

9.3.16 Rural uses code

9.3.16.1 Application

- (1) This code applies to accepted development and assessable development identified as requiring assessment against the Rural uses code by the tables of assessment in **Part 5 (Tables of assessment)**.
- (2) The acceptable outcomes in **Table 9.3.16.3.1 (Requirements for accepted development and performance outcomes and acceptable outcomes for assessable development)** are requirements for applicable accepted development.
- (3) All provisions in this code are assessment benchmarks for applicable assessable development.

9.3.16.2 Purpose and overall outcomes

- (1) The purpose of the Rural uses code is to 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 and *intensive rural uses* in the Rural zone are undertaken on a sustainable basis;
 - (b) adverse impacts on the surrounding or downstream environments or natural environmental processes are avoided;
 - (c) agricultural land class A and class B is conserved and not alienated or encroached upon by incompatible land uses; and
 - (d) *intensive rural uses* are established on suitable sites where environmental and amenity impacts can be effectively managed.

9.3.16.3 Performance outcomes and acceptable outcomes

Table 9.3.16.3.1 Requirements for accepted development and performance outcomes and acceptable outcomes for assessable development

Performance Outcomes		Acceptable Outcomes	
Height of buildings			
PO1	Buildings associated with the rural use have a scale compatible with the rural landscape character and do not adversely impact on the amenity of surrounding premises, having regard to:- (a) overshadowing; (b) privacy and overlooking; (c) views and vistas; (d) building appearance; and (e) building massing and scale.	AO1	Buildings associated with the rural use do not exceed a maximum <i>building height</i> of:- (a) 8.5 metres on a lot not exceeding 4 hectares in area; or (b) 12 metres on a lot exceeding 4 hectares in area.
Lot size			
PO2	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.	AO2	Except where for the grazing of poultry (see Acceptable Outcome AO4 below), or horse stable not associated with another rural use (see Acceptable Outcome AO5.1 below), the rural use is conducted on a <i>site</i> at least 4,000m ² in area.
Setbacks to Property Boundaries and Other Building Design Requirements			
PO3	Buildings and structures associated with the rural use are sited and designed to:- (a) protect the amenity of surrounding premises;	AO3.1	Buildings and structures associated with the rural use are <i>setback</i> from all <i>site</i> boundaries, other than road <i>frontages</i> , a minimum of:-

Performance Outcomes		Acceptable Outcomes							
	(b) protect the rural landscape and visual character of the local area; and (c) provide adequate separation of buildings and structures (including equipment, machinery, storage areas or waste materials) from surrounding premises.	AO3.2	(a) 10 metres where not exceeding a <i>building height</i> of 8.5 metres; or (b) 15 metres, where exceeding a <i>building height</i> of 8.5 metres. Buildings and structures associated with the rural use are <i>setback</i> at least:- (a) 40 metres from a State controlled road; or (b) 20 metres from any other type of road.						
Environmental Management Generally									
PO4	The rural use is established and managed in accordance with relevant industry guidelines, codes of practice and standards, as applicable to the particular use.	AO4	No acceptable outcome provided. Editor's note—Environmental Codes of Practice prepared under s548 of the <i>Environmental Protection Act 1994</i> provide guidance for achieving Performance Outcome PO3.						
Requirements for Grazing of Poultry									
PO5	Where a rural use, being <i>animal husbandry</i> , involves the grazing of poultry, the use it is conducted in a manner that:- (a) allows for reasonably free movement of birds; (b) minimises the potential for nuisance arising from noise, dust, odour and other emissions or contaminants generated by the use; and (c) does not adversely impact on natural waterways or <i>wetlands</i> , or downstream receiving environments.	AO5	Grazing of poultry:- (a) is conducted on a <i>site</i> not less than 4 hectares in area; (b) has a maximum stock rate of not more than 1,000 birds per hectare; and (c) provides for all stocked areas to be set back at least 100m from any <i>waterway</i> or <i>wetland</i> identified on an applicable Biodiversity, Waterways and Wetlands Overlay Map.						
Requirements for Horse Stables Where Not Associated with Another Rural Use									
PO6	The amenity of rural, rural residential or residential areas is maintained by the provision of adequate site area for horse stables not associated with another rural use.	AO6.1 AO6.2	The stable is conducted on a <i>site</i> with a minimum area of 2,000m ² . The maximum number of horses kept is in accordance with Table 9.3.16.3.1A (Maximum number of horses) . Table 9.3.16.3.1A Maximum number of horses <table border="1" data-bbox="970 1402 1391 1518"> <thead> <tr> <th>Column 1 No. of horses</th> <th>Column 2 Site area</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>2,000 to 3,000m²</td> </tr> <tr> <td>1</td> <td>Per additional 1,000m².</td> </tr> </tbody> </table>	Column 1 No. of horses	Column 2 Site area	3	2,000 to 3,000m ²	1	Per additional 1,000m ² .
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Table 9.3.16.3.2 Additional performance outcomes and acceptable outcomes for assessable development

