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# PART F

## Development in Industrial Zones

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Part F applies to all industrial development within the City of Willoughby, and all land zoned Industrial under Willoughby Local Environmental Plan 1995.

All development in the industrial zones is required to conform to the provisions and standards of this Plan. It applies to new development, redevelopment, alterations, additions and changes of use or function of all or part of the premises.

F.1	Purpose of Part F	1
F.2	Land uses	2
F.3	Development Controls	4
F.3.1	Site Requirements - Activity location and service areas	4
F.3.2	Façade Design	5
F.3.3	Roof Design and Building Height	6
F.3.4	Paving and Fencing	7
F.3.5	Setbacks	7
F.3.6	Car Parking and vehicular access	9
F.3.7	Loading	10
F.4	Environmental controls	10
F.4.1	Air Emissions and Liquid Waste	11
F.4.2	Acoustics and Hours of Operation	11
F.5	Sustainable Development	12

### F.1 Purpose of Part F

The intent of this Plan is to establish Council's standards and guidelines to ensure appropriate development in industrial zones in Willoughby City to:

- a) identify and preserve core service industrial lands to meet the current and future needs of Willoughby City and the wider region;
- b) accommodate industrial development which produces a range of goods and services and provides employment, without adversely affecting the amenity, health or safety of nearby residents in adjacent areas;
- c) allow industrial development which does not pollute or adversely affect the adjoining land or water;
- d) allow only those shops and facilities which serve the daily convenience needs of the workforce of the industrial areas;
- e) protect the viability of business zones in the City by enabling development for the purposes of offices or showrooms only where it is used in conjunction with and ancillary

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- to industrial, manufacturing, warehousing and other permitted land uses on the same land; and
- f) accommodate activities which, because of demonstrated specialized building or site requirements or operational characteristics, cannot or are inappropriate to locate in other zones. Activities that are consistent with this objective may require the following elements:
- commercial vehicle access;
  - loading bays and docks;
  - high floor to ceiling requirements for activities such as truck access, the storage of goods, or the containment of machinery or equipment;
  - requirements for special fittings and features within a building that are not normally associated within an office use such as laboratories and research facilities;
  - the requirement for open space storage, assembly or manufacturing space;
  - an employee to floor space ratio that is lower than would ordinarily be associated with an office use;
- g) prohibit activities such as residential, retail and office uses, which are inappropriate for industrial zones and which should otherwise be located in established residential or business zones; and
- h) improve the environmental quality of the city by ensuring that industries conform to environmental and hazard reduction guidelines.

There are few remaining industrial areas in Northern Sydney and those in Willoughby City are under pressure to be developed for commercial uses. Council is demonstrating its commitment, through the adoption of Part F of this Development Control Plan, to retaining the industrial role of the Artarmon and East Chatswood Industrial Areas so as to maintain their function in providing industrial services, functions and employment to the growing population of the Northern suburbs of Sydney.

## **F.2 Land uses**

### High Technology Industry

The onus is on the applicant to prove to Council that their proposed use is for high technology industry and not a commercial premises suited to a business zone. Council will refuse any application that involves such a non-permissible use.

#### Required Information

The following information is indicative of the documentation which can be used to demonstrate whether the development proposal is for a permissible high technology use in the industrial zone:

- An outline of the company operation including the core business activity;
- Information on the end product;
- A building design which shows the location of research areas such as laboratories;
- The principle use of any ancillary activity requiring a low ceiling height (such as an office area) to be for research and development integral to the technological, research and/or scientific operation on the site;
- Information on the qualifications of staff and, number of staff involved in staff and research development;
- Evidence of linkages to research and development eg. Government grants, joint ventures with Universities, tax incentive information.

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### Ancillary Office and Showroom Space

Uses such as offices and showrooms must be ancillary to the industrial activity, and must be an integral part of the principal industrial operation on the site.

Compactus areas spatially related to an office area and utilised for office filing will not be considered to be warehouse space. This area will be considered to be office space for the purposes of determining maximum office space calculations.

