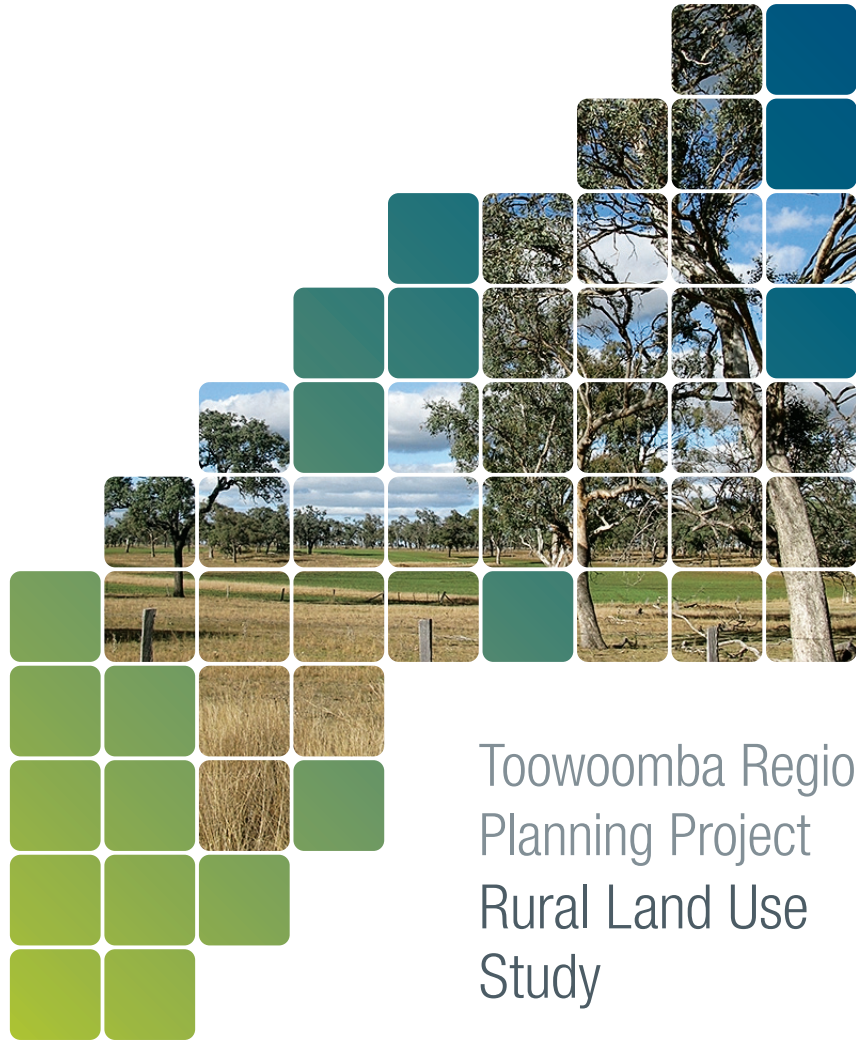


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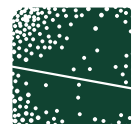
Toowoomba Regional Planning Project Rural Land Use Study

FINAL REPORT

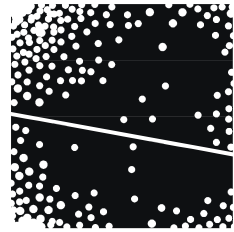
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Toowoomba Regional Planning Project

RURAL LAND USE STUDY

FINAL REPORT

Prepared for:

TOOWOOMBA REGIONAL COUNCIL

Prepared by:

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Date: December 2009

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Executive Summary

In July 2009 Landloch Pty Ltd and Humphreys Reynolds Perkins Planning Consultants conducted an analysis to identify the location of Good Quality Agricultural Land and the key issues associated with rural activities in the Toowoomba Regional Council area (TRC). The analysis presented in the *Rural Land Use Study – Issues Report* found that the rural sector is a significant contributor to Toowoomba’s regional economy accounting for 6.9% of the gross regional product in 2006/2007 and supporting approximately 3,000 businesses (ABS Data/Lawrence Consulting, 2008). The rural sector was also found to be significant in term of land use area with 95% of land within the TRC being zoned for rural purposes and 59% of its land classified as Good Quality Agricultural Land (GQAL). The Issues Report was followed in October 2009 by the preparation of the *Rural Land Use Study – Options Report* which provided guidance on drafting planning scheme provisions for rural development consistent with the *draft Queensland Planning Provisions (QPP)*.

This Final Report brings together all aspects of the Rural Land Use Study into one report and provides direction to underpin all planning scheme content relating to development of rural areas of Toowoomba. The report recommends that:

- Good Quality Agricultural Land and surrounding buffer areas should be included in a “Good Quality Agricultural Land Overlay” with code provisions limiting any development which may alienate such land for rural purposes, unless there is an overriding need in terms of public benefit;
- Lot sizes are generally too small to support economically viable rural enterprises. Further fragmentation of lots in areas zoned rural should not be permitted unless there is an overriding need for the development in terms of public benefit;
- Rural Residential Zone requirements should ensure that any development which occurs on such lots includes an appropriate buffer on-site to minimise potential impacts with ongoing rural activities;
- Intensive animal industries should be appropriately separated from sensitive receptors through the use of an overlay including appropriate buffer distances as outlined in current industry standards;
- Rural industries impact on infrastructure (e.g. road access) and should have specific requirements within the Rural Zone Code to ensure that site layout, scale, setbacks and buffers are appropriate for location within a rural rather than industrial zone;
- Rural tourism provides opportunities to diversify the local economic base and should be encouraged through the Strategic Framework and Rural Zone Code in locations where it does not conflict with agricultural production or adversely affect rural character/amenity;
- Rural character should be protected by the inclusion of land located in the



“Scenic Amenity Study - Constraint 3 zone” in the “Significant Vistas, Landscapes and Natural Features Overlay”. The Overlay Code should require development on such land to prepare a scenic assessment which includes any possible mitigation measures to protect the specific scenic feature;

- Mining should, to the greatest extent practicable, not occur in locations where this activity will result in the permanent alienation of GQAL including productive agricultural and pastoral land. Implementation of this recommendation is outside the scope of local government planning schemes and would require high level dialogue with the Queensland Government to establish a clear State-wide approach to managing this emerging issue;
- Water resources, including the availability and impact on such resources, should be a key issue for Council to consider when assessing the suitability of development applications in the Rural Zone (e.g. tourism, mining, and intensive animal industries); and
- Infrastructure provision such as community facilities and transport should be coordinated with service providers to ensure that a range of community facilities is available in rural centres in accordance with Council’s Place-based Planning Project.



1. Introduction

1.1 Background

The rural sector is a significant contributor to the regional economy of Toowoomba accounting for 6.9% of the gross regional product in 2006/2007 and supporting approximately 3,000 businesses (ABS Data/Lawrence Consulting, 2008). In 2006/07 the estimated turnover for the Agriculture, Forestry & Fishing industry was \$1.0 billion or 10.7% of the total turnover for the Toowoomba Region (\$9.5 billion) (ABS Data/Lawrence Consulting, 2008). The rural sector is also significant in term of land use area with 12,300 km² of land within the Toowoomba Regional Council being zoned for rural purposes or 95% of the total Council area (TRC, 2009) (refer **End Figure 1 and 2**).

Toowoomba Regional Council currently administers eight planning schemes as a result of the amalgamation of Cambooya, Clifton, Crows Nest, Jondaryan, Millmerran, Pittsworth and Rosalie Shire Councils with Toowoomba City Council on 15 March 2008. Council has recognised that this incurs considerable inefficiencies, inconsistencies and risks in planning and development services regulated by the planning schemes. Accordingly, in December 2008 Toowoomba Regional Council resolved to prepare a new planning scheme for the whole Council area by December 2011.

In July 2009 Landloch Pty Ltd and Humphreys Reynolds Perkins Planning Consultants conducted an analysis to identify the location of Good Quality Agricultural Land and the key issues associated with rural activities in the Toowoomba Regional Council area (TRC). The Issues Report was followed in October 2009 by the preparation of the *Rural Land Use Study – Options Report* which provided guidance on drafting planning scheme provisions to address key issues facing the rural sector consistent with the *draft Queensland Planning Provisions (QPP)*. This Final Report brings together all aspects of the Rural Land Use Study into one report and provides direction to underpin planning scheme content relating to development within the rural areas of Toowoomba. Queensland land use and environmental planning law and public policy is undergoing substantial, rapid and ongoing change. The Rural Land Use Study Issues Report material included in this Final Report reflects the statutory and policy situation in Queensland as at July 2009.

1.2 Purpose

The purpose of the Rural Land Use Study – Final Report is to:

- (a) provide direction underpinning all planning scheme content relating to development within the rural areas of the Toowoomba Regional Council;
- (b) recommend actions required to ensure that the proposed Toowoomba Regional Planning Scheme is consistent with *State Planning Policy 1/92 Development and the Conservation of Agricultural Land*;
- (c) give direction to the writing of planning scheme provisions relating to development within rural areas, including:



- Levels of assessment,
- Zone and Overlay outcome statements, and
- Codes.

1.3 Methodology and Assumptions

The methodology used to prepare the Rural Land Use Study has included:

- liaising with relevant government departments and community bodies to obtain access to information required for the study;
- reviewing current planning scheme requirements contained in the eight schemes;
- reviewing and consolidating existing data and report on adequacy of information and data sets;
- developing regional maps based on GQAL or near-GQAL assessments to identify priority areas requiring protection of good quality agricultural land and those areas that would be suitable for development within rural areas;
- calculation of areas for each GQAL category, focusing on potential growth areas within the region;
- reviewing cadastral information (lot size and locality) to identify rural/urban interface areas;
- analysis of the draft Queensland Planning Provisions (28 September 2009);
- reviewing stream two environmental studies undertaken as part of the Toowoomba Regional Planning Project;
- reviewing planning scheme provisions to determine current approaches to managing rural development; and
- reviewing comments provided by Council on the Issues and Options Report.

