

## **4.10 Farming Code**

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### (1) PURPOSE OF THE CODE – Overall Outcomes:

- (a) *The Purpose of the Farming Code is the achievement of the overall outcomes sought for the establishment and use of Farming in the Shire.*
- (b) *The overall outcomes sought for Farming are that uses and works are located and designed so that:*
- (i) *the amenity and character of the local setting is maintained,*
  - (ii) *the safety and lifestyle of closer settled communities within proximity to the site are maintained,*
  - (iii) *the safe and effective operations of adjacent uses, infrastructure and activities are maintained,*
  - (iv) *environmental and landscape values of the locality in which they are situated are maintained,*
  - (v) *the quality and quantity of land and water resources within and surrounding the site are maintained, and*
  - (vi) *they operate within the safe and effective design capacity of the local road system servicing the area.*

### (2) ELEMENTS:

#### (a) General Provisions

##### (i) Amenity:

| Specific Outcome  | Acceptable Solution (if self assessable) |   |
|---|--|---|
|   | Probable Solution (if code assessable)   |   |
| O1 The amenity and character of properties in any Residential and Rural Residential zone is not adversely affected by the location, height or bulk of fixed plant/equipment, farm machinery storage areas or farm structures. | S1.1                                     | <p>In the Rural Locality, any farm structures not involving on-farm processing (exceeding 8.5 metres in height and a continuous wall length of 10 metres) are located:</p> <p>(1) 40 metres or more from a dwelling unit:</p> <ol style="list-style-type: none"> <li>1. in an Urban (Residential zoned) Locality, or</li> <li>2. in the Village Locality, or</li> </ol> <p>otherwise 10 metres to the boundary of land in the Urban or Village Localities, or</p> <p>(2) 20 metres or more from a dwelling unit on a property in the Rural Residential Locality or otherwise, 6 metres to the boundary of the Rural Residential Locality.</p> |

**(a) General Provisions continued****(i) Amenity continued:**

| Specific Outcome | Acceptable Solution (if self assessable)<br>Probable Solution (if code assessable)  |
|------------------|---|
|                  | <p>S1.2 On a property in any other Locality other than the Rural Locality, fixed plant/equipment, farm machinery storage areas or farm structures (exceeding 8.5 metres in height and a continuous wall length of 10 metres) are located:</p> <ol style="list-style-type: none"> <li>(1) on a property which is 2000m<sup>2</sup> or greater in area, and</li> <li>(2) 20 metres or more from the boundary to land zoned Residential or to land in the Rural Residential Locality, or</li> <li>(3) 10 metres or more from a dwelling unit on a property in the Village Locality (under 1000m<sup>2</sup> in area) or otherwise 6 metres to the boundary to the Village Locality, or</li> <li>(4) 10 metres or more from a dwelling unit on a property in the Rural Residential Locality or otherwise 6 metres to the boundary to the Rural Residential Locality.</li> </ol> |

**(ii) Amenity and Wellbeing:**

| Specific Outcome   | Acceptable Solution (if self assessable)<br>Probable Solution (if code assessable)  |
|--|---|
| O2 The amenity, safety and well being of occupants of sensitive receptors is not adversely affected by odour and noise emissions arising from the location and use of on-farm processing in support of all activities (other than animal husbandry). | <p>S2.1 On-farm processing for all activities (except for animal husbandry) is set back from the property boundary of the nearest sensitive receptor by at least the following distances:</p> <ol style="list-style-type: none"> <li>(1) 100 metres, or</li> <li>(2) 40 metres where topography obstructs any view of the activity from the sensitive receptor(s).</li> </ol> |

