

CHAPTER 1 NON-RESIDENTIAL DEVELOPMENT IN RURAL ZONES RU1, RU2, RU3 AND RU4



TABLE OF CONTENTS

Chapter 1 Non-Residential Development in Rural Zones RU1, RU2, RU3 and RU4.....	4
1 Introduction	6
1.1 Application	6
1.2 Aims of Chapter 1.....	6
2 Intensive Livestock Agriculture, Rural Industries and Animal Boarding and Training Establishments.....	7
2.1 Application	7
2.2 Objectives	7
2.3 Development Guidelines	8
3 Farm Buildings and Rural Sheds	14
3.1 Application	14
3.2 Exempt Development	14
3.3 Objectives	14
3.4 Development Guidelines	14
4 Other development	17
4.1 Application	17
4.2 Objectives	17
4.3 Development Guidelines	18
APPENDIX C1	23
Table C1.1 – Recommended minimum buffer distances (metres)	23
Table C1.2 Preferred operational or opening hours.....	24

1 Introduction

1.1 Application

This Chapter applies in preparing and assessing applications for development in rural Zones RU1 Primary Production, RU2 Rural Landscape, RU3 Forestry and RU4 Primary Production Small Lots, excluding residential development, subdivision, forestry, extractive industries and other development where regulated by other chapters of this DCP.

1.2 Aims of Chapter 1

- a) To facilitate development in rural areas that is consistent with the objectives of the applicable zone and does not reduce the viability or potential of Regionally Significant Farmland¹ or Class 1, 2 or 3 agricultural land².
- b) To assist potential developers to select suitable development sites.
- c) To provide development guidelines to assist the design of development proposals and preparation of development applications and the assessment of those applications.

¹As mapped by the Northern Rivers Farmland Protection Project (Department of Infrastructure, Planning and Natural Resources and Department of Primary Industries), 2005

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

2 Intensive Livestock Agriculture, Rural Industries and Animal Boarding or Training Establishments

2.1 Application

This section applies to development for the purposes of **intensive livestock agriculture, rural industries and animal boarding or training establishments** in Zones RU1, RU2, RU3 and RU4 where permitted with consent under the Kyogle LEP 2012. The Kyogle LEP 2012 states that a **rural industry** includes the following activities:

- Agricultural produce industries
- Livestock processing industries (including abattoirs)
- Composting facilities and works (including the production of mushroom substrate)
- Sawmill or log processing works
- Stock and sale yards
- The regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise

2.2 Objectives

- a) To facilitate development of intensive livestock agriculture, rural industries and animal boarding or training establishments in appropriate locations.
- b) To encourage the development of rural industries that complements the agricultural activities within the Council area.
- c) To ensure development does not fragment or significantly reduce the potential or viability of Regionally Significant Farmland¹ or Class 1, 2 or 3 agricultural land².
- d) To ensure that development is appropriately sited and adequate buffers are provided to sensitive land uses so as to minimise the potential for land use conflict.
- e) To ensure the design and operation of development does not create unacceptable impacts on the amenity of surrounding properties.
- f) To ensure that development does not adversely impact on biodiversity, endangered ecological communities, fauna corridors or threatened species.
- g) To minimise adverse impacts on the character of the rural landscape.
- h) To ensure development does not adversely impact on water quality and the ecological and hydrological functions of watercourses, wetlands or water bodies.
- i) To ensure that development is adequately serviced and does not create unreasonable demands on public infrastructure.
- j) To ensure that development has safe and suitable vehicular access.
- k) To ensure preservation of cultural heritage.