1.4 Relationship to other Studies

The Toowoomba Regional Planning Project includes the preparation of a number of separate planning studies that will ultimately inform and guide the preparation of a new planning scheme. Humphreys Reynolds Perkins Planning Consultants is involved in the preparation of two other of the planning studies, namely the Activity Centres Land Use Study and the Residential Land Use Study. Consultation has occurred with consultants preparing other planning studies to identify potential development constraints and opportunities through workshops held on 16 September 2009, 6 October 2009 and 14 October 2009.

Preparation of the Rural Land Use Study has been informed by the outputs of the Stream Two Studies undertaken as part of the Toowoomba Regional Planning Project, in particular the findings of the Scenic Amenity Study as relevant to rural character. The outputs of the other studies are of limited relevance to the protection of Good Quality Agricultural Land (e.g. steep and unstable land, flood and regional heritage) or are issues that should be addressed through separate zone or overlay provisions (e.g. bushfire, vegetation and wetlands/waterways).



2. Policy Context and Current Planning Instruments

2.1 Introduction

This Chapter describes the State, regional and local planning policy context relevant to the Toowoomba Regional Council area. It includes a summary of relevant legislation, regional planning instruments and the planning schemes for the eight former local governments that comprise the new Regional Council area. Other legislation and planning instruments may also be of some relevance however the material presented in this section is considered to establish the primary statutory framework and policy context. It is acknowledged that the Queensland planning environment is dynamic and currently experiencing a period of rapid change. The legislation, regional planning instruments and local government planning schemes referenced in this Chapter may be superseded in the near future. Where change is likely to the planning framework this has been identified in the relevant sub-section below. The Rural Land Use Study Issues Report material included in this Final Report reflects the statutory and policy situation in Queensland as at July 2009.

This section provides a brief summary of each of the relevant policy documents or planning instruments, and identifies any pertinent strategies for rural land in the Toowoomba Regional Council area.

2.2 State and Regional Planning Instruments

2.2.1 Integrated Planning Act 1997

The *Integrated Planning Act 1997* ("the Act"), provides the overall statutory planning framework for the State of Queensland. In particular, the Act provides the framework for the preparation and administration of regional plans, structure plans and local planning instruments.

The purpose of the Act is to seek to achieve ecological sustainability by:-

- *Coordinating and integrating planning at the local regional and State levels; and*
- *Managing the process by which development occurs; and*
- *Managing the effects of development on the environment (including managing the use of premises).*

The Act is the governing statutory planning instrument to which all subsidiary planning instruments must comply.

Schedule 1 (of Section 1, Part 1) of IPA details the process for making or amending planning schemes and requires a local government to make a resolution to prepare a planning scheme prior to preparing/advertising a Statement of Proposals.



It is noted that the IPA (Schedule 1, Part 1, s2) requires a Statement of Proposals to:

- (a) *identify matters the local government anticipates the planning scheme will address; and*
- (b) *state how the local government intends to address each core matter (including its component parts) in preparing the planning scheme; and*
- (c) *if the local government is in a designated region—state how the local government anticipates the planning scheme will reflect the region’s regional plan.*

The IPA and in particular, Schedule 1 (of Section 1, Part 1) must be adhered to in the making of a planning scheme, to which the Rural Land Use Study and other planning studies will duly inform as supporting material.

2.2.2 Sustainable Planning Bill

The Sustainable Planning Bill was tabled in Parliament on 19 June 2009. When adopted as the Sustainable Planning Act (“SPA”, will replace the IPA.

Key elements of the SPA relevant to the making of a planning scheme are likely to include that:

- climate change must be acknowledged in advancing the SPA’s purpose;
- an additional two (2) categories of development must be included in the levels of assessment in a planning scheme, being: assessable development and prohibited development;
- the SPA and supporting regulations (undisclosed at this time) will override Schedule 1 (of Section 1, Part 1) mechanisms under the IPA which apply to the process for making or amending planning schemes; and
- standard planning scheme provisions, when declared by the Minister pursuant to Chapter 2, Part 5 of the SPA, will have the force of law pursuant to the *Statutory Instruments Act 1992*, and will form the template for any new planning scheme for a local government area.

The commencement of SPA and supporting regulations will require Council to assess its position in relation to the making of a new planning scheme at the time of commencement.

2.2.3 State Planning Policy 1/92 Development and the Conservation of Agricultural Land (HRP)

State Planning Policies (SPPs) are statutory instruments established pursuant to Part 4 of the *Integrated Planning Act 1997*. SPPs have effect when a local government decides to prepare a new planning scheme or amend an existing planning scheme or is required to amend their planning scheme as a result of a regional planning process.

State Planning Policy 1/92 Development and the Conservation of Agricultural Land



(SPP 1/92) seeks to ensure that planning policies and decisions protect such land from those developments that lead to its alienation or diminished productivity. The Policy is supported by *Planning Guidelines - Separating Agricultural and Residential Land Uses*. The policy principles are:

1. Good quality agricultural land has a special importance and should not be built on unless there is an overriding need for the development in terms of public benefit and no other site is suitable for the particular purpose;
2. The alienation of some productive agricultural land will inevitably occur as a consequence of development, but the Government will not support such alienation when equally viable alternatives exist, particularly where developments that do not have very specific locational requirements (for example, 'rural residential') are involved;
3. When preparing, reviewing or amending planning schemes, local authorities will be expected to include provisions for the conservation of good quality agricultural land, regardless of the effect of market fluctuations on its viability;
4. The preparation of strategic plans should include an evaluation of alternative forms of development, and significant weight should be given to those strategies which minimise the impacts on good quality agricultural land;
5. Due consideration should be given to the protection of good quality agricultural land when applications for rezonings, consent, or subdivision are being determined;
6. Where a planning scheme does not 'contain adequate agricultural land conservation provisions, the Government will be guided by the principles set out in this Policy when considering applications for the approval of planning schemes, rezoning and other scheme amendments;
7. The fact that existing farm units and smallholdings are not agriculturally viable does not in itself justify their further subdivision or rezoning for non-agricultural purposes. Subdivision provisions and policies should be devised in a way that encourages amalgamation of titles where this would enhance farm viability;
8. Local Authority planning provisions should aim to minimise instances of incompatible uses locating adjacent to agricultural operations in a manner that inhibits normal farming practice. Where such instances do arise, measures to ameliorate potential conflicts should be devised wherever possible.

Toowoomba Regional Council contains land identified as 'Good Quality Agricultural Land' (GQAL) under all current planning schemes with the exception of the Toowoomba Planning Scheme. The primary principle (Principle 1) identifies that '*Good Quality Agricultural Land has a special importance and should not be built on unless there is an overriding need for the development in terms of public benefit and no other site is suitable for the particular purpose*'.

The Minister for Infrastructure and Planning (formerly Local Government and Planning) has identified this SPP as having been appropriately reflected in the following planning schemes:

- Crows Nest Planning Scheme;
- Millmerran Planning Scheme;



- Rosalie Planning Scheme; and
- Toowoomba Planning Scheme.

SPP 1/92 is a key policy objective that underpins all following project stages.

2.2.4 South East Queensland Regional Plan 2005-2026

The *South East Queensland Regional Plan 2005-2026* (SEQRP) is a statutory instrument and has effect under section 2.5A of the *Integrated Planning Act 1997*. The purpose of the Regional Plan is to provide a sustainable growth management strategy for SEQ to 2026. The SEQRP comprises a regional vision, strategic directions, a regional land use pattern and regional policies. The Regional Plan is supported by a statutory Urban Footprint and associated regulatory provisions.

Urban development is generally restricted to locations within the Urban Footprint and in some cases is subject to particular structure planning processes. The SEQRP encompasses the former Toowoomba City Council jurisdictional boundaries (which is only a portion of the Toowoomba Statistical District).

Section 8.1 (Urban Structure) describes Toowoomba as follows:

Located at the western periphery of SEQ, Toowoomba City has a strong and diverse economy reflecting its role as the main urban centre for the eastern Darling Downs. It is expected to grow from a current population of 92,000 people to around 110,000 people in 2026, through a combination of greenfield development and increasing levels of infill and redevelopment in suitable locations and around activity centres.

The Regulatory Provisions of the SEQRP have been superseded by the Regulatory Provisions of the draft SEQRP which took effect on 7 December 2008. The regulatory provisions of the 2005 SEQ Regional Plan, similar to those of the draft SEQ Regional Plan, limited the extent of urban development permissible in the Regional Landscape and Rural Production Area and in the Rural Living Area.

The SEQRP provides strategic guidance to urban and non-urban development that must be adhered to in the formation of any future planning scheme that applies to the former Toowoomba City Council area.

2.2.5 Draft South East Queensland Regional Plan 2009-2031

In December 2008 the Queensland Government (Department of Infrastructure and Planning) released the *Draft South East Queensland Regional Plan 2009-2031* (draft SEQRP), the outcome of the first major review of the *South East Queensland Regional Plan 2005-2026* (SEQRP).

Although draft, this document has statutory powers due to the commencement of the draft SEQRP regulatory provisions on 7 December 2008. These regulatory provisions seek to regulate development outside of the Urban Footprint. Moreover, the draft regulatory provisions give the Minister the power to nominate, amongst other things, 'future growth areas' and 'urban growth areas' to accommodate growth as need arises.

Submissions on the draft SEQRP closed 1 May 2009 and it is anticipated that the draft



SEQRP will be released in July 2009 following consideration of submissions received.

The draft SEQRP, when adopted, will replace the SEQRP as the statutory regional plan for the region.

