

Explainer:

Part 6 Non-Residential Development

This Part of the draft *Bayside Development Control Plan 2022* contains non-residential provisions relating to various commercial, industrial, and other development standards. Some existing DCP controls for specific industrial uses and setbacks have been incorporated into these general provisions, as well as new controls for ‘creative industries’ and setbacks controls for commercial premises.

These include:

All non-residential	Restricted premises and sex service premises	Places of Public Worship
Retail Premises	Artisan food and drink premises	Creative industries
Commercial Premises	Visitor and tourist accommodation	Vehicle body repair workshops and vehicle repair stations
Industrial premises	Early education and childcare facilities	Caretaker Dwellings

Chapter 6.1 – All Non-Residential

This chapter provides general development controls for non-residential areas to ensure the character of and connection to the streetscape, as well as landscaping, is maintained and enhanced. This includes the fencing controls, which also focus on flooding and driveway safety provisions.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
6.1 All non-residential			
6.1.1 General Controls		Partly adapted from various chapters (centres and employment zones)	Partly adapted from 4.3 Landscape Planning and Design (Landscaped Area for non-residential uses)
6.1.2 Fences		Partly adapted from various chapters (centres and employment zones)	Partly adapted from 4.2 Streetscape and Site Context, Fencing

Chapter 6.2 – Retail Premises

This chapter outlines provisions for types of retail developments and activities that require use specific controls to ensure the character, safety, and amenity of the site and surroundings are maintained. These provisions also ensure differing land uses remain compatible.

The chapter contains controls to ensure outdoor dining uses do not impact the safety, accessibility, and amenity of the public domain, as well as outlining the information required by Council wherever an approval or permit is required for outdoor dining.

Additionally, there are requirements for the design and operation of food storage and preparation uses that must be complied with to satisfy the relevant Australian Standards.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
6.2 Retail Premises			
6.2.1 Outdoor Dining		From Part 7B Outdoor Dining	
6.2.2 Specialised Retail Premises (Bulky Goods)	New subchapter		
6.2.3 Convenience Stores		Partly adapted from Part 3D Signage, with elaborations	Partly adapted from 6.4 Advertising and Signage, with elaborations
6.2.4 Vehicle Sales and Hire Premises		From Part 7S Vehicle Sales and Hire Premises	
6.2.5 Showrooms			Partly adapted from: 5.4 Highway Commercial; and 7.7 Arncliffe and Banksia, with elaborations
6.2.6 Uses Involving the Preparation and Storage of Food		From Part 7J Uses Involving the Preparation and Storage of Food	

Chapter 6.3 – Business and Office Premises

Business / Office Premises

The provisions within this chapter ensure commercial uses (retail, business, and office uses):

- reinforce the character of the area;
- create pleasant “human” environments; and
- generally protect and enhance the amenity of their respective spaces.

This is achieved through a mixture of general building finish and design controls, setback and landscaping controls and others that prioritise visual, pedestrian and environmental amenity.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
6.3 Business / Office Premises			
6.3.1 General Premises		Partly adapted from 5.3 General Controls, with elaborations	
6.3.2 Building Setbacks		Partly adapted from 6.3 General Provisions, with elaborations	Partly adapted from 5.4 Highway Commercial, with elaborations
6.3.3 Public Domain			Partly adapted from 7.7 Arncliffe and Banksia

Chapter 6.4 – Industrial Premises

This chapter outlines the various provisions for all industrial uses, including setback, landscaping, design, operational and storage controls that will ensure both the site-specific and surrounding amenity, as well as adequate safety standards are maintained.

Setback controls have been retained from the provisions of the Botany DCP 2013, with subchapter 6.4.1 providing further provisions to ensure competing land uses optimise landscaping and reduce conflict in areas where business parks maintain higher employment densities.

Provisions are also included to guide the development of storage premises, by further reinforcing the safety requirements within industrial zones, as well as further specific controls to maintain legible wayfinding principles within development sites.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
6.4 Industrial premises		Partly adapted from Part 6 Employment Zones	Partly adapted from: 5.4 Highway Commercial; and 5.5 Industrial
6.4.1 Light industrial premises and premises within Business Parks			
6.4.2 Storage premises			

Chapter 6.5 – Restricted Premises and Sex Services Premises

The provisions of this chapter focus on ensuring the location and design of sex service based uses fit discreetly within a development site's locale and do not impact on the amenity of the surrounding area. As well as this, design and operational controls regulating security, parking and monitoring requirements ensure a safe working environment is provided.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
6.5 Restricted premises and sex services premises			From 6.2 Restricted premises and sex services premises

Chapter 6.6 – Artisan Food and Drink Premises

Artisan food and drink premises offer craft food and drink experiences, usually in a space attached to a larger industrial space used for production. The uses range from microbreweries and distilleries to cheese makers, bakeries and charcuterie workshops. This chapter takes into account the potential expansion of services to include an ‘industrial door’ experience for the public to view and understanding of how the products are made by hosting tastings, tours, and workshops.

