

Part J

Rural &
Environmental
Zone
Requirements



PART J RURAL AND ENVIRONMENTAL ZONE REQUIREMENTS

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J1 Development in rural and environmental zones

About this part:

This part provides specific guidelines for a range of development within the Rural RU1, RU4 and Environmental E2 and E3 zoned lands of Greater Taree.

Applies to:

All land zoned rural and environmental.

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Related Policy / Technical Manual

GTCC Appendix E

J1.1 General

Explanation

Land zoned for rural and environmental purposes offers a quality and range of opportunities and constraints unique to the urban areas. Generally these lands are identified for their agricultural, soil quality, vegetation types, and threatened species, scenic, topographic or similar values. These values are key considerations in the suitability of development in rural and environmental zones.

Generally development on rural and environmental zoned land should be sited so as not to detract from the amenity and quality of the land and surrounding lands. Development proposed on steep slopes, ridges or hilltops can detract from the scenic and environmental quality of the land, as can unsympathetic road works on a hillside.

Objectives

- Encourage a high standard of development that is sympathetic with the environment;
- Protect identified environmental quality, landscapes, flora and fauna;
- Protect and maintain the viability of agricultural lands;
- Maintain and enhance the rural or environmental scenic amenity.

Performance criteria

1. On land zoned rural the following should be addressed in the use, design and siting of any proposed development:
 - Size and shape of the allotments;
 - Existing vegetation and any endangered ecological communities;
 - Mineral and water resources in the locality;
 - The potential for soils erosion and measures that may be implemented to minimise that occurrence;
 - Any natural hazards, including but not limited to flooding and bushfire risk;
 - Service availability;
 - Adjoining land uses including nearby agricultural operations;
 - Prevailing winds, views and privacy;
 - The scenic quality of the landscape, and any other environmental factors.
2. On land zoned environmental the following should be addressed in the use, design and siting of any proposed development:
 - The likely impacts of the development on the visual and scenic amenity;
 - Any natural hazards;
 - The likely impacts of the development to impact on ground water and surface water, including acidity and water quality;
 - The potential impact of development on the flora and fauna on the land, in particular endangered ecological communities, rare, locally and/or regionally significant vegetation;
 - The habitat values of the land for native and migratory fauna;
 - The effect of any proposed land clearing, draining, levelling or filling on any wetlands;
 - Whether adequate safeguards and rehabilitation measures are proposed to protect the environment;
 - Whether there are any feasible alternatives to the proposed development.
3. Rural development must not reduce the potential of the land for agricultural production.
4. Rural development is not considered appropriate where the slope exceeds 18°.
5. Where an approval is granted for a replacement dwelling, any existing dwelling, with the exception of heritage items, shall be demolished/removed from site prior to occupation of the new dwelling.
6. Development affecting sites of high scenic value and visual prominence:
 - Are to include screening and be constructed of suitable materials to complement the landscape; and
 - may not be constructed of highly reflective materials.

Effluent disposal

1. All development in rural locations will require a suitable system for the treatment and disposal of effluent in accordance with Council's *Onsite Sewage Development Assessment Framework* (DAF 2012) in Appendix E.

J1.2 Building setbacks

Explanation

New dwellings, alterations and additions should be integrated into the existing locality and rural character. This may be achieved through setbacks, which influence the bulk, scale and siting of dwellings. Setbacks are required to ensure an adequate level of separation, public/private threshold, access, privacy, landscaping, fire protection and natural light between dwellings and should reflect the prevailing established subdivision and development pattern.

Objectives

- Integrate new dwellings, alterations and additions with the rural development patterns and character;
- Ensure that dwellings, dwelling alterations, additions and associated larger structures (i.e. garages and sheds) are set back from side and rear boundaries to minimise the bulk, scale and amenity impacts on adjoining properties;
- Optimise solar access and privacy for both the new development and existing surrounding development.

Performance criteria

1. The minimum front street/road setback is 20m.
2. Side and rear setbacks are to be a minimum of 10m.
3. Council may consider reducing the above setback requirements where it can be demonstrated that is necessary because of the topography or other feature including setbacks required for bushfire planning purposes. The reduced setback must not create amenity impacts for adjoining properties.

J1.3 Car parking and access

Explanation

Rural and environmental zones contain a range of residential, agricultural and environmental land uses, which generate vehicular and truck traffic. Development in these areas requires appropriate management of this traffic.

