



# PART D

RURAL  
DEVELOPMENT

DRAFT

---

2025

---

U P P E R L A C H L A N  
D E V E L O P M E N T C O N T R O L P L A N

---



# TABLE OF CONTENTS

<b>D.1.</b>	<b>Farm Buildings</b>	<b>3</b>
D.1.1.	Farm Buildings	4
<b>D.2.</b>	<b>Tourist and Visitor Accommodation</b>	<b>5</b>
D.2.1.	Tourist and Visitor Accommodation	6
<b>D.3.</b>	<b>Agritourism</b>	<b>7</b>
D.3.1.	Agritourism	8
<b>D.4.</b>	<b>Rural Industries</b>	<b>9</b>
D.4.1.	Rural Industries	10
<b>D.5.</b>	<b>Extractive Industries</b>	<b>11</b>
D.5.1.	Extractive Industries	12
<b>D.6.</b>	<b>Intensive Livestock Agriculture</b>	<b>13</b>
D.6.1.	Intensive Livestock Agriculture	14
<b>D.7.</b>	<b>Electricity Generating Works</b>	<b>15</b>
D.7.1.	Electricity Generating Works	16
<b>D.8.</b>	<b>Animal Boarding or Training Establishment</b>	<b>17</b>
D.8.1.	Animal Boarding or Training Establishment	18

# D.1. | FARM BUILDINGS

## APPLICATION OF THIS PART

Part D.1 applies to farm buildings on land in the Upper Lachlan Shire zoned as follows:

- a. RU1 Primary Production.
- b. RU2 Rural Landscape.
- c. RU4 Primary Production Small Lots.

## TERMS AND DEFINITIONS

Part D.1 has a number of specific terms that require explanation below:

**Australian Height Datum (AHD)** is the common national surface level datum approximately corresponding to mean sea level.

**Building Code of Australia (BCA)** is a set of technical provisions for the design and construction of buildings and other structures in Australia, and is now part of the National Construction Code.

**Farm Building** means a structure the use of which is ancillary to an agricultural use of the landholding on which it is situated and includes a hay shed, stock holding yard, machinery shed, shearing shed, silo, storage tank, outbuilding or the like, but does not include a dwelling.

**Hill** is a minimum change in elevation of 20m over a 100m distance.

**Landholding** means an area of land constituted or worked as a single property, and if comprising more than 1 lot—the lots are contiguous, or separated only by a road or watercourse.

**National Construction Code (NCC)** is a set of technical provisions for the design, construction, and performance of buildings and plumbing systems in Australia.

**Primary Road** is the primary road used to access a property.

## D.1.1. Farm Buildings

### OBJECTIVE

To ensure farm buildings appear as traditional accommodation buildings in the rural landscape and do not negatively impact on rural character and setting.

### STANDARDS

- a. Development is to be setback in accordance with the minimum requirements of the National Construction Code and increased to the extent necessary to comply with the requirements of Table 1.
- a. Development has a maximum height of 11m above existing ground level.
- b. Development involving earthworks, including batters, footings, drainage, retaining walls or other structural supports is located wholly within the property boundary.
- c. Development involving earthworks is suitably protected from soil erosion, soil movement and sedimentation as per Landcom Managing Urban Stormwater Soils and Construction (Blue Book).
- d. Development involving earthworks does not exceed a maximum height / depth measured from existing ground level of 3m.
- e. Despite d) above, earthworks does not exceed 1m in height or depth within 1m from any boundary, unless stabilised by a retaining wall or similar structural support.
- f. Development involving earthworks 600mm above / below existing ground level has batters of no less than 1:2 or take the form of a retaining wall or other structural support that is certified by a suitably qualified professional.
- g. Development is designed to drain stormwater in a manner that avoids impacts on buildings, structures and adjoining properties.
- h. Development involving the importation of fill is to be certified Virgin Excavated Natural Material (VENM).
- i. Development is constructed of new materials with factory pre-coloured low reflective finishes, unless it can be demonstrated that other materials will create a more positive contribution to the streetscape or surrounding environment.
- j. Development gains access to the local road network and not directly onto a classified road, except in circumstances where the property has no other practical means of gaining access to the public road network.
- k. Development does not necessitate an additional driveway crossing to be constructed to a public road.
- l. Development does not encroach any existing easement, service main or utility.

Table 1. Farm Building Setbacks

Setback Feature	Minimum Setback
Primary Road	50m <sup>1</sup>
Existing dwelling on neighbouring lot (not associated with development site)	50m <sup>1</sup>
Top of bank of water course, creek or irrigation / drainage channel	40m
Any boundary not shared with a primary road	15m <sup>2</sup>

1 Setbacks may be reduced to a minimum of 20m in the circumstance where the building is located behind the building line of an existing dwelling (or other significant building) located on the same lot and within the vicinity of the development site.  
 2 Setbacks may be reduced to a minimum of 5m or as required by BCA (whichever is the greater) in the circumstance where the building is located behind the building line of an existing dwelling (or other significant building) located on the same lot and within the vicinity of the development site.

