



3.9 Rural Function Centres

3.8.1 Application

Applies to:	
Location/s:	Zone RU2
Development Type/s:	Function Centres



Notes:

Function Centres are permissible in the RU2 zone under the terms of **Clause #.#** of the *Ballina Local Environmental Plan 2012*.

3.8.2 Planning Objectives

- a. To ensure that rural functions and/or events are held on sites that are suitable for such activities,
- b. To ensure that rural functions and/or events avoid or reasonably manage disturbance to the amenity of the neighbourhood and/or other legitimate rural activities in the locality.

3.8.3 Development Controls

- i. Site Suitability
 - a. A site specific acoustic assessment must be prepared by a suitably qualified person, quantifying existing background noise levels and noise levels predicted for functions and/ or events in relation to all nearby dwellings, and demonstrating that the use of the property for functions and/ or events will not result in the generation of offensive noise, as defined in the *Protection of the Environment Operations Act 1997*;
 - b. A Traffic Impact Assessment must be prepared, addressing traffic numbers, impact on local roads, access and on-site parking, demonstrating that the use of the site for a function centre will not result in unacceptable adverse impacts on the safety or efficiency of local traffic or the amenity of the neighbourhood;
 - c. A Land Use Conflict Risk Assessment must be prepared demonstrating that the use of the site for a function centre will not result in any land use conflict in relation to adjoining or nearby farming activities or preclude future farming activities;
 - d. No clearing of native vegetation is to be undertaken in relation to the development;
 - e. The function centre must not be located in or immediately adjacent to areas of high Aboriginal cultural heritage significance.





ii. Management of Functions and Events

Applications for development consent for a temporary use of land for a function centre must include an Event(s) Management Plan, which contains (as a minimum) provisions that:

- a. provide for all function/ event guests (other than the bridal party) to be transported to and from the site by bus, suitable to the road network to be utilised for transportation to the site; and
- b. ensure that all amplified music will cease no later than 10:00pm; and ensure that all attendees will be off-site no later than 11:00pm, other than those staying overnight on the premises; and
- c. outline measures that will be in place to ensure predicted noise levels are not exceeded at nearby dwellings; and
- d. provide for the monitoring of noise generated at functions and/ or events and annual compliance reporting to Council; and
- e. provide for the notification of nearby residents, including contact details for an appropriate management person who must be on-site and contactable during each function and/ or event and provision of a sign, located so that it can be viewed from a public space outside of the property notifying the name and contact phone number of the management person; and
- f. ensure that adequate arrangements are in place to manage wastewater and general waste for each function and/ or event; and
- g. manage the potential noise/ amenity impacts associated with any persons staying overnight at the site at the conclusion of the function/ event; and
- h. prohibit the use of fireworks, helicopters and/or other comparable activities known to cause disturbance to livestock and/or farming activities.

iii. Other Considerations

In deciding whether to grant consent for a temporary function centre, the consent authority must consider:

- a. the maximum number of functions and/ or events permitted in any calendar year; and
- b. the potential loss of farming on the property, particularly where part or all of the site is mapped as State and / or Regionally Significant Farmland; and
- c. the potential impact on areas of environmental values, whether on the property the subject of the function centre or on adjacent and nearby land, including koala habitat; and
- d. whether a trial period is appropriate; and
- e. the need for a biosecurity management plan.





3.8 Roads, Vehicular Access and Parking

3.8.1 Application

Applies to:	
Location/s:	Zones RU1, RU2, E1, E2, E3, W1 and W2.
Development Type/s:	All development within the above zones except subdivision.



Notes:

Road, vehicle access and parking requirements for land uses in urban zones and in relation to urban subdivision are contained within chapters 3, 4, 5 & 6.

3.8.2 Planning Objectives

- a. Provide adequate on site car parking for all types of rural development;
- b. Ensure car parking is designed in accordance with relevant standards and has adequate space and provision for vehicular turning areas to ensure all vehicles can enter and leave the site in a forward direction;
- c. Ensure access to the site has the capacity to cope with likely traffic loads including heavy vehicles;
- d. Ensure site accesses have adequate sight distances and are designed to ensure that all vehicles are able to safely enter and exit the site to maintain the safety and integrity of the road network; and
- e. Minimise disturbance to landform.

3.8.3 Development Controls

- iv. Where a proposed development has the potential to generate significant additional traffic and require substantial car parking, a traffic study will be required.
- v. External vehicular access must:
 - a. not compromise the safety and efficiency of the road network;
 - b. be suitable for use by emergency service vehicles; and
 - c. be suitable for traversing in all weather conditions.
- vi. External road access is generally to be sealed for the following land uses:
 - *Tourist and visitor accommodation;*
 - *Recreation facilities (major and outdoor);*
 - *Restaurants or cafes;*
 - *Intensive livestock agriculture;*
 - *Aquaculture;*
 - *Rural industries and industrial retail outlets;*
 - *Mining and extractive industries;*





- *Passenger transport facilities;*
- *Vehicle repair stations; and*
- *Function Centres.*

Council may consider an alternate solutions subject to consideration and mitigation of potential impacts (such as those relating to safety and dust) and where consistency with Council's adopted maintenance strategies is achieved.

vii. Internal vehicular access must:

- be suitable for the access of emergency service vehicles;
- be of all weather dust free construction and be suitable for traversing by standard 2 wheel drive vehicles;
- be sealed in sections where grade exceeds 12%; and
- not exceed a grade of 25%

viii. A suitable and safe connection must be provided between the existing road network and any proposed internal vehicular access infrastructure.

ix. A development application must address any potential environmental impacts caused by vehicular accesses (both internal and external) including erosion and sedimentation, dust, noise, traffic generation, amenity and visual impacts and vegetation removal with appropriate mitigation measures identified.



Note:

Council does not generally require external access roads to be sealed for primary industries or for low key traffic generators such as *home industries, home occupations, rural dwellings, dual occupancies* etc. However, as each application is assessed on its merits, there may be circumstances where these generally exempted land uses will require road upgrading (i.e. all-weather, sealed access) to ensure local road safety and efficiency or to minimise dust disturbance and nuisance to other land uses along the route.

The requirement for sealing of external road access involves application of a bitumen seal as a minimum.

Where Council assesses an alternate approach to sealing below the minimum bitumen seal, matters including safety, dust impacts, noise impacts, traffic type and volume and Council's maintenance programs and requirements will be considered.



Note:

Council does not generally require internal access roads to be sealed in rural areas. However there may be instances and circumstances where sealing will be required, particularly for larger developments, development involving heavy vehicles, development on sloping sites or where proposed road access in close





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proximity to an adjoining dwelling.

Other government agencies, including the Rural Fire Service, may apply additional internal access requirements over and above those required by Council.

- x. Development must comply with the following on site vehicle parking requirements:
- Adequate on site car parking must be available to accommodate all users of the site including residents, visitors or employees.
 - On site car parking for a proposed land use must comply with the applicable car parking requirements specified in any other chapter of this DCP.



Notes:

Requirements will also be considered with reference to the following documents in relation to external and internal roads and parking requirements:

- RTA - Guide to Traffic Generating Developments;
- Austroads – Guide to Traffic Engineering Practice ;
- Australian Standard for parking facilities;
- Australian Standard for disabled parking facilities;
- BSC Policy C11 - Contributions for Dust Sealing of Roads; and
- Northern Rivers Local Government Design and Construction Manuals.