

# CHAPTER 5.31 NORTH WYONG INDUSTRIAL AND ENTERPRISE PRECINCT

## 5.31.1 INTRODUCTION

The purpose of this Chapter is to provide specific development assessment guidelines for land within the North Wyong Industrial and Enterprise Corridor Precinct.

### 5.31.1.1 Objectives

- To provide direction and guidance for the orderly development of land
- To allow for a range of uses provided that new development does not present unacceptable risks to residential areas or other land by way of pollution, hazards or otherwise
- To ensure development visible from the Pacific Highway is of a high architectural standard and landscape amenity
- To intensify development in specific "gateway" locations within the estate
- To encourage the renewal and development of underutilised land within the B6 – Enterprise Corridor Zone
- To provide for a mixture of business and industrial land uses that are compatible with each other and adjoining residential areas
- To enhance the economic strength of the Wyong-Tuggerah Economic Zone without detrimentally impacting core industrial, retail and commercial functions

### 5.31.1.2 Land to which this Chapter Applies

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

### 5.31.1.3 Relationship to other Chapters

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 2.13– Transport and Parking
- Chapter 2.9 – Industrial Development
- Chapter 2.14 – Site Waste Management
- Chapter 3.1 – Floodplain Management
- Chapter 3.5 – Tree and Vegetation Management
- Council's Civil Works Specification