**(a) General Provisions continued****(iii) Traffic and Access Management:**

| Specific Outcome  | Acceptable Solution (if self assessable)<br>Probable Solution (if code assessable)   |
|---|--|
| <p>O3 (1) Heavy vehicle return movements from a premises will not adversely affect the:</p> <ol style="list-style-type: none"> <li>1. construction and safety standards of the streets or roads from which access is taken,</li> <li>2. operations of any stock route, and</li> <li>3. amenity of closer settled areas.</li> </ol> <p>(2) Vehicle parking, movement, loading and access is laid out, designed and constructed to operate safely and effectively relative to the use and to the traffic and amenity arrangements for surrounding activities.</p> | <p>S3.1 Heavy vehicles from the following (including on-farm processing):</p> <ol style="list-style-type: none"> <li>(1) <i>Farming (wholesale plant nursery)</i> and <i>Farming (animal husbandry)</i> in the Rural Locality,</li> <li>(2) <i>Farming</i> involving irrigation services, or</li> <li>(3) <i>Farming</i> in the:               <ol style="list-style-type: none"> <li>1. Rural Residential Locality, and</li> <li>2. Village Locality,</li> </ol> </li> </ol> <p>have access from the property access to:</p> <ol style="list-style-type: none"> <li>(1) a collector or higher order road as depicted on the Zone maps, or</li> <li>(2) an all-weather road of at least 4 metres carriageway width.</li> </ol> <p>S3.2 Heavy vehicles from <i>Farming</i> in any Urban Locality:</p> <ol style="list-style-type: none"> <li>(1) have access from the property to a collector or higher order road as depicted on the Zone maps, or</li> <li>(2) have direct access to the property from a bitumen road of at least 4 metres carriageway width.</li> </ol> <p>S3.3 Site ingress and egress is taken from the existing site access arrangements that meet the standards in Table S2.7 (a)(3) of Schedule 2.</p> <p>OR</p> <p>S3.4 Site ingress and egress:</p> <ol style="list-style-type: none"> <li>(1) allows for forward entry and exit for vehicles associated with the premises, and</li> <li>(2) involves a vehicle crossover located, designed and constructed in accordance with the standards nominated in Table S2.7 (a)(3) of Schedule 2.</li> </ol> |

**(a) General Provisions for Farming and Intensive Agriculture continued**

**(iii) Traffic and Access Management continued:**

| Specific Outcome  | Acceptable Solution (if self assessable)   |
|---|--|
|   | Probable Solution (if code assessable)   |
| (3) Roadside stalls are located and designed so: <ol style="list-style-type: none"> <li>1. entry and exit, on-site movement and parking of customer and service vehicles is adequate, safe and effective, particularly during periods of congestion, and</li> <li>2. entry and exit from the site allows for safe and efficient traffic and pedestrian movement on abutting roads.</li> </ol> | <p>S3.5 Site ingress and egress is located at least the following from an intersection, adjoining property access or approved roadside parking bay:</p> <ol style="list-style-type: none"> <li>(1) if not involving a roadside stall - 10 metres, or</li> <li>(2) if involving a roadside stall – 20 metres.</li> </ol>  |
|   | <p>S3.6 Roadside stalls are located:</p> <ol style="list-style-type: none"> <li>(1) at least 20 metres set back from the property boundary to a public road from which access is to be taken, and</li> <li>(2) so at the entry and exit to the site, there is at least 200 metres of unobstructed sight lines to the nearest crest, hill or curve in the frontage road.</li> </ol> |
|   | <p>S3.7 Vehicle parking for roadside stalls provide for:</p> <ol style="list-style-type: none"> <li>(1) queuing space for 4 vehicles being served or awaiting service clear of through traffic lanes, and</li> <li>(2) small rigid vehicle,</li> </ol> <p>with design and construction in accordance with Division 2, Schedule 1.</p>  |

**(iv) Visual Impact:**

| Specific Outcome   | Acceptable Solution (if self assessable)  |
|--|---|
|  | Probable Solution (if code assessable)  |
| O4 Buildings and structures in the Rural Locality are located and designed to maintain an open, rural landscape character dominated by natural features and land extensive activities. | <p>S4.1 Buildings, structures and compounds in the Rural Locality for other than <i>Farming (agriculture not involving on-farm processing)</i> or <i>Farming (involving a roadside stall)</i> are set back at least the following from the property boundaries to any public road abutting the site:</p> <ol style="list-style-type: none"> <li>(1) 20 metres or more from a State-controlled road or sub-arterial and higher order road as depicted on the Zone maps, or</li> <li>(2) 10 metres of a formed, constructed and gazetted public road of collector or lesser order status as determined from the Zone maps.</li> </ol> |