## D.2. | TOURIST AND VISITOR ACCOMMODATION

### APPLICATION OF THIS PART

Part D.2 applies to farm buildings on land in the Upper Lachlan Shire zoned as follows:

- a. RU1 Primary Production.
- b. RU2 Rural Landscape.
- c. RU4 Primary Production Small Lots.

### TERMS AND DEFINITIONS

Part D.2 has a number of specific terms that require explanation below:

**Building Code of Australia (BCA)** is a set of technical provisions for the design and construction of buildings and other structures in Australia, and is now part of the National Construction Code.

**Hill** is a minimum change in elevation of 20m over a 100m distance.

**Landholding** means an area of land constituted or worked as a single property, and if comprising more than 1 lot—the lots are contiguous, or separated only by a road or watercourse.

**National Construction Code (NCC)** is a set of technical provisions for the design, construction, and performance of buildings and plumbing systems in Australia.

**Primary Road** is the primary road used to access a property.

**Tourist and Visitor Accommodation** means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes backpackers' accommodation, bed and breakfast accommodation, farm stay accommodation, hotel or motel accommodation and serviced apartments.

## D.2.1. Tourist and Visitor Accommodation

### OBJECTIVE

To ensure tourist and visitor accommodation is well designed and serviced to minimum standards.

### STANDARDS

- a. Development is designed to comply with Clause 5.4 of Upper Lachlan Local Environmental Plan 2010 relating to the number of bedrooms permitted for a bed and breakfast and farm stay accommodation.
- b. Development involving a bed and breakfast is within a lawfully erected dwelling, and the use of the land for a dwelling purpose is permissible under the Upper Lachlan Local Environmental Plan 2010.
- c. Development involving a farm stay is associated with a working farm that is used for a primary production purpose.
- d. Development is co-located with other rural buildings on the property (where practical).
- e. Development is setback from property boundaries, other buildings and relevant site features in accordance with the requirements of Table 2.
- f. Development is designed to comply with relevant legislation, code requirements, standards and guidelines relating to:
  - i. Fire Safety.
  - ii. Building design.
  - iii. Access to premises.
  - iv. Food safety and handling.
  - v. Public health.
- g. Development design provides on-site car parking in accordance with Part G of the Upper Lachlan Development Control Plan 2025.
- h. Developments is provided with practical and legal access to the public road network in accordance with the Upper Lachlan Shire Engineering Guidelines (latest version).
- i. Development design provides on-site car parking in accordance with Part G of the Upper Lachlan Development Control Plan 2025.
- j. Development is connected to a telecommunication system to the relevant authorities requirements
- k. Development is connected to the centralised electricity supply network in accordance with the requirements of the relevant electricity authority.
- l. Development is connected to a reticulated water supply service and metre in accordance with Upper Lachlan Shire Council Engineering Guidelines (latest version).
- m. Despite l) above, development on land that is unable to be connected to reticulated water supply may propose the provision of water supply from on-site rainwater collection tanks, with a minimum 20,000 litres of water storage required for fire fighting, in addition to water for other purposes.
- n. Development is connected to the reticulated sewerage scheme in accordance with Upper Lachlan Shire Council Engineering Guidelines (latest version).
- o. Despite n) above development on land that is unable to be connected to reticulated sewerage may serviced by an onsite waste management system, as recommended by a suitably qualified geotechnical engineer.
- a. Development is designed to accommodate a maximum of 2 identification signs and located in accordance with the following requirements:
  - i. Wholly within the property that comprises the development, either on the wall of a building, front fence, or other similar structure.
  - ii. Advertising signage is designed with a scale that is appropriate / proportionate to the rural area.
  - iii. Advertising signage is not flashing or illuminated to such an extent that will cause unacceptable glare for pedestrians, motor vehicles or adjoining properties.
- b. Development is supported by a Waste Management Plan.

Table 2. Building Setbacks

Setback Feature	Minimum Setback
Primary Road	50m <sup>1</sup>
Existing dwelling on neighbouring lot (not associated with development site)	50m <sup>1</sup>
Top of bank of water course, creek or irrigation / drainage channel	40m
Any boundary not shared with a primary road	15m <sup>2</sup>

1 Setbacks may be reduced to a minimum of 20m in the circumstance where the building is located behind the building line of an existing dwelling (or other significant building) located on the same lot and within the vicinity of the development site.

2 Setbacks may be reduced to a minimum of 5m (or as required by BCA - whichever is the greater) in the circumstance where the building is located behind the building line of an existing dwelling (or other significant building) located on the same lot and within the vicinity of the development site.

## D.3. | AGRITOURISM

### APPLICATION OF THIS PART

Part D.3 applies to farm buildings on land in the Upper Lachlan Shire zoned as follows:

- a. RU1 Primary Production.
- b. RU2 Rural Landscape.
- c. RU4 Primary Production Small Lots.

### TERMS AND DEFINITIONS

Part D.3 has a number of specific terms that require explanation below:

**Agritourism** means the a farm gate premises and farm experience premises under the Upper Lachlan Local Environmental Plan 2010.

