

# Hornsby Development Control Plan 2024

## Part 5 Industrial



# 5 Industrial

Introduction	5-3
5.1 Industrial Land	5-4
5.1.1 Scale	5-4
5.1.2 Setbacks	5-6
5.1.3 Landscaping	5-7
5.1.4 Open Space	5-9
5.1.5 Sunlight	5-9
5.1.6 Vehicle Access and Parking	5-10
5.1.7 Traffic Management Work	5-10
5.1.8 Design Details	5-13
5.2 Sex Service Premises	5-14
5.2.1 Location	5-14
5.2.2 Design Details	5-14

Tracked changes are used to show the differences between the Hornsby DCP 2013 and the draft Hornsby DCP 2024.

For accessibility, **ORANGE** is used for additions and **BLUE STRIKETHROUGH** text is used for deletions.

DRAFT

## Introduction

This Part of the DCP applies to land within the industrial areas of Hornsby Shire. The industrial areas are located in Thornleigh, Mount Kuring-gai, Hornsby Heights, Asquith/ Hornsby and Dural Service Centre and includes land within the E4 General Industrial land use zone following zones: ~~IN1 General Industrial and IN2 Light Industrial.~~

The planning controls for the industrial areas are informed by the Ku-ring-gai and Hornsby Subregional Employment Study (2008), ~~and~~ the Dural Service Centre Retail and Commercial Study (2009) and the Hornsby Employment Land Study (2021).

The Hornsby Employment Land Study (2021) supports the Hornsby LSPS, providing a strategic framework to facilitate and accommodate future employment growth within Hornsby Shire. It outlines guiding principles, directions and actions such as increasing the industrial capacity of Mount Kuring-gai and Asquith and establishing a pipeline of industrial land. Implementation of the Employment Land Study's actions will inform changes to the development controls in this DCP.

Hornsby Shire's industrial land is competitively placed to attract industrial activity. Development in industrial areas will incorporate a range of employment generating land uses such as industry, transport related uses, warehousing and distribution. The industrial areas will also incorporate land uses that provide services to meet the day to day needs of workers in the area. Other land uses that are typically located in business centres, such as retail and offices, are to be limited within the industrial areas to reinforce the commercial centres hierarchy and ensure the most efficient use of infrastructure.

Development is to be sited and designed to be environmentally sustainable, minimise land use conflicts and operate under appropriate environmental management measures to manage waste and minimise air, water and noise pollution. Development will also be compatible with the scale, form, design, colour, height, materials, setbacks and landscaping of the surrounding area, in particular sensitive areas.

## 5.1 Industrial Land

The following section provides controls for the development of land zoned **E4 General Industrial** ~~IN1 General Industrial and IN2 Light Industrial~~.

Note: Part 8 —River Settlements of this DCP provides provisions for the **W4** ~~IN4~~ Working Waterfront zone.

### 5.1.1 Scale

#### Desired Outcomes

- Development with a height, scale and intensity compatible with the character of the area.
- Development that provides appropriate areas for access, car parking and landscaping.

#### Prescriptive Measures

##### Floor Space Ratio

- The maximum floor space ratio for industrial land shall be in accordance with the *HLEP Floor Space Ratio Map* as follows:

**Table 5.1.1-a5.1.1(a): Summary of HLEP FSR Provisions**

HLEP Area	Maximum Floor Space Ratio
H	0.7:1
N	1:1

Note:

As detailed in Clause 4.5 of the HLEP, the Floor Space Ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area. See the HLEP for the definition of gross floor area.

##### Height

- Sites with the following maximum building heights under Clause 4.3 of the HLEP should comply with the maximum number of storeys in **Table 5.1.1-b5.1.1(b)**.

**Table 5.1.1-b5.1.1(b): Translation of Height to Storeys**

HLEP Area	Maximum Building Height (m)	Maximum Storeys (excluding basement car parking)
K	10.5m	2 storeys
N	14.5m	3 storeys

- Basement car parking that protrudes more than 1 metre above existing ground level is counted as a storey.

