

# 1 Other development

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## 1.1 Application

This section applies to other non-residential development in Zones RU1, RU2, RU3 and RU4 where permitted with consent, including; **camping grounds, caravan parks, charter and tourism boating facilities, helipads, information and education facilities, roadside stalls, community facilities, industrial training facilities, function centres, educational establishments, entertainment facilities, restaurants or cafes, recreation facilities (outdoor), places of public worship, plant nurseries, rural supplies, timber yards, veterinary hospitals, crematoria and cellar door premises**, but excluding tourist and visitor accommodation, eco-tourist facilities, forestry or cemeteries.

## 1.2 Objectives

- a) To facilitate development in rural areas that is consistent with the objectives of the applicable zone.
- b) To promote development that complements the agricultural nature of the rural area and allows additional economic opportunities.
- c) To ensure development does not fragment or reduce the potential and viability of Regionally Significant Farmland<sup>1</sup> or Class 1, 2 or 3 agricultural land<sup>2</sup>.
- d) To ensure that development does not result in unacceptable harm to the natural environment.
- e) To ensure that development does not create unacceptable potential for land use conflict.
- f) To ensure development is adequately serviced and does not impose unreasonable demand on public infrastructure.
- g) To ensure that infrastructure and persons on development sites are not exposed to unacceptable risk from natural hazards and contaminated land.
- h) To ensure that development does not adversely impact the landscape character of rural areas.
- i) To ensure the preservation of cultural heritage.
- j) To ensure that buildings and structures do not adversely impact on ecological or hydrological functions of watercourses, wetlands or water bodies.
- k) To ensure that development has safe and suitable vehicular access.

<sup>1</sup>As defined by the Northern Rivers Farmland Protection Project (Department of Infrastructure, Planning and Natural Resources and Department of Primary Industries), 2005

<sup>2</sup>As mapped on Rural Land Capability maps produced by the NSW Department of Land and Water Conservation

### 1.3 Development Guidelines

**Note: the Acceptable Solutions in the table below represent one way to meet the corresponding Performance Criteria. Applicants that choose not to, or that cannot, meet an Acceptable Solution must demonstrate how they meet the corresponding Performance Criteria.**

Performance criteria	Acceptable solution
<b>Protection of good quality agricultural land</b>	
P1 Development does not significantly reduce the viability or potential of Regionally Significant Farmland or Class 1, 2 or 3 agricultural land	A1 Development is not sited on land mapped as Regionally Significant Farmland or Class 1, 2 or 3 agricultural land
<b>Land use conflict</b>	
<p>P2 The development is not likely to impact on, or be impacted by, current and likely future land uses in the surrounding area*</p> <p><i>* Demonstrating achievement of P2 will generally require submission of a land use conflict risk assessment (LUCRA) prepared in accordance with the Department of Primary Industries 'Living and Working in Rural Areas' guidelines (2007)</i></p>	A2 Development achieves buffers identified in Table C1.1 in Appendix C1
<b>Design and siting of buildings and structures</b>	
P3 Development siting and layout utilises natural grades of the land and minimises cut and fill	<p>A3.1 Buildings, structures and operational areas are not constructed on land with a gradient exceeding 15%</p> <p>A3.2 Cut or fill does not exceed 1.5 metres in height and a total height of 3 metres</p>
P4 The setback of buildings, structures and operational areas to the primary road frontage is consistent with the surrounding area	<p>A4.1 Buildings, structures and operational areas are set back a minimum of 20 metres from the primary road frontage</p> <p>OR</p> <p><b>Where development site has primary frontage to a classified road:</b></p> <p>A4.2 Buildings, structures and operational areas are set back a minimum of 50 metres from the road frontage</p>
P5 The setback of buildings, structures and operational areas does not impact on the amenity of adjoining properties	<p>A5.1 Buildings and structures are set back a minimum of 10 metres from side boundary</p> <p>A5.2 Buildings and structures are set back at least 10 metres from rear boundary</p> <p>OR</p> <p><b>Where side or rear boundary is a secondary road:</b></p>

