

Rural Enterprises

Various amendments are proposed to improve opportunities for rural enterprises which may or may not have a relationship to agriculture but are at least compatible with it and frequently complementary. This might include “boutique farming”, roadside stalls, farm gate sales, home-based businesses, cooking schools and visitor accommodation.

Agriculture

Agriculture has always been important to Noosa Shire and small scale but high value enterprises are particularly suitable to Noosa where many rural properties are less than 20 hectares in area. It is intended to reduce regulation on agriculture, improve opportunities for investment, production and diversification and to minimise potential conflict between agriculture and other rural land uses.

It is proposed the Agricultural land use definitions be amended as follows:

- The definition of Cultivation be amended to qualify that it includes harvesting and the storage and packing of produce and plants grown on the site and the ancillary repair and servicing of machinery used on the site (to avoid the need for additional applications).
- The definition of Cultivation Type 1 Traditional be amended to clarify that it involves the growing of plants or plant material where dependent on the cultivation of soil and at a scale exceeding 20 fruit or nut trees or more than 100m² of any other crop. Cultivation of a lesser scale is exempt from the planning scheme.
- The definition of Cultivation Type 2 Intensive be edited to qualify that it involves growing plants on an imported media or requiring multiple applications of fertilisers, pesticides, fungicides or herbicides each season or where artificial lights or containers are used. For clarity further examples of the use are provided, including greenhouse and shade-house plant production, hydroponic farms, wholesale plant supply, sugar cane farming, turf farming and mushroom farming.
- The definition of Animal Husbandry Type 1 Traditional be amended to include free-range poultry (including chickens, ducks, geese, guineafowl and turkeys) and that poultry and egg production not be classified as Type 2 Intensive until the scale exceeds 1,000 birds or a density of 250 birds per hectare. This is in keeping with the recent State Interest Guideline for Agriculture.
- Also under the definition of Animal Husbandry, the keeping of one pet pig or one rooster be exempt and therefore not subject to the planning scheme, however local laws will still prevent these in urban areas.

Both Cultivation Type 1 and Animal Husbandry Type 1 are proposed to be consistent and self-assessable in the Rural Zone and Rural Settlement Zone (no planning approval is required). The self-assessment criteria will determine if the lot is large enough for the use. For traditional cultivation if the acceptable solutions cannot be met, code assessment would be required. For traditional animal husbandry if the acceptable solution cannot be met, impact assessment would be required (so third parties would have the right to comment).

New or amended code provisions are proposed as follows:

Cultivation:

<p>Lot Size for Cultivation Type 1</p> <p>Outcome: Cultivation occurs on a lot that is of a sufficient size to reasonably accommodate the use and mitigate potential nuisance arising from noise, dust, odour and other emissions or contaminants generated by the use.</p>	<p>Solution: The cultivation use is conducted on a site at least 1 hectare in area.</p>
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Animal Husbandry:

<p>Separation distances</p> <p>Outcome 1: Sufficient separation distance and noise mitigation measures are provided between Animal husbandry uses and, existing infrastructure, ecologically important areas or sensitive receptors¹ on other premises.</p>	<p>Solution 1.1: For piggeries, the minimum separation distance between use areas and sensitive receptors is the greater of the following distances—(other than land disposal areas such as irrigated areas, on-site residential, administrative or staff facilities)</p> <ul style="list-style-type: none"> a) that identified in Table 6 in the DPI Separation Guidelines for Queensland Piggeries; or b) that calculated using Section 2 of the DPI Separation Guidelines for Queensland Piggeries; <p>OR</p> <p>Solution 1.2: For piggeries the minimum separation distance between land disposal areas and sensitive receptors is not less than the distances shown in Table 7 of the National Environmental Guidelines for Piggeries 2nd edition;</p> <p>AND</p> <p>Solution 1.3: For cattle feedlots—the minimum separation distance between use areas and sensitive receptors is not less than the distance calculated using Section 4 of the Reference Manual for Establishment and Operation of Beef Cattle Feedlots in Queensland;</p> <p>AND</p> <p>Solution 1.4: For free to range poultry farms comprising of no more than 50 birds, the use area is to be setback 40m from all property boundaries.</p> <p>Solution 1.5: For other Animal husbandry uses, the minimum separation distances between use areas and boundaries of other premises and watercourses are not less than those identified in the table below</p>
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¹ "Sensitive receptors" is defined in the relevant Codes of Practice identified in Column 2.

