

## Chapter 3

# Industrial Development



## 3 Industrial Development

### 3.1 Objectives of this Chapter

The objectives of this Chapter are:

1. To promote and encourage industrial development in appropriate locations within the City of Lismore.
2. To ensure that industrial development does not adversely affect the amenity of any adjoining property or public place.
3. To achieve an overall high amenity in industrial areas by encouraging high standards of building design and by making provision for adequate landscaping.
4. To ensure that adequate access, parking and vehicles circulation areas are provided on site.
5. To ensure that adequate services are provided to cater for industrial development.
6. To ensure that industrial development in flood prone areas is compatible with the flooding characteristics of the site, and designed so that the likelihood of damage to buildings, stock and equipment from floodwater is minimised.

### 3.2 Definitions

The following is a list of industrial land uses and related land uses outside of the industry and rural industry group terms. A word or expression used in this chapter has the same meaning as it has in LEP 2012 unless it is otherwise defined in this chapter.

***boat building and repair facility*** means any facility (including a building or other structure) used primarily for the construction, maintenance or repair of boats, whether or not including the storage, sale or hire of boats, but does not include a marina or boat shed.

***bulky goods premises*** means a building or place the principal purpose of which is the sale, hire or display of bulky goods, being goods that are of such size or weight as to require:

- (a) a large area for handling, display or storage, and
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire, and including goods such as floor and window supplies, furniture, household electrical goods, equestrian supplies and swimming pools, but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods.

***depot*** means a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use, but does not include a farm building.

***freight transport facility*** means a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved.

**general industry** means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.

**hardware and building supplies** means a building or place the principal purpose of which is the sale or hire of goods or materials, such as household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like, that are used in the construction and maintenance of buildings and adjacent outdoor areas.

**heavy industrial storage establishment** means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and that requires separation from other development because of the nature of the processes involved, or the goods, materials, plant or machinery stored, and includes any of the following:

- (a) a hazardous storage establishment,
- (b) a liquid fuel depot,
- (c) an offensive storage establishment.

**heavy industry** means a building or place used to carry out an industrial activity that requires separation from other development because of the nature of the processes involved, or the materials used, stored or produced, and includes:

- (a) hazardous industry, or
- (b) offensive industry.

It may also involve the use of a hazardous storage establishment or offensive storage establishment.

**industrial training facility** means a building or place used in connection with vocational training in an activity (such as forklift or truck driving, welding or carpentry) that is associated with an industry, rural industry, extractive industry or mining, but does not include an educational establishment, business premises or retail premises.

**industry** means any of the following:

- (a) general industry,
- (b) heavy industry,
- (c) light industry,

but does not include:

- (d) rural industry, or
- (e) extractive industry, or
- (f) mining.

**landscaping material supplies** means a building or place used for the storage and sale of landscaping supplies such as soil, gravel, potting mix, mulch, sand, railway sleepers, screenings, rock and the like.

**light industry** means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:

- (a) high technology industry,
- (b) home industry.

**plant nursery** means a building or place the principal purpose of which is the retail sale of plants that are grown or propagated on site or on an adjacent site. It may include the on-site sale of any such plants by wholesale and, if ancillary to the principal purpose for which the building or place is used, the sale of landscape and gardening supplies and equipment and the storage of these items.

**rural industry** means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following:

- (a) agricultural produce industries,
- (b) livestock processing industries,
- (c) composting facilities and works (including the production of mushroom substrate),
- (d) sawmill or log processing works,
- (e) stock and sale yards,
- (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

**rural supplies** means a building or place used for the display, sale or hire of stockfeeds, grains, seed, fertilizers, veterinary supplies and other goods or materials used in farming and primary industry production.

**storage premises** means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land, and includes self-storage units, but does not include a heavy industrial storage establishment or a warehouse or distribution centre.

**timber yard** means a building or place the principal purpose of which is the sale of sawn, dressed or treated timber, wood fibre boards or similar timber products. It may include the cutting of such timber, boards or products to order and the sale of hardware, paint, tools and materials used in conjunction with the use and treatment of timber.

