9.3.15 Rural industries code

9.3.15.1 Application

- (1) This code applies to accepted development and assessable development identified as requiring assessment against the Rural industries code by the tables of assessment in Part 5 (Tables of assessment).
- (2) The acceptable outcomes in Table 9.3.15.3.1 (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.

9.3.15.2 Purpose and overall outcomes

- (1) The purpose of the Rural industries code is to ensure rural industries are established in a manner that:-
 - (a) supports local rural activities;
 - (b) conserves the productive characteristics of rural land; and
 - (c) protects environmental and landscape values and the amenity of surrounding premises.
- (2) The purpose of the Rural industries code will be achieved through the following overall outcomes:-
 - (a) rural industries are established in a manner that complements and supports local rural activities; and
 - (b) rural industries are located and designed so as not to adversely impact upon rural amenity, visual character and the environment.

9.3.15.3 Performance outcomes and acceptable outcomes

Table 9.3.15.3.1 Requirements for accepted development and performance outcomes and acceptable outcomes for assessable development

Performance Outcomes		Acceptable Outcomes		
Require	Requirements for a Roadside Stall			
PO1	The <i>roadside stall</i> is limited in scale, appropriate to a rural setting and provides only for the sale of locally grown and manufactured goods.	AO1.1	Produce sold at the <i>roadside stall</i> is limited to that which is grown or produced on the <i>site</i> or in the surrounding area.	
		AO1.2	The <i>roadside stall</i> does not involve the sale of manufactured goods other than where manufactured on the <i>site</i> .	
		AO1.3	Buildings and structures associated with the <i>roadside stall:</i> - (a) do not exceed a maximum <i>building height</i> of 8.5 metres; (b) occupy a <i>gross floor area</i> of not more than 40m²; and (c) are temporary, mobile, or constructed of materials that can easily be dismantled following the cessation of	
		AO1.4	the use. The roadside stall is ancillary to a rural use conducted on the same site.	
PO2	The roadside stall does not have an adverse impact on the safety and functioning of the road network.	AO2.1	The roadside stall is located on a site adjoining a road other than a highway/motorway or arterial road	



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Perform	ance Outcomes	Acceptable	Outcomes
			identified on Figure 9.4.8A (2031 Functional Transport Hierarchy).
		AO2.2	The <i>roadside stall</i> is located on a <i>site</i> with sufficient area to park 3 cars clear of the road reserve and within 20 metres of the roadside stall.
PO3	Signage associated with the <i>roadside</i> stall is small, unobtrusive and appropriate to a rural location.	AO3	Not more than 1 sign is erected on the premises and the sign:- (a) has a maximum signface area of 0.5 metres per side; and (b) is not illuminated or in motion.
Require	ments for a Rural Industry		
Height o	f Buildings		
PO4	Buildings associated with the <i>rural industry</i> 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.	AO4	Buildings associated with the rural industry do not exceed a maximum building height of 12 metres.
Relation	ship to Primary Rural Use		
PO5	The <i>rural industry</i> is appropriate to a rural setting and provides only for the storage, processing and packaging of locally grown produce.	AO5.1	Produce packed or processed is limited to that which is grown on the <i>site</i> or in the surrounding area. The <i>rural industry</i> is <i>ancillary</i> to a rural
			use occurring on the same site.
Location	and Site Suitability		
PO6	The <i>rural industry</i> is located on a <i>site</i> which is of sufficient area to reasonably accommodate the use and limit the likelihood of adverse amenity impacts on surrounding properties.	AO6	The <i>rural industry</i> is located on a <i>site</i> with a minimum area of 4 hectares.
	on From Sensitive Land Uses and Setba		
PO7	The rural industry is setback from sensitive land uses, site boundaries and road frontages to.:- (a) protect the amenity of surrounding premises; (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 sensitive land uses.	AO7.2	Use areas associated with the rural industry are setback a minimum of:- (a) 100 metres from any dwelling on a surrounding property; and (b) 250 metres from any community activity where people congregate (e.g. child care centre, community centre, educational establishment, hospital, place of worship). Buildings and structures associated with the rural industry are setback from all site boundaries, other than road frontages, a minimum of:- (a) 10 metres, where not exceeding a building height of 8.5 metres; or (b) 15 metres, where exceeding a building height of 8.5 metres. Buildings and structures associated with the rural industry are setback at least:- (a) 40 metres from a State controlled road; and (b) 20 metres from any other type of