Minimum separation from—	column 1 Breeding or boarding kennel or pound	column 2 Aquaculture	column 3 Poultry Farms for grazing of more than 50 birds but no more than 1,000 birds ²	column 4 Stables
Frontage	30m	50m	100m	
Side and rear boundary	If a cattery—30m; If a dog kennel or pound—100m	15m	100m	
Land included in a <i>residential zone</i> other than the Rural Settlement Zone, <i>commercial zones</i> or Open Space Recreation zone	200m	200m	1,000m	
Land included in the Rural Settlement Zone	100m	20m	200m	
Any <i>Dwelling unit</i> on other premises	100m	100m	150m	30m
Watercourses	60m	60m	60m	20m
Traffic and road network Outcome 2: The use does not have an adverse impact on the safety, efficiency and functioning of the road network, including— a) traffic generation; and b) location of access points.		Solution 2.1: For Animal husbandry Type 2—The use does not compromise the road functional characteristics identified in Section 2.1 and 2.2 of PSP5 Engineering Design Standards - Roads, Drainage and Earthworks; OR Solution 2.2: For other Animal husbandry uses—no solution provided.		
Protection of agricultural land Outcome 3: Agricultural land (specifically that mapped as Agricultural Land Conservation Area) is not alienated or encroached upon by the development.		Solution 3.1 If the use requires animals to be contained within pens, sheds, ponds or similar—the use is not located on land within Agricultural Land Conservation Areas shown on Overlay maps OM1.5 to OM9.5.		
Lot Size Outcome 4: The lot is of sufficient area to enable establishment of the use and associated uses.		Solution 4.1: The minimum area of the lot is— a) For grazing of poultry— i) up to 50 birds— 4ha ii) 51 to 1,000 birds— 10ha b) for breeding or boarding kennels or pounds— 4ha; c) for intensive poultry farms, piggeries or stockyards— 20ha; d) for cattle feedlots— 40ha; e) for aquaculture with a combined surface area of all ponds or tanks of less than 200m ² — 1ha; and f) for other aquaculture— 5ha. g) for all other animal husbandry— 2ha		

² Larger poultry farms will remain subject to impact assessment and would be assessed against industry standards.

<p>Noise & Nuisance</p> <p>Outcome 5: Noise from the operation of the animal husbandry use does not cause unlawful environmental nuisance.</p>	<p>Solution 5.1: Access points and roads are located to minimise noise and dust impacts on neighbouring sensitive land uses; and</p> <p>Solution 5.2: The design and siting of all mechanical equipment, including fans, pneumatic feed systems and other equipment, minimises the generation of mechanical noise, odour and the likelihood of off-site vibration.</p> <p>Solution 5.3: For breeding or boarding kennels—the kennels are constructed of brick, concrete or masonry.</p>
<p>Runoff</p> <p>Outcome 6: The design and operation of the animal use incorporates integrated water management elements such that</p> <ul style="list-style-type: none"> a) stormwater is prevented from entering sheds and waste storage areas; b) stormwater peak discharges and run-off volumes are not increased; and c) natural drainage lines and hydrological regimes are maintained as far as practicable. 	<p>Solution 6.1: Buildings used to house animals, as well as waste storage areas, are located on land that is not subject to flooding by the 1%AEP event; and</p> <p>AND</p> <p>Solution 6.2: The base of all sheds is elevated above natural ground level to ensure that stormwater run-off does not enter the sheds.</p> <p>AND</p> <p>Solution 6.3: All waste water, including water used to clean animal sheds, is managed so that contaminants will not reach nearby waterways.</p>
<p>Aquaculture</p> <p>Outcome 7: Water is managed on site such that it will not reach Queensland waters via overland or stormwater flows.</p> <p>AND</p> <p>Outcome 8: Development is located and designed to avoid, or otherwise minimise, impacts to areas host to fisheries resources.</p> <p>AND</p> <p>Outcome 9: Tanks or ponds are designed to avoid leakage.</p>	<p>Solution 7.1 & 8.1: Aquaculture occurs in tanks or ponds where water is fully reticulated within the facility with no discharge property or waterways.</p> <p>Solution 7.2 & 8.2: Tanks or ponds used to cultivate aquaculture fisheries resources or for treatment or settlement of water are constructed with the lowest point of the top of wall at least the height of the 2%AEP (Q50) flood level.</p> <p>Solution 9.1: Ponds are designed and constructed in accordance with Department of Agriculture, Fisheries and Forestry's policy Guidelines for Constructing and Maintaining Aquaculture Containment Structures.</p>
<p>Environmental best practice</p> <p>The use is conducted in a manner that minimises risk of environmental harm³.</p>	<p>No solution provided.</p>