Training rooms are considered to be an ancillary use and will be calculated as part of the maximum office floor space component.

### Subdivision

Subdivision of both land and buildings (strata) requires consent. Any application must include all details on each subdivided unit in accordance with Council requirements. Details would include car parking, loading, floorspace allocation (even if concept) and compliance with the relevant maximum requirement for office floorspace.

### Bulky goods

At least 60% of the products must be “bulky” to the satisfaction of Council in terms of size, shape and weight characteristics.

### Car repair station

Vehicles damaged, under repair, awaiting repair, or commercial vehicles associated with the business, are to be contained within the site, and not parked within any public road. All sealed surfaces accessible to vehicles for service, including standing areas access ways and work bays, are to be fully drained to meet all requirements of the Building Code of Australia and the Environment Protection Authority.

All cars waiting repair are to be stored on the premises. No vehicle brought to a premises for maintenance, servicing, repair, detailing or painting is to stand or park in adjacent or nearby streets whilst under the control of the manager or staff of the premises.

- A spray painting booth is classified as a workbay for the purposes of calculating carparking provision.
- An activity such as a car oven for drying paint can not be classified as a car space.
- On-site provision is to be made for the delivery of vehicles to the site.
- Vehicles including tow trucks are to enter and leave in a forward direction so as not to disrupt the flow of on-street traffic.
- Water discharges from car wash bays are to comply with any license from the Department of Environment and Conservation.
- Noise generating activities such as paint sanding are not to be located near residential areas.

### Dwellings

Dwellings or residential flat buildings are prohibited in the industrial zones other than of a caretaker nature where they are used in conjunction with and attached to a building used for a permitted industry or warehouse or high technology use. The applicant is to provide information on the need for such a dwelling.

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## Local Services

A hotel (only in the 4(a) zone), pharmacy or chemist shop, newsagency, take away food shops (including milk bars, hot food bars and sandwich shops) or a bank are permissible uses with development consent in the industrial zones. Applicants are required to demonstrate that these services will:

- a) principally service industry or workers within the zone; and
- b) not detrimentally affect the range of services offered by existing shops located in any nearby business centre.

## Motor showroom

On-site provision is to be made for the delivery of vehicles to the site. Work bays are to be provided for washing and detailing of vehicles.

## Showrooms

Showrooms are to be a minor part of an industrial usage and related to the production or warehousing of goods on site. Clear evidence is to be provided to show that the showroom is included within the maximum office floor space calculation. Applications which show that the predominant use of a site is for a commercial showroom are more suited to a business zone and will be refused.

A clear delineation must be maintained between showroom areas, production areas and warehousing to ensure compliance with the maximum office floor space requirement.

## **F.3 Development Controls**

### **F.3.1 Site Requirements - Activity location and service areas**

#### Intent

- to ensure that the size, configuration and internal layout of buildings are suitable for an industrial use;
- to maintain the functional integrity of the area as industrial in form and character;
- to ensure that any activities which could adversely affect neighbouring industrial and residential development are suitably constrained within the site and located as far away from adjoining properties as is practical;
- to ensure that activities have a minimal impact on main roads and avoid the manoeuvring of vehicles in streets with loading and unloading to occur on the premises;
- ensure that loading/unloading areas and vehicle manoeuvring areas have a minimal visual impact on the street frontage; and
- to provide for the safety and convenience of workers and visitors.

#### Performance Criteria

1. Internal spaces are to be designed to satisfy the operational requirements of the particular landuse whilst providing a safe and convenient work environment.
2. New buildings and the creation of new industrial units within close proximity to residential areas are to be designed to minimise any adverse effects on the amenity of any residential dwelling by way of overshadowing, overlooking, lighting, dust, noise or fumes.

