

Liverpool Development Control Plan 2008
Part 5
Development in
Rural and E3 Zones

1 April 2015

Part 5 must be read in conjunction with Part 1
Check if any Locality Parts also apply

Liverpool Development Control Plan 2008

Part 5 Rural and E3 Zones

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Outline

Applies to

1. Part 5 applies to all land in rural zone
2. Part 5 also applies for dwelling houses in the E3 zone
3. Part 1 of the DCP also applies to the land in the rural and E3 zoned land.

Background

Range of rural areas

Liverpool has a number of distinct rural environments. There are the western rural areas, which consist of large allotments, mostly west of The Northern Road. Some is used for agriculture while some is bushland. The area largely east of The Northern Road consists of smaller rural allotments, mainly 2 ha lots with 1.2 ha lots in the Austral area.

The area south of Camden Valley Way in Denham Court consists of largely 2 ha lots in the scenic hills and 1 ha lots in the valley. The other major rural area is west of The Northern Road, and consists of large blocks in agricultural uses. The rural land east of The Northern Road, is predominately in 2-5ha blocks, and is part of the Growth Centres. This means that this land will become residential land in the future.

Much of the rural areas have been used for agriculture for many years and the previous subdivision reflects these rural uses with most land in the 1.2 – 5 ha lots.

The E3 – Environmental Protection Living zone is contained within Part 5, which deals predominately with rural uses, as the E3 zone is used predominately on land, which has similar development standards within the *Liverpool LEP 2008* as the rural zones.

Link to Liverpool LEP 2008

The *Liverpool LEP 2008* provides a number of general provisions that apply to all land including that in the rural and E3 zones

Objectives

- a) To minimise potential land use conflicts between intensive agriculture and neighbouring land uses.
- b) To ensure new development maintains the rural character and recognises the diversity of rural zones.
- c) To maintain agricultural viability of rural land.
- d) To protect the natural environment including landform, waterways, air quality, native animals, threatened species populations, ecological communities or their habitats.
- e) To maintain the rural character and scenic landscape qualities of land in the vicinity of the Georges River and Nepean River.
- f) To preserve the rural character and scenic landscape qualities of the area.
- g) To provide design requirements for the range of uses permitted in the various rural zones.
- h) To provide design requirements to ensure that the range of uses permitted in the various rural zones are compatible with each other.
- i) To provide design requirements to ensure that the range of uses permitted in the various rural zones are compatible with development permitted in adjoining zones.

- j) To provide design requirements to ensure development in the rural zones are compatible with the natural environment.
- k) To provide design requirements to ensure that development in the rural zones are compatible with the requirements of *Liverpool LEP 2008*.
- l) To provide design requirements to ensure that development in the rural zones are compatible with the character and amenity of nearby areas (both existing and likely future) in terms of:
 - its scale, bulk, design, height, siting and landscaping,
 - its operation,
 - traffic generation and car parking,
 - noise, dust, light and odour nuisance,
 - privacy,
 - stormwater drainage,
 - hours of operation,
 - overshadowing.

1. Site Planning

Background

Rural areas within the Liverpool LGA, have maintained the rural aesthetic. Through a wide variety of land uses operate within areas zoned for rural use, development has used site planning and building design affectively to achieve the rural feel. Environmental Protection areas have significant environmental protection constraints that act similar to rural constraints, for the purpose of site planning.

Objectives

- a) To ensure that new development is compatible with and enhances the visual quality of the existing rural environment.
- b) To ensure that developments do not detrimentally affect the amenity of adjoining areas.
- c) To site buildings having regard to views and vistas, the landform, existing buildings and roads, and to minimise the visual impact of buildings.
- d) Does not restrict the uses of adjoining or existing agriculture.

Controls

Location of buildings

- 1. Buildings shall not be located on ridges or in places where they are too visible from the street.
- 2. Buildings shall be sited to maximise the retention of existing trees.
- 3. When siting buildings and seeking to maximise views, the visual impact of the building on the landscape is to be minimised.
- 4. Outbuildings and water tanks associated with rural dwellings are to be organised and planned in a group and not be predominantly from public view.
- 5. Site planning should be sensitive to site attributes, such as streetscape character, natural landform, existing vegetation, views and land capability.
- 6. The site layout should enhance the streetscape through the use of landscaping and built form.
- 7. Site planning should enable buildings to address streets and public open spaces.

Additional Controls on the location of Building in the E3 zone

- 1. The dwelling house must not be placed on land that is classified as Environmental sensitive land, as per the *Liverpool LEP 2008*.
- 2. The dwelling house must not be placed on land that is classified as within the residential flood planning area, as per the *Liverpool LEP 2008*.
- 3. The layout of the building should be designed in such a way to ensure that the majority of the dwelling is not visible from other land.
- 4. Development for a dwelling house must ensure that it has adequate access to a street, without additional clearing works.
- 5. Development for a dwelling house should ensure that connection to mains water supply or that a dam/rainwater tank of sufficient size can be placed without significant clearing.

6. Development for a dwelling house must ensure that there is adequate land available to dispose of sewage onsite, or into a mains sewer, without compromising surrounding water quality.



Figure 1 Poor location of building



Figure 2 Better location of building

2. Setbacks

Background

The setbacks from the street frontage can have a significant impact on the amenity of a rural or Environmental Protection area. It can also impact on access to and from a site and on traffic circulation. The environmental, economic and visual impacts of the various densities of rural development are readily noticeable.

Objectives

- a) To ensure appropriate development on site.
- b) That setbacks help maintain the rural character.

Controls

Site Coverage

Maximum site coverage: 10% except where otherwise specified for particular land uses.

Setback from Street frontage

1. Dwellings shall be setback as set out in the following table:

Table 1 Front Setbacks

Setback	Front Setback
Land within the RU1, RU2, or RU4 zone	20m
Land with a Frontage to Greendale Road	50m
Land that is classified as part of the Growth Centres	15m
Land within the E3 zone	20m

2. Minimum setback to secondary frontage from a public street: 10m.
3. Variation of the setback requirement may be considered in areas within the South West Growth Centre, where planning for new residential release is sufficiently advanced.

Setback from other boundaries

1. Minimum setback to side boundaries: 2m except where otherwise specified for particular land uses.
2. Minimum setback to rear boundaries: 10m except where otherwise specified for particular land uses.

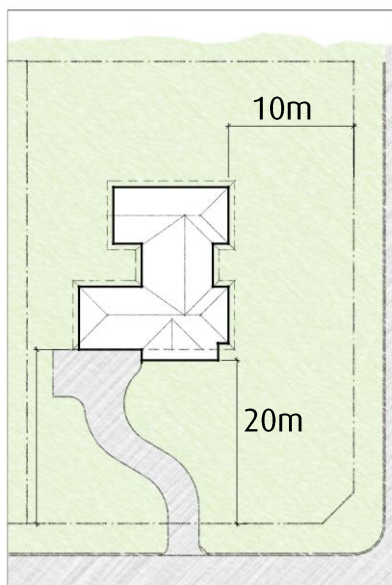


Figure 3.1 Setbacks to primary and secondary road frontages

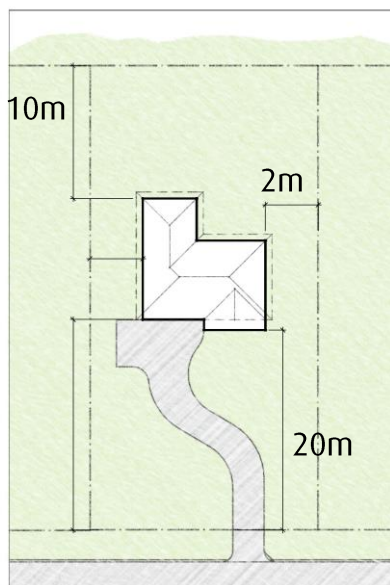


Figure 3.2 Setbacks to primary road frontage, side and rear.

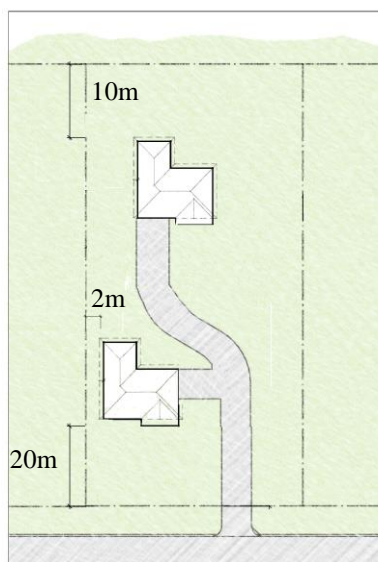


Figure 3.3 Dual occupancy primary, side and rear

Note:

- Council may consider variations to setbacks if it will result in a better environmental outcome or enhance the ability to subdivide land within the Growth Centres
- The clustering of the dwellings is encouraged. The purpose of Figure 3 is to illustrate the minimum setbacks and preferred dwelling siting.
- Images are not to scale.

