

6.2.7.3 Rural zone code

6.2.7.3.1 Application

This code applies to development where the code is identified as applicable in categories of assessment and development.

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

6.2.7.3.2 Purpose

- (1) The purpose of the rural zone is to:
 - (a) provide for rural uses and activities; and
 - (b) provide for other uses and activities that are compatible with:
 - (i) existing and future rural uses and activities; and
 - (ii) the character and environmental features of the zone; and
 - (c) maintain the capacity of land for rural uses and activities by protecting and managing significant natural resources and processes.
- (2) The purpose of the zone will be achieved through the following overall outcomes:
 - (a) areas for primary production are conserved and fragmentation is avoided through maintaining very large lots to support rural agricultural activities;
 - (b) the viability of both existing and future rural uses and resource related activities are protected from the intrusion of incompatible uses;
 - (c) sensitive land uses are protected from impacts associated with resource extraction activities associated with mining and quarrying having regard to vibration, odour, dust or other emissions;
 - (d) the establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, grazing, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses;
 - (e) cropping and horticultural activities are encouraged on productive ALC Class A and B agricultural land;
 - (f) renewable energy facilities and extractive industries:
 - (i) mitigate impacts on the environment and adjoining land uses;
 - (ii) do not degrade ALC Class A and B agricultural land;
 - (iii) are located to allow connections into supporting energy networks; and
 - (iv) rehabilitate sites upon completion of activities.

Editor's note—For extractive industry, refer also to the Extractive Industry code in Part 8.

- (g) the establishment of outdoor recreation and small-scale tourism and entertainment facilities (such as restaurants and function facilities) in suitable locations is facilitated only where they do not compromise the use of the land for rural activities and minimise any land-use conflicts;
- (h) natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed and separated from adjacent development where possible. Any unavoidable impacts are minimised through location, design, operation and management requirements;
- (i) rural land uses incorporate sustainable practices to:
 - (i) prevent soil erosion and landslide;
 - (ii) protect the quality of land resources and water catchments; and
 - (iii) maintain habitat values of waterways and native timber and forest areas.
- (j) adverse impacts of land use, both on site and from adjoining areas, are avoided and any unavoidable impacts are minimised through location, design, operation and management;
- (k) urban and rural residential expansion does not occur on land in the rural zone;
- (l) development responds to land constraints, including but not limited to, former mining activities and land contamination.
- (m) Development does not conflict with the ongoing efficient and safe use of the stock route network by travelling stock.

Editor's note—Sites of former mining activity may be identified through the Historic Mining Permits, Resources (Mineral Occurrence and Geological Observation Data) and Abandoned Mines layers of MyMinesOnline Maps. However, proponents should be aware that the online mapping does not spatially represent all abandoned mines and their extent. Geotechnical investigation of past mining areas may reveal additional unmapped historic mine sites.

6.2.7.3.3 Specific benchmarks for assessment

Table 6.2.7.3.3 — Accepted development subject to requirements and assessable development

| Performance outcomes | Acceptable outcomes | Comments |
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| Built form | | |
| PO1 Buildings are designed and located so as not to adversely impact on the rural character and amenity of the locality. | AO1.1 Building height does not exceed 12m. AO1.2 Buildings, other than a Roadside stall, are setback a minimum of: (a) 10m from the front boundary and side boundaries for allotments greater than 2ha; or (b) 5m front boundary and side boundaries for allotments less than 2ha. | |