Notes:

**Building height (or height of building)** means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

**Storey** means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

- A space that contains only a lift shaft, stairway or meter room, or
- A mezzanine, or
- An attic.

**Basement** means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

Storey controls are based on a typical industrial floor to floor height of 4.5 metres and an allowance for some roof projections.

Site Coverage

- d. The maximum site coverage for buildings within specific industrial areas should comply with Table 5.1.1-c5.1.1(e).

Table 5.1.1-c5.1.1(e): Maximum Site Coverage

Industrial Estate Area	Maximum Site Coverage (% of total lot size)
Dural Service Centre	35%
Mount Kuring-gai	50%

Notes:

**The Dural Service Centre** industrial area is located on the eastern side of New Line Road, extending from property No. 232 to 278 New Line Road, Dural.

**Site coverage** means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:

- (a) Any basement,
- (b) Any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary.
- (c) Any eaves,
- (d) Unenclosed balconies, decks, pergolas and the like.

**Lot size (or site area)** in relation to development, means the area of the lot to which an application for consent to carry out the development relates, excluding:

- (a) Any land on which the development is not permitted under an environmental planning instrument, and
- (b) If a lot is a battle-axe or other lot with an access handle, the minimum lot size excludes the area of the access handle.

Ancillary Office Space

- e. The maximum floor space permitted to be constructed/utilised for ancillary office purposes is 30 percent of the gross floor area within an individual premises.

Industrial Retail Outlet

- f. In accordance with Clause 5.4 of the HLEP, the retail floor area of an industrial retail outlet is the lesser of:
- (a) 10% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or
  - (b) 100m<sup>2</sup>.

Note:

**Industrial retail outlet** means a building or place that:

- (a) Is used in conjunction with an 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.

## 5.1.2 Setbacks

### Desired Outcomes

- Setbacks that complement the streetscape and allow for landscaping that reduces the visual mass of buildings.
- Setbacks that allow for the retention of significant landscape features and respect site constraints.

### Prescriptive Measures

- Except as otherwise provided in this DCP, the minimum setbacks of all buildings and structures to the boundaries of the site are outlined in Table 5.1.2-a 5.1.2(a).

**Table 5.1.2-a 5.1.2(a): Minimum Boundary Setbacks**

Setback	Minimum Building Setback
Front Boundary (to all roads)	Mount Kuring-gai – 10m Dural Service Centre – 15m to New Line Road and 10m to local roads Other Areas – 5m to roads and 0m to laneways
Side Boundary	Mount Kuring-gai – 5m Dural Service Centre – 5m Other Areas – 0m, unless the land is within 5m of a sensitive area
Rear Boundary	Mount Kuring-gai – 10m Dural Service Centre – 15m Other Areas – 0m, unless the land is within 5m of a sensitive area
Land within 5m of a sensitive area	A minimum 5m separation between the industrial building/ structures and the property boundary of a sensitive area to provide for screen planting, except for land in Asquith refer to Figure 5.1-a 5.1(a).

- Setback areas should not be used for storage, loading areas, or for the advertising of products.
- The setback of buildings and ancillary facilities from the property boundary may need to be increased to maintain landscape features, as detailed in Section 5.1.3 of this DCP.

Note:

**Sensitive areas** include any adjoining residential lands, community uses, educational uses, public open spaces and recreational areas.

