

Agri-Business and Town Planning Requirements

What is a Material Change of Use? Includes but is not limited to the start of a new use of premises or a material increase in the intensity or scale of the use on the premises.

What is a Planning Approval/Development Permit? Authorises the carrying out of assessable development.

When do I need a Planning Approval?

Private Land – If, a genuine once off event (i.e. a temporary use) may not need planning approval (although a local laws permit may be required).

Otherwise, if not deemed to be a temporary use, then planning approval will be required if the proposal is assessable development under a categorising instrument.

Council owned land – Event permit is required/local laws.

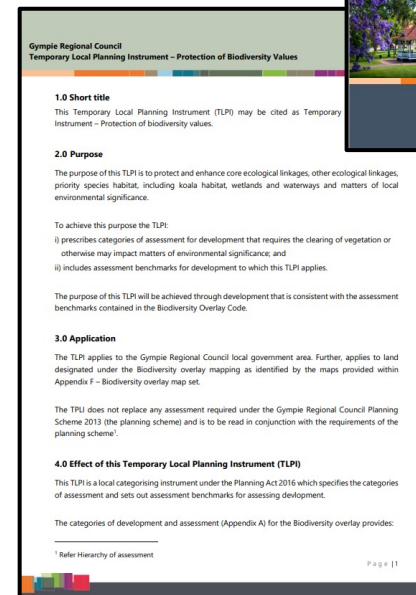
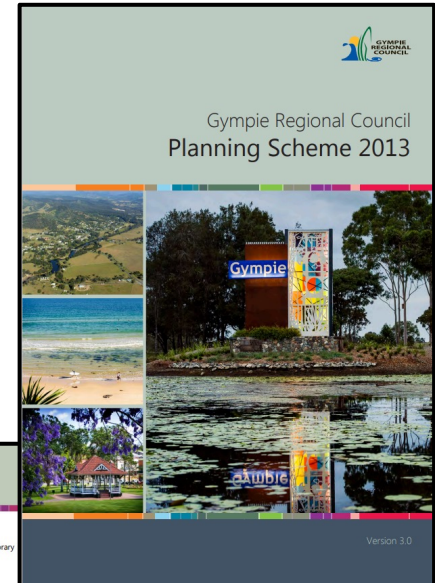
Planning Instruments

Local Categorising Planning Instrument for the Gympie Region

1. Gympie Regional Council Planning Scheme 2013 v3.0 (Planning Scheme); and
2. Temporary Local Planning Instrument (TLPI) – Protection of Biodiversity Values

Categories of Development

- **Accepted development** – no planning provisions.
- **Accepted development subject to requirements** – self-assessable against the assessment benchmarks
- **Code Assessment** – Application is required and assessed against certain codes in Planning Scheme
- **Impact Assessment** – Application is required – broader assessment against whole Planning Scheme and requires public notification.



Examples of Accepted Development in the Rural Zone

- **Agricultural Activities**

- Animal Husbandry
- Animal keeping if not a cattery or kennel
- Cropping
- Intensive horticulture if on a lot greater than 40 hectares
- Winery



Examples of Value-Adding Activities in Rural Areas

Rural Industry: The Planning Scheme allows for certain value adding activities to be undertaken in rural areas (where associated with a lawful rural use) without the need for development approval to be obtained from council. A Rural Industry is defined as:

Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
Rural industry	<p>Premises used for storage, processing and packaging of products from a rural use.</p> <p>The use includes processing, packaging and sale of products produced as a result of a rural use where these activities are ancillary to a rural use on or adjacent to the site.</p>	Packing shed	Intensive animal husbandry, intensive horticulture, roadside stall, wholesale nursery, winery, abattoir, agricultural supply store

Farm Based Short Term Accommodation:

Farm Stay Accommodation can be considered a Home Based Business under the Gympie Regional Council Planning Scheme 2013 depending upon how it is intended to be operated.

Home Based Business is defined as:

- *'A dwelling used for a business activity where subordinate to the residential use.'*
- Provisions in the Home Based Business Code for a Bed and Breakfast.
- Accepted development subject to requirements – Home Based Business Code.

Tourist Park:

- Tourist park up to four (4) caravans, cabins, tents or similar structures on the site is accepted development subject to requirements.