The draft SEQRP boundary was expanded to include areas beyond the former Toowoomba City Council jurisdictional boundaries, including the inclusion of part of the following former Council areas of:

- Crows Nest Shire Council;
- Jondaryan Shire Council; and
- Cambooya Shire Council.

The Urban Footprint nominated within the Toowoomba Statistical District under the draft SEQRP is approximately two times the area nominated in the SEQRP, largely in recognition of the urban areas included as a result of the expansion of the draft SEQRP boundary. It is taken that this measure is to prevent '*further low-density residential development*' in areas to the west of Toowoomba City. An issue acknowledged but not addressed in the SEQRP.

The draft SEQRP also nominates Rural Living Areas in the former local government areas of Rosalie (now Goombungee), Cambooya (now Greenmount) and Crows Nest. Rural Living Areas comprise rural residential development. This type of development is to be contained to Rural Living Areas to ensure these communities are appropriately serviced by hard and soft infrastructure.

Westbrook is nominated as an 'identified Growth Area'. Identified Growth Areas are under consideration for future urban development. Distinct to Urban Growth Areas or Future Growth Areas, Identified Growth Areas are included in the Draft Regulatory Provisions as Regional Landscape and Rural Production Area and therefore urban development remains inconsistent until such time as the land is included as a 'Future Growth Area' or 'Urban Growth Area'.

The rationale for the inclusion of Identified Growth Areas as the frontier for future urban growth is guided by the tenets that underpin the Urban Footprint. These tenets include a requirement to:

- *Provide reliable and effective transportation choices or otherwise reduce car use, particularly for infill and redevelopment in and around existing centres, and along high-frequency public transport corridors;*
- *Physically connect to existing communities wherever possible, or otherwise provide new development with direct transport linkages to existing urban areas early in the development;*
- *Promote cohesive communities that support a wide range of services and facilities;* and
- *Include or have access to existing or planned employment centres.*

Advice from the Department of Infrastructure and Planning in May 2009 indicates that the State Government is not currently preparing or seeking to prepare a Regional Plan to give regional direction to the remainder of the Toowoomba Regional Council area. However, the Eastern Downs Regional Land Use Strategy provides non-statutory regional guidance for this area.



2.2.6 South East Queensland Regional Plan 2005–2026 - Implementation Guideline No. 6 - Rural Precinct Guidelines

The *South East Queensland Regional Plan 2005-2026 – Implementation Guideline No.6 – Rural Precinct Guidelines* (SEQRP Rural Precinct Guidelines) provides a framework for local governments to establish rural precincts and prepare a Rural Precinct Plan. Rural precincts are areas within the Regional Landscape and Rural Production Area or Investigation Area that are created to improve the range of regional policies under the SEQRP. A Rural Precinct Plan details the planning intent for a rural precinct and is prepared by local governments.

The SEQRP Rural Precinct Guidelines were established in August 2007 as a support document associated with SEQRP 2005-26 to ensure sustainable growth of rural and regional land uses. It is one of five land use categories to provide development guidelines for the region's needs. The principles, policies and regulatory provisions addressed in the guidelines have been developed to protect regional landscape values from the adverse impacts of urban and rural–residential development and enable non-urban activities to continue.

The guideline provides direction for State and local governments and the community to collaboratively plan and develop rural precincts by building upon a number of principles of the 'Rural futures' component of the SEQ Regional Plan, including:

- *identifying key areas where rural precincts can sustain rural industry;*
- *preventing inappropriate fragmentation of land;*
- *enhancing infrastructure and investment opportunities in rural precincts;*
- *managing land use conflicts;*
- *enabling rural industries to diversify, adjust, innovate and value-add;*
- *identifying alternative economic uses of rural land;*
- *protecting and promoting productive activities within a rural precinct;*
- *protecting and promoting regional landscape values; and,*
- *sustaining benefits to the community derived from the natural environment.*

The guideline provides the following information to assist local governments to develop and implement a Rural Precinct Plan:

- definitions of 'rural precinct' and Rural Precinct Plan;
- a planning context of the Rural Precinct Plan;
- matters that should be addressed in the Rural Precinct Plan;
- the process for preparing the Rural Precinct Plan; and,
- a suggested format and content of a Rural Precinct Plan.



The concept of rural precincts has some attraction as a mechanism to identify and protect a specific area supporting an activity that is considered important. However, difficulties for application of this concept include:

- Relatively high levels of variability in most areas in terms of landform, soils, specific enterprise type, and farmer capabilities; and
- The need to enable continuing innovation and evolution of farming enterprises in response to markets and changes in technology.

This means that establishment of a rural precinct could be detrimental to enterprises in a precinct area that were not the “preferred” activity, and could place pressure on all landholders in the area to adopt that “preferred” activity, even if not appropriate for the specific soils and landforms on their property. Equally, innovation could be stifled. Therefore, it appears more useful to provide the strongest possible support for strict protection of GQAL, for clear definition of future areas of urban development, and for strict application of buffer zone requirements.

2.2.7 South East Queensland Infrastructure Plan and Program 2008-2026

The *South East Queensland Infrastructure Plan and Program 2008-2026* (SEQIPP) outlines the Queensland Government’s infrastructure priorities for South East Queensland in support of the SEQ Regional Plan. It establishes priorities for regionally significant infrastructure investment. The SEQIPP was first released in 2005 and is intended to be updated annually to reflect the latest planning and budget commitments. The current production of the SEQIPP was released in 2008 and has a planning horizon to 2026.

The SEQIPP is presented in three time periods to 2026, being:

- First phase is from 2008-09 to 2011-12 (four year forward estimates period of the State budget, showing current funding commitments);
- Second phase is from 2012-13 to 2018-19 (seven year planning period that aims to meet the strategic infrastructure objectives); and
- Third phase is from 2019-20 to 2025-26 (infrastructure likely to be required in the longer term).

The SEQIPP currently includes the following infrastructure or infrastructure planning commitments relevant to the rural land use study.

TABLE 2.1: SUMMARY OF SEQIPP INFRASTRUCTURE PLANNING COMMITMENTS.

Project	Timing	Estimated Value of Infrastructure (2008 value)
Transport		
Toowoomba Bypass	2012-13 to 2018-19 (Timing subject to federal contributions; planning completed)	\$1.357 billion
Warrego Highway: Toowoomba intersection upgrades	2012-13 to 2018-19 (Timing subject to federal contributions)	\$85 million



Water		
Toowoomba Pipeline (Wivenhoe Dam to Toowoomba's Dams) Feasibility Study and Business Case	2009-10	\$20 million

2.2.8 Eastern Downs Integrated Transport Plan

The Eastern Downs Integrated Transport Plan (EDITP) was released in 2003 'to provide a framework for the development of a high quality, safe and efficient transport system for the Eastern Downs'. The EDITP Study Area includes the Toowoomba Regional Council area in addition to the adjoining Council areas of Warwick Shire to the south and Gatton Shire to the east.

The Plan includes a number of Action Plans and supporting strategies under the following headings:

- Land Use;
- Road;
- Rail;
- Aviation; and
- Public Transport, Walking and Cycling.

One of the key Economic Activities stated in the EDITP is the '*intensification of some land uses encouraged by the variable returns of different agricultural and related activities*'. This is evident in the growth of the horticultural growth of agriculture and the development of piggeries and feedlots in the region. The Eastern Downs region is dominated by agricultural and rural land uses with over '*half of the land...classified as Good Quality Agricultural Land*'.

The EDITP states that the majority of residential growth in the Eastern Downs region occurs in and around Toowoomba, '*and includes both urban residential and rural residential development*'. This leads to key land use issues identified in the EDITP:

- *dispersed settlement patterns;*
- *a lack of coordination between land use and transport infrastructure; and*
- *poor planning for transport facilities and infrastructure to support land uses.*

Unidentified strategies in response to these land use issues include:

- *promote best practice land use and transport planning in planning schemes;*
- *appropriately consider and manage potential transport impacts arising from development and other land use planning initiatives;*
- *foster a land use and transport planning process which takes into account road safety issues and costs.*

An appropriate land use response in consideration of future planning of Toowoomba Regional Council is to:

- coordinate the expansion and intensification of residential areas commensurate



with the provision of an appropriate level of transport infrastructure; and

- the consolidation of existing urban settlements to mitigate the disbursement of residential populations.

The EDITP also acknowledges a key role for Priority Infrastructure Plans (PIP) in the orderly provision of infrastructure and recommends that planning identify Priority Infrastructure Areas for infrastructure delivery.

Heavy vehicles are important users of the road network in the Eastern Downs region. The impact of freight transport on the Eastern Down's road network can be minimised by spreading the use of heavy vehicle across the network and support the use of alternative modes of transport. Issues that will affect future freight movement within the region include:

- *possible further agricultural industry rationalisations;*
- *opportunities for future growth of the feedlot/ intensive animal husbandry industry;*
- *the viability of road/rail interchanges in the region; and,*
- *local industry growth in the region...*

The actions included in the EDITP are aimed at developing a road network that:

- *caters for efficient movement of freight between the Toowoomba sale yards and existing industrial destinations to the Gore and Warrego Highways;*
- *provides future linkages to the Toowoomba `Bypass and Charlton/ Wellcamp Integrated Employment Area;*
- *connects the existing urban arterial road network for traffic movement and safety; and,*
- *manages adjacent land use.*

The EDITP makes salient strategic recommendations that should be considered in the identification of areas for rural expansion or intensification.

2.2.9 EDROC Regional Land Use Strategy Regional Land Use Strategy (Volumes 1 & 2)

The Eastern Downs Regional Organisation of Councils Inc (EDROC) *Regional Land Use Strategy 1996* encompasses the area of ten former local governments including the former local governments of Cambooya Shire, Clifton Shire, Crows Nest Shire, Jondaryan Shire, Millmerran Shire, Pittsworth Shire, Rosalie Shire and Toowoomba City (now all in Toowoomba Regional Council), Warwick City (now part of Southern Downs Regional Council), and Gatton Shire (now part of Lockyer Valley Regional Council).