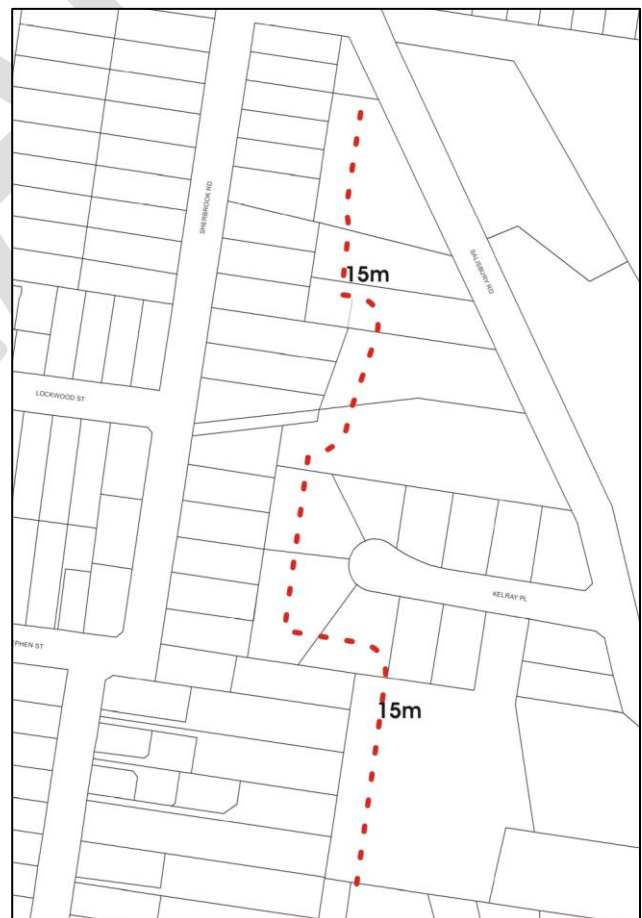
### Setback Encroachments

- The following minor structures are able to encroach into the prescribed setbacks:
  - Driveways or basement ramps up to 8 metres wide with deep soil verges at least 2 metres wide adjacent to the side boundary,
  - Roof eaves and awnings,
  - Sunshades and screens, and
  - Blade columns which support roofs or sunshades.

### Bushfire Asset Protection Zones (APZs)

- The setback of buildings should accommodate required bushfire APZs on the site as detailed in the 'Bushfire' element in Section 1.3.3.1 1C.3.1 of this DCP.
- APZs should be located within buffer areas that protect significant vegetation, threatened species and populations as detailed in the 'Biodiversity' element in Section 1.3.1.1 1C.1.1 of this DCP.

**Figure 5.1-a 5.1(a): 15 metre wide setback at the western interface of the Asquith industrial area- (C)**



### 5.1.3 Landscaping

#### Desired Outcomes

- a. Landscaping that softens the visual impact of buildings.
- b. Landscaping that retains existing landscape features.

#### Prescriptive Measures

##### General

- a. Landscaping should be included in building setback areas to complement the appearance of the building.
- b. A minimum of 50% of the required setback area to all public roads should be landscaped area. This landscaping is to extend along the full length of each street frontage (other than a vehicle entry/exit driveway).
- c. Setbacks from sensitive areas should be fully landscaped.
- d. Where landscaping is required for screening, landscaping should include species that will grow to the height of the building.
- e. Landscaping along Old Northern Road and New Line Roads should incorporate grass swales and dense vegetation planting.

##### Retention of Landscape Features

- f. The proposed building, ancillary structures, driveways, drainage, and service trenches should be setback:
  - In accordance with the 'Watercourses' element in Section 1.3.1.3 of this DCP,
  - 10-20 metres to significant bushland as detailed in the 'Biodiversity' element in Section 1.3.1.1 of this DCP, and
  - In accordance with the requirements of AS 4970 for significant trees to be retained.

#### Fencing

- g. In the Asquith and Mt Kuring-gai Industrial areas, fencing should not be provided in front of the building line.
- h. In other areas, any fencing provided in front of the building line to a public street should be palisade style in recessive colours (eg. black or dark green).
- i. Any masonry fence in front of the building line to a public street should not extend more than 3 metres either side of the driveway entrance.
- j. Any fencing between development and sensitive areas should be designed to maintain the amenity of the adjoining land uses.

#### Certain Land in Mount Kuring-gai and Asquith/Hornsby

- k. In addition to the above controls, certain industrial land in Mount Kuring-gai and Asquith/Hornsby has been identified as potentially containing significant flora and fauna habitats, as identified in Figure 5.1-b and Figure 5.1-c of this DCP. The siting of buildings and ancillary facilities should protect any significant flora and fauna habitats.

##### Notes:

**Landscaped area** means a part of a site used for growing plants, grasses, and trees, but does not include any building, structure, or hard paved area.

