

Rural Detached Dual Occupancy

Detached Rural Dual Occupancies are permitted in the RU1 Primary Production Zone in accordance with Clause 4.2C of the Lismore Local Environmental Plan 2012 subject to development consent.

4.2C Erection of dual occupancies (detached) in Zone RU1

(1) *The objectives of this clause are as follows—*

- (a) to provide alternative accommodation for rural families and workers,*
- (b) to protect the primary production potential of the land,*
- (c) to ensure development is of a scale and nature that is compatible with the rural character and environmental capabilities of the land.*

(2) *Development consent must not be granted to development for the purpose of a dual occupancy (detached) on land in Zone RU1 Primary Production unless the consent authority is satisfied that—*

- (a) the development will not impair the use of the land or adjoining land for agriculture or rural industries, and*
- (b), (c) (Repealed)*
- (d) the land is physically suitable for the development, and*
- (e) the land is capable of accommodating the on-site disposal and management of sewage for the development, and*
- (f) the development will not have an adverse impact on the scenic amenity or character of the rural environment.*

Lismore Development Control Plan 2012

Residential – Chapter 1

All new detached rural dual occupancy applications will need to address this chapter. All proposed buildings will need to be designed in accordance with this chapter.

Buffers - Chapter 11

The objective of this chapter is to minimise land use conflicts between potentially incompatible land uses through the establishment of appropriate buffer areas.

The most appropriate means for reducing potential land use conflicts is to provide for a physical separation between incompatible land uses in the form of a buffer area. The purpose of the buffer area is to provide sufficient setback requirement such that impacts are reduced to the extent that they do not adversely affect the adjoining land use. It is the responsibility of the “encroaching development” to provide the required buffer areas.

Any application for a detached rural dual occupancy will need to address this chapter in the statement of environmental effects, being the “encroaching development” in the RU1 Primary Production zone.

Waste Minimisation - Chapter 15

A waste minimisation plan, in accordance with this chapter to be submitted for approval.

Approval Process

A development application form will need to be lodged for assessment and approval and must be accompanied by:

Lismore City Council

Corporate Centre
43 Oliver Avenue,
Goonellabah

PO Box 23A
Lismore NSW 2480

P 1300 87 83 87
F 02 66 250 400
E council@lismore.nsw.gov.au
www.lismore.nsw.gov.au



- Full Statement of Environmental Effects
- Architectural plans drawn to scale (including elevations, floor plan, site plan (including all structures on the land and the proposed distance marked between the existing dwelling and the proposed dwelling))
- Preliminary Contaminated Land Assessment Report (prepared by a qualified consultant)
- On-Site Sewage Management Report (prepared by a qualified consultant)
- Bushfire Assessment Report (if applicable)

After development consent has been granted a construction certificate will need to be lodged for assessment and approval prior to commencement of construction of the building.

Developer Contributions

Section 7.11 Developer contributions are applicable to dual occupancy developments in the rural area. Levies are imposed in accordance with Council's Section 94 Contributions Plan 2014 which is located on Council's website at www.lismore.nsw.gov.au. Any development consent notice for detached rural dual occupancy will be conditioned that these levies be paid prior to the issue of the construction certificate (for new buildings being erected) and for existing buildings where no work is required (construction certificate) prior to the issue of the Occupation Certificate.

Bushfire

If your land is identified as being in a bushfire prone area, a bushfire assessment report will need to accompany your development application. Information relating to building in a bushfire prone area can be found on the Rural Fire Service website at www.rfs.nsw.gov.au

Flooding

If you land is identified as flood affected in accordance with the Lismore Local Environmental Plan 2012 (Flood Planning Layer), Council may require the lodgement of a flood survey certificate if the building is located in the flood planning area. You should consider any potential flood impact when deciding on a site for a new dwelling.

Water Supply

Any development consent for a detached rural dual occupancy development will be conditioned to provide a 45,000lt water tank for potable purposes regardless of the size of the new dwelling. Additional to the portable supply, there may be requirements to provide non combustible tanks (generally 10,000lt) for bushfire protection. If applicable, the RFS terms of approval will be imposed as conditions of consent.

Vehicular Access

Please note: Council's Development Engineer will assess all new detached rural dual occupancy applications for site distance and access requirements. You may be required to upgrade your existing access from the public road to the property boundary in accordance with Council's Design and Construction Specification for Vehicular Access.

Road Numbering

Please note: new street addressing will be issued as part of the development consent for the existing dwelling and the proposed new dwelling. This will be a condition of consent. Number identification will be required to be displayed prior to the issue of an Occupation Certificate.

Assistance in Preparing the Development Application

For assistance in preparing a development application, including reports prepared by qualified consultants, you can engage a Planning Consultant who will prepare and/or lodge the application with council on your behalf.

Additional Information

If you require further advice in relation to detached rural dual occupancy development, please contact Council's Development and Compliance group on 1300 87 83 87. If your proposal cannot comply with the criteria above, we recommend you discuss with Council's Duty Planner.