



Chapter 5 c)

Rural Development





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Rural Development

Rural Development Objectives

Rural based and agricultural activities are significant land uses within the Narromine local government area. This plan seeks to recognize the importance of these uses, including their impact on the local economy and seeks to enhance these uses through specific objectives as follows:

- To encourage sustainable agricultural and primary production activities;
- To ensure that rural or agricultural activities are not affected by land use conflict, unnecessary fragmentation or alienation of land uses
- To protect and conserve the quality of the natural environment.

Building Envelopes

Setbacks

All structures, including sheds and dwellings are to be setback as follows:

- 50 metres from any local road;
- 100 metres from any arterial or main road; and
- 40 metres from any side or rear property boundary.

Buffer Zones

Buffers between rural activities and dwellings (including dwellings on the same site) are important to ensure adverse impacts on the amenity of the dwelling are protected. Such buffers will also apply to any hazardous industry proposed on rural land.

Land use	Separation distance
Abattoirs	1 000 m
Cattle/sheep dip	500m
Animal feedlot (same site)	500 m
Animal feedlot (other)	1 000 m
Extractive industry/mine	1 000 m
Grazing	80m
Intensive dairies (same site)	500m
Intensive dairies (other)	1 000m

If a dwelling is proposed to be constructed on the allotment, the development application must demonstrate that the property will contain a suitable sized building envelope, which:

- Does not comprise prime crop and pasture land (except where no reasonable alternative exists); and
- Is unlikely to adversely affect the existing and potential capability of the land and adjacent land to produce food, fibre or energy; and
- Will be able to provide for on-site disposal of treated wastewater, in accordance with AS1547 Disposal Systems for effluent from domestic premises, without causing any impacts on surface or ground water; and
- Is not located in a floodway or watercourse; and
- Will not be inundated by the adopted flood standard event, or is or will be protected by suitable flood mitigation measures, such as levee banks; and
- Has a slope of less than 18 degrees and is not subject to slope instability or mine subsistence; and
- Has suitable vehicular access to a formed public road; and
- Is not subject to contaminated or potentially contaminated land.

The SEE is to provide information and analysis to ensure that the above considerations have been adequately addressed.

Building Heights

No dwelling is to be erected with a height of more than two storeys or 9 metres above natural ground level.



Dual Occupancy (Attached) or Rural Workers Dwellings

Note 1: Dual Occupancy (Attached) is defined as *2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling*. Narromine Shire Council defines *Attached* as being ONE building. This refers to a single roofline and/or common wall.

Note 2: a Rural Worker's Dwelling means *a building or place that is additional to a dwelling house on the same lot and that is used predominantly as a place of residence by persons employed, whether on a long-term or short-term basis, for the purpose of agriculture or a rural industry on that land*.

The development controls applicable in this section are the same as identified in 'Rural Development – Building Design'.

The following issues must be addressed in the accompanying SEE for an application for a rural workers dwelling:

- (a) the development will not impair the use of the land for agricultural or rural industries, and
- (b) there is a demonstrated economic capacity of the agricultural or rural industry being carried out on the land to support the ongoing employment of rural workers, and
- (c) the development will be on the same lot as an existing lawfully erected dwelling house, and
- (d) the development is necessary considering the nature of the agricultural or rural industry land use lawfully occurring on the land or as a result of the remote or isolated location of the land.
- (e) rural workers dwellings must be located so as not to interfere with the current or potential agricultural operations,
- (f) share the same road access, power and communication infrastructure as the principal farm dwelling, and
- (g) be located within 300m of other farm buildings.

Building Design

Dwellings are to be designed so that:

- Building materials are naturally textured and coloured and are sympathetic to the natural environment and are not reflective;
- Garages and parking areas are located behind the front building line;
- Windowless facades are avoided on street frontages;
- Building design facilitates surveillance of streets and open spaces;
- All residential development is to be sited to provide for a minimum of three (3) hours of direct sunlight to the main daytime living area and the major (over 50%) of the associated landscaped open space between the hours of 9.00am and 3.00pm on 21 June (winter solstice);
- Habitable areas (lounge, family rooms) should be designed and positioned within the dwelling to have a northerly or north-easterly aspect. This should be through a north - south or east-west building orientation;
- Dwellings must not be designed as such to overshadow more than 50% of the private open space or any habitable room of any adjoining development; and
- Building eaves on north facing walls should be designed to shade windows in summer but allow the sun to shine through windows in winter. The use of awnings or vegetation should be considered.

