estate from the Pacific Highway and local residential areas; and
 - v. the interior alignment of the landscape buffer (at the potential building setback) shall consist of 1.8m high black plastic coated chain link fencing.
- c Landscaping within the front setback shall include provision of native shade trees, shrub layer and mass plantings of groundcovers designed to soften the visual impact of industrial buildings and vehicle parking / manoeuvring areas. Street shade trees shall be provided generally at a rate of one shade tree per 10m of street frontage, with the exception of vehicular accesses.
- d Council will encourage the retention and incorporation of existing site vegetation into the development. In particular, any stands of mature vegetation within required front building setbacks are to be retained and incorporated into overall landscaping.
- e External storage of plant, materials of goods shall be totally screened from view from the Pacific Highway. External storage will be suitably screened from internal roads, adjoining residences and environmentally sensitive lands. External storage will not be permitted within the front setback.

2.4 Signage

- a No more than 10% of any above ground elevation (as visible from public areas) shall contain building wrap or wall advertisements, or similar. Applicants are advised to refer to DCP 2005 Chapter 50 – Guidelines for Advertising Signs and SEPP 64 - Advertising and Signage for further detailed guidance, particularly with reference to sites adjoining the Pacific Highway or Great Northern Railway.
- b Only two directory boards will be permitted at each road intersection with the Pacific Highway to the industrial area. There shall be a unified design theme for all such signage, and each sign shall require development consent.

Each directory board shall be a maximum of 7.0m high and have a maximum total face area of 25m².

Detailed directory board design criteria are provided within DCP 2005 Chapter 50.

- c No free standing advertising signs shall be erected on vacant lots adjoining the Pacific Highway, or between an approved building alignment and the Pacific Highway.
- d For lots containing multiple occupancy industrial bays (or similar) there shall be one directory sign only, to be located within the front boundary setback.

2.5 Development Adjacent to Environmentally Sensitive Land

- a Development of certain land within the industrial estate will need to have regard for the sensitive nature of adjacent/adjoining land noted as environmentally sensitive lands and depicted on the map (see Appendix 5). This land has been identified as containing vegetation consistent with Endangered Ecological Communities, has significant ecological values and drains to a major floodplain. In particular, the existing dam on Lot 8 DP 1100416 provides a likely habitat for the endangered Green and Golden Bell Frog.
- b Development adjacent to this area will need to ensure that appropriate measures are implemented to minimise potential environmental impacts on this area, with a particular focus on stormwater management, edge effects, pollution prevention and bushfire management.
- c A buffer zone is to be provided around the environmentally sensitive land consistent with the Urban Interface Area (UIA) detailed in DCP 2005 Chapter 66 - Subdivision to Council's satisfaction.
- d Adequate detail regarding the location and treatment of this buffer zone, including preliminary engineering plans as appropriate, is to be provided at development application stage.

2.6 Parking and Access

- a Carparking and access shall be provided in accordance with Council's Chapters for Industrial Development and Carparking, and in accordance with AS/NZS 2890 Parking Facilities.
- b Lots larger than 4000m² should provide parking, loading and manoeuvring areas at the rear of the site where possible, to improve streetscape presentation.
- c Each development shall provide adequate vehicle manoeuvring areas so that the appropriate size service/delivery vehicles can enter and depart the property in a forward manner. There should be no conflict with general parking areas and/or pedestrians with the primary objective being safety, as identified in the RTA Guide to Traffic Generating Development.
- d Each development application shall provide appropriate vehicle turning templates demonstrating suitable heavy vehicle access can be provided. Generally this will require as a minimum provision of turning templates for heavy rigid (HR) vehicles.

As an alternative for lots smaller than 4000m², a draft 88B instrument may be submitted restricting future use of the lots to that capable of being serviced by smaller vehicles.

- e Fragmented development requiring temporary access to the Pacific Highway shall not be permitted.

