

CHAPTER 10 DUAL OCCUPANCIES

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1 Introduction

1.1 Application

This Chapter applies in preparing and assessing applications for development of **dual occupancy (attached or detached)** and ancillary development (driveways, garages, carports, sheds, outbuildings, pools, landscaping, stand-alone power systems of domestic scale, tennis courts, etc.) in any Zone where the development is permitted with consent.

This Chapter does not apply to applications for Attached dwellings, Dwelling houses, Secondary dwellings or Semi-detached dwellings.

1.2 Aims of Chapter 10

- a) To provide development guidelines to assist the design of development proposals and preparation of development applications and the assessment of those applications.
- b) To facilitate the development of dual occupancies that is consistent with the applicable zone objectives.

2 Dual occupancies in Zones RU1, RU2 and RU4

2.1 Application

This section applies to development for the purposes of **dual occupancy (attached or detached)** in Zones RU1 Primary Production, RU2 Rural Landscape and RU4 Primary Production Small Lots. This section also applies to extensions and additions to dual occupancies and ancillary buildings and structures.

2.2 Exempt Development

Certain development ancillary to dwellings (including driveways, garages, carports and garden sheds) is permitted as Exempt Development (development that does not require development consent, subject to certain requirements). Reference should be made to any relevant State Environmental Planning Policy.

2.3 Objectives

- a) To ensure that dual occupancies are appropriately buffered from surrounding land uses and do not increase the likelihood of land use conflict.
- b) To ensure that dual occupancies do not impact on potential or viability of [Regionally Significant Farmland¹ or Class 1, 2 or 3 agricultural land²](#).
- c) To ensure that dual occupancies are designed and constructed to avoid impact on the character of the rural landscape and significant views or settings.
- d) To ensure that dual occupancies are designed and sited to minimise earthworks.
- e) To ensure that dual occupancies are designed and sited to minimise impacts on ecological functions and biodiversity values.
- f) To ensure that dual occupancies are sited to avoid unacceptable risk from natural hazards and contaminated land.
- g) To ensure that dual occupancies do not adversely impact on the ecological or hydrological functions of watercourses, water bodies and wetlands.
- h) To ensure that dual occupancies have appropriate vehicular access and are appropriately serviced.
- i) To encourage the development of well-designed dwellings that are adaptable, comfortable and maximise water and energy efficiency.

¹[As defined by the Northern Rivers Farmland Protection Project \(Department of Infrastructure, Planning and Natural Resources and Department of Primary Industries\), 2005](#)

²[As mapped on Rural Land Capability maps produced by the NSW Department of Land and Water Conservation](#)

2.4 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
Minimum lot size	
P1 The lot is of appropriate size and dimensions to accommodate two dwellings including effluent disposal areas	A1 The lot is at least the minimum lot size specified for that lot by the LEP
Design and siting of buildings and structures	
P2 Site layout and building design seeks to utilise natural grades of the land and minimises cut and fill	A2.1 Buildings and structures are not located on land with a gradient that exceeds 20% A2.2 Cut or fill does not exceed 1 metre in height and a total height of 2 metres
P3 The setback of buildings and structures from the primary road frontage is consistent with the surrounding area	A3.1 Buildings and structures are set back a minimum of 20 metres from the front boundary OR Where site has frontage to a classified road: A3.2 Buildings and structures are set back from front boundary a minimum of: <ul style="list-style-type: none"> • Where in Zones RU1 or RU2:- 50 metres • Where in Zone RU4:- 30 metres
P4 The setback of buildings and structures from side and rear property boundaries does not impact on the amenity of adjoining properties	A4.1 Buildings and structures are set back a minimum of 10 metres from side boundary A4.2 Buildings and structures are set back at least 10 metres from rear boundary OR Where side or rear boundary is a secondary road: A4.3 Buildings and structures are set back at least 20 metres from property boundary
P5 The dwellings are in reasonable proximity to each other and will not: <ul style="list-style-type: none"> • adversely impact on the agricultural potential or viability of the subject land • increase the potential for land use conflict • impact adversely on environmental values or watercourses 	A5 The two dwellings are located within 200-100 metres of each other

