9.3.14 Rural uses code

9.3.14.1 Application

This code applies to accepted development subject to requirements and assessable development identified as requiring assessment against the Rural uses code by the tables of assessment in **Part 5 (Tables of assessment)**.

9.3.14.2 Purpose and overall outcomes

(1) The purpose of the Rural uses code is to facilitate rural uses and ensure rural uses are developed in a sustainable manner which conserves the productive characteristics of rural land and protects environmental and landscape values and the amenity of surrounding premises.

(2) The purpose of the Rural uses code will be achieved through the following overall outcomes:-

(a) rural uses are undertaken on a sustainable basis;

(b) Agricultural Land Classification (ALC) Class A and Class B land is conserved and not alienated or encroached upon by incompatible land uses;

(c) uses that support rural production are established on suitable sites where environmental and amenity impacts can be effectively managed; and

(d) adverse impacts on the surrounding or downstream environments or natural environmental processes are avoided.

9.3.14.3 Assessment benchmarks and requirements

Table 9.3.14.3.1 Assessment benchmarks for assessable development and requirements for accepted development – requirements for animal husbandry, cropping, minor aquaculture and wholesale nursery

Performance outcomes		Acceptable outcomes	
PO1	The rural use is conducted on a lot that is of sufficient size to reasonably accommodate the use and mitigate potential nuisance arising from noise, dust, odour and other emissions or contaminants generated by the use.	**AO1**	The rural use is conducted on a site with a minimum area of 2 hectares.
PO2	The rural use is sited such that natural waterways and wetlands are protected.	**AO2**	Where the rural use is located on land adjoining a natural waterway or wetland the rural use is set back 10m from the high bank of the waterway or wetland.
PO3	Buildings and structures associated with the rural use are sited and designed to:- (a) provide adequate separation to neighbouring properties; and (b) avoid or minimise adverse visual impacts on the rural landscape.	**AO3.1** **AO3.2**	Buildings and structures (other than a dwelling house) associated with the rural use are set back at least 10m from all site boundaries other than road frontages. Buildings and structures (other than a dwelling house) associated with the rural use are set back at least:- (a) 40m from a State controlled road; or (b) 20m from any other type of road.
PO4	The rural use is established and managed in accordance with best practice environmental management principles.	**AO4**	No acceptable outcome provided. Editor's note—Environmental Codes of Practice prepared under s548 of the *Environmental Protection Act 1994* provide guidance for achieving Performance Outcome PO4.

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Table 9.3.14.3.2 Assessment benchmarks for assessable development and requirements for accepted development – requirements for permanent plantation

Performance outcomes		Acceptable outcomes	
Requirements for permanent plantation			
PO1	The permanent plantation is located such that it conserves the productive characteristics of Agricultural Land Classification (ALC) Class A and Class B land.	**AO1**	The permanent plantation is not located on ALC Class A or Class B land.

Table 9.3.14.3.3 Assessment benchmarks for assessable development and requirements for accepted development – requirements for a roadside stall

Performance outcomes		Acceptable outcomes	
PO1	The roadside stall is limited in scale and is appropriate to a rural area.	**AO1.1**	Produce sold at the roadside stall is limited to that which is grown or produced on the site or an adjoining site.
		AO1.2	The roadside stall does not involve the sale of manufactured goods other than where manufactured on the site.
		AO1.3	Buildings and structures associated with the roadside stall:- (a) occupy not more than 50m² GFA; and (b) are constructed of materials that can easily be dismantled following the cessation of the use.
		AO1.4	The roadside stall is ancillary to a rural use occurring on the same site.
PO2	The roadside stall does not have an adverse impact on the safety and functioning of the road network.	**AO2.1**	The roadside stall is located on a site adjoining a road other than a State-controlled road or a road identified as a major road on **Figure 9.4.5A (2031 Strategic transport network)** of the **Transport and parking code**.
		AO2.2	The roadside stall is located on a site with sufficient area to park 3 cars clear of the road reserve.
PO3	Signage associated with the roadside stall is small, unobtrusive and appropriate to a rural location.	**AO3**	Not more than 1 sign is erected on the premises and the sign:- (a) has a maximum signface area of 0.5m² per side; and (b) is not illuminated or in motion.