3 SPECIFIC DEVELOPMENT REQUIREMENTS

3.1 Road Hierarchy and Layout

- a Road reserves shall be located generally in the position shown in Appendix 2 and shall have a minimum width of twenty (20) metres. Preliminary engineering details are to be provided to demonstrate the suitable location of services, footpaths, streetscape plantings and Water Sensitive Urban Design infrastructure as appropriate.
- b Variations to road patterns may be considered to permit large lot development, provided the extension to the main thoroughfare (Donaldson Street / Brussels Road / London Drive) is implemented to provide for through traffic, generally in accordance with this Chapter.
- c Construction of through roads or roads servicing adjoining properties are to be constructed to the property boundary as Stage 1 of any development.

3.2 Pacific Highway Setbacks

- a A 20 metre building line from the Pacific Highway shall apply to all development. This area shall be extensively landscaped in accordance with Section 2.3 and Council's Landscape Policy. No development is permitted in this area other than landscaping.
- b No structure shall be erected within 60 metres of the Pacific Highway having a height exceeding ten (10) metres.
- c Where development is proposed outside of the restricted 60 metre highway buffer zone incorporating structures which have a height in excess of ten (10) metres, the development application shall identify measures to reduce the visual impact of the development on the Pacific Highway corridor and surrounding residential areas.

3.3 Future Residential Amenity

- a All development shall be designed to ensure that noise levels at the nearest residential boundary are to the satisfaction of the Council (and the NSW Environmental Protection Authority where appropriate). Noise levels are to be consistent with the requirements of the the EPA Industrial Noise Policy and RTA Environmental Criteria for Road Traffic Noise.
- b Development applications for new developments within the area identified in Appendix 3 must consult Council development staff prior to lodging an application, to determine whether a noise report from a certified acoustic consultant is required at development application stage. The noise report shall identify appropriate noise amelioration measures to achieve the above noise goals.
- c Buildings on land adjoining existing residences shall be required to be set back 20 metres from the common boundary, with a minimum 10 metre landscape buffer required along the common boundary. A suitable solid fence (minimum 2.1 m high) along the common boundary is to be erected, with details provided at development application stage.
- d Development with the potential to emit odours shall submit a statement on amelioration methods which prevent any adverse impacts on adjacent residential areas.

3.4 Land North of Lucca Road (refer Appendix 1)

3.4.1 Water Quality

Development shall demonstrate compliance with the following environmental targets through submission of a detailed preliminary Stormwater Management Plan, supported by modelling (e.g. MUSIC) demonstrating that targets will be achieved. Development shall suitably minimise impacts on water and natural ecosystems.

- a Environmental Targets are to be consistent with the requirements of any Council Water Sensitive Urban Design (WSUD) policy documents and relevant Department of Environment and Climate Change guidelines and requirements. These targets are:
 - 90% reduction in the average annual gross pollutant load (size >5mm);
 - 85% reduction in the average annual total suspended solids load;
 - 65% reduction in the average annual total phosphorus load;
 - 45% reduction in the average annual total nitrogen load;
 - Hydrocarbons – no visible oils and greases in discharge; and
 - The post-development duration of flows greater than the “stream-forming flow” being no greater than 3-5 times the natural duration of this flow.

- b Source Controls
 - i. shall demonstrate the principles of WSUD and include on-site treatment, harvesting and reuse to minimise demands on Council's potable water supply.
- c Conveyance controls
 - i. shall demonstrate the principles of WSUD and integrate with landscape, bushfire management, access and maintenance requirements.
- d End of pipe controls
 - i. shall demonstrate the principles of WSUD and incorporate both a retention/detention pond and artificial wetland as necessary.

