

6.6 Rural zones category

6.6.1 Rural zone code

6.6.1.1 Application

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

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

6.6.1.2 Purpose

- (1) The purpose of the Rural zone code is to:
 - (a) provide for a wide range of rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;
 - (b) provide opportunities for non-rural uses that are compatible with agriculture, the environment, and the landscape character of the rural area where they do not compromise the long-term use of the land for rural purposes; and
 - (c) protect or manage significant natural features, resources, and processes, including the capacity for primary production.

- (2) The particular purpose of the code is to ensure:
 - (a) the productive capacity of all rural land and opportunities to diversify and add value to rural production are maximised, within the ecological constraints of the land;
 - (b) the character and landscape values of non-urban land are maintained; and
 - (c) urban or rural residential development does not expand into rural zoned land.

- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) the zone primarily accommodates cropping or animal husbandry and ancillary detached houses;
 - (b) all rural land is protected from further fragmentation. A lack of viability for existing farm units and small holdings does not justify their further subdivision or use for non-rural purposes;

 - (c) housing in the rural zone only occurs to the extent that it supports the productive use of the land. Urban and rural residential development is contained within designated growth areas and does not expand into the rural zone;

 - (d) other new enterprises, including rural industries and tourism activities, are accommodated where:
 - (i) they are directly associated with rural production, a natural resource or the natural environment or need to be remote from urban uses as a result of their impacts;
 - (ii) the productive capacity of the land is not diminished and conflicts with existing and intended activities in the surrounding area are avoided;
 - (iii) the existing landscape and natural resource values of the land are maintained; and
 - (iv) the development is not more appropriately located in another zone;

 - (e) extractive resources and existing extractive operations on rural land are protected from encroachment by incompatible uses;

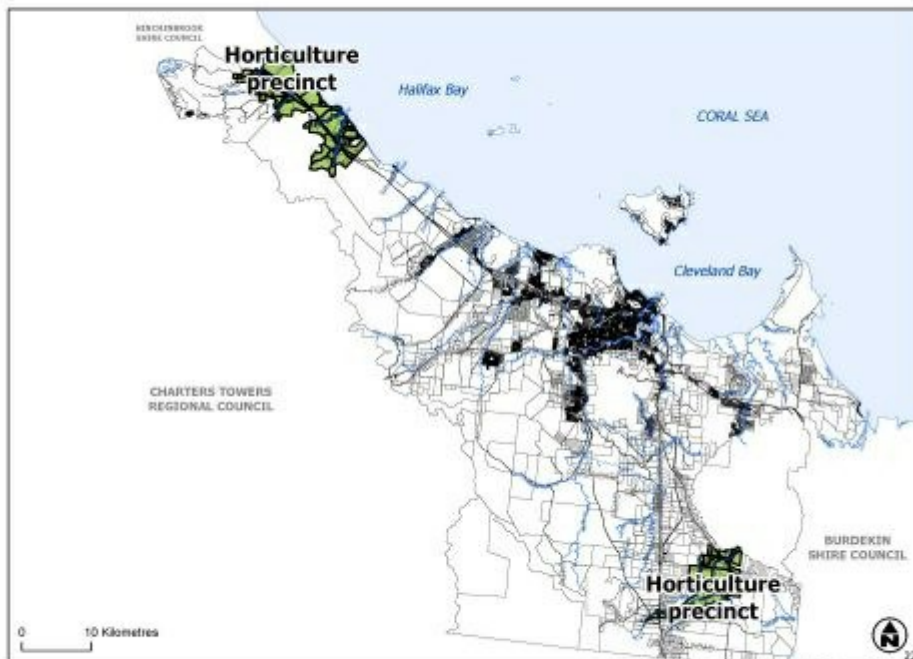
 - (f) the environmental, character and landscape values of all rural land are maintained; and

 - (g) adequate separation and buffering is provided by new development in nearby urban or rural residential zoned land to ensure the encroachment by more intensive residential and other sensitive uses is avoided.

