

# Richmond Valley Development Control Plan 2021

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## Part C Industrial Development

This DCP applies to all land within the Richmond Valley Local Government Area.

Date adopted by Council:  
22/06/2021

Effective Date:  
01/08/2021

Amendments:  
Nil

DCP Part C - Industrial Development provides controls for development within the IN1 General Industrial Zone.

The range of permitted developments within the IN1 General Industrial Zone extend beyond those that would strictly fall within the definition of 'Industry' in *the Richmond Valley Local Environmental Plan, 2012*. Therefore, the term 'industrial development' when used in Part C refers to the range of land uses permitted in the IN1 General Industrial Zone under the LEP.

Part C also guides similar developments permitted in the RU5 Village Zone.

Industrial areas are essential to support the economic productivity of an area, provide employment opportunities and provide spaces for activities requiring larger lots and buildings and in some cases separation from other land uses.

Industrial areas require careful consideration to ensure the development is functional, positively contributes to the streetscape of the area and minimises adverse impacts upon the surrounding area. Emphasis is given to buildings and layout that improves the amenity of an area.

## Part C Industrial Development

### C-1 General Objectives

The general objectives are to:

- (a) ensure new development within the IN1 General Industrial zone provides functional and efficient areas for buildings, vehicle movements and parking, storage areas and landscaping.
- (b) provide for a wide range of light industrial development, and increased employment opportunities within appropriate areas.
- (c) encourage development within industrial areas which is functional, compatible with the desired streetscape and provides buildings and land uses that are appropriate to their context.
- (d) Development within industrial areas is compatible with the surrounding development.
- (e) Guide similar development forms permissible in the RU5 Village zone.

### C-2 Building Height

#### C-2.1 Objectives

- (a) The building height is consistent with the desired scale and character of the street and locality and provides an acceptable impact on the amenity of adjoining properties.

#### C-2.2 Design criteria

##### (1) Building Height

The *Richmond Valley LEP 2012* establishes a maximum building height of 8.5m within the IN1 General Industrial Zone.

##### (2) Consistency in Scale

Development adjoining non-industrial land uses, particularly residential development or public spaces, shall provide a suitable transition in height and scale to avoid overshadowing, privacy, bulk and scale impacts to the adjoining land uses.

### C-3 Building Setbacks

#### C-3.1 Objectives

- (a) Provide adequate separation between industrial development and adjoining properties and public spaces.
- (b) Achieve an appropriate transition between industrial development on the fringe of Industrial zones and surrounding development.
- (c) Ensure new industrial development is compatible with the desired streetscape character.
- (d) Mitigate the visual intrusion of building bulk on neighbouring properties, particularly on the interface with residential development and other sensitive land uses.

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### C-3.2 Design criteria - Street, Side and Rear Boundary Setbacks

#### (1) Street Setbacks – IN1 General Industrial Zone

- (a) Buildings must have a minimum 6 metre setback from the primary road frontage.
- (b) A secondary or parallel road frontage adjoining residential development – must have a minimum setback of 3 metres.
- (c) A secondary or parallel road frontage not adjoining residential development— must have a minimum setback of 2 metres.

#### (2) Side and Rear Boundary Setbacks – IN1 General Industrial Zone

- (a) Where industrial development sites share side or rear boundary with residential land uses, or other sensitive land uses, the minimum side and rear boundary setbacks apply:

Building Height	Minimum required setback from from each side boundary
0m – 4.5m	= 0.9m
> 4.5m	= (building height – 4.5m) ÷ 4 + 0.9m

- (b) In all other cases, a nil setback to the rear and side boundaries may apply, subject to requirements of the Building Code of Australia and consideration of adverse impacts upon any adjoining property as outlined below.

#### (3) Street, Side and Rear Boundary Setbacks – RU5 Village Zone

- (a) Refer to the setback requirements in Part I-3.

#### (4) Circumstances Which Require Increased Setbacks

- (a) The setbacks for development in the IN1 General Industrial and industrial development in the RU5 Village Zone 3 are minimum setbacks. Where the scale of the side or rear elevation is likely to result in significant overshadowing, visual intrusion, privacy or amenity impacts on adjoining sensitive land uses, an increased setback may be required.

#### (5) Foreshore Building Line Setbacks

If a foreshore building line setback applies, no part of the building or any parking will be permitted within the foreshore building line setback, which is:

- (a) in Zone IN1—15 metres
- (b) In Zone RU5 – 15 metres

See Part I-3 for further details regarding the Foreshore Building Line.

