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State Environmental Planning Policy No 15

Multiple Occupancy

under the

Environmental Planning and Assessment Act ~~1979~~ 1997

KEY ISSUES

- What a Multiple Occupancy is and what conditions apply
- Multiple occupancy and the Development Application process
- The Statement of Environmental Effects
- The Site Analysis
- The Written Statement
- The Management Plan

DRAFT
GUIDELINES

What are some of the key environmental factors?

Department of Urban and Affairs and Planning
March 1997

State Environmental Planning Policy (SEPP) 15
Multiple Occupancy of Rural Land

GUIDELINES

These Guidelines accompany SEPP 15 to assist people intending to make a development application for a Multiple Occupancy.

The Guidelines explain the objectives of SEPP 15 and provide guidance on the management of some key environmental factors which a local council, as the consent authority, is likely to take into account when making a decision on a Multiple Occupancy development application.

The Guidelines are divided into three parts:

Part A - Explains what a Multiple Occupancy is and what conditions apply.

Part B - Explains the Development Application process as it applies to Multiple Occupancy developments.

Part C - Discusses the required Statement of Environmental Effects and the environmental issues which must be addressed in a written statement for the development.

SEPP 15 is published in the Appendix to these Guidelines and further copies can be obtained from your local council or from any office of the NSW Department of Urban Affairs and Planning.

PART A
WHAT IS MULTIPLE OCCUPANCY?

Multiple Occupancy (MO) is a type of rural development where a group of people, not necessarily related to each other, live on a single property in several dwellings and own and manage the property on a common basis.

What locational criteria must a Multiple Occupancy satisfy?

A suitable site for a Multiple Occupancy must satisfy several criteria before a council can consider a development application (DA). The site must be zoned rural or non-urban and must be and remain a single allotment. In addition the site must conform to a number of physical requirements some of which are listed below.

- The area of the site must be not less than 10 hectares.
- Prime crop and pasture land must not cover more than 25 percent of the site.
- Slopes in excess of 18 degrees do not occur on more than 80 percent of the land.

For a full list of requirements see SEPP 15 Clause 7

Where does the SEPP apply?

The SEPP applies to the local government areas listed in Schedule 1 of the policy. It does **not** apply to certain lands listed in Schedule 2.

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What are the objectives of SEPP 15?

SEPP 15 aims to encourage a community based and environmentally sensitive approach to rural settlement, and to enable people:

- to live as a community and build a number of dwellings in a rural setting on undivided land, preferably in a clustered pattern, as their main place of residence.
- to manage the land for communal purposes in a way that both protects the environment and does not create a demand for the unreasonable or uneconomic provision of services.
- to pool their resources to develop low cost affordable rural living opportunities.

What factors should be considered when choosing an MO site?

By selecting a site where the environmental risks are low, the costs of environmental management strategies can be minimised and the level of public concern and potential for delays in the approval process can be reduced.

For example, careful consideration needs to be given if development sites are chosen in or near:

- natural waterbodies, sensitive wetlands, including lakes, rivers and creeks, flood prone land, drinking water catchments, aquifer re-charge areas, groundwater recharge areas or areas where the watertable is high.
- areas with problems of contaminated soils or where the soil has salinity or acidity problems.
- where there is highly erodible soil, or where there have been slips or subsidence.
- where there are known mineral deposits or locally important sources of extractive minerals (eg sand and gravel).
- areas which are bushfire prone.
- where there are habitats of threatened species, populations and ecological communities.
- where there are Aboriginal relics or sites.
- where there are areas protected for their high conservation, recreational, aesthetic or scenic value.

What are some of the characteristics an MO site should possess?

- structurally stable sub-soils for building support and suitable soil at a reasonable distance from house sites for wastewater disposal.
- a water supply which is capable of meeting the minimum needs of the development.
- sufficient land to allow for a vegetated buffer zone between areas of development (including septic and stormwater drainage disposal

areas) and any natural watercourses.

- Areas of cleared land for siting houses and other buildings with adequate separation from adjacent agricultural activities

- low visual impact sites for houses and other buildings.

PART B
MAKING A MULTIPLE OCCUPANCY DA

Under the terms of SEPP 15 a Multiple Occupancy proposal requires development consent and so a development application made to the local council will be necessary. For detailed advice about the DA process intending MO applicants are advised to consult the document 'Lodging a Development Application' published by the Department of Urban Affairs and Planning. The local council may also have a similar publication which can give advice from a local perspective.

How will the DA be assessed?

In assessing a Multiple Occupancy DA the council will decide if the site is suitable for the intended types, pattern and intensity of the use. In making this assessment the council must consider:

- Section 90 of the Environmental Planning and Assessment Act (EP &A Act) 1979 [See Clause 65 of the Regulations]

- The specific requirements of Clause 9 and 10 of SEPP 15

- Other relevant legislation such as the Threatened Species Conservation Act 1995

It is important that the intending applicant is familiar with all these requirements as they will guide the preparation of the DA.

Do local conditions make a difference?

Environmental and social factors can vary from one part of the State to another and the DA should reflect these local conditions. It is important to meet with the local council before work on the DA commences to determine exactly what factors are of local significance.

Good communication between applicants and council can result in a well prepared DA with increased chances of gaining consent.

The council can advise prospective applicants about the type and level of technical detail required. It may also be able to provide valuable information about the development site as well as offer expertise in a range of technical areas. If the council is unable to provide technical data or assistance it will be able to suggest other sources.

As well as development consent, most MO's will require other licences and permits for particular aspects, such as creek crossings and water supply bores. It is the applicant's responsibility to get the necessary approvals, but the local council should be able to advise which government departments need to be consulted.

A range of useful information for the preparation of the DA may also be obtained from:

The Department of Agriculture, the Department of Land and Water Conservation (DLWC), the National Parks and Wildlife Service (NPWS), the Environment Protection Authority(EPA), the Department of Mineral Resources.

PART C
THE STATEMENT OF ENVIRONMENTAL EFFECTS

The EP and A Act 1979 requires most DA's to include a Statement of Environmental Effects (SEE). An SEE must provide sufficient information to identify any potential impacts the development may have upon the physical and social environment. It should also set out what steps have been taken to protect the environment and to mitigate harm on the site and on its immediate surroundings.

Further advice about how to prepare an SEE can be obtained from the 'Best Practice Note' issued by the NSW Department of Planning and Urban Affairs.

SEPP 15 specifically requires the intending applicant to prepare and submit two separate documents which will form part of the SEE. They are

- A Site Analysis in the form of a map of the development site showing all the natural characteristics of the property as well as the design of the development.

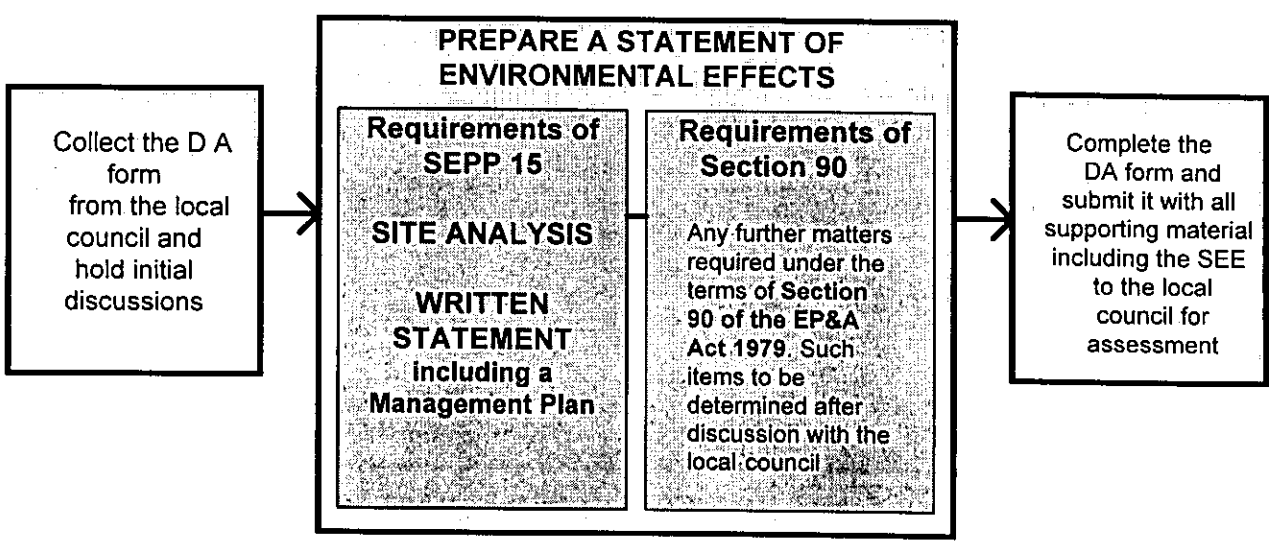
- A Written Statement which explains the relationship between the site analysis and the design of the development. It should also explain the environmental measures taken to mitigate the impact of the MO development upon the environment.

- An important part of the Written Statement is a Management Plan for the development site which states the on-going procedures intended to ensure the good management of:

  - Water
  - Waste Disposal
  - Soil Erosion
  - Bushfires
  - Vegetation
  - Maintenance of roads, access tracks and service corridors

Ditto "Best Practice Note"

Diagram 1
The DA Process for an MO site



C.1 THE SITE ANALYSIS

The preparation of a Site Analysis is the first step in the process leading to a complete SEE and takes the form of a detailed map. It is also an opportunity for the applicant to gain a thorough understanding of the property.

When assessing the DA the local council is required to consider a wide range of factors listed in detail in Clause 9 of the SEPP. Schedule 3 lists the information which is to be shown in the site analysis.

The level of detail required for each of the listed items will largely be determined by the local council. Intending applicants should liaise with the council to discuss this as early as possible. It may be advisable at this stage to prepare some basic sketches of the proposed development before any work on the Site Analysis commences.

It is important that after discussions with the local council have taken place the intending applicant undertakes the Site Analysis with care and sticks closely to an agreed checklist.

The detailed site analysis map of the development should include all the existing physical characteristics of the site as well as the design features which are proposed. On sites where there is a great deal of information to be shown it may be advisable to prepare two maps, one which gives the existing physical situation and a second on the same scale as an overlay which shows all the proposed design details.

An aerial photo might be considered as the base map of the physical features, while one or more overlays show the proposed development.

What factors should be considered when designing the development?

The design of the site must be considered with great care. The siting of such things as dwellings, community facilities and on-site waste disposal systems are all subject to a number of important considerations and should only be undertaken after discussion with the local council.

Some general principles to consider when designing the development are:

- Do **not** locate buildings on areas which are prime crop or pasture land, on prominent ridge lines, unstable soil or on areas subject to landslip or liable to flooding.

- Reduce the need for access tracks and service trenches by clustering dwellings and community buildings close to each other.

- Locate buildings away from watercourses and drainage lines to avoid damage to the building themselves and to any existing waterways. The necessary separation will vary according to soil and landscape factors but a 20 metre distance is seen as being good practice.

- Locate any on-site sewerage and/or wastewater system on suitable soils and on an area not subject to landslip or erosion and as far from any natural watercourse as possible.

- Locate wastewater drainage lines and absorption fields on areas not subject to landslip or erosion and as far from any

natural watercourse as possible.

- Site areas for the storage of solid waste and compost away from sight lines both on and off the property and with suitable vehicular access.

- Use vegetated buffer zones between the development and any possible conflicting adjoining land use.

- Allow for vegetated buffer strips along any watercourses or drainage lines and around natural wetlands to help reduce the entry of pollutants. Generally the wider the buffers the more effective they are at protecting the waterways from pollution.

EXAMPLE SITE ANALYSIS MAP IN HERE

C2 THE WRITTEN STATEMENT

The Written Statement provides an intending applicant with an opportunity to explain how the design of the development as shown in the site analysis relates to the physical characteristics of the site and what measures have been taken to protect the environment and mitigate harm.

All aspects of the development and the site should be discussed particularly those items which may be difficult to show on the Site Analysis map. For example, applicants should use the written statement to explain such things as the measures proposed to minimise any potential conflict between the development and adjoining land uses and the ways in which residual land is proposed to be managed.

Intending applicants are advised to consult Clause 9 and 10 of the SEPP and Section 90 of the EP&A Act for a list of items which the council must consider in assessing the DA. This list forms the basis of the Written Statement.

C2.2 THE MANAGEMENT PLAN

Under Clause 10 of SEPP 15 the intending applicant is required to submit a Management Plan for the property as part of the DA. This Management Plan comprises six separate sections:

a) Water

b) Waste Disposal

c) Soil Erosion

d) Bushfire Management

e) Vegetation

f) Maintenance of roads, access tracks and service corridors

By addressing each of the above items and establishing on-going procedures for their maintenance the Management Plan should demonstrate that the MO will continue to be managed in a way which is environmentally responsible and will mitigate harm.

(a) WATER

(i) Water Quantity

Water quantity is a critical factor in selecting a suitable site for an MO and will form an important part of the DA.

Clause 9 (1)(f) of the SEPP not only requires the availability of a water supply to the land for domestic, agricultural and fire-fighting purposes but also requires that where the supply is from a natural watercourse or reserve the effects upon others and the environment of the watercourse itself must be assessed. The Site Analysis specifically requires the applicant to give the source and capacity of any water supply.

What factors are important?

Most MO sites are located away from a town water supply and rely for their water on either a natural watercourse, dam or storage tank or a combination of them.

Access to a reliable water supply is likely to be a critical factor. The extraction of river water and groundwater and the construction of dams on watercourses is controlled by DLWC. In considering whether to approve these activities, both the

rights of existing users and the health of the aquatic environment will be considered.

The proposed water supply should be from a source which will not adversely affect other users and be:

- reliable, especially in drought.
- adequate for domestic use including all waste management schemes.
- adequate for garden, stock and crops.
- of suitable quality, especially for drinking.
- enough to provide a reserve for bushfire fighting.

It is the responsibility of the applicant to conform with any requirements and obtain any licence or permit necessary for the extraction of water from a natural watercourse. The Department of Land and Water Conservation will be able to assist in this matter as well as the design of water supply schemes.

What measures should be adopted?

Adequate dam storage can significantly reduce the need to rely on creeks, groundwater and rivers during dry spells. The stress placed on the environment by the use of water from creeks and rivers and even groundwater can be considerable and can lead to a decline in water quality and harm to the environment.

The installation of water saving devices such as dual flush toilets, and low-flow shower roses will help save tank water as well as reduce the volume of wastewater.

The adequacy and reliability of any dams supplying water to the site will need investigation to check stability, the absence of leaks and the suitability and size of the catchment area.

A dam on a watercourse (which includes any well defined drainage line) may need to be licensed and conform with DLWC specifications.

(ii) Water Quality

The quality of water available for use on a proposed MO together with the maintenance of water quality in the vicinity are important factors.

What is required?

There needs to be sufficient supplies of safe drinking water as well as water for livestock. The quality of the water available to the development is something which should be checked early in the process as many bores and wells are affected by mineral or bacterial content just as creek water may be polluted from sources upstream.

It is important to show that the development has no adverse effect upon the quality of the surface water, groundwater and natural watercourses on the site and on the local environment. This must be demonstrated in the SEE.

What conditions affect water quality?

There are a number of factors which can affect the quality of the water available on the MO site and which the applicant should address as part of overall water management for the development.

A significant reduction in the quality of water within the MO site and in the local catchment can result from:

- sustained or unnecessary soil movement. Soil disturbance increases the chance of erosion and with it the potential for the carriage of pollutants to water sources.

- roads and access tracks which are poorly located, and/or inadequately constructed and maintained. This can result in soil movement, sediment loss and a consequent deterioration of water quality.

- hard surfaces such as roofs, roads, and paths without adequate measures to contain and store the run-off. This can lead to increase in stormwater volumes which in turn can lead to soil erosion and eventual water contamination.

- inadequate on-site disposal of wastewater. Septic tank systems can fail when maintenance procedures are not followed. Polluted water can leach into groundwater and watercourses when absorption areas are located on sites where the qualities of the soil are inadequate and/or are too close to existing watercourses. An adequate separation distance from a watercourse depends on site factors such as slope, soil characteristics and flooding potential.

What measures can help?

- During construction the physical disturbance of the land through site preparation and the provision of trenches for services should be kept to a minimum. Most councils will require sediment control measures to be in place during any periods of construction and until adequate groundcover has been established.

- Roads and access tracks need to be as short as possible and located along routes which avoid steep slopes and sensitive vegetation. They must also be well constructed and adequately maintained.

- Wastewater management systems must be suitable for the development and properly maintained. Drainage lines should be located on suitable soils as far from natural watercourses and water supplies (eg bores) as possible.

- Vegetated buffer zones should be established and maintained along rivers and streams. This helps to filter sediments from surface runoff and remove pollutants particularly nutrients from groundwater. A minimum of 20 metres from either bank is recommended, but the wider the buffer zone the more effective it will be. Natural wetlands should be protected in the same way.

What are the effects of potential acid sulfate soils?

Potential acid sulfate soils are normally found in low lying, waterlogged areas near the coast. When potential acid sulfate soils are drained for agricultural use the natural

rate of oxidation is accelerated so that sulfuric acid is released. If this leaches into the catchment area of streams and other watercourses the concentrated acid affects the health of fish and other organisms. The acid also makes it extremely difficult for plants to grow. No drainage works should be carried out where there are likely to be acid sulfate soils present. Any excavation of these areas such as utility trenches, construction of water storages should also be avoided.

Potential acid sulfate soils are not always easy to recognise. The local council and the DLWC have maps which identify where there is a risk of these soils occurring. If disturbance of the soil in a risk area is unavoidable, specialist soils advice needs to be obtained from DLWC or NSW Agriculture.

For further information intending applicants are advised to consult Circular F11 - Acid Sulfate Soils available from the Department of Urban Affairs and Planning. 'Guidelines for Assessing and Managing Acid Sulphate Soils published by the EPA.

(iii) Water Management

Water Management looks at a comprehensive range of factors and procedures affecting water both on and off the property. The preparation of a water management plan for the development is recommended for which the intending applicant should:

- assess the water needs of the proposed development
- the quantity of water available to the property
- state the procedures intended to maintain and monitor water quality
- describe measures for water conservation and recycling if feasible
- assess the impact of the proposal upon the local water environment

Where is further advice available?

The Department of Land and Water Conservation can offer advice on water management and water quality in relation to particular sites.

(b) WASTEWATER MANAGEMENT

Clause 9 of the SEPP requires that adequate provision is made for waste disposal from the land.

Clause 10 of the SEPP requires that Waste Management procedures be included in the Management Plan for the development.

Efficient and appropriate management of wastewater (effluent) needs to be addressed with care. It is very important to show that land and water deterioration either through chemical or biological contamination does not occur as a result of the MO development and that this is demonstrated in the SEE.