3. Private Open Space and Landscaped Area

Background

Dwellings in Rural and Environmental Protection Areas require private open space. While this may not be too difficult to achieve it is nevertheless a need to be provided for.

Objectives

- a) To ensure that Private Open Space is provided for residential development.
- b) To ensure that areas of private open space are usable.
- c) To ensure that Private Open Space is clearly defined for private use, and is private, landscaped and screened from overlooking.

Controls

Dwellings

- 1. Dwellings shall have private open space area not less than 100sqm. Areas less than 2.5m in width do not qualify as private open space.
- 2. Within the E3 zone, private open space may be varied up to a maximum of 20% if the applicant can show that to provide the maximum level of private open space, would detrimentally effect the Environmentally sensitive land.
- 3. Private Open Space must be directly accessible from living areas.
- 4. Private Open Space should be located where they are not visible from the street.
- 5. If necessary, fencing should be provided to provide privacy if Private Open Space is located at the side of the dwelling.
- 6. Areas of private open space must receive at least 3 hours of direct sunlight.

4. Building Design, Style and Streetscape

Background

All developments have an impact on the streetscape and landscape in rural or Environmental protection areas. This impact can result from the location, design and height of buildings and structures. Streetscape is the urban environment created by the relationship of built elements to the public domain. The quality and scale of architecture, landscape elements, natural elements and works in the public domain determine the streetscape character. Ancillary elements of development such as advertising, driveways and fencing are important elements of the streetscape. To make a positive contribution to the streetscape, new development needs to reinforce the scale and character of existing buildings and landscape elements.

Objectives

- a) To protect the scenic, historic and cultural value of Liverpool's natural and built environment.
- b) To protect significant views and vistas to and from public places.
- c) To maintain the existing streetscape and rural aesthetic of the area.
- d) To minimise the visual impact of any large development in rural zones.
- e) To promote a high standard of urban design, particularly along Classified Roads.

Controls

Height in Rural Areas

Note: Height is generally not controlled by the *Liverpool LEP 2008* in rural zones. This is due to the varying and differing uses that can be found within rural zones, each with significant variations in height. Therefore the following restrictions generally apply.

Residential Heights in Rural Areas:

Residential Buildings are permitted to be a maximum of two (2) Storeys and an Attic in Height. This is equivalent to the height limit that is found across the residential zones of 8.5m.

Residential Heights in Environmental Protection Areas

Dwellings are permitted to be a maximum of (2) Storeys and an Attic in Height. Dwellings must be designed to blend in with the landscape, and minimal clearing works.

Other Non Residential Uses:

All non residential uses can have a general maximum height of 8.5m.

Further Restrictions on Height:

All development must fit in with the surrounding areas, and conserve and protect the rural nature of the area. Therefore the above heights are a guide only, and a merit based assessment will occur for all development above 8.5m for a dwelling, and above 8.5m for a non-residential building.

Towers

A landscape assessment shall be submitted showing that a tower would not have an adverse impact on the rural landscape.



Figure 4 Height of Buildings

Roof design

1. The roof pitch of a building is not to exceed 36 degrees.
2. Gabled and hipped rooflines are to be incorporated into the design of a building.

Building Materials

1. Materials must complement the rural landscape. Examples include stained timbers, brickwork, mud bricks, metal roofs and similar materials sympathetic to the Australian rural heritage.



Figure 5 Poor Roof Design

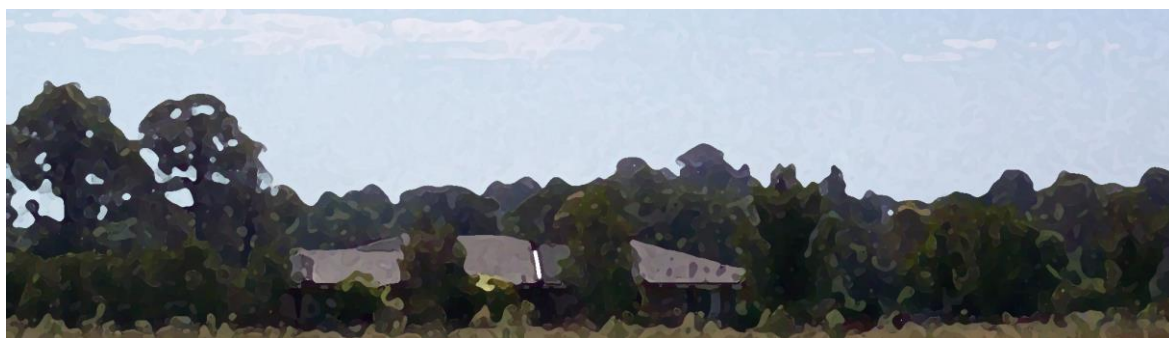


Figure 6 Better Roof Design

2. Buildings and structures must complement the rural landscape where possible. However Council will consider the use of the building when assessing building materials.

Colours

1. Natural earth colours and natural vegetation colours are to be emphasised on all buildings. (Examples include light ochres, silver greys, grey blues and olive greens.)
2. Highly reflective (shiny) colours are to be avoided for roofs and walls of buildings, including sheds.

Streetscape

1. Natural vegetation should be retained in setback to the street.
2. Buildings shall directly address the street frontage.



Figure 7 Poor example of Streetscape



Figure 8 Better example of Streetscape

Rural landscape

1. Except for driveways, no paved areas or “hard surfaces” are permitted in the front setback.
2. All development should attempt to maintain the existing natural environment.

Views, Scenic landscape and built features

1. Buildings shall not be sited that obstruct views and vistas.
2. Any significant natural and built features should be maintained.

E3 landscape

1. No paved areas or “hard surfaces” are permitted in the front setback.
2. All development should attempt to maintain the existing natural environment.
3. Timber decking is an alternative to paving, as it can be built with and around the existing treed landscape.

5. Landscaping and Fencing

Background

The landscaping of a development has a major role in maintaining the streetscape and landscape of rural areas. Landscaping assists energy efficiency and thermal control to dwellings. Vegetation screens are used to minimise the effects of odour, winds and enhance the visual quality of the development.

The landscaping must consider the existing streetscape and landscape character and the impact on neighbouring properties. The provided landscaping should make the site more attractive and soften the appearance of development.

Objectives

- a) That existing trees are retained whenever possible.
- b) To protect any areas of scenic quality.
- c) To preserve and enhance any significant natural features on site.
- d) To encourage the use of indigenous flora, especially on sites adjoining natural vegetation corridors.
- e) To encourage landscaping that is appropriate to the natural, cultural and heritage characteristics of its locality.
- f) To ensure the visual impact of development is minimised and integrated into natural surrounds and the streetscape.

Controls

Tree Planting

1. Existing trees and native vegetation are to be retained, protected and incorporated into the development proposal. This is particularly important for vegetation which forms part a ridgeline tree canopy and in foreshore areas (with the exception of weed species).
2. Ridgelines shall be visually enhanced through the mass planting of additional indigenous vegetation, including native undergrowth and canopy species.
3. The landscape design of a development must have regard to the prevailing weather conditions.
4. Trees are to be used to provide shade to buildings, outdoor recreation areas and car parking. Unless required for screening or noise attenuation purposes, solid wall or fences, which do not allow 'through vision' along allotment boundaries will not be allowed.
5. All other perimeter screen planting is to be native species.
6. Hard surfaces should be limited to access, car parking and private open space areas.

Landscaping for rural landscape

Landscaping for rural landscape is generally applied for dwellings, out buildings and other buildings. While dense planting in garden beds may form part of the landscape treatment the primary aim is to provide tree planting to enhance the rural landscape. In particular the landscaping shall involve the following:

1. The trees shall provide a canopy for the streetscape and rural landscape.
2. Shrubs may be used and preferably in mulched garden beds.

3. Trees shall only be planted in grass where there is a border or protection around the tree separating it from the grassed area.

Landscaping for screening

Landscaping for screening is generally applied to uses such as Intensive Plant Agriculture, Intensive Livestock Agriculture, Extractive Industries, outside storage areas and large storage buildings. The aim is to minimise the view of such buildings and items. It will involve the provision of trees and shrubs in mulched garden beds. In particular the landscaping shall involve the following:

1. The trees shall provide a canopy for the streetscape and soften the appearance of the rural environment, without unduly concealing approved on site signage.
2. Mulched garden beds shall incorporate ground covers that will cover the ground area.
3. Large shrubs shall be used under the tree canopy to screen the building or item.
4. Shrubs shall only be planted in mulched garden beds.