**Building Code of Australia (BCA)** is a set of technical provisions for the design and construction of buildings and other structures in Australia, and is now part of the National Construction Code.

**Hill** is a minimum change in elevation of 20m over a 100m distance.

**Landholding** means an area of land constituted or worked as a single property, and if comprising more than 1 lot—the lots are contiguous, or separated only by a road or watercourse.

**National Construction Code (NCC)** is a set of technical provisions for the design, construction, and performance of buildings and plumbing systems in Australia.

**Primary Road** is the primary road used to access a property.

### D.3.1. Agritourism

#### OBJECTIVE

To ensure that agritourism is compatible with the rural character and heritage of the property and do not unnecessarily intrude on the landscape.

#### STANDARDS

- a. Development avoids land that is likely to be impacted by any of the following existing rural land-use activities:
  - i. Hazardous or offensive industries.
  - ii. Rural industries.
  - iii. Intensive agricultural (plant or livestock) and any associated on-site effluent disposal area).
  - iv. Other land-uses that may cause odour, noise or lighting impacts.
- b. Development is to be co-located with other buildings on the land holding, where practical.
- c. Development involving earthworks shall be suitably protected from soil erosion, soil movement and sedimentation as per Landcom Managing Urban Stormwater Soils and Construction (Blue Book).
- d. Development is setback from property boundaries, other buildings and relevant site features in accordance with the requirements of Table 3.
- e. Development is designed to comply with relevant legislation, code requirements, standards and guidelines relating to:
  - i. Fire Safety.
  - ii. Building design.
  - iii. Access to premises.
  - iv. Food safety and handling.
  - v. Public health.
- f. Development is provided with practical and legal access to the public road network in accordance with the Upper Lachlan Shire Council Engineering Guidelines (latest version).
- g. Development is designed to accommodate on-site car parking in accordance with Part G of the Upper Lachlan Local Environmental Plan 2025 and Upper Lachlan Shire Council Engineering Guidelines (latest version).
- h. Development is connected to a reticulated water supply service (where available) in accordance with Upper Lachlan Shire Council Engineering Guidelines (latest version).
- i. Despite h) above, development on land that is unable to be connected to reticulated water supply may propose the provision of water supply from on-site rainwater collection tanks, as recommended by a suitably qualified professional.
- j. Development is connected to the reticulated sewerage scheme (where available) in accordance with Upper Lachlan Shire Council Engineering Guidelines (latest version).
- k. Despite j) above, development on land that is unable to be connected to reticulated sewerage may serviced by an on-site waste management system, as recommended by a suitably qualified professional.
- l. Development is designed to accommodate a maximum of 2 identification signs and located in accordance with the following requirements:
  - i. Wholly within the property that comprises the development, either on the wall of a building, front fence, or other similar structure.
  - ii. Advertising signage is designed with a scale that is appropriate / proportionate to the rural area.
  - iii. Advertising signage is not flashing or illuminated to such an extent that will cause unacceptable glare for pedestrians, motor vehicles or adjoining properties.
- m. Development is supported by a Waste Management Plan.

Table 3. Building Setbacks

Setback Feature	Minimum Setback
Primary Road	50m <sup>1</sup>
Existing dwelling on neighbouring lot (not associated with development site)	50m
Top of bank of water course, creek or irrigation / drainage channel / floodplain	40m
Any boundary not shared with a Primary Road	15m

<sup>1</sup> Setbacks may be reduced to a minimum of 20m in the circumstance where the building is located behind the building line of an existing dwelling (or other significant building) located on the same lot and within the vicinity of the development site.

## D.4. | RURAL INDUSTRIES

### APPLICATION OF THIS PART

Part D.4 applies to rural industries on land in the Upper Lachlan Shire zoned as follows:

- a. RU1 Primary Production.
- b. RU2 Rural Landscape.
- c. RU4 Primary Production Small Lots.

### TERMS AND DEFINITIONS

Part D.4 has a number of specific terms that require explanation below:

**Building Code of Australia (BCA)** is a set of technical provisions for the design and construction of buildings and other structures in Australia, and is now part of the National Construction Code.

**Hill** is a minimum change in elevation of 20m over a 100m distance.

**Landholding** means an area of land constituted or worked as a single property, and if comprising more than 1 lot—the lots are contiguous, or separated only by a road or watercourse.

**National Construction Code (NCC)** is a set of technical provisions for the design, construction, and performance of buildings and plumbing systems in Australia.

**Primary Road** is the primary road used to access a property.

**Ridgeline** refers to the highest line (crest) along a hill or mountain ridge.

**Rural Industry** means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following:

- a. Agricultural Produce Industries.
- b. Livestock Processing Industries.
- c. Composting Facilities and Works (including the production of mushroom substrate).
- d. Sawmill or Log Processing Works.
- e. Stock and Sale Yards.
- f. The regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

Note: definitions of the above types of rural industries are shown in the Dictionary in the Upper Lachlan Local Environmental Plan 2010.