**transport depot** means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.

**truck depot** means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like.

**vehicle body repair workshop** means a building or place used for the repair of vehicles or agricultural machinery, involving body building, panel building, panel beating, spray painting or chassis restoration.

**vehicle repair station** means a building or place used for the purpose of carrying out repairs to, or the selling and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop or vehicle sales or hire premises.

**vehicle sales or hire premises** means a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.

**warehouse or distribution centre** means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made.

**wholesale supplies** means a building or place used for the display, sale or hire of goods or materials by wholesale only to businesses that have an Australian Business Number registered under the *A New Tax System (Australian Business Number) Act 1999* of the Commonwealth.

### **3.3 Design Standards**

#### ***Building Line Setbacks***

The setback from the street frontage to the building line should be no less than 6 metres. This area is to be landscaped in accordance with an approved landscape plan to be submitted with the Development Application. Generally, car parking will not be permitted in the landscape setback area.

On corner allotments requests to vary the setback requirement on the minor street frontage and/or permit off-street parking within the setback area will be considered on their merits. Applications for setback variations on corner allotments must demonstrate that visibility will not be impeded at the intersection.

For any development on land located immediately to the east of the proposed new location of East Street, South Lismore, the building line setback from the East Street frontage to the building line shall be not less than 3 metres. Direct vehicular access from this land to the realigned East Street is prohibited.

Where an industrial development (including related land uses outside of the industry or rural industry group terms) is proposed on land which is adjoining an existing residential use, a minimum 2 metres wide landscaped area is to be provided along the common boundary with the residential development.

A reduction in this landscaping setback on the boundary will be considered if allotment width is less than 20m and agreement is obtained from the adjoining neighbour.

#### ***Site Coverage***

No specific limitation applies to the percentage of the site which may be covered by a building or buildings. Each application will be considered on its merits but should demonstrate compliance with other requirements set out in this Plan, such as building line setbacks, landscaped areas, and the provision of vehicular parking, circulation and loading/unloading areas.

#### ***Access***

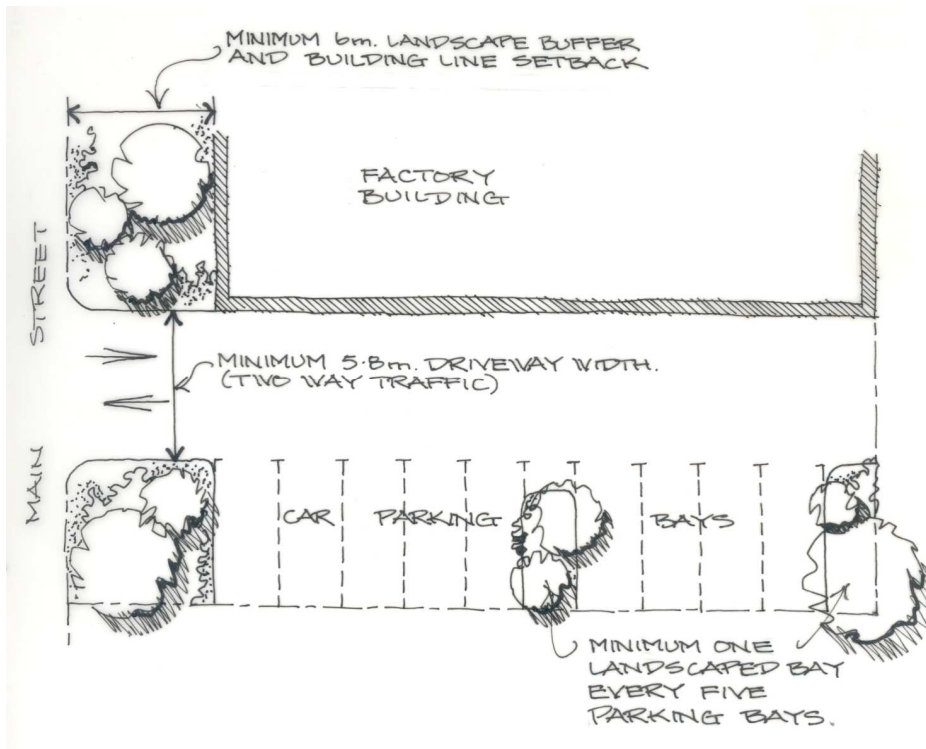
The design of driveways, access points and vehicular circulation areas is to be such that vehicular entry and exit from the site may be carried out in a forward direction. It is preferred that car parking and light vehicle traffic is separated from heavy vehicle traffic accessing loading and servicing areas.