Performance criteria	Acceptable solution
	A5.3 Buildings and structures are set back at least 20 metres
<b>Visual impact</b>	
P6 The development does not adversely impact significant vistas, landscape character or surrounding properties	<p>A6.1 Buildings and structures are not located in visually prominent locations such as on ridgelines, hill tops or in prominent locations when viewed from public vantage points</p> <p>OR</p> <p>A6.2 Landscaping is provided to screen or break up the appearance of the development from surrounding areas and significant vantage points</p> <p><i>* A landscape concept plan must be provided that demonstrates achievement of A6.2</i></p> <p>AND</p> <p>A6.3 External walls and roofs are clad in non-reflective materials and colours are muted</p>
<b>Environmental impact</b>	
P7 The siting of buildings and structures does not impact on ecological or hydrological values of watercourses, water bodies and wetlands	<p>A7.1 Buildings, structures and operational areas are set back a minimum of 100 metres from the top of bank of permanent watercourses (Order 3 Stream or greater) or water bodies and 40 metres from the top of bank of an ephemeral watercourse (Order 1 or 2 Stream)</p> <p>A7.2 Buildings, structures and operational areas are set back a minimum of 100 metres from the edge of wetland</p>
P8 Development does not create unacceptable impact on ecological functions or biodiversity values	<p>A8.1 Construction of buildings, structures and operational areas does not require the clearing of native vegetation</p> <p>A8.2 Development is not located within a mapped ecological corridor</p>
<b>Protection of amenity of surrounding properties</b>	
P9 Operation of the development does not create unacceptable impacts on the amenity of surrounding areas or agricultural production	<p>A9.1 Hours of operation are in accordance with Table C1.2 in Appendix C1</p> <p>A9.2 Operation of the development must comply with the NSW Industrial Noise Policy</p> <p>A9.3 Delivery and servicing is undertaken only between the hours of 7am to 6pm weekdays and 7am to 1pm Saturdays</p>

Performance criteria	Acceptable solution
	<p>A9.4 Design and operation of the facility does not generate emissions of dust, light or odour</p> <p>A9.5 Internal roads, parking, loading and manoeuvring areas are not within 40 metres of a dwelling on an adjoining property</p>
<b>Effluent management</b>	
<p>P10 Design and operation of the development does not adversely impact water quality or create public health risks</p>	<p>A10.1 Effluent is treated on site in an approved manner</p> <p>OR</p> <p>A10.2 Effluent is removed from site and disposed of in an approved manner</p>
<b>Stormwater Management</b>	
<p>P11 Development must not have a detrimental impact on water quality or adjoining properties</p>	<p>A11.1 Development does not alter drainage patterns or result in increased stormwater velocities, sediment, pollutant or nutrient loads</p> <p>A11.2 Stormwater is disposed of in a manner that does not cause nuisance to adjoining properties</p> <p>A11.3 Stormwater management infrastructure is designed in accordance with the Northern Rivers Local Government Development &amp; Design and Construction Manuals</p>
<b>Transport and Access</b>	
<p>P12 The development must have vehicular access suitable for the intended use and vehicular movements must not have a detrimental impact on amenity of adjoining properties</p>	<p>A12.1 The development is connected to a public road that is of appropriate standard to accommodate the nature of traffic generated by the development</p> <p>A12.2 Internal access roads and vehicle manoeuvring and parking areas are all weather design and construction</p> <p>A12.3 Vehicles are able to enter and leave the site in a forward direction</p> <p>A12.4 Access, manoeuvring and parking areas are in accordance with the Northern Rivers Local Government Development &amp; Design and Construction Manual</p>
<b>Services and infrastructure</b>	
<p>P13 The development makes adequate provision for services without impacting on the amenity of surrounding properties or drawing</p>	<p>A13.1 The development is serviced by reticulated power and telecommunications</p>