Access

All land must have legal access to a public road. Usually this is in the form of direct vehicular access to a public road. In certain circumstances where direct access to a road is not possible, a right of way carriage way can be created over adjoining land.

Where access is provided to a formed Crown Road or a road not under the responsibility of the Council or the Roads and Maritime Services (RMS), the responsibility for maintenance is with the landowners.

Intent

To ensure the adequate provision of secure and suitable vehicle access for dwelling residents and visitors.

Performance Criteria

- All development applications are required to clearly identify the means of vehicular access, access points and the standard of access provided (all weather access). Vehicular access will be required to comply with relevant engineering standards.

Note: In this section the following definitions apply:

- *Driveway* - means an all weather access across a table drain and may include pipes or culverts.
- *Crossover* - is the area between the driveway and the property boundary and may include a made footpath.
- *Private Property Entrance* – the roadway linking the edge of a Council Road to the private property boundary. The Private Property Entrance may traverse road reserve or stock route.
- *Council Road* – a Council controlled road listed on the Narromine Shire Council Road Register.

Acceptable Solutions

- Vehicle access must be designed and constructed such that:
 - o Public utilities and drainage infrastructure are able to be accommodated; and
 - o Construction materials must be concrete or other all weather seal approved by Council so they do not cause noise or dust issues to the road surface or adjoining residences:
- In rural areas:
 - o Accesses are to be properly formed and drained so that stormwater is not channelled by the driveway onto the surface of Council's road. The driveway drainage should direct stormwater into Council's table drain.
 - o Where the access crosses a table drain beside Council's road, a concrete pipe (minimum dia. 375mm, minimum length 5.0m with headwalls) is to be placed so that water in the table drain can flow unimpeded. In some instances a larger diameter pipe will be required, and this will be as directed by the General Manager (or delegate).
 - o Where a crossover is proposed off a sealed road, the crossover is to also be sealed and drained.

ACCESS TO BE LOCATED WHERE MINIMUM GAP SIGHT DISTANCE OF 5 SECONDS IS AVAILABLE

CENTRELINE BITUMEN OR GRAVEL ROAD
TRAVEL LANE
SHOULDER
TABLE DRAIN
LIMIT OF WORKS
SHOULDER
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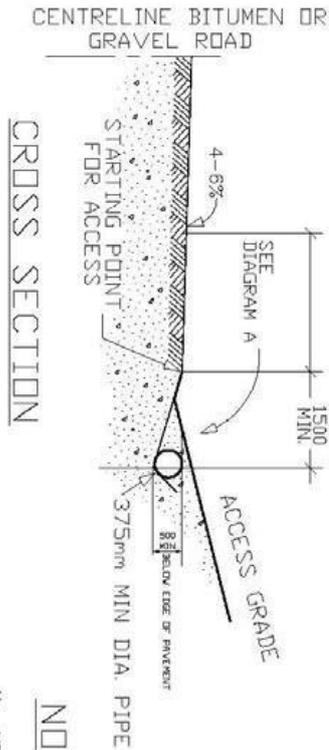
Headwalls and non-frangible roadside furniture to be located outside clear zone having the table drain directed through it

A minimum 1% grade is required on all pipes Tailout to site conditions to be approved by Council representative

Access will be sealed to 10m offset
NOTE: Only applies for access off bitumen roads

PLAN

A 4m Grid shall be installed if access point is less than 22m from edge line and is used by Articulated Vehicles. An Inward opening 36m gate set back 15m from edge line is an alternative if access point is to be used only by single unit trucks

