

## **RURAL USE CODE**

### **1 Purpose of the Code**

The purpose of this Code is to:

- facilitate the development of rural uses in appropriate locations within the City; and
- ensure rural uses do not impact adversely on the site or the surrounding area; and
- ensure these uses are appropriately located where infrastructure they require can be provided; and
- not prejudice the ongoing operation of rural uses in Rural Areas, the Depot Hill Special Use Area, Yeppoon Road Environmental Protection Area and the Parkhurst Future (Post 2015) Residential Area.

### **2 Application of the Code**

This section is applicable to Code Assessable development, made Code Assessable by;

- (1) the Level of Assessment Table for an Area; or
- (2) because the development may have been listed as Self Assessable development in the Level of Assessment Table for an Area but was unable to comply with an Acceptable Solution in its applicable primary code(s).

For code assessable development, the code for assessment consists of:

- (A) the primary code(s) listed in the relevant Level of Assessment Table; and
- (B) the secondary code(s) listed below.

However, where a code assessment is required as a result of not complying with an Acceptable Solution in self assessment (refer to item (2) above in this section), the code for assessment consists of the primary code(s) and any secondary code(s) referred to in the particular Acceptable Solution in the primary code with which the development did not comply. In all other cases the secondary codes that comprise the code for assessment include:

- Airport Code; and
- Biodiversity / Nature Conservation Code; and
- Demolition Code – where on a site where the code applies; and
- External Works and Servicing Code; and
- Filling or Excavation Code; and
- Flood Prone Land Code – where any part of the proposal is within the Q100 flood line shown on the Area maps; and
- Heritage Code - where on a Heritage Place or on a site adjoining a Heritage Place.

### **3 Definitions**

There are no definitions specific to this Code.



**4      *Explanation***

This code sets out the criteria for assessing the rural uses of animal keeping, farming and forestry, only. These uses are not envisaged for locations adjoining or close to Residential Areas. Any application for animal keeping, farming or forestry is required to meet the requirements of the code (below) as well as any State Government or industry standards.

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**5 Performance Criteria and Acceptable Solutions**

Performance Criteria		Acceptable Solutions	
Location			
P1	Rural uses do not result in unreasonable impacts on the environment, landscape or the amenity of surrounding areas.	A1.1	The location for any animal keeping, farming or forestry is in a Rural Area, or the Depot Hill Special Use Area, Yeppoon Road Environmental Protection Area or the Parkhurst Future (Post 2015) Residential Area.
		A1.2	<b>AND</b> Rural uses are restricted to: (i) animal keeping (other than a stable), where the keeping of the animals in any building or structure is a minimum of 15 metres from any residential building on the lot and 100 metres from any residential building on adjoining lots, and is as defined in Section 3.7 of this planning scheme; (ii) farming; and (iii) forestry.
		A1.3	<b>AND</b> Equipment used for rural uses is stored on the site where it is used.
		A1.4	<b>AND</b> The maximum height of any building or structure (including fixtures or devices attached to a building or structure such as aerials, antennae, mast poles, advertising signs and the like) and cranes and other temporary machines, devices or structures is; (i) 9 metres above ground level for permanent buildings or structures and 12 metres for temporary <sup>1</sup> machines, devices, buildings or structures; or (ii) a height that does not penetrate the Obstacle Limitation Surface for the Rockhampton Airport as shown on Airport Code Map 2;
		A1.5	whichever is the lesser.  <b>AND</b> The use is not an environmentally relevant activity under the <i>Environmental Protection Act 1994</i> .
P2	Rural uses are located or managed in a manner so that they do not create a	A2.1	A Rural Use if for the specific purpose of turf farming or fruit farming is not located within 8km of the Rockhampton airport as shown on Airport Code Map 4 attached to the Airport Code <sup>2</sup> ;

<sup>1</sup> Temporary is taken to be for a period of no more than 6 months in any 12 month period.

<sup>2</sup> However, despite this a Rural Use if for the specific purpose of turf farming or fruit farming located between 3km and 8km from the Rockhampton airport as shown on Airport Code Map 4 attached to the Airport



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Performance Criteria		Acceptable Solutions	
	wildlife hazard for aircraft operating in the operational airspace of the Rockhampton Airport.	<b>A2.2</b>	<b>AND</b> 'Animal Keeping' located within 8km of the Rockhampton airport as shown on Airport Code Map 4 attached to the Airport Code has all food or waste sources collected and removed off site to beyond 8km from the Rockhampton airport or alternatively covered so that they are not accessible to wildlife at any time.
<b>State Gas Pipeline</b>			
<b>P3</b>	The safe operation of the State Gas Pipeline must not be compromised by the proposal, and life and property must not be put at risk by uses near the State Gas Pipeline.	<b>A3</b>	The Rural use does not involve building work or operational work within 20 metres of the State Gas Pipeline that is shown on Planning Scheme Map 7 – Infrastructure Map.
<b>Environment</b>			
<b>P4</b>	Rural uses must not have detrimental impacts on the Fitzroy River.	<b>A4</b>	Rural uses are not within a 30 metre horizontal distance from the waterway corridor boundary as identified on Planning Scheme Map 5 – Waterway Corridor Map.
<b>P5</b>	Rural uses do not impact adversely on biodiversity or landscape values and are therefore consistent with the purpose of the <b>Biodiversity / Nature Conservation Code</b> .  <i>Note. An application unable to satisfy the Acceptable Solutions must therefore be also assessed against the Biodiversity / Nature Conservation Code.</i>	<b>A5.1</b>	Rural uses are only carried out in areas not affected by remnant vegetation or significant wetlands as identified on Planning Scheme Map 4.
		<b>A5.2</b>	<b>AND</b> The proposal is not located on a site within the Berserker Range Environmental Protection Area with the exception of Animal Keeping (excluding a Kennel, Cattery or Pound) on Lot 18 on RP 891378 and Lot 1 on RP 894253.



Code can occur if carried out in accordance with a wildlife management plan (that may include for example scarers, netting, etc) approved in writing by the Manager of the Rockhampton Airport.