Fencing

1. Maximum height for solid fences at the front of site: 1.2m.
2. Maximum height for transparent fences at the front of site: 1.8m.
3. Fences at the front of site shall not be chain wire, metal sheeting, brushwood or electric fences.
4. Fences alongside and rear boundaries shall have a maximum height of 1.8m.
5. Where screening of a building or item is needed a solid fence may be provided behind intensive landscaping.



Figure 9 Examples of Landscaping

6. Car Parking and Access

Background

Car parking and safe access provision can have a major impact on the streetscape and landscape of rural areas. Refer to Part 1 for additional information about car parking and access requirements.

Objectives

- a) To provide adequate and safe vehicle entry and exit points.
- b) To ensure movement of vehicles on site is adequate.
- c) To provide adequate vehicle access and on-site car parking facilities for residents and visitors.
- d) To minimise the impact of driveways and parking areas on existing landscaping, landform and streetscape.
- e) To ensure pavement or driveway materials are sympathetic to the streetscape and surrounding landscape character.

Controls

Access

- 1. The location of access driveways should consider the natural features, topography and existing vegetation of the site. Access driveways should follow the topography and landscaping onsite.
- 2. Access driveways should be located where they are easily visible on the street. Avoid placing driveways at bends or where the road creates visibility problems for access points.
- 3. Development on sites located on classified roads may be required to provide a deceleration lane to ensure that the flow of traffic is not impeded.

Design and location of car parking and loading

- 1. Loading bays or parking for trucks, should be located in an area that is not visible from the street.
- 2. Large car parking areas are not to be visible from the street. Car parking areas must be clearly indicated through signage on site.
- 3. Should the site require overflow parking for special events, an area shall be designated that can be used for temporary car parking.



Figure 10 Poor Driveway Design



Figure 11 Better Driveway Design

7. Amenity and Environmental Impact

Background

Amenity is a major consideration for residents in rural areas. Rural activities such as intensive plant and livestock agriculture and rural industries have the potential to have a major impact on the amenity and environment of a rural area.

Objectives

- a) To minimise the Environmental impact of such issues as pollution, noise, traffic, odour and ensure that the local amenity is not affected.
- b) To restrict the size & intensity of some uses, where they may have an adverse affect on surrounding properties.
- c) To ensure that any future aircraft noise will be of minimal disturbance to development within the vicinity of the airport site.

Controls

Noise

Land uses that would create excessive noise will not be permitted. Land uses will be subject to the *Protection of the Environment Act 2008*.

Air

Land uses that would create excessive pollution and odour will not be permitted. Land uses will be subject to the *Protection of the Environment Act 2008*.

Water cycle

Stormwater and excess water associated with irrigation including nutrient enriched waters generated within the site are to be contained and treated on the site.

Hazardous materials

Storage and handling of fuels and chemicals (fertilisers, pesticides) is to be contained within areas that are impermeably floored and bunded.

8. Site Services

Background

There is a range of services that may need to be provided either on site or within the adjacent road reserve. Owners are required to provide some services and maintain some of the services on the site. Owners must also ensure that services provided on the site are protected from any potential damage.

Objectives

- a) To ensure that the required services are provided.
- b) To ensure that the services provided are easily protected or maintained.

Controls

Waste management

1. Non-residential properties shall provide their own waste management.
2. Non-residential developments should provide details of their waste management system.
3. The storage of the garbage receptacles shall be screened from public view and from adjoining properties.

Letterboxes and House Numbering

1. Letterboxes shall be located along the front boundary and be clearly visible and accessible from the street.
2. The street number of a site must be visible from the street and made of a reflective material to allow visitors and emergency vehicles to easily identify the site.

Frontage works and damage to Council assets

1. Where a footpath, road shoulder, new or enlarged access driveway or is required to be provided this shall be provided at no cost to Council.
2. Council must be notified of any works that may threaten Council assets. Council must give approval for any works involving Council infrastructure.

Electricity Sub Station

In some cases it may be necessary to provide an electricity substation at the front of the development adjacent to the street frontage. This will involve dedication of the area as a public road to allow access by the electricity provider. The front boundary treatment used elsewhere on the street frontage shall be used at the side and rear of the area.

Sewer

Applications for development of land where reticulated sewage is not planned to be provided shall be accompanied by an application under *S68 of the Local Government Act 1993* for an On Site Sewer System. Development consent will not be issued until this application can be issued by Council.

9. Additional Requirements

Background

Liverpool LEP 2008 permits a range of non-rural land uses within the rural zones. Such development may be considered acceptable in that they are compatible with a rural environment and do not place excessive demand on services and infrastructure.

The following controls are additional to the provisions contained within Section 1-8 of this DCP chapter.

9.1 Dwelling Houses and Dual Occupancy

Background

Most rural properties will have a dwelling house for the occupants of the site. In some cases there will be a second dwelling on the site but which cannot be separately subdivided. The proliferation of dwelling houses and associated out buildings has the potential to have a major impact on the rural landscape. As such careful consideration should be given to the design, scale and location of such development on rural lots.

As per the provisions of LLEP 2008, dual occupancies can be either attached or detached with the exception of land zoned RU2 – Rural Landscape, in which case dual occupancies may be attached only.

Objectives

- a) To ensure that Dwelling Houses and Dual Occupancy are compatible with the rural environment.
- b) To ensure that the scale and location of dwellings retain the potential for rural agricultural uses and extractive industry.
- c) To ensure that dwellings are located and arranged to minimise the potential for land use conflicts.
- d) Ensure that external finishes have a minimal detrimental impact on the visual amenity of the area
- e) Encourage consideration of all components of Dwelling Houses and Dual Occupancy developments such as fencing, driveways and landscaping in the design process.

Controls

The following controls are in addition to those in Sections 1 – 8 of this DCP Chapter.

Building Appearance, Streetscape and Layout

1. Depending on the location and land use zoning of the property, the LLEP 2008 may stipulate a maximum floor area for dual occupancies.
2. An extension or alteration which creates attached dual occupancy housing is to ensure that design features complement the existing dwelling house.
3. An attached dual occupancy shall be compatible with the design features of the existing dwelling in terms of cladding, colour, building materials, windows, verandahs, roof form and pitch.
4. The front building line of the second dwelling is to be located behind the building line of the existing dwelling house. In the event two dwellings are constructed at the same

time, one dwelling shall be sited to present as the principal dwelling with the second dwelling to be subservient in scale.

5. The principal dwelling and second dwelling in rural dual occupancies shall be sited in close proximity in order to reflect the traditional rural landscape character of clustering buildings and to allow for larger expanses of undisturbed land that allows for the pursuit of rural activities. Dual occupancies proposed on land zoned RU2 – Rural Landscape must be attached to the principal dwelling.
6. Mirror reversed dual occupancies or replica dwelling designs are not supported.
7. Attached Dual Occupancy development shall be physically attached under the same roofline and have the general appearance of a large single dwelling house when viewed from the primary street frontage. Structures such as carports, skillion roofs, pergolas, covered awnings and the like are not acceptable as a mode of attachment,
8. In the case of Detached Dual Occupancy and Secondary Dwelling development, both dwellings shall possess compatible architectural treatments and building materials.
9. Dwellings must be located to minimise the removal of any existing vegetation.
10. Buildings should be visually unobtrusive in the rural landscape.
11. Buildings should complement the characteristics of the landform. Cut and Fill must be kept to a minimum.
12. The roofline of all buildings should reflect the land profile within the vicinity of the development.
13. The colours of roof and wall cladding shall be generally low reflective neutral/earth tones, compatible with existing development on the site.
14. On land zoned RU2 – Rural landscape dual occupancies are not permitted to be created with semi-detached dwellings that have resulted from the subdivision of an attached dual occupancy. Refer Figure 12 below.