All driveways shall be suitably signposted and indicate "Entrance", "Exit" and "Keep Left" as appropriate. Driveways shall be located so that any vehicle entering or exiting from the site is clearly visible to approaching vehicles or pedestrians.

#### ***Carparking***

On-site parking requirements for industrial development are set out in Chapter 7 – (Off Street Parking) of this Development Control Plan.

Car parking areas should be designed in accordance with the requirements of Chapter 7. They should permit ready access to the development and the public road network while being suitably screened from adjoining developments and public areas. The car park layout should utilise a logical and efficient internal circulation network thus reducing potential conflict for users of the car park. Appropriate landscaping is to be incorporated into the car park design. Landscaped areas should have a minimum width of two (2) metres with shade trees located in landscaped bays at a rate of approximately one per every five (5) car parking spaces.



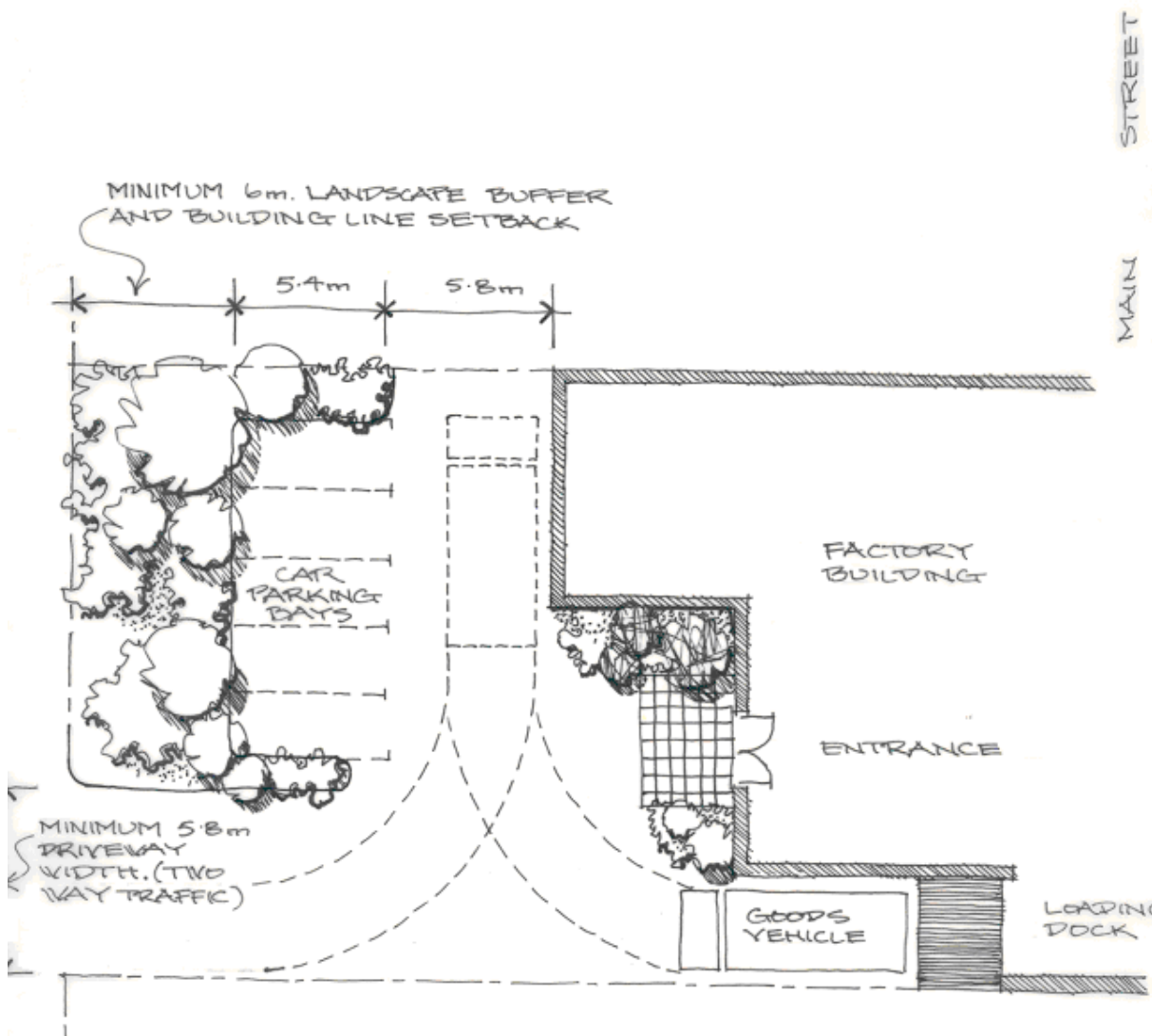
Internal roads and car parking areas shall be constructed of bitumen seal, or approved pervious pavements or similar material and are to be drained and marked to Council's satisfaction. Design details are to be submitted to Council for approval with the Development Application.