<b>Performance criteria</b>	<b>Acceptable solution</b>
unreasonably from watercourses, water bodies or groundwater	A13.2 The development has adequate water supply
<b>Natural hazards</b>	
P14 Buildings, structures and persons on the development site are not exposed to unacceptable risk from flooding, landslip or bushfire	A14.1 Development is not proposed on land that is mapped as bushfire prone or a landslip hazard area  A14.2 The development site is not prone to flooding from inundation or overland flow
<b>Heritage</b>	
P15 Development does not adversely affect the heritage significance of items of environmental heritage or of a heritage conservation area	A15 The development site is not land upon which an item of environmental heritage is situated or land within a heritage conservation area
<b>Where development is for a roadside stall</b>	
P16 Roadside stalls do not create unsafe road conditions	A16.1 Roadside stalls are not located within the road reserve  A16.2 Roadside stalls are accessed via an approved vehicular access
P17 Roadside stalls are small scale and used for the sale of locally produced or grown goods and products	A17.1 The maximum gross floor area of a roadside stall is 8m <sup>2</sup>  A17.2 Roadside stalls are only used to sell goods produced or grown on the property where the stall is located or an adjacent property
P18 Food products are stored and managed in accordance with NSW Food Authority requirements	No Acceptable Solution is provided: demonstrate how the proposal achieves the Performance Criteria
P19 Signage does not create adverse impacts on rural landscape character or unduly distract motorists	A19.1 No more than 3 signs per premises are utilised  A19.2 Signs are located on roadside stall or fence line of subject site

## APPENDIX C1

**Table C1.1 Recommended minimum buffer distances (in metres) between proposed development and building or activity on adjoining land not associated with proposal**

	Residential areas and Urban Development	Rural Dwellings	Education Facilities & Pre-schools	Tourist and Visitor Accommodation	Property Boundary of subject site	Public Roads
Piggeries- Housing and waste storage	1000	500	1000	500	100	100
Piggeries- Waste utilisation area	500	250	250	250	20	20
Feedlots- Yards and waste storage	1000	500	1000	1000	100	100
Feedlots- Waste utilisation area	500	250	250	250	20	20
Poultry farms- Sheds and waste storage	1000	500	1000	500	100	100
Poultry farms- Waste utilisation area	500	250	250	250	20	20
Dairies- Sheds and waste storage	500	250	250	250	100	100
Dairies- Waste utilisation area	500	250	250	250	20	20
Other Intensive Livestock Operations	500	300	500	300	100	100
Extensive Horticulture	300	200	200	200	NAI	BMP
Greenhouse & Controlled Environment Horticulture	200	200	200	200	50	50
Macadamia de-husking	300	300	300	300	50	50
Bananas	150	150	150	150	BMP	BMP
Turf Farms	300	200	200	200	BMP	SSD
Animal boarding or training establishments	500	500	500	500	100	100
Rural Industries	1000	500	1000	500	50	50
Abattoirs	1000	1000	1000	1000	100	100

Source: Department of Primary Industries; Living and Working in Rural Areas (2007)

**Table C1.2 Preferred operational or opening hours**

<b>Development use or activity</b>	<b>Monday to Friday</b>	<b>Saturday</b>	<b>Sunday and Public Holidays</b>
Function centres, Restaurants and cafes, Cellar door premises, Neighbourhood shops, Educational establishments, Entertainment facilities, Information and education facilities, Place of public worship	7am-10pm	7am-10pm	7am-10pm
Charter and tourism boating facilities, Veterinary hospitals, Plant nurseries, Recreation facilities (outdoor), Rural supplies, Timber yards	7am-6pm	7am-5pm	7am-5pm
Rural industries, Industrial training facilities	7am-6pm	7am-1pm	Not permitted
Crematoria	8am-5pm	8am-4pm	9am-3pm