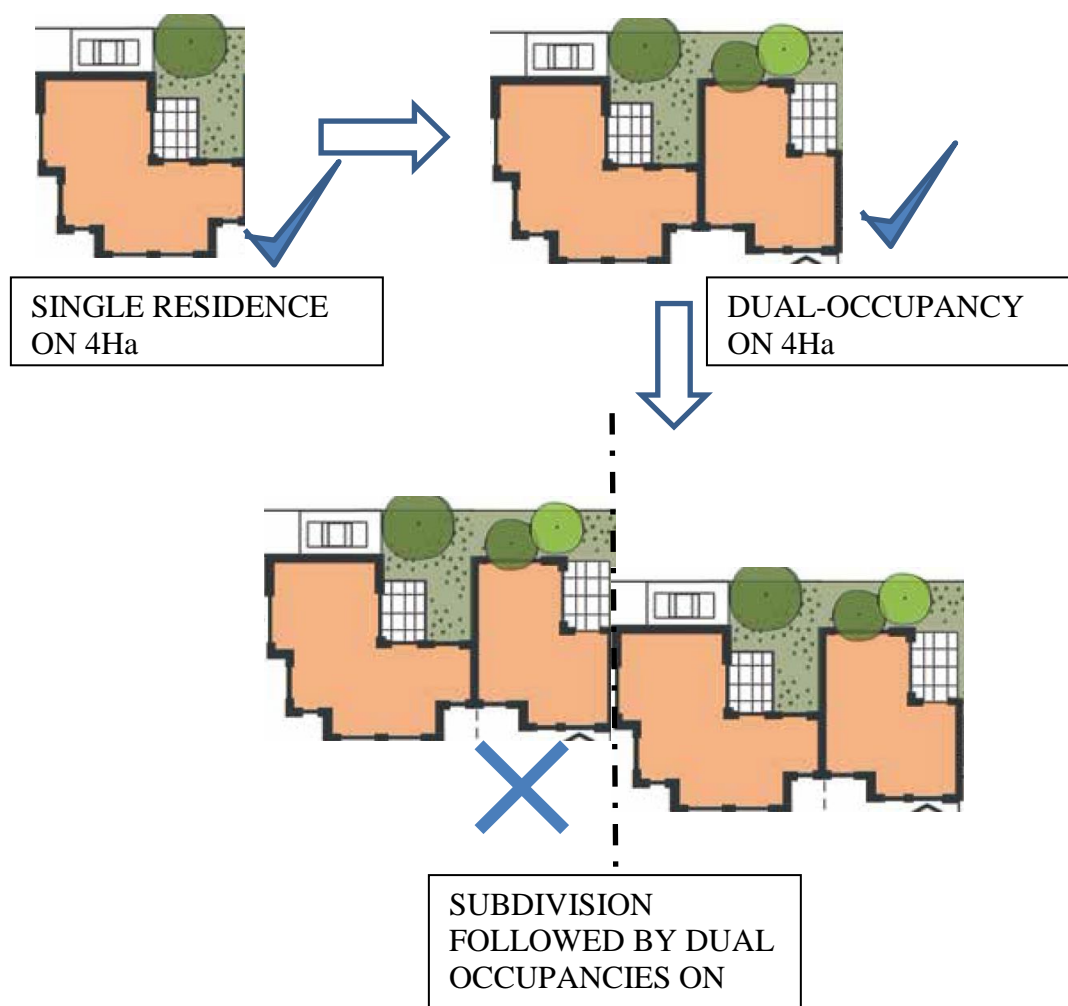


Figure 12: Dual-occupancies and subdivision

Car Parking and Access

Car parking areas, internal driveways and access driveways shall be constructed of all-weather material.

Rural Character

In areas of high quality natural settings such as elevated, sloping land with natural bushland, secondary dwellings should be visually unobtrusive. A visual impact assessment should be provided to support a proposed secondary dwelling. Council may require additional works to moderate the impact of the secondary dwelling to Council's satisfaction. Such works may include landscaping, mounding, or requiring relocation to a less obtrusive position.

Environment

1. Secondary dwellings must be located to minimise development on steeply sloping land to ensure that runoff from impervious surfaces is managed properly.
2. Secondary dwellings must be located to minimise any impacts on remnant Cumberland Plain Woodland and other environmentally sensitive land.

3. Secondary dwellings must be located to avoid bushfire hazard, consistent with Ministerial Direction 4.4 (Planning for Bushfire Protection).

Infrastructure

Applications for a dual occupancy must provide evidence of adequate provision of urban services and facilities to the satisfaction of NSW instrumentalities and Council. Particular care should be taken with the on-site treatment and disposal of effluent, which can have adverse environmental impacts, particularly on sloping sites, sites subject to flooding or smaller sites.

9.2 Health Consulting Rooms

Background

There is the need for Health consulting rooms in rural areas in the same way as there is in residential areas. While these are an intensification of the use of the site these can potentially be carried out with minimal Environmental impact.

Objectives

- a) To ensure that Health consulting rooms are compatible with the rural environment.
- b) To minimise any adverse impact of Health consulting rooms on surrounding properties.
- c) To ensure that the appearance of the building remains consistent with that of a Dwelling house.

Controls

The following controls are in addition to those in Sections 1 – 8.

Building Appearance, Streetscape and Layout

Health Consulting Rooms shall be located within the dwelling house on site.

Car Parking and Access

1. Car parking areas, internal driveways and access driveways shall be constructed of hard standing, all weather material. Car parking areas, internal driveways and access driveways must be clearly delineated.
2. Car parking areas should be located at the side or rear of the premises.

Amenity and Environmental Impact

Council may restrict the hours of operation to between 8.00 am and 6.00 pm, Monday to Friday, and 8.30 am to 12 noon on Saturday with no work to be conducted on Sundays or public holidays.

9.3 Home Businesses

Background

There is a demand for people to be able to work from home in rural areas in addition to operation of an agricultural business. Such businesses have the potential to have significant impact on rural areas.

Objectives

- a) To ensure that Home Businesses are compatible with the rural environment.
- b) To minimise any adverse impact of Home Businesses on surrounding properties.

Controls

The following controls are in addition to those in Sections 1 – 8.

Building Appearance, Streetscape and Layout

Where the Home Business is carried out in an outbuilding that building shall comply with the other requirements of the DCP. Council may limit the size of the building to ensure that the business does not become excessive and begin to have an adverse impact on the rural environment.

Car Parking and Access

- 1. Car parking, internal driveways and access driveways shall be constructed of hard standing, all weather material.
- 2. Car parking should be located at the side or rear of the premises.

Amenity and Environmental Impact

1. Council may restrict the hours of operation to between 8.30 am and 5.30 pm, Monday to Friday and 8.30 am to 12 noon on Saturday with no work to be conducted on Sundays or public holidays.
2. Council may require the preparation of a Noise Impact Statement prepared by a suitably qualified Acoustics Consultant in circumstances where the proposed Home Business is likely to generate significant noise levels.
3. Home businesses, which generate odours, will only be approved if those odours can be controlled on the site.
4. Council reserves the right to issue a 12 month consent on Home Business proposals, where it is considered that some doubts may exist about the extent of the impacts of the use on the adjoining residential area. In proceeding with the commencement of the use, the applicant is advised that Council is under no obligation to extend the development approval in circumstances where it is demonstrated that the use in operation has a detrimental impact on adjoining residential properties and the residential neighbourhood.
5. Home Businesses involving food preparation shall provide details of suitable odour-controlling installations such as filtered exhausts (including full manufacturer's details and specifications) prior to approval being considered.

9.4 Intensive livestock agriculture

Background

Intensive livestock agriculture is permitted in some rural areas. Such a use involves concentrated resources in the production of livestock. There are potential impacts on the rural environment involving odour, noise, and effluent impacts. It also involves intensive input of resources such as water and feed.

Objectives

- a) To ensure that Intensive livestock agriculture is compatible with the rural environment.
- b) To minimise any adverse impact of Intensive livestock agriculture on surrounding properties.
- c) To minimise the Environmental impact of Intensive livestock agriculture on surrounding areas and the creek system.

Controls

The following controls are in addition to those in Sections 1 – 8.

Subdivision, Frontage and Allotment Size

Minimum Allotment Size: 8ha

Site planning

The selection of a site for Intensive livestock agriculture shall address adjoining uses, vistas, access and drainage.

Density and Setbacks

Site Coverage

Maximum Site Coverage: 10%.

Setbacks

Sheds for the housing of farmed animals or birds and solid and liquid waste storage/handling areas shall be setback in accordance with Table 2. (Also refer to Figure 12).

Table 2 Setbacks for Intensive Livestock Agriculture

Setback	New Farms	Existing Farms
Front and rear boundary	100m	50m
Side boundary	50m	10m
Dams, watercourses, wells and dry gullies	100m	50m
Dwellings on adjoining property in a Rural zone, R5 zone or other sensitive population	200m	150m
Other Intensive livestock agriculture premises	500m	500m
Dwellings on same property	50m	50m
Sheds for the housing of farmed birds	15m	15m
Existing vegetation	20m	15m
Residential zones	500m	500m

Note: These distances are a minimum and each application will be assessed on its merits. Council has the discretion to increase the minimum distances dependent upon the topography, prevailing wind direction, vegetation and other Environmental characteristics of the site.

