

C O U N C I L



C I T Y



H A R B O U R



C O F F S



Rural Lands



Development Control Plan



INTRODUCTION

PREAMBLE

- ◆ This Development Control Plan (DCP) applies to development within the Rural 1A (Agriculture) and Rural 1B (Living) zones under Coffs Harbour City Local Environmental Plan 2000.
- ◆ This Plan relates to rural/agricultural activities, housing development and subdivision.
- ◆ This Plan came into force on 20 April 2000.

OBJECTIVES

The controls in this DCP seek to:

- enhance the rural character of the rural areas;
- encourage the use of existing or potentially productive agricultural land for agricultural purposes; and
- to reduce potential for rural land use conflict.

PROCEDURES

- ◆ Single dwelling houses, attached dual occupancy, subdivision and rural industries require approval from Council.
- ◆ Certain rural activities including: large agricultural produce industries; aquaculture in sensitive areas; construction of large artificial waterbodies; extractive industries; livestock intensive industries; composting facilities and works, including facilities and works for the production of mushroom substrate; and turf farms may require the preparation of an Environmental Impact Statement. Proponents of these activities should consult Council for advice, before proceeding.
- ◆ Agriculture and any ancillary structures do not require approval from Council.

- ◆ Farm dams, less than 5,000m², do not require Council approval but may require the approval from the Department of Land and Water Conservation.
- ◆ Fencing of land zoned 7A Environmental Protection (Habitat and Catchment) is not a requirement of this Plan.
- ◆ Approval is sought through the lodgement of a development application for single dwelling houses, attached dual occupancy, subdivision and rural industries.
- ◆ Applicants should follow the step by step procedures shown in the procedures flow chart.

PROCEDURES FLOW CHART

Step 1

Undertake Site Analysis

**Step 2**

Consult Council Staff on draft proposal

**Step 3**

Check proposal meets controls in this DCP
If subdivision is proposed check requirements in subdivision DCP

**Step 4**

Check Environmental Constraints Maps and provide assessment (where appropriate) for:

- Heritage Items/Areas
- Fire Hazard
- Contaminated Land
- Acid Sulfate Soils
- Flood Prone Land
- Koala Habitat

**Step 5**

Consult with adjoining owners – consider their opinions on proposal

**Step 6**

Consult with Council's Technical Liaison Committee or staff

**Step 7**

Lodge development application with Council



Where approval granted

**Step 8**

Commence work in accordance with conditions of approval

HOW TO USE THIS DCP

Applicants are to comply with the controls unless it can be demonstrated that an alternative solution to all or any of the controls will be a better approach to meeting the objectives of this DCP.

SITE ANALYSIS

Site analysis is required to identify opportunities and constraints for building and subdivision design. A site analysis plan at scale 1:200 (or similar) must be submitted clearly outlining what is proposed and where. The plan should indicate:

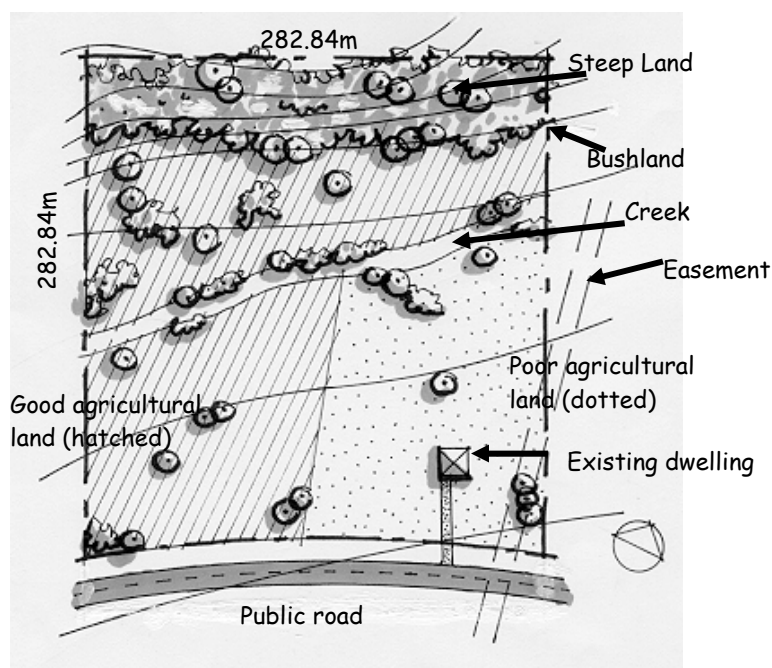
- The location of proposed new buildings or works (including extensions or additions to existing buildings or works) in relation to the land's boundaries and adjoining development
- Floor plans of proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building
- Elevations and sections showing proposed external finishes and heights
- Proposed finished levels of the land in relation to buildings and roads
- Building perspectives, where necessary to illustrate the proposed building

- Proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate)
- Proposed landscaping and treatment of the land (indicating plant types and their height at maturity)
- Proposed methods of draining the land
- Waste management, including trade waste provisions
- Details of services – water, sewer, stormwater
- Provisions of access and facilities for people with a disability
- Cross sections of the structure and extent of cut and fill
- Proposed building materials and their finished colours
- Trees to be removed.

STATEMENT OF ENVIRONMENTAL EFFECTS

A statement of environmental effects must accompany the lodgement of a Development Application. It is principally used to assess proposals in terms of their environmental impact.

SITE ANALYSIS



CONTROLS

DENSITY

- ◆ In the Rural 1A (Agriculture) zone the minimum allotment size per dwelling or attached dual occupancy is 40 ha.
- ◆ In the Rural 1B (Living) zone the minimum allotment size per dwelling or attached dual occupancy is 1 ha.
- ◆ In the area shown on Map 1 "Banana Lands" (refer to page 4), Council may allow the creation of an allotment not less than 6 ha if the allotment will be used for the purpose of banana growing.
- ◆ In the Environmental Protection 7A (Habitat and Catchment) zone the minimum allotment size per dwelling or attached dual occupancy is 40 ha.
- ◆ Where an allotment is partly zoned Rural and partly zoned Environmental Protection 7A (Habitat and Catchment), Council may accept a variation to the subdivision standard applying to the 7A zone to allow the subdivision, subject to the allotments complying with the minimum allotment size for the relevant adjoining zone.

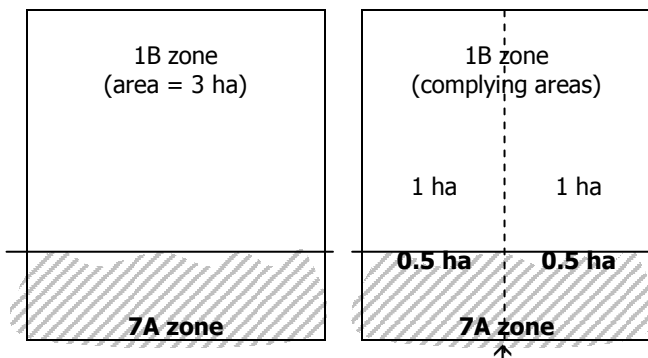
Note:
1ha = 10,000m² = 2.47 acres
Strata subdivision in rural areas for residential purposes is not permitted.