The EDROC Regional Land Use Strategy was released in November 1996 to provide a framework for consistent land use planning and decision making by local governments of the Eastern Downs region, and to provide guidelines for State Government agencies and other stakeholders. The EDROC Regional Land Use Strategy is a non-statutory document.



The Regional Land Use Strategy contains two volumes: volume 1 contains a number of interrelated land use strategies; and volume 2 contains a Planning Study that provides a background to the formulation of the strategies in volume 1.

Rural activities occupy the majority of the region's land uses and acts as a significant industry for employment. The Rural Strategies identified in Volume 1 aim to protect the future viability of rural activities in the region:

- *To protect areas identified as good quality agricultural land;*
- *To ensure that rural lot sizes are viable for future rural production needs;*
- *To encourage amalgamation of small lots;*
- *To protect viable rural holdings from unnecessary subdivision that will alienate rural land;*
- *To encourage environmentally sustainable land management practices; and,*
- *To minimise the potential conflict between residential/ urban activities and rural land uses in the region.*

Ultimately, the primary objective of the Rural Strategy is to protect and promote the economic, social and environmental well-being of the region, where the quality of agricultural land is enhanced through the objectives stated above. These strategic visions and objectives amount to an elevated importance of the rural land uses for the Eastern Downs region.

EDROC further identifies that demand for rural residential housing should be discouraged outside of existing areas identified in the various planning schemes. Criteria established for rural residential development includes:

- *proven land capability for on-site waste disposal or supplied with reticulated sewerage facilities;*
- *sealed road access;*
- *provision of constant water supply of suitable quantity, quality and reliability;*
- *proximity to commercial and industrial services and employment opportunities;*
- *proximity to community and recreation services and facilities; and*
- *minimal impact on good quality agricultural land.*

This is in-keeping with the draft SEQRP that designates Rural Living areas within the Toowoomba Statistical District. EDROC therefore provides a sensible strategic platform to extrapolate the mandate of the draft SEQRP and limit the expansion of rural residential development in other parts of Toowoomba Regional Council.

Volume 2 of the Land Use Strategy acknowledges that the former Toowoomba City is the only Council in EDROC that does not have a rural zone and that GQAL will become more important for production in coming years as other GQAL in the SEQ region is rezoned and developed and the population increases.



2.2.10 Draft Rural Futures Strategy

The *Draft Rural Futures Strategy for South East Queensland* (draft Rural Futures Strategy) includes a range of targeted initiatives to promote economic prosperity, environmental wellbeing and quality of life of rural South East Queensland. The draft Rural Futures Strategy plans for and responds to the challenges facing rural communities and industries in South East Queensland.

The draft Rural Futures Strategy encompasses the former Toowoomba City Council jurisdictional boundaries (which is only a portion of the Toowoomba Regional Council).

The draft Rural Futures Strategy suggests actions for five core requirements considered necessary for sustainable rural communities:

- Economic development;
- Healthy and productive rural landscapes;
- Water resources;
- Community development; and
- Leadership and collaboration.

The draft Rural Futures Strategy may be considered as an action plan outside, but complementary to, land use planning in South East Queensland's rural areas.

2.2.11 Blueprint for the Bush

Blueprint for the Bush (the "Blueprint") is a regional development engagement initiative undertaken by the Queensland State Government in partnership with the Local Government Association of Queensland and peak agricultural group, Agforce.

The Blueprint was released in 2006 as a 10-year plan to build the Blueprint vision: "*a strong rural Queensland of sustainable, liveable and prosperous communities*". Of a wide range of actions proposed within the document, there is the aim to "*sustain natural resources for future generations*".

The Blueprint includes the jurisdictional boundaries of Toowoomba Regional Council excluding the former Toowoomba City Council area. Within the TRC region, productive agricultural land is the major natural resource to be sustained.

Infrastructure growth is an essential component of the Blueprint, in recognition that infrastructure provides the basis upon which future growth and viability of the State's regions will be built. The companion document to the Blueprint, also released in 2006 is the *Blueprint for the Bush: Rural Economic Development and Infrastructure Plan* (REDIP).

The Blueprint included a financial commitment from the Queensland State Government in the order of \$153.4 million over three years with four core goals:

- sustainability of primary production and natural assets;
- enhanced liveability of rural communities;
- prosperity for rural Queensland; and
- strengthening the planning, coordination and delivery of services.



The Blueprint may be considered as a policy that guides State Government funding of soft and hard infrastructure and is complementary to land use planning in the State's rural areas.

2.2.12 **Blueprint for the Bush - Rural economic development and infrastructure plan**

The document highlights areas of population and economic growth in rural Queensland, and outlines planned developments in infrastructure (water, power, transport, communications and innovation) to support that growth.

The point is made in the document that investment in infrastructure should be well-timed; too late and development is stifled; too early and return on investment is slow. Rapid growth in coal mining and particularly energy industries in Queensland underscores the difficulty for government initiatives to be timely, and it could be argued that much of what is proposed is overdue. Nonetheless, the document outlines a significant array of government initiatives, and clearly recognises the strength of Queensland's rural sector – both agriculture and mining.

2.3 **Planning Schemes**

Development in Toowoomba Regional Council is currently regulated by eight planning schemes prepared for the former local government areas. The following sections provide an overview of the structure of the planning schemes and key rural provisions. **Appendix A - Summary of Rural Planning Scheme Provisions** and **Table 2.2** provides further information on the key provisions applying to rural development.

2.3.1 **Cambooya Planning Scheme**

The Planning Scheme for Cambooya Shire is an IPA-compliant planning scheme that is based on the following structure:

- Introduction;
- Definitions;
- Desired Environmental Outcomes;
- Land Use Areas;
- Overlays;
- Codes;
- Infrastructure;
- Performance Indicators;
- Schedules (including Planning Scheme Policies).

A summary of the provisions of the Cambooya Planning Scheme relevant to this Rural Study is presented in **Appendix A** to this report. The notable strategies arising from that summary include:

- Protect good quality agricultural land and extractive industry deposits;



- Increase employment opportunities through expansion of existing industry and rural activities, as well as the establishment of new economic activities; and
- Maintaining the shire's rural character, places of cultural heritage significance and landscape character.

Rural uses are primarily to be accommodated in the Rural Land Use Area.

2.3.2 Clifton Planning Scheme

The Planning Scheme for Clifton Shire is an IPA-compliant planning scheme that is based on the following structure:

- Introduction;
- Definitions;
- Desired Environmental Outcomes;
- Land Use Areas;
- Overlays;
- Codes;
- Infrastructure;
- Performance Indicators;
- Schedules (including Planning Scheme Policies).

A summary of the provisions of the Clifton Planning Scheme relevant to this Rural Study is presented in **Appendix A** to this report. The notable strategies arising from that summary include:

- Protect good quality agricultural land and extractive industry deposits;
- Increase employment opportunities through expansion of existing industry and rural activities, as well as the establishment of new economic activities;
- Ensure that the shire is recognised for its rural character, conservation of buildings and places of cultural heritage significance (indigenous and non-indigenous).

Rural uses, such as agriculture, horticulture, grazing and farm forestry, as well as important landscape or ecological areas, are primarily to be accommodated in the Rural Land Use Area.

2.3.3 Crows Nest Planning Scheme

The Planning Scheme for Crows Nest Shire is an IPA-compliant planning scheme that is based on the following structure:

- Introduction;
- Definitions;
- Desired Environmental Outcomes;
- Zones;



- Overlays;
- Codes (Issue Codes and Use Codes);
- Infrastructure;
- Performance Indicators;
- Schedules (including Planning Scheme Policies).

A summary of the provisions of the Crows Nest Planning Scheme relevant to this Rural Study is presented in **Appendix A** to this report. The notable strategies arising from that summary include:

- Maintain the identifiable rural amenity and semi-rural character of the Shire;
- Protect rural uses and good quality agricultural land from urban and rural residential development;
- Maintain inter-urban breaks as non-urban areas; and
- Minimize land use conflicts.

Rural uses are to be accommodated in the Rural Zone.

2.3.4 Jondaryan Planning Scheme

The Planning Scheme for Jondaryan Shire is an IPA-compliant planning scheme that is based on the following structure:

- Introduction;
- Definitions;
- Zones;
- Overlays;
- Assessment Criteria for Development of a Stated Purpose or a Stated Type (Codes);
- Infrastructure;
- Schedules (including Planning Scheme Policies).

A summary of the provisions of the Jondaryan Planning Scheme relevant to this Rural Study is presented in **Appendix A** to this report. The notable strategies arising from that summary include:

- Protect and maintain the Shire's natural and scenic attributes, biodiversity values and ecological processes;
- Sustainably manage the Shire's natural economic resources to ensure ecological and economic values are available for future generations; and
- Encourage the expansion of existing industries and the establishment of new economic activities to provide employment opportunities and the continuation of the existing sustainable industrial and rural base.

Rural uses are to be accommodated in the Rural Zone.



2.3.5 Millmerran Planning Scheme

The Planning Scheme for Millmerran Shire is an IPA-compliant planning scheme that is based on the following structure:

- Introduction;
- Definitions;
- Desired Environmental Outcomes;
- Zones;
- Overlays;
- Codes;
- Infrastructure;
- Performance Indicators;
- Schedules (including Planning Scheme Policies).