## D.4.1. Rural Industries

### OBJECTIVE

To ensure rural industries are design and sited so as not to impact on surrounding land-use and the environment.

### STANDARDS

- a. Development is co-located with other farm buildings on the property (where practical).
- b. Development is proceeded by careful site planning to ensure compliance with the following:
  - i. Protection of the Environment Operations (Clean Air) Regulation 2010.
  - ii. Noise Policy for Industry 2017.
  - iii. Noise Guide for Local Government (latest version).
  - iv. Any relevant best practice industry guidelines.
- c. Development involving noisy operations, and where there is reasonable likelihood of noise disturbance to adjoining land-users, is to be supported by a Noise Impact Assessment prepared by a suitably qualified professional.
- d. Development involving odorous activities, and where there is reasonable likelihood of noise disturbance to adjoining land-users is to be supported by an Air Quality Assessment Report prepared by a suitably qualified professional.
- e. Development involving highly trafficked areas is provided with internal driveways that are constructed of surface materials that prevent the unreasonable emission of dust.
- f. Development is setback from property boundaries, other buildings and relevant site features in accordance with the requirements of Table 4.
- g. Development involving earthworks shall be suitably protected from soil erosion, soil movement and sedimentation as per Landcom Managing Urban Stormwater Soils and Construction (Blue Book) and located wholly within the property boundary.
- h. Development is designed to ensure that all stormwater from earthworks must not be directed onto adjoining private property unless there is a drainage easement.
- i. Development is constructed of materials that are low reflective and neutral colours that are appropriate to the site and surrounding area.
- j. Development is designed to comply with relevant legislation, code requirements, standards and guidelines relating to:
  - i. Fire Safety.
  - ii. Building design.
  - iii. Access to premises.
  - iv. Food safety and handling.
  - v. Public health.
- k. Development is provided with practical and legal access to the public road network in accordance with the Upper Lachlan Shire Council Engineering Guidelines (latest version).
- l. Development is designed to accommodate a maximum of 1 identification sign wholly within the property.
- m. Development is to be supported by a Waste Management Plan submitted to Upper Lachlan Council for approval as part of the Development Application, which addresses the following:
  - i. Types of waste material generated by the activity.
  - ii. Estimated volume of waste material generated by the activity.
  - iii. Proposed methods of waste disposal / treatment / management.
  - iv. Waste avoidance strategies (where relevant).
  - v. Waste re-use strategies (where relevant).
  - vi. Emergency management procedures.
- n. Development must be supported by an Environmental Management Plan covering off on operational management issues such as noise pollution, air pollution, odour, lighting, hazardous goods storage and waste management.

Table 4. Setbacks - Rural Industries to Existing Dwellings

Minimum Setback	Rural Industry Activity
1,000m <sup>1</sup>	Livestock processing industries
500m <sup>1</sup>	Agricultural produce industries
500m <sup>1</sup>	Sawmills or log processing works
500m <sup>1</sup>	Stock and sale yards
150m <sup>1</sup>	Rural industry (mechanical repairers)
Site specific	Other rural industries not listed

<sup>1</sup> Setbacks must be increased to extent necessary to achieve compliance with any specialist studies or reports commissioned in support of the rural industry proposal and as required by Upper Lachlan Shire Council.

## D.5. | EXTRACTIVE INDUSTRIES

### APPLICATION OF THIS PART

Part D.5 applies to extractive industries on land in the Upper Lachlan Shire zoned as follows:

- a. RU1 Primary Production.
- b. RU2 Rural Landscape.
- c. RU4 Primary Production Small Lots.

### TERMS AND DEFINITIONS

Part D.5 has a number of specific terms that require explanation below:

**Biodiversity Assessment Method** is a consistent method for assessing certain impacts on threatened species and threatened ecological communities, and their habitats, and the impact on biodiversity values, where required under the Biodiversity Conservation Act 2016 or Local Land Services Act 2013.

**Biodiversity Offset Scheme** applies to certain development, land clearing and activities on land shown in the Biodiversity Values Map or an area of clearing that exceeds the Biodiversity Offset Scheme Threshold.

**Biodiversity Offset Scheme (BOS)** is defined by key elements listed in Section 6.2 of the Biodiversity Conservation Act 2016, which is used to determine whether development involves the clearing of native vegetation that exceeds the Biodiversity Offset Scheme Threshold.

**Biodiversity Offsets Scheme Threshold (BOST)** is a test for local development and vegetation clearing in NSW that determines when a proposal must be assessed under the Biodiversity Assessment Method (BAM) and trigger the BOS to offset biodiversity impacts. In general, the BOS is triggered when clearing related to development is proposed on land shown as high value biodiversity in the Biodiversity Values Map or an area of clearing that exceeds the Biodiversity Offset Scheme Threshold.

**Clearing of Native Vegetation** means any one or more of the following - burning, cutting down, destroying, felling, killing, poisoning, uprooting, ringbarking, thinning or otherwise removing native vegetation.

