

9.3.4 Rural activities code

9.3.4.1 Application

This code applies to assessing material change of use development applications for development involving the following *Rural activities* uses in the Rural Zone:

- (a) *Animal husbandry*;
- (b) *Animal keeping*;
- (c) *Aquaculture*;
- (d) *Intensive animal industry*;
- (e) *Intensive horticulture*;
- (f) *Roadside stall*;
- (g) *Rural industry*; and
- (h) *Winery*.

When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

9.3.4.2 Purpose

- (1) The purpose of the Rural Activities Code is to facilitate the establishment of sustainable rural uses whilst maintaining the environmental values of rural land and minimising adverse amenity impacts.
- (2) The purpose of the Rural Activities Code will be achieved through the following overall outcomes:
 - (a) *rural activities* mitigate negative environmental impacts on air quality, acoustic amenity, water quality and the productive capacity of the land;
 - (b) intensive *rural activities* do not cause environmental harm or environmental nuisance to sensitive land uses and receptors;
 - (c) development is located and designed so as not to adversely impact upon rural landscape character or scenic amenity;
 - (d) retail and administrative uses associated with *rural activities* remain subservient to the rural activity and do not negatively impact the Western Downs Activity Centre Network;
 - (e) *animal keeping, animal husbandry, aquaculture and intensive animal industry* uses are appropriately separated from sensitive land uses.

9.3.4.3 Assessment benchmarks

Part A - Criteria for accepted and assessable development

Table 9.3.4.1 - Rural activities code

Performance Outcomes	Acceptable Outcomes
For accepted, accepted subject to requirements and assessable development (code, code (fast tracked) and impact)	
All Rural activities	
PO1 Administrative areas are integral and subservient to the rural activity.	AO1 Areas for administration purposes do not exceed 10% of the <i>gross floor area</i> of the <i>building</i> or 50m ² , whichever is the lesser.
Rural industry and Winery	
PO2 Sales associated with development are integral and subservient to the rural activity and do not negatively impact on the economic viability of the Western Downs Activity Centre Network.	AO2 Sales associated with the development are undertaken within an area with a maximum <i>gross floor area</i> of 100m ² .

Performance Outcomes	Acceptable Outcomes
Roadside stall	
<p>PO3</p> <p>The display and sales of goods from rural activities are subservient to the rural activity and do not negatively impact on the economic viability of the Western Downs Activity Centre Network.</p>	<p>AO3</p> <p><i>Roadside stalls:</i></p> <p>(a) are not located in the road reserve. (b) have a maximum display area of 10m².</p>
Animal husbandry	
Bee keeping	
<p>PO4</p> <p>Bee hives are located a safe distance from <i>sensitive land uses</i> and land intended predominately for accommodating housing and public roads to protect public health and safety.</p>	<p>AO4.1</p> <p>Bee hives have a minimum <i>setback</i> of 25 metres to any a road frontage.</p> <p>AO4.2</p> <p>Bee hives have a minimum <i>setback</i> of 200 metres from:</p> <p>(a) a <i>sensitive land use</i>; or (b) land in the following zone(s): (i) Residential zone category; (ii) Centre zone category; and (iii) Township zone.</p>
Animal Keeping	
<p>PO5</p> <p><i>Animal keeping:</i></p> <p>(a) is undertaken on a site that has a suitable area to provide for adequate setbacks of buildings, pens and waste disposal areas from:</p> <p>(i) site boundaries; (ii) roads; and (iii) <i>sensitive land uses</i>;</p> <p>(b) does not cause an adverse impact on the residents of the premises or adjoining sensitive land uses from emissions including, but not limited to:</p> <p>(i) noise; and (ii) odour.</p>	<p>AO5.1</p> <p>The <i>site</i> has a minimum area of:</p> <p>(a) 4,000m² for a cattery; (b) 8,000m² for an aviary or wildlife refuge; (c) 4,000m² for every animal stable; (d) 20,000m² for a kennel.</p> <p>AO5.2</p> <p><i>Buildings and structures</i> for the purposes of <i>Animal Keeping</i> have a minimum <i>setback</i> of:</p> <p>(a) 20 metres from a road frontage; (b) 50 metres from any existing <i>dwelling</i> on the same premises; and (c) 50 metres from any existing <i>sensitive land use</i> on adjoining premises; and (d) 15 metres from any side or rear boundary.</p>
<p>PO6</p> <p>The development must be sited, constructed and managed such that:</p> <p>(a) animals are securely housed; (b) the generation of any noise does not cause a nuisance to adjoining properties or other noise sensitive uses or receptors.</p>	<p>AO6.1</p> <p>Premises must be fenced to a minimum height of 1.8 metres.</p> <p>Note- the fence must be designed to prevent animals from escaping.</p> <p>AO6.2</p> <p><i>Buildings</i> for the accommodation of animals are to be constructed with impervious reinforced concrete floors.</p> <p>AO6.3</p> <p><i>Buildings</i> for the accommodation of animals comprise walls that are acoustically treated to limit noise emissions.</p> <p>AO6.4</p> <p>Animals are kept within roofed <i>buildings</i> or <i>structures</i> at all times and between the hours of 6.00pm and 7.00am.</p>