A summary of the provisions of the Millmerran Planning Scheme relevant to this Rural Study is presented in **Appendix A** to this report. The notable strategies arising from that summary include:

- Protect good quality agricultural land, Key Resource Areas, extractive resources, petroleum, gas and mineral resources;
- Rural business opportunities are improved to protect and value-add to the existing rural based economy;
- Protect areas susceptible to land degradation, including contamination, erosion, salinity and landslip, and minimise further degradation;
- Protect, maintain and enhance places of historical or indigenous cultural heritage and social significance;
- Protect areas of high scenic amenity, remnant vegetation, wetlands, fauna habitats, wildlife corridors and regionally significant open space.

Rural uses are to be accommodated in the Rural Zone.

2.3.6 Pittsworth Planning Scheme

The Planning Scheme for Pittsworth Shire is an IPA-compliant planning scheme that is based on the following structure:

- Introduction;
- Definitions;
- Desired Environmental Outcomes;
- Zones;
- Overlays;



- Assessment Criteria for Development of a Stated Purpose or a Stated Type (Codes);
- Infrastructure;
- Performance Indicators;
- Schedules (including Planning Scheme Policies).

A summary of the provisions of the Pittsworth Planning Scheme relevant to this Rural Study is presented in **Appendix A** to this report. The notable strategies arising from that summary include:

- Protect and manage the rural character of the shire, its places and areas of indigenous and non indigenous cultural heritage;
- Protect good quality agricultural land from fragmentation, alienation or encroachment of incompatible land uses;
- Development does not prejudice or impact adversely on the Felton Key Resource Area;
- Development does not adversely impact on remnant vegetation, watercourses, natural drainage lines and catchments, places of cultural and/or heritage significance
- Minimise conflict between urban and rural land uses through buffers and separation distances.

Rural uses are to be accommodated in the Rural Zone.

2.3.7 Rosalie Planning Scheme

The Planning Scheme for Rosalie Shire is an IPA-compliant planning scheme that is based on the following structure:

- Introduction;
- Definitions;
- Desired Environmental Outcomes;
- Development in Zones;
- Overlays;
- Codes;
- Infrastructure;
- Performance Indicators;
- Schedules (including Planning Scheme Policies).

A summary of the provisions of the Rosalie Planning Scheme relevant to this Rural Study is presented in **Appendix A** to this report. The notable strategies arising from that summary include:

- Protect good quality agricultural land and extractive and mineral resources from development that could compromise productivity;



- Expand economic activity and increase employment opportunities;
- Protect and enhance natural habitat, including remnant vegetation, and maintain open space, natural areas and rural landscapes;
- Enhance the quality of water, land and air resources;
- Development to have regard to adverse impacts on cultural heritage (indigenous and non indigenous).

Rural uses are to be accommodated in the Rural Zone.

2.3.8 Toowoomba Planning Scheme

The Planning Scheme for Toowoomba City is an IPA-compliant planning scheme that is based on the following structure:

- Introduction;
- Desired Environmental Outcomes;
- Definitions;
- Zones and Assessment Tables;
- Codes Introduction;
- Zone and Precinct Codes;
- Use Codes;
- Area Codes;
- Issue Codes;
- Advertising Signs;
- Provision of Infrastructure;
- Performance Indicators;
- Appendices.

A summary of the provisions of the Toowoomba Planning Scheme relevant to this Rural Study is presented in **Appendix A** to this report. A summary of the primary strategies arising from the planning scheme is as follows:

- Retain the rural or natural environment character of the land;
- Provide for limited Rural Uses depending on:
 - *the physical constraints of the land;*
 - *the vegetation cover;*
 - *the proximity of urban development and potential conflicts between such development and the proposed rural use; and*
 - *infrastructure required to support the rural use.*

Limited rural uses are to be accommodated in the Rural Zone. However, it is intended that the Future Urban Land Precinct of the Rural Zone be set aside for future urban



expansion. It is also intended that the Special Escarpment Precinct of the Rural Zone is protected from development due to its high ecological and landscape values, and/or steepness and potential land instability.



TABLE 2.2: SUMMARY OF KEY RURAL PLANNING SCHEME PROVISIONS

LGA	Zones/Land Use Areas	Lot Sizes/frontages	Building Height	Specific Provisions
Cambooya	Rural Land Use Area	<p>Minimum lot size:</p> <ul style="list-style-type: none"> • 16ha in the rural buffer area identified on Overlay Map 1; • 40ha in the plains areas, as identified on Overlay Map 1; • 64ha in the uplands areas, as identified on Overlay Map 1; • 8,000m² in Felton township, as identified on Overlay Map 1; <p>OR boundary rearrangement to improve relationship to natural features or provide for improved land management practices OR accommodate activity approval granted, provided sufficient buffers to rural activities Minimum frontage 200m</p>	Maximum 2 storeys (other than silos, windmills and similar rural structures)	<p>Boundary clearances</p> <ul style="list-style-type: none"> • 50m from the New England Highway; • 25m from a State controlled road; • 15m from any other public road; and • 15m from the boundary
Clifton	Rural Land Use Area	<p>Minimum lot size:</p> <ul style="list-style-type: none"> • 40ha in Plains Areas; • 64ha in Uplands Areas; <p>or where the reconfiguring results in smaller lots and meets the circumstances set out in section 6.12.</p> <ul style="list-style-type: none"> • A proposed lot is smaller if no additional lots, improves the relationship of the lots to natural features, or provides for the implementation of improved land management practices • A proposed lot is smaller if accommodates activity approval granted, provided sufficient buffers to rural activities • Proposed lot <i>"smaller than 5ha where intended principally for residential purposes and complies with performance criterion P2"</i> (Rural Res) 	Maximum 2 storeys (other than silos, windmills and similar rural structures)	<p>Boundary clearances:</p> <ul style="list-style-type: none"> • 50m from the New England Highway; • 25m from a State controlled road; • 15m from any other public road; and • 15m from the boundary • 50m setback between buildings and watercourse
Crows Nest	Rural Zone	<p>Minimum lot size:</p> <ul style="list-style-type: none"> • 100ha/500m frontage, 1:5 frontage/depth ratio 	Structures no higher than existing structures or if remote from other buildings, no higher than 10m above ground level	<p>Horticulture – not exceed 8ha, house on same site, total GFA (other than house and domestic outbuilding) not exceed 180m², cultivation not within 10m of boundary.</p>



LGA	Zones/Land Use Areas	Lot Sizes/frontages	Building Height	Specific Provisions
Jondaryan	Rural Zone	Minimum lot size: <ul style="list-style-type: none"> 80ha/300m frontage 		
Millmerran	Rural Zone	Minimum lot size: <ul style="list-style-type: none"> GQAL land – 100ha; Not GQAL – 300ha; Small Farm Precinct – 40ha, minimum width to depth ratio of 1:4 		
Pittsworth	Rural Zone	Minimum lot size: <ul style="list-style-type: none"> 100ha, no depth greater than 4 times width of lot; Lot may be smaller where: <ul style="list-style-type: none"> a lot is severed by a surveyed public road constructed to sealed standard; and the created lots have frontage to a sealed road network; and; electricity is made available to each lot prior to separate titles being issued; land is required for public infrastructure or community involvement; rearrangement of boundaries would not create additional lots, no lot less than original lot size 		
Rosalie	Rural Zone	Minimum lot size: <ul style="list-style-type: none"> Intensive Animal Husbandry Exclusion Area – minimum 40ha, 300m frontage, 1:3 frontage to depth ratio OR <ul style="list-style-type: none"> Rural – 150ha. Lot smaller if: <ul style="list-style-type: none"> boundary realignment, no net increase in allotments, aligns with natural attributes, roadway or railway and improves land management practices accommodates approved MCU other than house, home-based occupation, host home accommodation or intensive animal husbandry remnant native vegetation or Agricultural Class A are not alienated or fragmented 	2 storeys or 8.5m – excludes structures such as silos, windmills and water tanks/stands associated with rural use on site	25m setback from state-controlled road, 15m from other road frontage New agricultural activities in Village Residential Zone, Rural Residential Zone or Park Residential Zone – 6m setback from side rear boundaries adjoining Residential or Park Residential Zone Stable – min 2ha, min 10m setback from



LGA	Zones/Land Use Areas	Lot Sizes/frontages	Building Height	Specific Provisions
				dwelling, min 40m setback from adjoining residential dwelling, min 20m setback to road, min 0m setback from boundary, max 1 horse/4000m ²
Toowoomba	Rural Zone <ul style="list-style-type: none"> • Future Urban Land Precinct • Special Escarpment Precinct 	Minimum lot sizes for regular/corner blocks: <ul style="list-style-type: none"> • Future Urban Land Precinct – 10ha, min 75m frontage; • Special Escarpment Precinct – 100ha, min 125m frontage; • All other circumstances – 4ha, min 75m frontage Minimum lot sizes for hatchet blocks: <ul style="list-style-type: none"> • Future Urban Land Precinct – 10ha, min 20m frontage, min 75m width; • Special Escarpment Precinct – 100ha, min 20m frontage, min 125m width; • All other circumstances – 4ha, min 20m frontage, min 75m width Minimum lot sizes for Community Title Scheme: <ul style="list-style-type: none"> • Future Urban Land Precinct – 10ha (except for communal lots), min 75m frontage; • Special Escarpment Precinct – 100ha (except for communal lots), min 125m frontage; • All other circumstances – 4ha (except for communal lots), min 75m frontage 		<i>Schedule 3 – separation distances</i> Agricultural uses – 1000m; Feedlots – 1300m-9200m; Piggeries – 1000m-10000m; Dairy Bails and Yards – 300m; Poultry Sheds and Manure Disposal Areas – 400m; Cattle Dips and Yards – 200m; Kennels – 1500m; Forestry – 200m; Stockyards and Saleyards – 500m Stables – 2ha in Rural Zone, 30m setback from residential building, 1.8m solid screen fence and 3m landscaped buffer strip along adjoining Open Space Zone or Urban Residential Area



2.4 Summary

This Chapter has described the State, regional and local planning policy context that relates to the Toowoomba Regional Council area. It has identified the relevant aspects of the statutory planning instruments and non-statutory documents that provide important policy guidance and/or historical land use context. At a state and local policy level there is a clear policy intent to protect good quality agricultural land from fragmentation and incompatible land uses to ensure the long term sustainability of primary production and natural assets. A review of the eight planning schemes applying to the region has indicated significant variations in minimum lot sizes for rural land.