| Residential density | | | | | | | | | | |
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| PO2 Residential density reflects the low intensity rural character of the locality. | AO2.1 Residential density is limited to: (a) one Dwelling house (including a Secondary dwelling) per allotment; and (b) Rural workers accommodation up to 400m ² GFA. | | | | | | | | | |
| | AO2.2 Any Secondary dwelling is a maximum of 150m ² GFA. | | | | | | | | | |
| Amenity | | | | | | | | | | |
| PO3 Sensitive land uses do not encroach on existing or approved rural, mining and extractive industry activities or other uses that may result in an adverse impact on amenity, health or safety. Editor's note—Where not achieving AO3, a site-based assessment is required to demonstrate compliance with PO3. | AO3 Sensitive land uses are separated: (a) from intensive animal industry uses where: (i) feedlots by a minimum of 1km; (ii) poultry farms by a minimum of 800m; (b) from animal keeping where: (i) catteries and kennels by a minimum of 800m; (ii) otherwise 500m; (c) aquaculture by a minimum of 300m; (d) from waste disposal areas connected to an animal husbandry operation by a minimum of 1km; (e) from cropping on areas of agricultural land by a minimum of 300m; (f) from other agricultural activities (excluding cropping activities) by a minimum of 50m; (g) from other rural activities, not elsewhere mentioned, by a minimum of 100m; (h) from railway activities by a minimum of 100m; (i) from existing industrial activities by 1km; and (j) from extractive industry operations as follows: | | | | | | | | | |
| | <table border="1"> <thead> <tr> <th colspan="2">Operation</th><th>Separation distance</th></tr> </thead> <tbody> <tr> <td>Extraction</td><td>or</td><td>1,000m</td></tr> <tr> <td>processing</td><td></td><td></td></tr> </tbody> </table> | Operation | | Separation distance | Extraction | or | 1,000m | processing | | |
| Operation | | Separation distance | | | | | | | | |
| Extraction | or | 1,000m | | | | | | | | |
| processing | | | | | | | | | | |

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| | <table><tr><td>involving blasting or crushing</td><td></td></tr><tr><td>Extraction or processing not involving blasting or crushing</td><td>200m</td></tr><tr><td>Haul route</td><td>100m</td></tr></table> | involving blasting or crushing | | Extraction or processing not involving blasting or crushing | 200m | Haul route | 100m | |
| involving blasting or crushing | | | | | | | | |
| Extraction or processing not involving blasting or crushing | 200m | | | | | | | |
| Haul route | 100m | | | | | | | |
| PO4 Outdoor lighting does not adversely affect the amenity of adjoining properties or create a traffic hazard on adjacent roads. | AO4.1 Light emanating from any source complies with <i>Australian Standard AS4282 Control of the Obtrusive Effects of Outdoor Lighting</i> or current version. | | | | | | | |
| | AO4.2 Outdoor lighting is provided in accordance with <i>Australian Standard AS 1158.1.1 Road Lighting – Vehicular Traffic (Category V) Lighting – Performance and Installation Design Requirements</i> or current version. | | | | | | | |
| PO5 Development does not adversely impact on the amenity of the surrounding rural or rural residential land uses and/or rural landscape character. | AO5 Plant and air-conditioning equipment, storage areas and processing activities are screened from view of the road or adjoining residential uses. | | | | | | | |
| PO6 Development ensures: (a) vulnerability to landslide, erosion and land degradation is minimised; and (b) the safety of people and property. Editor's note—Where not achieving AO6, a site-based assessment and Landslide risk management plan is required to demonstrate compliance with PO6. Refer to the Natural hazards TPP. | AO6 Development is not located on slopes greater than 15%. | | | | | | | |

| Stock routes Editor's note – stock routes are identified on the Agriculture overlay map OM1. | | |
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| PO7 Development does not result in encroachment by sensitive land uses and other incompatible uses along the stock route network and uses are setback and buffered from the stock route network to mitigate impacts. | A07 Sensitive land uses are separated a minimum of: (a) 200m from a surveyed stock route; or (b) 800m from an unsurveyed stock route. | |
| PO8 Development on or adjoining the stock route network does not compromise the connectivity and integrity of the network and protects the ongoing, efficient and safe use of travelling stock by: (a) Maintaining the extent of the stock route network, including where pasturage rights exists; (b) Maintaining access to water facilities and other stock route infrastructure; (c) Using access works that are robust and fit-for-purpose, and provide for the safe passage of stock traversing the stock route; and (d) Where transport or other linear infrastructure crosses a stock rout, providing a practical solution to allow stock to move across the infrastructure safely and in a timely example (for example grade separation). | No acceptable outcome is nominated. | |
| PO9 Development does not result in a loss of secondary values associated with the stock route network including recreational, environmental and heritage values. | No acceptable outcome is nominated. | |