**(a) General Provisions continued****(iv) Visual Impact continued:**

| <b>Specific Outcome</b>                   | <b>Acceptable Solution (if self assessable)</b> |   |
|---|---|---|
|   | <b>Probable Solution (if code assessable)</b>   |   |
| O5 Signage is unobtrusive in the setting. | S5.1  | One sign per business not exceeding 1.6 square metres in area and 3.6 metres in height measured above ground level, which displays the street number of the premises, together with the premises' logo/name. The logo/name may be illuminated only with an incandescent globe of small wattage. |

**(v) Land and Water Resource Management:**

| <b>Specific Outcome</b>  | <b>Acceptable Solution (if self assessable)</b> |  |
|--|---|--|
|  | <b>Probable Solution (if code assessable)</b>   |  |
| O6 Premises are located, designed and constructed to function effectively and in a manner that:  | S6.1  | Set backs to surrounding water resources do not encroach upon the set back distances to water resources prescribed in Table S6.1 at the end of this Code.  |
| (1) minimises disturbances to geotechnical, physical, hydrological and environmental characteristics of the site and its setting, and  | S6.2  | Compounds, on-farm processing and any cultivated areas (associated with irrigation services) are located on:   |
| (2) minimises contamination of downstream waters so the environmental values of ground and surface waters for ecosystem health and drinking (with minimal treatment) are not degraded. |   | (1) free draining areas with a cross fall of at least 0.5-1%,<br>(2) sites on slopes not exceeding 6% gradient,<br>(3) land which is 100mm above the highest known flood level,<br>(4) cleared land, and<br>(5) land outside overland flow paths, watercourses, gullies or other natural drainage paths, including stormwater discharge paths. |

**(b) Farming (Animal Husbandry including On-Farm Processing)****(vi) Amenity and Health:**

| Specific Outcome  | Acceptable Solution (if self assessable) |   |
|---|--|---|
|   | Probable Solution (if code assessable)   |   |
| O7 The amenity of the setting and the safety and well being of occupants on adjoining properties is not adversely affected by the location and use of:<br><br>(1) enclosures or infrastructure for animal husbandry,<br><br>(2) facilities for on-farm processing, or<br><br>(3) other activities associated with animal husbandry practices. | S7.1                                     | Density of animals does not exceed that in Table S7.1 at the end of this Code.  |
|   | S7.2                                     | Compounds do not encroach upon the set back distances to surrounding properties as prescribed in Table S7.2 at the end of this Code.  |
|   | S7.3                                     | If involving more than four (4) bee hives, enclosures are to be located 10 or more metres from the boundary of land included in any:<br><br>(1) Residential zone, or<br><br>(2) Village Locality. |

**(c) Agriculture (involving irrigation services)****(vii) Amenity and Wellbeing:****Specific Outcome:**

O8 The amenity, safety and well being of occupants on adjoining closer settled properties is not adversely affected by the emissions arising from agriculture involving irrigation services.

**(viii) Environmental Management:****Specific Outcome:**

O9 Negative affects on land and water resources is minimised to an acceptable level relative to the harvesting and irrigation of overland, bore or riverine waters and its affects on the following attributes:  
  
(1) water table,  
  
(2) salinity,  
  
(3) soil water logging,  
  
(4) riparian environs, and  
  
(5) stability and erosion.

**TABLE S6.1 – SET BACKS TO WATER RESOURCES**

| Minimum set back   | Animal Husbandry  |  |                                     |   |                                      | Wholesale Nursery | Agriculture |
|--|---|--|-------------------------------------|---|--------------------------------------|-------------------|-------------|
|  | <i>Fish:<br/>On-farm Processing<br/>And Infra-structure</i> | <i>Animal:<br/>Livestock,<br/>Horse, Goat,<br/>Donkey<br/>(Enclosures,<br/>Pest Spray<br/>Area and<br/>On-farm<br/>Processing)</i> | <i>Animal:<br/>Pig<br/>Compound</i> | <i>Bird:<br/>Poultry and<br/>Emu<br/>(Enclosures<br/>and Egg<br/>Production)<br/>and On-farm<br/>Processing</i> | <i>Insect:<br/>Worm<br/>Compound</i> |                   |             |
| <i>Minimum set back to water resources (in metres and whether the resource is on or off-site):</i>                       |   |  |                                     |   |                                      |                   |             |
| <i>Top bank of creek, river, stream, wetland, and</i>  | 30  | 50   | 50                                  | 30  | 50                                   | 100               | 100         |
| <i>Edge of well, bore, dam, weir or Council river intake that provides potable water supply to the site or surrounds</i> |   |  |                                     |   |                                      |                   |             |
| <i>Top bank of gully</i>   | 15  | 15   | 20                                  | 15  | 20                                   | 50                | 30          |
| <i>Full supply level of a referable dam</i>  | 200   | 250  | 300                                 | 200   | 300                                  | 300               | 400         |