#### (6) Heavy Industrial Storage Establishments –

- (a) Heavy industrial storage establishments are likely to require significantly greater separation from other development, particularly sensitive land uses. The suitability of a particular location and setbacks required for this type of development will need to be determined on a case by case basis.

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

## C-4 Streetscape and Built Form

### C-4.1 Objectives

- (a) Ensure that all elements of a development make a positive contribution to the locality, particularly where sites are located at the entrances to towns, are visible from main roads, residential areas or other public places such as parks and reserves.
- (b) to utilise the building design, materials, layout, parking, landscaping and screening to improve the amenity of the area.
- (c) integrate new development with existing surrounding land uses in the area.
- (d) to provide attractive and functional areas between the public road and the building frontage.
- (e) To ensure development relates sympathetically to nearby and adjoining sites particularly residential land uses and public spaces.
- (f) To reduce land use conflict between residential and non-residential land uses

### C-4.2 Design criteria

#### (1) General Requirements

To ensure that the external appearance of building elements make a positive contribution to the streetscape, the following principles should be employed:

- (a) Use non-industrial aspects of the development, e.g. Offices, to address and activate the street.
- (b) Where visible from the street, the façade should be articulated as outlined below.
- (c) Where blank walls are unavoidable in a street facade, landscape screen planting is to be utilised to reduce visual impact of the building when viewed from the public domain or residential development.
- (d) Ventilation, exhaust systems, motors and other similar plant shall be suitably screened where located on the exterior of the building.
- (e) The following materials are not suitable for use on any elevation facing a street, residential dwelling, or where visible from public place such as a park or reserve, or town entry road, unless suitable screening or landscaping can be applied:
  - un-rendered and uncoloured brick or concrete block.
  - uncoloured corrugated iron, cliplock or any other similar metal.

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- Highly reflective materials are not acceptable for roof or wall cladding.
- (f) No area for work or storage purposes is permitted within street setbacks.
- (2) Articulation zone**
  - (a) An articulation zone element may encroach up to 1.5 metres into the setback of a primary road frontage.
  - (b) The following building elements may be located in the articulation zone:
    - Part of a reception, office or showroom area, or the like, with at least one window (minimum area 4m<sup>2</sup>) facing towards the street and a clearly visible entry door (not a roller door)
    - An open form entry feature, awning or portico
  - (c) The maximum total area of all building elements within the articulation zone is 15m<sup>2</sup> or two thirds of the width of the façade, whichever is greater.
  - (d) Blank walls are not permitted in the articulation zone.
  - (e) The maximum height of an articulation zone element is 4 metres above the ground floor level of the development.
  - (f) The area under an open articulation element such an awning shall not to be used for parking, storage or as a work area.
  - (g) Materials and finishes shall comply with the general design criteria in C-4(1) above.

### **(3) Open Storage and Work Areas**

If open storage or work areas are proposed, full details of the materials stored and work practices in the area are to be provided. Such areas to be located at the rear of buildings, screened from view with permanent screening such as fencing, and may be required to be set back from boundaries, particularly where these adjoin sensitive land uses.

Open work areas are not suitable for any activity likely to generate dust, noise or odours.

### **(4) Signage**

Some Business Identification Signage may be undertaken as Exempt Development in accordance with *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Part F of the DCP provides further information on signage.

## C-5 Landscaping

### **C-5.1 Objectives**

- (a) Landscaping allows for the visual impact of development to be softened and contributes to streetscape amenity.

### **C-5.2 Design criteria**

- (1) Landscaping should be concentrated in the street setbacks of the premises although may also be required on other boundaries where it adjoins non-industrial land uses and public places.

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- (2) A Landscaping plan shall be submitted providing the following minimum requirements:
- A minimum 2.0 metre deep landscaping strip must be provided within the property, along the site boundary.
  - Along a secondary or parallel roads, a 1.0 metre deep landscaping strip must be provided within the property, along the site boundary.
  - Landscaping areas are required to be located within an edged garden bed.
  - Landscaping should include at least one canopy tree, in conjunction with screen shrubs and ground covers.
  - Species should be selected for their relatively fast growth, low water demand, and easy maintenance characteristics.
  - Avoid landscaping that obscures natural surveillance.
  - Landscaping is to be protected from vehicle damage by a dwarf wall or kerb and is to be maintained throughout the duration of the development.