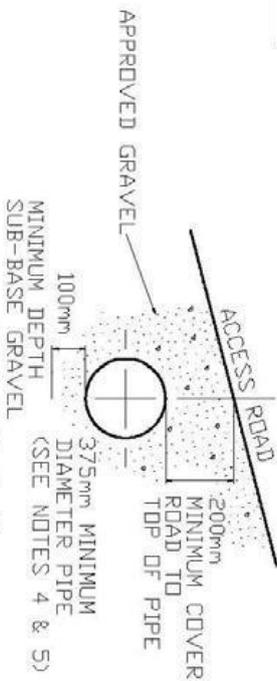


CROSS SECTION

NOTES:

- 1) HEADWALLS ARE TO BE PRECAST CONCRETE HEADWALLS.
- 2) ACCESS TO BE CONSTRUCTED IN ACCORDANCE WITH THIS PLAN, ANY VARIATION THEREFORE MUST BE APPROVED BY COUNCIL.
- 3) UNDER NO CIRCUMSTANCES MAY ACCESS INTRUDE BEYOND THE OUTER EDGE OF THE ROAD SHOULDER.
- 4) ANY VARIATION IN PIPE DIAMETER IS TO BE DETERMINED BY SITE INSPECTION.
- 5) PIPE LENGTH IS TO BE 4.9m MINIMUM.
- 6) DRIVEWAY TO BE SHAPED TO DIVERT WATER ALONG IT INTO TABLE DRAIN AND NOT ONTO THE THROUGH ROAD.
- 7) THIS PLAN SHOULD BE READ IN CONJUNCTION WITH COUNCIL'S ADOPTED ACCESS TO PROPERTIES POLICY.

DIAGRAM A



DATE	SCALE	NOT TO SCALE	SHEET NO.	1	NUMBER OF SHEETS	1
DESIGNER	DATE	APPROVED	DATE			
APPROVED	DATE	STANDARD VEHICLE ACCESS	RURAL			

Water supply

All dwellings must provide for a minimum of 45,000 litres of water storage for domestic services. A minimum of 15,000 litres must be set aside for fire fighting purposes.

All water supplies for fire fighting purposes must meet the provisions of the NSW Rural Fire Service Planning for bushfire protection, in particular, the tanks are to be constructed of fire retardant materials such as concrete or metal or similar material.

Effluent Disposal

For dwellings that require on site waste management facilities (ie: land that is unsewered by Council sewerage reticulation) the following standards are required:

- Comply with the Local Government (General) Regulation 2005; Subdivision 7 – Operations of systems of sewage management (OSMS), particularly Clause 44 which sets out the performance standards for the operation of OSMS;
- Be installed in accordance with the Australian/New Zealand Standard AS/NZS 1547 – Onsite domestic wastewater management;
- The openings, vents and any electrical components of the proposed sewage management facility treatment tank (s) are to be (where possible) located at or above the residential flood planning level (FPL), if known;
- The proposed sewage management facility treatment tank(s) are to be adequately anchored to resist flood buoyancy forces;
- Sanitary drainage must be disposed of to an effluent disposal field designed and constructed to the requirements of the relevant Australian Standard;
- The sewage management facility treatment disposal field is to be located, where possible, 500mm above the 1% AEP;
- In the event of impending flood inundation and particularly where the sewage management facility is below the 1% AEP, sewage management facility treatment tank(s) are to be emptied and the contents disposed of in a manner approved by Council. The tanks are to be refilled with water to resist flood buoyancy forces;
- Recommended buffer distances for On-site Sewerage Management Systems (septic tanks). (Local Government Environment and Health Protection Guidelines: on-site sewage management for single households 1998).
- Areas identified as medium or high groundwater vulnerability (according to the Narromine Local Environmental Plan 2011), require consideration of aerated or pump-out systems.

All land application systems must be located a minimum of:

- 100 metres away from permanent surface waters (eg river, streams, lakes, etc);
- 250 metres away from domestic ground water well; and
- 40 metres away from other waters (e.g. farm dams, intermittent waterways and drainage channels etc).