The controls generally focus on the construction and operational requirements needed to ensure sites remain accessible, safe and pleasant environments for residents and visitors alike.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
6.6 Artisan food and drink premises	New chapter		

Chapter 6.7 – Visitor and Tourist Accommodation

The provisions of this chapter ensure visitor and tourist accommodation maintains high standards of habitable amenity, through specific locational, design and operational objectives.

The chapter contains requirements specific to each type of accommodation, to ensure the needs and character of the locality is reflected. These include ensuring new developments are in close proximity to public transport, or the bed and breakfast uses reflect the built form of surrounding sites.

There are also controls that outline operational and design conditions to maintain the amenity of surrounding areas and quality of services within the site itself. Additionally, the chapter contains provisions that outline the temporary nature of these sites, to remove potential for conflict with neighbouring residential or other uses.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
6.7 Visitor and tourist accommodation			

6.7.1 Backpackers Accommodation		From 7A.3 Backpackers Accommodation	
6.7.2 Bed and Breakfast		From 7A.2 Bed and Breakfast Accommodation	
6.7.3 Hotel and Motel		From Part 7F Hotel Accommodation	
6.7.4 Serviced Apartments		From Part 7L Serviced Apartments	

Chapter 6.8 – Early Education and Childcare Facilities

State-wide planning controls for early education and childcare facilities are established under Chapter 3 of *State Environmental Planning Policy (Transport and Infrastructure) 2021* and the accompanying Child Care Planning Guideline.

The provisions of this chapter maintain the safety and general amenity of childcare and educational facilities.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
6.8 Early education and childcare facilities			Partly adapted from 6.1 Child Care Centres

Chapter 6.9 – Places of Public Worship

This chapter outlines the development assessment process for places of public worship and provides controls to ensure development is both equitable and fits within the character of the area. Specific design and operational provisions ensure site access and surrounding amenity is maintained.

The chapter should also be considered alongside Chapter 3.1 Site Analysis and Locality and subchapter 4.3.5 Landscaping.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
6.9 Places of Public Worship		From 7I Places of Public Worship	

Chapter 6.10 – Creative Industries

Encouraging creative industries supports the implementation of Bayside Local Strategic Planning Strategy, Planning Priority 5 – “Foster healthy, creative culturally rich and socially connected communities” and to facilitate opportunities for creative and artistic expression.

Creative industries involve the making, production, distribution and participation in creative and cultural activities by artists, craftspeople, residents and visitors. The activities incorporate a variety of different artistic and educational mediums such as museums, design, Indigenous arts and culture, interactive software and the like.

These activities contribute to the expression of creativity, culture, customs, traditions, heritage and stories of our places and communities. They also reflect the social character and contribute to a diverse and prosperous local Bayside economy.

This chapter should be read alongside Chapter 3.15 Late Night Trading and subchapter 6.4.1 in relation to light industrial premises.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
6.10 Creative industries	New chapter		

Chapter 6.11 – Vehicle Body Repair Workshops and Vehicle Repair Stations

This chapter focuses on provisions relating to the development and operation of vehicle repair workshops and stations, with specific operational and development assessment requirements to minimise environmental issues and maintain surrounding amenity. Controls for parking, waste management and vehicle storage ensure full compliance with other relevant environmental instruments and Australian Standards in the daily operations of these facilities.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
6.11 Vehicle body repair workshops and vehicle repair stations		From Part 7Q Vehicle Repair Stations	6.11 Vehicle body repair workshops and vehicle repair stations

Chapter 6.12 – Caretaker Dwellings

This chapter applies to caretakers dwellings which, for the purposes of this DCP, are considered as a dwelling on the same site as a building, operation or plant and occupied by a supervisor of that building, operation or plant.

The provisions ensure caretaker dwellings are appropriately designed and provide appropriate amenity for occupants, without compromising the integrity of surrounding industrial or business areas through unnecessarily restrictive constraints. It should be noted that caretaker dwellings will only be approved where it can be demonstrated that they are a necessary ancillary use.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
6.12 Caretaker Dwellings		From 6.3.19 Caretaker Dwellings	