³ This Specific Outcome may be satisfied by complying with any relevant Code of Practice prepared under s.548 of the *Environmental Protection Act 1994* including—
Environmental Code of Practice for Agriculture (Queensland Farmers Federation);
Sustainable fruit and vegetable production in Queensland (Queensland Fruit and Vegetable Growers)
Environmental Code of Practice for Australian Prawn Farmers (Australian Prawn Farmers Association);
Environmental Code of Practice for Queensland Piggeries (Queensland Pork Producers and Department of Primary Industries);
and
Queensland Dairy Farming Environmental Code of Practice (Queensland Dairy Farmers Organisation and Department of Primary Industries).

Roadside stall

It is proposed that the use definition of roadside stall (which is a sub-use within Retail Business Type 1 Local) be amended to “the use of premises exceeding 5m² but no more than 25m² for the display and sale of goods in rural areas”. In this regard it would no longer be limited to agricultural produce but could for instance be the works of cooks, artists and artisans or furniture makers.

The use would be made self-assessable in the Rural Zone and has the potential to increase the profitability and viability of local agriculture through value adding and to add to the offer of local goods and attractions in the hinterland for locals and visitors to the Shire.

Specific Outcomes and Solutions for the use would be amended substantially to read as follows:

<p>Outcome 1 The stall is limited in scale appropriate to a rural setting and provides only for the sale of locally grown and manufactured goods;</p> <p>AND</p>	<p>Solution 1.1 Produce for sale at the roadside stall is limited to that which is grown or produced on the site or in the surrounding area.</p> <p>AND</p> <p>Solution 1.2 The roadside stall does not involve the sale of manufactured goods other than where manufactured on the site.</p>
<p>Outcome 2 The stall does not have an adverse effect on the safety and functioning of the <i>major road network</i>.</p> <p>AND</p>	<p>Solution 2.1 The stall is not located on a property adjoining the Bruce Highway.</p> <p>AND</p> <p>Solution 2.2 The roadside stall is located on a site with sufficient area to park 3 cars clear of the road reserve and within 20 metres of the roadside stall.</p> <p>AND</p> <p>Solution 2.3 Safe sight distances are provided for vehicular crossovers in accordance with Council’s Standard Drawing for rural driveways.</p>
<p>Outcome 3 Signage associated with the roadside stall is small, unobtrusive and appropriate to a rural location.</p>	<p>Solution 3.1 Not more than 1 sign is erected on the premises and the sign:-</p> <p>(a) has a maximum <i>signface area</i>⁴ of 0.5m² per side; and</p> <p>(b) is not illuminated or in motion.</p>

Rural Home-based businesses

Given the increasing ranges of businesses that can be successfully run from home, some of which employ people other than the resident(s), it is proposed to reduce the level of assessment for Home-Based Business Type 2 Evident from code assessment to self-assessment in the Rural Settlement Zone and the Rural Zone. This should reduce regulation and establishment costs and allow businesses to grow in place before needing to seek bigger premises. It would also increase the offer of attractions and services in the hinterland for locals and visitors to the Shire (such as cooking schools, art galleries/studios, wellness treatments, etc.)

⁴ Signface area is a term defined in the Advertising Devices Code within the planning scheme, it explains how the size of an advertising device is measured, which may particularly help when they are not two simple dimensional rectangular signs.

The solutions are proposed to be changed for Home-Based Business Type 2 so that there could be a maximum of two employees (other than the resident business operator) and that if the business involves classes, up to four classes can be held per week with no more than 10 people in a class.

Home Hosted Visitor Accommodation (B&B's)

It is important to offer a variety of visitor accommodation and this includes small scale, intimate lodgings within the host's home. It is proposed that the level of assessment for Visitor Accommodation Type 1 Home Hosted, which is limited to accommodating up to 6 guests within up to 3 bedrooms within the operator's home, be reduced from code assessable to self-assessable in the Rural Zone. This has the potential to bring some supplementary income to rural property owners and allow guests to experience the rural lifestyle and environment.