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| Use - Caretakers accommodation | | |
| PO10 Development is ancillary to the primary use. | A10 No more than 1 Caretaker's accommodation unit is established on the site. | |
| Use - Roadside stall | | |
| PO11 Roadside stalls are of a scale in keeping with the rural character of the locality. | AO11.1 Structures associated with the use are limited to 30m ² GFA. | |
| | AO11.2 A Roadside stall is setback a minimum of 10m from the front and side boundaries. | |
| | AO11.3 The Roadside stall only sells produce grown on site. | |
| For all assessable development | | |
| Land use | | |
| PO12 Development: (a) is consistent with the rural character of the locality; (b) supports the primary rural function of the zone; and (c) protects rural, natural and scenic values of the locality. | No acceptable outcomes are nominated. | |
| PO13 Tourism (including associated accommodation), recreation and entertainment related activities: (a) are small scale; (b) do not impact on the viability of nearby urban and township areas; (c) have a direct nexus with the natural environment or rural activities; (d) avoid locating on productive rural land; (e) are not located where they would prejudice the ongoing operation of existing or approved | No acceptable outcomes are nominated. | |

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| <p>rural activities such as intensive animal industries and intensive horticulture; and</p> <p>(f) are compatible with rural production and agricultural land, natural resources and landscape amenity.</p> | | |
| Design and amenity | | |
| <p>PO14</p> <p>Development is designed to achieve safety for all users having regard to:</p> <p>(a) maximising casual surveillance and sight lines;</p> <p>(b) avoiding personal concealment and entrapment locations;</p> <p>(c) exterior building design that promotes safety;</p> <p>(d) adequate lighting;</p> <p>(e) appropriate signage and wayfinding; and</p> <p>(f) building entrances, parking areas, loading and storage areas that are well lit and have clearly defined access points.</p> <p>Editor's note—Applicants may find useful guidance in the Queensland Government's Crime Prevention through Environmental Design Guidelines for Queensland.</p> | No acceptable outcome is nominated. | |
| <p>PO15</p> <p>Development minimises potential conflicts with, or impacts on, other uses having regard to vibration, odour, dust or other emissions.</p> | <p>AO15.1</p> <p>Development achieves the air quality design objectives set out in the <i>Environmental Protection (Air) Policy 2008</i>, as amended.</p> | |
| | <p>AO15.2</p> <p>Development that involves the storage of materials on site that are capable of generating air contaminants either by wind or when disturbed are managed by:</p> <p>(a) being wholly enclosed in storage bins; or</p> <p>(b) a watering program so material cannot become airborne.</p> | |

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| <p>PO16 Development prevents or minimises the generation of any noise so that nuisance is not caused to adjoining premises or other nearby sensitive land uses.</p> | <p>AO16 Development achieves the noise generation levels set out in the <i>Environmental Protection (Noise) Policy 2008</i>, as amended.</p> | |
| <p>PO17 Development does not unduly impact on the existing amenity and character of the locality having regard to: (a) the scale, siting and design of buildings and structures; (b) visibility from roads and other public view points, screening vegetation and landscaping; (c) the natural landform and avoidance of visual scarring; and (d) vibration, odour, dust, spray drift and other emissions.</p> | <p>No acceptable outcomes are nominated.</p> | |
| <p>PO18 All uses are located, designed, orientated and constructed to: (a) minimise noise dust, odour or other nuisance from existing lawful uses including rural and industrial uses; (b) minimise nuisance caused by noise, vibration and dust emissions generated to the State-controlled road and rail network in the vicinity of the land; (c) not adversely encroach on airport service uses and other activities associated with the Charters Towers airport; and (d) avoid areas that may place unreasonable risk to people and property from former mining activities and contaminated land. Editor's note – sites of former mining activity may be identified through the Historic Mining Permits, Resources (Mineral Occurrence and Geological Observation Data) and Abandoned Mines layers of MyMinesOnline Maps.</p> | <p>No acceptable outcomes are nominated.</p> | |