Surface spray irrigation systems must be located in accordance with the following:

- 6 metres if the area is up gradient, and 3 metres if area is down gradient of driveways and property boundaries;
- 15 metres away from dwellings;
- 3 metres away from paths and walkways; and
- 6 metres away from swimming pools.

Surface drip and trickle system irrigation must be located in accordance with the following:

- 6 metres if area is up gradient, and 3 metres if area is down gradient of swimming pools, property boundaries, driveways and buildings.

Subsurface irrigation:

- 6 metres if area is up gradient, and 3 metres if area is down gradient of swimming pools, property boundaries, driveways and buildings.

Absorption system:

- 12 metres if area is up gradient, and 6 metres if area is down gradient of swimming pools, property boundaries, driveways and buildings; and
- 6 metres if area is up gradient; and 3 metres if area is down gradient of swimming pools, property boundaries, driveways and buildings.

NB the values given above are a recommended minimum, based on ideal site and soil conditions. If these conditions are less than ideal, the minimum buffer distances should be increased.

When determining buffer distances, consideration should be given to:

- The type of land application system to be used;
- Surface and sub surface drainage pathways;
- Site factors – soil permeability, geology, vegetation buffering;
- Sensitive environments; and
- Development density.

Contamination

Certain previous uses on a site can have effect on land that may make it unsuitable for residential development. These uses include: industrial operations and some agricultural uses. It is beneficial for an applicant to research the previous uses of the site to determine if any remediation works are required prior to any subdivision work.

Bushfire

Bushfire prone land is identified in Councils Bushfire Prone Land Mapping. If the development site is identified as bushfire prone, the development application may be referred to the Rural Fire Service and, if necessary, additional conditions placed on any consent granted. Development in areas identified as bushfire prone should consult with the NSW Rural Fire Service document *Planning for Bushfire Protection* for additional controls that may be applicable to the development.

Flooding

Certain land in the Narromine Shire is identified as flood prone (according to the Narromine Local Environmental Plan 2011). While this hazard may not prohibit the subdivision, additional actions may need to be taken by the applicant to assist in further development of the land e.g. dwelling houses etc. Substantial subdivisions may require an individual flood study to be conducted on the site to determine the extent of flooding on the land. Subdivision of land is not encouraged in high hazard flood areas.

Biosensitivity

Development which is identified as being within an area of terrestrial biodiversity (according to the Narromine Local Environmental Plan 2011) may require further investigation, depending on the site history and identified vegetation concerned.

Watercourses

Development which is identified as being within an area containing a watercourse (according to the Narromine Local Environmental Plan 2011) may require further investigation, depending on the distance of the development to the watercourse.

Rural Subdivision

Minimum Lot Size

The Narromine Local Environmental Plan 2011 specifies a minimum allotment size for rural subdivision. Allotments smaller than the minimum allotment size can be considered, however, such allotments can only be created for the purposes of agriculture and will have no dwelling entitlement. This is a requirement of the Rural Lands SEPP and cannot be varied.

Any application proposing an allotment smaller than the minimum allotment size must demonstrate that the allotment is capable of being used for agricultural purposes.

New lots created must consider the following design criteria:

- minimizing soil disturbance and erosion;
- minimize creek/waterway/road crossings;
- minimize tree removal;
- provide legal access to a road; and
- provide adequate separation distances for new and existing development and environmental features.

Dimensions

Where a dwelling is proposed, the minimum width of an allotment at the front boundary must be not less than 100 metres. Consideration may be given to lots where access is via a battleaxe access handle. The width of a battleaxe handle is to have a minimum width of 6 metres for access to a single dwelling and a minimum of 8 metres (with a landscape strip) for two or more dwellings

Building Envelope

A building envelope for all permissible dwellings needs to be determined to maximize available land for agricultural purposes and can help ensure adequate separation of development.

Fencing

All road frontages must be fenced as follows:

- a minimum height of 1.2 metres;
- Steel star posts placed at a minimum interval of 5 metres;
- One barbed wire on the top run of the fence; and either:
- One plain wire and 75cm high ring lock or hinge point attached with three plain wires (top, middle and bottom); or
- 90 cm high ring locked or hinge point attached with three plain wires (top, middle and bottom);

- Strainer posts and stays are to be provided at end of lines and change of direction points.