It would remain code assessable in the Rural Settlement Zone. The code provisions are proposed to be modified as follows to accommodate self-assessment:

<p>Site Suitability</p> <p>Outcome 1 The <i>site</i> has adequate area for the proposed use, including necessary visitor parking, without adverse impact on neighbouring properties.</p> <p>Outcome 2 Home-hosted accommodation is sited to avoid land use conflicts with residents and Agricultural Uses on adjacent or surrounding premises.</p>	<p>Solution 1.1 The <i>site</i> has an area of at least</p> <p>a) 4,000m² in the Rural Settlement or Rural Zone or</p> <p>b) 800m²; in any other zone</p> <p>Solution 1.2 The detached house used for the purpose of Home hosted accommodation is situated not less than 10m from a property boundary.</p> <p>Solution 2.1 The detached house used for the purpose of Home hosted accommodation is situated not less than 50m from Agricultural Uses on adjoining premises;</p> <p>AND</p> <p>Solution 2.2 The detached house used for the purpose of home hosted accommodation is situated at least 40m from the property boundary of any property over 4ha in area located in the Rural Zone.</p> <p>AND</p> <p>Solution 2.3 The home hosted accommodation is directly accessible from a sealed road or a good standard gravelled road.</p>
<p>Visual amenity and character</p> <p>Outcome 3 Building works to the <i>dwelling unit</i>—</p> <p>a) are of a scale and character consistent with surrounding residential buildings; and</p> <p>b) visually integrate and are compatible with any existing building, the topography and <i>vegetation</i> on-site.</p>	<p>Solution 3.1 The use is carried out within a detached house or where it is in a separate wing or pavilion it is no more than 25m from and connected to the living and dining areas of the detached house by a covered walkway.</p> <p>Solution 3.2 No more than 3 guest bedrooms are provided for a total of no more than 6 guests.</p>

<p>Guest facilities</p> <p>Outcome 4 An acceptable standard of privacy and facilities is provided for guests</p> <p>Outcome 5 Guest accommodation is not self-contained</p> <p>Outcome 6 Sufficient parking spaces are provided on the site to cater for guests</p>	<p>Solution 4.1 Guests are provided with a bedroom capable of being enclosed to prevent visual or other intrusion by members of the host family or other guests.</p> <p>AND</p> <p>Solution 4.2 A separate bathroom and toilet facility is provided within the detached house for the exclusive use of guests.</p> <p>Solution 5 Guests do not have their own laundry or food preparation facilities</p> <p>Solution 6 One on-site car parking space per guest bedroom is provided in addition to the car parking space required for the detached house.</p>
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Rural Visitor Accommodation

Visitor Accommodation Type 3 Rural (such as cabins, guesthouse, eco-lodge, etc), is proposed to remain consistent, subject to impact assessment in the Rural Settlement and Rural Zones. While applications will be assessed on their merit rather than compliance with solutions, it is proposed to amend the code provisions to read as follows in order to give a sense of Council's expectations:

<p>Rural amenity</p> <p>Outcome 1: Rural accommodation is established in the rural areas of the Shire in a manner that protects the amenity of the rural areas while offering moderate to high levels of access to urban facilities.</p> <p>Outcome 2: Rural accommodation is associated with rural production, agricultural pursuits and promoting the natural environment and takes the form of farmstays, bed and breakfasts, cabins, cottages or a small guest lodge.</p>	<p>Solution 1.1: Rural accommodation is located on sites—</p> <ul style="list-style-type: none"> a) located in the Rural Zone or Rural Settlement Zone; and b) which have an area of at least 4ha <p>Solution 2: Rural accommodation does not exceed a site density of —</p> <ul style="list-style-type: none"> a) 2 cabins per hectare; or b) 2 guest bedrooms per hectare, providing the overall number of cabins and guest bedrooms does not exceed 6.
<p>Outcome 3: Rural accommodation is appropriately sited so as not to generate land use conflicts with neighbouring residents and Agricultural Uses;</p> <p>AND</p> <p>Outcome 4: The scale, design and external finish of buildings:-</p> <ul style="list-style-type: none"> a) Complements the rural character and/or natural character of the area and integrates with the surrounding landscape; and 	<p>Solution 3.1 Rural accommodation buildings are—</p> <ul style="list-style-type: none"> a) situated no less than 50m from Agricultural Uses on an adjoining property; and b) situated no less than 40m from the property boundary of any adjoining lot <p>AND</p> <p>Solution 3.2 Rural accommodation is located so as not to overlook the living areas of neighbouring properties.</p> <p>Solution 4 Buildings and other structures—</p> <ul style="list-style-type: none"> a) take the form of small separate buildings which are visually separated; b) comprise a mix of lightweight (low mass) and textured external materials, such as timber cladding and corrugated iron roofs;