Perform	ance Outcomes	Acceptable	Outcomes
	on of Amenity		
PO8	The <i>rural industry</i> does not involve any materials, equipment or processes that are likely to cause nuisance or impact	AO8.1	The <i>rural industry</i> avoids or minimises dust emissions.
	on the rural amenity of the area.	AO8.2	The <i>rural industry</i> avoids or minimises odour emissions.
		AO8.3	The <i>rural industry</i> does not produce noise which exceeds the background noise level plus 5dB(A) from 8.00am – 6.00pm (measured as adjusted sound level) at the <i>site</i> boundaries.
Signage		AO8.4	The rural industry does not involve any activity defined as an environmentally relevant activity in the Environment Protection Regulation 2008.
Signage PO9		4.00	Not were then A single exected on the
P09	Signage associated with the <i>rural</i> industry is small, unobtrusive and appropriate to a rural location.	AO9	Not more than 1 sign is erected on the premises and the sign:- (a) has a maximum signface area of 0.5 metres per side; and (b) is not illuminated or in motion.
Require	ments for a Small Scale Transport Depot	in a Rural A	
	and Site Suitability		
PO10	The <i>transport depot</i> is located on a <i>site</i> which is of sufficient area to reasonably accommodate the use and limit the likelihood of adverse amenity impacts on surrounding properties.	AO10	The transport depot is located on a site with a minimum area of 4 hectares.
Separati	on From Sensitive Land Uses and Setba	cks to Site B	Boundaries
PO11	The transport depot is setback from sensitive land uses, site boundaries and road frontages to protect rural amenity and the visual character of the local area.	AO11.1	Use areas associated with the transport depot are set back a minimum of:- (a) 100 metres from any dwelling on a surrounding property; and (b) 250 metres from any community activity where people congregate (e.g. child care centre, community centre, educational establishment, hospital, place of worship).
		AO11.2	Buildings and structures associated with the <i>transport depot</i> are <i>setback</i> a minimum of 10 metres from all <i>site</i> boundaries, other than road <i>frontages</i> .
		AO11.3	Buildings and structures associated with the <i>transport depot</i> are <i>setback</i> at least:- (a) 40 metres from a State controlled road; and (b) 20 metres from any other type of road.
Traffic II	mpacts		
PO12	Traffic impacts are no greater than that which might reasonably be expected in a rural location.	AO12.1	The <i>transport depot</i> does not involve the use of a vehicle with a tare weight exceeding 7.5 tonnes.
		AO12.2	Loading or unloading activity is undertaken entirely within the <i>site</i> boundaries.



Table 9.3.15.3.2 Additional performance outcomes and acceptable outcomes for assessable development

Performa	ince Outcomes	Acceptable (Outcomes
	al Requirements for a Rural Industry		
	on of Agricultural Land		
PO1	The rural industry is located such that it conserves the productive characteristics of Agricultural Land Classification Class A and Class B.	AO1	The <i>rural industry</i> is not located on Agricultural Land Classification Class A or Class B under the State Planning Policy.
			Note—Agricultural Land Classification Class A and Class B is identified under the State Planning Policy.
			Note—a site specific agricultural land assessment may be used to demonstrate that although the subject <i>site</i> is identified as Agricultural Land Classification Class A or Class B under the State Planning Policy, it is in fact not Agricultural Land Classification Class A or Class B under the State Planning Policy.
Infractivi	cture and Services		If such an assessment confirms that that land is not Agricultural Land Classification Class A or Class B (and this is independently verified where necessary), then Performance Outcome PO1 will not be relevant to the development.
		1004	The wind indicates in least of an in
PO2	The rural industry is located on a site which has appropriate access to necessary infrastructure including:- (a) adequate vehicle access;	AO2.1	The <i>rural industry</i> is located on a <i>site</i> which has sealed or fully formed gravel road access.
	(b) a reliable, good quality water supply; and (c) reticulated sewerage or on-site treatment and disposal facilities.	AO2.2	Where reticulated water is not available, the <i>rural industry</i> is provided with a reliable water supply with capacity to store a minimum of two days supply.
		AO2.3	Where reticulated sewerage is not available to the <i>site</i> , the <i>rural industry</i> is provided with appropriate on-site effluent treatment and disposal facilities.
Environn	nental Management		
PO3	The rural industry incorporates waste disposal systems and practices which: (a) ensure that off-site release of contaminants does not occur; (b) ensure no adverse impacts on surface or ground water resources; and (c) comply with relevant industry guidelines, codes of practice and standards applicable to a specific use.	AO3	No acceptable outcome provided.
PO4	The rural industry use prevents or manages any discharges of stormwater runoff or wastewater from the site to any waterway, wetland, roadside gutter or stormwater drainage system such that:- (a) no unacceptable levels of sediment, nutrients, chemicals or other pollutants enter a waterway or wetland; and (b) the ecological and hydraulic processes of the waterway or wetland are not adversely	AO4	No acceptable outcome provided.