**Heavy Vehicles Servicing Areas**

Facilities should be designed in accordance with the requirement of AS 2890:2 – Parking Facilities Part 2 Off-street Commercial Vehicle Facilities and generally be a minimum width of 6.5 metres for two-way traffic and 3.5 metres for single lane.

### Loading Docks

Loading docks or bays shall be provided as part of the development to ensure that no loading or unloading of vehicles occurs within Council's road reserve. The dimensions of a loading bay will depend on the nature of the development and the type of vehicles involved in the delivery/pick up operations but they shall comply with the requirement of AS 2890:2 Part 2 Off-street Commercial Vehicle Facilities and should be no less than 7m x 4m so as to permit access and accommodation of a small rigid truck.



### Open Storage Areas

Open storage areas are to be identified on the site plan submitted with the Development Application and should be located behind the building line setback preferably behind any proposed or existing buildings. Open storage areas should be screened from view from the public roadway and adjoining properties, with the design of the screen to be approved by Council.

### Landscaping

Landscaping to Council's requirements is to be established within the building line setback areas and within the car park areas. A landscape concept plan, prepared in accordance with Council's *Landscape Guidelines*, is required to be submitted with the Development Application for approval by Council. A detailed landscape plan must be submitted with the Construction Certificate and should indicate the names, location and mature heights of all tree and shrub species to be used

together with the location of any mounded garden beds, grassed and paved areas. Landscaping should incorporate a mixture of trees, shrubs and ground covers, and garden beds should be mulched to reduce maintenance requirements. The use of mounded landscaped beds is encouraged to screen parking and service areas.



Large developments should make provision for an outdoor lunch area for staff in a suitably landscaped location.

### ***External Appearance and Building Materials***

Industrial buildings (including related developments outside of the industry or rural industry group terms) should be designed to be attractive as well as functional. Facades facing the street should be constructed in face brick or rendered and/or painted brick, concrete or masonry. Other materials such as pre-coloured metal sheeting will be considered where the use of these materials can be shown to be compatible with the architectural design of the building.

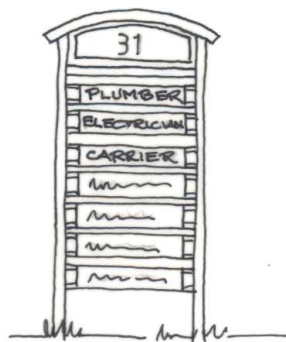
The use of ventilation and sun control devices such as roof ventilators, louvres, verandahs and awnings are encouraged to minimise energy requirements and improve the visual appearance of buildings.