3.4.2 Levee Bank and Pump System

- a Stormwater is to be managed in accordance with the *Water Cycle Management Plan, Central Coast Business Park – Warnervale* by Young Consulting Engineers (August 2003). A proposed levee bank is to be provided for the development site, designed to a minimum of RL 6.5m AHD. The levee bank is to provide protection from the 1% AEP flood with a minimum 300mm of freeboard for the subject land north of Lucca Road and existing properties in Pavitt Crescent.
- b The construction of the levee bank, filling and associated works on the subject site and Lot 19 DP 250522 (Wyong Shire Council) will detain the local runoff should the water level in the receiving water (i.e. water in floodplain) be level with or higher than the local ponding level. In situations where the receiving water level is higher, a pump system is required to discharge the water.
- c Water collected in the proposed storage pond is to be circulated through the constructed wetland system. Recirculation can be achieved by either:
 - pumping to the rock lined channel through use of a solar powered pump; and/or
 - recirculation through the wetland by the use of the discharge pumps.
- d It is imperative that the pumps be maintained and operational at all times. One of the routine maintenance procedures would be monthly operation of the pumps. During this routine maintenance of the pumps, the water in the pond is recirculated through the wetland. Details of the maintenance of these pumps, including pumps and the required standby capacity of the pumps, are to be provided with any development application that is lodged for the land.
- e The storage pond shall also be available for an adequate fire fighting water supply for the subject site and local area. The total minimum storage capacity required will be developed in accordance with Council and relevant fire authorities. Details are to be provided to ensure that water is available for fire fighting at all times including drought conditions.
- f Any development application is to be supported by a suitable levee bank risk and failure analysis, including suitable ongoing monitoring and maintenance access arrangements.

4 LAND USE CONTROLS FOR REGULATED EMISSIONS INDUSTRIES

Some types of industry, or scales of industry expansion, may be such that their presence within the North Wyong Industrial Area may represent unjustifiable risk to adjacent residential uses, properties, public uses or to other occupants of the industrial area. The following standards aim to minimise the risk associated with emissions generating industries on the biophysical environment and human health through land use controls.

4.1 High Risk Regulated Emissions Industries

High risk regulated emissions industries will be restricted to Area A, as shown in Appendix 4. Proposed activities outlined below may be characterised as high risk air polluting industries and applicants must consult Council development staff prior to lodging an application to clarify the current regulatory process. These are industries:

- licensed for air emissions by Department of Environment and Climate Change (Environment Protection Authority) - Protection of the Environment Operations Act 1997 (Schedule 1) and/or;
- that are designated development - Environmental Planning and Assessment Regulation 2000 (Schedule 3) and/or;
- listed under National Environment Protection Measures (NEPM) Ambient Air Quality - National Environmental Protection Council Act 1994.

4.2 Low Risk Regulated Emissions Industries

Lower risk regulated emissions industries shall be located in Area B (see Appendix 4). These are industries which may have venting of emissions for occupational health purposes, or may have fugitive emissions, but are not categorised as high risk air polluting industries as detailed above.

4.3 Other Industries

The balance of the North Wyong Industrial Area (Area C) shall be occupied by non-air polluting industries.