SUBDIVISION FOR THE PURPOSE OF COASTAL HORTICULTURE

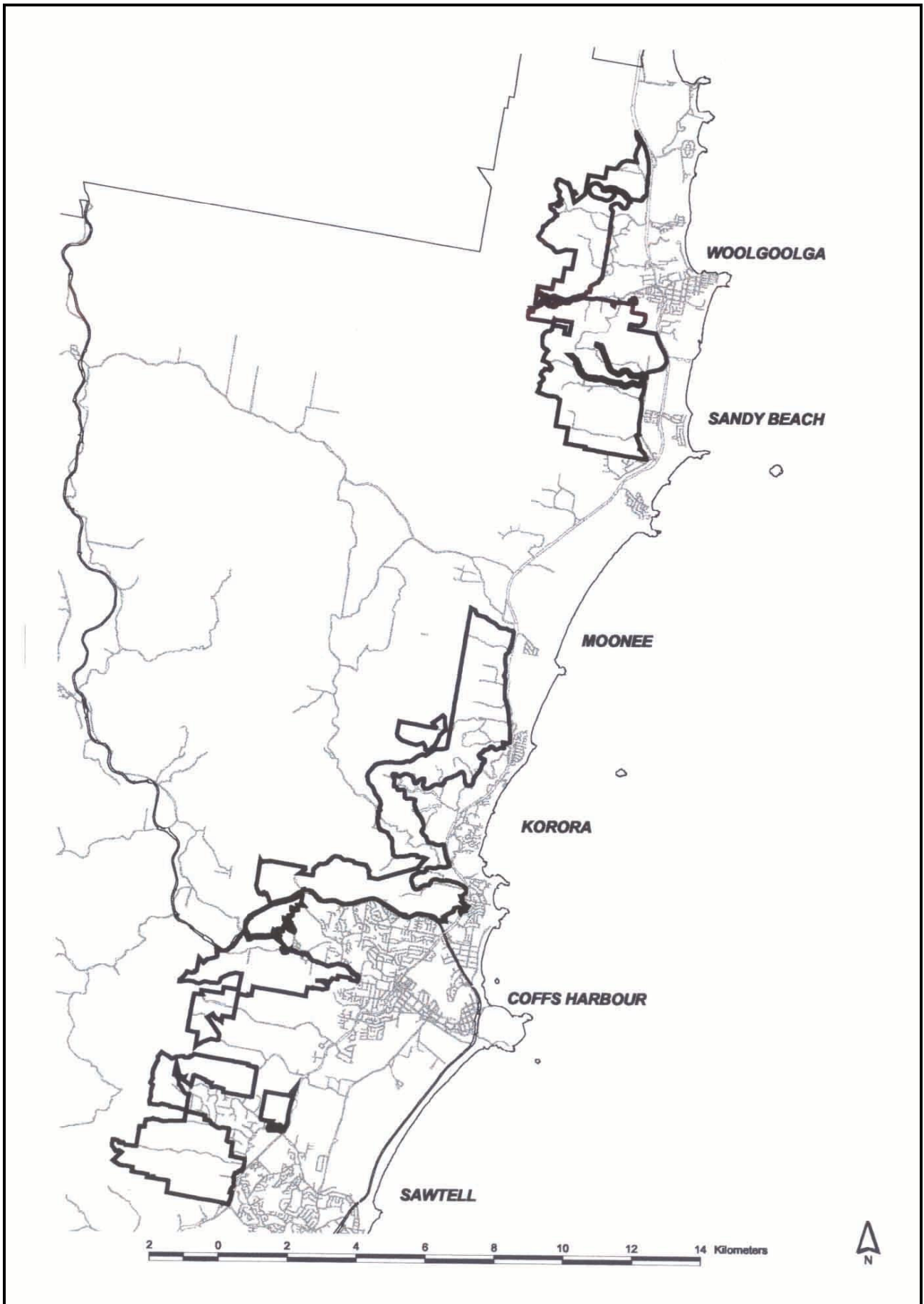
- ◆ Applications for subdivision of banana lands shall demonstrate that the land is currently used for banana growing or is capable of sustaining banana growing. Banana Lands Classification maps are held at Council.
- ◆ Applications are to be accompanied by the following additional information:
 - a farm plan showing banana land classes, existing land use and proposed land use areas;
 - proposed dwelling location in relation to surrounding agricultural activities and the location of dwellings in the immediate locality; and
 - means of achieving buffers to proposed and existing dwellings.
- ◆ Each proposed allotment should contain 6 ha of land suitable for the growing of bananas excluding unusable areas such as house and packing shed, water courses, steep land, stoney land or land with bad aspect and cold/frost problems.
- ◆ Prior to Council releasing subdivision plans for registration, new banana plantations proposed as part of a subdivision are to be in place.