**Sensitive areas** include any adjoining residential lands, community uses, educational uses, public open spaces, and recreational areas.

The applicant is encouraged to incorporate plant species indigenous to Hornsby Shire as part of the development. Refer to Council's website [www.hornsby.nsw.gov.au](http://www.hornsby.nsw.gov.au) from Council's publication *Indigenous Plants for the Bushland Shire* available at Council's website [hornsby.nsw.gov.au](http://hornsby.nsw.gov.au) as part of the development.

For further information on potentially containing significant flora and fauna habitats in Mount Kuring-gai and Asquith/Hornsby refer to the Review of Industrial Lands in the Hornsby Local Government Area by PSB dated October 2001.



Figure 5.1-b5.1(b): Location of potentially significant flora and fauna habitats on industrial zoned land at Mount Kuring-gai- (C)



Figure 5.1-c5.1(e): Location of potentially significant flora and fauna habitats on industrial zoned land at Asquith/Hornsby- (C)





### 5.1.4 Open Space

#### Desired Outcomes

- a. Development that provides adequate communal open space on-site for employees.

#### Prescriptive Measures

- a. An outdoor eating and sitting area should be provided on-site at a rate of 1m<sup>2</sup> per employee, with a minimum total area of 10m<sup>2</sup> and a minimum dimension of 2 metres.
- b. On-site communal areas should incorporate green space where possible.
- c. Communal seating and lunch gathering areas should be shaded in summer and have protected sunny areas in winter.
- d. Where an outdoor space cannot be accommodated on-site, an internal eating/sitting area is to be provided.

#### Note:

For the purposes of calculating the required communal open space area, the potential number of employees on a property is to be calculated using average employee density data. Examples of average employee densities are:

Commercial / Retail development - 1 employee / 30m<sup>2</sup> GFA

Industrial - 1 employee / 50m<sup>2</sup> GFA

Source: Hornsby Shire Section 7.1194 Development Contributions Plan.

### 5.1.5 Sunlight

#### Desired Outcomes

- a. Development designed to provide reasonable sunlight to sensitive areas.

#### Prescriptive Measures

- b. On 22 June, public open space areas, plaza areas and footpaths should receive 2 hours of sunlight between 9am and 3pm to at least 50% of the area.
- c. On 22 June, 50% of the principal private open space in any adjoining residential property should receive 2 hours of unobstructed solar access.

#### Note:

**Sensitive areas** include any adjoining residential lands, community uses, educational uses, public open spaces and recreational areas.

### 5.1.6 Vehicle Access and Parking

#### Desired Outcomes

- a. Development that provides sufficient and convenient parking for residents and visitors with vehicular access that is simple, safe and direct.
- b. Developments that incorporate on-site service areas that provide for a range of industrial uses.

#### Prescriptive Measures

##### Vehicular Access

- a. Direct vehicular access to main roads should be avoided where alternative access is available via service lanes or local roads.
- b. For development in the Dural Service Centre, vehicular access to New Line Road should be via service lanes and vehicular access to Old Northern Road should be via service roads, in accordance with the Traffic Management Strategy (see Figure 5.1-d5.1(d) and Figure 5.1-e5.1(e)).

##### Parking

- c. Parking should be provided to the rear of buildings or below ground level.
- d. Parking may be considered in front setback areas where site constraints warrant. A maximum of 50% of the required front setback area should be used for carparking and driveway areas.
- e. Car parking should be screened from the street by landscaping.

##### Service Vehicles

- f. Each industrial unit/premises should have access to a loading and unloading area on-site.
- g. Where a development consists of multiple industrial units, at least 1 communal loading area that is capable of accommodating an articulated vehicle should be provided on-site.
- h. Loading areas should have minimum dimensions of 3 metres x 7 metres and have turning areas that comply with AS 2890.2, applicable to the size of vehicle that may service the site.

#### Note:

Refer to Part 1 'General' of the DCP for car parking, service vehicle, bicycle parking provisions and ancillary general design requirements.

### 5.1.7 Traffic Management Work

#### Desired Outcomes

- a. Traffic management works that provide for the safe and efficient movement of vehicles to, from and within precincts.