4.4 Prohibited Industries

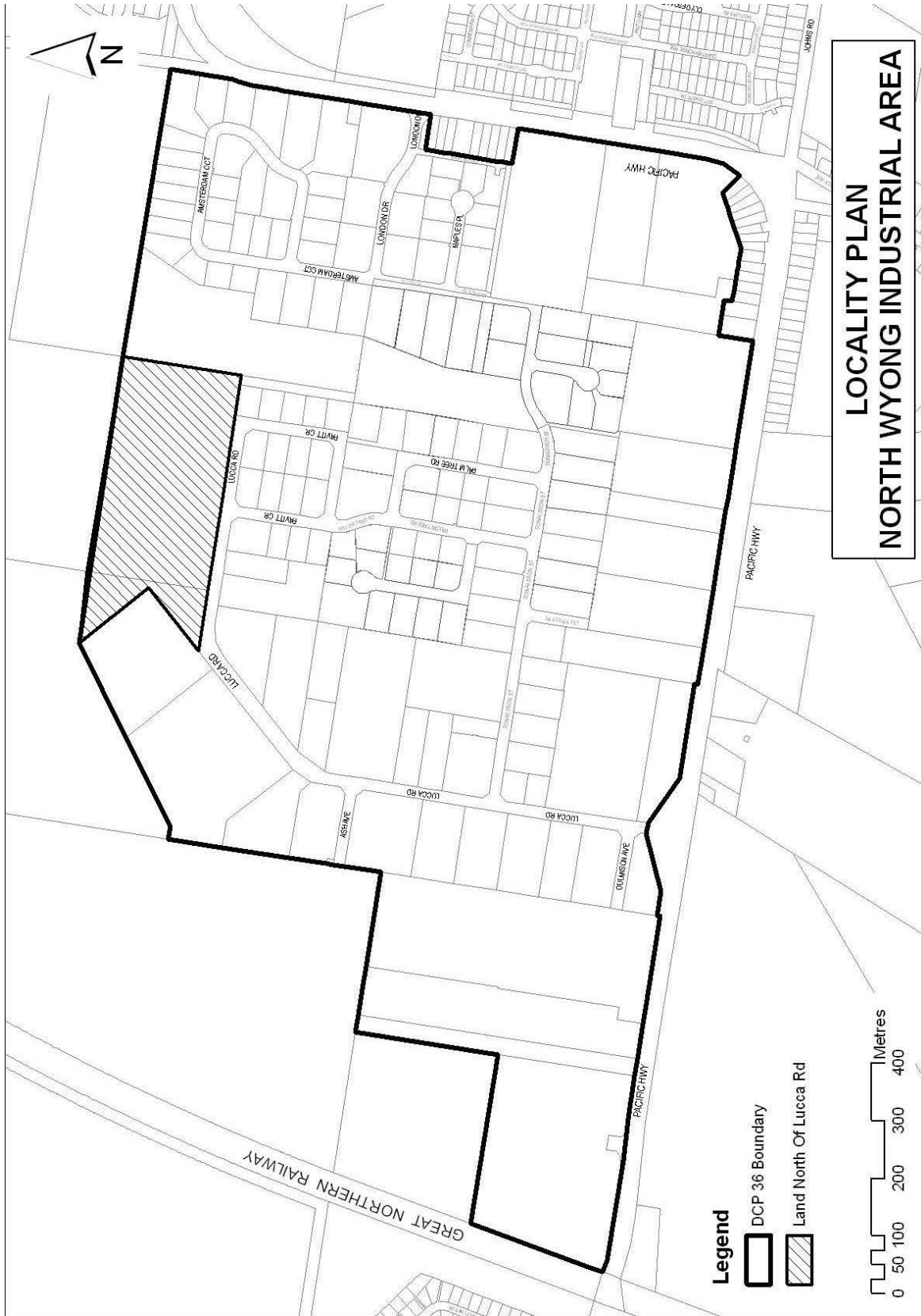
Industries classified as offensive and hazardous in accordance with the provisions of State Environmental Planning Policy No 33 are prohibited in the North Wyong Industrial Estate, in accordance with the requirements of Wyong Local Environment Plan 1991.