### ***Fencing***

Security fencing will be permitted on the side and rear boundaries but should be located behind the designated landscape setback area along the street frontage. Ornamental fences may be erected within the designated landscape setback area as part of the landscape design.

### ***Signage***

Signage should be attractively designed in a style and colours which complement the amenity of the area. Where possible signs should be integrated into the overall design of the building. The number of signs for a single development should be restricted to those necessary to provide reasonable identification of the business or businesses located on that site. Where there is more than one business located on one site, Council encourages the use of a single integrated directory sign.



Standards for advertising signs are contained in Chapter 9 – Outdoor Advertising Structures. Typical signs which are permissible in the IN1 General Industrial and IN2 Light Industrial zone include:



	Maximum Size
* Above Awning Sign	1.4m <sup>2</sup>
* Business Signs	5m <sup>2</sup>
* Illuminated Sign - indirectly lit - internally lit	3m <sup>2</sup> 8m <sup>2</sup>
* Neon	4m <sup>2</sup>
* Pole or Pylon Sign	4m <sup>2</sup>
* Sky, Roof or Fin Sign	8m <sup>2</sup>
* Wall Sign	15m <sup>2</sup>

### ***Tradewaste (Effluent) Disposal***

Tradewaste is any discharge to the sewer that is not from domestic premises. Any effluent that is to be discharged to the sewer from industrial premises (including related land uses outside of the industry or rural industry group terms) must meet specific requirements as set out in Council's Trade Waste Policy. The effluent may require pre-treatment in order to bring it to within acceptable standards.

A Tradewaste Application must be submitted prior to the release of the Construction Certificate. A Tradewaste Agreement between Council and the owners of the premises will be required before any effluent can be discharged to Council's sewer.

### ***Stormwater Disposal***

All stormwater from roofed, paved and landscaped areas shall be piped to the nearest Council approved stormwater inlet in accordance with Council's Stormwater Specification.

Stormwater from areas which may contain pollutants in the form of solid, liquid or gaseous matter which could alter the physical, chemical or biological condition of the water shall be directed to the sewer following pre-treatment to the satisfaction of Council.

### ***Solid Waste Storage and Disposal***

Suitable provision is to be made for the on-site storage and collection of all solid wastes. An area for the separate storage of bulk waste, organics and recycling containers is to be provided behind the building line setback where it can be readily accessed and serviced by a waste collection vehicle. Waste storage areas are to be screened from the public roadway and from adjoining properties.

### ***Environmental Safeguards***

The design is to be taken into account any noise, air, odour and water pollutants that may be emitted from the premises. Full details of any emissions are to be included in the Statement of Environmental Effects to be submitted with the Development Application.

### ***Availability of Services***

Town water and sewer are available to all industrial land in the City of Lismore. Where some deficiencies in the capacity of services exist these have been previously identified and will be progressively upgraded.

Where a development site is required ahead of the scheduled upgrading, the work will be timed to co-ordinate with the development so that the provision of adequate water and sewer services do not place a constraint on industrial development.

Water and Sewerage Headworks levies will be applicable based on the load the development places on the water and sewer system as measured in Equivalent Tenements (ET's), where the load exceeds 1 ET.

The availability of other services (eg telephone, electricity, gas) should be checked with the relevant authority.

### ***Development on Flood Prone Land***

All development on land that has been identified as being flood liable in the Lismore Floodplain Management Plan is to be in accordance with the requirements of Chapter 8 - Flood Prone Lands.

### ***Section 94 Contributions***

Section 94 Contributions for industrial development apply for the following categories:

Urban Arterial Roads	(per m <sup>2</sup> site area)
Street Trees	(per lot)
State Emergency Services	(per ET)

Section 94 Contribution rates are contained in Council's Section 94 Contributions Plan. Additional contributions may apply to some areas on a site specific basis.