- (4) The purpose of the zone will also be achieved through the following additional overall outcomes for particular precincts:

Horticulture precinct:

- (a) this precinct contains the most productive areas in the Townsville region, in which cropping is the predominant land use. The productive capacity of this land is maximised;
- (b) rural industries which have a direct nexus with the rural production in the immediate locality and only small-scale farm stay or bed and breakfast accommodation are established in this precinct;
- (c) forestry does not adversely affect horticultural production, natural or scenic values on nearby land;
- (d) permanent plantations, animal keeping (being kennels and catteries), intensive animal industries and aquaculture are not established in this precinct; and
- (e) subdivision of lots below 40ha generally does not occur.

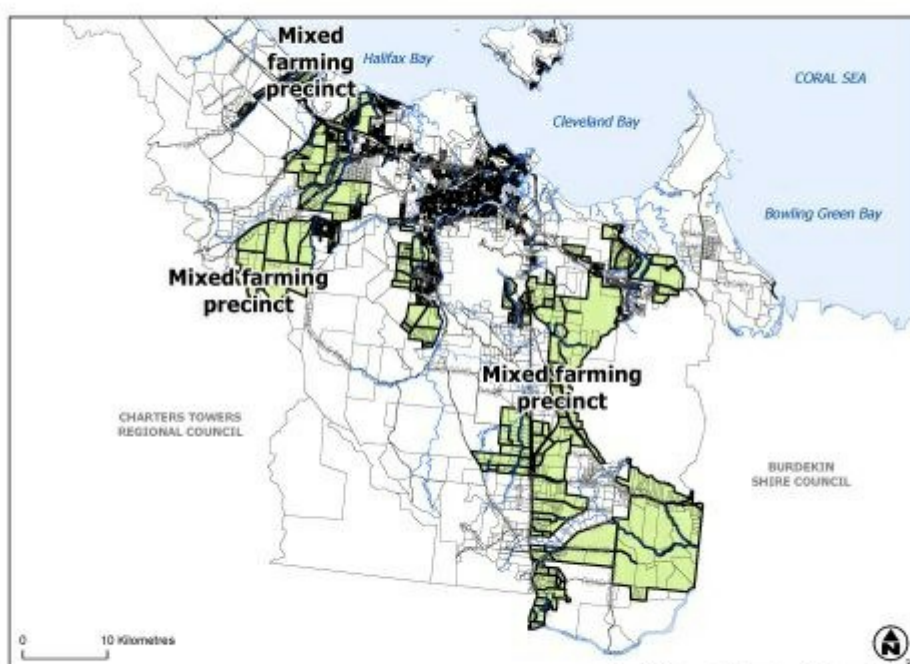


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Figure 6.155 - Horticulture precinct

Mixed farming precinct:

- (a) this precinct contains low intensity animal husbandry with some potential for cropping.
- (b) animal keeping (being kennels and catteries), intensive animal industries, aquaculture and rural industries establish where they:
 - (i) are able to be located on less productive land within the precinct;
 - (ii) are adequately separated from rural dwellings and other sensitive land uses;
 - (iii) do not diminish the productive capacity of other land nearby; and
 - (iv) do not diminish water quality, natural, scenic or environmental values, including remnant vegetation;
- (c) subdivision of lots below 400ha in the Ross River Dam catchment and 40ha elsewhere generally does not occur.

