

9.3.13 Roadside Stall Code



9.3.13.1 Application

This code applies to development identified as requiring assessment against the Roadside Stall Code by the tables of assessment in **Part 5 Tables of Assessment**.

9.3.13.2 Purpose

- (1) The purpose of the Roadside Stall Code is to ensure a *Roadside stall*:
 - (a) provides rural producers an ancillary opportunity for the sale of goods direct to consumers;
 - (b) enhances the rural tourism experience; and
 - (c) is sited and operated in a safe manner.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) A *Roadside stall*;
 - (i) is small scale and consistent with the character of the surrounding rural or rural residential area;
 - (ii) is compatible with the intended amenity and character of the zone;
 - (iii) is located to ensure safe access; and
 - (iv) does not cause unacceptable impacts on safety, amenity or the road network as a result of traffic movements and parking.

9.3.13.3 Assessment Benchmarks

Table 9.3.13.3.1— Criteria for Accepted and Assessable Development

Performance Outcomes	Acceptable Outcomes
Siting and Location	
PO1 A <i>Roadside stall</i> is appropriately located on the site to: <ol style="list-style-type: none"> (1) be visible to road users; and 	AO1 A <i>Roadside stall</i> has a minimum side boundary clearance of 6 metres where adjoining a lot not located in the Rural Zone.

Performance Outcomes	Acceptable Outcomes
(2) minimise any adverse impacts to adjoining premises, including from noise, traffic or damage to the road shoulder.	
Scale	
<p>PO2 A <i>Roadside stall</i> is: (1) small-scale; and (2) visually integrates with the surrounding area.</p>	<p>AO2.1 A <i>Roadside stall</i> is fully located within the site and has a total <i>development footprint</i> (excluding on-site parking, access and manoeuvring areas) of no more than 9m².</p> <p>AO2.2 A maximum of 2 <i>advertising devices</i> are associated with the use.</p> <p>AO2.3 Each <i>advertising device</i> associated with the use: (1) has a maximum <i>sign face area</i> of 1m²; (2) is located on the same site as the <i>Roadside stall</i>; (3) is not illuminated, flashing, moving, rotating or reflective; (4) is written so as to be easily read by motorists with lettering at least 150 millimetres in height; and (5) must not imitate a traffic control device.</p> <p>AO2.4 The majority of goods sold from the <i>Roadside stall</i> are grown or produced on the site.</p> <p>AO2.5 A <i>Roadside stall</i> is not artificially illuminated.</p>
Roads	
<p>PO3 A <i>Roadside stall</i> is located to be visible to motorists and avoid creating a traffic hazard.</p>	<p>AO3 Signage for a <i>Roadside stall</i> is visible to a motorist approaching from any direction for the following minimum distances: (1) on a road with a posted speed limit of 81-100km/h - 150metres; or (2) on a road with a posted speed limit of 61-80km/h - 100metres; or (3) on a road with a posted speed limit of 0-60km/h - 50metres.</p>
Parking and Access	
<p>PO4 A <i>Roadside stall</i> has: (1) adequate access; and (2) on-site and/or on-road parking that: (a) will adequately cater for the traffic generated by the use without causing traffic hazards or damaging the road; (b) ensure the safety of vehicles and persons exiting and entering cars; and</p>	<p>AO4.1 For a <i>Roadside stall</i> located on a state-controlled road where the posted speed limit is 90km/hr or higher: (1) parking can safely occur within the state-controlled road reserve with vehicles able to be parked, with driver doors open, fully on the shoulder of the road; or (2) provision for parking is made on-site where:</p>

Performance Outcomes	Acceptable Outcomes
<p>(c) does not interfere with other road users.</p>	<p>(a) vehicles can enter and leave the site in forward gear via an approved driveway access;</p> <p>(b) a parking directional sign is displayed at the access to the <i>Roadside stall</i> site; and</p> <p>(c) the access is not located within 100 metres of an intersection.</p> <p><i>Editor's note - Roadside stalls fronting a state controlled road may be subject to additional requirements. Prior to establishing a roadside stall, operators should consult with the relevant State Government Department in this regard.</i></p>
	<p>AO4.2 A <i>Roadside stall</i> located on a non-state controlled road: (1) is:</p> <ul style="list-style-type: none"> (a) located so that customers exiting a vehicle parked on the opposite roadside can safely cross the road; (b) has sufficient roadside parking near the site on both sides of the road; and (c) ensures parking does not unduly obstruct the free passage of pedestrians; or <p>(2) has provision for parking on-site where vehicles can enter and leave the site in forward gear via an approved access, and a parking directional sign is located at the access to the roadside stall site</p>
	<p>AO4.3 Development obtains immediate access from a <i>constructed road</i>.</p>