#### Prescriptive Measures

- a. Applicants should liaise with [Transport for NSW Roads and Maritime Services](#) and Council to determine the extent of any road works required along New Line Road, in accordance with the Traffic Management Strategy.
- b. Service lanes should be provided in accordance with the Traffic Management Strategy (see Figure 5.1-d5.1(d) and Figure 5.1-e5.1(e)).

#### Main Roads

Development adjoining roads that are subject to Section 2.119 of the Transport and Infrastructure SEPP require separate approval from [TfNSW the RMS](#) for access to State and Regional Roads as classified by [TfNSW the Roads and Maritime Services \(RMS\)](#). A list of classified and unclassified main roads for Hornsby Shire ~~as of September 2016~~ is provided in Annexure C.

Figure 5.1-d5.1(d): Dural Service Centre Traffic Management Strategy – Sheet 1- (C)

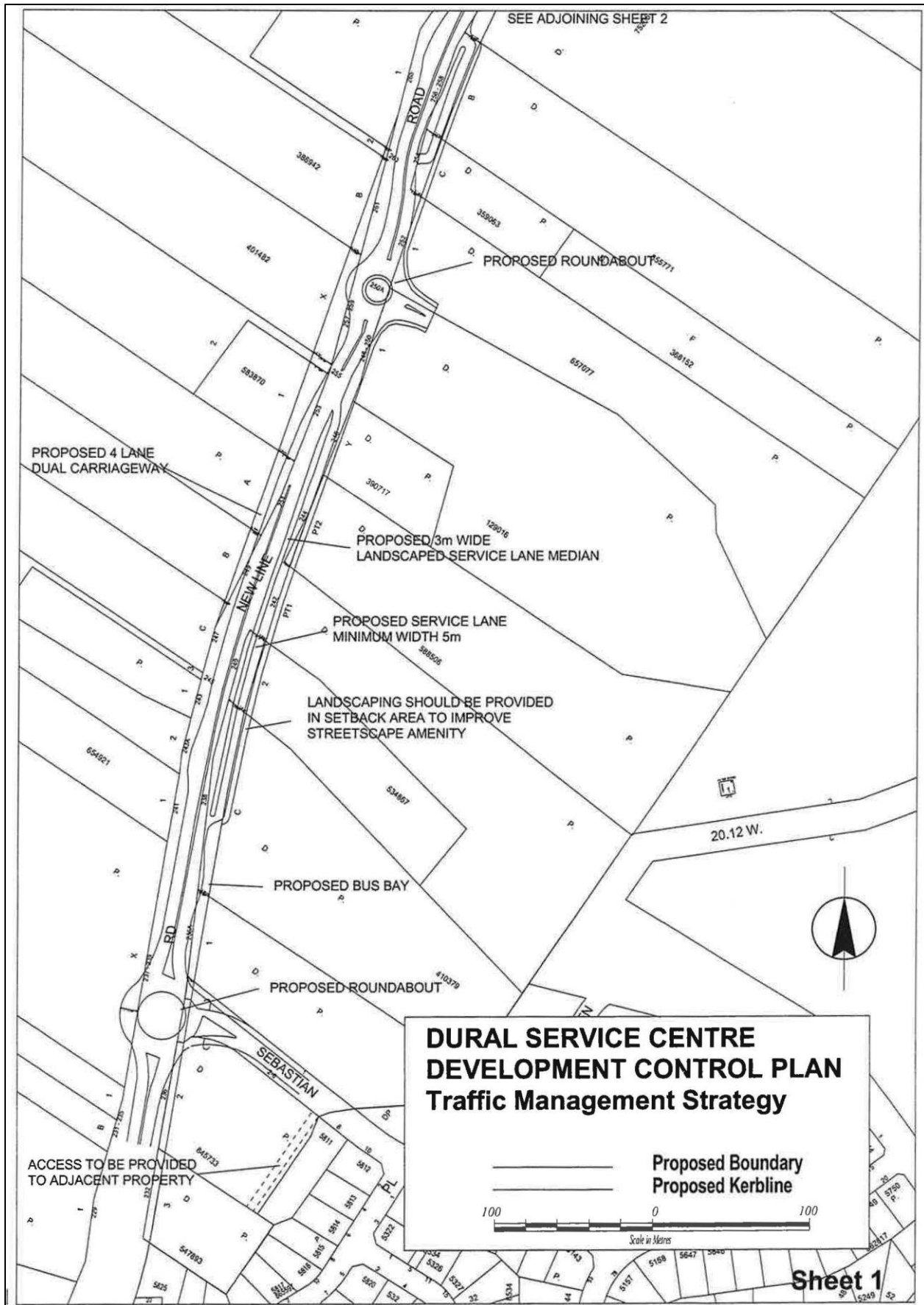
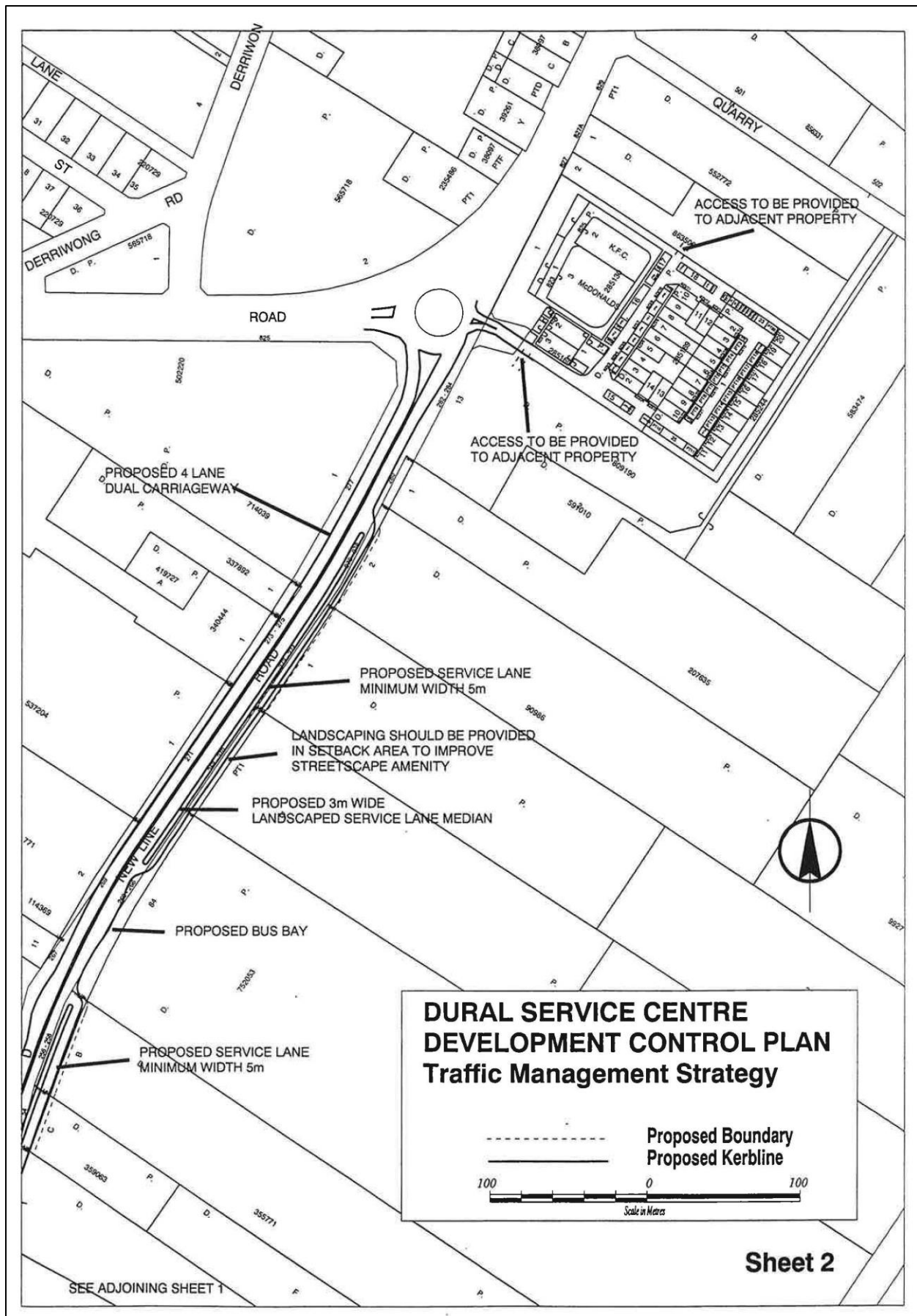