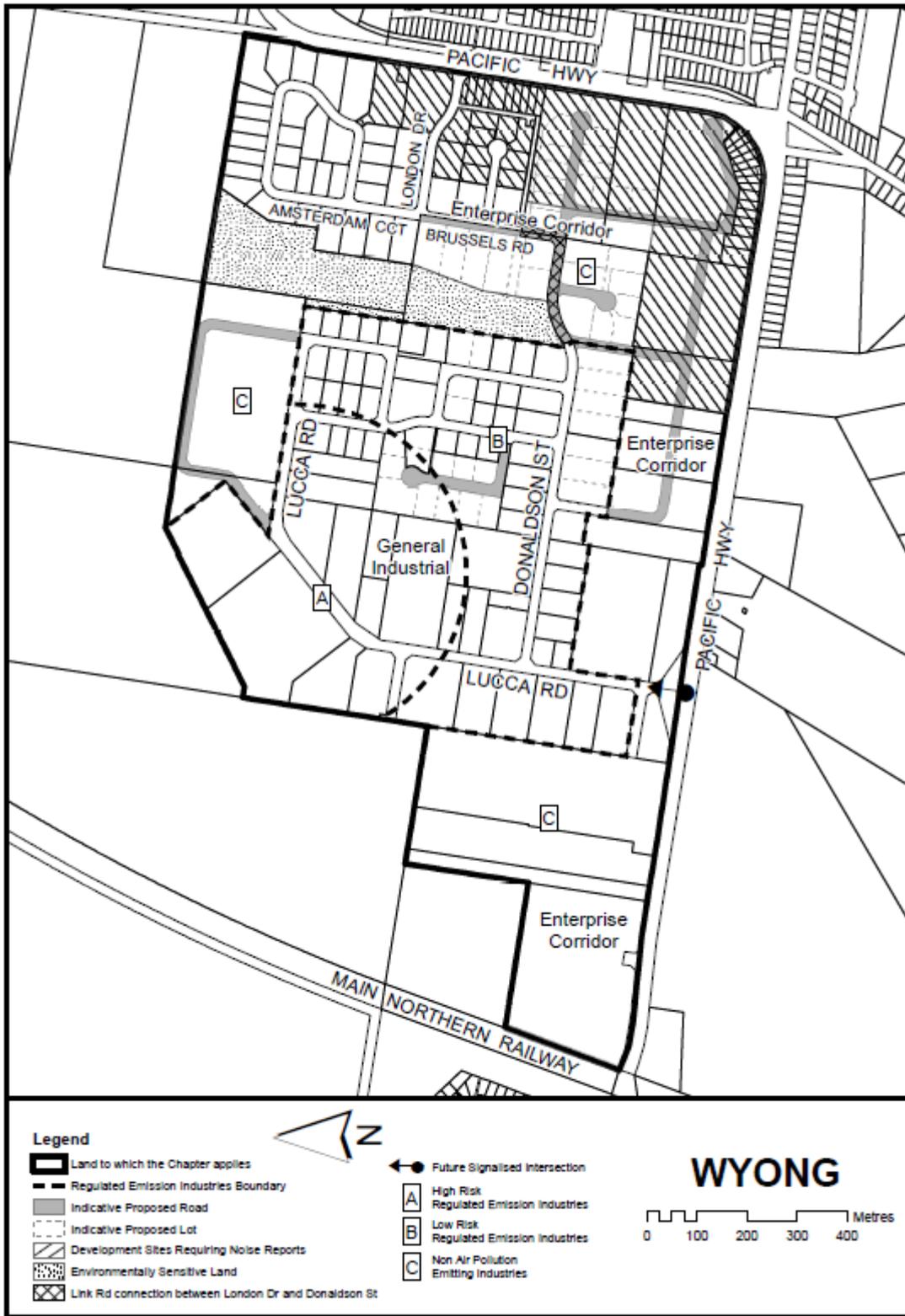
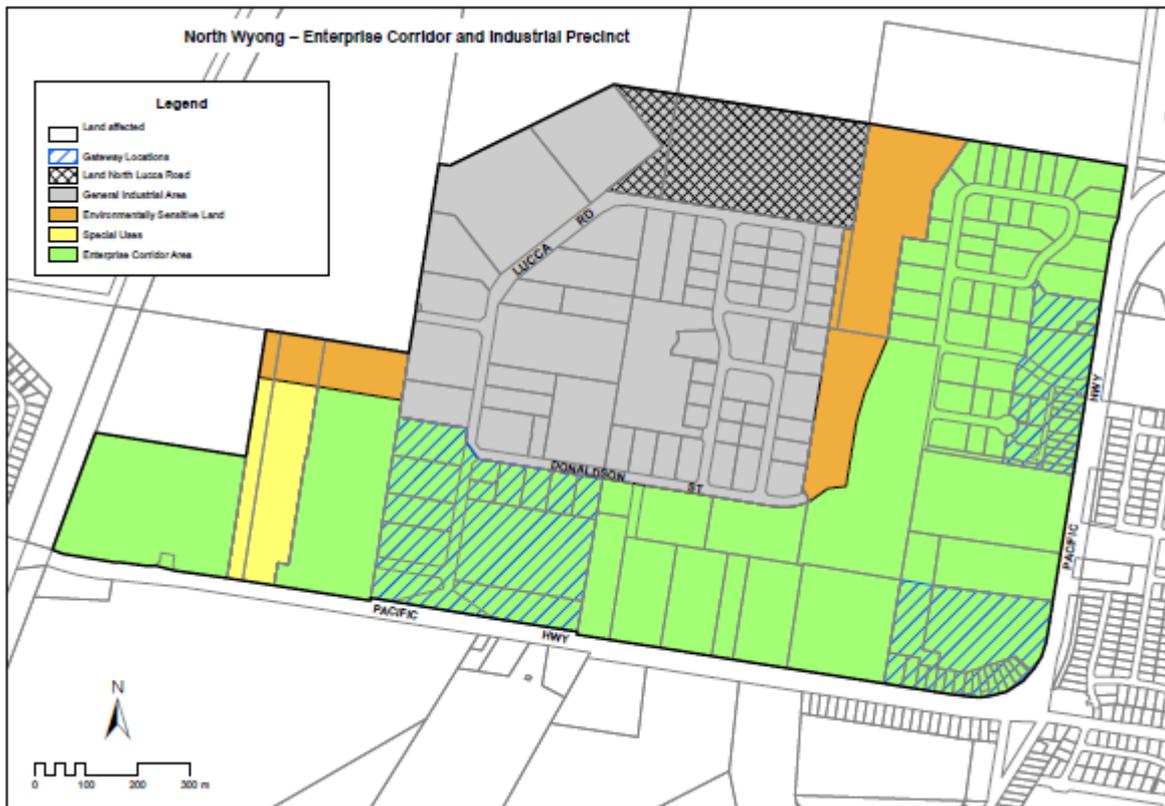