All other property boundaries must have stock and dog proof fencing. Where an existing dwelling is to be located near a new property boundary a line of trees or suitable vegetation is to be provided.

Services, Storm water and Roads

Development applications for subdivisions that propose to connect to reticulated water, storm water and sewerage systems must also include preliminary engineering drawings. Such drawings must include the design of the water and sewerage systems and any roads proposed.

Consideration should be given to the availability of electricity, telephone and gas services available to the site. Electricity and telecommunications services are to be provided to each allotment created with dwelling permissibility. Consideration will be given to alternative power sources such as solar power in RU1 zones.

Access

All new allotments must have a legal access to a formed road. The preferred method is via direct frontage to a road (or in limited cases via a Crown Road). Where access is provided to a formed Crown Road or a road not under the responsibility of the Council or the Roads and Maritime Services (RMS), the responsibility for maintenance is with the landowners.

A right of way (where access is proposed by way of a right of carriageway) which serves or is capable of serving any other separate allotment of land is generally not supported by Council. If proposed, a detailed submission supporting this type of access (and why it is an option) must be submitted with the application.

If a Crown Road is proposed to be opened or used to gain vehicular access then the written consent from the Department of Finance and Services (former NSW Land and Property Management Authority) must be provided with the application. A pending road closure application with the Dept of Finance and Services is not sufficient – the application must be approved if the road acts as the main property access.

Intent

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Performance Criteria

All development applications are required to clearly identify the means of vehicular access, access points and the standard of access provided (all weather access). Vehicular access will be required to comply with relevant engineering standards.

Note: In this section the following definitions apply:

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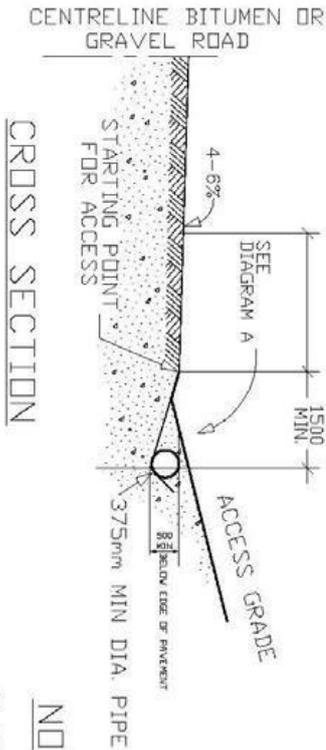
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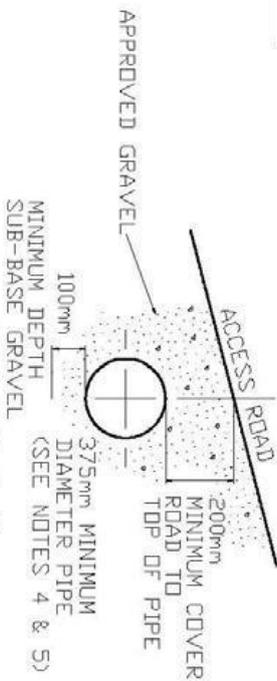


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DATE		DATE		DATE		DATE	

Contamination

Certain previous uses on a site can have effect on land that may make it unsuitable for residential development. These uses include: industrial operations, and agricultural uses to name a couple. It is beneficial for an applicant to research the previous uses of the site to determine if any remediation works are required prior to any subdivision work. The provisions of SEPP 55 (Managing Land Contamination) apply here and Council cannot grant subdivision or dwelling approval until the land is proven to be free of contaminants for the proposed new use.

Bushfire

Bushfire prone land is identified in Councils Bushfire Prone Land Mapping. If the development site is identified as bushfire prone, the subdivision application may be referred to the Rural Fire Service and, if necessary, additional conditions placed on any consent granted. Development in areas identified as bushfire prone should consult with the NSW Rural Fire Service document Planning for Bushfire Protection for additional controls that may be applicable to the development.