Surface water and groundwater can be contaminated by inappropriate or inefficient wastewater management systems. The choice of a suitable system for the development, as well as the adoption of correct procedures for its use and maintenance is

required as part of the Management Plan for the MO.
The applicant must show that any intended on-site sewerage systems have been designed, installed and will be managed so that pollution does not occur and risks to public health are minimised.

The local council will need to approve the sewage and wastewater disposal system intended for the site and will require an applicant to show that any system of sewage and wastewater disposal conforms to certain design, location and management conditions. The council should be able to offer advice on these matters and will need to be consulted early in the development process.

In addition for those wastewater systems treating wastes from more than one household EPA approval and possibly a licence may be required depending upon the size of the development. This requirement falls under the Pollution Control Act (1970) Sec. 17 and the Clean Waters Regulation Cl. 11A.

(I) On -Site Wastewater Management

It is unlikely that many MO developments will be close enough to connect to existing town sewerage systems in which case an on-site wastewater management system for domestic wastewater will be necessary.

The most widely used method for on-site disposal of domestic wastewater is by septic tank and soil absorption which requires a combination of suitable landform and soil conditions. It is recommended that the design of wastewater management systems be undertaken on a site specific basis.

The use of a compost toilet is only likely to be agreed to as a temporary measure and applicants should check on the requirements with their local council.

Problems with on-site disposal methods can occur if the soil on the proposed absorption area is unable to absorb wastewater efficiently. If the soil does not have adequate water holding capacity wastewater will flow through it to pollute groundwater, lakes, swamps or streams, or to emerge as seepage on lower terrain.

Some of the factors which might be considered when choosing an appropriate location for the system are:

- The qualities of the soil including its depth to the water table.
- The proximity of watercourses and re-charge areas for aquifers.
- The area available for an absorption field.
- Seasonal variations in the level of the water table.
- Climatic influences.
- Surface run-off or seepage from higher land.

In order to ensure that an appropriate on-site wastewater system is designed and properly located it is essential that a detailed geo-technical report and soil analysis undertaken by an appropriately qualified person familiar with all the relevant guidelines. Advice about this can be obtained from the local council and Department of Land and Water Conservation.

(ii) Solid Waste Management

An MO development will produce a certain amount of solid waste (garbage) which should be managed so that detrimental effects on the environment are prevented.

Some local government areas provide a rural garbage collection service but where no such service exists the applicant should show that suitable alternative arrangements have been made. In most cases this will mean taking the solid waste either to a local waste transfer station where it can be collected by the council or directly to the council's tip.

Where it is not feasible to remove solid waste from the site an on-site waste landfill may be allowed subject to the provisions of applicable environment protection legislation. Under certain circumstances and in certain locations an on-site waste landfill may require a license under the Waste Minimisation and Management Regulations. The local council will be able to offer the relevant advice in this case.

Solid waste should be:

- minimised by introducing re-cycling measures wherever possible and all organic waste should be composted.

- stored in flyproof containers located in storage areas which avoid contamination of water sources, are not in direct view and have vehicular access.

Any hazardous agricultural, chemical or pesticide waste should be kept separate from other waste matter and disposed of with extreme care.

The Management Plan should show that the storage area and arrangements for the disposal of solid waste conform with local environmental health regulations. It is the responsibility of the applicant to conform with all the regulations concerning waste storage and disposal. In addition to the local council the following agencies may also be able to provide further information:

The Department of Land and Water Conservation
The Department of Health
The Environment Protection Authority

(c) SOIL EROSION

Soil is a vital resource and its proper management is crucial for the cultivation of groundcover, crops and the grazing of livestock. Soil erosion can occur as a result of a wide range of factors. Most usually it is because of intensive or inappropriate agricultural use or insensitive land disturbance which results in the removal of the existing ground cover.

Once soil damage occurs its correction is difficult and costly rehabilitation will be necessary. It is therefore essential that the intending applicant is familiar with the land and its susceptibility to erosion and implements a management plan which preserves the integrity of the soil.

A comprehensive soil survey and land capability assessment can identify the type and qualities of the soil on the site and is therefore essential. This information can help determine which protective measures the land requires to prevent soil degradation and erosion. It is also necessary in determining the appropriate location for dwellings and suitable areas for on-site wastewater disposal systems. The DLWC may have useful information about the soil on the development site and should be consulted.

What factors can cause soil erosion?

- The disruption caused during the construction of dwellings and the creation of service trenches can have a drastic effect upon the soil. By de-stabilising the soil it becomes susceptible to the effects of uncontrolled stormwater run-off which in turn can lead to the pollution of ground and surface water.

- Roads and access tracks can greatly contribute to soil erosion by destroying ground cover and concentrating runoff thus causing unstable sections to develop and increasing the chances of soil and pollutants being carried to nearby watercourses.

- Frequent tillage of the soil can break down the soil structure reducing its ability to absorb rain and increasing the chances of significant erosion through runoff.

- The cultivation of sloping land makes it particularly susceptible to soil erosion especially during periods of heavy rainfall.

- Over-grazing due to concentrations of livestock can drastically reduce ground cover.

What are some of the preventative measures?

- Where possible, construction work should be undertaken at the time of year when heavy rainfall is least likely. It should be kept to a minimum and completed without undue delay. All soil disturbed by construction work or trenching should be returned to a stable contour and a good groundcover of grass or mulch should be established as soon as practical.

- Sediment control measures should be in place during any periods of construction and maintained until the soil surface is protected by groundcover.

- Disturbed areas should be checked following periods of heavy rainfall and any problem areas should be treated immediately.

- The clustering of dwellings is one way of minimising unnecessary service trenches.

- Reduced tillage especially during the months of greatest rainfall helps to control soil erosion and is recommended.

- Effectively managing livestock, including reducing stock numbers during drought. Watercourses should be fenced off, with controlled access for watering or off stream watering points.

Further information can be obtained from the Department of Land and Water Conservation.

(d) BUSHFIRE MANAGEMENT

Poorly managed and neglected MO developments can create serious bushfire hazards and constitute a significant danger both to their occupants and to neighbours.

Under Section 90 (1) (s) of the EP&A Act the council as the consent authority is required to refer to the document 'Planning for Bushfire Protection' issued by the NSW Bush Fire Service in considering the DA. This is a comprehensive guide and intending applicants are also advised to consult it before embarking upon site and building design and before preparing plans for bushfire management.

Clause 9 (1) (k) of the SEPP requires the council to consider whether the land is subject to bushfires and if so the adequacy of any measures proposed to protect occupants, buildings, internal access roads, service installations and land adjoining the development.

Bushfire management is required under Clause 10 of the SEPP and must be prepared and submitted as part of the Management Plan for the MO development site.

Before preparing a site design intending applicants are also advised to contact the Fire officer at their local council who may have further information about local conditions and advice about preparing a comprehensive Bushfire Management Plan. Assistance in the preparation of such a plan may also be obtained from the Local Bush Fire Brigade and the NSW Bush Fire Service.

What are some of the preventative measures?

- Ensuring the adequate storage of water for fire fighting purposes where no permanent pools exist in adjoining watercourses or where such pools are insufficient in quantity.
- Creating fire protection breaks around each building on the site and keeping them free of flammable material.
- Adopting a site design which incorporates bushfire preventative measures.
- Providing suitable access and egress for emergency vehicles.
- Designing and constructing buildings which incorporate bushfire protection measures and fire retarding materials.
- Using appropriate vegetation planting strategies particularly fire retarding species.
- Maintaining adequate fire fighting strategies in conjunction with local fire brigades, the local council's Fire Officer and neighbours.
- Adopting comprehensive maintenance procedures such as removing flammable material from around the buildings, removing branches from overhanging roofs, keeping gutters cleaned out, keeping grass mown close to buildings, fuel storage areas and haystacks.

Further information can be obtained from:

- Local Bush Fire Brigade
- NSW Bush Fire Service
- State Forests of NSW
- The National Parks and Wildlife Service

(e) VEGETATION MANAGEMENT

The management of vegetation on the development provides an opportunity not only for the preservation of endangered flora and fauna species but also the restoration of degraded lands and this part of the Management Plan should include a section which details the measures proposed for such programmes.

(i) Endangered Plant Species

Care must be taken with vegetation communities on the site and their conservation status at a regional and state level including any rare and endangered Australian plant species and any species populations or ecological communities listed under Schedules 1 or 2 of the Threatened Species Act 1995.

(ii) Noxious Weeds

The procedures intended for the on-going eradication of noxious weeds should be part of the Management Plan for the site.

The encroachment of noxious weeds from an MO development can have a highly detrimental effect on the local eco-system affecting valuable native vegetation and species of wildlife as well as any adjacent agriculture. All intending applicants should therefore be aware of their obligations to control noxious weeds on the MO site.

There are four categories of noxious weeds of which Category 1 is notifiable to the Local Control Authority. Such weeds should be fully and continuously suppressed and destroyed. Occupiers may also be responsible for the control of noxious weeds in a river or watercourse adjoining their property and penalties exist for those who fail to exercise their responsibilities.

What related factors are important?

Improperly managed MO developments have the potential to compromise important existing vegetation and wildlife habitats. When drawing up plans for the control of noxious weeds intending applicants should also give some consideration to the following:

- the most appropriate areas to be cleared, if any.
- the most appropriate crops and methods of cultivation for the site, including the location and composition of buffer zones.
- the measures necessary to rehabilitate or reafforest degraded areas.
- the measures necessary to maintain the environment of any protected native plants and/or wildlife on or adjacent to the site.

Where is further advice available?

Further information concerning the identification of noxious weeds and advice about eradication measures can be obtained from any of the Noxious Plants Advisory Committees which exist throughout the State.

(f) ACCESS ROADS, TRACKS and SERVICE CORRIDORS

Clause 10 of the SEPP requires the Management Plan for the development to detail the location, construction and maintenance of all

roads, access tracks and service corridors on the property.

Poorly constructed and inadequately maintained access roads and tracks can lead to serious soil erosion and contribute to inferior water quality and the sedimentation of streams. Service corridors which have been poorly located and inadequately constructed create similar erosion problems. Consideration of erosion control measures at the planning and construction stage will reduce the cost and increase the effectiveness of maintenance procedures.

Access routes need to be well constructed, stable and trafficable in all weather conditions. They should not be located on steep slopes, on areas subject to mass movement or subject to seasonally high water tables.

Some of the factors which need to be considered are:

- Construct access routes to include effective surface drainage. Provide a slight grade to allow free surface drainage and to avoid ponding in wheel tracks.

- Access tracks should be located to minimise stream crossings and avoid encroaching on stream banks. Any crossing of a creek or active drainage line should be a properly designed ford, culvert or bridge constructed at right angles to the channel.

- Locate tracks so as to reduce the risk of sediment entering drainage lines
- Limit soil and vegetation disturbance during construction.

- Undertake regular maintenance especially in the early years after construction to ensure effective erosion control and track stability.

- Inspect all tracks and roads annually and following any heavy usage or exceptionally heavy rainfall to determine maintenance requirements.

- Reduce unnecessarily lengthy service corridors wherever possible and undertake construction with sediment control measures in place and with minimum disruption of soil and vegetation.

Where is further advice available?

Further advice about the design, construction and maintenance of roads and access tracks on the MO site can be obtained from the DLWC. The Department can also advise on permits for stream crossings and tree clearing. The local council may also be able to offer useful advice.

CONCLUSION

These Guidelines have been designed to give an intending applicant an introduction to the principal environmental issues relating to Multiple Occupancy. They are not exhaustive and intending applicants should thoroughly discuss the DA process with their local council to determine which issues require particular attention according to local circumstances

Schedule 3 Site Analysis

(Clause 9 (2) (a))

The following information, where appropriate, is to be shown in a site analysis.

(*suggested additional items)

With regard to the physical characteristics of the site:

- site dimensions and site area,
- spot levels, contours and north point,
- watercourses and groundwater resources,
- natural drainage,
- any part of the land that is subject to a risk of flooding, bushfire, landslip, erosion (or areas with potential acid sulfate soils*) or any other physical constraint to development of the land in accordance with this policy,
- soil types and qualities and where relevant the geology of the site*,
- identification of previous use and any contaminated soils or filled areas,
- any part of the land that is prime crop and pasture land,
- areas of existing or proposed agricultural use*,
- vegetated areas requiring environmental protection or areas where rehabilitation or reafforestation will be carried out,
- prevailing winds
- orientation, micro-climates, significant noise sources,
- location of fences, boundaries and any other notable features (natural or historical),
- views to and from the site,
- heritage features including archaeology,
- location of known resources of mineral or extractive deposits on or adjacent to the proposed development*,
- relevant information about the land uses on surrounding land*.
- Aboriginal sites and places of Aboriginal significanse to the Aboriginal community*.

With regard to the development details of the site:

- location of buildings and other structures,
- indicative footprints of the proposed buildings,
- any areas of the land to be used for development other than for dwellings,
- proposed access from a public road to the area or areas in which the dwellings are to be situated, (plus other tracks necessary for agricultural use, firefighting or property maintenance and any tracks which cross Crown land or watercourses*),
- easements for drainage services,
- source and capacity of any water supply, electricity, telephone and waste disposal systems for the dwellings, *plus strategies for dealing with domestic wastewater.
- measures aimed at preventing the spread of bushfire*.

With regard to the land surrounding the site:

- heritage significanse of surrounding buildings and landscape,
- characteristics of any adjacent public land,
- directions and distances to local shops, schools, public transport, parks and community facilities.

DRAFT GUIDELINES for SEPP-15 (March 1997)

Headings:

Part A.
- What is an MO?
- What locational criteria must an MO satisfy?
- Where does the SEPP apply?
- What factors should be considered when choosing an MO site?

Part B.
- Making an MO DA?
- How will the DA be assessed?
- Do local conditions make a difference?

Part C.
- Statement of Environmental Effects
- Site Analysis
- What factors should be considered when designing the development.

- Management Plans
  - # Water
  - # Waste Disposal
  - # Soil Erosion
  - * Bushfire Management
  - * Vegetation
    - Endangered Plants
    - Noxious Weeds

- Site Analysis

*

Please Return to P Hamilton

1997

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Draft.

State Environmental Planning Policy No 15

Multiple Occupancy

under the

Environmental Planning and Assessment Act 19~~79~~ 97

KEY ISSUES

- What a Multiple Occupancy is and what conditions apply
- Multiple occupancy and the Development Application process
- The Statement of Environmental Effects
- The Site Analysis
- The Written Statement
- The Management Plan

DRAFT
GUIDELINES

What are some of the key environmental factors?

Department of Urban and Affairs and Planning
March 1997

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State Environmental Planning Policy (SEPP) 15
Multiple Occupancy of Rural Land

GUIDELINES

These Guidelines accompany SEPP 15 to assist people intending to make a development application for a Multiple Occupancy.

The Guidelines explain the objectives of SEPP 15 and provide guidance on the management of some key environmental factors which a local council, as the consent authority, is likely to take into account when making a decision on a Multiple Occupancy development application.

The Guidelines are divided into three parts:

Part A - Explains what a Multiple Occupancy is and what conditions apply.

Part B - Explains the Development Application process as it applies to Multiple Occupancy developments.

Part C - Discusses the required Statement of Environmental Effects and the environmental issues which must be addressed in a written statement for the development.

SEPP 15 is published in the Appendix to these Guidelines and further copies can be obtained from your local council or from any office of the NSW Department of Urban Affairs and Planning.

PART A
WHAT IS MULTIPLE OCCUPANCY?

Multiple Occupancy (MO) is a type of rural development where a group of people, not necessarily related to each other, live on a single property in several dwellings and own and manage the property on a common basis.

What locational criteria must a Multiple Occupancy satisfy?

A suitable site for a Multiple Occupancy must satisfy several criteria before a council can consider a development application (DA). The site must be zoned rural or non-urban and must be and remain a single allotment. In addition the site must conform to a number of physical requirements some of which are listed below.

- The area of the site must be not less than 10 hectares.
- Prime crop and pasture land must not cover more than 25 percent of the site.
- Slopes in excess of 18 degrees do not occur on more than 80 percent of the land.

For a full list of requirements see SEPP 15 Clause 7

Where does the SEPP apply?

The SEPP applies to the local government areas listed in Schedule 1 of the policy. It does **not** apply to certain lands listed in Schedule 2.

What are the objectives of SEPP 15?

SEPP 15 aims to encourage a community based and environmentally sensitive approach to rural settlement, and to enable people:

- to live as a community and build a number of dwellings in a rural setting on undivided land, preferably in a clustered pattern, as their main place of residence.
- to manage the land for communal purposes in a way that both protects the environment and does not create a demand for the unreasonable or uneconomic provision of services.
- to pool their resources to develop low cost affordable rural living opportunities.

What factors should be considered when choosing an MO site?

By selecting a site where the environmental risks are low, the costs of environmental management strategies can be minimised and the level of public concern and potential for delays in the approval process can be reduced.

For example, careful consideration needs to be given if development sites are chosen in or near:

- natural waterbodies, sensitive wetlands, including lakes, rivers and creeks, flood prone land, drinking water catchments, aquifer re-charge areas, groundwater recharge areas or areas where the watertable is high.
- areas with problems of contaminated soils or where the soil has salinity or acidity problems.
- where there is highly erodible soil, or where there have been slips or subsidence.
- where there are known mineral deposits or locally important sources of extractive minerals (eg sand and gravel).
- areas which are bushfire prone.
- where there are habitats of threatened species, populations and ecological communities.
- where there are Aboriginal relics or sites.
- where there are areas protected for their high conservation, recreational, aesthetic or scenic value.

What are some of the characteristics an MO site should possess?

- structurally stable sub-soils for building support and suitable soil at a reasonable distance from house sites for wastewater disposal.
- a water supply which is capable of meeting the minimum needs of the development.
- sufficient land to allow for a vegetated buffer zone between areas of development (including septic and stormwater drainage disposal

areas) and any natural watercourses.

- Areas of cleared land for siting houses and other buildings with adequate separation from adjacent agricultural activities

- low visual impact sites for houses and other buildings.

PART B
MAKING A MULTIPLE OCCUPANCY DA

Under the terms of SEPP 15 a Multiple Occupancy proposal requires development consent and so a development application made to the local council will be necessary. For detailed advice about the DA process intending MO applicants are advised to consult the document 'Lodging a Development Application' published by the Department of Urban Affairs and Planning. The local council may also have a similar publication which can give advice from a local perspective.

How will the DA be assessed?

In assessing a Multiple Occupancy DA the council will decide if the site is suitable for the intended types, pattern and intensity of the use. In making this assessment the council must consider:

- Section 90 of the Environmental Planning and Assessment Act (EP &A Act) 1979 [See Clause 65 of the Regulations]

- The specific requirements of Clause 9 and 10 of SEPP 15

- Other relevant legislation such as the Threatened Species Conservation Act 1995

It is important that the intending applicant is familiar with all these requirements as they will guide the preparation of the DA.