#### Controls

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1. The minimum frontage for the redevelopment must be able to provide on site loading, servicing and vehicle manoeuvring without reversing into the public road. As a guide, sites with a frontage of less than 20m are generally unable to satisfy this requirement. For sites with a frontage of less than 20m, the onus will rest with the applicant to demonstrate that the control can be satisfied.
  2. The industrial unit must be provided with a loading dock and goods handling area to serve the intended use. Development applications where the end user and product are not known are to provide loading facilities for a range of truck sizes.
  3. Buildings, whether single purpose or multi-unit complexes should comprise two functional elements: an office/display component, which is usually a public access zone; and an industrial/storage activity area which is a private zone.
    - a) The design of the office component is to identify it as the focal point of the development when viewed from the street, with clear definition of entry points for staff and visitors which are linked to car parking areas and pedestrian paths.
    - b) The industrial component, which require higher ceilings and internal finishes to industrial standards, is to be integrated with the office in form and design with adequate provision for work areas and staff amenities.
  4. Buildings must be located and designed to minimise any impact on adjoining residential properties by way of overshadowing, overlooking, glare, dust, fumes or noise generation.
  5. Open storage areas, truck parking areas, or uses, such as panel beaters workshops, likely to generate significant emissions are to be sited no closer than 10 metres from any dwelling situated within a residential zone and are to be suitably enclosed or orientated to minimise impacts on the adjoining residential property. Refer to Clause 45 of WLEP 1995 in relation to land zoned 4(b).
  6. Office and staff recreation areas are to be located away from intrusive noise sources such as heavy machinery, loading docks, industrial equipment and sources of dust, vibration, heat, fumes, smells or other nuisances.
  7. Site lighting for building security and staff safety must be directed so as not to cause annoyance to neighbours or glare to passing motorists.

### **F.3.2 Façade Design**

#### Intent

- to encourage a high visual standard and quality of industrial development;
- to minimise the impact of the appearance of industrial buildings on surrounding residential areas.
- to improve the visual amenity of the industrial area.

#### Performance Criteria

1. All development proposals are to achieve both functional and visually attractive buildings.

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2. Building facades should be modulated and articulated. This can include architecturally expressed structural elements of the building.
  3. The impact of the size of the development when viewed from the street should be reduced by avoiding bulky roof forms or extensive blank facades in a single material/colour.
  4. Building finishes should not create a “glare” nuisance.

### Controls

1. Exposed blank walls on the boundary, and all exposed basement walls, are to be finished to a high standard that is, to the same standard as the rest of the building and minimising the potential for graffiti or other vandalism.
2. Architectural features are to be provided at ground level giving an entrance element to the building and addressing the primary street frontage.
3. The development on corner sites is to address both street frontages in terms of façade treatment and articulation of elevations.
4. The maximum reflectivity of any glazing is not to exceed 20% to avoid nuisance in the form of glare to occupants of nearby buildings, pedestrians and motorists.

## **F.3.3 Roof Design and Building Height**

### Intent

- to ensure the appearance of development within the industrial zone is of an attractive and high quality;
- to reduce the impact of development on the amenity of residential areas adjoining or overlooking the industrial area.

### Performance Criteria

1. The roof form and treatment of new buildings or major additions are to provide visual interest, be integrated with the design of the remainder of the building and compatible with an industrial environment and context.
2. Rooftop parking areas are to be designed with minimum exposure or otherwise treated to minimise the visual impact on residential areas that over view the industrial area.
3. Development must ensure the maintenance of adequate solar access to adjoining residential development as well as to any outdoor private or public open space
4. Variations in materials colours and textures including the use of corporate colours and signage must comply with Part G.6 Advertising and Advertising Structures and must be used to minimise any visual impact on adjoining residential areas and major roads. Architectural design and landscaping should be used to achieve innovative screening without contributing to the bulk of the development.