**TABLE S7.1 – ANIMAL HUSBANDRY DENSITY**

| Locality  | Animal Type    | Minimum Site Area (m <sup>2</sup> ) | Maximum Density Factor (a)  |
|---|----------------|-------------------------------------|---|
| <i>All but Rural:</i>   | Livestock      | -                                   | 1 animal/ha (whether or not such are held in enclosures for care and supplementary feeding)   |
|   | Goats          | -                                   | 2/ha  |
|   | Horses/donkeys | -                                   | 1/ha free ranged and 2/ha stabled   |
|   | Emu            | 10000                               | 10 birds/ha   |
| (1) <i>Urban (Residential Zone), or</i><br>(2) <i>Rural Residential</i> | Poultry        | 5000                                | 20 birds/1000m <sup>2</sup>   |
| <i>All:</i>   | Worm           | 2000                                | < 200 tonnes per annum of feed/output   |
| <i>All:</i>   | Pig            | -                                   | 1 sow/ha  |
| <i>All but Rural:</i>   | Apairy         | -                                   | On a lot or site of the following areas:<br>- up to 400m <sup>2</sup> - 0<br>- 400-1000m <sup>2</sup> - 2<br>- 1001-2000m <sup>2</sup> - 5<br>- 2001-4000m <sup>2</sup> - 10<br>- plus 1/400m <sup>2</sup> of land area over 4001m <sup>2</sup> |

**NOTE (a):** Where the density factor is expressed as a ratio of the area of the site (or part thereof), the density is measured to the next lowest hectare

**TABLE S7.2 – COMPOUND SET BACK TO SURROUNDING PROPERTIES FOR FARMING  
(ANIMAL HUSBANDRY)**

| Surrounding property  | Animal Husbandry   |   |                                     |   |   |
|---|--|---|-------------------------------------|---|---|
|   | <i>Fish:<br/>On-farm<br/>Processing and<br/>Infrastructure</i> | <i>Animal:<br/>Livestock,<br/>Horse, Goat, Donkey<br/>(Enclosures, Pest<br/>Spray Areas and<br/>Processing)</i> | <i>Animal:<br/>Pig<br/>Compound</i> | <i>Bird:<br/>Poultry or Emu<br/>(Enclosures and Egg<br/>Production) and On-<br/>farm Processing</i> | <i>Insect:<br/>Worm Farm<br/>Compound</i> |
| <i>Set back to surrounding properties in metres<br/>(m)</i> |  |   |                                     |   |   |
| <i>Urban (Residential Zone) Locality</i>                    | 150  | 120   | 100                                 | 200   | 20  |
| <i>Village Locality</i>                                     | 100  | 70  | 60                                  | 120   | 10  |
| <i>Rural Residential Locality</i>                           | 50   | 40  | 40                                  | 80  | 10  |
| <i>Rural Locality:</i>                                      |  |   |                                     |   |   |
| <i>- Lots &lt;5 ha -</i>                                    | 20   | 20  | 20                                  | 30  | 6   |
| <i>- Lots of 5-20 ha -</i>                                  | 15   | 15  | 15                                  | 20  | -   |
| <i>- Lots &gt;20 ha -</i>                                   | 10   | 10  | 10                                  | 15  | -   |
| <i>Residential Use Classes on surrounding<br/>land</i>      | 40   | 40  | 40                                  | 50  | 10  |
| <i>Other property boundaries</i>                            | 10   | 15  | 15                                  | 15  | -   |