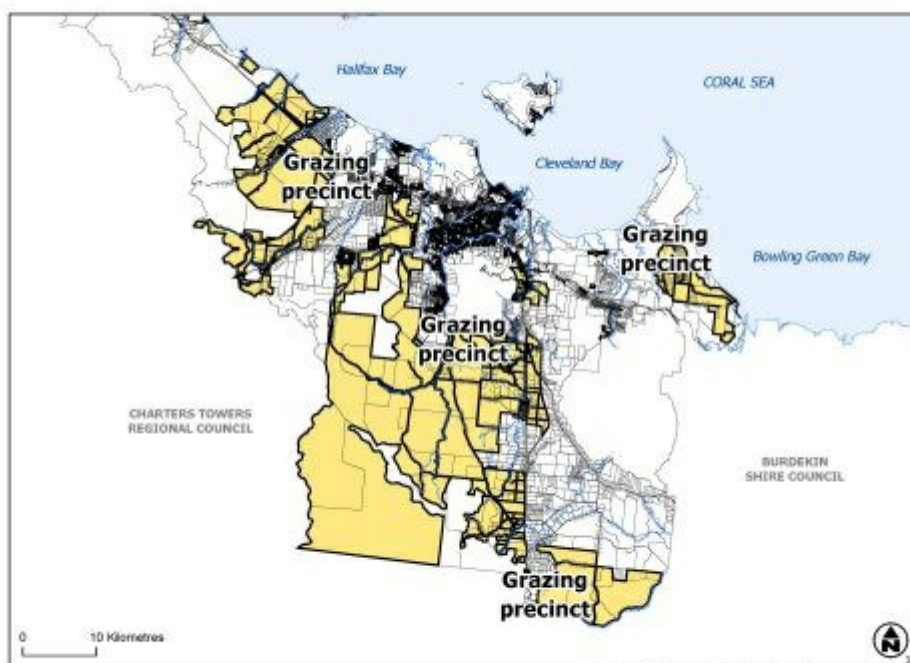


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Figure 6.156 - Mixed farming precinct

Grazing precinct:

- (a) this precinct predominantly contains broad hectare grazing;
- (b) the landscape character of elevated areas with high landscape significance is protected;
- (c) animal keeping (being kennels and catteries), intensive animal industries, aquaculture and rural industries establish where they:
 - (i) are able to be located on less productive land within the precinct;
 - (ii) are adequately separated from rural dwellings and other sensitive land uses;
 - (iii) do not diminish the productive capacity of other land nearby; and
 - (iv) do not diminish water quality, natural, scenic or environmental values, including remnant vegetation;
- (d) development does not prejudice the long-term potential of the Lansdown high impact industry precinct and the Lansdown motor sport facility precinct to accommodate development consistent with the relevant zone code; and
- (e) subdivision of lots below 400ha generally does not occur.



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Figure 6.157 - Grazing precinct

Cungulla precinct:

- (a) rural land in the Cungulla precinct includes smaller lots used for primarily residential purposes. Agricultural uses are of lesser importance at Cungulla;
- (b) houses are established on rural zoned land at Cungulla, providing that appropriate residential amenity and safety can be maintained, with particular regard to nearby extractive industry activities;
- (c) houses are provided with adequate water supply and sewage treatment and disposal can be provided; and
- (d) subdivision of lots below 10ha generally does not occur.