<u>Protection of valuable agricultural land</u>	
<u>P6</u> The dwellings will not adversely impact the agricultural potential or viability of Regionally Significant Farmland or Class 1, 2 or 3 agricultural land	<u>A6</u> The dwellings are not sited on land mapped as Regionally Significant Farmland or Class 1, 2 or 3 agricultural land
Land use conflict avoidance	
<u>P746</u> Dwellings are not located where they are likely to be impacted by surrounding land uses	<u>A746</u> Dwellings achieve buffers specified in Table C10.1 in Appendix C10
Visual impact	
<u>P86</u> Buildings and structures do not impact adversely on significant views or rural and/or natural landscape character and do not reflect light on surrounding properties	<u>A86.1</u> Buildings and structures are not located on prominent ridgelines or hilltops or in prominent locations when viewed from significant public vantage points OR <u>A86.2</u> Landscaping is used to screen views of the development from significant vantage points AND <u>A86.3</u> External walls and roofs are clad in non-reflective materials and colours are muted
Environmental impact	
<u>P97</u> The siting of buildings and structures does not impact on ecological or hydrological values of watercourses, water bodies and wetlands	<u>A97.1</u> Buildings and structures 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) <u>A97.2</u> Buildings and structures are set back a minimum of 100 metres from the edge of wetland
<u>P108</u> Development does not create unacceptable impact on ecological functions or biodiversity values	<u>A108.1</u> Siting of buildings, structures and driveways does not require the clearing of native vegetation <u>A108.2</u> Buildings and structures are not located within a mapped ecological corridor
Effluent management	
<u>P119</u> The development makes suitable provision for management of effluent that does not create public health impacts or adversely impact quality of surface and ground waters	<u>A119.1</u> Effluent disposal fields are located on land with a gradient of <20% <u>A119.2</u> The soil type is suitable for on-site treatment and disposal of effluent <u>A119.3</u> Each dwelling is serviced by an on-site sewage management system that meets the

	requirements of the Kyogle Council On-site Sewage Management Strategy
Water supply	
P1240 The development must make suitable provision for supply of potable water without drawing unreasonably from natural watercourses, water bodies or groundwater	No Acceptable Solution is provided: demonstrate how the proposal achieves the Performance Criteria
Stormwater management	
P1344 Stormwater does not create a nuisance for adjoining properties	A1344 Stormwater is managed on the development site and does not contribute to flooding on adjoining properties
Electricity supply	
P1442 The development must make adequate provision for electrical power without impacting on the amenity of surrounding properties through emission of noise, fumes, light or glare through on-site power generation	A1442 Dwellings are connected to the reticulated electricity network
Telecommunications	
P1543 The development must make suitable arrangements for the supply of constant, reliable telecommunications	A1543 Dwellings are connected to the fixed line telecommunications network
Solid waste disposal	
P1644 The development must make satisfactory arrangements for the storage and removal of solid waste	A1644 Solid waste is disposed of at an approved facility and is not buried or burnt on site
Transport and Access	
P1745 The development must have suitable vehicular access	<p>A1745.1 Vehicles are able to enter and leave the site in a forward direction</p> <p>A1745.2 The development site has access to a constructed public road</p> <p>A1745.3 Site access, internal driveways, manoeuvring and parking areas are designed and constructed in accordance with the Northern Rivers Local Government Development & Design and Construction Manual and Council's Property Access and Addressing Management Plan</p> <p>A1745.4 Both dwellings are accessed by the same vehicular access point to a public road</p>
Natural hazards	
P187 Dwellings, visitors and firefighters are not exposed to unacceptable risk from bushfire	A187.1 Development is not on land that is mapped as bushfire prone land

	<p>OR</p> <p>A187.2 Dwellings are assessed as having a Bushfire Attack Level (BAL) no greater than BAL 29 and complies with the requirements of the Rural Fire Service publication 'Planning for Bushfire Protection' 2006 or any superseding guideline and Australian Standard AS3959</p> <p>OR</p> <p>A187.3 A report prepared by a Certified Bushfire Practitioner is provided that demonstrates the dwellings can achieve the requirements of the Rural Fire Service publication 'Planning for Bushfire Protection' 2006 or any superseding guideline</p>
<p>P198 Buildings, structures and persons on the development site should not be exposed to unacceptable risk from flooding</p>	<p>A198.1 The location of the dwellings is not prone to flooding from inundation or overland flow</p> <p>OR</p> <p>Where a dwelling is proposed on land that is mapped as or known to be prone to flooding:</p> <p>A198.2 A report is submitted by a suitably qualified person that demonstrates the floor level of the development achieves a height of at least the level of a 100 year ARI flood event plus 0.5 metres freeboard</p>
<p>P2049 Buildings, structures and persons on the development site should not be exposed to unacceptable risk from landslip or mass movement</p>	<p>A2049.1 The development site does not display evidence of landslip or mass movement</p> <p>OR</p> <p>A2049.2 A report prepared by a suitably qualified engineer is submitted that demonstrates the site is geotechnically stable and suitable to accommodate a dwelling</p>
<p>Contaminated land</p>	
<p>P210 Residents and visitors are not exposed to unacceptable risk from contamination</p>	<p>A210.1 Development is not on a site that is listed as contaminated</p> <p>AND</p> <p>A210.2 Dwellings are not located within 200 metres of a cattle dip</p> <p>OR</p> <p>A210.3 A report prepared by a suitably qualified person is submitted that demonstrates the site is suitable to accommodate a residential use</p>
<p>Building orientation and energy efficiency</p>	
<p>P224 Building design and orientation facilitates</p>	<p>A224.1 Living areas* are orientated to the north</p>