3. Overview of Previous Planning Studies and Strategies

3.1 Introduction

This Chapter examines economic data and planning studies that have been prepared for the Region. The key objective of this Chapter is to list the key economic and natural resource management trends for the region necessary to inform the preparation of a rural land use strategy.

3.2 Draft Toowoomba Regional Agriculture Sector Profile 2008

The report prepared by Lawrence Consulting provides statistics on the contribution of the agriculture sector to the TRC economy. Noteworthy information includes:

- (a) The Gross Regional Product (GRP) of the Toowoomba Region was estimated at approximately \$6.2 billion in 2006/07, of which the Agriculture, Forestry & Fishing sector contributed \$426.5 million, or approximately 6.9% of the total GRP, a significantly higher proportion than the average for Queensland (2.8%);
- (b) Between 2001 and 2006, there was a decrease of 546 (or 1.7 percentage points) in the number of employed residents in the Agriculture, Forestry & Fishing sector in the Toowoomba Region;
- (c) The Toowoomba Region contributed 75.8% of all eggs produced for human consumption in Queensland. Other prominent livestock industries with regards to numbers of animals included Milk Cattle (17.6% of total for Queensland), Pigs (24.9%) and stud Horses (18.0%).

Overall, the statistics illustrate that the importance of the TRC area to Queensland's agriculture. The report does not consider planning strategies or identify any preferred outcomes.

3.3 Natural Resource Management Plans

Two Natural Resource Management (NRM) Plans have been prepared which cover Toowoomba Regional Council – the Condamine Catchment NRM Plan and the SEQ Regional Plan.

3.3.1 Condamine Catchment NRM Plan

The Eastern Downs Regional Planning Advisory Committee (EDRPAC) resolved that the Condamine Alliance's natural resource planning processes would be an integral component of the many other planning initiatives affecting the catchment. Some of the information in this NRM Plan is pertinent to comments in later sections. For example:



- The levels of allocation and use exceed assessed yields in the Condamine Groundwater Management Area. When the system was closed in 1969, 70 000 ML had already been granted. Yield assessments undertaken in the 1970's, 1980's and in 1995 have indicated an aquifer yield figure of between 20 000 and 30 000 ML;
- Urban communities, grazing enterprises, intensive livestock holdings, industrial, mining and the irrigation sector rely extensively upon groundwater. Many towns in the Condamine catchment use groundwater to supply part or all of their reticulated supply. 80% of the rural community in the catchment use groundwater for all or part of their domestic requirements. The feedlot industry is almost totally dependent on groundwater while 90% of all grazing animals in the basin rely on groundwater. Losing even some of this supply would threaten these industries. Irrigated cropping is a significant primary industry in the catchment. Irrigation development is responsible for the greatest extraction pressure in groundwater systems and accounts for some 85% of all groundwater usage within the catchment;
- Industry expansion, whilst offering great opportunities, may be a threat to the catchment if not managed accordingly. This threat is due to the ability of higher value industries to compete successfully for limited water resources at the expense of industries for which infrastructure has been established. This includes industries such as mining, energy, manufacturing, and the intensive animal industries which are all expanding in the catchment;
- There is evidence that in the more closely settled areas there is little potential to develop (i.e. clear) more land, and that land use, although it may change with seasonal and market conditions, is relatively stable; and
- In the ten years between 1991 and 2001 the peri-urban band encircling Toowoomba experienced some of the highest rates of population growth in the Condamine catchment.

Whilst setting targets for catchment condition and specifying actions to achieve them, the document does not address strategies specific to TRC planning activities.

3.3.2 SEQ NRM Plan

This plan provides guidance for the form and content of the plan that should be developed for the TRC. An important element of the plan is that it establishes a common set of regional targets through to 2031. For land resources some, but not all, of the proposed targets are applicable to the TRC area. More relevant targets are:

- L 2 Agricultural Land: By 2031, >90% (>266,667ha) of SEQ agricultural land at 2004 is available for agriculturally productive purposes;
- L 4 Organic Matter: By 2031, the level of organic matter (carbon in t/ha) in agricultural soils is higher than in 2008 or baseline year;
- L 6 Soil Erosion: By 2031, the area of "high" water erosion risk is reduced by 50% from 2008 baseline;
- L 7 Grass cover: By 2031, 75% of grazing land in SEQ is in a "good" condition; and
- L 8 Land Contamination: By 2031, no new land contamination sites created and existing sites reduced from 2008 baseline data.



Largely, the targets specify (a) the retention of agricultural land and (b) maintenance of the condition of agricultural land, issues which are particularly relevant to the TRC. For a region as large as the TRC, the implication that there could be loss of up to 10% of agricultural land is quite unacceptable.

With respect to water, two of the proposed targets are appropriate to water resources in rural areas of the TRC:

- W 2 Groundwater levels: By 2031, 75% of SEQ Groundwater Resource Units will have ground water levels within identified acceptable annual ranges.
- W 3 Groundwater Quality: By 2031, maintain or improve ground water quality (nutrients & EC measurements) in all SEQ Groundwater Resource Units.

3.3.3 Landholder Practices, Attitudes, Constraints and Opportunities for Change in the Condamine Alliance Region

This report gives some insight to landholder attitudes and circumstances. For example, on the continuing issue of farm size, landholders on larger properties reported a higher level of importance with respect to their satisfaction, with working the property, the role of the property in preserving family heritage, the value of the property as a source of household income and the value of the property as a viable agricultural business.

Landholders on small grazing properties reported that their property was less important for providing household income and of less value as a viable agricultural business than it was reported to be for people on other property types. Landholders on smaller properties also reported enjoying the peace and quiet of the rural environment more than people on larger mixed enterprise and cropping properties.

The issue of highest concern was regarding the depletion of ground water. Other issues of high concern included inefficient agricultural use of water, the spread and impact of weeds on agricultural production and land management practices on small lots.

3.3.4 Crows Nest Land Management Manual

This report provides an overview of key trends in the former Shire, including:

- a decrease in the traditional rural industries of beef and dairying;
- an increase in horticulture (tree crops, cut flowers and vegetables) and agro forestry;
- a continued increase in the number of small "lifestyle" rural residential blocks;
- an increase in tourism ventures, in particular nature based;
- the development of e-commerce throughout the Shire – Council runs its own "internet service provider" (ISP);
- southern parts of the Shire, namely the Highfields-Cabarlah area continuing to rapidly grow in population and services, while the remainder of the Shire remains static or even;



- decreases in population. Most of the people in the southern areas will be fully urbanized and will work in Toowoomba;
- green industries will develop, such as renewable energy – wind farms.

The manual provides information on natural resources (including mapping of Good Quality Agricultural Land - GQAL) and their management, but provides little input with respect to planning policy. The approach used to identify GQAL was not assessed and validated by NRM scientists, and may be open to review.

3.4 Water Resource Management Plans

The Department of Environment and Resource Management (DERM) monitors the implementation of water resource plans across Queensland. The water resource planning process is designed to plan for the allocation and sustainable management of water to meet Queensland's future water requirements in accordance with the *Water Act 2000*. The majority of the TRC Region falls within the Condamine Catchment while the North East corner falls within the Moreton Catchment.

3.4.1 Water Resource (Condamine and Balonne) Plan 2004

The Water Resource (Condamine and Balonne) Plan was prepared by the Office of the Queensland Parliamentary Counsel in 2004 with amendment made in 2006. The purpose of the management plan is:

- to define the availability of water in the plan area;
- to provide a framework for sustainably managing water and the taking of water;
- to identify priorities and mechanisms for dealing with future water requirements;
- to provide a framework for establishing water allocations;
- to provide a framework for reversing, where practicable, degradation that has occurred in natural ecosystems, including, for example, stressed rivers;
- to regulate the taking of overland flow water.

The Water Resource Management Plan outlines how water is to be allocated and managed in a way that seeks to achieve the following outcomes relevant to the TRC Region:

- to make water available to support economic activity in the plan area while recognising the social and cultural values of communities in the basin;
- to build social cohesiveness in the community by recognising the multiple users of water, including both indigenous and non-indigenous social and cultural needs;
- to promote improved understanding of social and cultural resources;
- to minimise any adverse effect on individual enterprises;
- to provide increased security in water entitlements for water users, including protecting the probability of being able to obtain water under an authorisation;



- to support an effective and efficient market in water allocations while ensuring safeguards are in place to protect the environment and the entitlements of water users;
- to achieve ecological outcomes consistent with maintaining a healthy riverine environment, floodplains and wetlands
- to reduce the impact of the operation of water infrastructure on natural flow regimes;
- to maintain water quality at levels acceptable for water use and to support natural ecological processes.

3.4.2 Water Resource (Moreton) Plan 2007

The Water Resource Management Plan for the Moreton Catchment follows the same purpose as the plan mentioned above. Similarly the outcomes closely aligned. Below are those outcomes relevant to the TRC Region. These show how water will be allocated and sustainably managed in a way that:

- recognises the natural state of watercourses, lakes and springs has changed because of water infrastructure, flow supplementation and the taking of water; and to provide options for water users to implement their own provisions for security of supply;
- provides for the continued use of all water entitlements and other authorisations to take or interfere with water in the plan area;
- encourages the efficient use of water;
- ensures water is available for essential services;
- achieves ecological outcomes consistent with supporting natural ecosystems by minimising changes to natural flow regimes;
- allows water-related cultural use of parts of the plan area by the traditional owners of the area;
- provides consistency between this plan and the SEQ regional plan; and
- supports natural ecosystems by minimising changes to natural flow regimes.