Before subdivision

After subdivision



Non complying areas, do not require submission of objection under SEPP No 1 to 40 ha standard



ON-SITE EFFLUENT DISPOSAL

On-site effluent disposal is to be achieved by appropriate means having regard to circumstances and site constraints. In addition, effluent disposal must have the ability to meet the health and performance objectives and criterion detailed under the Operational Strategy contained within Council's On-Site Sewage Management Strategy.

BUSHFIRE HAZARD

Bushfire hazard management must comply with the provisions of the 'Planning for Bushfire Protection 2001' guidelines. Under these guidelines, Rural 1A zoned land must:

- Ensure safe access/ egress to the property.
- Designate Asset Protection Zones to act as a buffer zone between development and hazard.
- Provide adequate and independent static water to provide protection arising from ember attack and possible direct flame impingement.
- Locate water storage onsite and near buildings

Open Air Burning

Open air burning is restricted under the *Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulations 2006*. Open air burning is permitted in land zoned Rural 1A subject to the possession of a permit during bushfire season. The bushfire season, as determined by the Rural Fire Service usually runs from September to March subject to climatic factors. Standards set by the rural fire service dictate how open air burning should be carried out. The Rural Fire Service has published the *Standards for Windrow Burning*, *Standards for Pile Burning* and *Standards for Asset Protection* to be followed when carrying out open air burning. For more information visit the NSW Rural Fire Service website: <http://www.rfs.nsw.gov.au>

WATER SUPPLY

Dwellings

- ♦ Where town water can be made available, separate water connection from Council's mains is to be provided to each lot. A separate water meter is to be provided to each dwelling and is to be readily accessible to Council's meter reader.
- ♦ Where town water is not available, water tanks with sufficient capacity to serve needs should be provided. In bushfire prone areas, a minimum 10,000 litre water storage tank reserved specifically for fire fighting purposes is required (refer to Fire Hazard Information Sheet).
- ♦ Appropriate water saving devices are to be utilised where town water is available and an on-site sewage system is proposed.

Agriculture

- ♦ Subdivision design is to restrict new lots from having riparian water access rights (ie lots with creek frontage).
- ♦ The Department of Land and Water Conservation should be consulted regarding the "10% Harvestable Right Farm Dams Policy" and additional licensing requirements for agricultural water supply.
- ♦ For further information please contact your local Department of Land and Water Conservation on 6652 7644.

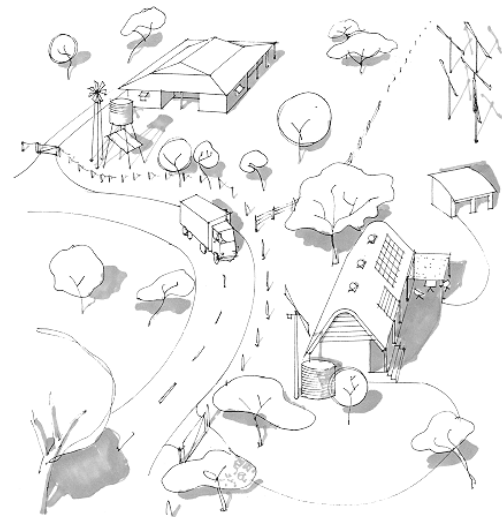
BOUNDARY ADJUSTMENTS

As detailed in State Environmental Planning Policy Number One - Boundary Adjustments, the following criteria apply to boundary adjustments on rural lands:

- No net increases in the number of lots or dwelling entitlements are to be created by boundary adjustments.
- Where an existing lot has more than one dwelling (i.e. rural workers dwellings) a boundary adjustment cannot be used to capture a second dwelling. That is, no entitlements or dwellings on the existing lot can be transferred to the new lot.
- Boundary adjustments must not be used to increase the ability to create more lots or dwelling entitlements in the future.
- Boundary adjustments must assist in the preservation of existing or potentially productive agricultural land. There must be no chance that the net outcome of the boundary adjustment could negatively impact on the objectives of the zone.
- Boundary adjustments must not create a situation where the position of existing or proposed improvements and rural activities on the new allotment is likely to cause disruption or conflict to neighbouring properties.
- New allotments must not be inconsistent with any development standard i.e. not less than 40 hectares or 6 hectares when consistent with coastal horticulture (banana cultivation).
- Suitable access arrangements shall be made between adjoining properties. This may include limiting one access point onto local, arterial or main road networks and no increase in the number of existing access points. Existing access points may require upgrading.
- Where land is partly zoned 7A Environmental Protection, the boundary adjustment must ensure the resultant lots contain a building envelope of not less than 1 hectare outside the 7A zone.

BUILDING DESIGN

- ♦ The design of buildings should be in keeping with a rural character.
- ♦ Traditional materials (i.e. timber, corrugated iron or similar) and natural colours (greys, greens, browns) are encouraged.
- ♦ Make the design of residential buildings interesting and livable by incorporating some or all of these elements:
 - decks;
 - pergolas;
 - verandahs;
 - eaves;
 - lattice; and
 - climate control windows.



Traditional and modern designs can blend in with rural character

- ◆ Rural structures, such as large sheds and shade houses, should be screened by vegetation and be setback at least 6m from the road.
- ◆ Make dwelling design energy efficient (refer Energy Efficiency Information Sheet).
- ◆ Fences and gates should be constructed using traditional materials and designs.
- ◆ All buildings should be setback a minimum of 50m from any River or creek and 20m from any stream or watercourse.
- ◆ Buildings should not be located on prominent ridgelines.

BASIX (BUILDING SUSTAINABILITY INDEX)

BASIX certificates are required for development that involves the erection or change of use to any building that contains one or more dwellings, excluding hotels and motels.

To Obtain a BASIX Certificate

To obtain a BASIX certificate applicants must complete the on-line assessment at www.basix.nsw.gov.au

STORMWATER

All stormwater is to be disposed in a suitable manner on the site without adversely affecting adjoining properties. Surface water is not to be directed to neighbouring properties. House floor levels must be at least 300mm above finished ground level.

PARKING

One space per dwelling is required on site. The minimum dimensions of car parking spaces should be 2.4m x 5.5m.

ENVIRONMENTAL CONSTRAINTS

- ◆ Special controls apply to areas that are subject to environmental constraints. These constraints relate to:
 - Koala Habitat;
 - Acid Sulfate Soils;
 - Contaminated Land;
 - Flood Prone Land;
 - Fire Hazard;
 - Heritage.
- ◆ Proponents of development on land identified on the constraints maps need to follow the requirements on the relevant information sheets:
 - Koala Habitat Information Sheet;
 - Acid Sulfate Soils Information Sheet;
 - Contaminated Land Information Sheet;
 - Flood Prone Land Information Sheet;
 - Fire Hazard Information Sheet; and
 - Heritage Information Sheet.

Note:

The constraints maps can be viewed at Council.

BUFFER DISTANCES

Buffer distances shall be adopted between land uses to reduce conflict and contribute to the screening of agricultural uses.

Vegetated buffers provide a viable alternative for the separation of land uses. Vegetation screens can act as effective barriers when they are established to meet the following criteria:

- Are a minimum total width of 40m;
- Contain random plantings of a variety of fast growing and hardy tree and shrub species;
- Have a screen height of 1.5 times the spray release height or target variation height;
- Provide a permeable barrier that allows air to pass through the buffer, a porosity of 0.5 is recommended;
- Include a 10m fire protection zone either side of the screen.

Conflict Element	Minimum Distance (M) without vegetation	Minimum Distance (M) with appropriate vegetation
Chemical spray drift	300	40
Intermittent odour	500	500
Intermittent noise	60	15
Long term noise	500	120
Dust, smoke and ash	150	40

Note: *Appropriate Vegetation* refers to shrubs or trees species with long, thin and rough foliage for more efficient spray capture. Foliage should be from the base to the crown of the tree.

Source: Queensland Department of Primary Industries

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