Table 9.3.14.3.4 Assessment benchmarks for assessable development only – requirements for animal keeping, aquaculture, intensive animal industry, intensive horticulture and rural industry (intensive rural uses)

Performance outcomes		Acceptable outcomes	
Location and site suitability			
PO1	The intensive rural use is located on a site which has sufficient area to accommodate the use (including buildings, pens, ponds, other structures and waste disposal areas involved in the use) and to provide for adequate setbacks to:-	**AO1**	The intensive rural use is located on a site which has a minimum area and setbacks complying with **Table 9.3.14.3.6 (Siting and setback requirements for intensive rural uses)**.

Performance outcomes		Acceptable outcomes	
	(a) road frontages; (b) site boundaries; (c) residential uses on surrounding land; and (d) waterways or wetlands.		
PO2	The intensive rural use is located on a site which is sufficiently separated from any existing or planned residential or rural residential area or other sensitive activity to avoid any adverse impacts with regard to noise, dust, odour, visual impact, traffic generation, lighting, radiation or other emissions or contaminants.	**AO2**	The intensive rural use is located on a site which is not less than:- (a) 5,000m from land included in a residential zone; (b) 1,000m from land included in the Rural residential zone; and (c) 1,000m from any community activity where people gather (e.g. educational establishment or child care centre). **OR** If the intensive rural use is a rural industry, the use is located on a site which is not less than 500m from land included in a residential zone, the Rural residential zone or any community activity where people gather (e.g. educational establishment or child care centre). Editor's note—subject to a site-specific assessment undertaken by a suitably qualified consultant, and in accordance with relevant industry codes of practice and guidelines, a lesser separation distance between the intensive rural use and surrounding residential areas or other sensitive uses may be demonstrated.
PO3	The intensive rural use is located on land which has suitable terrain and is sufficiently elevated to facilitate ventilation and drainage.	**AO3.1** **AO3.2** **AO3.3**	The intensive rural use is located on a site which has slopes not exceeding 15%. The intensive rural use is not located on land subject to the Flood hazard overlay or otherwise identified as being subject to inundation in the defined flood event. The intensive rural use is not located in an overland flow path.
PO4	The intensive rural use is located such that it conserves the productive characteristics of agricultural land classification Class A and Class B land.	**AO4.1** **AO4.2**	The intensive rural use is not located on ALC Class A or Class B land. Where adjoining ALC Class A or Class B land, the use is adequately separated or buffered to avoid significant land use conflicts with existing or potential future agricultural activities.
Infrastructure, services and utilities			
PO5	The intensive rural use is provided with infrastructure, services and utilities appropriate to its location and setting and commensurate with its needs, including:- (a) adequate vehicle access; (b) a reliable, good quality water supply; and (c) reticulated sewerage or on-site treatment and disposal facilities. .	**AO5.1** **AO5.2** **AO5.3** **AO5.4**	The intensive rural use is located on a site which has sealed or fully formed gravel road access. Where reticulated water supply is not available, the intensive rural use is provided with a reliable water supply with capacity to store a minimum of two weeks supply. Where reticulated sewerage is not available, the intensive rural use is provided with an appropriate on-site treatment and disposal system that complies with the requirements of the *Plumbing and Drainage Act 2003*. Infrastructure is planned, designed and

Performance outcomes		Acceptable outcomes	
			constructed in accordance with the **Planning scheme policy for development works** or, where applicable, the requirements of the relevant service provider.
Site layout, building design and landscaping			
PO6	Buildings and structures associated with the intensive rural use are sited, designed and landscaped to avoid or minimise adverse visual impacts on the rural landscape.	**AO6.1**	The intensive rural use is setback from road frontages and property boundaries in accordance with **Table 9.3.14.3.6 (Siting and setback requirements for intensive rural uses).**
		AO6.2	Buildings and structures associated with the intensive rural use are of a colour that blends with the rural and natural environment.
		AO6.3	On-site landscaping provides for the effective screening of all buildings, structures, outdoor use areas and parking areas from surrounding roads and dwellings.
Environmental and amenity impacts			
PO7	The intensive rural use incorporates waste disposal systems and practices which:- (a) ensure that off-site release of contaminants does not occur; (b) ensure no significant adverse impacts on surface or ground water resources; and (c) comply with relevant Government or industry guidelines, codes and standards applicable to a specific use or on–site waste disposal.	**AO7**	No acceptable outcome provided.
PO8	The intensive rural use provides for all animals to be kept in suitable enclosures such that they are contained within the site and not allowed to roam free.	**AO8**	No acceptable outcome provided.
PO9	The intensive rural use limits the generation of noise such that:- (a) nuisance to sensitive receptors is avoided or minimised; (b) applicable legislative requirements are met; and (c) desired ambient noise levels for residential areas are not exceeded.	**AO9**	No acceptable outcome provided.
PO10	The intensive rural use prevents or minimises any emissions of odour, dust and air pollutants such that:- (a) environmental harm is not caused at sensitive receptors; (b) noxious and offensive odours are not experienced at sensitive receptors; and (c) air quality conducive to the health and wellbeing of people is maintained.	**AO10**	No acceptable outcome provided.
PO11	The intensive rural use prevents or manages any discharges of stormwater runoff or wastewater from the site to any waterway, wetland, roadside gutter or stormwater drainage system such that:- (a) no unacceptable levels of sediment, nutrients, chemicals or other pollutants enter a waterway or wetland; (b) the ecological and hydraulic	**AO11**	No acceptable outcome provided.