3.5 Planning Studies and Strategies

3.5.1 Jondaryan Planning Study 1993

The Jondaryan Planning Study provides the basis for the objectives and criteria of the Jondaryan Strategic Plan. It includes the results of field surveys and other research, the interpretation of those results, an analysis of development constraints and opportunities and the generation of a strategy for future planning of the Shire.

Agricultural activities occurring in the Shire include dairying and mixed cropping, grain growing, beef cattle grazing and intensive pig and poultry farming. Good quality agricultural land is a non-renewable resource and an asset to the Shire, occupying a major part of terrain in the area. It is imperative that good quality agricultural land is



give priority as a preferred land use, and the infrastructure and services that support agricultural activities should also be protected.

The development opportunities of the Jondaryan Planning Study identify Oakey as accommodating the Shire's urban residential development. The villages of Cambooya, Westbrook, Wyreema, Charlton, Gowrie Mountain, Kingsthorpe, Jondaryan, Bowenville, Mt Tyson, Aubigny, Biddeston and Southbrook are intended to accommodate village residential and rural residential development. Growth of these areas is intended to reflect the existing residential character.

The Jondaryan Planning Study was prepared in November 1993 and accordingly its component demographic and economic data (and possibly its land use planning directions) have somewhat limited relevance to current planning strategies. It may, however, be of some use in identifying levels of growth or contraction of the Oakey commercial centre over time.

3.5.2 Jondaryan Planning Study 1996

The Jondaryan Planning Study was developed in response to a review of the planning scheme, which was completed in 1993, after it was identified that there was a need for more detailed planning on the western border of Toowoomba. This planning study is limited to the areas of Glenvale, Torrington and Cotswold Hills. The issues identified include:

- An industrial-residential conflict on Carrington Road;
- The need for a systematic road hierarchy;
- A review of the drainage system to reduce the risk of flooding caused by increased run-off;
- The need to establish continuous open space in the area; and,
- Establish rural residential development provisions to ensure that the land use is allocated in serviced areas of the shire.

Rural land uses, which are defined as areas that are privately owned and currently undeveloped, are planned to be phased out in this planning study. By 2021, rural land uses will be replaced by rural residential, open space and industrial land uses, based on assumptions that demand for rural residential will continue.

The Jondaryan Planning Study was prepared in October 1996 and accordingly its component demographic and economic data (and possibly its land use planning directions) have somewhat limited relevance to current planning strategies.



3.5.3 Toowoomba Regional Council Submission on the draft SEQ Regional Plan 2009-2031

In April 2009 Toowoomba Regional Council made a submission to the Queensland Government about the draft SEQRP.

Toowoomba Regional Council expressed general support for the draft SEQRP and acknowledged that it is a vital planning document. However, Council's areas of significant concern were:

- (a) The partial coverage of the TRC local government area by the draft SEQRP, including the extension of the draft NRM plan into the Condamine Catchment;
- (b) Reference to the relocation, rather than upgrading, of the Toowoomba airport;
- (c) The need for an endorsed "implementation plan", in addition to the SEQ Infrastructure Plan and Program, to ensure action toward achievement of the regional vision;
- (d) Identification and establishment of a "relationship" between the SEQRP and the *Local Government Act 1993* (i.e. in addition to the *Integrated Planning Act 1997*) as a key implementation tool; and
- (e) That land owners within the proposed expanded SEQRP area (within the TRC LGA) are provided with the same "transitional" rights as those within the original SEQRP area.

The submission on the draft SEQRP has limited relevance to the Toowoomba Rural Study, however it is informative of Council's attitude to the recent amendments to the SEQRP.

3.5.4 State of the Peri-Urban Regions: A Review of the Literature

The 'State of the Peri-Urban Regions: A Review of Literature' examines the concept of the peri-urban landscape, along with the diversity of values that are represented in peri-urban areas. The document reports that peri-urban areas are, for the most part, under unprecedented pressure for change. Population increases and migrations to the urban fringes, suburbanisation, spatial fragmentation of land, and loss of traditional forms of land use, especially agriculture, along with other development trends are exerting the greatest pressure.

The report continues to describe the unsustainable use of resources in peri-urban regions. The supply of water and the need to control its use, in particular, is a major constraint on land use. Natural habitats are under increasing threat. Remnant flora and fauna on the fringes of cities is often biologically significant and many areas are protected, land use fragmentation and urban development are continuing threats to the future of many of these natural areas. The impact of land use on stream quality and estuarine areas is also often serious.

'State of the Peri-Urban Regions' illustrates that there is little evidence of integrated policy responses in Australia. Inadequate strategic thinking and an absence of cross-sectoral policy integration is normal practice in peri-urban strategic planning:



Policies relating to the social, environmental and economic dimensions of human settlement in peri-urban areas, and to their impacts on soil and water quality, catchment management, marine environments and other natural resources, for example, are usually developed as sectoral responses to problems.

The document suggests that a range of complementary policy initiatives that involve all levels of government will be required to make an effective and positive change in how peri-urban regions develop.

The paper details the peri-urban regions in Australia, documenting the impacts the urban fringe regions experience, the pressure of population growth simultaneous to the pressure of retaining good quality agricultural land. It expresses concern for the policy initiatives and strategic planning methods that are current and stresses that change will need to happen at a policy level in order to ensure economic, social and environmental sustainability for the future of these regions. Because such areas consider social, natural resource, agricultural, economic, land use and environmental issues, the institutional, legislative and policy instruments will be need to be at a standard to effectively manage and control the sustainable growth of each trend.



4. Protection of Good Quality Agricultural Land

4.1 Introduction

Agricultural products are significant contributors to Australia's export income, however only approximately 6% of Australia and only 4% of Queensland are regarded as productive cropping land. In contrast, the TRC area is fortunate to have 59% of its land classified as GQAL. The natural resource conditions within the TRC, especially its climatic conditions, favourable soil and water resources, provide the basis for a diverse and productive agricultural sector, with the annual value of rural production being in the order of \$740 million. TRC is distinctively rural, and an important agricultural area within Queensland, making the maintenance of its productivity a high priority.

The loss of GQAL to residential and industrial uses in TRC is a critical issue that should be addressed in the preparation of the new planning scheme. The preferred option for conservation of GQAL is that future subdivisions should only be located on non GQAL land, or GQAL is alienated for development purposes only when there is a clear need for the development and there are no other options. Where the agricultural land quality is unknown or unclear, the existing broad scale maps should be used in the first instance. However as the current regional mapping is not sufficiently detailed for assessment of development proposals, further detailed GQAL mapping information for a site should be requested at the time any relevant development application is made to provide accurate classification of land in proposed development areas as required by the *State Planning Policy 1/92*.

The following sections outline the preferred options for addressing the protection of Good Quality Agricultural Land in a QPP compliant planning scheme.

4.2 State Planning Policy 1/92: Development and the Conservation of Agricultural Land

This State Planning Policy addresses the conservation of Good Quality Agricultural Land (GQAL) and provides guidance to local authorities on how this issue should be addressed when carrying out their range of planning duties. The Policy has been jointly prepared by the Department of Housing, Local Government and Planning and the Queensland Department of Primary Industries (DPI). Local authorities, the Planning and Environment Court; and the Government are required to have due regard to this Policy when carrying out their planning functions.

The State Planning Policy 1/92 defines GQAL as "*land which is capable of sustainable use for agriculture using a reasonable level of inputs and managed without causing degradation of land or other natural resources*". Good quality agricultural land is a scarce resource in Australia and Queensland. Even though agricultural products are significant contributors to export income, only approximately 6% of Australia and only 4% of Queensland is regarded as productive cropping land. These, combined with the need to retain our rural heritage and provide a base for secondary industries, are the



primary reasons why good quality agricultural land should be protected from non-rural uses wherever possible.

4.3 Location and Description of Good Quality Agricultural Land

Good Quality Agricultural Land covers over 58 per cent of the TRC region. **Figure 4.1** shows the distribution of GQAL that was surveyed at a scale of 1:250,000 by the Qld Department of Natural Resources in 1999. GQAL mapping for the former Crows Nest Shire was commissioned/funded by the council as part of the Crows Nest Land Management Manual (2003). The GQAL component of the project was completed by Dave Manning, with the area evaluated covering 9.98 per cent of the TRC area, and identifying GQAL representing 12.48% of the area assessed. However, the Department of Environmental Resource Management (formerly Department of Natural Resources and Mines - DNRM) had no involvement in the project and have never validated the work. This area of GQAL mapping requires re-evaluation by DERM for it to be confidently able to be amalgamated with the remaining GQAL mapping of the TRC area.

Figure 4.2 shows GQAL areas that have been mapped at smaller scales for regions across the TRC area. The maps are produced by the former DNRM and CSIRO. They are created from medium intensity soil surveys consisting of ground observations and aerial photograph interpretation. Their purpose is to provide information for regional planning and catchment management and to identify agricultural and pasture production areas. For intensive land use at the property scale, more detailed examinations should be carried out prior to development. **Table 4.1** outlines their map codes and scales of mapping. **Figure 4.3** shows the distribution over the region of the more detailed land classification mapping. **Table 4.2** gives a description of each land classification code. As described in the *Planning Guidelines: The Identification of Good Quality Agricultural Land* classes A and B are classified as GQAL.