### Controls

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1. There is no defined height limit for development unless the building adjoins residentially zoned land. In these cases the height of the proposed development to the upper most ceiling level or eaves, whichever is the lesser, must relate to the height of the immediately adjoining residential development and in no circumstances decrease the sunlight reaching the north facing windows of living areas or the principal portion of the recreational open space of adjoining residential buildings by more than 20%. This may require a combination of building setbacks, reorientation or lowering of height.
  2. Natural lighting must be incorporated into the design for large span buildings. Buildings must be designed to allow for natural ventilation which can also be used to reduce excessive heat gain in summer and reduce smoke spread in buildings in the event of fire.
  3. Council will take into consideration the potential volume of a proposal and its related effects on for example, vehicle manoeuvres, loading and unloading and the visual impact of the building on the streetscape and as viewed from a distance.
  4. All rooftop or exposed structures including lift motor rooms, plant rooms etc., together with air conditioning, ventilation and exhaust systems, are to be suitably screened and integrated with the building in order to ensure a properly integrated overall appearance.

### **F.3.4 Paving and Fencing**

#### Intent

- to ensure that front fences and walls complement and are compatible with the design of the development and the streetscape;
- to ensure that all paved areas are suitably stabilised and drained and have a surface of attractive paved, tiled or textured appearance;
- To minimise the area of hard surfaces and maximise the infiltration of water.

#### Performance Criteria

1. Front fences, walls and paved external areas are to create an attractive setting for the development when viewed from the street.

#### Controls

1. All fencing, other than dwarf walls to a maximum height of 1 metre above footpath level, is to be erected behind the front boundary setback (see "Setbacks" below).
2. All areas used for parking, loading or manoeuvring vehicles must be paved and sealed with a suitable stabilised and drained surface. (Concrete with an attractive paved, tiled or textured appearance would be an appropriate material.)
3. The use of brick or concrete paver type materials within landscaped areas should be minimised to allow for natural infiltration of water. All site works including paving is to be carried out PRIOR to the occupation of the development in conjunction with the landscaping works.

### **F.3.5 Setbacks**

#### Intent

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- to ensure that the siting of buildings complies with BCA fire regulations and where appropriate makes provision for ventilation and natural lighting
  - to provide adequate space for landscaping, equitable access to sunlight and to minimise overshadowing of adjoining properties; for staff amenity areas and for solar heating systems
  - to provide a streetscape characterised by landscaped setbacks;
  - to setback development from geotechnically unstable embankments;
  - to achieve a “boulevard” style entry into Willoughby City, along Herbert St, St Leonards. (Council Resolution 99/538 26 July 1999)

### Performance Criteria

1. The siting of new buildings is to spatially define the street and provide opportunities for additional landscape planting in order to improve the visual quality of the streetscape.
2. The siting and design of new buildings is to minimise the impact on adjacent residential properties in terms of bulk and scale and to prevent overshadowing and loss of privacy by progressively increasing setbacks as wall heights increase.
3. The location of car parking structures, driveways or open parking areas must not diminish the attractiveness of a streetscape or visually dominate the frontage of a site.
4. Setbacks along the western side of Herbert St, St Leonards are to provide for substantial street tree planting, footpath paving and widening to create a boulevard style gateway entry to Willoughby City through the industrial area.

### Controls

1. In East Chatswood the front boundary setback is to be a minimum of 4.5 metres.
2. In Artarmon the front setback is to be:
  - i) a minimum of 4 metres for land facing the Pacific Highway;
  - ii) a minimum of 12 metres along the western side of Herbert St;
  - iii) a minimum of 10 metres from the Royal North Shore Hospital, on the southern boundary of the land being part Lot 1 and Lot 2 D.P. 591747, Herbert St Artarmon;
  - iv) a minimum of 9 metres along the rear of 1,3,5,7,9,10 and 11 George Place; and
  - v) 3 metres elsewhere.
3. In Lane Cove, the front setback is to be a minimum of 15 metres.
4. Where located on a corner, boundary setbacks on side street are to be a minimum of 1.5 metres.
5. A rear setback of 3 metres is to be provided on properties backing on to major roads, access streets, railway lines, public places, residential property or residentially zoned land.
6. Development proposed abutting residential properties or residentially zoned land must have a setback of at least 3 metres. This distance shall be increased by 1.2m for each 3.5m by which the height of the building exceeds 3.5m.
7. Setbacks on corner blocks must enable sufficient sightlines for traffic in accordance with the relevant Australian Standard. (AS2980/1989)

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8. All setback areas are to be intensively landscaped to Council's satisfaction and shall be of a low maintenance type using locally indigenous plant species. No activity such as carparking, storage of materials, garbage and the like is to occur within the setback area, and security fencing when required is to be made visibly unobtrusive by screen planting and located behind the setback area.