Figure 1 North Wyong Industrial and Enterprise Precinct



**Figure 2 North Wyong Industrial and Enterprise Precinct**

## 5.31.2 DEVELOPMENT PRINCIPLES

### 5.31.2.1 Central Coast Local Environmental Plan 2018 – Site Specific Provisions

Central Coast Local Environmental Plan (LEP) 2018 contains specific provisions that are to be considered for the development proposals within the North Wyong - Industrial and Enterprise Corridor Precinct and are to be read in conjunction with the DCP Chapter.

#### 5.31.2.1.1 Building Height and Floor Space Ratio Controls

In the B6 zone, a maximum floor space ratio (FSR) of 0.8:1 and building height of 12 metres shall apply.

A bonus FSR to 1.5:1 and height to 20 metres is permitted for high quality development if it is located at major access points to the arterial road network and locations where redevelopment is being encouraged (see Figure 2).

#### 5.31.2.1.2 Office Development

Development for the purposes of independent offices shall not exceed 30% of the total possible floor space of the entire B6 zone.

Development for the purposes of independent office premises shall not be less than 200 square metres.

#### 5.31.2.1.3 Bulky Goods Premises

A restriction of bulky goods premises to no greater than 2,000m<sup>2</sup> of floor space in the development of any site within the B6 zone shall apply.

## 5.31.2.2 Character Consideration

The precinct is expected to have two principle character types being the B6 - Enterprise Corridor Zone and IN1-General Industrial Zone (see Figure 2).

### 5.31.2.2.1 B6 – Enterprise Corridor Zones

The future character of the B6 –Enterprise Corridor Zone is to present an activity centre with an attractive presentation to the Pacific Highway corridor and gateway locations where development incentives are available.

Activation of development at gateway locations may contribute to this character and encourage redevelopment of existing residential areas fronting the Pacific Highway. Taller building elements should be used to provide variable roofscape and help define the precinct.

Mixed use developments promoting shop top housing need to be sensitively located in order to provide for the amenity of future occupants.

### 5.31.2.2.2 IN1- General Industrial Zones

The future character of the IN1-General Industrial Zone is to provide for a range of general industrial uses. Continued expansion of this part of the precinct as a major manufacturing and industry hub in the Wyong-Tuggerah Centre is expected. New development will need to ensure that it does not pose unacceptable risks to adjoining and sensitive land uses which are located both within and outside of the precinct.

## 5.31.2.3 Building Design and Appearance

### OBJECTIVES

- To encourage a high visual standard and operational compatibility between land zoned B6 - Enterprise Corridor, IN1-General Industrial, public lands, major transport corridors and residential uses
- To promote development of a visually attractive form, integrating the built and natural environments
- To encourage Ecologically Sustainable Development (ESD) by the incorporation of measures promoting energy efficiency and treatment/reuse of stormwater

### REQUIREMENTS

- a Building design must have regard for potential mixed use developments and compatibility between uses and current and future occupants. 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 habitable areas including commercial and residential;
  - ii use of suitable insulation to habitable areas and;
  - 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 to minimise potable water use; and provision of facilities to encourage public transport, pedestrian and cycle trips (showers, lockers, racks etc.);
- b 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 10 metres for buildings up to 12 metres in height and 15 metres for buildings up to 20 metres in height.
- c 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 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 development application.
- d 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, facing the principle street.
- e Corner site building designs shall be scaled to emphasise the corner and shall address both street frontages, avoiding blank walls.
- f 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.
- g Building elevations visible from the Pacific Highway corridor shall present an interesting visual appearance including articulation to break up large wall areas or other architectural means to add interest and variety to any large building facade.