Flooding

Certain land in the Narromine Shire is identified as flood prone in a 1 in 100 year flood event. While this hazard may not prohibit the subdivision, additional actions may need to be taken by the applicant to assist in further development of the land e.g. dwelling houses etc. Substantial subdivisions may require an individual flood study to be conducted on the site to determine the extent of flooding on the land. Subdivision of land is not encouraged in high hazard flood areas.



Macquarie River, Narromine

Rural Activities

Intensive Plant Agriculture

Intensive plant agriculture means any of the following:

- (a) the cultivation of irrigated crops for commercial purposes (other than irrigated pasture or fodder crops),*
- (b) horticulture,*
- (c) turf farming,*
- (d) viticulture.*

The following issues are to be addressed in the SEE for an application for this type of development:

Airborne chemicals and pesticides

- Bushfire Hazard
- Chemical safety Water management
- Dust generation
- Flooding Hazard
- Noise generation
- Odour management
- Pest management
- Potential for land contamination
- Traffic and transport
- Visual impact and landscaping
- Waste disposal
- Weeds management

Additionally, an Environmental Impacts Statement/Environmental Assessment may be required for an application for this type of development.



Intensive Plant Agriculture near Narromine

Intensive Animal Agriculture

Intensive livestock agriculture means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses or other livestock that are fed wholly or substantially on externally-sourced feed, and includes any of the following:

- (a) dairies (restricted),*
- (b) feedlots,*
- (c) piggeries,*
- (d) poultry farms,*

but does not include extensive agriculture, aquaculture or the operation of facilities for drought or similar emergency relief.

The following issues are to be addressed in the SEE for an application for this type of development:

- Airborne chemicals and pesticides
- Animal health and welfare
- Bushfire Hazard
- Chemical safety Water management
- Disposal of dead livestock
- Dust generation
- Flooding Hazard
- Noise generation
- Odour management
- Pest management
- Potential for land contamination
- Traffic and transport
- Visual impact and landscaping
- Waste disposal
- Weeds management

Additionally, an Environmental Impacts Statement/Environmental Assessment may be required for an application for this type of development.

Other Rural Industries

Development otherwise defined as a rural industry must address the following issues in the SEE, as relevant to the proposal:

- Airborne chemicals and pesticides
- Animal health and welfare
- Bushfire Hazard
- Chemical safety Water management
- Disposal of dead livestock
- Dust generation
- Flooding Hazard
- Noise generation
- Odour management
- Pest management
- Potential for land contamination
- Traffic and transport
- Visual impact and landscaping
- Waste disposal
- Weeds management

Other Development

Bed & Breakfast and Farm Stay Accommodation

"Bed and Breakfast" (B&B's) and Farm Stay accommodation provides an alternative tourist resource for the Council area.

Building Standards

Change in classification

"Bed and breakfast" and "Farmstay" accommodation may require a change to the classification of the building in which it is to be undertaken from a dwelling (Class 1a) to a "bed and breakfast" establishment (Class 1b). The change in classification will necessitate Council to consider the fire safety and health consideration of the Building Code of Australia (BCA) and in most cases will require annual inspection by Council.

Fire Safety

The fire safety provisions are contained in the BCA and the following information is provided as a guide as to what will be required for a "bed and breakfast" accommodation establishment.

Where approval is granted, the owner/ manager/operator must submit to Council on an annual basis, an Annual Fire Safety Statement in accordance with the Environmental Planning and Assessment Regulations applicable to the Fire Safety Measures installed in the building.

Kitchen

A 1.2 m by 1.2 m fire blanket and a 3.5 kg carbon dioxide portable fire extinguisher are to be wall mounted in accordance with AS 2444 – Portable fire extinguishers and fire blankets – selection and location within the kitchen area with clear instructions for use.

Locks

Deadlocks requiring an internal key release are not to be provided on doors to guest rooms. Locks on external doors must not be deadlocked when the building is occupied by guest

Smoke detectors

A smoke detection system that complies with AS 3786 Smoke alarms and AS3000 Electrical Installations Buildings, structures and premises (known as the SAA wiring rules) are to be installed in all bedrooms and all associated corridors, passageways or hallways.