Objectives

- Ensure that parking areas, access ways, driveways and streets allow safe appropriate and efficient vehicle movement and efficient connections to the existing street networks;
- Provide adequate, secure and accessible on-site parking for all uses;
- Minimise the visual and environmental impacts of off-street parking, through considered location of vehicle accesses and parking areas;
- Minimise the visual and acoustic impact of vehicle movements on surrounding development / dwellings;
- Ensure that car parking areas are contained in size and are surfaced appropriately to minimise the adverse effects of additional stormwater point loading.

Performance criteria

1. Where Council considers that the subject land does not have all weather public road access, or that access is physically impractical or does not meet acceptable safety standards, Council will require upgrading of the road to a minimum acceptable standard, together with the lodgement of a bond to cover the costs of roadworks and safety measures including warning signs required for that development. Council may not support a development where the road upgrading is not practical in the circumstances.
2. Garages and driveways do not dominate the character development.
3. Hardstand areas should be minimised and, where soil conditions permit, be substantially constructed using semi-pervious materials to reduce water run-off and increase soil absorption.
4. Design for Vehicle access and parking should in every instance take into account:
 - the uses proposed;
 - the provision of on-site car parking that is easily accessible;
 - the effect of sloping land;
 - the safety of pedestrians and vehicles;
 - efficient use of car spaces and access ways including manoeuvrability for vehicles between the street and the lot.
5. Adequate space shall be provided for the safe manoeuvring and access of cars and heavy vehicles and shall demonstrate that such manoeuvring area is sufficient for the likely traffic requirements.
6. All vehicles are to enter and exit the site in a forward direction.

The **general requirements for car parking and access design** are located in **Part G of this DCP** and should be read in conjunction with this section.

J2 Rural accommodation/tourism

J2.1 Rural dwellings

Explanation

Residential development in rural zones takes many forms, including dwellings which complement the use of the land for primary production purposes, and rural residential living on smaller rural lots. Residential development has the potential to create conflict with other land uses in rural zones if buildings are inappropriately sited and designed.

All development should take into account the inherent rural character of the locality and be responsive to that character and the local landscape qualities

Objectives

Should the subdivision of rural zoned land be likely to impact on existing vegetation, an **approval may be required from the local Catchment Management Authority under the Native Vegetation Act, 2003**

- Ensure that development does not detract from the rural landscape, scenic quality, heritage value, nature conservation significance or agricultural productivity of rural areas;
- Provide separation between residential uses and noise generating sources;
- Provide buffers between residential buildings and land uses to minimise the potential for land use conflict and additional pressure on agriculture or other rural activities;
- Ensure that external finishes used have minimal detrimental impact on the visual amenity of an area;
- Encourage consideration of all the rural components of development such as fencing, outbuildings, driveways and landscaping in the design of the proposed development.

Performance Criteria

1. Buildings in all rural zones shall provide a minimum front setback of 20m.
2. Buildings in all rural zones shall provide a minimum side and rear setback of 10m.
3. Dwellings must be located to minimise the removal of existing vegetation.
4. Buildings should be visually unobtrusive in the overall landscape.
5. Buildings should complement the characteristics of the landform. Cut and fill shall be kept to a minimum.
6. The roofline of buildings should reflect the land profile within the vicinity of the development.
7. All outbuildings must be ancillary to an approved use on the land on which it is situated.
8. External wall cladding to outbuildings shall be of masonry, colorbond sheet metal or other approved material compatible with authorised existing development on the site and the character of the immediate environment.

9. Roof cladding to outbuildings shall be of tiles, colorbond sheet metal or other approved material compatible with authorised existing development on the site and the character of the immediate environment.
10. The colours of roof and wall cladding shall be generally low reflective neutral/earth tones, compatible with authorised existing development on the site and environmentally sensitive, so as to minimise any possible adverse impact on the amenity of the area.
11. All outbuildings shall be provided with appropriate complementary landscaping to minimise the environmental impact on adjoining premises and the area generally.
12. The maximum floor area for rural outbuildings not used for the purposes of agriculture is 500m².
13. On unsewered sites, effluent and household waste water is to be disposed in accordance with Appendix E.

J2.2 Rural dual occupancies (detached)

Objectives

There should be no expectation that the dual occupancy (detached) dwellings can be excised by subdivision other than in accordance with the minimum lot size provisions of Greater Taree LEP 2010.

Additional information relating to assessing land use conflicts can be found in Land Use Conflict Risk Assessment Guide, 2011 (NSW DPI).