4.5 Risk Assessment

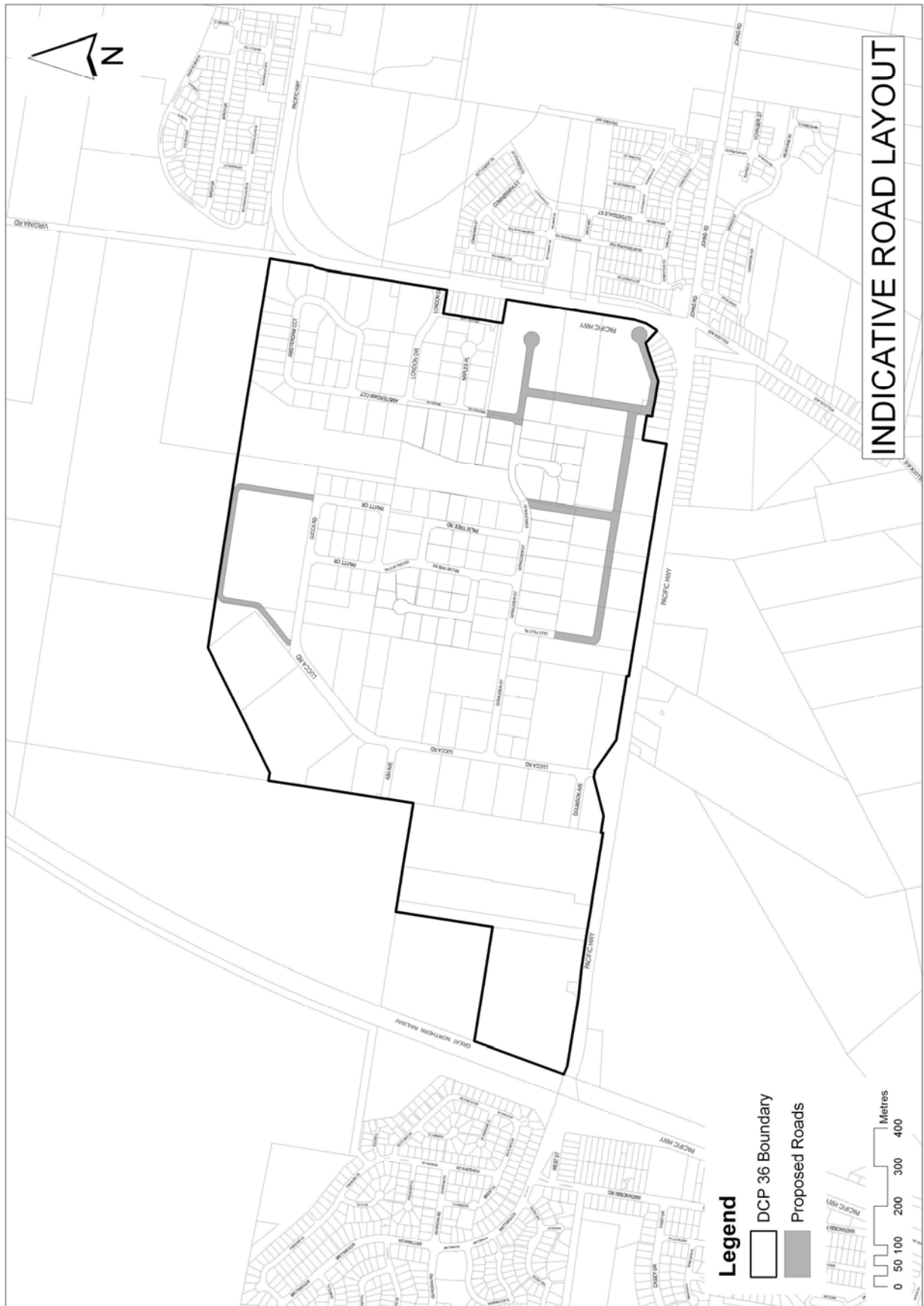
Any development application for a new or expanding regulated emission industry within the North Wyong Industrial Area will be required to be accompanied by a full risk assessment, undertaken by a suitably qualified person, as it relates to human health, cumulative impacts and the biophysical environment.

This risk assessment will be reviewed by Council's independent environmental consultant and the cost of this review will be at the applicant's expense. This risk assessment exercise will assist in determining the suitability of industries within the estate's identified areas.