Do local conditions make a difference?

Environmental and social factors can vary from one part of the State to another and the DA should reflect these local conditions. It is important to meet with the local council before work on the DA commences to determine exactly what factors are of local significance.

Good communication between applicants and council can result in a well prepared DA with increased chances of gaining consent.

The council can advise prospective applicants about the type and level of technical detail required. It may also be able to provide valuable information about the development site as well as offer expertise in a range of technical areas. If the council is unable to provide technical data or assistance it will be able to suggest other sources.

As well as development consent, most MO's will require other licences and permits for particular aspects, such as creek crossings and water supply bores. It is the applicant's responsibility to get the necessary approvals, but the local council should be able to advise which government departments need to be consulted.

A range of useful information for the preparation of the DA may also be obtained from:

The Department of Agriculture, the Department of Land and Water Conservation (DLWC), the National Parks and Wildlife Service (NPWS), the Environment Protection Authority(EPA), the Department of Mineral Resources.

PART C
THE STATEMENT OF ENVIRONMENTAL EFFECTS

The EP and A Act 1979 requires most DA's to include a Statement of Environmental Effects (SEE). An SEE must provide sufficient information to identify any potential impacts the development may have upon the physical and social environment. It should also set out what steps have been taken to protect the environment and to mitigate harm on the site and on its immediate surroundings.

Further advice about how to prepare an SEE can be obtained from the 'Best Practice Note' issued by the NSW Department of Planning and Urban Affairs.

SEPP 15 specifically requires the intending applicant to prepare and submit two separate documents which will form part of the SEE. They are

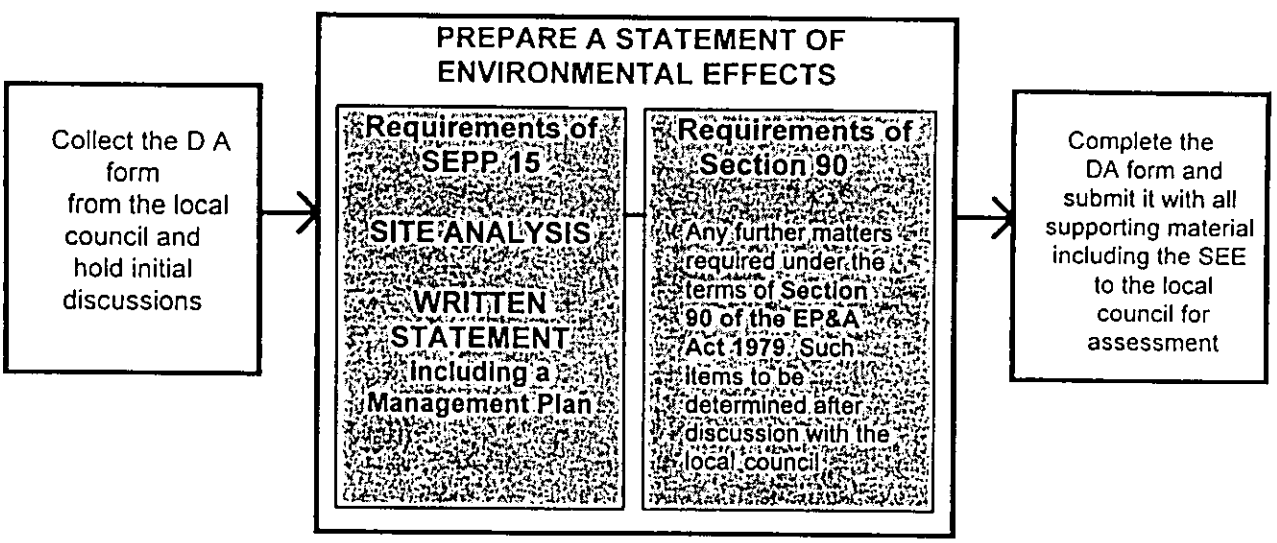
- A Site Analysis in the form of a map of the development site showing all the natural characteristics of the property as well as the design of the development.

- A Written Statement which explains the relationship between the site analysis and the design of the development. It should also explain the environmental measures taken to mitigate the impact of the MO development upon the environment.

- An important part of the Written Statement is a Management Plan for the development site which states the on-going procedures intended to ensure the good management of:

  - Water
  - Waste Disposal
  - Soil Erosion
  - Bushfires
  - Vegetation
  - Maintenance of roads, access tracks and service corridors

Diagram 1
The DA Process for an MO site



C.1 THE SITE ANALYSIS

The preparation of a Site Analysis is the first step in the process leading to a complete SEE and takes the form of a detailed map. It is also an opportunity for the applicant to gain a thorough understanding of the property.

When assessing the DA the local council is required to consider a wide range of factors listed in detail in Clause 9 of the SEPP. Schedule 3 lists the information which is to be shown in the site analysis.

The level of detail required for each of the listed items will largely be determined by the local council. Intending applicants should liaise with the council to discuss this as early as possible. It may be advisable at this stage to prepare some basic sketches of the proposed development before any work on the Site Analysis commences.

It is important that after discussions with the local council have taken place the intending applicant undertakes the Site Analysis with care and sticks closely to an agreed checklist.

The detailed site analysis map of the development should include all the existing physical characteristics of the site as well as the design features which are proposed. On sites where there is a great deal of information to be shown it may be advisable to prepare two maps, one which gives the existing physical situation and a second on the same scale as an overlay which shows all the proposed design details.

An aerial photo might be considered as the base map of the physical features, while one or more overlays show the proposed development.

What factors should be considered when designing the development?

The design of the site must be considered with great care. The siting of such things as dwellings, community facilities and on-site waste disposal systems are all subject to a number of important considerations and should only be undertaken after discussion with the local council.

Some general principles to consider when designing the development are:

- Do **not** locate buildings on areas which are prime crop or pasture land, on prominent ridge lines, unstable soil or on areas subject to landslip or liable to flooding.

- Reduce the need for access tracks and service trenches by clustering dwellings and community buildings close to each other.

- Locate buildings away from watercourses and drainage lines to avoid damage to the building themselves and to any existing waterways. The necessary separation will vary according to soil and landscape factors but a 20 metre distance is seen as being good practice.

- Locate any on-site sewerage and/or wastewater system on suitable soils and on an area not subject to landslip or erosion and as far from any natural watercourse as possible.

- Locate wastewater drainage lines and absorption fields on areas not subject to landslip or erosion and as far from any

natural watercourse as possible.

- Site areas for the storage of solid waste and compost away from sight lines both on and off the property and with suitable vehicular access.

- Use vegetated buffer zones between the development and any possible conflicting adjoining land use.

- Allow for vegetated buffer strips along any watercourses or drainage lines and around natural wetlands to help reduce the entry of pollutants. Generally the wider the buffers the more effective they are at protecting the waterways from pollution.

EXAMPLE SITE ANALYSIS MAP IN HERE

C2 THE WRITTEN STATEMENT

The Written Statement provides an intending applicant with an opportunity to explain how the design of the development as shown in the site analysis relates to the physical characteristics of the site and what measures have been taken to protect the environment and mitigate harm.

All aspects of the development and the site should be discussed particularly those items which may be difficult to show on the Site Analysis map. For example, applicants should use the written statement to explain such things as the measures proposed to minimise any potential conflict between the development and adjoining land uses and the ways in which residual land is proposed to be managed.

Intending applicants are advised to consult Clause 9 and 10 of the SEPP and Section 90 of the EP&A Act for a list of items which the council must consider in assessing the DA. This list forms the basis of the Written Statement.

C2.2 THE MANAGEMENT PLAN

Under Clause 10 of SEPP 15 the intending applicant is required to submit a Management Plan for the property as part of the DA. This Management Plan comprises six separate sections:

a) Water

b) Waste Disposal

c) Soil Erosion

d) Bushfire Management

e) Vegetation

f) Maintenance of roads, access tracks and service corridors

By addressing each of the above items and establishing on-going procedures for their maintenance the Management Plan should demonstrate that the MO will continue to be managed in a way which is environmentally responsible and will mitigate harm.

(a) WATER

(i) Water Quantity

Water quantity is a critical factor in selecting a suitable site for an MO and will form an important part of the DA.

Clause 9 (1)(f) of the SEPP not only requires the availability of a water supply to the land for domestic, agricultural and fire-fighting purposes but also requires that where the supply is from a natural watercourse or reserve the effects upon others and the environment of the watercourse itself must be assessed. The Site Analysis specifically requires the applicant to give the source and capacity of any water supply.

What factors are important?

Most MO sites are located away from a town water supply and rely for their water on either a natural watercourse, dam or storage tank or a combination of them.

Access to a reliable water supply is likely to be a critical factor. The extraction of river water and groundwater and the construction of dams on watercourses is controlled by DLWC. In considering whether to approve these activities, both the

rights of existing users and the health of the aquatic environment will be considered.

The proposed water supply should be from a source which will not adversely affect other users and be:

- reliable, especially in drought.
- adequate for domestic use including all waste management schemes.
- adequate for garden, stock and crops.
- of suitable quality, especially for drinking.
- enough to provide a reserve for bushfire fighting.

It is the responsibility of the applicant to conform with any requirements and obtain any licence or permit necessary for the extraction of water from a natural watercourse. The Department of Land and Water Conservation will be able to assist in this matter as well as the design of water supply schemes.

What measures should be adopted?

Adequate dam storage can significantly reduce the need to rely on creeks, groundwater and rivers during dry spells. The stress placed on the environment by the use of water from creeks and rivers and even groundwater can be considerable and can lead to a decline in water quality and harm to the environment.

The installation of water saving devices such as dual flush toilets, and low-flow shower roses will help save tank water as well as reduce the volume of wastewater.

The adequacy and reliability of any dams supplying water to the site will need investigation to check stability, the absence of leaks and the suitability and size of the catchment area.

A dam on a watercourse (which includes any well defined drainage line) may need to be licensed and conform with DLWC specifications.

(ii) Water Quality

The quality of water available for use on a proposed MO together with the maintenance of water quality in the vicinity are important factors.

What is required?

There needs to be sufficient supplies of safe drinking water as well as water for livestock. The quality of the water available to the development is something which should be checked early in the process as many bores and wells are affected by mineral or bacterial content just as creek water may be polluted from sources upstream.

It is important to show that the development has no adverse effect upon the quality of the surface water, groundwater and natural watercourses on the site and on the local environment. This must be demonstrated in the SEE.

What conditions affect water quality?

There are a number of factors which can affect the quality of the water available on the MO site and which the applicant should address as part of overall water management for the development.

A significant reduction in the quality of water within the MO site and in the local catchment can result from:

- sustained or unnecessary soil movement. Soil disturbance increases the chance of erosion and with it the potential for the carriage of pollutants to water sources.

- roads and access tracks which are poorly located, and/or inadequately constructed and maintained. This can result in soil movement, sediment loss and a consequent deterioration of water quality.

- hard surfaces such as roofs, roads, and paths without adequate measures to contain and store the run-off. This can lead to increase in stormwater volumes which in turn can lead to soil erosion and eventual water contamination.

- inadequate on-site disposal of wastewater. Septic tank systems can fail when maintenance procedures are not followed. Polluted water can leach into groundwater and watercourses when absorption areas are located on sites where the qualities of the soil are inadequate and/or are too close to existing watercourses. An adequate separation distance from a watercourse depends on site factors such as slope, soil characteristics and flooding potential.

What measures can help?

- During construction the physical disturbance of the land through site preparation and the provision of trenches for services should be kept to a minimum. Most councils will require sediment control measures to be in place during any periods of construction and until adequate groundcover has been established.

- Roads and access tracks need to be as short as possible and located along routes which avoid steep slopes and sensitive vegetation. They must also be well constructed and adequately maintained.

- Wastewater management systems must be suitable for the development and properly maintained. Drainage lines should be located on suitable soils as far from natural watercourses and water supplies (eg bores) as possible.

- Vegetated buffer zones should be established and maintained along rivers and streams. This helps to filter sediments from surface runoff and remove pollutants particularly nutrients from groundwater. A minimum of 20 metres from either bank is recommended, but the wider the buffer zone the more effective it will be. Natural wetlands should be protected in the same way.

What are the effects of potential acid sulfate soils?

Potential acid sulfate soils are normally found in low lying, waterlogged areas near the coast. When potential acid sulfate soils are drained for agricultural use the natural

rate of oxidation is accelerated so that sulfuric acid is released. If this leaches into the catchment area of streams and other watercourses the concentrated acid affects the health of fish and other organisms. The acid also makes it extremely difficult for plants to grow. No drainage works should be carried out where there are likely to be acid sulfate soils present. Any excavation of these areas such as utility trenches, construction of water storages should also be avoided.

Potential acid sulfate soils are not always easy to recognise. The local council and the DLWC have maps which identify where there is a risk of these soils occurring. If disturbance of the soil in a risk area is unavoidable, specialist soils advice needs to be obtained from DLWC or NSW Agriculture.

For further information intending applicants are advised to consult Circular F11 - Acid Sulfate Soils available from the Department of Urban Affairs and Planning. 'Guidelines for Assessing and Managing Acid Sulphate Soils published by the EPA.

(iii) Water Management

Water Management looks at a comprehensive range of factors and procedures affecting water both on and off the property. The preparation of a water management plan for the development is recommended for which the intending applicant should:

- assess the water needs of the proposed development
- the quantity of water available to the property
- state the procedures intended to maintain and monitor water quality
- describe measures for water conservation and recycling if feasible
- assess the impact of the proposal upon the local water environment

Where is further advice available?

The Department of Land and Water Conservation can offer advice on water management and water quality in relation to particular sites.

(b) WASTEWATER MANAGEMENT

Clause 9 of the SEPP requires that adequate provision is made for waste disposal from the land.

Clause 10 of the SEPP requires that Waste Management procedures be included in the Management Plan for the development.

Efficient and appropriate management of wastewater (effluent) needs to be addressed with care. It is very important to show that land and water deterioration either through chemical or biological contamination does not occur as a result of the MO development and that this is demonstrated in the SEE.

Surface water and groundwater can be contaminated by inappropriate or inefficient wastewater management systems. The choice of a suitable system for the development, as well as the adoption of correct procedures for its use and maintenance is

required as part of the Management Plan for the MO.
The applicant must show that any intended on-site sewerage systems have been designed, installed and will be managed so that pollution does not occur and risks to public health are minimised.

The local council will need to approve the sewage and wastewater disposal system intended for the site and will require an applicant to show that any system of sewage and wastewater disposal conforms to certain design, location and management conditions. The council should be able to offer advice on these matters and will need to be consulted early in the development process.

In addition for those wastewater systems treating wastes from more than one household EPA approval and possibly a licence may be required depending upon the size of the development. This requirement falls under the Pollution Control Act (1970) Sec. 17 and the Clean Waters Regulation Cl. 11A.

(I) On -Site Wastewater Management

It is unlikely that many MO developments will be close enough to connect to existing town sewerage systems in which case an on-site wastewater management system for domestic wastewater will be necessary.

The most widely used method for on-site disposal of domestic wastewater is by septic tank and soil absorption which requires a combination of suitable landform and soil conditions. It is recommended that the design of wastewater management systems be undertaken on a site specific basis.

The use of a compost toilet is only likely to be agreed to as a temporary measure and applicants should check on the requirements with their local council.

Problems with on-site disposal methods can occur if the soil on the proposed absorption area is unable to absorb wastewater efficiently. If the soil does not have adequate water holding capacity wastewater will flow through it to pollute groundwater, lakes, swamps or streams, or to emerge as seepage on lower terrain.

Some of the factors which might be considered when choosing an appropriate location for the system are:

- The qualities of the soil including its depth to the water table.
- The proximity of watercourses and re-charge areas for aquifers.
- The area available for an absorption field.
- Seasonal variations in the level of the water table.
- Climatic influences.
- Surface run-off or seepage from higher land.

In order to ensure that an appropriate on-site wastewater system is designed and properly located it is essential that a detailed geo-technical report and soil analysis undertaken by an appropriately qualified person familiar with all the relevant guidelines. Advice about this can be obtained from the local council and Department of Land and Water Conservation.

(ii) Solid Waste Management

An MO development will produce a certain amount of solid waste (garbage) which should be managed so that detrimental effects on the environment are prevented.

Some local government areas provide a rural garbage collection service but where no such service exists the applicant should show that suitable alternative arrangements have been made. In most cases this will mean taking the solid waste either to a local waste transfer station where it can be collected by the council or directly to the council's tip.

Where it is not feasible to remove solid waste from the site an on-site waste landfill may be allowed subject to the provisions of applicable environment protection legislation. Under certain circumstances and in certain locations an on-site waste landfill may require a license under the Waste Minimisation and Management Regulations. The local council will be able to offer the relevant advice in this case.

Solid waste should be:

- minimised by introducing re-cycling measures wherever possible and all organic waste should be composted.

- stored in flyproof containers located in storage areas which avoid contamination of water sources, are not in direct view and have vehicular access.

Any hazardous agricultural, chemical or pesticide waste should be kept separate from other waste matter and disposed of with extreme care.

The Management Plan should show that the storage area and arrangements for the disposal of solid waste conform with local environmental health regulations. It is the responsibility of the applicant to conform with all the regulations concerning waste storage and disposal. In addition to the local council the following agencies may also be able to provide further information:

The Department of Land and Water Conservation
The Department of Health
The Environment Protection Authority

(c) SOIL EROSION

Soil is a vital resource and its proper management is crucial for the cultivation of groundcover, crops and the grazing of livestock. Soil erosion can occur as a result of a wide range of factors. Most usually it is because of intensive or inappropriate agricultural use or insensitive land disturbance which results in the removal of the existing ground cover.

Once soil damage occurs its correction is difficult and costly rehabilitation will be necessary. It is therefore essential that the intending applicant is familiar with the land and its susceptibility to erosion and implements a management plan which preserves the integrity of the soil.

A comprehensive soil survey and land capability assessment can identify the type and qualities of the soil on the site and is therefore essential. This information can help determine which protective measures the land requires to prevent soil degradation and erosion. It is also necessary in determining the appropriate location for dwellings and suitable areas for on-site wastewater disposal systems. The DLWC may have useful information about the soil on the development site and should be consulted.

What factors can cause soil erosion?

- The disruption caused during the construction of dwellings and the creation of service trenches can have a drastic effect upon the soil. By de-stabilising the soil it becomes susceptible to the effects of uncontrolled stormwater run-off which in turn can lead to the pollution of ground and surface water.

- Roads and access tracks can greatly contribute to soil erosion by destroying ground cover and concentrating runoff thus causing unstable sections to develop and increasing the chances of soil and pollutants being carried to nearby watercourses.

- Frequent tillage of the soil can break down the soil structure reducing its ability to absorb rain and increasing the chances of significant erosion through runoff.