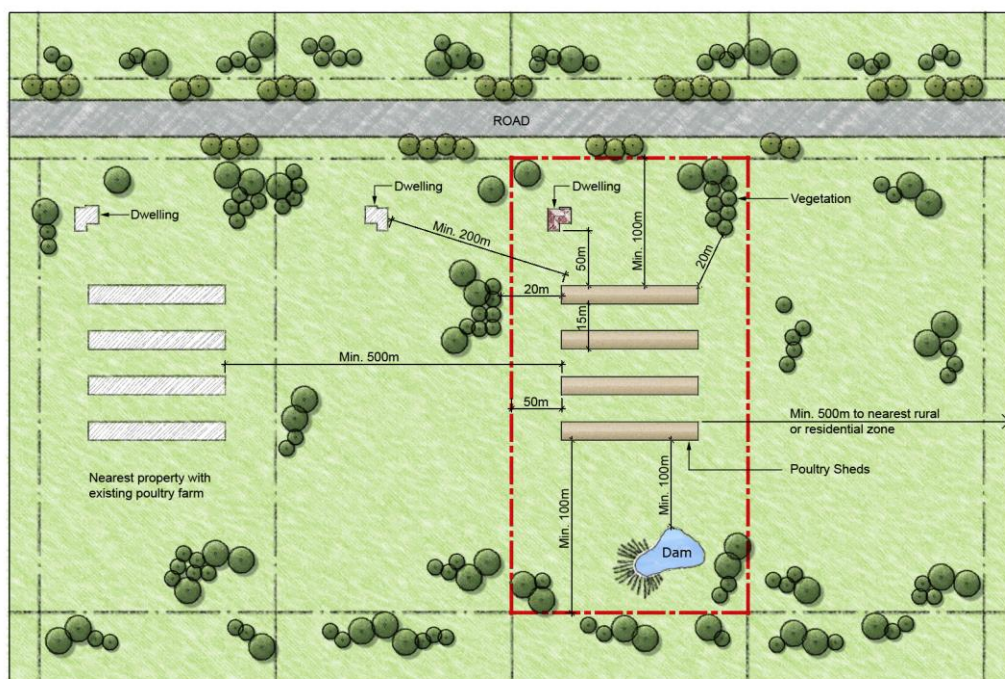


Figure 13 Recommended Distances for Poultry Farming Developments

Landscaping and Fencing

All structures are to have screen landscaping in order to minimise visual impact. A landscaping buffer should be established around the poultry sheds. Screen planting is to be located at least 12m from poultry sheds to allow for adequate air movement.

Car parking and Access

1. Details should be submitted to Council outlining the timing and manner of transport activities associated with the poultry farm. Details submitted should include the frequency, times, routes and number of bird deliveries and pick-ups, feed deliveries and clean-outs and gas deliveries.
2. Depending on the amount of traffic generated by the use, paving of car parking, internal driveways and access driveways may be required. If not an all weather surface may be required to be provided for car parking, internal driveways and access driveways. Car parking areas, internal driveways and access driveways must be clearly delineated.

Amenity and Environmental Impact

Farm Management Plan

A Farm Management Plan (FMP) is to be submitted with the DA. A suitably qualified person or rural consultant should prepare this document. This document should provide details of how the proposed development will address the following issues.

Waste Management

The FMP shall specify the method by which wastes including dead birds are to be disposed. The incineration of dead birds is prohibited, unless within an authorised incinerator and in accordance with EPA guidelines. On-site disposal of manure and composting is not acceptable. The preferred method of disposal is by waste contractors. The proposed method of wastewater collection and treatment including that water used in hose down areas is to be detailed.

Control of Pests and Vermin

The FMP shall demonstrate that adequate vermin control will be carried out with a regular fly and pest control program. The control program shall comply with the requirements of the *NSW Agriculture and Fisheries* and shall be maintained to the satisfaction of Council.

Dust Control

All areas of vehicular access are to be stabilised and treated in a manner to minimise dust nuisance caused by traffic generation. To eliminate dust as a nuisance, grass cover should be maintained and grown wherever practical and possible. The FMP shall also outline how dust from poultry sheds and ventilation sheds will be minimised and managed.

Pesticides

The FMP shall incorporate a schedule of all pesticides and other toxic chemicals likely to be stored and used upon the site. The FMP shall stipulate the purpose for which such chemicals are to be used and the manner of application. All use of chemicals will be in compliance with the *Pesticides Act 1999* and *Protection of the Environment Act 2008* and *Workcover*.

Odour Control

1. The FMP shall demonstrate adequate odour control from poultry sheds, waste storage and handling areas. Odour impacts can be dispersed by the addition of appropriate landscaping including upper and lower storey vegetation, and application of setbacks.

2. Fans on tunnel-ventilated sheds should be directed up rather than down. Odour mitigation efforts need to address the shed ventilation systems, population size, climatic conditions and topography of the site. The location of potential sensitive population should also be considered when siting elements of the development.

Noise Control

The FMP shall include strategies to minimise noise nuisance produced on site. The FMP shall include feed and gas deliveries and bird pick up events. The FMP shall provide information of separation distances, equipment selection and use, mitigation measures and hours of operation. Climatic conditions and topography should be considered with regard to noise transmission. (Refer to the *EPA Industrial Noise Policy* and the *EPA Road Traffic Noise Policy*).

Water Cycle

1. The FMP shall include advice from *Sydney Water* that the supply of water to the property is adequate. Where mains water supply is not available to the site, the FMP shall demonstrate that any alternative water supply is of adequate quality for the intended purpose.
2. Council consent is required to construct or form a dam. The FMP shall demonstrate that surface, ground and collective water bodies will not be polluted by any impacts of the development. Information should be provided as to the drainage and disposal of stormwater, the location of creeks and surface run off patterns, the proposed irrigation system and measures to clean and treat dirty water on site. Pollution mitigation efforts can include separation, hydrological isolation, water treatment or otherwise.

Site Services

The storage of the garbage receptacles shall be screened from public view and from adjoining properties.

9.5 Intensive plant agriculture

Background

Intensive plant agriculture is permitted in some rural areas. Such a use involves concentrated resources in the production of vegetables, flowers and other plants. There are potential impacts on the rural environment involving odour, noise, and effluent impacts. It also involves intensive input of resources such as water and fertiliser.

Objectives

- a) To ensure that Intensive plant agriculture is compatible with the rural environment.
- b) To minimise any adverse impact of Intensive plant agriculture on surrounding properties.
- c) To minimise the Environmental impact of Intensive plant agriculture on surrounding areas and the creek system.

Controls

The following controls are in addition to those in Sections 1 – 8.

Subdivision, Frontage and Allotment Size

Minimum Allotment Size: 2ha.

Density and Setbacks

Site Coverage

Maximum Site Coverage: 20%, including any igloo structures.

Setbacks

1. Sheds for the Intensive plant agriculture shall setback in accordance with Table 3.

Table 3 Setbacks for Intensive Plant Agriculture

Setback	Distance
Front boundary	20m
Side and rear boundary	10 m
Dwellings on adjoining property in a Rural zone, R5 zone or other sensitive population	100 m
Dwelling on property	20 m
Existing vegetation including any vegetation on neighbouring land	20 m
Residential zone	300 m
Dams, watercourses, wells and dry gullies	40 m
Other similar farms	150 m

(Refer to Figure 12)

2. All greenhouses/igloos/market gardening farms shall be setback behind any dwellings and landscape screens on the site.
3. These distances are a minimum and each application will be assessed on its merits. Council has the discretion to increase the minimum distances dependent upon the topography prevailing wind directions, vegetation and other Environmental characteristics of the site.