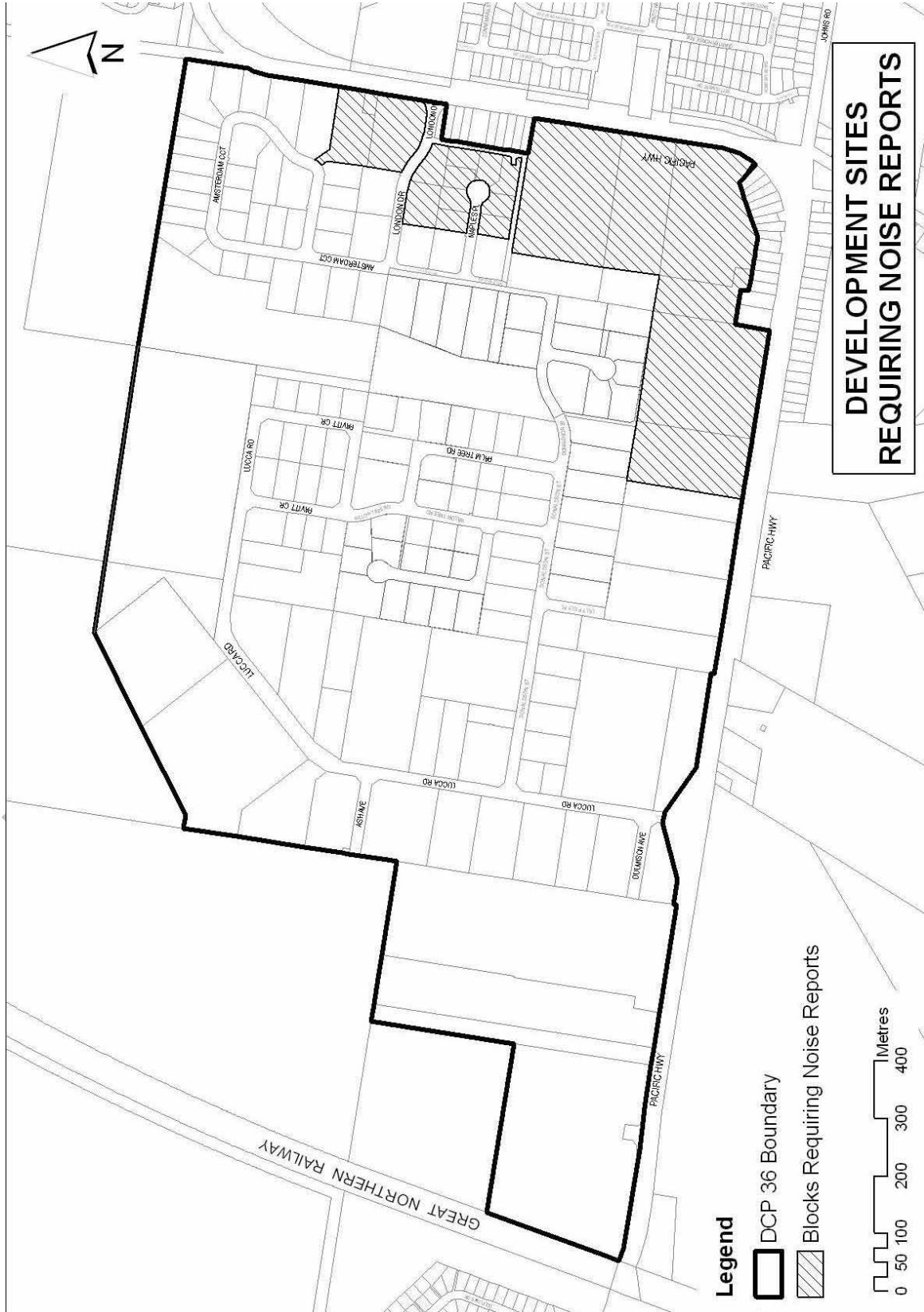
APPENDIX 1 - LOCALITY PLAN NORTH WYONG INDUSTRIAL AREA