- The cultivation of sloping land makes it particularly susceptible to soil erosion especially during periods of heavy rainfall.

- Over-grazing due to concentrations of livestock can drastically reduce ground cover.

What are some of the preventative measures?

- Where possible, construction work should be undertaken at the time of year when heavy rainfall is least likely. It should be kept to a minimum and completed without undue delay. All soil disturbed by construction work or trenching should be returned to a stable contour and a good groundcover of grass or mulch should be established as soon as practical.

- Sediment control measures should be in place during any periods of construction and maintained until the soil surface is protected by groundcover.

- Disturbed areas should be checked following periods of heavy rainfall and any problem areas should be treated immediately.

- The clustering of dwellings is one way of minimising unnecessary service trenches.

- Reduced tillage especially during the months of greatest rainfall helps to control soil erosion and is recommended.

- Effectively managing livestock, including reducing stock numbers during drought. Watercourses should be fenced off, with controlled access for watering or off stream watering points.

Further information can be obtained from the Department of Land and Water Conservation.

(d) BUSHFIRE MANAGEMENT

Poorly managed and neglected MO developments can create serious bushfire hazards and constitute a significant danger both to their occupants and to neighbours.

Under Section 90 (1) (s) of the EP&A Act the council as the consent authority is required to refer to the document 'Planning for Bushfire Protection' issued by the NSW Bush Fire Service in considering the DA. This is a comprehensive guide and intending applicants are also advised to consult it before embarking upon site and building design and before preparing plans for bushfire management.

Clause 9 (1) (k) of the SEPP requires the council to consider whether the land is subject to bushfires and if so the adequacy of any measures proposed to protect occupants, buildings, internal access roads, service installations and land adjoining the development.

Bushfire management is required under Clause 10 of the SEPP and must be prepared and submitted as part of the Management Plan for the MO development site.

Before preparing a site design intending applicants are also advised to contact the Fire officer at their local council who may have further information about local conditions and advice about preparing a comprehensive Bushfire Management Plan. Assistance in the preparation of such a plan may also be obtained from the Local Bush Fire Brigade and the NSW Bush Fire Service.

What are some of the preventative measures?

- Ensuring the adequate storage of water for fire fighting purposes where no permanent pools exist in adjoining watercourses or where such pools are insufficient in quantity.
- Creating fire protection breaks around each building on the site and keeping them free of flammable material.
- Adopting a site design which incorporates bushfire preventative measures.
- Providing suitable access and egress for emergency vehicles.
- Designing and constructing buildings which incorporate bushfire protection measures and fire retarding materials.
- Using appropriate vegetation planting strategies particularly fire retarding species.
- Maintaining adequate fire fighting strategies in conjunction with local fire brigades, the local council's Fire Officer and neighbours.
- Adopting comprehensive maintenance procedures such as removing flammable material from around the buildings, removing branches from overhanging roofs, keeping gutters cleaned out, keeping grass mown close to buildings, fuel storage areas and haystacks.

Further information can be obtained from:

- Local Bush Fire Brigade
- NSW Bush Fire Service
- State Forests of NSW
- The National Parks and Wildlife Service

(e) VEGETATION MANAGEMENT

The management of vegetation on the development provides an opportunity not only for the preservation of endangered flora and fauna species but also the restoration of degraded lands and this part of the Management Plan should include a section which details the measures proposed for such programmes.

(i) Endangered Plant Species

Care must be taken with vegetation communities on the site and their conservation status at a regional and state level including any rare and endangered Australian plant species and any species populations or ecological communities listed under Schedules 1 or 2 of the Threatened Species Act 1995.

(ii) Noxious Weeds

The procedures intended for the on-going eradication of noxious weeds should be part of the Management Plan for the site.

The encroachment of noxious weeds from an MO development can have a highly detrimental effect on the local eco-system affecting valuable native vegetation and species of wildlife as well as any adjacent agriculture. All intending applicants should therefore be aware of their obligations to control noxious weeds on the MO site.

There are four categories of noxious weeds of which Category 1 is notifiable to the Local Control Authority. Such weeds should be fully and continuously suppressed and destroyed. Occupiers may also be responsible for the control of noxious weeds in a river or watercourse adjoining their property and penalties exist for those who fail to exercise their responsibilities.

What related factors are important?

Improperly managed MO developments have the potential to compromise important existing vegetation and wildlife habitats. When drawing up plans for the control of noxious weeds intending applicants should also give some consideration to the following:

- the most appropriate areas to be cleared, if any.
- the most appropriate crops and methods of cultivation for the site, including the location and composition of buffer zones.
- the measures necessary to rehabilitate or reafforest degraded areas.
- the measures necessary to maintain the environment of any protected native plants and/or wildlife on or adjacent to the site.

Where is further advice available?

Further information concerning the identification of noxious weeds and advice about eradication measures can be obtained from any of the Noxious Plants Advisory Committees which exist throughout the State.

(f) ACCESS ROADS, TRACKS and SERVICE CORRIDORS

Clause 10 of the SEPP requires the Management Plan for the development to detail the location, construction and maintenance of all

roads, access tracks and service corridors on the property.

Poorly constructed and inadequately maintained access roads and tracks can lead to serious soil erosion and contribute to inferior water quality and the sedimentation of streams. Service corridors which have been poorly located and inadequately constructed create similar erosion problems. Consideration of erosion control measures at the planning and construction stage will reduce the cost and increase the effectiveness of maintenance procedures.

Access routes need to be well constructed, stable and trafficable in all weather conditions. They should not be located on steep slopes, on areas subject to mass movement or subject to seasonally high water tables.

Some of the factors which need to be considered are:

- Construct access routes to include effective surface drainage. Provide a slight grade to allow free surface drainage and to avoid ponding in wheel tracks.

- Access tracks should be located to minimise stream crossings and avoid encroaching on stream banks. Any crossing of a creek or active drainage line should be a properly designed ford, culvert or bridge constructed at right angles to the channel.

- Locate tracks so as to reduce the risk of sediment entering drainage lines
- Limit soil and vegetation disturbance during construction.

- Undertake regular maintenance especially in the early years after construction to ensure effective erosion control and track stability.

- Inspect all tracks and roads annually and following any heavy usage or exceptionally heavy rainfall to determine maintenance requirements.

- Reduce unnecessarily lengthy service corridors wherever possible and undertake construction with sediment control measures in place and with minimum disruption of soil and vegetation.

Where is further advice available?

Further advice about the design, construction and maintenance of roads and access tracks on the MO site can be obtained from the DLWC. The Department can also advise on permits for stream crossings and tree clearing. The local council may also be able to offer useful advice.

CONCLUSION

These Guidelines have been designed to give an intending applicant an introduction to the principal environmental issues relating to Multiple Occupancy. They are not exhaustive and intending applicants should thoroughly discuss the DA process with their local council to determine which issues require particular attention according to local circumstances

Schedule 3 Site Analysis

(Clause 9 (2) (a))

The following information, where appropriate, is to be shown in a site analysis.

(*suggested additional items)

With regard to the physical characteristics of the site:

- site dimensions and site area,
- spot levels, contours and north point,
- watercourses and groundwater resources,
- natural drainage,
- any part of the land that is subject to a risk of flooding, bushfire, landslip, erosion (or areas with potential acid sulfate soils*) or any other physical constraint to development of the land in accordance with this policy,
- soil types and qualities and where relevant the geology of the site*,
- identification of previous use and any contaminated soils or filled areas,
- any part of the land that is prime crop and pasture land,
- areas of existing or proposed agricultural use*,
- vegetated areas requiring environmental protection or areas where rehabilitation or reafforestation will be carried out,
- prevailing winds
- orientation, micro-climates, significant noise sources,
- location of fences, boundaries and any other notable features (natural or historical),
- views to and from the site,
- heritage features including archaeology,
- location of known resources of mineral or extractive deposits on or adjacent to the proposed development*,
- relevant information about the land uses on surrounding land*.
- Aboriginal sites and places of Aboriginal significanse to the Aboriginal community*.

With regard to the development details of the site:

- location of buildings and other structures,
- indicative footprints of the proposed buildings,
- any areas of the land to be used for development other than for dwellings,
- proposed access from a public road to the area or areas in which the dwellings are to be situated, (plus other tracks necessary for agricultural use, firefighting or property maintenance and any tracks which cross Crown land or watercourses*),
- easements for drainage services,
- source and capacity of any water supply, electricity, telephone and waste disposal systems for the dwellings, *plus strategies for dealing with domestic wastewater.
- measures aimed at preventing the spread of bushfire*.

With regard to the land surrounding the site:

- heritage significanse of surrounding buildings and landscape,
- characteristics of any adjacent public land,
- directions and distances to local shops, schools, public transport, parks and community facilities.

(Guideline File)

D.H. Work File Copy

State Environmental Planning Policy No 15

Multiple Occupancy

under the

Environmental Planning and Assessment Act 1979 91

KEY ISSUES

- What a Multiple Occupancy is and what conditions apply
- Multiple occupancy and the Development Application process
- The Statement of Environmental Effects
- The Site Analysis
- The Written Statement
- The Management Plan

DRAFT
GUIDELINES

What are some of the key environmental factors?

Department of Urban and Affairs and Planning
March 1997

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State Environmental Planning Policy (SEPP) 15
Multiple Occupancy of Rural Land

GUIDELINES

These Guidelines accompany SEPP 15 to assist people intending to make a development application for a Multiple Occupancy.

The Guidelines explain the objectives of SEPP 15 and provide guidance on the management of some key environmental factors which a local council, as the consent authority, is likely to take into account when making a decision on a Multiple Occupancy development application.

The Guidelines are divided into three parts:

Part A - Explains what a Multiple Occupancy is and what conditions apply.

Part B - Explains the Development Application process as it applies to Multiple Occupancy developments.

Part C - Discusses the required Statement of Environmental Effects and the environmental issues which must be addressed in a written statement for the development.

SEPP 15 is published in the Appendix to these Guidelines and further copies can be obtained from your local council or from any office of the NSW Department of Urban Affairs and Planning.

PART A
WHAT IS MULTIPLE OCCUPANCY?

Multiple Occupancy (MO) is a type of rural development where a group of people, not necessarily related to each other, live on a single property in several dwellings and own and manage the property on a common basis.

What locational criteria must a Multiple Occupancy satisfy?

A suitable site for a Multiple Occupancy must satisfy several criteria before a council can consider a development application (DA). The site must be zoned rural or non-urban and must be and remain a single allotment. In addition the site must conform to a number of physical requirements some of which are listed below.

- The area of the site must be not less than 10 hectares.
- Prime crop and pasture land must not cover more than 25 percent of the site.
- Slopes in excess of 18 degrees do not occur on more than 80 percent of the land.

For a full list of requirements see SEPP 15 Clause 7

Where does the SEPP apply?

The SEPP applies to the local government areas listed in Schedule 1 of the policy. It does **not** apply to certain lands listed in Schedule 2.

What are the objectives of SEPP 15?

SEPP 15 aims to encourage a community based and environmentally sensitive approach to rural settlement, and to enable people:

- to live as a community and build a number of dwellings in a rural setting on undivided land, preferably in a clustered pattern, as their main place of residence.

- to manage the land for communal purposes in a way that both protects the environment and does not create a demand for the unreasonable or uneconomic provision of services.

- to pool their resources to develop low cost affordable rural living opportunities.

What factors should be considered when choosing an MO site?

By selecting a site where the environmental risks are low, the costs of environmental management strategies can be minimised and the level of public concern and potential for delays in the approval process can be reduced.

For example, careful consideration needs to be given if development sites are chosen in or near:

- natural waterbodies, sensitive wetlands, including lakes, rivers and creeks, flood prone land, drinking water catchments, aquifer re-charge areas, groundwater recharge areas or areas where the watertable is high.

- areas with problems of contaminated soils or where the soil has salinity or acidity problems.

- where there is highly erodible soil, or where there have been slips or subsidence.

- where there are known mineral deposits or locally important sources of extractive minerals (eg sand and gravel).

- areas which are bushfire prone.

- where there are habitats of threatened species, populations and ecological communities.

- where there are Aboriginal relics or sites.

- where there are areas protected for their high conservation, recreational, aesthetic or scenic value.

What are some of the characteristics an MO site should possess?

- structurally stable sub-soils for building support and suitable soil at a reasonable distance from house sites for wastewater disposal.

- a water supply which is capable of meeting the minimum needs of the development.

- sufficient land to allow for a vegetated buffer zone between areas of development (including septic and stormwater drainage disposal

areas) and any natural watercourses.

- Areas of cleared land for siting houses and other buildings with adequate separation from adjacent agricultural activities

- low visual impact sites for houses and other buildings.

PART B
MAKING A MULTIPLE OCCUPANCY DA

Under the terms of SEPP 15 a Multiple Occupancy proposal requires development consent and so a development application made to the local council will be necessary. For detailed advice about the DA process intending MO applicants are advised to consult the document 'Lodging a Development Application' published by the Department of Urban Affairs and Planning. The local council may also have a similar publication which can give advice from a local perspective.

How will the DA be assessed?

In assessing a Multiple Occupancy DA the council will decide if the site is suitable for the intended types, pattern and intensity of the use. In making this assessment the council must consider:

- Section 90 of the Environmental Planning and Assessment Act (EP &A Act) 1979 [See Clause 65 of the Regulations]

- The specific requirements of Clause 9 and 10 of SEPP 15

- Other relevant legislation such as the Threatened Species Conservation Act 1995

It is important that the intending applicant is familiar with all these requirements as they will guide the preparation of the DA.

Do local conditions make a difference?

Environmental and social factors can vary from one part of the State to another and the DA should reflect these local conditions. It is important to meet with the local council before work on the DA commences to determine exactly what factors are of local significance.

Good communication between applicants and council can result in a well prepared DA with increased chances of gaining consent.

The council can advise prospective applicants about the type and level of technical detail required. It may also be able to provide valuable information about the development site as well as offer expertise in a range of technical areas. If the council is unable to provide technical data or assistance it will be able to suggest other sources.

As well as development consent, most MO's will require other licences and permits for particular aspects, such as creek crossings and water supply bores. It is the applicant's responsibility to get the necessary approvals, but the local council should be able to advise which government departments need to be consulted.

A range of useful information for the preparation of the DA may also be obtained from:

The Department of Agriculture, the Department of Land and Water Conservation (DLWC), the National Parks and Wildlife Service (NPWS), the Environment Protection Authority(EPA), the Department of Mineral Resources.

PART C
THE STATEMENT OF ENVIRONMENTAL EFFECTS

The EP and A Act 1979 requires most DA's to include a Statement of Environmental Effects (SEE). An SEE must provide sufficient information to identify any potential impacts the development may have upon the physical and social environment. It should also set out what steps have been taken to protect the environment and to mitigate harm on the site and on its immediate surroundings.

Further advice about how to prepare an SEE can be obtained from the 'Best Practice Note' issued by the NSW Department of Planning and Urban Affairs.

SEPP 15 specifically requires the intending applicant to prepare and submit two separate documents which will form part of the SEE. They are

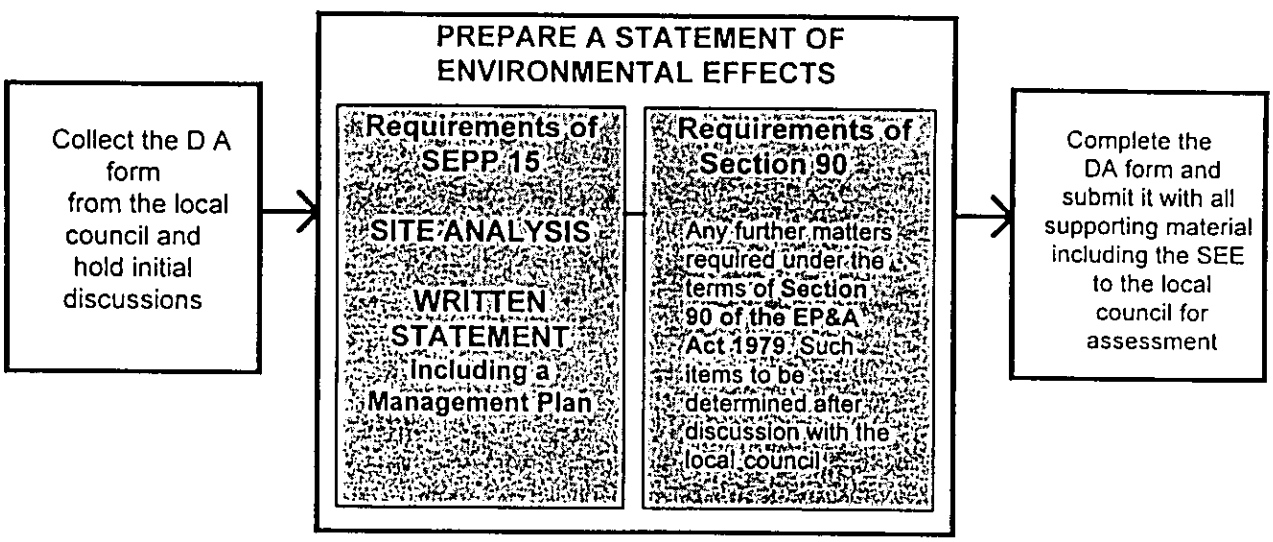
- A Site Analysis in the form of a map of the development site showing all the natural characteristics of the property as well as the design of the development.

- A Written Statement which explains the relationship between the site analysis and the design of the development. It should also explain the environmental measures taken to mitigate the impact of the MO development upon the environment.

- An important part of the Written Statement is a Management Plan for the development site which states the on-going procedures intended to ensure the good management of:

  - Water
  - Waste Disposal
  - Soil Erosion
  - Bushfires
  - Vegetation
  - Maintenance of roads, access tracks and service corridors

Diagram 1
The DA Process for an MO site



C.1 THE SITE ANALYSIS

The preparation of a Site Analysis is the first step in the process leading to a complete SEE and takes the form of a detailed map. It is also an opportunity for the applicant to gain a thorough understanding of the property.

When assessing the DA the local council is required to consider a wide range of factors listed in detail in Clause 9 of the SEPP. Schedule 3 lists the information which is to be shown in the site analysis.

The level of detail required for each of the listed items will largely be determined by the local council. Intending applicants should liaise with the council to discuss this as early as possible. It may be advisable at this stage to prepare some basic sketches of the proposed development before any work on the Site Analysis commences.

It is important that after discussions with the local council have taken place the intending applicant undertakes the Site Analysis with care and sticks closely to an agreed checklist.

The detailed site analysis map of the development should include all the existing physical characteristics of the site as well as the design features which are proposed. On sites where there is a great deal of information to be shown it may be advisable to prepare two maps, one which gives the existing physical situation and a second on the same scale as an overlay which shows all the proposed design details.