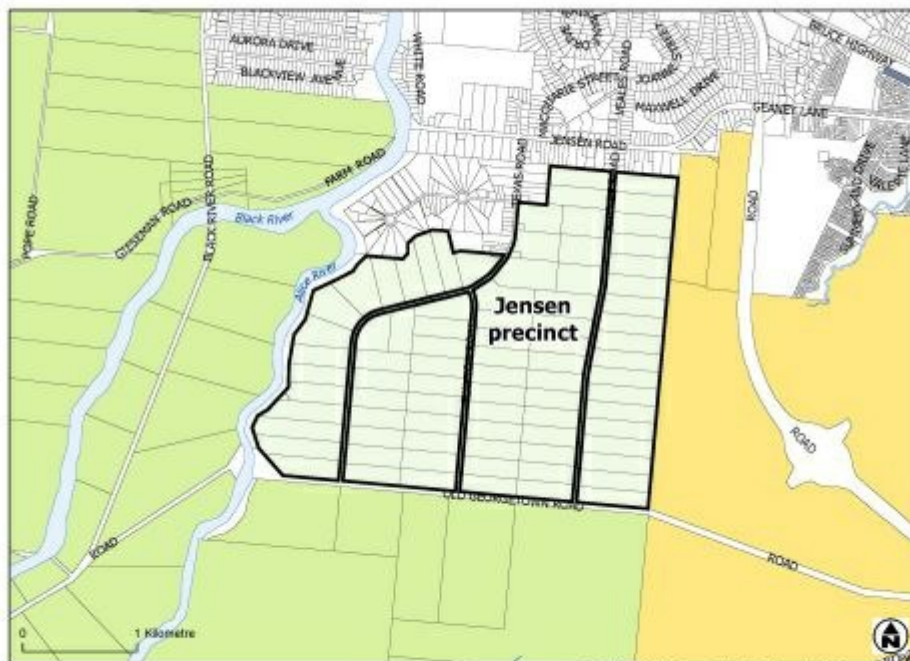


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Figure 6.158 - Cungulla precinct

Jensen precinct:

- (a) this precinct contains smaller rural living lots with some potential for cropping;
- (b) houses are provided with reticulated water supply, and on-site sewerage treatment and disposal; and
- (c) subdivision of lots below 10ha generally does not occur.



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Figure 6.159 - Jensen precinct

6.6.1.3 Assessment benchmarks

Table 6.6.1.3-Accepted development subject to requirements and assessable development (Part)

Editor's note—Dwelling houses may also be accepted development subject to requirements against the Water resources catchment overlay code.

Performance outcomes	Acceptable outcomes
For accepted development subject to requirements and assessable development	
Caretaker's accommodation, community residence or dwelling house	
<p>PO1 Development does not detract from the effective operation of the primary use or the rural landscape character and amenity of site.</p>	<p>AO1.1 Dwellings are not established on lots less than 1ha in size, other than in the Cungulla precinct.</p> <p>AO1.2.1 Where on a lot less than 1ha (in accordance with AO1.1), no more than 1 dwelling is established. OR AO1.2.2 On lots greater than 1ha, no more than 2 dwellings are established.</p>
<p>PO2 Dwellings have adequate access to basic services to ensure the safety and wellbeing of residents and the protection of water quality and other environmental values.</p>	<p>AO2 A dwelling:</p> <ul style="list-style-type: none"> (a) has a legal access to a constructed road; (b) has a legal connection to either: <ul style="list-style-type: none"> (i) reticulated water supply; or (ii) a water tank with a minimum capacity of 45,000 liters; and (c) if in the Cungulla precinct, does not rely on bore water.
<p>PO3 Dwellings are sufficiently separated from existing lawful activities in the locality in order to protect the safety and amenity of residents and to ensure the ongoing operation of those activities is not prejudiced.</p>	<p>AO3.1 Dwellings are separated from:</p> <ul style="list-style-type: none"> (a) an existing or approved intensive animal industry use by at least 1km; (b) an existing or approved extractive industry operation or a resource/processing area shown on overlay map OM-05 by: <ul style="list-style-type: none"> (i) 500m from a hard rock extractive industry; (ii) 200m from a sand and gravel extractive industry; and (iii) 100m from a haul route used by any existing operation. <p>AO3.2 Dwellings are set back from all site boundaries by 20m, other than in the Cungulla precinct where dwellings and ancillary structures are set back a minimum of 6m from front boundaries, 3m from side boundaries where adjoining a road or 1.5m otherwise for side and rear boundaries.</p>

Table 6.6.1.3-Accepted development subject to requirements and assessable development (Part)