<p>passive lighting, heating and cooling</p>	<p>or east</p> <p>A224.2 Window and door placement allows internal solar access between April and August and limits internal solar access between September and March</p> <p>A224.3 Eaves are minimum of 450 mm deep</p> <p>A224.4 Internal building layout and location of windows facilitate internal passage of cooling easterly and southerly breezes</p> <p><i>*Living areas are considered to be kitchen, lounge room, living room or dining room</i></p>
<p>Additional guidelines for dual occupancy (attached)</p>	
<p>P232 Development is compliant with Building Code of Australia provisions concerning noise attenuation and fire separation</p>	<p>No Acceptable Solution is provided: demonstrate how the proposal achieves the Performance Criteria</p>

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3 Dual occupancies in Zones R1, R3, R5 and RU5

3.1 Application

This section applies to preparation and assessment of applications for development for the purposes of **dual occupancy (attached or detached)** in Zones R1, R3, R5 and RU5. This section also applies to extensions and additions to dual occupancies and ancillary buildings and structures.

3.2 Exempt Development

Certain development ancillary to dual occupancies (eg. driveways, carports, garden sheds) may be permitted as Exempt Development (development that does not require development consent, subject to certain requirements). Reference should be made to any relevant State Environmental Planning Policy.

3.3 Objectives

- a) To ensure dual occupancies and ancillary development complement the character of their surroundings.
- b) To ensure that buildings and structures are designed and sited to minimise earthworks.
- c) To ensure that development does not impact the amenity of surrounding residential development.
- d) To ensure that buildings and structures are designed and sited to minimise impacts on ecological functions and biodiversity values.
- e) To ensure that dual occupancies and ancillary development are sited to avoid exposure to unacceptable risk from natural hazards and contaminated land.
- f) To ensure that development does not adversely impact on the ecological or hydrological functions of watercourses and water bodies.
- g) To ensure that dual occupancies have suitable vehicular access and parking and are appropriately serviced.
- h) To encourage the development of well-designed dwellings that are comfortable and adaptable and maximise water and energy efficiency.
- i) To ensure the preservation of cultural heritage.

h)i)

3.4 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
Minimum lot size and dimensions	
P1 The allotment is sufficient size and dimensions to accommodate two dwellings (including car parking and manoeuvring areas, private open space and effluent disposal where required) and will not result in impacts on the privacy or amenity of neighbouring properties	<p>Where development site is in an area serviced by reticulated sewerage:</p> <p>A1.1 The development site has an area of at least 600m² and an average width of at least 15 metres</p> <p>OR</p> <p>Where development site is not in an area serviced by reticulated sewerage:</p> <p>A1.2 The development site has an area of at least 1 ha and an average width of at least 40 metres</p>
Height and form of buildings	
P2 The height of buildings and structures is consistent with houses in the surrounding area and does not create overshadowing or a loss of privacy for adjoining residential properties	A2 Building height does not exceed maximum height shown on the Height of Buildings Map
P3 Detached dwellings have sufficient separation to achieve required fire separation and allow access for maintenance	A3 Minimum separation distance between dwellings is 2 metres
P4 Attached dwellings appear as two distinct dwellings	<p>A4.1 Walls at point of connection are articulated</p> <p>A4.2 Distinct roof profiles are used for each dwelling or the point of connection is articulated</p> <p>A4.3 Dwellings do not appear as a mirror image of each other</p>
Development footprint	
P5 The total development footprint allows for sufficient private open space and does not impact on amenity of adjoining properties	<p>A5 The total site coverage of all dwellings, structures and outbuildings does not exceed:</p> <ul style="list-style-type: none"> • Where lot size <900m²= 40% • Where lot size 901-1500m²= 30% • Where lot size >1500m²= 25%
Front boundary setback	
P6 Dwelling houses and ancillary structures have sufficient setback from the front boundary to maintain the character and building line of	A6.1 The front boundary setback is in accordance with the requirements in Table C10.2