Refer to Chapter I-5 for further details on landscaping.

## C-6 Fencing

### C-6.1 Objectives

- (a) To allow for fencing which meets the needs of the development for safety and security, while maintain an attractive streetscape.

### C-6.2 Design criteria

- (1) Fencing within the setback to the primary road frontage should be open form, with a maximum height of 1.5 metres.
- (2) Where there is a demonstrated security requirement at the site, chain wire or mesh fencing with a maximum height of 1.8 metres may be permitted forward of the front building line.
- (3) The style and height of the fence behind the front building line must be of a compatible style with the surrounding area where it adjoins public spaces or residential areas.
- (4) An electrical fence, barbed wire, or other similar styles of security fencing will only be supported where there is a demonstrated security requirement at the site, and will not be supported within the street setback area or on a shared boundary with residential development.
- (5) Acoustic fencing and or other treatments may be required for noise generating development adjacent to sensitive receivers.

## C-7 Noise and Other Amenity Impacts

### C-7.1 Objectives

- (a) Ensure industrial development minimises the noise impact on surrounding uses.
- (b) Ensure industrial development provides adequate amenity for adjoining properties and public land

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### C7.2 Design criteria – Noise

- (1) Sources of development noise, from machinery, vehicles, loading areas, motors and plant, are to be located away from sensitive receivers and/or be acoustically treated.
- (2) All noise generating equipment must be designed to protect the acoustic amenity of neighbours and surrounding land uses. All noise generating equipment must be acoustically treated and/or screened to meet the project specific noise criteria as determined by the *NSW Industrial Noise Policy*.
- (3) Potential noise generating development, particularly where sensitive noise receivers are nearby, should include an acoustic assessment prepared in accordance with the New South Wales Industrial Noise Policy. See Chapter I-7 for further details.

### C-7.3 Design Criteria - Other Amenity Impacts

- (1) Industrial development on an interface with residential accommodation and other sensitive uses such as parks, childcare centres and community facilities sensitive is to be compatible with its surroundings, having regard to the physical impacts of the development (including noise, odour, overshadowing, view loss, privacy, traffic and parking, loading, hours of operation, constraints on development of the adjoining sites).

## C-8 Safety and Security

### C-8.1 Objectives

- (a) Reduce opportunities for crime through building layout, orientation and location, and the strategic use of design, landscaping and lighting.

### C-8.2 Design criteria

- (1) The design of any proposed development need to demonstrate compliance with the Crime Prevention Through Environmental Design (CPTED) guidelines.  
More information concerning Crime Prevention Through Environmental Design (CPTED) is outlined within Chapter I-10 of this DCP.
- (2) Safer design features include: Having clearly defined public/private spaces, good natural surveillance by incorporating open windows or doors where people are working, avoiding steps in the building which create hiding and entrapment areas and adequate security.

## C-9 Parking, Loading and Access

### C-9.1 Objectives

- (a) To ensure sufficient car parking is provided on-site to satisfy the likely peak parking demands of the development.
- (b) To create an attractive streetscape.
- (c) To ensure facilities are provided within an industrial development for the loading and unloading of goods.
- (d) To ensure access to sites minimises the impact on adjoining residential development.

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### C-9.1 Design criteria - Vehicular Access and Loading Facilities

- (1) Vehicular access shall be:
  - (a) to a standard determined by Council's Engineering section,
  - (b) generally in accordance with Council's Vehicular Accessway Policy, the *Northern Rivers Development and Design Manual*, and Australian Standards (AS2890).

Generally the following standards will apply:

- Provision is to be made for a minimum six (6) metre wide heavy duty driveway.
  - All loading and unloading areas shall be located wholly within the property.
  - Council will assess the need for pavement widening or re-alignment in some instances.
- (2) To minimise impacts on adjoining residential development, site access points should not be located on secondary or parallel roads on an interface with residential development.

### C-9.2 Design Criteria - On-Site Carparking

- (1) Car parking shall be required in accordance with Table C-6 and Chapter I-4. Refer to Chapter I-4 for a number of exceptions to the required
- (2) An accessible space with compliant travel paths to the principal entrance is to be provided.