Sound Transmission - Where new building work is proposed

To minimise disturbance, walls separating guest rooms from other habitable rooms should have a sound transmission class of 45. Walls separating guest bedrooms from

either a bathroom, kitchen, laundry or toilet should have a sound transmission class of 50. (Note; this does not apply to a wall separating an ensuite from the guest bedroom concerned) Building approval is necessary for such work. Guest rooms are to have adequate acoustic and visual privacy in accordance with Part 3.8.6 (sound insulation) of the BCA.

Health Standards

- 2 Premises and furnishings are to be kept clean and free of vermin. No animals are allowed in a guest room, dining room or kitchen with the exception of guide dogs for the visually impaired which are acceptable within a dining room or guest room only;
- 3 For guest occupancy of four (4) persons or less, the kitchen used for the preparation and storage of guest's food must be clean, sound, in serviceable condition and well maintained. The minimum kitchen facilities are a stainless steel sink, refrigerator (at least 270 litres capacity) with integral freezer cabinet, hot and cold water, stove and an oven. Kitchen carpet is not permitted. Council may require the kitchen to be upgraded should it be necessary;
- 4 For guest occupancy exceeding four (4) persons the kitchen used for the preparation or storage of guests' food may be required to comply with the requirements of the Food Act, 2003 and the Food Regulation, 2010;
- 5 Facilities for food preparation to be registered with Council;
- 6 A minimum of 5.5 m² of bedroom floor area is required per person. Children under 5 years old are excluded from this calculation;
- 7 Toilet and bathroom facilities are required for guests separate from those used by the permanent residents of the house, and without the need to enter another separate bedroom. Bathroom carpet is not permitted; and
- 8 Laundry facilities must be available for the use by guests.

Operating Standards

- The breakfast is to be prepared on site and included in the tariff;
- The operator/manager of the accommodation is to maintain a register of guests recording the name of the guests, their home address and length of stay and such register may be required to be inspected by Council from time to time;
- The accommodation must be operated in a manner that has regard to the health and amenity of the surrounding neighbourhood. It is important that in a residential area the noise levels and traffic generation is in keeping with the locality;
- All weather vehicular access is available to the premises.
- Adequate car parking facilities are to be provided. Car parking areas should include spaces for a minimum of one vehicle per bedroom, plus one additional space per two bedrooms.

Extractive Industries

Extractive industries will require either an Environmental Impact Statement (EIS) or a Statement of Environmental Effects (SEE) depending on the scale and nature circumstances of the development. Refer to chapter 3 regarding information needed for an SEE. Specific provisions under the *Environmental Planning & Assessment Act, 1979*, apply to development requiring an EIS. This type of development is known as Designated Development.

An assessment of the adjoining land uses should be undertaken to locate dwellings and other structures which may be impacted upon by an extractive industry.

Appropriate buffers are to be proposed to protect adjoining uses from dust, acoustic and visual impacts, noise and vibration, environmental management and rehabilitation plan once the extractive industry has reached the end of its working life.

A safe and suitable vehicle access (and an alternative access in the event of the main access being inaccessible) must be provided to the site.

Such applications may result in significant community interest. Any reports should pay particular attention to community interests and ensure all relevant issues are addressed. Consultation with affected residents prior to lodging a development application is recommended.

Offensive, Heavy or Hazardous Industries in Rural Areas

Council may grant consent to Offensive, Heavy and Hazardous Industries and Storage only if the applicant demonstrates that:

- The development is necessary as it needs to be in the locality in which it is proposed to be carried out due to the nature, function or service catchment of the development, and it comprises a major employment generator,
- There is no other more appropriate site on which the development is permitted with development consent within reasonable proximity;
- The development will be generally consistent with the scale and character of existing and future lawful development in the immediate area; and
- The development would be consistent with at least one (preferably more) of the objectives of the zone within which it is proposed to be located.