Performance outcomes		Acceptable outcomes	
	processes of the waterway or wetland are not adversely affected; and (c) applicable legislative requirements are met.		
PO12	Development achieves sufficient stormwater and water quality outcomes during and after the construction phase.	**AO12**	Stormwater and water quality outcomes comply with the stormwater design objectives of **Table 9.3.14.3.7 (Construction Phase – stormwater management design objectives)** and **Table 9.3.14.3.8 (Post Construction Phase – stormwater management design objectives).**

Table 9.3.14.3.5 Assessment benchmarks for assessable development only – requirements for winery

Performance outcomes		Acceptable outcomes	
Bona fide use			
PO1	The winery is associated with, and ancillary to, a bona fide cropping use located on the same site.	**AO1**	No acceptable outcome provided.
PO2	Ancillary activities associated with the winery are limited to those which are legitimately associated with a winery.	**AO2**	Ancillary activities associated with the winery are limited to cellar door sales, winery tours and restaurant facilities.
Location and site suitability			
PO3	The winery is in a location, and is of a size, scale, and design which is compatible with the desired character of the local area.	**AO3**	No acceptable outcome provided.
PO4	The winery is located on a site which has sufficient area to accommodate the use, including vineyards, processing facilities, visitor facilities, car parking and manoeuvring areas.	**AO4**	No acceptable outcome provided.
PO5	The winery is sited and designed to avoid or minimise conflict between the winery and its ancillary uses and:- (a) existing or potential rural uses on surrounding properties; or (b) residential uses on surrounding properties.	**AO5.1** **AO5.2**	Any public areas associated with the winery are set back a minimum of 100m from all site boundaries. Any public areas or manufacturing areas associated with the winery are set back a minimum of 100m from any dwelling on surrounding properties.
PO6	The winery is located such that it conserves the productive characteristics of Agricultural Land Classification (ALC) Class A and Class B land.	**AO6**	The winery:- (a) is not located on ALC Class A or Class B land; and (b) is separated from ALC Class A or Class B land and other farm activities such that it does not cause a land use conflict that would threaten the ongoing productive use of the ALC Class A or Class B land or an established farming enterprise.
Infrastructure, services and utilities			
PO7	The winery is provided with infrastructure, services and utilities appropriate to its location and setting and commensurate with its needs, including:- (a) adequate vehicle access; (b) a reliable, good quality water supply; and (c) reticulated sewerage or on-site treatment and disposal facilities. .	**AO7.1** **AO7.2** **AO7.3**	The winery is located on a site which has sealed or fully formed gravel road access. Where reticulated water supply is not available, the winery is provided with a reliable water supply with capacity to store a minimum of two weeks supply. Where reticulated sewerage is not available, the winery is provided with an appropriate on-site treatment and disposal system that complies with the requirements of the

Performance outcomes		Acceptable outcomes	
			Plumbing and Drainage Act 2003.
		AO7.4	Infrastructure is planned, designed and constructed in accordance with the **Planning scheme policy for development works** or, where applicable, the requirements of the relevant service provider.
Site layout, building design and landscaping			
PO8	Buildings and structures associated with the winery are located, designed and landscaped so as to complement the rural character and integrate with the surrounding natural landscape.	**AO8.1**	Manufacturing activities associated with the winery including wine-making and wine-storage activities and any ancillary bottling activities occur within enclosed buildings.
		AO8.2	Buildings and structures associated with the winery are set back at least 10m from all side and rear property boundaries.
		AO8.3	On-site landscaping provides for the effective screening of all non-residential buildings, structures, outdoor use areas and parking areas from surrounding roads and dwellings.