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

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

2.3 Development Guidelines

Note: the Acceptable Solutions represent one way to meet the 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
Protection of good quality agricultural land	
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
Land use conflict	
P2 The development is not likely to impact on, or be impacted by, current and likely future land uses in the surrounding area* <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) that demonstrates the development will not result in unacceptable risk of land use conflict</i>	A2.1 Development achieves relevant buffers identified in Table C1.1 in Appendix C1 A2.2 Development is not proposed on land that adjoins land zoned R1, R3, R5 and RU5 or land that is identified for future residential or urban development through a land release strategy
Design and siting of buildings, structures and operational areas	
P3 Development siting and layout utilises natural grades of the land and minimises cut and fill	A3.1 Buildings, structures and operational areas are not constructed on land with a gradient exceeding 15% A3.2 Cut or fill does not exceed 1.5 metres in height and a total height of 3 metres
P4 The setback of buildings, structures and operational areas from the primary road frontage is consistent with the surrounding area	A4.1 Buildings, structures and operational areas are set back a minimum of 40 metres from the primary road frontage or as per Table C1.1 in Appendix C1 where applicable OR Where development site has primary frontage to a classified road: A4.2 Buildings, structures and operational areas are set back a minimum of 50 metres from the road frontage

Performance criteria	Acceptable solution
<p>P5 The setback of buildings, structures and operational areas from side and rear property boundaries does not impact on the amenity of adjoining properties</p>	<p>A5.1 Buildings, structures and operational areas are set back a minimum of 20 metres from side boundary or as per Table C1.1 in Appendix C1 where applicable</p> <p>A5.2 Buildings, structures and operational areas are set back at least 20 metres from rear boundary or as per Table C1.1 in Appendix C1 where applicable</p> <p>OR</p> <p>Where side or rear boundary fronts a public road:</p> <p>A5.3 Buildings, structures and operational areas are set back at least 40 metres or as per Table C1.1 in Appendix C1 where applicable</p>
<p>Visual impact</p>	
<p>P6 The development does not adversely impact significant vistas, landscape character or surrounding properties</p>	<p>A6.1 Buildings, structures and operational areas are not located in visually prominent locations such as on ridgelines, hill tops or in prominent locations when viewed from public vantage points or surrounding properties</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 public vantage points*</p> <p><i>* A landscape concept plan must be provided that demonstrates achievement of A6.2</i></p> <p>A6.3 External walls and roofs are clad in non-reflective materials and colours are muted</p>
<p>Environmental impact</p>	
<p>P7 The siting of buildings, structures and operational areas does not adversely impact ecological or hydrological values of watercourses, water bodies or wetlands</p>	<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 or greater Stream) 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>

Performance criteria	Acceptable solution
P8 Development does not adversely 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>
Heritage	
P9 Development does not adversely affect the heritage significance of items of environmental heritage or of a heritage conservation area	A9 The development site is not land upon which an item of environmental heritage is situated or land within a heritage conservation area
Landscaping	
P10 The development does not create adverse visual impact on the character of the area	<p>A10.1 A landscape concept plan is submitted with the development application</p> <p>A10.2 Plant species proposed complement or reflect the landscape character of the site and its surroundings</p> <p>A10.3 Plant locations and densities are appropriate to effectively screen or break up the mass of the development</p>
Control of Noise, Odour, Light and Dust	
P11 Operation of the development does not create unacceptable noise impacts on surrounding areas	<p>A11.1 Operation of the development complies with the NSW Industrial Noise Policy</p> <p>A11.2 All stationary noise generating machinery is located within insulated and enclosed buildings</p> <p>A11.3 Deliveries and transport are undertaken only between the hours of 7am to 6pm weekdays and 7am to 1pm Saturdays</p> <p>A11.4 Roads, parking, loading and manoeuvring areas are not within 100 metres of a dwelling on another property</p>
P12 Operation of the development does not create dust that impacts on crop production or the amenity of surrounding areas	A12 Design and operation of the development does not generate dust
P13 Operation of the development does not create unacceptable odour impacts on surrounding areas	A13.1 Animal feed is stored in a dry storage area to prevent fermentation