An aerial photo might be considered as the base map of the physical features, while one or more overlays show the proposed development.

What factors should be considered when designing the development?

The design of the site must be considered with great care. The siting of such things as dwellings, community facilities and on-site waste disposal systems are all subject to a number of important considerations and should only be undertaken after discussion with the local council.

Some general principles to consider when designing the development are:

- Do **not** locate buildings on areas which are prime crop or pasture land, on prominent ridge lines, unstable soil or on areas subject to landslip or liable to flooding.

- Reduce the need for access tracks and service trenches by clustering dwellings and community buildings close to each other.

- Locate buildings away from watercourses and drainage lines to avoid damage to the building themselves and to any existing waterways. The necessary separation will vary according to soil and landscape factors but a 20 metre distance is seen as being good practice.

- Locate any on-site sewerage and/or wastewater system on suitable soils and on an area not subject to landslip or erosion and as far from any natural watercourse as possible.

- Locate wastewater drainage lines and absorption fields on areas not subject to landslip or erosion and as far from any

natural watercourse as possible.

- Site areas for the storage of solid waste and compost away from sight lines both on and off the property and with suitable vehicular access.

- Use vegetated buffer zones between the development and any possible conflicting adjoining land use.

- Allow for vegetated buffer strips along any watercourses or drainage lines and around natural wetlands to help reduce the entry of pollutants. Generally the wider the buffers the more effective they are at protecting the waterways from pollution.

EXAMPLE SITE ANALYSIS MAP IN HERE

C2 THE WRITTEN STATEMENT

The Written Statement provides an intending applicant with an opportunity to explain how the design of the development as shown in the site analysis relates to the physical characteristics of the site and what measures have been taken to protect the environment and mitigate harm.

All aspects of the development and the site should be discussed particularly those items which may be difficult to show on the Site Analysis map. For example, applicants should use the written statement to explain such things as the measures proposed to minimise any potential conflict between the development and adjoining land uses and the ways in which residual land is proposed to be managed.

Intending applicants are advised to consult Clause 9 and 10 of the SEPP and Section 90 of the EP&A Act for a list of items which the council must consider in assessing the DA. This list forms the basis of the Written Statement.

C2.2 THE MANAGEMENT PLAN

Under Clause 10 of SEPP 15 the intending applicant is required to submit a Management Plan for the property as part of the DA. This Management Plan comprises six separate sections:

a) Water

b) Waste Disposal

c) Soil Erosion

d) Bushfire Management

e) Vegetation

f) Maintenance of roads, access tracks and service corridors

By addressing each of the above items and establishing on-going procedures for their maintenance the Management Plan should demonstrate that the MO will continue to be managed in a way which is environmentally responsible and will mitigate harm.

(a) WATER

(i) Water Quantity

Water quantity is a critical factor in selecting a suitable site for an MO and will form an important part of the DA.

Clause 9 (1)(f) of the SEPP not only requires the availability of a water supply to the land for domestic, agricultural and fire-fighting purposes but also requires that where the supply is from a natural watercourse or reserve the effects upon others and the environment of the watercourse itself must be assessed. The Site Analysis specifically requires the applicant to give the source and capacity of any water supply.

What factors are important?

Most MO sites are located away from a town water supply and rely for their water on either a natural watercourse, dam or storage tank or a combination of them.

Access to a reliable water supply is likely to be a critical factor. The extraction of river water and groundwater and the construction of dams on watercourses is controlled by DLWC. In considering whether to approve these activities, both the

rights of existing users and the health of the aquatic environment will be considered.

The proposed water supply should be from a source which will not adversely affect other users and be:

- reliable, especially in drought.
- adequate for domestic use including all waste management schemes.
- adequate for garden, stock and crops.
- of suitable quality, especially for drinking.
- enough to provide a reserve for bushfire fighting.

It is the responsibility of the applicant to conform with any requirements and obtain any licence or permit necessary for the extraction of water from a natural watercourse. The Department of Land and Water Conservation will be able to assist in this matter as well as the design of water supply schemes.

What measures should be adopted?

Adequate dam storage can significantly reduce the need to rely on creeks, groundwater and rivers during dry spells. The stress placed on the environment by the use of water from creeks and rivers and even groundwater can be considerable and can lead to a decline in water quality and harm to the environment.

The installation of water saving devices such as dual flush toilets, and low-flow shower roses will help save tank water as well as reduce the volume of wastewater.

The adequacy and reliability of any dams supplying water to the site will need investigation to check stability, the absence of leaks and the suitability and size of the catchment area.

A dam on a watercourse (which includes any well defined drainage line) may need to be licensed and conform with DLWC specifications.

(ii) Water Quality

The quality of water available for use on a proposed MO together with the maintenance of water quality in the vicinity are important factors.

What is required?

There needs to be sufficient supplies of safe drinking water as well as water for livestock. The quality of the water available to the development is something which should be checked early in the process as many bores and wells are affected by mineral or bacterial content just as creek water may be polluted from sources upstream.

It is important to show that the development has no adverse effect upon the quality of the surface water, groundwater and natural watercourses on the site and on the local environment. This must be demonstrated in the SEE.

What conditions affect water quality?

There are a number of factors which can affect the quality of the water available on the MO site and which the applicant should address as part of overall water management for the development.

A significant reduction in the quality of water within the MO site and in the local catchment can result from:

- sustained or unnecessary soil movement. Soil disturbance increases the chance of erosion and with it the potential for the carriage of pollutants to water sources.

- roads and access tracks which are poorly located, and/or inadequately constructed and maintained. This can result in soil movement, sediment loss and a consequent deterioration of water quality.

- hard surfaces such as roofs, roads, and paths without adequate measures to contain and store the run-off. This can lead to increase in stormwater volumes which in turn can lead to soil erosion and eventual water contamination.

- inadequate on-site disposal of wastewater. Septic tank systems can fail when maintenance procedures are not followed. Polluted water can leach into groundwater and watercourses when absorption areas are located on sites where the qualities of the soil are inadequate and/or are too close to existing watercourses. An adequate separation distance from a watercourse depends on site factors such as slope, soil characteristics and flooding potential.

What measures can help?

- During construction the physical disturbance of the land through site preparation and the provision of trenches for services should be kept to a minimum. Most councils will require sediment control measures to be in place during any periods of construction and until adequate groundcover has been established.

- Roads and access tracks need to be as short as possible and located along routes which avoid steep slopes and sensitive vegetation. They must also be well constructed and adequately maintained.

- Wastewater management systems must be suitable for the development and properly maintained. Drainage lines should be located on suitable soils as far from natural watercourses and water supplies (eg bores) as possible.

- Vegetated buffer zones should be established and maintained along rivers and streams. This helps to filter sediments from surface runoff and remove pollutants particularly nutrients from groundwater. A minimum of 20 metres from either bank is recommended, but the wider the buffer zone the more effective it will be. Natural wetlands should be protected in the same way.

What are the effects of potential acid sulfate soils?

Potential acid sulfate soils are normally found in low lying, waterlogged areas near the coast. When potential acid sulfate soils are drained for agricultural use the natural

rate of oxidation is accelerated so that sulfuric acid is released. If this leaches into the catchment area of streams and other watercourses the concentrated acid affects the health of fish and other organisms. The acid also makes it extremely difficult for plants to grow. No drainage works should be carried out where there are likely to be acid sulfate soils present. Any excavation of these areas such as utility trenches, construction of water storages should also be avoided.

Potential acid sulfate soils are not always easy to recognise. The local council and the DLWC have maps which identify where there is a risk of these soils occurring. If disturbance of the soil in a risk area is unavoidable, specialist soils advice needs to be obtained from DLWC or NSW Agriculture.

For further information intending applicants are advised to consult Circular F11 - Acid Sulfate Soils available from the Department of Urban Affairs and Planning. 'Guidelines for Assessing and Managing Acid Sulphate Soils published by the EPA.

(iii) Water Management

Water Management looks at a comprehensive range of factors and procedures affecting water both on and off the property. The preparation of a water management plan for the development is recommended for which the intending applicant should:

- assess the water needs of the proposed development
- the quantity of water available to the property
- state the procedures intended to maintain and monitor water quality
- describe measures for water conservation and recycling if feasible
- assess the impact of the proposal upon the local water environment

Where is further advice available?

The Department of Land and Water Conservation can offer advice on water management and water quality in relation to particular sites.

(b) WASTEWATER MANAGEMENT

Clause 9 of the SEPP requires that adequate provision is made for waste disposal from the land.

Clause 10 of the SEPP requires that Waste Management procedures be included in the Management Plan for the development.

Efficient and appropriate management of wastewater (effluent) needs to be addressed with care. It is very important to show that land and water deterioration either through chemical or biological contamination does not occur as a result of the MO development and that this is demonstrated in the SEE.

Surface water and groundwater can be contaminated by inappropriate or inefficient wastewater management systems. The choice of a suitable system for the development, as well as the adoption of correct procedures for its use and maintenance is

required as part of the Management Plan for the MO.
The applicant must show that any intended on-site sewerage systems have been designed, installed and will be managed so that pollution does not occur and risks to public health are minimised.

The local council will need to approve the sewage and wastewater disposal system intended for the site and will require an applicant to show that any system of sewage and wastewater disposal conforms to certain design, location and management conditions. The council should be able to offer advice on these matters and will need to be consulted early in the development process.

In addition for those wastewater systems treating wastes from more than one household EPA approval and possibly a licence may be required depending upon the size of the development. This requirement falls under the Pollution Control Act (1970) Sec. 17 and the Clean Waters Regulation Cl. 11A.

(I) On -Site Wastewater Management

It is unlikely that many MO developments will be close enough to connect to existing town sewerage systems in which case an on-site wastewater management system for domestic wastewater will be necessary.

The most widely used method for on-site disposal of domestic wastewater is by septic tank and soil absorption which requires a combination of suitable landform and soil conditions. It is recommended that the design of wastewater management systems be undertaken on a site specific basis.

The use of a compost toilet is only likely to be agreed to as a temporary measure and applicants should check on the requirements with their local council.

Problems with on-site disposal methods can occur if the soil on the proposed absorption area is unable to absorb wastewater efficiently. If the soil does not have adequate water holding capacity wastewater will flow through it to pollute groundwater, lakes, swamps or streams, or to emerge as seepage on lower terrain.

Some of the factors which might be considered when choosing an appropriate location for the system are:

- The qualities of the soil including its depth to the water table.
- The proximity of watercourses and re-charge areas for aquifers.
- The area available for an absorption field.
- Seasonal variations in the level of the water table.
- Climatic influences.
- Surface run-off or seepage from higher land.

In order to ensure that an appropriate on-site wastewater system is designed and properly located it is essential that a detailed geo-technical report and soil analysis undertaken by an appropriately qualified person familiar with all the relevant guidelines. Advice about this can be obtained from the local council and Department of Land and Water Conservation.

(ii) Solid Waste Management

An MO development will produce a certain amount of solid waste (garbage) which should be managed so that detrimental effects on the environment are prevented.

Some local government areas provide a rural garbage collection service but where no such service exists the applicant should show that suitable alternative arrangements have been made. In most cases this will mean taking the solid waste either to a local waste transfer station where it can be collected by the council or directly to the council's tip.

Where it is not feasible to remove solid waste from the site an on-site waste landfill may be allowed subject to the provisions of applicable environment protection legislation. Under certain circumstances and in certain locations an on-site waste landfill may require a license under the Waste Minimisation and Management Regulations. The local council will be able to offer the relevant advice in this case.

Solid waste should be:

- minimised by introducing re-cycling measures wherever possible and all organic waste should be composted.

- stored in flyproof containers located in storage areas which avoid contamination of water sources, are not in direct view and have vehicular access.

Any hazardous agricultural, chemical or pesticide waste should be kept separate from other waste matter and disposed of with extreme care.

The Management Plan should show that the storage area and arrangements for the disposal of solid waste conform with local environmental health regulations. It is the responsibility of the applicant to conform with all the regulations concerning waste storage and disposal. In addition to the local council the following agencies may also be able to provide further information:

The Department of Land and Water Conservation
The Department of Health
The Environment Protection Authority

(c) SOIL EROSION

Soil is a vital resource and its proper management is crucial for the cultivation of groundcover, crops and the grazing of livestock. Soil erosion can occur as a result of a wide range of factors. Most usually it is because of intensive or inappropriate agricultural use or insensitive land disturbance which results in the removal of the existing ground cover.

Once soil damage occurs its correction is difficult and costly rehabilitation will be necessary. It is therefore essential that the intending applicant is familiar with the land and its susceptibility to erosion and implements a management plan which preserves the integrity of the soil.

A comprehensive soil survey and land capability assessment can identify the type and qualities of the soil on the site and is therefore essential. This information can help determine which protective measures the land requires to prevent soil degradation and erosion. It is also necessary in determining the appropriate location for dwellings and suitable areas for on-site wastewater disposal systems. The DLWC may have useful information about the soil on the development site and should be consulted.

What factors can cause soil erosion?

- The disruption caused during the construction of dwellings and the creation of service trenches can have a drastic effect upon the soil. By de-stabilising the soil it becomes susceptible to the effects of uncontrolled stormwater run-off which in turn can lead to the pollution of ground and surface water.

- Roads and access tracks can greatly contribute to soil erosion by destroying ground cover and concentrating runoff thus causing unstable sections to develop and increasing the chances of soil and pollutants being carried to nearby watercourses.

- Frequent tillage of the soil can break down the soil structure reducing its ability to absorb rain and increasing the chances of significant erosion through runoff.

- The cultivation of sloping land makes it particularly susceptible to soil erosion especially during periods of heavy rainfall.

- Over-grazing due to concentrations of livestock can drastically reduce ground cover.

What are some of the preventative measures?

- Where possible, construction work should be undertaken at the time of year when heavy rainfall is least likely. It should be kept to a minimum and completed without undue delay. All soil disturbed by construction work or trenching should be returned to a stable contour and a good groundcover of grass or mulch should be established as soon as practical.

- Sediment control measures should be in place during any periods of construction and maintained until the soil surface is protected by groundcover.

- Disturbed areas should be checked following periods of heavy rainfall and any problem areas should be treated immediately.

- The clustering of dwellings is one way of minimising unnecessary service trenches.

- Reduced tillage especially during the months of greatest rainfall helps to control soil erosion and is recommended.

- Effectively managing livestock, including reducing stock numbers during drought. Watercourses should be fenced off, with controlled access for watering or off stream watering points.

Further information can be obtained from the Department of Land and Water Conservation.

(d) BUSHFIRE MANAGEMENT

Poorly managed and neglected MO developments can create serious bushfire hazards and constitute a significant danger both to their occupants and to neighbours.

Under Section 90 (1) (s) of the EP&A Act the council as the consent authority is required to refer to the document 'Planning for Bushfire Protection' issued by the NSW Bush Fire Service in considering the DA. This is a comprehensive guide and intending applicants are also advised to consult it before embarking upon site and building design and before preparing plans for bushfire management.

Clause 9 (1) (k) of the SEPP requires the council to consider whether the land is subject to bushfires and if so the adequacy of any measures proposed to protect occupants, buildings, internal access roads, service installations and land adjoining the development.

Bushfire management is required under Clause 10 of the SEPP and must be prepared and submitted as part of the Management Plan for the MO development site.

Before preparing a site design intending applicants are also advised to contact the Fire officer at their local council who may have further information about local conditions and advice about preparing a comprehensive Bushfire Management Plan. Assistance in the preparation of such a plan may also be obtained from the Local Bush Fire Brigade and the NSW Bush Fire Service.

What are some of the preventative measures?

- Ensuring the adequate storage of water for fire fighting purposes where no permanent pools exist in adjoining watercourses or where such pools are insufficient in quantity.
- Creating fire protection breaks around each building on the site and keeping them free of flammable material.
- Adopting a site design which incorporates bushfire preventative measures.
- Providing suitable access and egress for emergency vehicles.
- Designing and constructing buildings which incorporate bushfire protection measures and fire retarding materials.
- Using appropriate vegetation planting strategies particularly fire retarding species.
- Maintaining adequate fire fighting strategies in conjunction with local fire brigades, the local council's Fire Officer and neighbours.
- Adopting comprehensive maintenance procedures such as removing flammable material from around the buildings, removing branches from overhanging roofs, keeping gutters cleaned out, keeping grass mown close to buildings, fuel storage areas and haystacks.

Further information can be obtained from:

- Local Bush Fire Brigade
- NSW Bush Fire Service
- State Forests of NSW
- The National Parks and Wildlife Service

(e) VEGETATION MANAGEMENT

The management of vegetation on the development provides an opportunity not only for the preservation of endangered flora and fauna species but also the restoration of degraded lands and this part of the Management Plan should include a section which details the measures proposed for such programmes.

(i) Endangered Plant Species

Care must be taken with vegetation communities on the site and their conservation status at a regional and state level including any rare and endangered Australian plant species and any species populations or ecological communities listed under Schedules 1 or 2 of the Threatened Species Act 1995.

(ii) Noxious Weeds

The procedures intended for the on-going eradication of noxious weeds should be part of the Management Plan for the site.

The encroachment of noxious weeds from an MO development can have a highly detrimental effect on the local eco-system affecting valuable native vegetation and species of wildlife as well as any adjacent agriculture. All intending applicants should therefore be aware of their obligations to control noxious weeds on the MO site.

There are four categories of noxious weeds of which Category 1 is notifiable to the Local Control Authority. Such weeds should be fully and continuously suppressed and destroyed. Occupiers may also be responsible for the control of noxious weeds in a river or watercourse adjoining their property and penalties exist for those who fail to exercise their responsibilities.

What related factors are important?

Improperly managed MO developments have the potential to compromise important existing vegetation and wildlife habitats. When drawing up plans for the control of noxious weeds intending applicants should also give some consideration to the following:

- the most appropriate areas to be cleared, if any.
- the most appropriate crops and methods of cultivation for the site, including the location and composition of buffer zones.
- the measures necessary to rehabilitate or reafforest degraded areas.
- the measures necessary to maintain the environment of any protected native plants and/or wildlife on or adjacent to the site.

Where is further advice available?

Further information concerning the identification of noxious weeds and advice about eradication measures can be obtained from any of the Noxious Plants Advisory Committees which exist throughout the State.

(f) ACCESS ROADS, TRACKS and SERVICE CORRIDORS

Clause 10 of the SEPP requires the Management Plan for the development to detail the location, construction and maintenance of all

roads, access tracks and service corridors on the property.

Poorly constructed and inadequately maintained access roads and tracks can lead to serious soil erosion and contribute to inferior water quality and the sedimentation of streams. Service corridors which have been poorly located and inadequately constructed create similar erosion problems. Consideration of erosion control measures at the planning and construction stage will reduce the cost and increase the effectiveness of maintenance procedures.