Figure 5.1-e5.1(e): Dural Service Centre Traffic Management Strategy – Sheet 2: (C)





### 5.1.8 Design Details

#### Desired Outcomes

- a. Development that contributes positively to the streetscape.

#### Prescriptive Measures

##### General

- a. Facades should adopt a contemporary appearance, relating to the function of the building.
- b. The main entry to the building should be easily identifiable from the street and directly accessible from the front of the building or the driveway in the case of a multi-unit complex.
- c. Corner buildings should be designed to address both streets.
- d. Architectural features should be included in the design of new buildings to provide for a more visually interesting precinct. These may include:
  - Elements which punctuate the skyline,
  - Distinctive parapets or roof forms,
  - Visually interesting facades,
  - Architectural emphasis in the built form, and
  - A variety of window patterns.
- e. Other features that are encouraged include balustrades, pergolas, expressed structure and downpipes, glazed skylights, sun shading devices and distinctive entries.
- f. Roof fixtures and lift overruns or service plants should be incorporated into the design of the roof to minimise visual intrusiveness and support an integrated building design.

#### Colours and Materials

- g. Buildings in the Asquith, Mount Kuring-gai and Dural Service Centre industrial areas should have recessive colours and external finishes consistent with nearby bushland areas (i.e. grey greens, grey blues, browns etc).
- h. Colours in the Thornleigh industrial area should be consistent with the themes of adjoining development and enhance the visual amenity of the industrial precinct.
- i. Large areas of glass may be included, however, mirror glass with a reflectivity in excess of 15% should be avoided.

#### Storage Areas

- j. Outdoor storage areas should be located behind the front building setback and screened from view from adjoining sensitive areas.
- k. Development should make provision for an enclosed on-site waste and recycling facility that has a storage area to accommodate the waste generated from the development as detailed in the 'Waste Management' element in Section 1.3.2.3 ~~C.2.3~~ of this DCP.
- l. Above ground liquid storage facilities, including waste, should be located in a covered bunded area constructed of impervious materials.

## 5.2 Sex Service Premises

HLEP Clause 6.7 contains provisions for the location of sex services premises. The following provides provisions for the use of a premises for sex services in the **E4 General Industrial Zone**~~IN1 General Industrial Zone and IN2 Light Industrial Zone~~, in addition to the building controls provided elsewhere in this DCP.

Note:

Sex services premises means a brothel but does not include home occupation (sex services).

### 5.2.1 Location

#### Desired Outcomes

- a. Sex services premises that are discreetly located and appropriately separated from sensitive land uses.
- b. Sex services premises that are not located in proximity to another brothel so as to create a concentration or cluster of brothels.

#### Prescriptive Measures

- a. Under the HLEP sex services premises are only permissible with Council consent in the **E4 General Industrial Zone**~~IN1 General Industrial Zone and IN2 Light Industrial Zone~~.
- b. Sex services premises should not adjoin or be clearly visible from:
  - Schools, educational institutions for young people or places where children and adolescents regularly gather,
  - where worshippers regularly gather,
  - bus stops regularly used by school buses, or
  - any other place likely to be regularly frequented by children.
- c. When sex services premises front the street, premises should be located on upper levels of buildings rather than the ground floor.