Performance criteria	Acceptable solution
	<p>AND</p> <p>Where development is for intensive livestock agriculture:</p> <p>A13.2 Best practice measures to minimise odour are implemented</p> <p>AND</p> <p>Where development is for an animal boarding establishment:</p> <p>A13.3 Development is carried out in accordance with the Code of Practice No. 5- Dogs and Cats in Animal Boarding Establishments prepared by the NSW Department of Primary Industries</p>
P14 The development does not create unacceptable light impacts on surrounding areas	<p>A14.1 Development does not employ external lighting</p> <p>OR</p> <p>A14.2 External lighting is shielded to prevent spillage to surrounding properties</p>
Effluent management	
P15 Design and operation of the development does not adversely impact water quality, create public health risks or impact adjoining land	<p>A15.1 Effluent is treated on site in an approved manner</p> <p>OR</p> <p>A15.2 Effluent is removed from site and disposed of in an approved manner</p> <p>AND</p> <p>Where development is for intensive livestock agriculture or animal boarding or training establishment:</p> <p>A15.3 Wastewater generated from the cleaning of animal housing structures, restriction facilities and yard areas is treated to remove pathogens and pollutants prior to being reused on-site for irrigation purposes</p>
Stormwater management	
P16 Development must not have a detrimental impact on water quality or adjoining properties	<p>A16.1 Development does not alter drainage patterns or result in increased stormwater velocities, sediment, pollutant or nutrient loads</p> <p>A16.2 Stormwater is disposed of in a manner that does not interfere with adjoining land uses</p>

Performance criteria	Acceptable solution
	<p>A16.3 Stormwater management infrastructure is designed in accordance with the Northern Rivers Local Government Development & Design and Construction Manuals</p> <p>AND</p> <p>Where development is for intensive livestock agriculture:</p> <p>A16.4 Development is carried out in accordance with an erosion and sediment control plan prepared in accordance with the Northern Rivers Local Government Development & Design and Construction Manuals</p>
Transport and access	
<p>P17 The development has vehicular access that is safe and suitable for the intended use</p>	<p>A17.1 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>A17.2 Vehicles can enter and leave the site in a forward direction</p> <p>A17.3 Internal access roads, parking and manoeuvring areas are all weather design and construction</p> <p>A17.4 Access, manoeuvring and parking areas designed and constructed in accordance with the Northern Rivers Local Government Development & Design and Construction Manuals, and Council's Property Access and Addressing Management Plan</p>
Services and infrastructure	
<p>P18 The development makes adequate provision for services without impacting on the amenity of surrounding properties</p>	<p>A18 The development is serviced by reticulated power and telecommunications</p>
<p>P19 The development makes adequate provision for supply of water</p>	<p>A19 The development is self-sufficient for water</p>
Natural hazards	
<p>P20 Buildings, structures and persons on the development site are not exposed to unacceptable risk from flooding, landslip or bushfire</p>	<p>A20.1 Development is not on land that is mapped as bushfire prone land or a landslip hazard area</p> <p>A20.2 The development site is not prone to flooding from inundation or overland flow</p>

Performance criteria	Acceptable solution
Hours of operation (rural industries only)	
P21 Operation of the development does not create unacceptable impacts on surrounding areas	A21 Hours of operation are in accordance with Table C1.2 in Appendix C1

3 Farm Buildings and Rural Sheds

3.1 Application

This section applies to development for the purposes of farm buildings (including sheds) and structures in Zones RU1, RU2, RU3 and RU4 where not developed as part of other development applicable to this Chapter. This Chapter does not apply to rural dwellings; refer to Chapter 3.

3.2 Exempt Development

Certain farm buildings and structures are 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 that buildings and structures are designed and constructed to minimise the visual impact on the character of the rural landscape and significant views or settings.
- b) To ensure that buildings and structures are designed and sited to minimise cut and fill.
- c) To ensure that buildings and structures are designed and sited to minimise impacts on ecological functions and biodiversity values.
- d) To ensure that buildings and structures are sited to minimise exposure to unacceptable risk from natural hazards and contaminated land.
- e) To ensure that buildings and structures do not adversely impact on ecological or hydrological functions of watercourses, wetlands or water bodies.
- f) To ensure that buildings and structures have suitable vehicular access.
- g) To ensure the preservation of cultural heritage.