Access routes need to be well constructed, stable and trafficable in all weather conditions. They should not be located on steep slopes, on areas subject to mass movement or subject to seasonally high water tables.

Some of the factors which need to be considered are:

- Construct access routes to include effective surface drainage. Provide a slight grade to allow free surface drainage and to avoid ponding in wheel tracks.

- Access tracks should be located to minimise stream crossings and avoid encroaching on stream banks. Any crossing of a creek or active drainage line should be a properly designed ford, culvert or bridge constructed at right angles to the channel.

- Locate tracks so as to reduce the risk of sediment entering drainage lines
- Limit soil and vegetation disturbance during construction.

- Undertake regular maintenance especially in the early years after construction to ensure effective erosion control and track stability.

- Inspect all tracks and roads annually and following any heavy usage or exceptionally heavy rainfall to determine maintenance requirements.

- Reduce unnecessarily lengthy service corridors wherever possible and undertake construction with sediment control measures in place and with minimum disruption of soil and vegetation.

Where is further advice available?

Further advice about the design, construction and maintenance of roads and access tracks on the MO site can be obtained from the DLWC. The Department can also advise on permits for stream crossings and tree clearing. The local council may also be able to offer useful advice.

CONCLUSION

These Guidelines have been designed to give an intending applicant an introduction to the principal environmental issues relating to Multiple Occupancy. They are not exhaustive and intending applicants should thoroughly discuss the DA process with their local council to determine which issues require particular attention according to local circumstances

Schedule 3 Site Analysis

(Clause 9 (2) (a))

The following information, where appropriate, is to be shown in a site analysis.

(*suggested additional items)

With regard to the physical characteristics of the site:

- site dimensions and site area,
- spot levels, contours and north point,
- watercourses and groundwater resources,
- natural drainage,
- any part of the land that is subject to a risk of flooding, bushfire, landslip, erosion (or areas with potential acid sulfate soils*) or any other physical constraint to development of the land in accordance with this policy,
- soil types and qualities and where relevant the geology of the site*,
- identification of previous use and any contaminated soils or filled areas,
- any part of the land that is prime crop and pasture land,
- areas of existing or proposed agricultural use*,
- vegetated areas requiring environmental protection or areas where rehabilitation or reafforestation will be carried out,
- prevailing winds
- orientation, micro-climates, significant noise sources,
- location of fences, boundaries and any other notable features (natural or historical),
- views to and from the site,
- heritage features including archaeology,
- location of known resources of mineral or extractive deposits on or adjacent to the proposed development*,
- relevant information about the land uses on surrounding land*.
- Aboriginal sites and places of Aboriginal significanse to the Aboriginal community*.

With regard to the development details of the site:

- location of buildings and other structures,
- indicative footprints of the proposed buildings,
- any areas of the land to be used for development other than for dwellings,
- proposed access from a public road to the area or areas in which the dwellings are to be situated, (plus other tracks necessary for agricultural use, firefighting or property maintenance and any tracks which cross Crown land or watercourses*),
- easements for drainage services,
- source and capacity of any water supply, electricity, telephone and waste disposal systems for the dwellings, *plus strategies for dealing with domestic wastewater.
- measures aimed at preventing the spread of bushfire*.

With regard to the land surrounding the site:

- heritage significanse of surrounding buildings and landscape,
- characteristics of any adjacent public land,
- directions and distances to local shops, schools, public transport, parks and community facilities.

1996

DEPARTMENT OF URBAN AFFAIRS AND PLANNING

Governor Macquarie Tower, 1 Farrer Place, Sydney. 2000.
Box 3927 GPO Sydney 2001. DX 15 Sydney
Telephone: (02)9391 2000 Fax: (02) 9391 2111.

CIRCULAR NO. B11

Issued
18 December, 1996

All Councils

DRAFT STATE ENVIRONMENTAL PLANNING POLICY NO. 15 MULTIPLE OCCUPANCY ON RURAL LANDS

INTRODUCTION

Draft State Environmental Planning Policy No 15- Multiple Occupancy on Rural Lands (SEPP 15) has been prepared under the Environmental Planning and Assessment Act, 1979 (the EP&A Act). The aim is to implement the Government's policy to reintroduce SEPP 15, to enable multiple occupancy development. The draft SEPP 15 is on public exhibition and comments are invited on the policy.

BACKGROUND

The previous SEPP 15 was repealed on 1 December, 1994. This was achieved by SEPP 42 - Multiple Occupancy of Rural Land (Repeal). The control of multiple occupancy was then a matter for local government. Local government has not generally made provisions for multiple occupancy. Now it is proposed that SEPP 15 be reintroduced. As part of the process of reintroduction, the policy is being placed on public exhibition, substantially unaltered from the previous SEPP 15 policy.

Contact: Planning Systems Management Branch

Our reference: S95/00998

THE DRAFT POLICY

The policy was originally introduced on 22 January, 1988 to allow a number of dwellings to be built on a single rural or non urban holding held in collective ownership. The draft SEPP retains the provisions of the previous policy. There are some minor amendments to the policy, designed to improve the location of multiple occupancy housing, and better manage the environmental impacts and address state and local concerns about the hazards of bushfires. Briefly the amendments are:

- a requirement for the applicant for a multiple occupancy to provide a comprehensive site analysis which includes, among other matters, contour maps, the location of all dwellings and any other development, the location of watercourses, natural drainage, internal roads and the sources and capacity of any water supply,

- the applicant will need to submit a management plan for the development that makes adequate provision for bushfire management, the control of noxious weeds and the provision and maintenance of internal roads, water reticulation, and service corridors,

- the addition to the Matters for Council to Consider of the need for separation and buffers to avoid land use conflicts,

- there are some additions to Schedule 2 of the Policy, Specified land to which the policy does not apply,

- changes of layout, minor changes to wording and the updating of references.

It is intended to produce Guidelines on the implementation of SEPP 15 to address issues such as waste management, water quality, water sharing and the issue of land use conflicts. The Guidelines will be prepared in consultation with councils, user groups, the National Parks and Wildlife Service, the Environment Protection Authority, the NSW Agriculture and the Department of Land and Water Conservation.

PUBLIC PARTICIPATION

The draft SEPP is on public exhibition from 18 December, 1996 to 14 March, 1997. Advertisements have been placed in a major State wide newspaper, and local papers advising of the exhibition and seeking submissions.

Submissions are invited and should be forwarded to:

The Manager
Planning and Design Branch
Department of Urban Affairs and Planning
Box 3927 G P O
SYDNEY NSW 2001

Submissions will be accepted up until 14 March, 1997.

WHERE TO OBTAIN INFORMATION

Additional copies of the draft SEPP and supporting material can be obtained from the offices of the Department of Urban Affairs and Planning:

Head Office Information Centre
Ground level, Governor Macquarie Tower
Corner Phillip and Bent Streets SYDNEY
Ph: (02) 9391 2222 Fax (02) 9391 2333

Hunter/Central Coast Region
Level 4, 251 Wharf Road, NEWCASTLE
Ph: (049) 262566 Fax: (049) 26 1529

Illawarra/Macarthur Region
Level 1, 48 Crown Street, WOLLONGONG
Ph: (042)26 8120 Fax: (042) 26 8127

Northern Region
49 Victoria Street, GRAFTON
Ph: (066) 42 0622 Fax: (066) 42 0640

Southern and Western District Office
32 Lowe Street, QUEANBEYAN
Ph: (06)297 6911 Fax: (06) 297 9505

Sydney South Region
23-25 Frederick Street, ROCKDALE
Ph: (02) 9597 1233 Fax (02) 9597 6096

Sydney West Region
10 Valentine Avenue, PARRAMATTA
Ph: (02) 9895 7633 Fax (02) 9891 3965

Should you require any further information about the exhibition of the draft SEPP 15 - Multiple Occupancy on Rural Lands, you can contact the Regional Manager at any of the above offices of the Department or contact the Planning and Design Branch on (02) 9391 2249.

Terry Robins
Acting Secretary

Guidelines

Submission on
Note on Guidelines:
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~~additional ... ...~~
~~before ... ...~~

which the Policy
require to be considered is in fact present in the DA + if not, or is inadequately described, seek that additional info the ... before consideration.

DEPARTMENT OF PLANNING

Remington Centre, 175 Liverpool Street Sydney 2000
Box 3927 GPO Box Sydney 2001. DX 15 Sydney.
Telephone: (02) 391 2000 Fax: (02) 391 2111

CIRCULAR NO. B11
(Former DEP circular
Nos. 144 and 150)

19 December 1990

All City, Municipal and Shire Councils

STATE ENVIRONMENTAL PLANNING POLICY NO. 15 MULTIPLE OCCUPANCY OF RURAL LAND INCORPORATING AMENDMENT NO. 1

Introduction

This policy was gazetted on 22 January 1988 to allow a number of dwellings to be built on a single rural or non-urban holding held in collective ownership.

2. Amendment No. 1 to the policy was gazetted on 23 November 1990 to incorporate changes considered appropriate in the light of experience with the policy's operation. The amendments are detailed later in the circular, as are minor amendments made by three local environmental plans gazetted up to the date of this circular.

3. The commencement of clauses 7(b) and 7(c) of Amendment No. 1 is delayed until 23 January 1991 to allow councils time to adjust to the changes introduced and the requirement to include advice on section 149 certificates in accordance with the attached Ministerial notification. From 23 January 1991, this circular supersedes all previous advice.

What is multiple occupancy?

4. Multiple occupancy is a type of rural development where a group of people, not necessarily related to each other, live on a single property in several dwellings.

5. These people usually have the desire to:

* live as a community and build a number of dwellings in a rural setting on unsubdivided land as their main place of residence;
* manage the land for communal purposes in an environmentally sensitive way; and
* pool their resources to develop communal rural living opportunities.

■ Contact: Research Branch

■ Our reference: 83/10203/7

6. Farming is not necessarily intended as the primary source of income.

7. Various forms of legal organisation are possible. However, subdivision of the land, including strata subdivision under the *Strata Titles Act 1973*, or subdivision under the community titles legislation which was introduced in NSW on 1 August 1990, is not. Legal titles giving separate entitlement to a small part of the land plus the sharing of common land have been shown to be a form of subdivision and are prohibited under the multiple occupancy policy.

8. Multiple occupancy entails the sharing of the land and communal ownership of the whole land-holding. People, often on low incomes, may either pool their resources to purchase land collectively or purchase a share in an existing community. They may seek approval from the local council to build and/or occupy either a dwelling or part of an expanded house. This form of community rural lifestyle can be achieved and sustained at a much lower cost than separate, conventional urban or rural residential situations. It is the rural equivalent of people sharing a house in an urban area.

Where does the multiple occupancy policy apply?

9. The policy applies to many local government areas in the coastal and tablelands parts of New South Wales, but it excludes the Newcastle, Sydney and Wollongong areas and the ACT and Kosciusko subregions. The municipalities and shires where it applies are listed in Schedule 1 to the policy.

10. Multiple occupancy is excluded from national parks, nature reserves, areas zoned for environment protection and coastal protection, and areas where more than 80 per cent of the land has slopes in excess of 18 degrees. A range of environmentally-related criteria must be met before development approval can be granted under the policy.

11. Multiple occupancy is also not permitted on prime crop and pasture land, and the development must be designed to minimise impact on existing agriculture. Furthermore, multiple occupancy cannot be approved on blocks where more than 25 per cent of the land is prime crop and pasture land.

What area of land is needed for multiple occupancy?

12. The minimum area for a multiple occupancy approval under State Environmental Planning Policy No. 15 is ten hectares. A formula determines the number of dwellings permissible. On ten hectares, four dwellings are allowed; on 200 hectares, 51 are possible; and a maximum of 80 dwellings are possible on blocks of 360 hectares or more.

13. Multiple occupancies on smaller blocks may be allowed, provided there are good planning grounds for such approval.

Types of housing on multiple occupancy properties

14. Housing arrangements on multiple occupancy properties vary from dispersed single-family dwellings to clusters of expanded houses where groups of buildings function as a dwelling-house, with shared facilities such as kitchens and bathrooms (figure 1).

15. 'Clustered' and 'dispersed' settlements are two forms of development (figure 2). The clustered form is generally preferred because it minimises the impact of development and construction, facilitates a single services corridor and encourages community living.

Non-residential development

16. Under the multiple occupancy policy, schools, community facilities and workshops could also be permitted as long as they are intended primarily to serve the needs of people living on the land and are minor in scale.

Existing developments

17. Some existing multiple occupancy-style developments have been created without development consent. Often they have been in areas where there were no local planning controls to deal with multiple occupancy. Some of these developments may not meet all the conditions laid down in the policy. The Department of Planning is available to advise both people in this situation and local councils to help them to comply with planning provisions.

How to apply for multiple occupancy

18. People interested in multiple occupancy should make a development application to their local council. The council may approve the proposal, subject to it meeting the planning provisions specified in the policy and being in an appropriately zoned area.

19. When more than four dwellings are intended, a map showing the characteristics of the land and the proposed development must be included. In these cases, the council will advertise the proposal for public comment before determining the application.

20. If the property consists of several parcels of land, these should be consolidated when the development application is made.

Amendment No. 1

21. Five amendments are made to SEPP No. 15 under Amendment No. 1:

(1) the minimum number of dwellings permitted is raised from two to three. This prevents the unintended use of the policy to allow detached dual occupancies in rural areas;

(2) tourist development in the form of multiple occupancy becomes permissible on land covered by the policy where tourist development is already

permissible in the zone under the provisions of another environmental planning instrument;

(3) Cowra Shire Council is added to the schedule of councils included in the policy (Schedule 1) while Eurobodalla Shire Council is excluded from the policy with the exception of the Deua Valley;

(4) clarification is given that the policy does not repeal the multiple occupancy clause (viz. clause 29) of Hastings Local Environmental Plan 1987;

(5) references to repealed environmental planning instruments are omitted from Schedule 3 to the policy.

22. The increase to three for the minimum number of dwellings permitted in a multiple occupancy development is intended to reinforce use of the policy to promote farming and rural land uses generally. The original intention of the policy was not to allow detached dual occupancy such as would be found in urban areas. This latter type of development relies on the existing availability of physical infrastructure and community services.

23. Multiple occupancy in the form of tourist development of any particular type is no longer prohibited under the policy in a zone where that type of tourist development is permissible under another planning instrument. It is anticipated this change will have economic benefits through the generation of additional income from some multiple occupancy developments.

24. Cowra Shire Council is added to the schedule of councils to which the policy applies. The council made a written request for its inclusion. Eurobodalla Shire Council, upon its request, has been excluded from the policy with the exception of Deua Valley. Eurobodalla Rural LEP 1987 continues to provide scope for multiple occupancy within the Rural 1(c) Zone within Eurobodalla Shire.

25. SEPP No. 15 was previously amended by Nambucca LEP (1986) (Amendment No. 8), Wingecarribee LEP 1989 and Hastings LEP 1987 (Amendment No. 10) to exclude respectively Nambucca, Wingecarribee and Hastings Shires from operation of the policy. As a result of amendments, these three shires no longer appear in Schedule 1 to the policy. Schedule 3 has also been updated so that it does not include repealed planning provisions. Each of the three councils now has its own LEP provisions for multiple occupancy.

26. Attached are copies of:

* explanatory notes on the contents of the policy as amended;

* the Minister's notification of advice to be included with respect to the policy in a certificate issued under section 149(2) of the *Environmental Planning and Assessment Act 1979*;

* notes on and a copy of the Minister's revocation of a Direction by the former Minister for Environment and Planning which had limited contributions for

services and community facilities in a multiple occupancy development to a set figure per dwelling;

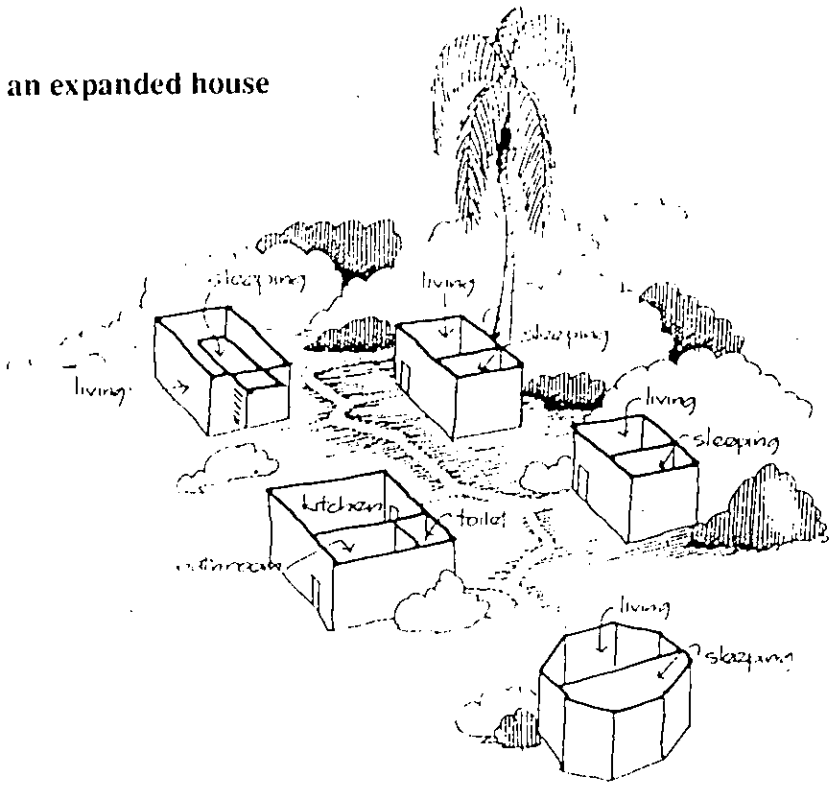
* the amended *SEPP No. 15: Multiple Occupancy of Rural Land*;

* a copy of *SEPP No. 15: Multiple Occupancy of Rural Land (Amendment No. 1)*.

27. Councils should note clause 2(2) of Amendment No. 1 which delays the commencement of clauses 7(b) and (c) of the amendment until two months after the date of its gazettal. This will provide councils with time to adjust to the altered provisions for minimum number of dwellings and tourist development.

28. Any enquiries on SEPP No. 15: Multiple Occupancy of Rural Land (Amendment No. 1) should be addressed to the department's Research Branch or the appropriate regional office.