Performance outcomes	Acceptable outcomes
For accepted development subject to requirements and assessable development	
Home based business	
<p>PO4 Development does not detract from the effective operation of the primary use or the rural landscape character and amenity of site. Editor's note—A heavy vehicle is a vehicle with more than 4.5 tonnes GVM (gross vehicle mass), GCM (gross combination mass) or more than 2 tonnes ATM (aggregate trailer mass).</p>	<p>AO4.1 The home based business does not:</p> <ul style="list-style-type: none"> (a) require more than the owner and 2 employees on-site at any one time; (b) does not generate more than 28 vehicle trips per day by other vehicles, where one trip includes arriving at the site and a second trip is departing the site. These trips are additional to normal trips associated with the dwelling or rural use; (c) include an area exceeding 20m² used for the sale of the goods made on the site; (d) involve hiring out of materials, goods, appliances or vehicles; and (e) involve the repair or maintenance of vehicles, other than minor maintenance of vehicles used in conjunction of the home business or rural use on the site.
	<p>AO4.2 Bed and breakfast or farm stay accommodation does not exceed three bedrooms or three cabins.</p>
<p>PO5 Heavy vehicle parking:</p> <ul style="list-style-type: none"> (a) has a direct nexus with a home based business or rural use carried out on the site; and (b) does not adversely affect the amenity of neighbouring properties. 	<p>AO5.1 Not more than two heavy vehicles are parked on the site.</p>
	<p>AO5.2 While on-site, vehicles:</p> <ul style="list-style-type: none"> (a) are not operated between the hours of 10pm and 6am; (b) are not left idling for more than 5 minutes at any one time; and (c) do not have a refrigeration unit running.

Table 6.6.1.3-Accepted development subject to requirements and assessable development (Part)

Performance outcomes	Acceptable outcomes
For accepted development subject to requirements and assessable development	
Roadside stall	
<p>PO6 Roadside stalls are small in scale and do not impact negatively upon the amenity, character or safety of rural areas and the safety and efficiency of roads.</p>	<p>AO6.1 Any structure used for the sale of goods or produce is limited to 20m² gross floor area.</p>
	<p>AO6.2 Access to the structure is via the primary property access point.</p>
	<p>AO6.3 Produce or goods sold is grown, made or produced on the land on which the road side stall is erected.</p>

Table 6.6.1.3-Accepted development subject to requirements and assessable development (Part)

Performance outcomes	Acceptable outcomes
For accepted development subject to requirements and assessable development	
Rural industry, community use, wholesale nursery	
PO7 Development does not impact negatively upon the amenity, character or safety of surrounding areas.	AO7.1 Non-residential buildings, animal enclosures storage facilities and waste disposal areas are set back: (a) 100m from the boundary of any land included in residential zone or the rural residential zone; or (b) 50m from other site boundaries.
	AO7.2 Buildings are set back 20m from any road frontage.
	AO7.3 Building height does not exceed 2 storeys.

Table 6.6.1.3-Accepted development subject to requirements and assessable development (Part)

Performance outcomes	Acceptable outcomes
For assessable development	
General benchmarks	
PO8 Development: (a) is located on the least productive parts of a site; (b) does not restrict the ongoing safe and efficient use of nearby rural uses; and (c) is adequately separated or buffered where it is likely to be sensitive to the operational characteristics associated with rural uses, rural industries, extractive industries or other lawful use.	No acceptable outcome is nominated.
PO9 Tourism-related uses are established only where they are directly associated and compatible with rural production, natural resources or landscape amenity in the immediate vicinity.	No acceptable outcome is nominated.

<p>PO10 Uses that require isolation from urban areas are accommodated only where:</p> <ul style="list-style-type: none"> (a) they cannot be more appropriately located in an industrial or other relevant zone; (b) they can be adequately separated from sensitive uses (whether or not in the rural zone); (c) they can be adequately separated from land in the Horticulture precinct; and (d) potential impacts can be appropriately managed. <p>Editor's note—Applicants seeking approval for intensive animal industries should refer to the <i>'National Guidelines for Beef Cattle Feedlots in Australia, National Beef Cattle Feedlot Environmental Code of Practice'</i>, <i>'Queensland Dairy Farming Environmental Code of Practice'</i>, <i>'National Environmental Guidelines for Piggeries'</i> and <i>'Queensland Guidelines Meat Chicken Farms'</i> and that applicants consult with the relevant State government department prior to the lodgement of a development application. For other uses council may require a study that, amongst other matters, identifies how the development is in accordance with Environmental Protection (Air) Policy 1997 or Environmental Protection (Noise) Policy 1997.</p>	<p>No acceptable outcome is nominated.</p>
<p>PO11 Development is designed and managed so that it provides appropriate protection for community health and safety, and avoids unacceptable risk to life and property.</p>	<p>No acceptable outcome is nominated.</p>
<p>PO12 Development does not adversely impact on the character, amenity or scenic values of the locality, having regard to:</p> <ul style="list-style-type: none"> (a) the scale, siting and design of buildings; (b) the visibility of buildings, structures and infrastructure; (c) likely emissions including water-borne contaminants, noise, dust, lighting and odour; and (d) the nature or volume of traffic generated. 	<p>No acceptable outcome is nominated.</p>
<p>PO13 Ecological values, habitat corridors and soil and water quality are protected, having regard to:</p> <ul style="list-style-type: none"> (a) maximisation of vegetation retention and protection of vegetation from the impacts of development; (b) avoidance of potential for erosion and minimisation of earthworks; (c) retention and protection of natural drainage lines and hydrological regimes; and (d) avoidance of leeching by nutrients, pesticides or other contaminants, or potential for salinity. 	<p>No acceptable outcome is nominated.</p>