3.4 Development Guidelines

Note: the Acceptable Solutions represent one way to meet the 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
Design and siting of buildings and structures	
P1 Design and layout of buildings utilises natural grades of the land and minimises cut and fill	<p>A1.1 Buildings and structures are not erected on slopes in excess of 15%</p> <p>A1.2 Cut or fill does not exceed 1.5 metres in height or a total height of 3 metres</p>

Performance criteria	Acceptable solution
P2 The setback of buildings and structures to the primary road frontage is consistent with the surrounding area	<p>A2.1 Buildings and structures are set back a minimum of 20 metres from the primary road frontage, where the road is not a classified road</p> <p>OR</p> <p>Where development site has primary frontage to a classified road:</p> <p>A2.2 Buildings and structures are set back a minimum of 50 metres from the road frontage</p>
P3 The setback of buildings and structures does not impact on the amenity of adjoining properties or the surrounding area	<p>A3.1 Buildings and structures are set back a minimum of 10 metres from side and rear boundaries</p> <p>OR</p> <p>Where side or rear boundary fronts a public road:</p> <p>A3.2 Buildings and structures are set back a minimum of 20 metres from boundary</p>
P4 The siting of buildings and structures does not impact on ecological or hydrological values of watercourses and water bodies	A4 Buildings and structures are set back a minimum of 100 metres from the top of bank of permanent or ephemeral watercourses and water bodies
P5 The development does not adversely impact significant vistas, landscape character or surrounding properties	<p>A5.1 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>A5.2 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 A5.2</i></p> <p>AND</p> <p>A5.3 External walls and roofs are clad in non-reflective materials and colours are muted. This includes colourbond materials.</p>
P6 Development does not create unacceptable impact on ecological functions or biodiversity values	<p>A6.1 Siting of buildings and structures does not require the clearing of native vegetation</p> <p>A6.2 Development is not located within a mapped ecological corridor</p>

Performance criteria	Acceptable solution
Stormwater Management	
P7 Development must not have a detrimental impact on adjoining properties	<p>A7.1 Stormwater is disposed of in a manner that does not interfere with adjoining properties</p> <p>A7.2 Stormwater management infrastructure is designed and constructed in accordance with the Northern Rivers Local Government Development & Design and Construction Manuals</p>
Transport and Access	
P8 The development must have vehicular access suitable for the intended use	<p>A8.1 Internal access roads and vehicular access must be all weather design and construction in accordance with the Northern Rivers Local Government Development & Design and Construction Manuals, and Council's Property Access and Addressing Management Plan</p> <p>A8.2 Vehicles are able to enter and leave the site in a forward direction</p>
Natural hazards	
P9 Buildings, structures and persons on the development site are not exposed to unacceptable risk from flooding, landslip or bushfire	<p>A9.1 Where development is on land mapped as bushfire prone land, buildings or structures are not located within 10 metres of a dwelling*</p> <p>A9.2 Development is not located on land mapped as a landslip hazard area</p> <p>A9.3 The development site is not prone to flooding from inundation or overland flow</p> <p><i>*Where Class 10a structures are located on bushfire prone land and within 10 metres of a residential building, the Class 10a structure must meet bushfire requirements applicable to the residential building</i></p>
Heritage	
P10 Development does not adversely affect the heritage significance of items of environmental heritage or of a heritage conservation area	A10 The development site is not land upon which an item of environmental heritage is situated or land within a heritage conservation area

4 Other development

4.1 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, temporary workers' accommodation, timber yards, veterinary hospitals, crematoria and cellar door premises**, but excluding tourist and visitor accommodation, eco-tourist facilities, forestry or cemeteries.

4.2 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 Farmland¹ or Class 1, 2 or 3 agricultural land².
- 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.