<p>the street and to allow sufficient area for private open space, car parking and landscaping</p>	<p>OR</p> <p>Where site fronts a classified road:</p> <p>A6.2 Front boundary setback is at least:</p> <ul style="list-style-type: none"> • Where in Zone R1, R3 or RU5:- 9 metres • Where in RE2 or R5 (and lot has an area of at least 4000m2):- 15 metres •
<p>P7 Side boundary setback is sufficient to maintain privacy, residential amenity and solar access of adjoining properties, permit access for maintenance and meet Building Code of Australia requirements</p>	<p>In Zones R1, R3 and RU5 and where outer wall or structure adjacent side boundary is <4.5m high:</p> <p>P7.1 Side boundary setback is a minimum 0.9 metres to wall and 0.45 metres to outer edge of eave or gutter</p> <p>OR</p> <p>In Zones R1, R3 and RU5 and where outer wall or structure adjacent side boundary is >4.5m high:</p> <p>P7.2 Side boundary setback is a minimum 1.5 metres to wall plus 0.5 metres for every additional 2 metres in wall height</p> <p>OR</p> <p>Where in Zone R5:</p> <p>A7.3 Side boundary setback is a minimum 5 metres</p>
Rear boundary setback	
<p>P8 Rear boundary setback is sufficient to allow for the maintenance of privacy, residential amenity and solar access of adjoining properties</p>	<p>In Zones R1, R3 and RU5:</p> <p>A8.1 Rear boundary setback is a minimum of 6 metres</p> <p>OR</p> <p>In Zones R1, R3 or RU5 where rear boundary of development site has road frontage:</p> <p>A8.2 Rear boundary setback is a minimum of 6 metres or where adjoining development fronts that street; at least the setback of adjoining development, whichever is the lesser</p> <p>OR</p> <p>In Zones RE2 and R5:</p> <p>A8.3 Buildings and ancillary structures are set back from the rear boundary a minimum of 15 metres</p>
Corner allotments	
<p>P9 Building setbacks on corner allotments are suitable to ensure safety for pedestrians and vehicles, to maintain the character and building</p>	<p>A9.1 Front boundary setback is as per Table C10.2</p>

<p>line of the streets and allow for the maintenance of privacy, residential amenity and solar access of adjoining properties</p>	<p>OR</p> <p>Where site fronts a classified road:</p> <p>A9.2 Front boundary setback is at least:</p> <ul style="list-style-type: none"> • Where in Zone R1, R3 or RU5:- 9 metres • Where in RE2 or R5 (and lot has an area of at least 4000m²):- 15 metres <p>A9.3 Setback of buildings and ancillary structures to the secondary road frontage is at least 4 metres in Zones R1, R3 and RU5 and at least 10 metres in Zones RE2 and R5</p> <p>A9.4 Setback of buildings and ancillary structures to side boundaries* is 2 metres in Zones R1, R3 and RU5 and 5 metres in Zones RE2 and R5</p> <p>A9.5 Vehicular access points are not closer than 6 metres from the intersection</p> <p><i>*Corner allotments are not considered to have a rear boundary</i></p>
<p>Open space</p>	
<p>P10 Residents have access to sufficient private open space</p>	<p>A10.1 Each dwelling has access to a minimum 24m² of private open space with a minimum dimension of 4 metres</p> <p>A10.2 50% of the private open space receives at least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June)</p>
<p>P11 Each dwelling makes suitable provision for outdoor clothes drying</p>	<p>A11 Each dwelling has access to private outdoor space for clothes drying</p>
<p>Building orientation and energy efficiency</p>	
<p>P12 Building design and orientation facilitates passive lighting, heating and cooling</p>	<p>A12.1 Living areas* are orientated to the north or east</p> <p>A12.2 Window and door placement allows internal solar access between May and September and limits internal solar access between October and April</p> <p>A12.3 Eaves are minimum of 450 mm deep</p> <p>A12.4 Internal building layout and location of windows facilitate internal passage of cooling easterly and southerly breezes</p> <p><i>*Living areas are considered to be kitchen,</i></p>