**Extractive Industry** means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming.

**Native Vegetation** is defined under the Local Land Services Act 2013 as any of the following types of plants native to NSW:

- a. Trees (including any sapling or shrub or any scrub).
- b. Understorey plants.
- c. Groundcover (being any type of herbaceous vegetation).
- d. Plants occurring in a wetland.

Section 60H of the Local Land Services Act 2013 stipulates native vegetation clearing is not applicable to a Development Application in the following circumstances:

- a. The land was cleared of native vegetation at 1 January 1990, or
- b. The land was lawfully cleared of native vegetation between 1 January 1990 and the commencement of Part 5A of the Local Land Services Act 2013 on 25 August 2017, or
- c. The land contains low conservation value grasslands, or
- d. The land contains native vegetation that was identified as regrowth in a property vegetation plan referred to in section 9 (2) (b) of the Native Vegetation Act 2003, or
- e. The land is of a kind prescribed by the regulations as category 1-exempt land.

**Threatened Species** means a critically endangered species, an endangered species or a vulnerable species listed in Schedule 1 of the Biodiversity Conservation Act 2016.

**Threatened Ecological Community** means a critically endangered ecological community, an endangered ecological community or a vulnerable ecological community listed in Schedule 2 of the Biodiversity Conservation Act 2016.

**Threatening Process** means a process that threatens, or that may threaten, the survival or evolutionary development of species or ecological communities.

## D.5.1. Extractive Industries

---

### OBJECTIVE

To ensure that extractive industries are appropriately located so as not to create adverse impacts on rural landscapes, watercourses, wetland and riparian areas, biodiversity, nearby dwellings and schools, public roads and the like.

### STANDARDS

- a. Development is proceeded by careful site planning to ensure compliance with the following:
  - i. Protection of the Environment Operations (Clean Air) Regulation 2010.
  - ii. Noise Policy for Industry 2017.
  - iii. Noise Guide for Local Government (latest version).
  - iv. Any relevant best practice industry guidelines.
- b. Development for extractive industries avoids land that is mapped in the Upper Lachlan Local Environmental Plan 2010 as follows:
  - i. Groundwater Vulnerable.
  - ii. Wetlands, Riparian Lands or Watercourses.
  - iii. Terrestrial Biodiversity.
  - iv. Flood Planning Area.
- c. Development involving haulage of over 20,000 tonnes per annum or application to the National Roads and Highways Research and Development is supported by a site-specific Traffic Impact Assessment that demonstrates the proposal will not adversely impact traffic safety, road and intersection integrity or railways.
- d. Development involving noisy operations, and where there is reasonable likelihood of noise disturbance to nearby sensitive land-use is supported by an Noise Impact Assessment prepared by a suitably qualified professional.
- e. Development involving dusty operations, and where there is a reasonable likelihood of dust disturbance to nearby sensitive land-use is supported by an Air Quality Assessment Report prepared by a suitably qualified professional.
- f. Development is supported by a Stormwater Management Plan that demonstrates drainage patterns, stormwater velocities, sediment, pollutant or nutrient loads will not be adversely impacted.
- g. Development is supported by a Waste Management Plan which addresses the following:
  - i. Types of waste material generated by the activity.
  - ii. Estimated volume of waste material generated by the activity.
  - iii. Proposed methods of waste disposal / treatment / management.
  - iv. Waste avoidance strategies (where relevant).
  - v. Waste re-use strategies (where relevant).
  - vi. Emergency management procedures.
- h. Development is supported by an Environmental Management Plan covering off on operational management issues such as noise pollution, air pollution, odour, lighting, hazardous goods storage and waste management.

## D.6. | INTENSIVE LIVESTOCK AGRICULTURE

### APPLICATION OF THIS PART

Part D.6 applies to intensive livestock agriculture on land in the Upper Lachlan Shire zoned as follows:

- a. RU1 Primary Production.
- b. RU2 Rural Landscape.
- c. RU4 Primary Production Small Lots.

### TERMS AND DEFINITIONS

Part D.6 has a number of specific terms that require explanation below:

**Annual Exceedance Probability (AEP)** is the chance of a flood of a specific size occurring in any one year, expressed as a percentage. For example, a 1% AEP flood has a 1% or 1 in 100 chance of being reached or exceeded in any given year.

**Australian Height Datum (AHD)** is the common national surface level datum approximately corresponding to mean sea level.

**Flood Hazard** is the potential loss of life, injury and economic loss caused by a future flood event.

**Flood Prone Land** is land that is susceptible to flooding as per the Upper Lachlan Floodplain Risk Management Plan and Study.

**Flood Planning Area** is the area of land at or below the Flood Planning Level and thus subject to flood related development controls.

**Flood Planning Level (FPL)** is the level of the 1% AEP plus a safety freeboard, which is 500mm as adopted by Upper Lachlan Shire Council.

**Building Code of Australia (BCA)** is a set of technical provisions for the design and construction of buildings and other structures in Australia, and is now part of the National Construction Code.