Figure 1: an expanded house



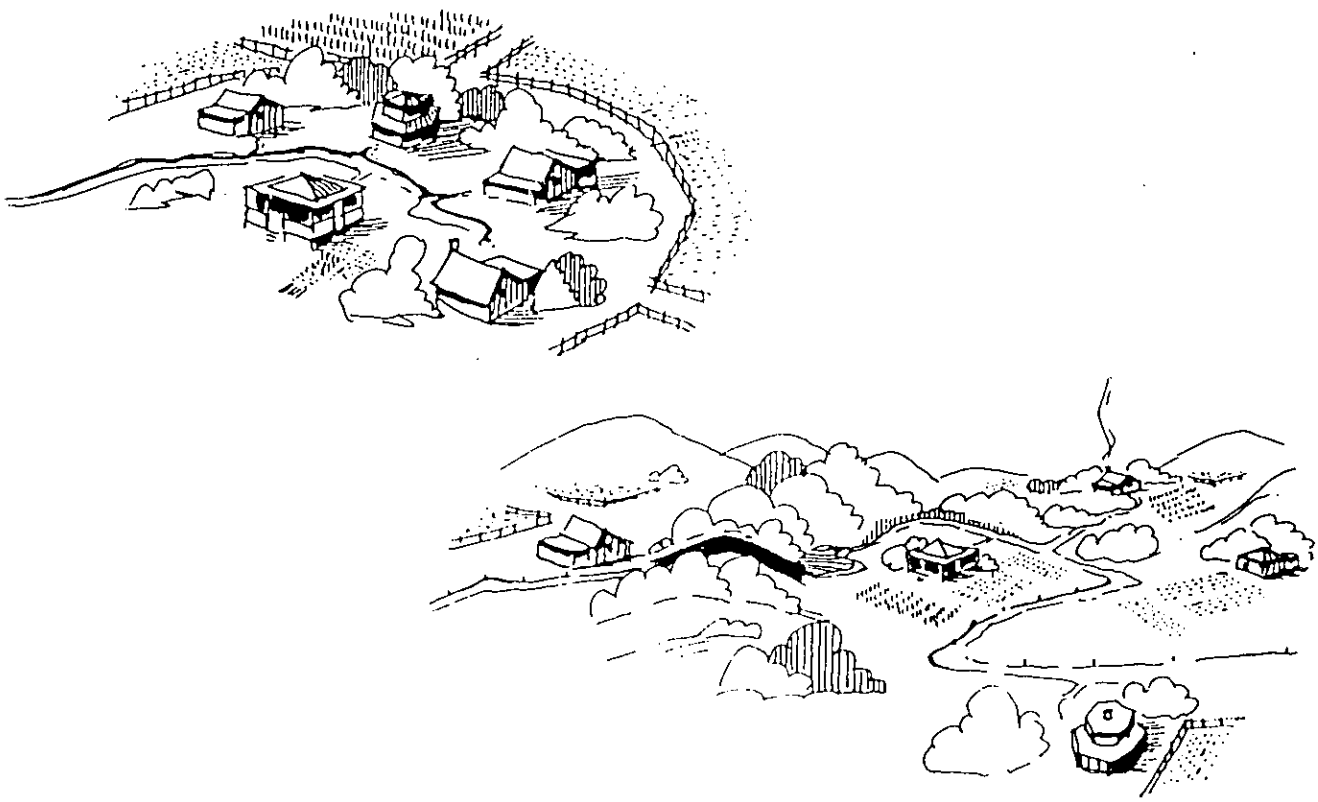


Figure 2: clustered and dispersed development

CONTENTS OF THE POLICY

Clause 1 gives the name of the policy.

Clause 2 states the aims and objectives of the policy.

Clause 3 defines specific local government areas to which the policy applies. These are listed in Schedule 1. Clause 8(1) limits the applicability of the policy within those areas to rural and non-urban zones. Schedule 2 details lands in rural areas to which the policy does not apply, such as national parks, State forests and scenic protection areas.

Clause 4 deletes multiple occupancy provisions in local environmental planning instruments existing at the date this policy came into effect. This avoids confusion between SEPP No. 15 and any local environmental planning instrument which contained multiple occupancy provisions prior to this policy.

Clause 5 defines the terms used in the policy. Note the definition of 'dwelling' allows the concept of expanded dwelling-houses. These are intended to meet the needs of people, not necessarily related, who wish to live as a single household, but in two or more separate structures with shared facilities. This concept is more specifically stated in clause 5(2).

Clause 6 states the relationship of this policy to other planning instruments. SEPP No. 15 prevails in the event of an inconsistency between it and any other instrument. The date of the making of another instrument does not affect the interpretation of this clause.

Clause 7 subclause (1) provides that multiple occupancy is a development requiring the council's consent for three or more dwellings on any rural or non-urban land to which this policy applies. However, before a council may consent to a multiple occupancy development, it must ensure that certain conditions are met. These conditions are clearly stated in clause 7(1)(a) to (h).

Subclause (2) states that this policy allows a development application to be made even though it may be prohibited under another planning instrument, including any local environmental plan. It is an elaboration of clause 4.

Subclause (3) refers to the condition in 7(1)(b) that land which is the subject of a multiple occupancy development application must be at least ten hectares in area. Subclause (3) recognises that in most local environmental planning instruments the minimum area for subdivision is more than ten hectares. It ensures that a subdivision that would otherwise be illegal under a planning instrument cannot be carried out through the use of this policy.

State Environmental Planning Policy No 15

Multiple Occupancy

under the

Environmental Planning and Assessment Act 1979

KEY ISSUES

- What a Multiple Occupancy is and what conditions apply
- Multiple occupancy and the Development Application process
- The Statement of Environmental Effects
- The Site Analysis
- The Written Statement
- The Management Plan

DRAFT GUIDELINES

What are some of the key environmental factors?

Department of Urban Affairs and Planning
1997

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PART B MAKING A MULTIPLE OCCUPANCY DA

PART C THE STATEMENT OF ENVIRONMENTAL EFFECTS

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C 2 THE WRITTEN STATEMENT

C 2.2 THE MANAGEMENT PLAN

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(ii) Water Quality

(iii) Water Management

(b) WASTE MANAGEMENT

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(ii) Solid Waste

(c) SOIL EROSION

(d) BUSHFIRE MANAGEMENT

(e)VEGETATION MANAGEMENT

(i) Endangered Plant Species

(ii) Noxious Weeds

(f) ACCESS ROADS, TRACKS and SERVICE CORRIDORS

State Environmental Planning Policy (SEPP) 15
Multiple Occupancy of Rural Land

GUIDELINES

These Guidelines accompany SEPP 15 to assist people intending to make a development application for a Multiple Occupancy.

The Guidelines explain the objectives of SEPP 15 and provide guidance on the management of some key environmental factors which a local council, as the consent authority, is likely to take into account when making a decision on a Multiple Occupancy development application.

The Guidelines are divided into three parts:

Part A - Explains what a Multiple Occupancy is and what conditions apply.

Part B - Explains the Development Application process as it applies to Multiple Occupancy developments

Part C - Discusses the required Statement of Environmental Effects and the environmental issues which must be addressed in a written statement for the development.

SEPP 15 is published in the Appendix to these Guidelines and further copies can be obtained from your local council or from any office of the NSW Department of Urban Affairs and Planning.

PART A
WHAT IS MULTIPLE OCCUPANCY?

Multiple Occupancy (MO) is a type of rural development where a group of people, not necessarily related to each other, live on a single property in several dwellings and own and manage the property on a common basis.

What locational criteria must a Multiple Occupancy satisfy?

A suitable site for a Multiple Occupancy must satisfy several criteria before a council can consider a development application (DA). The site must be zoned rural or non-urban and must be and remain a single allotment. In addition the site must conform to a number of physical requirements some of which are listed below.

- The area of the site must be not less than 10 hectares.
- Prime crop and pasture land must not cover more than 25 percent of the site
- Slopes in excess of 18 degrees do not occur on more than 80 percent of the land.

For a full list of requirements see SEPP 15 Clause 7

Where does the SEPP apply?

The SEPP applies to the local government areas listed in Schedule 1 of the policy It does not apply to certain lands listed in Schedule 2.

What are the objectives of SEPP 15?

SEPP 15 aims to encourage a community based and environmentally sensitive approach to rural settlement, and to enable people:

- to live as a community and build a number of dwellings in a rural setting on undivided land, preferably in a clustered pattern, as their main place of residence
- to manage the land for communal purposes in a way that both protects the environment and does not create a demand for the unreasonable or uneconomic provision of services.
- to pool their resources to develop low cost affordable rural living opportunities.

What factors should be considered when choosing an MO site?

By selecting a site where the environmental risks are low, the costs of environmental management strategies can be minimised and the level of public concern and potential for delays in the approval process can be reduced.

For example, careful consideration needs to be given if development sites are chosen in or near:

- natural waterbodies, sensitive wetlands, including lakes, rivers and creeks, flood prone land, drinking water catchments, aquifer re-charge areas, groundwater recharge areas or areas where the watertable is high.
- areas with problems of contaminated soils or where the soil has salinity or acidity problems
- where there is highly erodible soil, or where there have been slips or subsidence.
- where there are known mineral deposits or locally important sources of extractive minerals (eg sand and gravel).
- areas which are bushfire prone.
- where there are habitats of threatened species, populations and ecological communities.
- where there are Aboriginal relics or sites
- where there are areas protected for their high conservation, recreational, aesthetic or scenic value

What are some of the characteristics an MO site should possess?

- structurally stable sub-soils for building support and suitable soil at a reasonable distance from house sites for wastewater disposal.
- a water supply which is capable of meeting the minimum needs of the development.
- sufficient land to allow for a vegetated buffer zone between areas of development (including septic and stormwater drainage disposal

areas) and any natural watercourses

- Areas of cleared land for siting houses and other buildings with adequate separation from adjacent agricultural activities

- low visual impact sites for houses and other buildings

PART B
MAKING A MULTIPLE OCCUPANCY DA

Under the terms of SEPP 15 a Multiple Occupancy proposal requires development consent and so a development application made to the local council will be necessary. For detailed advice about the DA process intending MO applicants are advised to consult the document 'Lodging a Development Application' published by the Department of Urban Affairs and Planning. The local council may also have a similar publication which can give advice from a local perspective.

How will the DA be assessed?

In assessing a Multiple Occupancy DA the council will decide if the site is suitable for the intended types, pattern and intensity of the use. In making this assessment the council must consider:

- Section 90 of the Environmental Planning and Assessment Act (EP &A Act) 1979 (See Clause 65 of the Regulations)

- The specific requirements of Clause 9 and 10 of SEPP 15

- Other relevant legislation such as the Threatened Species Conservation Act 1995

It is important that the intending applicant is familiar with all these requirements as they will guide the preparation of the DA.

Do local conditions make a difference?

Environmental and social factors can vary from one part of the State to another and the DA should reflect these local conditions. It is important to meet with the local council before work on the DA commences to determine exactly what factors are of local significance

Good communication between applicants and council can result in a well prepared DA with increased chances of gaining consent.

The council can advise prospective applicants about the type and level of technical detail required It may also be able to provide valuable information about the development site as well as offer expertise in a range of technical areas. If the council is unable to provide technical data or assistance it will be able to suggest other sources

As well as development consent, most MO's will require other licences and permits for particular aspects, such as creek crossings and water supply bores. It is the applicant's responsibility to get the necessary approvals, but the local council should be able to advise which government departments need to be consulted

A range of useful information for the preparation of the DA may also be obtained from:

The Department of Agriculture, the Department of Land and Water Conservation (DLWC), the National Parks and Wildlife Service (NPWS), the Environment Protection Authority(EPA), the Department of Mineral Resources.

PART C
THE STATEMENT OF ENVIRONMENTAL EFFECTS

The EP and A Act 1979 requires most DA's to include a Statement of Environmental Effects (SEE). An SEE must provide sufficient information to identify any potential impacts the development may have upon the physical and social environment. It should also set out what steps have been taken to protect the environment and to mitigate harm on the site and on its immediate surroundings.

Further advice about how to prepare an SEE can be obtained from the 'Best Practice Note' issued by the NSW Department of Planning and Urban Affairs.

SEPP 15 specifically requires the intending applicant to prepare and submit two separate documents which will form part of the SEE They are

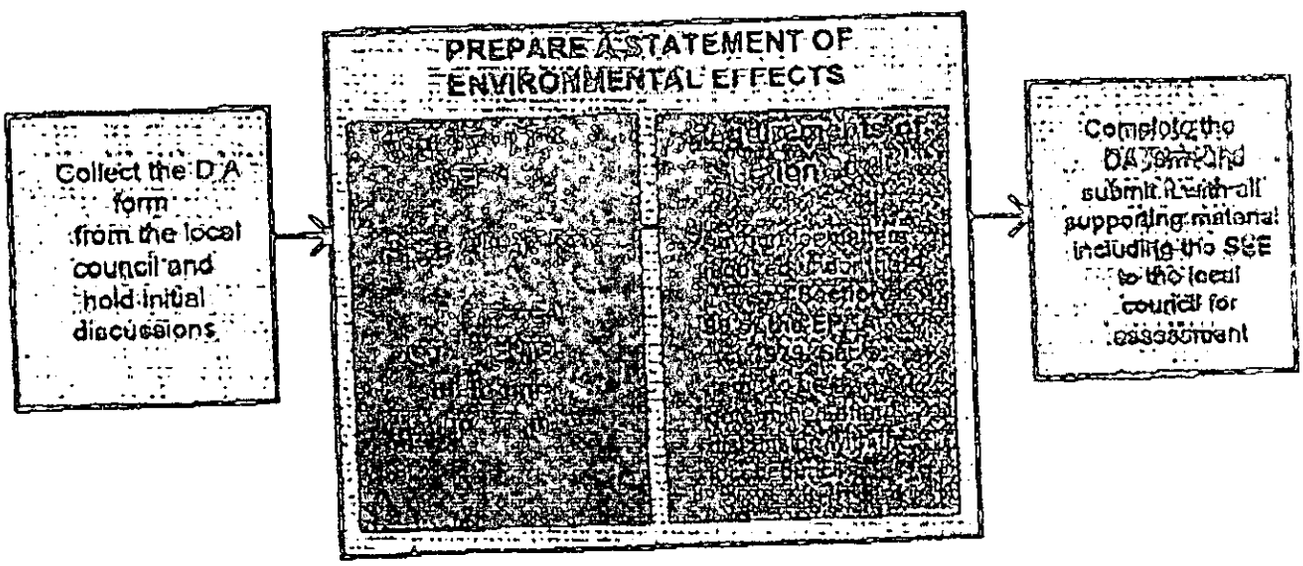
- A Site Analysis in the form of a map of the development site showing all the natural characteristics of the property as well as the design of the development.

- A Written Statement which explains the relationship between the site analysis and the design of the development It should also explain the environmental measures taken to mitigate the impact of the MO development upon the environment.

- An important part of the Written Statement is a Management Plan for the development site which states the on-going procedures intended to ensure the good management of:

  - Water
  - Waste Disposal
  - Soil Erosion
  - Bushfires
  - Vegetation
  - Maintenance of roads, access tracks and service corridors

Diagram 1
The DA Process for an MO site



C.1 THE SITE ANALYSIS

The preparation of a Site Analysis is the first step in the process leading to a complete SEF and takes the form of a detailed map. It is also an opportunity for the applicant to gain a thorough understanding of the property

When assessing the DA the local council is required to consider a wide range of factors listed in detail in Clause 9 of the SEPP. Schedule 3 lists the information which is to be shown in the site analysis.

The level of detail required for each of the listed items will largely be determined by the local council Intending applicants should liaise with the council to discuss this as early as possible. It may be advisable at this stage to prepare some basic sketches of the proposed development before any work on the Site Analysis commences.

It is important that after discussions with the local council have taken place the intending applicant undertakes the Site Analysis with care and sticks closely to an agreed checklist.

The detailed site analysis map of the development should include all the existing physical characteristics of the site as well as the design features which are proposed On sites where there is a great deal of information to be shown it may be advisable to prepare two maps, one which gives the existing physical situation and a second on the same scale as an overlay which shows all the proposed design details.

An aerial photo might be considered as the base map of the physical features, while one or more overlays show the proposed development.

What factors should be considered when designing the development?

The design of the site must be considered with great care. The siting of such things as dwellings, community facilities and on-site waste disposal systems are all subject to a number of important considerations and should only be undertaken after discussion with the local council

Some general principles to consider when designing the development are

- Do not locate buildings on areas which are prime crop or pasture land on prominent ridge lines, unstable soil or on areas subject to landslip or liable to flooding.

- Reduce the need for access tracks and service trenches by clustering dwellings and community buildings close to each other.

- Locate buildings away from watercourses and drainage lines to avoid damage to the building themselves and to any existing waterways. The necessary separation will vary according to soil and landscape factors but a 20 metre distance is seen as being good practice.

- Locate any on-site sewerage and/or wastewater system on suitable soils and on an area not subject to landslip or erosion and as far from any natural watercourse as possible

- Locate wastewater drainage lines and absorption fields on areas not subject to landslip or erosion and as far from any

natural watercourse as possible.

- Site areas for the storage of solid waste and compost away from sight lines both on and off the property and with suitable vehicular access.

- Use vegetated buffer zones between the development and any possible conflicting adjoining land use.

- Allow for vegetated buffer strips along any watercourses or drainage lines and around natural wetlands to help reduce the entry of pollutants. Generally the wider the buffers the more effective they are at protecting the waterways from pollution.

EXAMPLE SITE ANALYSIS MAP IN HERE

C2 THE WRITTEN STATEMENT

The Written Statement provides an intending applicant with an opportunity to explain how the design of the development as shown in the site analysis relates to the physical characteristics of the site and what measures have been taken to protect the environment and mitigate harm.

All aspects of the development and the site should be discussed particularly those items which may be difficult to show on the Site Analysis map. For example, applicants should use the written statement to explain such things as the measures proposed to minimise any potential conflict between the development and adjoining land uses and the ways in which residual land is proposed to be managed.

Intending applicants are advised to consult Clause 9 and 10 of the SEPP and Section 90 of the EP&A Act for a list of items which the council must consider in assessing the DA. This list forms the basis of the Written Statement.

C2.2 THE MANAGEMENT PLAN

Under Clause 10 of SEPP 15 the intending applicant is required to submit a Management Plan for the property as part of the DA. This Management Plan comprises six separate sections:

a) Water

b) Waste Disposal

c) Soil Erosion

d) Bushfire Management

e) Vegetation

f) Maintenance of roads, access tracks and service corridors

By addressing each of the above items and establishing on-going procedures for their maintenance the Management Plan should demonstrate that the MO will continue to be managed in a way which is environmentally responsible and will mitigate harm.

(a) WATER

(i) Water Quantity

Water quantity is a critical factor in selecting a suitable site for an MO and will form an important part of the DA.

Clause 9 (1)(f) of the SEPP not only requires the availability of a water supply to the land for domestic, agricultural and fire-fighting purposes but also requires that where the supply is from a natural watercourse or reserve the effects upon others and the environment of the watercourse itself must be assessed. The Site Analysis specifically requires the applicant to give the source and capacity of any water supply.

What factors are important?

Most MO sites are located away from a town water supply and rely for their water on either a natural watercourse, dam or storage tank or a combination of them.