**Table C-6 Minimum On-site Car Parking Requirements for Industrial Development (see Chapter I-4 for further development types)**

Land Use	Parking Rate*
<b>Industrial Development</b>	
Vehicle repair stations	4 per hoist & workbay
Body Repair Stations	2 per hoist & workbay
General (Light) Industry	1 per 50 m <sup>2</sup> of GFA
Bulky goods premises Warehouse or distribution centre	1 per 300 m <sup>2</sup> of GFA
Waste or Resource Management Facility	1 per employee
Storage Sheds	Adequate manoeuvring areas (trailer and vehicles) with isles wide enough for 2 vehicles to pass safely
Depot Truck Depot Transport Depot	Sufficient off-street employee and visitor parking to satisfy peak demand, plus 1 truck space for each vehicle present at the time of peak vehicle accumulation.
Rural Industries	1 per 50 m <sup>2</sup> of GFA
<b>Notes.</b>	
<ul style="list-style-type: none"> <li>• GFA = Gross Floor Area</li> <li>• Reference to the number of employees is reference to the peak number of employees on duty at any one time.</li> </ul>	



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### C-10 Stormwater and Sewage and Services

#### C-10.1 Objectives

- (a) To ensure adequate provision is made for connection of sewage, water and stormwater.
- (b) To ensure adequate provision is made for other services

#### C-10.2 Design criteria

##### Sewage and Stormwater

- (1) All stormwater is to be directed to Council's stormwater drainage system or to an inter-allotment drainage easement via an approved method.
  - Surface water must not be directed onto adjoining properties.
  - Water Sensitive Urban Design principles shall apply, refer to Chapter I- 9 for details.
- (2) Erosion and Sediment Control measures are to be provided.
- (3) All greywater and toilets are required to be connected to sewer infrastructure.

##### Liquid Trade Waste

- (4) Where a commercial development generates liquid trade waste, mechanisms for disposal of liquid waste must be identified as part of the development application. Approval from Council is required to discharge liquid trade wastes into the sewerage system. Refer to Council's Policy - *Discharge of Liquid Trade Waste to the Sewerage System*. In areas not connected to the sewerage system, the development application must also demonstrate how liquid trade waste for the proposed development will be managed.

##### Water

- (5) All commercial development is required to be connected to water infrastructure, where provided.

##### Impacts on Infrastructure Services

- (6) Consideration of the location and design of existing services shall be given and include:
  - Electricity and telecommunications,
  - Water, sewer and stormwater,
  - Zone of influence and clear zone impacts on underground infrastructure.

### C-11 Waste

#### C-11.1 Objectives

- (a) Adequate, efficient and safe waste management facilities are provided for all types of waste generated by development within the site.
- (b) Waste facilities are designed and located to minimise amenity impacts.

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### C-11.2 Design criteria

- (1) A waste storage area is to be provided for all developments to store bins for general waste and recyclables.
- (2) Waste storage areas must not be within:
  - (a) Any street setback; or
  - (b) The parking area; or
  - (c) The landscaping area; or
  - (d) Between the foreshore building line and any waterway; or
  - (e) In close proximity to any adjoining residential development.
- (3) The location and design of the waste storage area must not detract from the amenity of adjoining sensitive landuses or the character of the streetscape, interfere with the manoeuvrability, efficiency or safety of site access or
- (4) Waste and recycling facilities must be designed to prevent litter and contamination of the stormwater drainage system.
- (5) Details of the types of waste to be generated by a development and the proposed waste and recycling facilities are to be provided along with the proposed management practices.

## C-12 Earthworks and Retaining Walls

### C-12.1 Objectives

- (1) To ensure cut and fill required for any development is designed to minimise any safety, environmental and amenity impacts on the site and adjoining properties.

### C-12.2 Design criteria

- (1) All earthworks and retaining walls proposed for the development must be detailed within the development application.

#### Consideration of Acid Sulfate Soils (ASS)

- (2) Acid Sulfate Soils are relatively prevalent within the lower river regions of Richmond Valley, and due consideration of the risk and structural adequacies must be considered within any application proposing earthworks and retaining walls. ASS considerations must accompany any engineering certification. Further information may be obtained in Chapter H-2 of this DCP.

#### Engineering Certification Required

- (3) Retaining walls in excess of 1 metre in height require engineering certification. All materials to be utilised as fill, ballast or for retaining walls must be accompanied by a geotechnical certification to verify structural stability and that they are free from contamination.
- (4) Erosion and Sediment Control safeguards and practices are required to be implemented during construction.
- (5) Any material resulting from demolition, including concrete and brick which may be sourced as ballast, is classified as a waste. It is an offence under the *Protection of the*

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*Environment Operations Act* to transport waste to a place that cannot lawfully be used to deposit waste. Ballast or fill cannot be sourced from a demolition site unless it has been certified as clean and de-classified as waste.