Examples of Value-Adding that is Accepted Development

Table 5. 23 Rural zone

Use and categories of development and assessment
Accepted development
Animal husbandry
Animal keeping if not a cattery or kennel
Cropping
Dwelling house if:
(a) not in the Aerodrome Precinct; and
(b) on a site that has lawful access to a Council maintained or state-controlled road;
or
(c) not in the Aerodrome Precinct; and
(d) including a secondary dwelling, where the secondary dwelling is attached to or located no further than 20m from the primary dwelling and does not exceed a gross floor area of 70m ²
Emergency services
Intensive horticulture if on a lot greater than 40 hectares
Roadside stall
Rural industry
Tourist attraction if involving small scale agri-tourism associated with a rural use on the site
Utility installation except a waste management facility
Wholesale nursery
Winery



The Planning Scheme provides that a *Tourist attraction if involving small scale agri-tourism associated with a rural use on the site* is 'Accepted Development'. Meaning that planning approval is not required to be obtained in order for the use to be undertaken lawfully under the Planning Scheme.

Tourist Attraction for Small Scale Agri-tourism

- **Tourist attraction** is defined as:
 - Premises used for providing on- site entertainment, recreation or similar facilities for the general public. The use may include provision of food and drink for consumption on site
 - *Agri-tourism, for the planning scheme purposes is:*
 - *On-farm value adding activities that are directly associated with a lawful agricultural use and marketed at visitors/tourists. Examples include 'pick your own' fruit experiences or farm tours. Note: this does not extend to any activities that would ordinarily be defined by another land use definition i.e. shop, food and drink outlet, function facility.*
 - Council's intension is to facilitate a rural producer wanting to open their farm to the public for promotion of on-farm activities. The 'tourist attraction' needs to be all about promoting the rural activity occurring on the property.
 - Examples of complying with this would include:
 - Picking berries at a berry farm;
- Tours of an operating dairy;
- On-farm processing displays;
 - Tours of an operating dairy;
 - On-farm processing displays.



Agri-tourism (cont)

The tourist attraction may include provision of food and drink for consumption on-site, however this cannot be the primary use, otherwise an application for a 'Food and drink outlet' (i.e. café, restaurant) would be required.

Should you be considering extending your activities beyond this (i.e. a restaurant, camping, functions/weddings/Music Festivals/Education Facilities) you should contact Council's Development Assessment Team on (07) 5481 0454.

Seeking Advice



- Council's development advice services:
- Initial advice / general enquiries
- Pre-Application meetings
- Engage a private Town Planning Consultant to provide advice/assist with preparing the planning report/application

Approvals and Timeframes

- Timeframes will vary depending on the types of approvals, level of assessment and number of applications required
- A code assessable application may take 3-6 months to be processed (material change of use, operational work)
- Impact assessable application may take 6 months – 2 years.
- Additional time to process and complete related applications including;
 - Operational work
 - Building certification - private certifier
 - Plumbing applications & inspections
 - Post construction inspections



Application Preparation



Things to consider when preparing a development application:

- Site constraints
- Environmental impacts - risk management (e.g. flooding, bushfire)
- Ecological protection (e.g. waterways, native vegetation)
– Council has a TLPI – Protection of Biodiversity Values
- Required technical plans and reports
- Building design and services
- Access and parking arrangements
- Landscaping and rural amenity
- Noise management
- Waste management
- Stormwater management

Helpful Resources

Development applications:

Check out Council's website: [Development Applications – Gympie Regional Council](#)

(includes lots of information about the development application process)

Development advice services:

Check out Council's website: [Support for applicants – Gympie Regional Council](#)

(includes forms and factsheets and a link to request a pre-application meeting)

Development tools:

Check out Council's Online Mapping Tool: [PublicWeb > Town Planning \(gympie.qld.gov.au\)](#)

(Identify zoning, overlays and infrastructure)

Planning scheme:

Check out Council's website: [*gympie-regional-council-planning-scheme-2013-version-3-0](#)

(identify level of assessment, applicable codes and assessment benchmarks)

Temporary Local Planning Instrument – Protection of Biodiversity Values:

Check out Council's website: [Temporary Local Planning Instruments – Gympie Regional Council](#)

(identify level of assessment, applicable codes and assessment benchmarks)

Helpful Resources

QLD Development tools:

Check out QLD's Online Mapping Tool: [Mapping | Planning \(statedevelopment.qld.gov.au\)](#)

(Identify overlays and infrastructure)

Check out QLD's State Planning Policy: [spp-july-2017.pdf \(windows.net\)](#)

(identify state interest policies and assessment benchmarks)

You may need to speak with other government agencies, such as the State Assessment and Referral Agency (SARA):

SARA (Wide Bay Burnett):

Mapping of State matters: [Development Assessment Mapping](#)

Email: WBBSARA@dasilgp.qld.gov.au