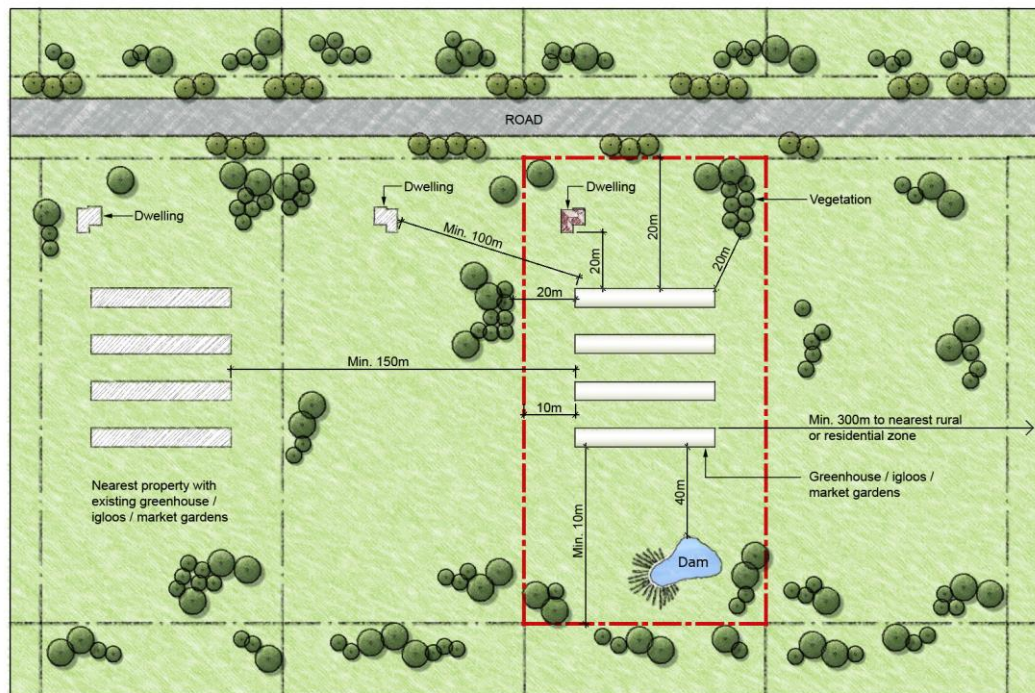


Figure 14 Recommended Distances for Greenhouses/Igloos/Market Gardening

Building Design, Style and Streetscape

Appearance

Only new and durable materials shall be used in the construction of such greenhouses/igloos/market gardens and such structures shall be maintained in a sound and tidy condition free from all defective or damaged material including plastic/fabric covering at all times.

Height

Maximum Height of Greenhouses/Igloos: 4m

Landscaping and Fencing

1. A suitable landscape screening or buffer shall be established between any boundary and greenhouses/igloos/market gardens to effectively mitigate the visual impact of the development.
2. Screen trees need to limit shading of growing areas, provide porous filter and capture dust and provide a windbreak.
3. The landscaped screening or buffers shall be established through planting trees or shrubs (minimum 1.5m in height). This will occur prior to the erection of any structures and shall at all times be adequately maintained to enhance its growth. Landscaped and grassed areas should be maintained in a neat manner.
4. Existing native vegetation should be protected or enhanced where possible to maintain the visual amenity and protect the ecological integrity of the rural area.

Car Parking and Access

1. All areas of vehicular access are to be stabilised and treated in a manner to minimise dust nuisance caused by traffic generation. To eliminate dust as a nuisance, grass cover should be maintained and grown wherever practical and possible.
2. Details should be submitted to Council outlining the timing and manner of transport activities associated with the market garden. Details submitted should include the frequency, times, routes and number of deliveries and pick-ups.
3. Depending on the amount of traffic generated by the use, paving of car parking, internal driveways and access driveways may be required. If not an all weather surface may be required to be provided for car parking, internal driveways and access driveways. Car parking areas, internal driveways and access driveways must be clearly delineated.

Amenity and Environmental Impact

1. Any chemicals or pesticides applied shall be used in strict accordance with the requirements of relevant legislation (e.g. *Pesticides Act 1999*, *Protection of the Environment Operations Act 2008* and *Workcover*).
2. Mechanical equipment, such as heaters, air conditioners, frost fans etc. shall not be used or operated to create an artificial environment unless the requirements of the *Protection of the Environment Act 2008* have been satisfied. In this regard Council shall be consulted prior to the installation or use of any such equipment.

Water cycle

1. The FMP shall include advice from *Sydney Water* that the supply of water to the property is adequate. Where mains water supply is not available to the site, the FMP shall demonstrate that any alternative water supply is of adequate quality for the intended purpose.
2. Council consent is required to construct or form a dam. The FMP shall demonstrate that surface, ground and collective water bodies will not be polluted by any impacts of the development. Information should be provided as to the drainage and disposal of stormwater, the location of creeks and surface run off patterns, the proposed irrigation system and measures to clean and treat dirty water on site. Pollution mitigation efforts can include separation, hydrological isolation, water treatment or otherwise.
3. A minimum of 800sqm should be left void to alleviate the effects of the property's septic system.

9.6 Rural Industries

Background

Rural industries are permitted in some rural areas. They may involve the processing of rural produce or providing a service to rural properties in the local area. They have a potential to impact on the rural environment.

Objectives

- a) To ensure that Rural Industries are compatible with the rural environment.
- b) To minimise any adverse impact of Rural Industries on surrounding properties.

Controls

The following controls are in addition to those in Sections 1 – 8.

Site Planning

The selection of a site for a Rural Industry shall address adjoining uses, vistas, access and drainage.

Density and Setbacks

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.

Building Appearance, Streetscape and Layout

Rural Industries should maintain the rural streetscape. Designs should complement the surrounding buildings in relation to materials used, colours and building form.

Landscaping and Fencing

1. Planting/landscaping is to be used to screen buildings from the roadway and from neighbouring dwellings.
2. Outdoor storage yards are to be located behind buildings or screen walls so they are not visible from a public place or neighbouring property. Screen walls are to be compatible with respect to design, materials used and colours of buildings on site. Earth mounding and landscaping can also be used.
3. Chained wire fences for security purposes are to be located behind the landscaped setback area.

Car Parking and Access

1. Details should be submitted to Council outlining the timing and manner of transport activities associated with the poultry farm. Details submitted should include the frequency, times, routes and number of bird deliveries and pick-ups, feed deliveries and clean-outs and gas deliveries.
2. Depending on the amount of traffic generated by the use, paving of car parking, internal driveways and access driveways may be required. If not an all weather surface may be required to be provided for car parking, internal driveways and access driveways. Car parking areas, internal driveways and access driveways must be clearly delineated.

Amenity and Environmental Impact

1. Rural Industries that are likely to cause adverse Environmental impact and which do not satisfy the requirements of *Protection of the Environment Operations Act 2008* will not be permitted.
2. Council may limit the hours of operation of a Rural Industry where there is the likelihood of adverse impact on the amenity of the local area.

9.7 Roadside stalls

Background

Roadside stalls provide fresh produce to passing travellers and the local community. There is potential significant impact on the rural streetscape and landscape and also impact on traffic movement and safety.

Objectives

- a) To ensure that roadside stalls are compatible with the rural environment.
- b) To minimise any adverse impacts of roadside stalls on surrounding properties.
- c) To minimise any adverse impact of roadside stalls on road safety and traffic movement.

Controls

The following controls are in addition to those in Sections 1 – 8.

Subdivision, Frontage and Allotment Size

Minimum Frontage: 20m.

Site Planning

Roadside stalls must be located immediately behind the front boundary of the site.

Density and Setbacks

Maximum Floor Space: 20sqm.

Building Appearance, Streetscape and Layout

1. Maximum height of structure: 3m.
2. No trees shall be removed for the erection of a stall.
3. The location of the stall must consider the streetscape and natural features of the site.

Landscaping and Fencing

Landscaping shall be provided around the Road Side Stall.

Car Parking and Access

1. Sites with poor visibility for vehicles will not be permitted. Roadside stalls will not be permitted at bends or where it is unsafe for vehicles to pull over.
2. Car parking areas, internal driveways and access driveways must be made of a hard standing, all weather material. Car parking areas, internal driveways and access driveways must be clearly delineated.

Amenity and Environmental Impact

1. Roadside stalls shall not operate facilities that produce any excessive noise or pollution.
2. Any waste that is produced must be disposed of daily. Details must be provided of waste storage on site.

9.8 Communication Facilities

Background

There is a need to permit Communication Facilities to allow sufficient coverage for uses of mobile telephones. This need is balanced by the need to consider the Environmental impact of these on rural areas. The Australian Communications Authority also manages Telecommunications Facilities.

Objectives

- a) To ensure that Communication Facilities are compatible with the rural environment.
- b) To minimise any adverse impact of Communication Facilities on surrounding properties.
- c) To minimise the number of Communication Facilities by encouraging the co-location and sharing of facilities.
- d) To minimise any health risks associated with the emission of electro-magnetic radiation.
- e) To ensure that Telecommunications Facilities are not within close proximity to dwellings or sensitive populations in order to minimise the potential of electro-magnetic radiation exposure.

Controls

The following controls are in addition to those in Sections 1 – 8.