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

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

4.3 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
Protection of good quality agricultural land	
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
Land use conflict	
P2 The development is not likely to impact on, or be impacted by, current and likely future land uses in the surrounding area* <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>	A2.1 Development achieves buffers identified in Table C1.1 in Appendix C1
Design and siting of buildings and structures	
P3 Development siting and layout utilises natural grades of the land and minimises cut and fill	A3.1 Buildings, structures and operational areas are not constructed on land with a gradient exceeding 15% A3.2 Cut or fill does not exceed 1.5 metres in height and a total height of 3 metres
P4 The setback of buildings, structures and operational areas to the primary road frontage is consistent with the surrounding area	A4.1 Buildings, structures and operational areas are set back a minimum of 20 metres from the primary road frontage OR Where development site has primary frontage to a classified road: A4.2 Buildings, structures and operational areas are set back a minimum of 50 metres from the road frontage
P5 The setback of buildings, structures and operational areas does not impact on the amenity of adjoining properties	A5.1 Buildings and structures are set back a minimum of 10 metres from side boundary A5.2 Buildings and structures are set back at least 10 metres from rear boundary

Performance criteria	Acceptable solution
	OR Where side or rear boundary is a secondary road: A5.3 Buildings and structures are set back at least 20 metres
Visual impact	
P6 The development does not adversely impact significant vistas, landscape character or surrounding properties	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 OR A6.2 Landscaping is provided to screen or break up the appearance of the development from surrounding areas and significant vantage points <i>* A landscape concept plan must be provided that demonstrates achievement of A6.2</i> AND A6.3 External walls and roofs are clad in non-reflective materials and colours are muted
Environmental impact	
P7 The siting of buildings and structures does not impact on ecological or hydrological values of watercourses, water bodies and wetlands	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) A7.2 Buildings, structures and operational areas are set back a minimum of 100 metres from the edge of wetland
P8 Development does not create unacceptable impact on ecological functions or biodiversity values	A8.1 Construction of buildings, structures and operational areas does not require the clearing of native vegetation A8.2 Development is not located within a mapped ecological corridor
Protection of amenity of surrounding properties	

Performance criteria	Acceptable solution
<p>P9 Operation of the development does not create unacceptable impacts on the amenity of surrounding areas or agricultural production</p>	<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> <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>
<p>Effluent management</p>	
<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>
<p>Stormwater Management</p>	
<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 & Design and Construction Manuals</p>
<p>Transport and Access</p>	
<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>

Performance criteria	Acceptable solution
	<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 & Design and Construction Manual</p>
Services and infrastructure	
<p>P13 The development makes adequate provision for services without impacting on the amenity of surrounding properties or drawing unreasonably from watercourses, water bodies or groundwater</p>	<p>A13.1 The development is serviced by reticulated power and telecommunications</p> <p>A13.2 The development has adequate water supply</p>
Natural hazards	
<p>P14 Buildings, structures and persons on the development site are not exposed to unacceptable risk from flooding, landslip or bushfire</p>	<p>A14.1 Development is not proposed on land that is mapped as bushfire prone or a landslip hazard area</p> <p>A14.2 The development site is not prone to flooding from inundation or overland flow</p>
Heritage	
<p>P15 Development does not adversely affect the heritage significance of items of environmental heritage or of a heritage conservation area</p>	<p>A15 The development site is not land upon which an item of environmental heritage is situated or land within a heritage conservation area</p>
Where development is for a roadside stall	
<p>P16 Roadside stalls do not create unsafe road conditions</p>	<p>A16.1 Roadside stalls are not located within the road reserve</p> <p>A16.2 Roadside stalls are accessed via an approved vehicular access</p>
<p>P17 Roadside stalls are small scale and used for the sale of locally produced or grown goods and products</p>	<p>A17.1 The maximum gross floor area of a roadside stall is 8m²</p> <p>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</p>

Performance criteria	Acceptable solution
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 Roadside stall signage does not create adverse impacts on rural landscape character or unduly distract motorists	<p>A19.1 No more than 3 signs per premises are utilised</p> <p>A19.2 Signs are located on roadside stall or fence line of subject site</p>

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

Development use or activity	Monday to Friday	Saturday	Sunday and Public Holidays
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