Performance Outcomes	Acceptable Outcomes
<p>PO7 Disposal of solid waste and liquid waste generated by <i>Animal keeping</i> does not result in any on-site or off-site contamination of soil, surface water and ground water, or create any nuisance from odour, dust or vermin.</p>	<p>AO7 No acceptable outcome.</p>
Aquaculture	
<p>PO8 The use is located on a <i>site</i> which has sufficient area to:</p> <p>(a) accommodate the intensity and scale of the use, including <i>buildings</i>, pens, ponds, other structures and waste disposal areas; and</p> <p>(b) adequately separating the use from <i>sensitive land uses</i>.</p>	<p>Where the <i>site</i> has a minimum area of 1 hectare</p> <p>AO8.1 <i>Buildings, structures</i> and areas associated with the use have a minimum <i>setback</i> of:</p> <p>(a) 10 metres from any road frontage; and (b) 10 metres from any side or rear boundary.</p> <p>Where the <i>site</i> has a minimum area of 100 hectares</p> <p>AO8.2 <i>Buildings, structures</i> and areas associated with the use have a minimum <i>setback</i> of:</p> <p>(a) 50 metres from any road frontage; and (b) 10 metres from any side or rear boundary.</p>
<p>PO9 The scale of the use:</p> <p>(a) is consistent with the character and amenity of the zone;</p> <p>(b) has regard to proximity to <i>sensitive land uses</i> or receptors.</p>	<p>Where the <i>site</i> has a minimum area of 1 hectare</p> <p>AO9.1 The <i>total water surface area</i> does not exceed 50m².</p> <p>AO9.2 <i>Buildings</i> and <i>structures</i> associated with the use do not exceed a total area of 25m².</p> <p>Where the <i>site</i> has a minimum area of 100 hectares</p> <p>AO9.3 <i>Buildings</i> and <i>structures</i> associated with the use do not exceed a total area of 100m².</p> <p>AO9.4 The <i>total water surface area</i> does not exceed 5 hectares.</p>
<p>PO10 Wastewater effluent and solid waste disposal does not result in an adverse impact on the environment or result in environmental harm or nuisance.</p>	<p>AO10.1 Wastewater is disposed of via:</p> <p>(a) collection for lawful offsite disposal; or (b) disposal to the reticulated sewer network.</p> <p>OR</p> <p>Where in the Rural Zone</p> <p>AO10.2 Development is connected to a safe and efficient on-site waste water disposal system in accordance with <i>Queensland, Plumbing and Wastewater Code</i> and <i>Australian Standard A3500</i>.</p>

Performance Outcomes	Acceptable Outcomes
Intensive Animal Industry	
<p>PO11 Intensive animal industry is located to ensure they do not cause environmental harm or environmental nuisance to sensitive land uses or receptors.</p>	<p>AO11 Operational activities, <i>buildings</i> (other than for <i>accommodation activities</i> or administrative purposes), pens, ponds, <i>structures</i> and waste disposal areas associated with an <i>intensive animal industry</i> comply with minimum setbacks specified in Table 9.3.4.2 – Separation Distances to Residential and Environmentally Sensitive Land Uses</p> <p>Note: Council recommends that applicants seeking approval for intensive animal industries refer to the relevant industry guidelines (e.g. National guidelines for Beef Cattle Feedlots in Australia) relevant at time of lodgment and that applicants consult with Department of Agriculture and Fisheries prior to the lodgment of a development application.</p>
<p>PO12 The physical, chemical and biological integrity and quality of the soil is maintained by ensuring nutrient loads do not exceed the buffering capacity of the soil or the landscape.</p>	<p>AO12 No acceptable outcome.</p>
<p>PO13 Effluent management practices associated with <i>intensive animal industry</i> demonstrates sustainable disposal (to soil and landscape) by ensuring effluent disposal and treatment activities do not cause:</p> <ul style="list-style-type: none"> (a) negative impacts on the natural hydrological cycle; (b) soil, groundwater or surface water salinity; (c) leaching of nutrients and/or pesticides, into surface water, groundwater or offsite areas that may be at risk (particularly areas down slope). 	<p>AO13 No acceptable outcome.</p>
<p>PO14 The haulage of animals and goods associated with the use does not result in the deterioration of roads used by ensuring:</p> <ul style="list-style-type: none"> (d) the roads used as haulage routes are of an adequate standard to accommodate the type and frequency of traffic generated; (e) haulage routes are maintained including the removal of dirt and other spillage from trucks; and (f) Haulage routes do not compromise traffic safety or amenity in the area. <p>Note- a road maintenance plan is required in demonstration of compliance with this Performance Outcome.</p>	<p>AO14 No acceptable outcome.</p>

Table 9.3.4.2 – Separation Distances to Residential and Environmentally Sensitive Land Uses

Use/Activity	Separation Distance (m)
Poultry Farms	Minimum 1km taken from the closest outside boundary of the shed/conglomeration of sheds.
Piggery	Minimum 1.5km taken from the closest outside boundary of the shed/conglomeration of sheds.
Feedlots	Minimum 1.5km taken from the outside extremity of the closest animal holding yard.
Cattle Dips and Yards	Minimum 200m from the outside extremity of the closest part of the yard or dip.
Abattoirs	Minimum 500m from the nearest part of the built facility or effluent disposal area.
Dairy Bails and Yards	Minimum 300m from nearest part of the facility.
Stock Saleyards	Minimum 500m from the nearest part of the facility used for holding animals.