Site Planning

1. The selection of a site shall involve a site analysis of the existing landscape.

2. Existing and future potential for co-location of Telecommunications Facilities needs to be considered.
3. The erection of any new Telecommunications Facility must be proven to be required only where no available alternative for co-location is possible.
4. The construction of any Telecommunications Facility must have the demonstrated potential for co-location of additional facilities and must be addressed as part of any proposal.

Site Location

1. Telecommunications Facilities and associated ground facilities will not permitted on land that is *Environmentally Significant* as identified in *Liverpool LEP 2008*.
2. Telecommunications Facilities and associated ground facilities will not permitted on land below the PMF level.

Density and Setbacks

A Telecommunications Facility shall be set back 300m from any dwelling or sensitive population unless the annual average exposure limit does not exceed 0.2uW/cm².

Building Appearance, Streetscape and Layout

1. The shape, height and colour of the Telecommunications Facility shall be addressed in order to ensure that visual amenity is maintained.
2. A Telecommunications Facility is not to be located where it will detract the heritage significance or settings of a heritage item or potential archaeological site.
3. Wherever possible, Telecommunications Facilities should be of a "slimline monopole" construction.
4. Advertising signs of any type, including logos are not permitted on the Telecommunications Facility.
5. Night illumination is not permitted; except where a proposed Telecommunications Facility infringes the *Obstacle Limitation Surface* (OLS) for aircraft safety.

Landscaping and Fencing

1. A Telecommunications Facility shall be located where the vegetation, landform or features of an open space location will adequately screen or reduce the impact of the Telecommunications Facility from public areas.
2. A Telecommunications Facility must be located a sufficient distance from any existing trees to allow access.
3. Landscaping is required where any existing vegetation will not adequately screen a Telecommunications Facility.
4. Where landscaping is required, trees must be located a sufficient distance from the Telecommunications Facility to allow access.
5. All sites for Telecommunications Facilities and associated ground facilities must be enclosed by a minimum of 1.8m open mesh or similar fencing to prevent public access to the site in order to maintain public safety.

Amenity and Environmental Impact

1. All sites must have warning and information signs displayed to minimise public risk.
2. The level of electro-magnetic radiation emitted from any Telecommunications Facility must not exceed the limit of 0.2uW/cm².
3. Any Telecommunications Facility, which is no longer needed, or no longer in operation shall be removed by the carrier at its own cost and restore the land to its natural state, within a three (3) month period. The carrier must also notify Council by letter prior to the removal of any Telecommunications Facility.
4. All sites for Telecommunications Facilities and associated ground facilities must be enclosed by a minimum of 1.8m open mesh or similar fencing to prevent public access to the site in order to maintain public safety.
5. If at any one time a Telecommunications Facility is no longer needed, or no longer in operation, the carrier will, except otherwise agreed with Council, at its own cost remove the structure and facilities and restore the land to its natural state, within a three (3) month period. The carrier must also notify Council by letter prior to the removal of any Telecommunications Facility.
6. Once development has been completed on the site, the carrier must then restore the site to its previous state. Under the *Telecommunications Code of Practice 2008*, this work must commence within 10 working days after completion of the development.

9.9 Places of Public Worship

Background

Some places of public worship seek to operate in rural areas. There is a trend for places of public worship to locate in rural areas, sometimes in conjunction with an Education Establishment. These are an intensive use of land with the potential for significant impacts on the streetscape and rural environment.

Objectives

- a) To ensure that Places of Public Worship are compatible with the rural environment.
- b) To minimise any adverse impact of Places of Public Worship on surrounding properties.
- c) To minimise any adverse impact of Places of Public Worship on road safety and traffic movement.

Controls

The following controls are in addition to those in Sections 1 – 8.

Subdivision, Frontage and Allotment Size

Minimum site area: 1 ha.

Site Planning

Site Location

1. Places of Public Worship should be located:
 - On streets with widths that permit adequate safe manoeuvrability of vehicles & lines of sight for pedestrians, cyclists and vehicles.
 - Where traffic control devices do not impede vehicular access to site.

2. Places of Public Worship shall not be permitted adjacent to activities, which generate significant noise or air pollution.

Site Planning

The site layout should ensure that the front entrance to the Place of Public Worship is easily located and accessible.

Building Appearance, Streetscape and Layout

1. Maximum height: 8.5m and buildings must be consistent with the surrounding amenity.
2. Spires, towers and similar structures shall have a maximum height of 15m and may be considered on the basis of their bulk and scale, the extent of their overshadowing, and their contribution to the streetscape.
3. Buildings that are for the purpose of ancillary uses to a place of public worship must be single storey and comply with all relevant built form controls within this section.

Car Parking and Access

Overflow car parking may be required to be provided. This may be provided as a grassed area.

Amenity and Environmental Impact

1. Details must be provided of the intended times for services and other ancillary uses. Council will stipulate what times these events are permitted to be held.
2. An ancillary use includes schools, halls, residence, libraries or other uses directly associated with the Place of Public Worship.

Landscaping

1. A landscaped buffer zone of at least 10 metres wide must be provided to the side and rear boundaries of the site. The buffer zone shall not be used for parking areas or the like.

9.10 Landfill

Background

Landfill is sought when the topography of land does not suit the proposed economic use of land. This has potential to have a significant impact on the streetscape and rural landscapes as well as the water cycle particularly where Landfill involves flood prone land.

Objectives

- a) To ensure that Landfill is compatible with the rural environment.
- b) To minimise any adverse impact of Landfill on surrounding properties.
- c) To minimise the environmental impact of Landfill on surrounding areas and the creek system.

Controls

The following controls are in addition to those in Sections 1 – 8.

Site Planning

1. Site planning should be sensitive to site attributes, such as streetscape character, natural landform, existing vegetation, views and land capability.
2. The site layout should enhance the streetscape through the use of landscaping.

Density and Setbacks

Minimum setback for Landfill from the street frontage, side and rear boundaries: 20m.

Building Appearance, Streetscape and Layout

Minor filling of land to fill a natural depression

1. Land shall not be filled higher than the land at the edge of the depression.
2. Minor filling to make the land reasonably level with the balance of the site shall be turfed to ensure that no soil erosion takes place.

Major Landfill to a former extractive industry or similar

1. Land shall not generally be filled higher than the level of land at the edge of the Landfill.
2. Upon completion major land filling shall be turfed and landscaped to ensure that no soil erosion takes place and to re-instate the rural environment.
3. Landfills are not permitted to operate on sites where there are significant vistas or areas of natural significance.

Landscaping and Fencing

The setback from the street frontage, side and rear boundaries shall be intensely landscaped prior to commencement of Land filling to screen the landfill and to help reduce the dispersal of dust.

Amenity and Environmental Impact

Construction

1. Material imported to the site should be:
 - Non-putrescible.
 - Free of slag, hazardous, contaminated, toxic or radioactive material.
 - Free of industrial, medical or building waste.
2. Imported material should not originate from a contaminated site unless:
 - That material has been scientifically tested and the materials approved for disposal as clean fill, or
 - The site from which the material originates has been demonstrated by suitable investigation to be free of contamination to the satisfaction of Council.
3. Landfill activity which involves excavation or the disturbance of the natural surface should not commence on land which has been identified as contaminated or which has been used at any time for activities listed in Appendix A of the Policy for the Identification, Evaluation and Remediation of Contaminated Land unless:
 - The site has been demonstrated by suitable investigation to be free of contamination to the satisfaction of Council, or
 - The proposed activity will not disturb any identified contamination so as to cause an adverse impact on the environment.
4. All soil testing should comply with the Environment Protection Authority (EPA) Guidelines and *ANZECC and NHMRC Guidelines for the Assessment and Management of Contaminated Sites*.

5. Records of the source of imported material (including the address and owner of the source site); the nature, quantity and date of all incoming loads; the name of the carrier and the vehicle registration number should be maintained by the applicant/operator and supplied to Council on a monthly basis together with results of chemical testing of that material.
6. Where the landfill activity and/or dam construction involves the excavation and removal of material from the site, the excavated material is to be tested for contamination prior to commencement of that excavation and proven to be free of contamination. All material leaving the site is to be disposed of to the satisfaction of the *Department of Environment and Climate Change* and Council. Records of the quantity and nature of the material excavated and removed from the site should be maintained by the applicant/operator. Records of the carrier, vehicle registration number, and destination of the material should also be maintained. Proof of the means of disposal of the excavated material should be supplied to Council on a monthly basis.