Table 6.6.1.3-Accepted development subject to requirements and assessable development (Part)

Performance outcomes	Acceptable outcomes
<p>Additional benchmarks for assessable development in precincts Note—Where acceptable outcomes in this section vary from those provided earlier in this code, the precinct-based acceptable outcomes take precedence.</p>	
Horticulture precinct	
<p>PO14 Productive land within this precinct is maintained.</p>	No acceptable outcome is nominated.
<p>PO15 Rural industries are established only where associated with rural production in the immediate vicinity.</p>	No acceptable outcome is nominated.
<p>PO16 Tourist related uses are limited to small-scale bed and breakfast and farm stay which do not detract from the ongoing productive use of the site.</p>	No acceptable outcome is nominated.
<p>PO17 Reconfiguration is limited to protect the ongoing viability of existing and potential horticulture.</p>	<p>AO17 The minimum lot size in the precinct is 40ha.</p>

Table 6.6.1.3-Accepted development subject to requirements and assessable development (Part)

Performance outcomes	Acceptable outcomes
<p>Additional benchmarks for assessable development in precincts Note—Where acceptable outcomes in this section vary from those provided earlier in this code, the precinct-based acceptable outcomes take precedence.</p>	
Mixed farming precinct	
<p>PO18 Reconfiguration is limited to protect the ongoing viability of existing and potential horticulture uses, water quality and ecological and landscape values.</p>	<p>AO18 The minimum lot size in the precinct is 40ha, except in the Ross River Dam Catchment area where the minimum lot size is 400ha. Editor's note—The Ross River Dam catchment area is depicted on the Water resource catchment overlay map OM-09.</p>

Table 6.6.1.3-Accepted development subject to requirements and assessable development (Part)

Performance outcomes	Acceptable outcomes
<p>Additional benchmarks for assessable development in precincts Note—Where acceptable outcomes in this section vary from those provided earlier in this code, the precinct-based acceptable outcomes take precedence.</p>	
<p>Grazing precinct</p>	
<p>PO19 Development in the vicinity of the Lansdown high impact industry precinct and the Lansdown motor sport facility precinct is to accommodate development consistent with the relevant zone code.</p>	<p>No acceptable outcome is nominated.</p>
<p>PO20 Reconfiguration is limited to reflect the suitability of the land for primarily grazing purposes and to protect water quality and ecological and landscape values.</p>	<p>AO20 The minimum lot size in the precinct is 400ha.</p>

Table 6.6.1.3-Accepted development subject to requirements and assessable development (Part)

Performance outcomes	Acceptable outcomes
<p>Additional benchmarks for assessable development in precincts Note—Where acceptable outcomes in this section vary from those provided earlier in this code, the precinct-based acceptable outcomes take precedence.</p>	
<p>Cungulla precinct</p>	
<p>PO21 Development is compatible with the residential amenity of the locality and avoids adverse impacts on surrounding dwellings.</p>	<p>No acceptable outcome is nominated.</p>