Performance Outcomes		Acceptable Outcomes	
Requirements for Animal Keeping, Aquaculture, Intensive Animal Industry, Intensive Horticulture			
Location and Site Suitability			
PO1	The <i>intensive rural use</i> is located on a <i>site</i> 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:- (a) road <i>frontages</i> ; (b) <i>site</i> boundaries; (c) residential uses on surrounding	AO1.1 AO1.2	The <i>intensive rural use</i> is located on a <i>site</i> which has a minimum site area that complies with Table 9.3.16.3.3 (Siting and setback requirements for intensive rural uses) . The <i>use area</i> for the <i>intensive rural use</i> is setback to roads, residential buildings on surrounding land and <i>waterways</i> or <i>wetlands</i> in accordance with the

Performance Outcomes		Acceptable Outcomes	
	land; and (d) <i>waterways or wetlands</i> .		requirements specified in Table 9.3.16.3.3 (Siting and setback requirements for intensive rural uses) .
PO2	The <i>intensive rural use</i> is located on a <i>site</i> which is sufficiently separated from any existing or planned residential or rural residential area or other <i>sensitive land use</i> to avoid any adverse impacts with regard to noise, dust, odour, visual impact, traffic generation, lighting, radiation or other emissions or contaminants.	AO2	The <i>intensive rural use</i> is located on a <i>site</i> which is not less than:- (a) 5,000 metres from land included in a <i>residential zone</i> ; (b) 1,000 metres from land included in a Rural Residential zone; and (c) 1,000 metres from any community activity where people congregate (e.g. <i>child care centre, community care centre, educational establishment, hospital, place of worship</i>). Note—state and national guidelines also identify measures for achieving appropriate separation between intensive rural industries and <i>sensitive land uses</i> . Compliance with a relevant State or national guideline will be considered to represent achievement of Acceptable Outcome AO2, even where a stated separation distance is not complied with. Examples of state and national guidelines include:- (a) the <i>Queensland Guidelines for Meat Chicken Farms</i> ; (b) the <i>Reference Manual for the Establishment and Operation of Beef Cattle Feedlots in Queensland</i> ; (c) the <i>Interim Guideline – Sheep Feedlot Assessment in Queensland</i> ; and (d) the <i>National Guidelines for Piggeries 2nd Edition</i> .
PO3	The <i>intensive rural use</i> is located on land which has suitable terrain and is sufficiently elevated to facilitate ventilation and drainage.	AO3	No acceptable outcome provided.
PO4	The <i>intensive rural use</i> is located on a <i>site</i> which has appropriate access to necessary <i>infrastructure</i> including:- (a) adequate vehicle access; (b) a reliable, good quality water supply; and (c) reticulated sewerage or on-site treatment and disposal facilities.	AO4.1 AO4.2 AO4.3	The <i>intensive rural use</i> is located on a <i>site</i> which has sealed or fully formed gravel road access. The <i>intensive rural use</i> is provided with a reliable water supply with capacity to store a minimum of two weeks supply. Where reticulated sewerage is not available, the <i>intensive rural use</i> is provided with appropriate on-site effluent treatment and disposal facilities.
PO5	Buildings and structures associated with the <i>intensive rural use</i> are sited and designed to avoid or minimise adverse visual impacts on the rural landscape.	AO5	No acceptable outcome provided.
Environmental Management			
PO6	The <i>intensive rural use</i> 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 any relevant State or national guidelines, codes of practice or standards applicable to a specific use or on-site waste	AO6	No acceptable outcome provided.

Performance Outcomes		Acceptable Outcomes	
	disposal.		
PO7	The <i>intensive rural use</i> provides for all animals to be effectively contained within the <i>site</i> .	AO7	No acceptable outcome provided.
PO8	The <i>intensive rural use</i> prevents or manages any discharges of stormwater runoff or wastewater from the <i>site</i> to any <i>waterway, wetland, roadside gutter</i> or stormwater drainage system such that:- (a) no unacceptable levels of sediment, nutrients, chemicals or other pollutants enter a <i>waterway</i> or <i>wetland</i> ; (b) the ecological and hydraulic processes of the <i>waterway</i> or <i>wetland</i> are not adversely affected; and (c) applicable legislative requirements are met.	AO8	No acceptable outcome provided.

Table 9.3.16.3.3 Siting and setback requirements for intensive rural uses

Column 1 Rural Use	Column 2 Minimum site area	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
<i>Animal keeping</i>	4 hectares	50m from any road <i>frontage</i> . 15m from any side or rear boundary.	100 metres	50 metres
<i>Aquaculture</i>	5 hectares	50m from any road <i>frontage</i> . 15m from any side or rear boundary.	100 metres	100 metres
<i>Intensive animal industry</i> (piggery or feedlot)	20 hectares	200m from any road <i>frontage</i> . 15m from any side or rear boundary.	250 metres	100 metres
<i>Intensive animal industry</i> (poultry farm)	50 hectares	100m from any road <i>frontage</i> . 100m from any side or rear boundary.	400 metres	100 metres
<i>Intensive animal industry</i> (emu or ostrich hatching and brooding facility)	4 hectares	60m from any road <i>frontage</i> . 15m from any side or rear boundary.	100 metres	100 metres
<i>Intensive horticulture</i>	10 hectares	50m from any road <i>frontage</i> . 15m from any side or rear boundary.	100 metres	100 metres