### ***Design Hints***

A typical industrial development (including related development outside of the industry or rural industry group terms) incorporating those design features necessary to achieve the objectives of this DCP is illustrated in Attachment 1.

## **3.4 Other Provisions**

### ***Bulky Goods Premises***

Retailing of items from bulky goods premises in the IN1 General Industrial or IN2 Light Industrial zone is permissible where the retailing is consistent with the definition of bulky goods premises which requires that the goods or materials are of such a size, shape or weight as to require a large area for handling, storage or display and/or direct vehicular access to the site of the building or place by members of the public, for the purpose of loading items into their vehicles after purchase.

Bulky goods premises should have a minimum gross floor area of 1000m<sup>2</sup> unless it can be demonstrated to the satisfaction of Council that a lesser area is warranted because of the nature of bulky goods to be retailed. Retailing from Industrial zones should not be in direct competition with the nature of retail activity in the CBD.

### ***Change of Use***

Where development consent has been issued for the purposes of a light industry, a warehouse or distribution centre or certain retail premises, covered by the provisions of this chapter, State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may be applicable. Where the SEPP applies, a change of use may be undertaken either as Exempt or Complying Development.

### ***Referral to NSW Roads & Maritime Services***

The following developments will be referred to the NSW RMS for comment as required by State Environmental Planning Policy (Infrastructure) 2007 – Traffic Generating Developments.

1. Buildings to be used for the purposes of an industry where the gross floor area of the building is equal to or greater than 20,000m<sup>2</sup>, or where an extension to an existing building to be used for the purposes of an industry has an area equal to or exceeding 20,000m<sup>2</sup>.

2. Freight transport facilities, warehouse or distribution centres, depots used for shipping containers or liquid fuel depots (or the extension of any existing freight transport facilities, warehouse or distribution centres, depots used for shipping containers or liquid fuel depots which increases by more than 8,000m<sup>2</sup> the area of land or the gross floor area of buildings to be used for that purpose).
3. Waste or resource management facility.
4. Buildings to be used for the purposes of an industry where the gross floor area of that building is equal to or exceeds 5,000m<sup>2</sup> (or where an extension to an existing building to be used for the purposes of an industry is equal to or exceeds 5,000m<sup>2</sup>) and where the land on which the development is proposed has direct access to an arterial road or the access is within 90 metres of the alignment of an arterial road.

Other industrial and non-industrial land uses, permissible within industrial zones may also be classified as traffic generating development under the SEPP and require referral to NSW Roads & Maritime Services.

### ***Siting of Certain Industries***

To ensure that various types of industry are compatible with surrounding land uses the following restrictions on the location of certain industrial development will apply.

#### *Light Industries*

Light industries, various retail premises and several non-industrial land uses considered to generate relatively minor environmental effects and may be located in IN1 General Industrial and IN2 Light Industry zones. Refer to LEP 2012 Land Use Table for detail.

#### *General Industries*

General industries and rural industries which may affect the amenity of a neighbourhood through the generation or emission of noise, vibration, smell, fumes, smoke, steam, soot, ash, dust, waste products etc should not be located adjacent to residential areas and are restricted to the IN1 General Industrial zone. Rural industries and several other land uses outside the industry and rural industry group terms are permissible in some of the rural zones. Refer to LEP 2012 Land Use Table for detail.

#### *Heavy Industries and Heavy Industrial Storage Establishments*

Heavy industries and heavy industrial storage establishments should be sited in locations where impacts on adjoining land uses can be minimised and which are isolated from residential areas. Developments in this category should generally be restricted to sites in the IN1 General Industrial zone in South Lismore west of Union Street and south of the Casino-Murwillumbah Railway, and in North Lismore in the Macaulay Street precinct, providing it can be demonstrated that sufficient separation from residential development can be satisfactorily achieved. Refer to LEP 2012 Land Use Table for detail.