	<i>lounge room, living room or dining room</i>
Streetscape	
P13 Dwellings address the street and allow for passive surveillance	<p>A13.1 The front door of each dwelling is visible from the street</p> <p>A13.2 At least one living area* of each dwelling has a window that faces the street</p> <p>A13.3 Solid front fencing higher than 1.2 metres is not used (except where required for noise attenuation where development site fronts a classified road)</p> <p><i>*Living areas are considered to be kitchen, lounge room, living room or dining room</i></p>
P14 Front façades are not dominated by car accommodation	<p>A14.1 Vehicular accommodation is recessed a minimum of 0.5 metres behind the front façade</p> <p>A14.2 Vehicular accommodation does not exceed 50% of the width of each dwelling</p>
Where located on the site of a heritage item	
P15 Development does not adversely impact form, fabric, appearance , views or the setting of the heritage item	No Acceptable Solution is provided: demonstrate how the proposal achieves the Performance Criteria
Where adjoining a site of a heritage item	
P16 Development does not adversely impact views or the setting of the heritage item	No Acceptable Solution is provided: demonstrate how the proposal achieves the Performance Criteria
Where located in a heritage conservation area	
P17 Development complements the scale, form and character of existing development in the conservation area	No Acceptable Solution is provided: demonstrate how the proposal achieves the Performance Criteria
Site slope and earthworks	
P18 Development siting, design and layout utilises natural grades of the land and minimises cut and fill	<p>A18.1 Buildings, structures and vehicular parking and manoeuvring areas are not located on land with a gradient exceeding 20%</p> <p>A18.2 On sloping sites dwellings are stepped down the slope to minimise earthworks</p>
P19 Cut and fill structures (including retaining walls) are structurally sound and do not impact on the amenity or geotechnical stability of adjoining properties	<p>A19.1 Cut batters are a maximum 1 metre in height and no closer than 0.9 metres to property boundary</p> <p>A19.2 Fill batters are a maximum of 0.6 metres in height and no closer than 0.4 metres to</p>

	<p>property boundary</p> <p>A19.3 Retaining walls higher than 0.6 metres are designed and certified by an appropriately qualified engineer</p>
Natural hazards	
P20 Dwellings, residents, visitors and firefighters are not exposed to unacceptable risk from bushfire	<p>A20.1 The dwellings are not on land that is mapped as bushfire prone land</p> <p>OR</p> <p>A20.2 The dwellings are assessed as having a Bushfire Attack Level (BAL) no greater than 29 and complies with the requirements of PBP 2006 or any superseding guideline and Australian Standard AS3959</p> <p>OR</p> <p>A20.3 A report prepared by a Certified Bushfire Practitioner is provided that demonstrates the dwelling can achieve the requirements of PBP 2006 or any superseding guideline</p>
P21 Buildings, structures and persons on the development site are not exposed to unacceptable risk from flooding	<p>A21.1 The development site is not prone to flooding from inundation or overland flow</p> <p>OR</p> <p>Where development is proposed on flood prone land:</p> <p>A21.2 a report is submitted by a suitably qualified person that demonstrates the floor level of the development achieves a height of at least the level of a 100 year ARI flood plus 0.5 metres</p> <p>OR</p> <p>Where development is proposed on a lot within the Flood Planning Area shown on the Flood Planning Map in the LEP:</p> <p>A21.3 The development complies with the provisions of the Development Control Plan in the Kyogle Council Floodplain Risk Management Plan 2009</p>
P22 Buildings, structures and persons on the development site should not be exposed to unacceptable risk from landslip or mass movement	<p>A22.1 The development site is not prone to landslip or mass movement</p> <p>OR</p> <p>A22.2 A report is submitted by suitably qualified person that demonstrates the site is geotechnically stable and suitable to accommodate dwellings</p>