Table 9.3.14.3.6 Siting and setback requirements for intensive rural uses

Column 1 Rural use	Column 2 Minimum site area in hectares (ha)	Column 3 Minimum boundary setbacks in metres (m)	Column 4 Minimum distance from a residential building on surrounding land	Column 5 Distance from a wetland or waterway
Animal keeping	4ha	50m from any road frontage. 15m from any side or rear boundary.	300m	50m
Aquaculture	5ha	50m from any road frontage. 15m from any side or rear boundary.	100m	100m
Intensive animal industry (piggery or feedlot)	20ha	200m from any road frontage. 15m from any side or rear boundary.	250m	100m
Intensive animal industry (poultry farm)	50ha	100m from any road frontage. 100m from any side or rear boundary.	400m	100m
Intensive animal industry (emu or ostrich hatching and brooding facility)	4ha	60m from any road frontage. 15m from any side or rear boundary.	400m	100m
Intensive horticulture	10ha	50m from any road frontage. 15m from any side or rear boundary.	100m	100m
Rural industry	1ha	50m from any road frontage. 10m from any side or rear boundary.	100m	50m

Table 9.3.14.3.7 Construction Phase – stormwater management design objectives

Issue		Design Objectives
Drainage control	Temporary drainage works	1. Design life and design storm for temporary drainage works: • ..... Distribute area open for <12 months – 1 in 2 year ARI event; • ..... Distributed area open for 12-24 months – 1 in 5 year ARI event; • ..... Distributed area open for >24 months – 1 in 10 year ARI event;

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Issue		Design Objectives
		2. Design capacity excludes minimum 150mm freeboard; and 3. Temporary culvert crossing – minimum 1 in 1 year ARI hydraulic capacity.
Erosion control	Erosion control measures	1. Minimise exposure of disturbed soils at any time 2. Divert water run-off from undisturbed areas around disturbed areas 3. Determine the erosion risk rating using local rainfall erosivity, rainfall depth, soil-loss rate or other acceptable methods 4. Implement erosion control methods corresponding to identified erosion risk rating
Sediment control	Sediment control measures Design storm for sediment control basins Sediment basin dewatering	1. Determine appropriate sediment control measures using: • ..... Potential soil loss; or • ..... Monthly erosivity; or • ..... Average monthly rainfall; 2. Collect and drain stormwater from disturbed soils to sediment basin for design storm event: • ..... Design storm for sediment basin sizing is 80th% five-day event or similar; 3. Site discharge during sediment basin dewatering: • ..... TSS < 50 mg/L TSS; and • ..... Turbidity not >10% receiving waters turbidity; and • ..... pH 6.5-8.5.
Water quality	Litter and other waste hydrocarbons and other contaminants	1. Avoid wind-blown litter; remove grass pollutants; 2. Ensure there is no visible oil or grease sheen on released waters; 3. Dispose of waste containing contaminants at authorised facilities.
Waterway stability and flood flow management	Changes to the natural waterway hydraulics and hydrology	1. For peak flow for the 1 year and 100 year ARI event, use constructed sediment basins to attenuate the discharge rate of stormwater from the site.

Table 9.3.14.3.8 Post Construction Phase – stormwater management design objectives

<table>
<tr><th rowspan="2">Climatic region</th><th colspan="4">Design objectives
Minimum reductions in mean annual load from unmitigated development (%)</th><th rowspan="2">Application</th></tr>
<tr><th>Total suspended solids (TSS)</th><th>Total Phosphorus (TP)</th><th>Total nitrogen (TN)</th><th>Gross pollutants >5 mm</th></tr>
<tr><td>Central Queensland (South)</td><td>85</td><td>60</td><td>45</td><td>90</td><td>Development for urban purposes within population centres greater than 3000 persons.</td></tr>
<tr><td rowspan="2">All</td><td>N/A</td><td>N/A</td><td>N/A</td><td>N/A</td><td rowspan="2">Catchments contributing to un-lined receiving waterway. Local government may not require compliance if the waterway is degraded.

For peak flow for the 1 year ARI event, use co-located storages to attenuate site discharge rate of stormwater.</td></tr>
<tr><td colspan="4">Waterway stability management
• Limit the peak 1 year ARI event discharge within the receiving waterway to the pre-development peak 1 year ARI event discharge.</td></tr>
</table>

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