Water cycle

Stormwater runoff and/or flood characteristics should not be altered to the detriment of others by:

- The deflection and/or concentration of stormwater runoff.
- Restricting the width of overland flow paths and/or waterway areas, or
- Increasing the velocity of flow of natural drainage.

9.11 Dams

Background

Dams have in the past been constructed to harness rainwater for agricultural uses particularly in those areas where there is not reticulated water supply. Dams can contribute to the rural landscape but also have the potential to have significant Environmental impact.

Objectives

- a) To ensure that Dams are compatible with the rural environment.
- b) To minimise any adverse impact of Dams on surrounding properties.
- c) To minimise the Environmental impact of Dams on surrounding areas and the creek system.
- d) To ensure all dams are adequately and safely constructed.

Controls

The following controls are in addition to those in Sections 1 – 8.

Density and Setbacks

To avoid damages associated with potential overflow or seepage, dams are not to be sited within 50m of utility installations, streets or dwellings.

Building Appearance, Streetscape and Layout

1. Maximum height of the dam wall above top water level: 300mm.
2. Maximum batter ratio for dam walls is 3:1.

Landscaping and Fencing

The area around the Dam shall be landscaped to reduce evaporation and make the dam more attractive.

Amenity and Environmental Impact

1. The material to be used in the construction of the Dam shall not contain contaminated material.
2. The Dam shall be constructed to be structurally sound so that it would not fail in a PMF event.

Water cycle

3. Dams are to be designed and constructed to ensure that they do not result in the flooding of neighbouring properties by:
 - The deflection and/or concentration of stormwater runoff.
 - Restricting the width of overland flow paths and/or waterway areas.
 - Increasing the velocity of flow of natural drainage.
4. Dams are to be designed and constructed to control storm event spillway flow such that:
 - Flow is not concentrated onto neighbouring properties.
 - Runoff is dispersed as closely as possible to the original overland flow regime.
5. Dam construction is not to affect natural water flows on adjoining and downstream properties and is to be constructed off-line of the natural water flows.
6. Dam construction is not to adversely affect adjoining and downstream properties in flooding.

9.12 Extractive Industries

Background

Extractive industries are located where ever the mineral deposit is. The mineral deposit can have a significant economic benefit for the wider community. For this reason the State Government has protected such deposits so that other developments are not located too close to these and thereby avoiding land use conflicts. Such sites once mined provide opportunities for a landfill and rehabilitation. This also requires management due to the potential land use conflicts.

Objectives

- a) To ensure that Extractive industries are compatible with the rural environment.
- b) To minimise any adverse impact of Extractive industries on surrounding properties.
- c) To minimise any adverse impact of Extractive industries on road safety and traffic movement.
- d) To ensure that the site can be eventually rehabilitated satisfactorily.

Controls

The following controls are in addition to those in Sections 1 – 8.

Density and Setbacks

Extractive Industries shall observe the following setbacks:

1. 40m from any potential habitats for threatened species.
2. 200m from any critical habitats for endangered species.
3. Extraction should not occur within 200m of a dwelling.

Extractive Site:

The extractive site should have all landscaping and fencing measures implemented to minimise visual pollution within the rural landscape.

Streetscape:

The extractive industry site shall present a rural appearance to the streetscape through the use of endemic vegetation plantings to screen the site.

Landscaping and Fencing

Earth mounding and screen planting is to be provided around the perimeter of land proposed for extractive industry developments, landfill operations and rural industries. Proposed species are to be of suitable height and spread to screen the development from neighbouring land uses and the roadside and to be used as a means of dust control. Where an acoustic barrier is necessary, earth mounding is to be of an appropriate height.

Car Parking and Access

Extractive industries shall provide car parking at the rate of one car space per worker on site. This car parking shall meet the requirements of Part 1.

Amenity and Environmental Impact

1. Any machinery or associated equipment should be stored in a structure, when not being used.
2. Proponents must prepare a Dust Suppression Plan which identifies the range of measures to be used to minimise dust generation.
3. Stockpiles of materials should be stabilised and maintained to reduce any potential for dust nuisance.

Noise

Proponents must submit a Noise Impact Assessment Report which is to be prepared by a suitably qualified person and shall address a range of potential noise emission matters including (but not limited to) the following:

- The existing acoustic environment including a statistical breakdown of the meteorological conditions (prevailing winds, temperature, humidity and inversion details) and any topographical features of the subject site and surrounding locality which may influence potential noise, blasting and/or vibration impacts;
- Proposed hours of operation of the extractive industry operation including proposed hours of operation of trucks entering and exiting the site;
- Likely noise levels of any fixed and mobile extractive industry equipment which generates noise, including haulage trucks.
- Existing ambient noise levels at all residential dwellings within 1km or other sensitive land uses not associated with the extractive industry operation;

- Likely noise levels at all dwellings or other sensitive land uses within 1km not associated with the extractive industry operation; and
- Proposed mitigation measures and management practices.

Rehabilitation

1. Any DA must also submit a rehabilitation plan.
2. A site plan showing the proposed post-extraction final land use is required. This site plan shall include the following requirements:
 - The nature, location and duration of post-extraction land uses;
 - Expected final land form, including drainage lines; and
 - Proposed areas designated for the final proposed land use and other areas reserved for vegetation.
 - The Development Application should also address the program for the removal of all buildings and structures from the site.

Hours of operation

The Extractive Industries shall only be permitted to operate between the hours of 7.00 am to 5.00 pm Monday to Friday and 7.00 am to 12.00 noon on Saturdays.

9.13 Cemeteries, Crematoriums and Funeral chapels

Background

Cemeteries, Crematoriums and Funeral chapels are sensitive land uses which can potentially have an impact on the amenity of the surrounding area. In particular, there may be visual and traffic impacts.

Objectives

- a) To ensure that the operation of cemeteries, crematoria and funeral chapels does not have an adverse impact on adjoining land uses and the surrounding area.
- b) To restrict these uses to appropriate locations.
- c) To ensure uses locate on appropriate sites.
- d) To ensure that uses locate on roads with the capacity to accommodate probable traffic generation. and
- e) To provide for appropriate development controls relating to the ongoing operation of such uses.

Controls

The following controls are in addition to those in Sections 1 – 8 of this Part.

Site Suitability

1. Cemeteries and crematoria must locate on a site with a minimum of 15ha available for burial plots and memorial walls. Landscaped areas, setbacks, parking, driveways and turning areas, internal congregation areas, places of public worship, and areas where

ground water is within 3m of the surface will not be counted toward the minimum 15ha site area.

Note: This Minimum Lot Size requirement is to ensure financial and operational sustainability of the cemetery and to limit the proliferation of cemeteries and crematoriums on rural land.

2. Cemeteries, Crematoriums and Funeral chapels shall not locate on a road which has a seal width of less than 6m.
3. Burial plots must not be located in areas where the water table is within 3m of the ground surface. If the water table is between 3m and 5m of the ground surface, deep rooted planting will be required in affected areas.
4. Cemeteries should not be located on flood prone land.

Setbacks

1. Buildings and burial plots are to be sited at least 20m from a public street and at least 15m from any side or rear boundary.

Landscaping and Fencing

1. A berm is to be provided around the property and must be 1m high and 3m wide. Landscaping is to be provided over the top of the berm.
2. A landscaped buffer zone at least 10 metres wide must be provided to the side and rear boundaries of the site. The buffer zone shall not be used for parking areas or the like.
3. Any proposed cemetery must have an adequate water supply to ensure the ongoing maintenance of landscaping and to assist in the operation of the site.

Car Parking and Access

1. A traffic study is to be included with any development application for a cemetery, crematoria or funeral chapel. This study should determine whether or not a turning lane or slip lane is required to enter the site.

Operation

1. A Plan of Management must be submitted with a Development Application and must include details of the operation of the use.
2. In the case of perpetual burials, the Plan of Management needs to outline how the perpetual care would occur.

9.14 Secondary Dwellings (Granny Flats)

Objectives

- a) To provide housing choice within a rural lot for the use of a separate dwelling within the existing title;
- b) To minimise any potential impact on the surrounding area;
- c) To minimise any potential impact on the future use of the surrounding area.

Controls

The following controls are in addition to those in Sections 1 – 8.

Site Suitability

1. Only one (1) Secondary Dwelling is permitted on any one lot of land.
2. Secondary Dwellings must be single storey.
3. A Secondary Dwelling shall not be approved where there is an existing dual occupancy on the same lot of land.
4. A Secondary Dwelling or Dual Occupancy shall not be permitted where it provides for more than two dwellings on a rural lot regardless of lot size.
5. A detached secondary dwelling is not permitted on land zoned RU2 – Rural Landscape.



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