Environmental protection	
P23 Development does not create unacceptable impact on ecological functions or biodiversity values	<p>A23.1 Siting of buildings and structures does not require the clearing of native vegetation</p> <p>A23.2 Buildings and structures are not located within a mapped ecological corridor</p>
Protection of watercourses	
P24 The siting of buildings and structures does not impact on ecological or hydrological values of watercourses and water bodies	A24 Buildings and structures 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)
Vehicular access and parking	
P25 The development has suitable vehicular access	A25 The development is accessed via a single vehicular access point
P26 Vehicular access for dwellings must allow vehicles to enter and leave the site in a forward gear and allow all weather access by two wheel drive vehicle	<p>A26.1 The development site has frontage to a constructed public road</p> <p>A26.2 Vehicles are able to enter and leave the site in a forward direction</p> <p>A26.3 Access, manoeuvring and parking areas are in accordance with the Northern Rivers Local Government Design and Construction Manual, Chapter 8 of the DCP- Site Access and Off- street parking and Council's Property Access and Addressing Management Plan</p>
P27 Vehicles can be accommodated on site and the development will not create unreasonable demand for on-street parking	A27 Each dwelling is provided with at least two car parking spaces
Servicing and infrastructure	
P28 The development makes suitable provision for management of effluent that does not create public health impacts or adversely impact the quality of surface and ground waters	<p>Where development site is in a serviced area:</p> <p>A28.1 Each dwelling has an independent connection to the reticulated sewer system</p> <p>OR</p> <p>Where connection to reticulated sewer is not available:</p> <p>A28.2 An effluent management system is provided for each dwelling that meets the requirements of Kyogle On-site Sewerage Management Strategy</p>
P29 The development must make suitable provision for supply of potable water	<p>Where development site is in a serviced area:</p> <p>A29.1 Dwellings are connected to the reticulated</p>

	<p>water system</p> <p>OR</p> <p>Where connection to reticulated water supply is not available:</p> <p>A29.2 Dwellings are self- sufficient for water</p>
P30 Stormwater generated by the development does not cause nuisance to or flooding of adjoining properties	<p>Where development site is in a serviced area:</p> <p>A30.1 Stormwater is discharged to the stormwater drainage network</p> <p>OR</p> <p>Where development site is not in a serviced area:</p> <p>A30.2 Stormwater is effectively managed on site and does not contribute to flooding or nuisance on adjoining properties</p>
P31 The development must make adequate provision for electrical power without impacting on the amenity of surrounding properties through emissions of noise, fumes or glare through generation of on-site power	A31 Dwellings are connected to the reticulated electricity network
P32 The dwelling must make suitable arrangements for the supply of constant, reliable telecommunications	A32 Dwellings are connected to the fixed line telecommunications network
P33 The development makes satisfactory arrangements for the storage and removal of rubbish	A33 Dwellings are serviced by a domestic waste collection service
Additional guidelines for dual occupancy (attached)	
P34 Development is compliant with the provisions of the Building Code of Australia concerning noise attenuation and fire separation	No Acceptable Solution is provided: demonstrate how the proposal achieves the Performance Criteria

APPENDIX C10

TABLE C10.1 Recommended minimum buffer distances between dwellings and other land uses on adjoining or surrounding land not associated with the proposal

Existing land use	Distance to dwellings (metres)
Piggeries- Housing and waste storage	500
Piggeries- Waste utilisation area	250
Feedlots- Yards and waste storage	500
Feedlots- Waste utilisation area	250
Poultry Farms- Sheds and waste storage	500
Poultry Farms- Waste utilisation area	250
Dairies- Sheds and waste storage	250
Dairies- Waste utilisation area	250
Other Intensive Livestock Operations	300
Cropping and Horticulture	200
Greenhouse & Controlled Environment Horticulture	200
Macadamia De-husking	300
Bananas	150
Turf Farms	200
Animal boarding and training establishments	500
Rural Industries	500
Abattoirs	1000
Extractive Industries that does not involve blasting	500
Extractive Industry that involves blasting	1000
Waste disposal facility	300
Grazing of stock, cattle yards	50

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

TABLE C10.2 Minimum front boundary setback for dwellings and ancillary structures in Zones R1, R3, R5 and RU5

Situation	Minimum front boundary setback
Where there are adjoining houses within 40 metres and fronting the same street	4.5 metres or the average of the setback of adjoining houses, whichever is the lesser
Where no adjoining houses within 40 metres	<ul style="list-style-type: none"> • 4.5 metres where lot has an area of at least 300m² but less than 900m² OR <ul style="list-style-type: none"> • 5.5m where the lot has an area of greater than 900m²
Where in Zones RE2 and R5	10 metres or the average of the setback of existing adjoining houses, whichever is the lesser
Garage, carport* or car parking space <i>*A carport is defined as a roofed structure for the accommodation of a single vehicle with no more than two sides enclosed and no less than 1/3 of its perimeter unenclosed</i>	<ul style="list-style-type: none"> • 5.5 metres where dwelling house has a setback of less than 4.5 metres OR <ul style="list-style-type: none"> • 1 metre behind front building line of house where the dwelling has a setback of more than 4.5 metres