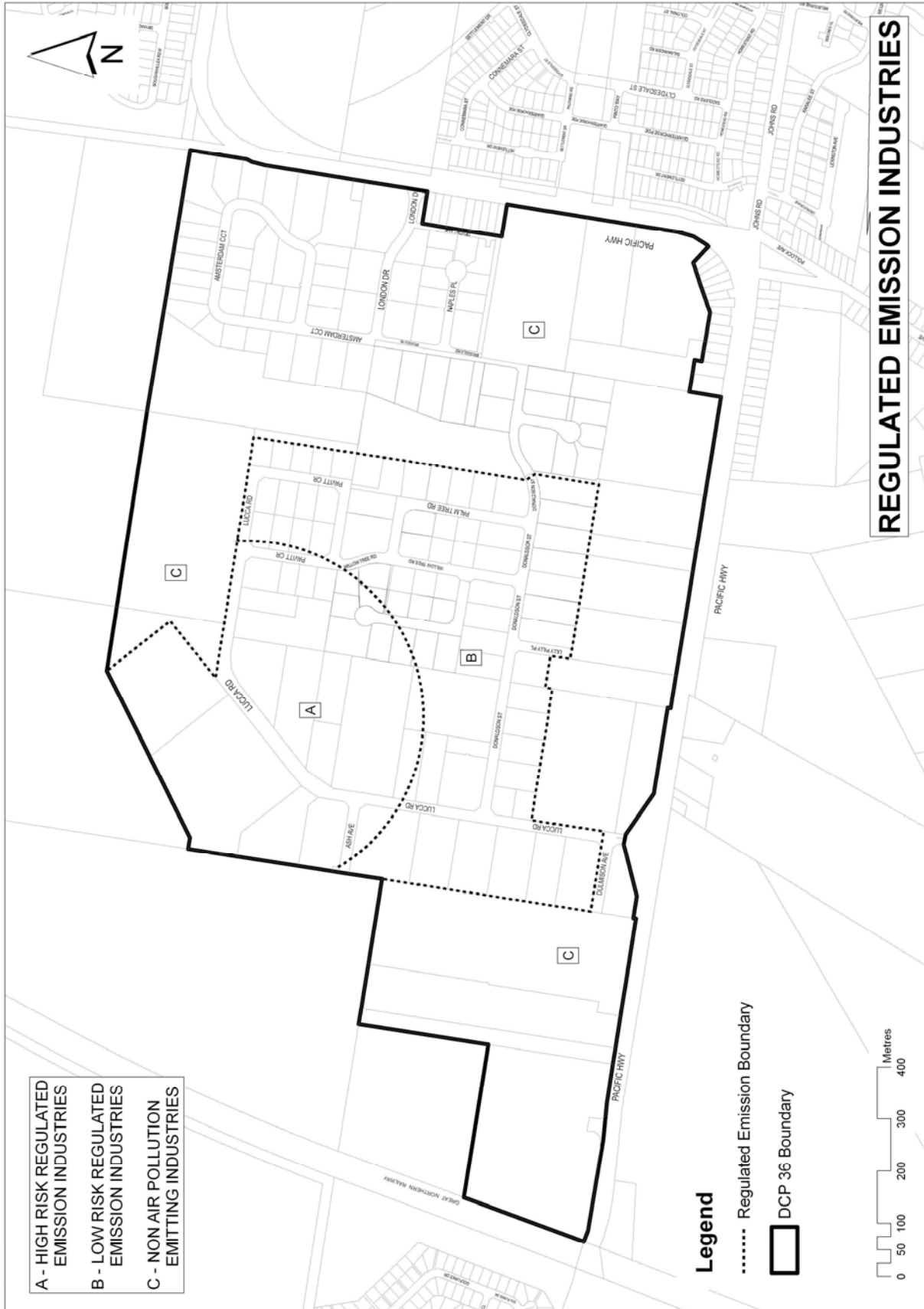
APPENDIX 2 - INDICATIVE ROAD LAYOUT



APPENDIX 3 - DEVELOPMENT SITES REQUIRING NOISE REPORTS



APPENDIX 4 - RECOMMENDED AREAS FOR NEW REGULATED EMISSIONS INDUSTRY DISTRIBUTION IN NORTH WYONG INDUSTRIAL AREA



APPENDIX 5 - ENVIRONMENTALLY SENSITIVE LAND NORTH WYONG INDUSTRIAL AREA