### **F.3.6 Car Parking and vehicular access**

#### Performance Criteria

1. Provision for carparking for visitors, employees and commercial vehicles is made on site.
2. There is no likelihood of reversing into the surrounding streets.
3. The impact of traffic on nearby residential areas is minimised.
4. Vehicular access routes and parking areas are to be easily intelligible to motorists.
5. Restriction of direct vehicular access to local roads, where possible, and not directly from an adjacent arterial road.

#### Controls

1. For industrial unit complexes car parking spaces are to be strata titled in common property. Only the spaces for the office component are to be assigned to each unit. The remainder is to be in a pool of common spaces.
2. All vehicles, including those delivering to or servicing the site, must be able to enter and leave it in a forward direction. This applies to all sites regardless of size.
3. Where significant amounts of traffic are likely to be generated which could affect residential areas or residentially zoned land, schedules of vehicle movements and their routes must be provided and may be regulated in conditions of consent.
4. All parking bays and loading docks and driveways and vehicular turning areas are to be constructed and sealed with an all weather pavement surface and are to be adequately drained, to the satisfaction of Council's Environmental Services Division.
5. All carparking spaces and loading docks and the direction of traffic movement is to be permanently marked out on the pavement surface in accordance with the approved parking and driveway layout and to be to the satisfaction of Council's Environmental Services Division. Where it is proposed that a building or site be used for multiple occupation, all parking bays are to be permanently identified by corresponding consecutive numbers.
6. Where multiple occupation of a building or site is proposed, the appropriate number of parking spaces under Part C.4 will be calculated for each unit occupancy individually and parking spaces either allocated to units as appropriate for best access or designated for common/visitor use. Where specific uses for the site have not been identified, car parking requirements will be calculated as if the site is to be used for the maximum permissible office space with the remainder as industrial uses, and not for warehousing or storage. This is to allow maximum flexibility for future occupation.

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7. Any visitor car parks required under Part C.4 are to be grouped together and physically identified by suitable signs and/or pavement markings. Such spaces are to be permanently available and reserved for the exclusive use of visitors to the premises.
  8. Proposed parking areas, truck docks, driveways vehicular ramps and turning areas are to be maintained clear of obstruction and used exclusively for purposes of car parking, loading or unloading and vehicular access, respectively. Under no circumstances are such areas or any portion thereof to be used for the storage of goods or waste materials.

### **F.3.7 Loading**

#### Intent

To ensure that provision is made for the safe loading and unloading of goods on the site without impacting on pedestrian and vehicular traffic in the street.

#### Performance Criteria

1. The design of the access and loading arrangements does not affect pedestrian and vehicular traffic in the surrounding streets.

#### Controls

1. Each tenancy is to have separate loading facilities. Shared or common loading docks for separate units may be acceptable for an integrated factory complex. In the case of an integrated factory complex, a clear and definable path of travel (minimum width 3m) is required so that goods can be moved from the loading dock to each unit. Where there is a grade separation from the loading dock to the unit there is to be a goods lift.
2. Council will not consider the enclosure of loading docks for conversion to industrial or ancillary office.
3. Loading facilities and vehicular access provision is to be in accordance with the requirements of Part C.4 taking into account the matters which follow:
4. Internal loading facilities such as lifts are to be provided for each tenancy. Suitably sized hoists are to be provided to upper level production, self storage and warehouse/storage areas including mezzanines.
5. Provision must be made for all loading and unloading of goods and manoeuvring of vehicles to take place in the internal docks areas and adjoining goods handling area. These areas are to be physically line marked and are to be maintained free of obstruction, for the sole use of delivery vehicles.
6. All deliveries to and from the site are to be conducted from vehicles standing wholly within the site and under no circumstances from vehicles standing kerbside in laneways, rights-of-way or in any public street.
7. Truck turning templates, for delivery and garbage trucks, are to be provided in accordance with Australian Standards 2890.2.