**National Construction Code (NCC)** is a set of technical provisions for the design, construction, and performance of buildings and plumbing systems in Australia.

**Intensive Livestock Agriculture** means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses, sheep or other livestock, and includes any of the following:

- a. Dairies (restricted).
- b. Feedlots.
- c. Pig Farms.
- d. Poultry Farms.

Note: definitions of the above types intensive livestock agriculture are shown in the Dictionary in the Upper Lachlan Local Environmental Plan 2010.

**On Site Detention (OSD)** - is a stormwater management system that is designed to temporarily store excess stormwater runoff on a property for controlled release in a manner that ensures it doesn't overwhelm the local drainage system, and may employ design features such as detention basins, water tanks, sumps and the like.

**Probable Maximum Flood (PMF)** is the largest flood that could conceivably occur at a particular location.

## D.6.1. Intensive Livestock Agriculture

### OBJECTIVE

To ensure that intensive livestock industries are appropriately located so as not to create adverse impacts on rural landscapes, watercourses, wetland and riparian areas, biodiversity, nearby dwellings and schools, public roads and the like.

### STANDARDS

- a. Development is proceeded by careful site planning to ensure compliance with the following:
  - i. Protection of the Environment Operations (Clean Air) Regulation 2010.
  - ii. Noise Policy for Industry 2017.
  - iii. Noise Guide for Local Government (latest version).
  - iv. Any relevant best practice industry guidelines.
- b. Development for intensive livestock agriculture avoids land that is mapped in Upper Lachlan Local Environmental Plan 2010 as follows:
  - i. Groundwater Vulnerable.
  - ii. Wetlands, Riparian Lands or Watercourses.
  - iii. Terrestrial Biodiversity.
  - iv. Flood Planning Area.
- c. Development does not encroach closer than 1,000m to any sensitive land-use (e.g. dwelling, school) or land located in the following zones under Upper Lachlan Local Environmental Plan 2010:
  - i. R2 Low Density Residential.
  - ii. R5 Large Lot Residential.
  - iii. RU5 Village.
  - iv. C1 Environmental Conservation.
- d. Development involving haulage of over 20,000 tonnes per annum or application to the National Roads and Highways Research and Development is supported by a site-specific Traffic Impact Assessment that demonstrates the proposal will not adversely impact traffic safety, road and intersection integrity or railways.
- e. Development is supported by a Stormwater Management Plan that demonstrates drainage patterns, stormwater velocities, sediment, pollutant or nutrient loads will not be adversely impacted.
- f. Development involving noisy operations, and where there is reasonable likelihood of noise disturbance experienced at nearby sensitive land-use is supported by an Noise Impact Assessment prepared by a suitably qualified professional.
- g. Development involving odorous or dusty operations, and where there is reasonable likelihood of air quality disturbance experienced at nearby sensitive land-use is supported by an Air Quality Impact Assessment prepared by a suitably qualified professional.
- h. Development is supported by a Waste Management Plan which addresses the following:
  - i. Types of waste material generated by the activity.
  - ii. Estimated volume of waste material generated by the activity.
  - iii. Proposed methods of waste disposal / treatment / management.
  - iv. Waste avoidance strategies (where relevant).
  - v. Waste re-use strategies (where relevant).
  - vi. Emergency management procedures.
- i. Development is supported by an Environmental Management Plan covering off on operational management issues such as noise pollution, air pollution, odour, lighting, hazardous goods storage and waste management.

## D.7. | ELECTRICITY GENERATING WORKS

### APPLICATION OF THIS PART

Part D.7 applies to intensive livestock agriculture on land in the Upper Lachlan Shire zoned as follows:

- a. RU1 Primary Production.
- b. RU2 Rural Landscape.
- c. RU4 Primary Production Small Lots.

### TERMS AND DEFINITIONS

Part D.7 has a number of specific terms that require explanation below:

**Annual Exceedance Probability (AEP)** is the chance of a flood of a specific size occurring in any one year, expressed as a percentage. For example, a 1% AEP flood has a 1% or 1 in 100 chance of being reached or exceeded in any given year.

**Australian Height Datum (AHD)** is the common national surface level datum approximately corresponding to mean sea level.

**Flood Hazard** is the potential loss of life, injury and economic loss caused by a future flood event.

**Flood Prone Land** is land that is susceptible to flooding as per the Upper Lachlan Floodplain Risk Management Plan and Study.

**Flood Planning Area** is the area of land at or below the Flood Planning Level and thus subject to flood related development controls.

**Flood Planning Level (FPL)** is the level of the 1% AEP plus a safety freeboard, which is 500mm as adopted by Upper Lachlan Shire Council.

**Building Code of Australia (BCA)** is a set of technical provisions for the design and construction of buildings and other structures in Australia, and is now part of the National Construction Code.

**Electricity Generating Works** means a building or place used for the purpose of making, generating, storage or transmission of electricity.

**National Construction Code (NCC)** is a set of technical provisions for the design, construction, and performance of buildings and plumbing systems in Australia.