### 5.31.2.4 Design Safety and Security

#### OBJECTIVES

- To design the built environment to increase the perception of risk to persons engaged in crime, by increasing the possibility of detection, challenge and capture
- To contribute to the safety of the public domain
- To reduce the actual perceived crime rewards and excuse making opportunities

#### REQUIREMENT

Building design is to incorporate the principles of Crime Prevention through Environmental Design. Such principles include (but are not limited to):

- a Enabling natural (or passive) surveillance such that normal space users are able to see and be seen by others going about their normal business.
- b Incorporation of access control measures including both physical and symbolic barriers to channel and direct pedestrian and vehicle movement.
- c Territorial reinforcement measures to define public and private space. This is to be achieved by design features, actual and symbolic boundary markers and space legibility.
- d Pedestrian access and egress routes being clearly defined and appropriately lit, visible to others and provide direct access from car parking and public transport facilities.

### 5.31.2.5 Acoustic and Lighting Controls

#### OBJECTIVE

To ensure that residents in the area do not have their amenity unduly impacted upon by noise and light emissions from future development on the land

#### REQUIREMENTS

- a Development on the subject land will be required to meet the requirements of the Environment Protection Authority (EPA) *Industrial Noise Policy* (EPA 2000) in evaluating appropriate noise attenuation from any nearby properties.
- b External sources of lighting for security will need to be designed to comply with Australian Standard (AS) 1158 1999 or AS 1680.2.1 as appropriate. Night lighting is to be integrated into the surrounding landscaping to provide continuous lighting levels for security and direction.

### 5.31.2.6 Landscaping

#### OBJECTIVES

- To maintain and enhance mature vegetation within the estate and wherever possible
- To promote development of a visually attractive form, integrating the built and natural environments
- To encourage a high visual standard and operational compatibility between the industrial estate, public lands, major transport corridors and residential areas
- To utilise landscaping to contribute to the attractiveness and character of development within the North Wyong Enterprise Corridor and Industrial Precinct
- To provide attractive landscaping whilst still maintaining the visual prominence of the commercial enterprise corridor

#### REQUIREMENTS

- a Landscape Assessment and Design Reports shall be submitted with any development application for:
  - i any development adjoining (or within 60m of) the Pacific Highway; or
  - ii 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.

*Note: Also refer to Council's "Information Requirements for development applications" and other relevant chapters of this DCP*

- b Landscaping within the front setback shall include provision of native shade trees, shrub layer and plantings of groundcovers designed to soften the visual impact of 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 access ways.
- c Council will encourage the retention and incorporation of existing site vegetation into the development.

- d 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.

### 5.31.2.7 Signage

#### OBJECTIVES

- To promote development of a visually attractive form, integrating the built and natural environments
- To limit the visual impact of development within the North Wyong Industrial Enterprise Precinct

#### REQUIREMENTS

- a Two directory boards will be permitted at each road intersection with the Pacific Highway. There shall be a unified design theme for all such signage, and each sign shall require development consent. In addition:
- i Each directory board shall be a maximum of 7.0m high and have a maximum total face area of 25m<sup>2</sup>; and
  - ii directory board design criteria are provided within Chapter 2.15.
- b 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.

### 5.31.2.8 Parking and Access

#### OBJECTIVES

- To limit the visual, noise, air and traffic impacts of development within North Wyong Industrial Enterprise Precinct
- To limit the impact of development on the amenity of existing and future residential uses, public lands and major transport corridors
- To help ensure satisfactory vehicle circulation in the locality

#### REQUIREMENTS

- a Site access is to be in a manner that separates potentially conflicting users and minimises impacts on neighbourhood amenity.
- b The car parking area is to be designed in accordance with the requirements of Chapter 2.13 – Transport and Parking - and AS/NZ2890. If the proposed use is not covered by the DCP, then the applicant will need to demonstrate that the proposed parking provision is adequate.
- c Visual impacts are to be minimised by screen landscaping along road verges, within setbacks and in the car park area.
- d Lots larger than 4000m<sup>2</sup> should provide parking, loading and manoeuvring areas at the rear of the site where possible, to improve streetscape presentation to the primary road.
- e 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 direction. 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.

- f 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.