### **F.4 Environmental controls**

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## Intent

To protect the environment and amenity of:

- people living in the vicinity who could be adversely affected by a proposed development;
- workers in the area, both now and in the future; and
- the wider Sydney community.

### **F.4.1 Air Emissions and Liquid Waste**

#### Intent

- To control any air emissions from the site;
- To ensure that any liquid waste from the site is properly disposed of.

#### Performance Criteria

1. No furnace, kiln, boiler, chemical plant or other equipment capable of discharging emissions into the atmosphere may be installed if it will result in unacceptable levels of air pollution.

#### Controls

1. The discharge of any matter whether solid, liquid or gaseous onto the site, neighbouring land, public place or into any road, drain, pipeline or water course during demolition, evacuation, construction or subsequent occupation of the property is required to conform to the Protection of the Environment Operations Act 1997, or a pollution Control approval issued by the Department of Environment and Conservation for Scheduled Premises.
2. No industrial liquid waste may be discharged onto the site or neighbouring land, public place or into any road, drain, pipeline or water course if water quality could be reduced.
3. A trade waste outlet is required for liquid waste generating industries. Uses such as car wash facilities, photographic processing equipment and cafes would require a trade waste outlet to filter waste or provide a grease trap. The onus is on the applicant to check with Sydney Water with regard to all licenses for trade waste outlets.
4. Demolition materials are not to be burnt.

### **F.4.2 Acoustics and Hours of Operation**

#### Intent

- control noise by applicable guidelines;
- control noise emissions near residential areas.

#### Performance Criteria

1. The hours of operation of noise generating activities should be restricted to avoid any noise nuisance to surrounding properties.
2. Development is to be designed with noise control measures to minimise the possibility of noise transmission to the occupants of adjoining or neighbouring dwellings.

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3. Noise control measures should take into account all noise generating sources.
  4. Sources of noise such as garbage collection, deliveries, machinery, motors, parking areas and air conditioning plants are to be, where practicable, sited away from adjoining properties and where necessary, be screened by walls or other acoustical treatment.

### Controls

1. Developments are to be designed to comply with the following standards:
2. Recommended Background Planning Noise Levels
3. 

<u>Predominant Land Use of Receiver</u>	<u>L10 (15 mins) Background Noise Level – dB(A)*</u>	
Residential	35	
Shop or Commercial Office		60
Light Industry	65	

\*The background noise level should be at least 10 dB(A) below the recommended background level.
4. Noise levels are not to exceed the above limits at the nearest affected point of the land use receiver area from the noise generating source. All applications for noise generating industries should be accompanied by documentation from a qualified acoustic engineer certifying that the acoustic standards can be met. Noise mitigation measures around machinery and the property are to be submitted.
5. Note: Applicants should refer to the Environment Protection Authority’s Noise Control Manual for further details.

### Hours of Operation

Industrial premises in close proximity to residential areas or residentially zoned land are to have hours of operation that do would not interfere with the amenity of these areas. These hours would be restricted to 7 am to 6 pm Monday to Saturday with no work or activity being carried out on Sunday or public holidays. These hours may be further limited to protect residential amenity depending on the nature of the use.

The hours of operation for other permissible uses in the industrial area, such as places of public worship, recreation facilities and brothels will be determined on a case by case basis in accordance with their intended use.

Loading and unloading times (including waste collection) are not to detract from the amenity of nearby residential areas, or residentially zoned land. Where loading and unloading movements are likely to affect residential areas or residentially zoned land, schedules of vehicle movements and their routes must be provided and may be regulated in conditions of consent.

## **F.5 Sustainable Development**

Applications for Industrial Development are to submit a scorecard and provide Sustainable Development Information with the application (as outlined in Attachment 3). Applications for alterations, additions or fitouts (excluding changes of use) are to submit an ESD Report

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addressing how the relevant mandatory and optional sustainability measures in the Scorecard are addressed.