### ***Zoning Controls***

The following industrial land uses and related land uses outside of the industry and rural industry group terms are permitted with development consent in the IN1, IN2, RU1 and RU2 zones:

<b>Zone</b>	<b>Land Use</b>
IN1 General Industrial Zone	Boat building and repair facilities, bulky goods premises, depots, freight transport facilities, hardware and building supplies, heavy industrial storage establishments, industrial training facilities, industries, landscaping material supplies, plant nurseries, rural industries, rural supplies, storage premises, timber yards, transport depots, truck depots, vehicle body repair workshops, vehicle repair

	stations, vehicle sales or hire premises, warehouse or distribution centres, wholesale supplies.
IN2 Light Industrial Zone	Boat building and repair facilities, bulky goods premises, depots, hardware and building supplies, industrial training facilities, landscaping material supplies, light industries, liquid fuel depots, plant nurseries, rural supplies, storage premises, timber yards, transport depots, truck depots, vehicle body repair workshops, vehicle repair stations, vehicle sales or hire premises, warehouse or distribution centres, wholesale supplies.
RU1 Primary Production Zone	Home industry, landscaping material supplies, plant nurseries, rural industries, rural supplies.
RU2 Rural Landscape Zone	Landscaping material supplies, light industries, plant nurseries, rural industries, vehicle repair stations.

Note: Refer to LEP 2012 Land Use Table for detail.

### 3.5 Information required to be lodged with Development Applications

Schedule 1 of the Environmental Planning and Assessment Regulation 2000 provides the information to be included in a development application. An overview follows (all documentation in triplicate):

1. A site plan indicating:
  - Location of buildings (proposed and existing)
  - Distance from boundaries
  - Location of any buildings on adjacent sites
  - Location of carparking areas, access ways, vehicular circulation areas and loading bays
  - North point.
2. All four elevations.
3. A floor plan of the building showing internal dimensions of each room and its intended use.
4. A cross-section through the building showing structure and levels of all floors.
5. A concept landscaping plan showing the location of the Council's sewer and indicating the overall landscaping strategy for the development.
6. A contour plan indicating contours at 1 metre intervals, finished floor levels of the proposed building, and any proposed cut and fill and retaining walls.
7. A certificate from a recognised practising Structural Engineer certifying that the design of the building has taken into account the soil and other geological foundation conditions relating to the site.
8. Details concerning surface and sub-surface drainage.
9. A Statement of Environmental Effects which includes the following information:
  - (a) an overview of the processing operations including inputs and outputs;
  - (b) the proposed hours of operation;
  - (c) a list of all materials and chemical products that will be stored on site;

- (d) whether the materials are to be stored in an enclosure (storage areas are to be indicated on the submitted plan);
- (e) whether washdown activities are proposed, and if so, the location of washdown areas are to be indicated on the submitted plan;
- (f) the type of waste materials to be generated on site;
- (g) what materials will be recycled;
- (h) where other waste materials are to be disposed of;
- (i) what waste will be discharged to the sewer;
- (j) details of any noise, odour or air pollutants that may be emitted from the premises;
- (k) details of any pollution control devices to be installed (eg oil separators, bunded walling, emission control, noise attenuators);
- (l) details of back flow prevention devices to be installed to prevent contamination of the reticulated water supply (in accordance with the National Plumbing and Drainage Code AS 3500 Part 1).

In addition to the above information Hazardous or offensive industries shall also include a Hazardous Analysis Report which identifies all hazards and risks associated with the operation or facility and the adequacy of proposed safeguards.

A Hazard Analysis Report shall include the following:

1. identification of all potential hazards associated with the development;
2. the estimated likelihood of hazardous incidents that have the potential to result in significant consequence;
3. recommendations for risk reduction using cost effective, technically feasible resources to limit the consequences and likelihood of Hazardous incidents.

Full details of the required content and format of Hazard Analysis Reports are contained in the Department of Planning and Infrastructure's "Hazardous Industry Planning Advisory Paper No. 6".

# ATTACHMENT I.

## DESIGN HINTS FOR A TYPICAL INDUSTRIAL DEVELOPMENT.