*Note: As an alternative for lots smaller than 4000m<sup>2</sup>, a draft 88B instrument may be submitted restricting future use of the lots to that capable of being serviced by smaller vehicles.*

- g No direct access from the Pacific Highway shall be permitted; this also includes development requiring temporary access to the Pacific Highway.

### **5.31.2.9 Flooding**

#### **OBJECTIVE**

To appropriately manage flooding and drainage impacts

#### **REQUIREMENTS**

- a All development is to comply with Council's Civil Works Specification and Chapter 3.1. – Floodplain Management.
- b All development is to comply with the Porters Creek Floodplain Risk Management Plan.

*Note: Areas of the North Wyong – Enterprise Corridor and Industrial Precinct are affected by Council's Flood Planning Areas. These areas are located adjacent to the lower floodplain of Porters Creek where inundation is caused by a combination of overland flow from the catchment and backwater from Wyong River. As a result few opportunities exist to reduce the risk of flooding with drainage measures. In order to address this issue the Porters Creek Floodplain Risk Management Plan recommends the extension of levee bunds to protect certain properties where other flood risk management measures are unsuitable. These works include the extension of the levee bund to the rear of properties bordering Lucca Road. Other specific flood management requirements have been identified for land North of Lucca Road (see Section 3.4).*

## **5.31.3 SPECIFIC DEVELOPMENT REQUIREMENTS**

### **5.31.3.1 Road Hierarchy and Layout**

#### **OBJECTIVES**

- To limit the visual, noise, air and traffic impacts of development within and external to the North Wyong Enterprise area
- To help ensure satisfactory vehicle circulation in the locality
- To ensure the safe and efficient movement of traffic on the road system and within the site
- To ensure satisfactory access to public transport

#### **REQUIREMENTS**

- a Road reserves shall be located generally in the position shown in Figure 1 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, as generally indicated in Figure 1, subject to future acquisition and adoption by Council.
- c All through roads or roads servicing adjoining properties are to be constructed to the property boundary at Stage 1 of any development.
- d Future development of the site will require the upgrading of the intersection of Pacific Highway and Lucca Road to Traffic Control Signals, however the construction of the proposed road link between Donaldson Street and Brussels Road will delay the need for these works.
- e Some land fronting the Pacific Highway may be required for future road widening by the Roads and Maritime Services (RMS). The RMS should be consulted to confirm the whether the property is affected by road widening and exclude any improvements from these areas.

### 5.31.3.2 Pacific Highway Setbacks

#### OBJECTIVES

- To promote development of a visually attractive form, integrating the built and natural environments
- To encourage a high visual standard and operational compatibility between the industrial enterprise precinct, public lands, major transport corridors and adjoining residential areas

#### REQUIREMENTS

- a A 5 metre building line from the Pacific Highway shall apply to all development. No development is permitted in this area other than landscaping and driveway accesses. This area shall be landscaped in accordance with Section 2.6. No development shall be permitted in this area other than landscaping and driveway access.

*Note: Setback requirements may also be affected by any sight line or road acquisition areas requirements of the RMS or Council.*

- b Where development exceeds 10 metres in height and fronts the Pacific Highway, the development application shall identify measures to reduce the visual impact of the development on the Pacific Highway corridor and surrounding residential area.

### 5.31.3.3 Future Residential Amenity and Residential Uses

#### OBJECTIVES

- To encourage a high visual standard and operational compatibility between the industrial enterprise precinct, public lands, major transport corridors and adjoining residential areas
- To limit the visual, noise, air and traffic impacts of development within and external to the North Wyong Enterprise area
- To provide for the amenity of existing and future residential occupants

#### REQUIREMENTS

- 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 EPA) where appropriate). Noise levels are to be consistent with the requirements of the EPA *Industrial Noise Policy* and RMS *Environmental Criteria for Road Traffic Noise*.

- b Development applications for new developments within the area identified in Figure 1 as Development Sites Requiring Noise Reports, 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 Industrial buildings proposed 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.
- e Any Shop-top housing proposal is to comply with the requirements of Chapter 2.4 - Residential Flat Buildings and Shop-Top Housing.