Note:

For planning principles on the location of sex services premises refer to case [Yao v Liverpool City Council \[2017\] NSWLEC 1167](#) ~~Martyn v Hornsby Shire Council [2004] NSWLEC 614~~ available on the NSW Land and Environment Court website at [www.lec.nsw.gov.au/lec/practice-and-procedure/principles/planning-principals.html](http://www.lec.nsw.gov.au/lec/practice-and-procedure/principles/planning-principals.html) [www.lawlink.nsw.gov.au](http://www.lawlink.nsw.gov.au)

### 5.2.2 Design Details

#### Desired Outcomes

- a. Sex services premises that are modest in scale and discreet in design, to limit the potential for adverse environmental impacts.
- b. Sex services premises that are designed to maximise the safety and security of staff, clients and the general public by upholding the principles of Crime Prevention Through Environmental Design (CPTED).
- c. Sex services premises that provide facilities to assist in the implementation of best practice health standards.

#### Prescriptive Measures

##### General

- a. The scale of the premises should be limited to:
  - a maximum of 5 workrooms that provide sex services, and
  - a maximum gross floor area of 160m<sup>2</sup>.
- b. The pedestrian entrance should be:
  - via the public domain and not via another business/ premises, and
  - discreet in design, not excessively bright in light or colour.
- c. The interior of the premises should not be visible from adjoining or surrounding premises or the public domain.
- d. Appropriate noise shielding or attenuation techniques should be incorporated into the design of the building to prevent noise transmitting outside the premises.
- e. The building should be designed to accommodate facilities and amenities consistent with **SafeWork WorkCover** guidelines.

### Common Areas

- f. A reception/waiting area within the front of the premises should be provided for clients.
- g. Food and drinks should not be served to clients.
- h. A safe and accessible staff room that includes facilities for food and beverage preparation should be provided.
- i. A minimum of two receptacles should be provided either in the laundry or another readily accessible area of the premises for the separate storage of clean linen and used linen.
- j. Facilities or arrangements should be provided for the cleaning of linen including either the use of commercial laundering or on-site facilities.

### Equitable Access

- k. Access for people with a disability should be provided. For example, where a sex services premises is located on an upper level, a chair lift may be required.
- l. All common areas and facilities, including toilets, should be suitable for use by people with a disability.

### Safety and Security

- m. New buildings or alterations and additions should avoid alcoves, entrapment spaces and blind corners internally and externally.
- n. In existing buildings, where no new works are proposed, lighting should illuminate existing entrapment spots and mirrors provided to improve sightlines around blind corners.
- o. Casual surveillance should be provided to pedestrian access pathways and car parks.
- p. Barriers, such as landscaping and fencing, should be low in height or visually permeable to prevent obstructing site lines between the street and the building, in particular the entrance.
- q. In consultation with police, a Plan of Management (POM) should be submitted with the development application addressing safety and security measures, including:

- Lighting of access/egress routes and existing entrapment spots but avoiding light spillage, particularly to adjacent sensitive areas,
- Security cameras located in public areas, such as entries, hallways, stairs and car parking areas,
- Workroom doors without locks,
- Security grills on windows able to be opened from inside,
- A security alarm/intercom connected from each workroom to a central base, such as reception, and
- External storage areas, including waste storage, secured to avoid creating hiding places or potential entrapment spots and unauthorised access.

### Signage

- r. A maximum of 1 external sign per premises with a maximum area of 0.5m<sup>2</sup>.
- s. The sign should only indicate the address and contact number.
- t. A clearly visible street number should be displayed on the premises to avoid disturbance to surrounding premises arising out of confusion as to the location of the premises.
- u. The sign may be illuminated only during operating hours.
- v. Flashing, moving and/or neon signs are not permitted.
- w. Sex workers or sex related products should not be displayed from windows, the front door or outside of the premises.
- x. Spruikers (staff at the door or outside of the premises who encourage patrons to enter) are not permitted.

#### Note:

For guidelines on amenities, refer to the [SafeWork Health and safety guidelines for sex services premises in NSW 2001](#) and [WorkCover NSW Health and Safety Guidelines for Brothels](#).

For further information on CPTED refer to Section [1.3.2.7](#) ~~C-2.7~~ of this DCP.

**Sensitive areas** include any adjoining residential lands, community uses, educational uses, public open spaces and recreational areas