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| | AO20.5 A person who is responsible for the operation of the use is accommodated on the premises at all times. | | | | | | | |
| | AO20.6 Animal enclosures are set back to roads, streets and water resources as follows: <table><tr><td>Road frontages</td><td>50m</td></tr><tr><td>Top bank of creek, river, stream, wetland, edge of well, bore, dam, weir, intake or the like which provides potable water supply to the site or surrounds</td><td>100m</td></tr><tr><td>Top bank of dry or perennial gully</td><td>30m</td></tr></table> | Road frontages | 50m | Top bank of creek, river, stream, wetland, edge of well, bore, dam, weir, intake or the like which provides potable water supply to the site or surrounds | 100m | Top bank of dry or perennial gully | 30m | |
| Road frontages | 50m | | | | | | | |
| Top bank of creek, river, stream, wetland, edge of well, bore, dam, weir, intake or the like which provides potable water supply to the site or surrounds | 100m | | | | | | | |
| Top bank of dry or perennial gully | 30m | | | | | | | |
| Use - Agricultural supplies store, Bulk landscaping supplies, Rural industry, Wholesale nursery and Garden centre | | | | | | | | |
| PO21 Development is located and designed on sites of sufficient size, to minimise adverse impacts on: (a) the amenity of the setting, in particular noise, odour and dust emissions; (b) the amenity of neighbours; and (c) operating within the safe and effective design capacity of the region's road system. | AO21.1 The premises has a minimum site area of 5ha. | | | | | | | |
| | AO21.2 A minimum 15m setback is required from any adjoining property boundary. | | | | | | | |
| | AO21.3 Sales, storage, handling, packaging and production areas are setback a minimum of: (a) 100m from any sensitive land use (50m for Garden centre); (b) 50m from State-controlled roads and 20m from all other roads; (c) 20m from any residential dwelling on the same or neighbouring site (10m for Garden centre); and (d) 30m from top bank of creek, river, stream or wetland edge of well, bore, dam, weir, or intake that provides potable water. | | | | | | | |
| | AO21.4 Infrastructure and material storage areas are confined to free draining areas and sites on slopes not exceeding 10%. | | | | | | | |

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| | AO21.5 There is direct access from the property boundary to a sealed road. | |
| | AO21.6 Hours of operation are limited between 07:00 to 17:00. | |
| Use - Club or community use | | |
| PO22 Development is located and designed on sites of sufficient size, to minimise adverse impacts on: (a) the amenity of the setting, in particular noise, odour and dust emissions; and (b) the amenity of neighbours. | AO22.1 A minimum site area of 5ha. | |
| | AO22.2 Siting and layout includes: (a) the total area of covered buildings and roof structures is no greater than 10% of site area; and (b) no building or structure is closer than 15m to any site boundary. | |
| | AO22.3 Buildings and structures associated with the use is limited to: (a) shelters; (b) toilets; (c) kiosks; and (d) hall/function area. | |
| | AO22.4 Hours of operation are limited between 07:00 and 22:00. | |

| Use - Renewable energy facility (where a solar farm) | | |
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| PO23 Development is: (a) located to allow for connections into relevant energy supply networks; (b) located to avoid fragmenting highly productive agricultural land; and (c) accessible to an appropriate level of road infrastructure to support the facility. | No acceptable outcome is nominated. | |
| PO24 Development ensures the site is returned to its pre-development condition and land use upon cessation of the renewable energy facility. | No acceptable outcome is nominated. | |