*Note: Central Coast LEP 2018- details the floorspace restrictions for shop top housing on land in B6 - Enterprise Corridor Zone*

### **5.31.3.4 Land North of Lucca Road**

Refer to Figure 2 to identify where this section applies. –

#### **OBJECTIVE**

To ensure that stormwater is appropriately managed in this locality, specifically with regard to Water Sensitive Urban Design and flood water management

#### **REQUIREMENTS**

##### **5.31.3.4.1 Water Quality**

All developments shall comply with Council's Civil Works Specification and Chapter 3.1 – Floodplain Management.

##### **5.31.3.4.2 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 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:
  - i pumping to the rock lined channel through use of a solar powered pump; and/or
  - ii 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 firefighting 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 firefighting 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.

### 5.31.3.5 Development Adjacent to Environmentally Sensitive Land

#### OBJECTIVES

- To ensure the incorporation of ESD principles into development design and construction
- To necessitate the incorporation of measures for the treatment/reuse of stormwater and mitigation of environmental impacts on adjoining sensitive lands

#### REQUIREMENTS

- 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 Figure 1). 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.

### 5.31.3.6 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 and Enterprise Corridor Precinct may represent unjustifiable risk to adjacent residential uses, properties, public uses or to other occupants of the industrial/ enterprise 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.

#### OBJECTIVES

- To provide requirements for industry or scales of industry expansion, that may by their presence within the North Wyong Industrial and Enterprise Corridor Precinct represent unjustifiable risk to adjacent residential uses, properties, public uses or to other occupants of the industrial area
- To minimise the risk associated with emissions generating industries on the biophysical environment and human health through land use controls

## REQUIREMENTS

### 5.31.3.6.1 High Risk Regulated Emissions Industries

High risk regulated emissions industries will be restricted to Area A, as shown in Figure 1. 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:

- a licensed for air emissions by Office of Environment and Heritage (Environment Protection Authority) - Protection of the Environment Operations Act 1997 (Schedule 1);
- b that are designated development - Environmental Planning and Assessment Regulation 2000 (Schedule 3);
- c listed under National Environment Protection Measures Ambient Air Quality - National Environmental Protection Council Act 1994.

### 5.31.3.6.2 Low Risk Regulated Emissions Industries

Lower risk regulated emissions industries shall be located in Area B (see Figure 1). 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.

### 5.31.3.6.3 Other Industries

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

### 5.31.3.6.4 Prohibited Industries

Industries classified as offensive and hazardous in accordance with the provisions of State Environmental Planning Policy (SEPP) 33 are prohibited in the North Wyong Industrial Estate, in accordance with the requirements of Central Coast LEP 2018.

### 5.31.3.6.5 Risk Assessment

- a Any development application for a new or expanding regulated emission industry within the North Wyong Industrial and Enterprise Corridor Enterprise Precinct 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.
- b 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.

### 5.31.3.7 Land Contamination with B6 - Enterprise Corridor Zone

All development proposals are required to consider the potential for any existing site contamination impacting on future land uses. A Preliminary Contaminated Lands Assessment was provided as part of the rezoning process for the B6 - Enterprise Corridor rezoning which identified sites where historic land uses have increased the potential for site contamination to be present and are likely to require management prior to changes in land use. The identified sites will require further investigation with regard to potential on-site contamination due to historic land use.

## OBJECTIVE

To provide proponents with information that can be used to supplement the requirement to consider potential site contamination in preparing a development proposal

## REQUIREMENT

- a Consideration of Appendix A – Potential site contamination risks where there is a potential risk of site contamination.

*NOTE: This supplementary information was provided for applicants and landowners. The information was prepared by Douglas Partners in 2013 to support the B6 – Enterprise Corridor Planning Proposal. All development proposals must consider all relevant Council and State Government Policy including SEPP 55-Remediation of Land*

# APPENDIX A – SITES IDENTIFIED WITH POTENTIAL SITE CONTAMINATION HISTORY

(Source Potential Site Investigation – Rezoning on the North Wyong Industrial Estate – B6 - Enterprise Corridor Zone (October 2013)