- Ensure that development for the purposes of dual occupancy (detached) is of a scale and nature that is compatible with the primary production potential, rural character and environmental capabilities of the land;
- Maintain the rural character and scenic amenity of rural land;
- Reduce rural land use conflicts with adjacent land uses.

Performance Criteria

1. Dual occupancy (detached) in rural areas must be located and retained on the same legal title as the principal dwelling house on the property.
2. Dual occupancy (detached) in rural areas must be located so that it does not create potential for conflict with adjoining land uses and does not reduce the existing or future productivity of the same or neighbouring land. Determination of location and siting of the dwellings will depend on assessment of potential conflicts and buffer requirements.
3. Dual occupancy (detached) in rural areas must use the same vehicular access to a public road to avoid the proliferation of private access points which potentially create traffic conflict.
4. Dual occupancy (detached) dwellings in rural areas must be located within 100 metres of the principal dwelling to reduce pressure for subdivision, increase the potential for shared infrastructure such as power and telephone services, reduce the need for bushfire clearing, and maximise the opportunity for the balance of the subject land to remain productive.
5. Dual occupancy (detached) must be designed and sited in a way that:
 - is compatible with the scale, height and character of the locality and nearby development;
 - minimises native vegetation removal (including for bushfire protection);
 - is responsive to the topography and other land-based constraints;
 - does not create adverse drainage impacts (on-site or to neighbouring properties) or impact on riparian areas; and
 - does not result in visual and privacy impacts.
6. A development application must be accompanied by the following information:
 - property details, area, zoning, and existing use of all parts of the site;
 - a property plan showing existing and proposed infrastructure (including buildings, sheds, services, onsite wastewater disposal, etc) and land use;
 - potential conflicts, including the distance from the proposed dual occupancy (detached) to adjoining land holdings and potentially conflicting land uses (e.g. horticulture, extensive

agriculture, intensive livestock agriculture, rural industry and the like);

- access details, including the proposed internal access arrangements from the public road to the principal dwelling on the site and the proposed dual occupancy (detached); and
- the extent and type of any native vegetation to be removed or impacted (inclusive of clearing for bushfire protection, infrastructure or onsite wastewater disposal) with particular reference to koala habitat.

J2.3 Rural dual occupancies (attached)

Performance Criteria

Reference should be made to the **Greater Taree LEP 2010** which defines **attached dual occupancy** to mean 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

1. The development must have the appearance of a single dwelling when viewed from any public place.
2. Dwellings must be constructed so that they are attached under the same roofline and have the general appearance of a dwelling house when viewed from the primary street frontage. Structures such as carports and skillion roofs, pergolas, covered awnings and the like are not acceptable as a mode of attachment.
3. Both dwellings must be constructed of similar materials and colours.

J2.4 Rural worker's dwellings

Performance Criteria

1. Where there is an existing commercial farming activity being carried out on the land and the needs of the activity genuinely require that rural workers reside on the land.
2. The erection of the dwelling will not impair the suitability of the land for commercial farming.
3. Any other dwellings on the land are occupied by persons substantially engaged in agricultural employment on that land
4. The rural worker(s) to occupy the dwelling is to be directly and permanently employed for commercial farming purposes on that land by the owner of the land.
5. Every dwelling within the total area of an existing commercial farming activity is to be situated on the same allotment.
6. The total number of rural workers dwellings erected on the land is not to exceed one (1) for every 40ha of land.
7. Rural workers dwellings are to be constructed to a maximum floor area of 200m².
8. Access to the rural workers dwelling must be from the existing driveway access.

J2.5 Farm stay accommodation

Explanation

The purpose of this section is to facilitate the operation of rural properties as farm stay tourist accommodation, in association with viable farming activities. Such accommodation is to be of a standard that is consistent with the accommodation needs of the touring public without impacting upon the amenity of surrounding areas.

This section also seeks to protect and enhance the rural values of the Greater Taree area, whilst providing for the further promotion and diversification of the local tourism industry.

Objectives

- Maintain the rural values of land on which development for the purposes of farm stay accommodation is carried out;
- Provide for sensitively designed and managed farm stay accommodation that has minimal impact on the rural environment both on and off-site;
- Recognition of the importance of key rural features to the visitor experience.

Performance criteria

1. The farm stay is established in association with the primary use of the site which is a viable and genuine rural activity.
2. Development providing accommodation only is not considered appropriate for rural or environmental locations.
3. Farm stay accommodation is encouraged where this use is secondary to the agricultural or environmental use to assist with the viability of agricultural uses/localities, promotion of agricultural products or environmental values, rural tourism and education.
4. The design of farm stay facilities should be appropriate for the rural/environmental locality, avoid intensive layouts, and provide liberal open space and landscaping in character with the surrounding locality.
5. The farm stay operates from the existing primary dwelling or from an outbuilding associated with the existing primary dwelling.