Access to a reliable water supply is likely to be a critical factor The extraction of river water and groundwater and the construction of dams on watercourses is controlled by DLWC In considering whether to approve these activities, ... the

rights of existing users and the health of the aquatic environment will be considered.

The proposed water supply should be from a source which will not adversely affect other users and be.

- reliable, especially in drought.
- adequate for domestic use including all waste management schemes.
- adequate for garden, stock and crops.
- of suitable quality, especially for drinking.
- enough to provide a reserve for bushfire fighting.

It is the responsibility of the applicant to conform with any requirements and obtain any licence or permit necessary for the extraction of water from a natural watercourse. The Department of Land and Water Conservation will be able to assist in this matter as well as the design of water supply schemes.

What measures should be adopted?

Adequate dam storage can significantly reduce the need to rely on creeks, groundwater and rivers during dry spells. The stress placed on the environment by the use of water from creeks and rivers and even groundwater can be considerable and can lead to a decline in water quality and harm to the environment.

The installation of water saving devices such as dual flush toilets, and low-flow shower roses will help save tank water as well as reduce the volume of wastewater.

The adequacy and reliability of any dams supplying water to the site will need investigation to check stability, the absence of leaks and the suitability and size of the catchment area.

A dam on a watercourse (which includes any well defined drainage line) may need to be licensed and conform with DLWC specifications.

(ii) Water Quality

The quality of water available for use on a proposed MO together with the maintenance of water quality in the vicinity are important factors.

What is required?

There needs to be sufficient supplies of safe drinking water as well as water for livestock. The quality of the water available to the development is something which should be checked early in the process as many bores and wells are affected by mineral or bacterial content just as creek water may be polluted from sources upstream.

It is important to show that the development has no adverse effect upon the quality of the surface water, groundwater and natural watercourses on the site and on the local environment. This must be demonstrated in the SEE.

What conditions affect water quality?

There are a number of factors which can affect the quality of the water available on the MO site and which the applicant should address as part of overall water management for the development.

A significant reduction in the quality of water within the MO site and in the local catchment can result from:

- sustained or unnecessary soil movement. Soil disturbance increases the chance of erosion and with it the potential for the carriage of pollutants to water sources.

- roads and access tracks which are poorly located, and/or inadequately constructed and maintained. This can result in soil movement, sediment loss and a consequent deterioration of water quality.

- hard surfaces such as roofs, roads, and paths without adequate measures to contain and store the run-off. This can lead to increase in stormwater volumes which in turn can lead to soil erosion and eventual water contamination.

- inadequate on-site disposal of wastewater. Septic tank systems can fail when maintenance procedures are not followed. Polluted water can leach into groundwater and watercourses when absorption areas are located on sites where the qualities of the soil are inadequate and/or are too close to existing watercourses. An adequate separation distance from a watercourse depends on site factors such as slope, soil characteristics and flooding potential.

What measures can help?

- During construction the physical disturbance of the land through site preparation and the provision of trenches for services should be kept to a minimum. Most councils will require sediment control measures to be in place during any periods of construction and until adequate groundcover has been established

- Roads and access tracks need to be as short as possible and located along routes which avoid steep slopes and sensitive vegetation. They must also be well constructed and adequately maintained.

- Wastewater management systems must be suitable for the development and properly maintained. Drainage lines should be located on suitable soils as far from natural watercourses and water supplies (eg bores) as possible.

- Vegetated buffer zones should be established and maintained along rivers and streams. This helps to filter sediments from surface runoff and remove pollutants particularly nutrients from groundwater. A minimum of 20 metres from either bank is recommended, but the wider the buffer zone the more effective it will be. Natural wetlands should be protected in the same way.

What are the effects of potential acid sulfate soils?

Potential acid sulfate soils are normally found in low lying, waterlogged areas near the coast. When potential acid sulfate soils are drained for agricultural use the natural

rate of oxidation is accelerated so that sulfuric acid is released. If this leaches into the catchment area of streams and other watercourses the concentrated acid affects the health of fish and other organisms. The acid also makes it extremely difficult for plants to grow. No drainage works should be carried out where there are likely to be acid sulfate soils present Any excavation of these areas such as utility trenches, construction of water storages should also be avoided.

Potential acid sulfate soils are not always easy to recognise. The local council and the DLWC have maps which identify where there is a risk of these soils occurring. If disturbance of the soil in a risk area is unavoidable, specialist soils advice needs to be obtained from DLWC or NSW Agriculture.

For further information intending applicants are advised to consult Circular F11 - Acid Sulfate Soils available from the Department of Urban Affairs and Planning. 'Guidelines for Assessing and Managing Acid Sulphate Soils published by the EPA.

(iii) Water Management

Water Management looks at a comprehensive range of factors and procedures affecting water both on and off the property. The preparation of a water management plan for the development is recommended for which the intending applicant should:

- assess the water needs of the proposed development
- the quantity of water available to the property
- state the procedures intended to maintain and monitor water quality
- describe measures for water conservation and recycling if feasible
- assess the impact of the proposal upon the local water environment

Where is further advice available?

The Department of Land and Water Conservation can offer advice on water management and water quality in relation to particular sites.

(b) WASTEWATER MANAGEMENT

Clause 9 of the SEPP requires that adequate provision is made for waste disposal from the land.

Clause 10 of the SEPP requires that Waste Management procedures be included in the Management Plan for the development.

Efficient and appropriate management of wastewater (effluent) needs to be addressed with care. It is very important to show that land and water deterioration either through chemical or biological contamination does not occur as a result of the MO development and that this is demonstrated in the SEE.

Surface water and groundwater can be contaminated by inappropriate or inefficient wastewater management systems. The choice of a suitable system for the development, as well as the adoption of correct procedures for its use and maintenance is

required as part of the Management Plan for the MO.
The applicant must show that any intended on-site sewerage systems have been designed, installed and will be managed so that pollution does not occur and risks to public health are minimised.

The local council will need to approve the sewage and wastewater disposal system intended for the site and will require an applicant to show that any system of sewage and wastewater disposal conforms to certain design, location and management conditions. The council should be able to offer advice on these matters and will need to be consulted early in the development process.

In addition for those wastewater systems treating wastes from more than one household EPA approval and possibly a licence may be required depending upon the size of the development. This requirement falls under the Pollution Control Act (1970) Sec. 17 and the Clean Waters Regulation Cl. 11A.

(I) On -Site Wastewater Management

It is unlikely that many MO developments will be close enough to connect to existing town sewerage systems in which case an on-site wastewater management system for domestic wastewater will be necessary.

The most widely used method for on-site disposal of domestic wastewater is by septic tank and soil absorption which requires a combination of suitable landform and soil conditions. It is recommended that the design of wastewater management systems be undertaken on a site specific basis.

The use of a compost toilet is only likely to be agreed to as a temporary measure and applicants should check on the requirements with their local council.

Problems with on-site disposal methods can occur if the soil on the proposed absorption area is unable to absorb wastewater efficiently. If the soil does not have adequate water holding capacity wastewater will flow through it to pollute groundwater, lakes, swamps or streams, or to emerge as seepage on lower terrain.

Some of the factors which might be considered when choosing an appropriate location for the system are:

- The qualities of the soil including its depth to the water table.
- The proximity of watercourses and re-charge areas for aquifers.
- The area available for an absorption field
- Seasonal variations in the level of the water table.
- Climatic influences.
- Surface run-off or seepage from higher land.

In order to ensure that an appropriate on-site wastewater system is designed and properly located it is essential that a detailed geo-technical report and soil analysis undertaken by an appropriately qualified person familiar with all the relevant guidelines. Advice about this can be obtained from the local council and Department of Land and Water Conservation.

(ii) Solid Waste Management

An MO development will produce a certain amount of solid waste (garbage) which should be managed so that detrimental effects on the environment are prevented.

Some local government areas provide a rural garbage collection service but where no such service exists the applicant should show that suitable alternative arrangements have been made. In most cases this will mean taking the solid waste either to a local waste transfer station where it can be collected by the council or directly to the council's tip.

Where it is not feasible to remove solid waste from the site an on-site waste landfill may be allowed subject to the provisions of applicable environment protection legislation. Under certain circumstances and in certain locations an on-site waste landfill may require a license under the Waste Minimisation and Management Regulations. The local council will be able to offer the relevant advice in this case.

Solid waste should be:

- minimised by introducing re-cycling measures wherever possible and all organic waste should be composted.
- stored in flyproof containers located in storage areas which avoid contamination of water sources, are not in direct view and have vehicular access.

Any hazardous agricultural, chemical or pesticide waste should be kept separate from other waste matter and disposed of with extreme care.

The Management Plan should show that the storage area and arrangements for the disposal of solid waste conform with local environmental health regulations. It is the responsibility of the applicant to conform with all the regulations concerning waste storage and disposal. In addition to the local council the following agencies may also be able to provide further information.

The Department of Land and Water Conservation
The Department of Health
The Environment Protection Authority

(c) SOIL EROSION

Soil is a vital resource and its proper management is crucial for the cultivation of groundcover, crops and the grazing of livestock. Soil erosion can occur as a result of a wide range of factors. Most usually it is because of intensive or inappropriate agricultural use or insensitive land disturbance which results in the removal of the existing ground cover.

Once soil damage occurs its correction is difficult and costly rehabilitation will be necessary. It is therefore essential that the intending applicant is familiar with the land and its susceptibility to erosion and implements a management plan which preserves the integrity of the soil.

A comprehensive soil survey and land capability assessment can identify the type and qualities of the soil on the site and is therefore essential. This information can help determine which protective measures the land requires to prevent soil degradation and erosion. It is also necessary in determining the appropriate location for dwellings and suitable areas for on-site wastewater disposal systems. The DLWC may have useful information about the soil on the development site and should be consulted.

What factors can cause soil erosion?

- The disruption caused during the construction of dwellings and the creation of service trenches can have a drastic effect upon the soil. By de-stabilising the soil it becomes susceptible to the effects of uncontrolled stormwater run-off which in turn can lead to the pollution of ground and surface water.

- Roads and access tracks can greatly contribute to soil erosion by destroying ground cover and concentrating runoff thus causing unstable sections to develop and increasing the chances of soil and pollutants being carried to nearby watercourses.

- Frequent tillage of the soil can break down the soil structure reducing its ability to absorb rain and increasing the chances of significant erosion through runoff.

- The cultivation of sloping land makes it particularly susceptible to soil erosion especially during periods of heavy rainfall

- Over-grazing due to concentrations of livestock can drastically reduce ground cover.

What are some of the preventative measures?

- Where possible, construction work should be undertaken at the time of year when heavy rainfall is least likely. It should be kept to a minimum and completed without undue delay. All soil disturbed by construction work or trenching should be returned to a stable contour and a good groundcover of grass or mulch should be established as soon as practical.

- Sediment control measures should be in place during any periods of construction and maintained until the soil surface is protected by groundcover

- Disturbed areas should be checked following periods of heavy rainfall and any problem areas should be treated immediately.

- The clustering of dwellings is one way of minimising unnecessary service trenches.

- Reduced tillage especially during the months of greatest rainfall helps to control soil erosion and is recommended.

- Effectively managing livestock, including reducing stock numbers during drought Watercourses should be fenced off, with controlled access for watering or off stream watering points.

Further information can be obtained from the Department of Land and Water Conservation.

(d) BUSHFIRE MANAGEMENT

Poorly managed and neglected MO developments can create serious bushfire hazards and constitute a significant danger both to their occupants and to neighbours.

Under Section 90 (1) (s) of the EP&A Act the council as the consent authority is required to refer to the document 'Planning for Bushfire Protection' issued by the NSW Bush Fire Service in considering the DA. This is a comprehensive guide and intending applicants are also advised to consult it before embarking upon site and building design and before preparing plans for bushfire management

Clause 8 (1) (k) of the SEPP requires the council to consider whether the land is subject to bushfires and if so the adequacy of any measures proposed to protect occupants, buildings, internal access roads, service installations and land adjoining the development

Bushfire management is required under Clause 10 of the SEPP and must be prepared and submitted as part of the Management Plan for the MO development site.

Before preparing a site design intending applicants are also advised to contact the Fire officer at their local council who may have further information about local conditions and advice about preparing a comprehensive Bushfire Management Plan. Assistance in the preparation of such a plan may also be obtained from the Local Bush Fire Brigade and the NSW Bush Fire Service.

What are some of the preventative measures?

- Ensuring the adequate storage of water for fire fighting purposes where no permanent pools exist in adjoining watercourses or where such pools are insufficient in quantity.
- Creating fire protection breaks around each building on the site and keeping them free of flammable material
- Adopting a site design which incorporates bushfire preventative measures.
- Providing suitable access and egress for emergency vehicles.
- Designing and constructing buildings which incorporate bushfire protection measures and fire retarding materials
- Using appropriate vegetation planting strategies particularly fire retarding species.
- Maintaining adequate fire fighting strategies in conjunction with local fire brigades, the local council's Fire Officer and neighbours.
- Adopting comprehensive maintenance procedures such as removing flammable material from around the buildings, removing branches from overhanging roofs, keeping gutters cleaned out, keeping grass mown [illegible] to buildings, fuel storage areas and haystacks.

Further information can be obtained from:

- Local Bush Fire Brigade
- NSW Bush Fire Service
- State Forests of NSW
- The National Parks and Wildlife Service

(e) VEGETATION MANAGEMENT

The management of vegetation on the development provides an opportunity not only for the preservation of endangered flora and fauna species but also the restoration of degraded lands and this part of the Management Plan should include a section which details the measures proposed for such programmes.

(i) Endangered Plant Species

Care must be taken with vegetation communities on the site and their conservation status at a regional and state level including any rare and endangered Australian plant species and any species populations or ecological communities listed under Schedules 1 or 2 of the Threatened Species Act 1995.

(ii) Noxious Weeds

The procedures intended for the on-going eradication of noxious weeds should be part of the Management Plan for the site.

The encroachment of noxious weeds from an MO development can have a highly detrimental effect on the local eco-system affecting valuable native vegetation and species of wildlife as well as any adjacent agriculture. All intending applicants should therefore be aware of their obligations to control noxious weeds on the MO site.

There are four categories of noxious weeds of which Category 1 is notifiable to the Local Control Authority. Such weeds should be fully and continuously suppressed and destroyed. Occupiers may also be responsible for the control of noxious weeds in a river or watercourse adjoining their property and penalties exist for those who fail to exercise their responsibilities.

What related factors are important?

Improperly managed MO developments have the potential to compromise important existing vegetation and wildlife habitats. When drawing up plans for the control of noxious weeds intending applicants should also give some consideration to the following:

- the most appropriate areas to be cleared, if any.
- the most appropriate crops and methods of cultivation for the site, including the location and composition of buffer zones.
- the measures necessary to rehabilitate or reafforest degraded areas.
- the measures necessary to maintain the environment of any protected native plants and/or wildlife on or adjacent to the site

Where is further advice available?

Further information concerning the identification of noxious weeds and advice about eradication measures can be obtained from any of the Noxious Plants Advisory Committees which exist throughout the State

(f) ACCESS ROADS, TRACKS and SERVICE CORRIDORS

Clause 10 of the SEPP requires the Management Plan for the development to detail the location, construction and maintenance of all

roads, access tracks and service corridors on the property.

Poorly constructed and inadequately maintained access roads and tracks can lead to serious soil erosion and contribute to inferior water quality and the sedimentation of streams. Service corridors which have been poorly located and inadequately constructed create similar erosion problems. Consideration of erosion control measures at the planning and construction stage will reduce the cost and increase the effectiveness of maintenance procedures

Access routes need to be well constructed, stable and trafficable in all weather conditions They should not be located on steep slopes, on areas subject to mass movement or subject to seasonally high water tables.

Some of the factors which need to be considered are:

- Construct access routes to include effective surface drainage. Provide a slight grade to allow free surface drainage and to avoid ponding in wheel tracks.
- Access tracks should be located to minimise stream crossings and avoid encroaching on stream banks. Any crossing of a creek or active drainage line should be a properly designed ford, culvert or bridge constructed at right angles to the channel.
- Locate tracks so as to reduce the risk of sediment entering drainage lines
- Limit soil and vegetation disturbance during construction.
- Undertake regular maintenance especially in the early years after construction to ensure effective erosion control and track stability.
- Inspect all tracks and roads annually and following any heavy usage or exceptionally heavy rainfall to determine maintenance requirements.
- Reduce unnecessarily lengthy service corridors wherever possible and undertake construction with sediment control measures in place and with minimum disruption of soil and vegetation.

Where is further advice available?

Further advice about the design, construction and maintenance of roads and access tracks on the MO site can be obtained from the DLWC. The Department can also advise on permits for stream crossings and tree clearing. The local council may also be able to offer useful advice.

CONCLUSION

These Guidelines have been designed to give an intending applicant an introduction to the principal environmental issues relating to Multiple Occupancy. They are not exhaustive and intending applicants should thoroughly discuss the DA process with their local council to determine which issues require particular attention according to local circumstances

Schedule 3 Site Analysis

(Clause 9 (2) (a))

The following information, where appropriate, is to be shown in a site analysis.

(*suggested additional items)

With regard to the physical characteristics of the site

- site dimensions and site area,
- spot levels, contours and north point,
- watercourses and groundwater resources,
- natural drainage,
- any part of the land that is subject to a risk of flooding bushfire.
- landslip, erosion (or areas with potential acid sulfate soils*) or any other physical constraint to development of the land in accordance with this policy,
- soil types and qualities and where relevant the geology of the site*,
- identification of previous use and any contaminated soils or filled areas,
- any part of the land that is prime crop and pasture land,
- areas of existing or proposed agricultural use*,
- vegetated areas requiring environmental protection or areas where rehabilitation or reafforestation will be carried out,
- prevailing winds
- orientation, micro-climates, significant noise sources,
- location of fences, boundaries and any other notable features (natural or historical),
- views to and from the site,
- heritage features including archaeology,
- location of known resources of mineral or extractive deposits on or adjacent to the proposed development*,
- relevant information about the land uses on surrounding land*,
- Aboriginal sites and places of Aboriginal significanse to the Aboriginal community*.

With regard to the development details of the site

- location of buildings and other structures,
- indicative footprints of the proposed buildings,
- any areas of the land to be used for development other than for dwellings,
- proposed access from a public road to the area or areas in which the dwellings are to be situated, (plus other tracks necessary for agricultural use, firefighting or property maintenance and any tracks which cross Crown land or watercourses*,
- easements for drainage services,
- source and capacity of any water supply, electricity, telephone and waste disposal systems for the dwellings, *plus strategies for dealing with domestic wastewater.
- measures aimed at preventing the spread of bushfire*,

With regard to the land surrounding the site:

- heritage significanse of surrounding buildings and landscape,
- characteristics of any adjacent public land,
- directions and distances to local shops, schools, public transport, parks and community facilities.