### C-13 Natural Hazards and Constrains

#### C-13.1 Objectives

- (1) To minimise the impact of natural hazards on industrial development.

#### C-13.2 Design criteria

##### (2) Flooding

Industrial development is required to be designed to endure flooding events of a 1 in 100 year ARI frequency, or as otherwise assessed within an updated Risk Management Plan.

Industrial development must have its floor levels located:

- in the Casino area—above the 1 in 100 year ARI flood event,
- in the Mid-Richmond area—above the 1 in 20 year ARI Flood event. A storage area with a floor level greater than or equal to the the 1 in 100 year ARI flood level is to be provided for stock/equipment subject to water damage.
- in areas of the Council outside a formal flood study area—to be determined on researching historic data, anecdotal information, and a risk assessment.

Council can provide property specific flood information for areas within formal flood studies covering the Mid-Richmond and Casino areas.

All potential flood risks associated with the development must be considered, including potential risks to emergency personnel (SES) in the event evacuation may be required. Flood consideration is mostly directed toward dwellings and habitable areas, however Council must also consider flood impacts upon other assets and access to and from the development. Chapter H1 – Flooding provides additional detail concerning flooding issues.

##### (3) Acid Sulfate Soils (ASS)

All works which are likely to impact on ASS will require extra consideration during the construction phase of the development. DCP Part H-2 – Acid Sulfate Soils provides additional information concerning the risks posed by various classes of ASS.

##### (4) Contaminated Lands

Contaminated lands may require rehabilitation prior to development being initiated. In exceptional circumstances and where no other remediation method is achievable, containment of the source of contamination may be considered. The foremost option is to locate any proposed development outside any area considered unsafe, however rehabilitation is the most common option for Commercial Development.

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### C-14 Additional Considerations for Specific Uses

#### C-14.1 Alterations and Additions and Change of Use to an Existing Building

##### C-14.1.1 Objectives

- (a) Identify common additional design considerations that may be required for alterations or additions to existing industrial premises, and/or change of use of industrial premises.

##### C-14.1.2 Design criteria

- (1) A proposal for alterations or additions to an existing building, or to change to use of the building may require building to be upgraded to comply with the Building Code of Australia. Any upgrade requirements should be taken into account at development application stage as these may impact upon the design of the project.

Common upgrades may include:

- access for people with a disability to comply with premises standard – affects issues including access and bathroom facilities
- Light and ventilation
- Fire safety
- Energy efficiency
- Sanitary and other facilities

Consultation with a suitably qualified building consultant early in the process is recommended to understand the requirements and any potential design and cost implications for the proposal.

#### C-14.2 Chemicals and Dangerous Goods

##### C-14.2.1 Objectives

- (a) Developments involving the storage or use of chemicals and dangerous goods are designed and located to minimise the impact on the health and safety of the community and the environment.

##### C-14.2.2 Design criteria

- (1) Developments involving the use or storage of fuels, oils and chemicals are required to have a storage area located above the 1 in 100 year flood event or an approved plan of management.
- (2) Developments having larger quantities of Hazardous Materials will require an assessment be undertaken in accordance with *State Environmental Planning Policy No 33 – Hazardous and Offensive Development*.

#### C-14.3 Industrial Retail Outlets

##### C-14.3.1 Objectives

- (a) To outline planning provisions for industrial retail outlets

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### C-14.3.2 Design Criteria

- (1) Clause 5.4 of the LEP provides for miscellaneous permissible uses with subsection (4) permitting retailing of goods produced on the premises. Consent may be granted for a retail component not exceeding 20% of the combined gross floor area of the premises.
- (2) The development application must demonstrate that the proposed industrial retail outlet complies with this requirement.
- (3) Sufficient on site parking is to be provided for customers of the industrial retail outlet in accordance with the parking rates for retail premises in Part I-3 of the DCP.

Note. **industrial retail outlet** means *a building or place that—*

- (a) is used in conjunction with an industry (other than an artisan food and drink industry) or rural industry, and
- (b) is situated on the land on which the industry or rural industry is located, and
- (c) is used for the display or sale (whether by retail or wholesale) of only those goods that have been manufactured on the land on which the industry or rural industry is located, but does not include a warehouse or distribution centre.