J2.6 Eco-tourist development

Objectives

- Maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out.
- Provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.
- Recognition of the importance of key natural features to the visitor experience, and where they are off site recognise and address the potential indirect impacts associated with the development.

Performance criteria

1. There is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area.
2. The development must be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment.
3. The development must enhance an appreciation of the environmental and cultural values of the site or area.
4. The development must promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and indigenous flora and fauna will need to be minimised.
5. The site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment.
6. The development must be located to avoid visibility above ridgelines and against escarpments and from watercourses and that any visual intrusion will be minimised through the choice of design, colours materials and landscaping with local indigenous flora.
7. Any power and waste services to the site will be provided, where possible, through the use of passive heating and cooling, renewable energy sources and water efficient design.
8. The development must not adversely affect the agricultural productivity of adjoining land.
9. The development will be designed to utilise materials that blend with the surrounding landscape, promoting the use of recycled materials and materials sourced from the region.
10. The development must demonstrate that it is specifically located and designed for eco-tourist purposes and demonstrates a significant practical reliance on renewable energy and water reuse.

J3 Ancillary development

J3.1 Ancillary structures and outbuildings

Explanation

Ancillary structures and outbuildings should be integrated into the total site design to ensure minimal impact on adjoining properties and views to and from a site. The structures should remain discrete rather than be a dominant feature.

Objectives

- To minimise the visibility of ancillary structures and outbuildings from the street, adjoining properties and public spaces;
- To ensure that the appearance of ancillary structures and outbuildings is of a high quality and where appropriate integrates with the streetscape;
- To ensure ancillary structures and outbuildings are compatible in height, bulk and scale with the existing or proposed development on site in the rural locality.

Performance criteria

1. All ancillary structures and outbuildings should be of a quality construction, have minimal visual impact on adjoining properties, be constructed using materials, colours and finishes that complement the principal dwelling, including low reflective neutral/earth tones and blend with the natural landscape.
2. All ancillary structures and outbuildings are to be located such that they do not impact on the agricultural or environmental land uses/qualities.
3. The maximum wall height for ancillary structures and outbuildings is 4.5m and the roof height is not to exceed 7m at any given point.
4. Enclosed ancillary structures and outbuildings are to be setback 20m from the primary road boundary and 10m to the rear and side boundaries.
5. The maximum floor area of ancillary structures used in conjunction with agriculture is 500m².
6. Ancillary structures and outbuildings may be used for habitable space, but must not be used as a separate occupancy.
7. Farm buildings should feature pitched roofs within the range of 15-25 degrees.

Applicants are advised to refer to the **Exempt and Complying Schedules in Local Environmental Plan 2010** in addition to this section as consent may not be required.

Farm Buildings may be exempt development subject to requirements listed in Subdivision 16 Farm buildings and structures in **State Environmental Planning Policy (Exempt and Complying Development Codes) 2008**.

J3.2 Rural industry

Objectives

- Ensure that rural industries are compatible with the rural environment;
- Minimise any adverse impact of rural industries on surrounding lands.

Performance criteria

1. The minimum lot size required for rural industries is 10ha.
2. Buildings and outside storage areas are to be sited at least 20m from a public street and from any boundary where there is a dwelling on an adjoining property. These setbacks may need to be increased in order to address potential environmental or amenity impacts of the proposed development.
3. Rural industries should maintain the rural streetscape. Designs should complement the surrounding buildings in relation to materials used, colours and building form. Building colours should be low reflective, neutral/earth tones.
4. Outdoor storage yards are to be screened from roadways and neighbouring dwellings.
5. Chained wire fences are to be screened by landscaping.
6. Council may limit the hours of operation of a rural industry where there is a likelihood of adverse impact on the amenity of the surrounding area.
7. No hazardous materials shall be stored below 1% AEP flood level plus 500mm freeboard.
8. Where an industry has the potential to generate offensive odour beyond the boundaries of the site, an odour assessment must be undertaken in accordance with DECCW's *Technical framework: Assessment and Management of Odour from Stationary Sources in NSW* and be submitted with the application.
9. On unsewered sites, effluent and household waste water is to be disposed in accordance with Council's Sewage Management Strategy.