b) Incorporates colours and finishes that allow the buildings to blend in with the natural and/or rural landscape.	c) reflect the line, form, colour and texture found in the existing landscape and do not replicate artificial or imported themes; d) use muted earth/environmental tones that blend with the rural and/or natural environment; and e) incorporate low reflective roofing.
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It is proposed to amend the definition of Visitor Accommodation to clarify that guests stay for a temporary period of time (typically not exceeding 3 consecutive months).

Extractive Industries

In light of the recently released State Interest Guidelines on Mining and Extractive Resources it is proposed to add further Specific Outcomes for Extractive Industries to express what would be expected of the use. The use will remain impact assessable however and there may be various solutions for meeting the outcomes.

Specific Outcomes for Industrial Business Type 3 Extractive	
Buffers, Separation and Amenity	
The extractive industry is adequately separated from sensitive uses to minimise potential for nuisance or complaint.	
The design, operation and staging of the extractive industry promotes the efficient utilisation of the resource.	
The design, operation and staging of the extractive industry mitigates vibration, noise, dust, lighting and other impacts on the surrounding area.	
The design, operation and staging of the extractive industry reduces impacts on natural environmental values to the greatest extent reasonably practicable and where impacts cannot be avoided the loss or decrease in values is minimised or offset.	
The design, operation and staging of extractive industry optimises potential alternative land uses after the cessation of extractive activities.	
The design, operation and staging of the extractive industry has regard to the desired visual character of the locality.	
Management of Operations	
On-site drainage is designed, constructed and maintained to:	
a) minimise erosion; b) avoid pollution of groundwater and surface water; c) provide opportunities to conserve and reuse water on the site; and d) prevent additional flooding or inundation.	
Noise, vibration and dust emissions from the development are managed to acceptable levels.	
Operations minimise lighting impacts on roads and other properties.	
Public access to the site is managed appropriately.	
Development is designed in a manner which will not compromise the stability, safety or operation of infrastructure.	
Development is designed and managed to minimise the risk and impact of any accidental spills and / or	

Specific Outcomes for Industrial Business Type 3 Extractive
releases of chemicals and other materials that may contaminate soil, stormwater, groundwater and/or air.
Landscaping Landscaping complements biodiversity values of the adjoining area.
Hours of Operation Extractive industry activity occurs at times that will not result in disturbance at surrounding uses.
Traffic and Transport The transportation of materials is undertaken in a way which: <ul style="list-style-type: none"> a) maintains the safety and efficiency of the roads comprising the transport route; and b) minimises amenity impacts on premises within the transport routes separation area.
Rehabilitation Rehabilitation of the site, over the life of the project and on its completion: <ul style="list-style-type: none"> a) provides for progressive/ staged rehabilitation works; b) includes appropriate clean-up works (taking particular account of areas of possible soil or water contamination); c) results in a stable final landform; d) provides suitable drainage and hydraulic conditions; and e) achieves a suitable degree of revegetation consistent with potential post-extraction land uses. Rehabilitation allows for suitable use of any water storage created through the extraction process, having regard to water quality, hydraulic conditions, land form and vegetation.
Resource extraction activities in proximity to the Noosa River system only occur where— <ul style="list-style-type: none"> a) there is a clear demonstrated need; b) no feasible and prudent alternatives are available; and c) it can be demonstrated that the intrinsic natural values and resources of the river system can be managed and protected in an ecologically sustainable manner.
Industrial business Type 3 Extractive are designed, located and operated to ensure— <ul style="list-style-type: none"> a) haulage routes associated with extractive resources— <ul style="list-style-type: none"> i are located on roads where the haulage route will minimise adverse impacts on residential and urban residential amenity; ii are located on roads which are of adequate construction and which may be upgraded as part of the utilisation of the extractive resource; and iii are adequately maintained as a part of the utilisation of the extractive resource; and b) the utilisation of any extractive resource does not result in adverse visual impacts from major roads; and c) the rehabilitation of extractive industry sites, prior to or in conjunction with land use changes on the site of the resources or within buffers to the resource.