**Probable Maximum Flood (PMF)** is the largest flood that could conceivably occur at a particular location.

### PREAMBLE

Residents of the Upper Lachlan Shire have more than a quarter of a century of lived experience of renewable energy developments, being a component of electricity generation works. As of 2025, more than half of NSW's windfarms are located within the Shire. Council is not at all opposed to renewable energy, but it opposes in principle any further industrial scale wind turbine developments in our Shire. Council considers that the residents of the Upper Lachlan Shire have done more than their fair share of the heavy lifting of the national energy transition. Council further considers that the burden and the impacts of the shift to renewables should be shared far more equally across other communities. To comply with state and Commonwealth law, subordinate regulations and/or guidelines where required, Council will make submissions in relation to future renewable energy generating projects in accordance with the Development Control Plan (DCP) standards and other strategic documents.

## D.7.1. Electricity Generating Works

### OBJECTIVE

To ensure that electricity generating works are appropriately located so as not to create adverse impacts on rural lands as concerns the “scenic quality and landscape character” including watercourses, wetland and riparian areas, biodiversity, sensitivity receivers, public roads and the like.

### STANDARDS

- |   |  |  |
|---|--|--|
| <p>a. Development is proceeded by careful site planning to ensure compliance with the following:</p> <ul style="list-style-type: none"> <li>i. Protection of the Environment Operations (Clean Air) Regulation 2010.</li> <li>ii. Noise Policy for Industry 2017.</li> <li>iii. Noise Guide for Local Government (latest version).</li> <li>iv. State Environmental Planning Policy (Transport and Infrastructure) 2021.</li> <li>v. NSW Renewable Energy Planning Framework.</li> <li>vi. Any relevant best practice industry guidelines.</li> </ul> | <p>f. Development involving windfarms not only comply with separation guidelines between turbines but also justify any increase in the proliferation and cumulative impact of wind turbines within the local government area of Upper Lachlan Shire.</p> <p>g. Developments must demonstrate broad community benefit by way of adequate financial contribution both through direct financial compensation to the Upper Lachlan Shire Council as well to its ratepayers inclusive but not limited to host land owners, over the full term of the development operation. This compensation to be a combination of the guidelines set out by Planning NSW and a voluntary planning agreement.</p> | <p>k. Development involving haulage of 10 or more heavy vehicles per week or that requires a permit to be issued by the National Heavy Vehicle Regulator is supported by a Traffic Impact Assessment prepared by a suitably qualified professional that demonstrates the proposal will not adversely impact traffic safety, road and intersection integrity or railways.</p>   |
| <p>b. Development for electricity generating works avoids land that is mapped in Upper Lachlan Local Environmental Plan 2010 as follows:</p> <ul style="list-style-type: none"> <li>i. Groundwater Vulnerable.</li> <li>ii. Wetlands, Riparian Lands or Watercourses.</li> <li>iii. Terrestrial Biodiversity.</li> <li>iv. Flood Planning Area.</li> </ul>  | <p>h. Development is designed to accommodate ongoing operation of agricultural activities, including livestock grazing and cropping (where practical).</p> <p>i. Development is supported by a Stormwater Management Plan that demonstrates drainage patterns, stormwater velocities, sediment, pollutant or nutrient loads will not be adversely impacted.</p>  | <p>l. Development involving noisy operations, and where there is reasonable likelihood of noise disturbance experienced at nearby sensitive land-use is supported by an Noise Impact Assessment prepared by a suitably qualified professional.</p> <p>m. Development is supported by an Environmental Management Plan covering off on operational management issues such as noise pollution, air pollution, odour, lighting, hazardous goods storage and waste management.</p>   |
| <p>c. Development that cannot avoid environmentally sensitive land is supported by specialist studies / reports demonstrating compliance with relevant provisions of the Upper Lachlan Local Environmental Plan 2010 and other relevant policies, standards and guidelines.</p>   | <p>j. Development is supported by a Waste Management Plan which addresses the following:</p> <ul style="list-style-type: none"> <li>i. Types of waste material generated by the activity.</li> <li>ii. Estimated volume of waste material generated by the activity.</li> <li>iii. Proposed methods of waste disposal /treatment / management.</li> <li>iv. Waste avoidance strategies (where relevant).</li> <li>v. Waste re-use strategies (where relevant).</li> <li>vi. Emergency management procedures.</li> </ul>  | <p>n. Development is supported by a Construction Management Plan covering off on construction management issues such as access and haulage, noise pollution, air pollution, odour, lighting, hazardous goods storage and waste management.</p> <p>o. Development is supported by a Concept Rehabilitation Plan showing the final landform and use of the site upon cessation of the activity.</p>  |
| <p>d. Development involving wind turbines does not encroach closer than 2km to any dwelling or other sensitive receiver or land located in the following zones under Upper Lachlan Local Environmental Plan 2010:</p> <ul style="list-style-type: none"> <li>i. R2 Low Density Residential.</li> <li>ii. R5 Large Lot Residential.</li> <li>iii. RU5 Village.</li> </ul>  | <p>Development involving wind turbines does not encroach closer than 1km to any adjoining non-related property boundary.</p>   | <p>p. Development involving signage is designed to accommodate a maximum of identification sign wholly within the property as follows:</p> <ul style="list-style-type: none"> <li>i. Advertising signage not to exceed 5m<sup>2</sup>.</li> <li>ii. Advertising signage to have a peak height of 2.2m.</li> <li>iii. Advertising signage is not to require the removal of existing vegetation</li> <li>iv. Advertising signage is not to flashing or be illuminated.</li> <li>v. Redundant signage is removed as part of the erection of new signage.</li> </ul> |