Performa	ance Outcomes	Acceptable	Outcomes
T GITGITII	affected.	Atocoptable	
Traffic G	eneration		
PO5	Traffic generated by the <i>rural industry</i> on the surrounding road network does not result in unacceptable impacts on adjacent land and road users.	AO5	No acceptable outcome provided.
Require	ments for Winery		
Bona Fig			
PO6	The <i>winery</i> is associated with, and	AO6	No acceptable outcome provided.
	ancillary to, a bona fide cropping use located on the same site.		
PO7	Ancillary activities associated with the winery are limited to those which are legitimately associated with a winery.	A07	Ancillary activities associated with the winery are limited to cellar door sales, winery tours and restaurant facilities.
Height o	f buildings		
PO8	Buildings associated with the winery 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.	AO8	Buildings associated with the winery do not exceed a maximum building height of:- (a) 8.5 metres where on a lot not exceeding 4 hectares; or (b) 12 metres where on a lot exceeding 4 hectares.
PO9	and Site Suitability The winery is located on a site which	AO9	
	has sufficient area to reasonably accommodate the use and limit the likelihood of adverse amenity impacts on surrounding properties.		No acceptable outcome provided.
PO10	The winery is sited and designed to avoid or minimise conflict between the winery and its ancillary uses and:- (a) existing or potential rural uses on surrounding properties; or (b) residential uses on surrounding properties.	AO10.1	Any public areas associated with the winery are set back a minimum of 100 metres from all site boundaries. Any public areas or manufacturing areas associated with the winery are set back a minimum of 100 metres from any
			dwelling on surrounding properties.
Protection	on of Agricultural Land		
P011	The winery is located such that it conserves the productive characteristics of Agricultural Land Classification Class A and Class B.	AO11	The winery:- (a) is not located on Agricultural Land Classification Class A or Class B; and (b) is separated from Agricultural Land Classification Class A and Class B and other farm activities such that it does not cause a land use conflict that would threaten the ongoing productive use of the Agricultural Land Classification Class A and Class B or an established farming enterprise.
			Note—Agricultural Land Classification Class A and Class B is identified under the State Planning Policy. Note—a site specific agricultural land assessment may be used to demonstrate that although the subject <i>site</i> is identified as Agricultural Land Classification Class A or Class B under the State Planning Policy, it is in fact not Agricultural Land Classification Class A or Class B under the State Planning



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renomia	ince Outcomes	Acceptable	Policy.
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			If such an assessment confirms that that land is not Agricultural Land Classification Class A or Class B (and this is independently verified where necessary), then Performance Outcome. PO10 will not be relevant to the development.
PO12	The winery is sited and designed to avoid or minimise adverse visual impacts on the rural landscape.	AO12.1	Manufacturing activities associated with the <i>winery</i> , including wine-making and wine-storage activities and any <i>ancillary</i> bottling activities, occur within enclosed buildings.
		AO12.2	Appropriate on-site landscapes are provided around <i>winery</i> buildings, parking areas and other public spaces.
			Editor's note—Section 9.4.2 (Landscape code) sets out requirements for landscapes.
	out, Building Design and Landscapes	T	
PO13	PO13 Buildings and structures associated with the winery:- (a) are designed and landscaped so as to complement the rural character and integrate with the surrounding natural landscape; (b) incorporate elements which reflect or interpret the style of, existing buildings in the area; and (c) incorporate colours and finishes that allow the buildings to blend in with the natural and rural	AO13.1	Buildings and structures associated with the <i>winery</i> are <i>setback</i> at least 10 metres from all side and rear property boundaries.
		AO13.2	Buildings and structures associated with the <i>winery</i> are <i>setback</i> at least:- (a) 40 metres from a State controlled Road; and (b) 20 metres from any other type of road.
	landscape.	AO13.3	The architectural style and materials used for any new building:- (a) comprise a mix of lightweight and textured external materials such as timber cladding and corrugated iron roofs; and (b) reflect the line, form, colour and texture found in the existing landscape and do not replicate artificial or imported themes.