## D.8. | ANIMAL BOARDING OR TRAINING ESTABLISHMENT

### APPLICATION OF THIS PART

Part D.8 applies to intensive livestock agriculture on land in the Upper Lachlan Shire zoned as follows:

- a. RU1 Primary Production.
- b. RU2 Rural Landscape.
- c. RU4 Primary Production Small Lots.

### TERMS AND DEFINITIONS

Part D.8 has a number of specific terms that require explanation below:

#### **Animal Boarding or Training Establishment**

means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.

**Building Code of Australia (BCA)** is a set of technical provisions for the design and construction of buildings and other structures in Australia, and is now part of the National Construction Code.

**Companion Animal** means each of the following a dog or cat or other animal that is prescribed by the regulations as a companion animal.

**Legal Point of Discharge** is the designated location where stormwater from a property is legally permitted to drain into a public stormwater system.

**National Construction Code (NCC)** is a set of technical provisions for the design, construction, and performance of buildings and plumbing systems in Australia.

## D.8.1. Animal Boarding or Training Establishment

### OBJECTIVE

To ensure that animal boarding or training establishments are appropriately located so as not to create adverse impacts on rural landscapes, watercourses, wetland and riparian areas, biodiversity, sensitive receivers, public roads and the like.

### STANDARDS

- a. Development is proceeded by careful site planning to ensure compliance with the following:
  - i. Protection of the Environment Operations (Clean Air) Regulation 2010.
  - ii. Noise Policy for Industry 2017.
  - iii. Noise Guide for Local Government (latest version).
  - iv. NSW Animal Welfare Code of Practice No 5 - Dogs and Cats in Animal Boarding Establishments.
  - v. Any relevant best practice industry guidelines.
- b. Development avoids land that is mapped in Upper Lachlan Local Environmental Plan 2010 as follows:
  - i. Groundwater Vulnerable.
  - ii. Wetlands, Riparian Lands or Watercourses.
  - iii. Terrestrial Biodiversity.
  - iv. Flood Planning Area.
- c. Development that cannot avoid environmentally sensitive land is supported by specialist studies / reports demonstrating compliance with relevant provisions of the Upper Lachlan Local Environmental Plan 2010 and other relevant policies, standards and guidelines.
- d. Development has an on-site carpark in close proximity to kennels that is constructed of a suitable all-weather surface, with a minimum of one (1) sign clear sign displaying the words 'Customer Carpark'.
- e. Development is designed to display clear signage directions to motorists travelling along internal roads on how to access and leave designated customer parking areas.
- f. Development is designed to display clear signage directions on the need to keep companion animals under effective control at all times.
- g. Development is designed to accommodate ongoing operation of agricultural activities, including grazing and cropping (where practical).
- h. Development is supported by a Stormwater Management Plan that demonstrates drainage patterns, stormwater velocities, sediment, pollutant or nutrient loads will not be adversely impacted.
- i. Development is supported by a Waste Management Plan which addresses the following:
  - i. Types of waste material generated by the activity.
  - ii. Estimated volume of waste material generated by the activity.
  - iii. Proposed methods of waste disposal /treatment / management.
  - iv. Waste avoidance strategies (where relevant).
  - v. Waste re-use strategies (where relevant).
  - vi. Emergency management procedures.
- j. Development is supported by an Environmental Management Plan covering off on operational management issues such as noise pollution, air pollution, odour, lighting, hazardous goods storage, waste management, animal security and welfare.
- k. Development is supported by a Landscaping Plan that demonstrates the position, type and size of the existing and proposed vegetation.
- l. Development involving more than noisy operations, and where there is reasonable likelihood of noise disturbance experienced at nearby sensitive land-use is supported by an Noise Impact Assessment prepared by a suitably qualified professional.
- m. Development involving signage is designed to accommodate a maximum of identification sign wholly within the property as follows:
  - i. Advertising signage not to exceed 5m<sup>2</sup>.
  - ii. Advertising signage to have a peak height of 2.2m.
  - iii. Advertising signage is not to require the removal of existing vegetation
  - iv. Advertising signage is not to flashing or be illuminated.
  - v. Redundant signage is removed as part of the erection of new signage.
- n. Development does not encroach closer than 750m to any adjoining dwelling or land in the following zones under Upper Lachlan Local Environmental Plan 2010:
  - i. RU5 Village.
  - ii. R2 Low Density Residential.
  - iii. R5 Large Lot Residential.