TABLE 4.1: GQAL CLASSIFICATION AND AREA OF THE TRC REGION

Class	Classification	Hectares	% of TRC
GQAL		Based on Figure 4.1 mapping	
A	Crop Land - Land Suitable for current and potential crops		
A1	Crop land – none to few limitations to growing most crops.	593,500	45.76
A2	Crop land – soil limitations preclude continuous cropping, but the land is highly suitable for tree crops (including horticulture).	20,410	1.57
B	Limited Crop Land - Land Marginal for current and potential crops; and suitable for pastures.		



Class	Classification	Hectares	% of TRC
B1	Land currently unsuitable for cropping but may become suitable following a change in technology or other factors	35,960	2.77
B2	Land mapped as B2 is considered complex landscapes of Class A Land with areas of Class C, grazing land or Class D, non-agricultural land.	87,230	6.73
Non GQAL			
C	Land suitable only for improved or native pastures		
C1	Land mapped as C1 is considered not suitable for cropping but is suitable for establishing improved pasture.	153,200	11.81
C2	Land mapped as C2 is suitable for native pastures, but generally will not sustain current techniques to establish improved pasture. Land mapped as C2 may be suited only to native forestry.	276,700	21.33
D	Non-Agricultural Land - Land not suitable for agricultural uses	594	0.05
Crows Nest Shire Information			
GQAL	Classes A and B	15,860	1.22
Non GQAL	Classes C and D	113,546	8.75

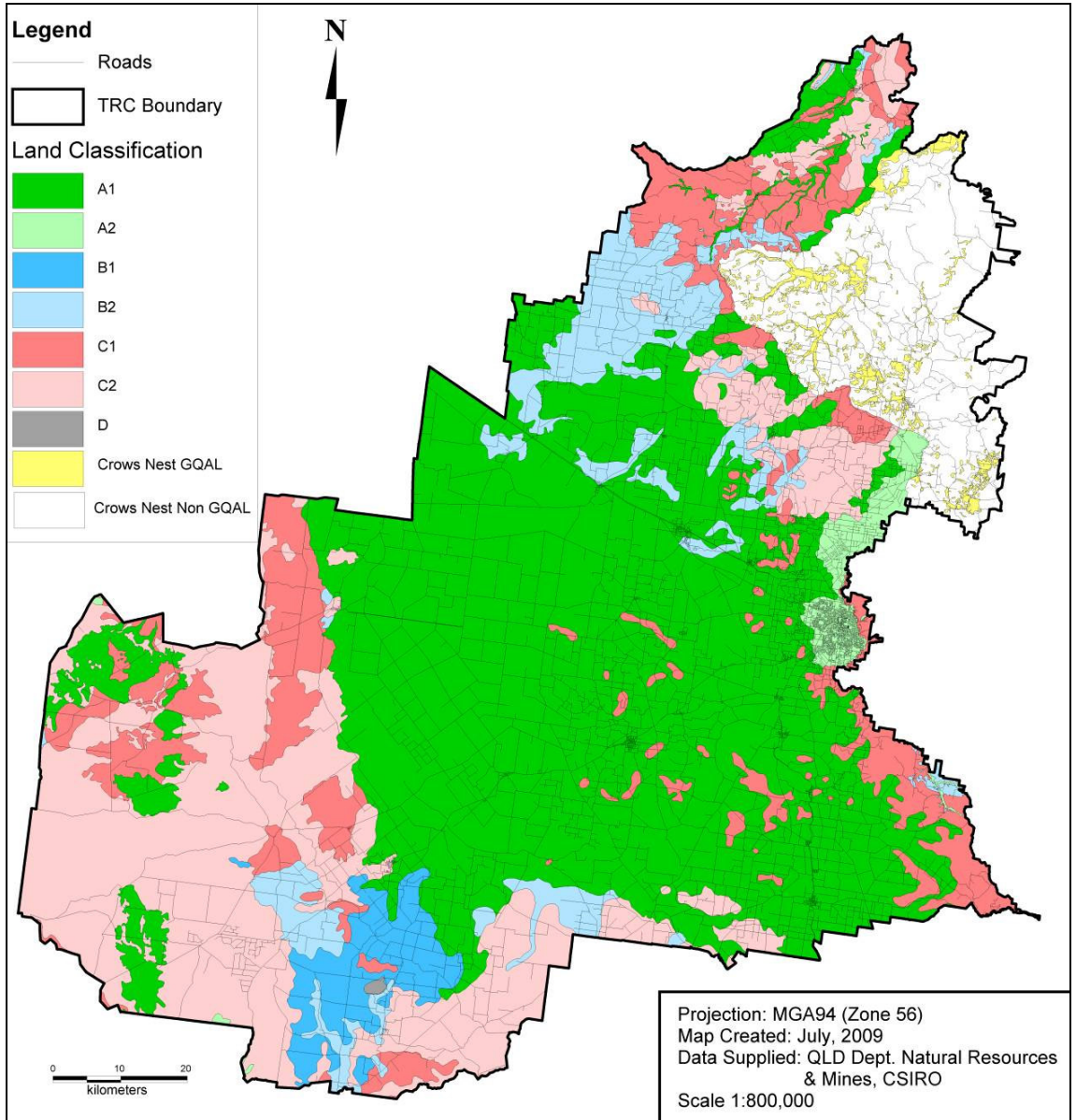


FIGURE 4.1: LAND CLASSIFICATION IN THE TRC REGION

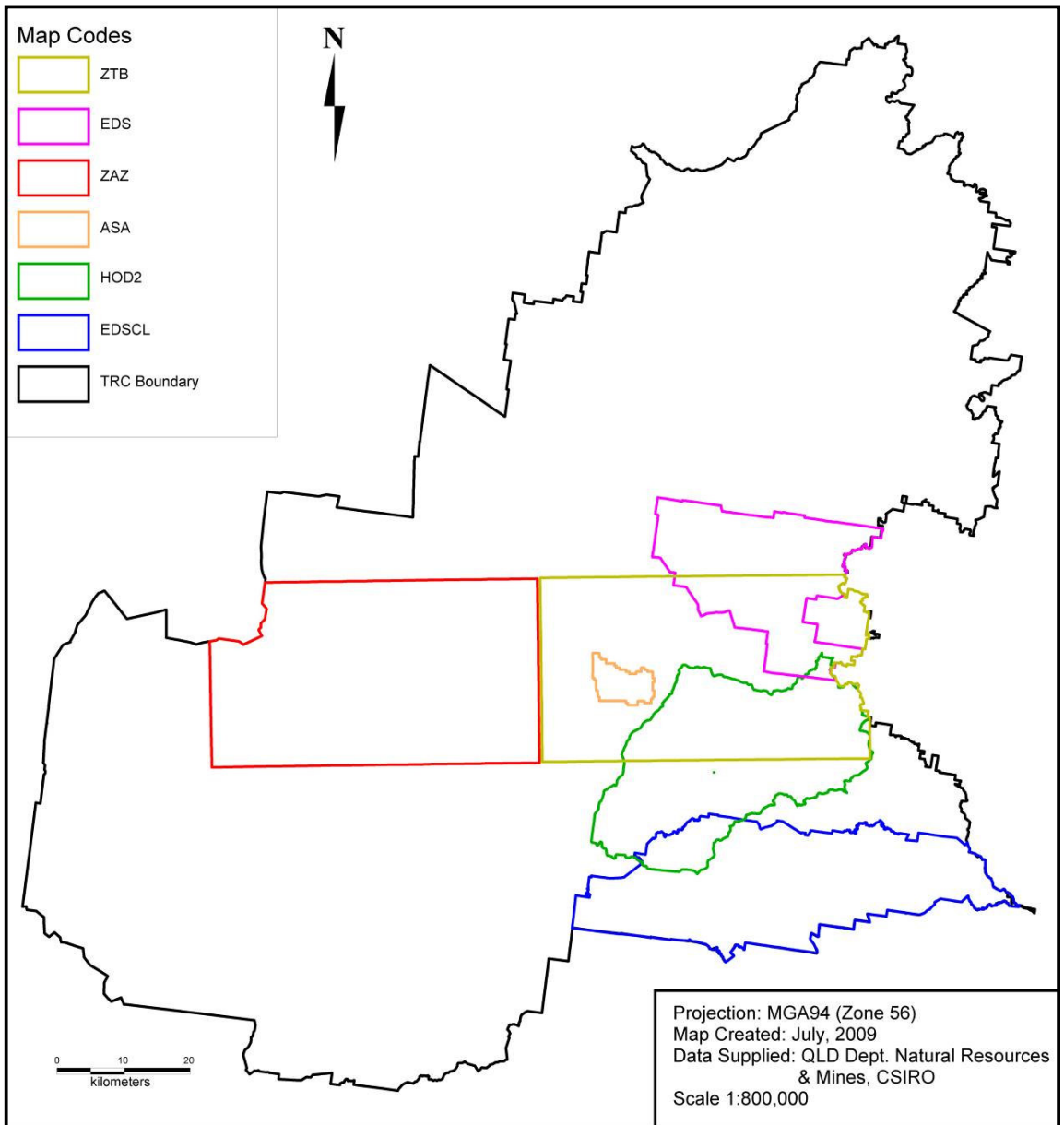


FIGURE 4.2: MAP AREAS FOR SMALLER SCALE GQAL IN THE TRC REGION

As shown in **Figure 4.2** some of the more detailed maps overlap each other and some classification classes do not match. It is advised that the classification for any given area with duplicate classifications be given the GQAL classification from the most recent map as shown in **Table 4.2**.



TABLE 4.2: MAP CODES AND TITLES FOR FIGURE 4.2

Code	Title	Scale	Creator	Date
ASA	Basalt Scrub Soils Linthorpe	1:50,000	DNRM	1978
EDS	Soil Survey of the Eastern Darling Downs	1:50,000	DNRM	2001
EDSCL	Eastern Downs-Clifton Survey	1:50,000	DNRM	2001
HOD2	Hodgson Creek Revised Land Resources	1:100,000	DNRM	2003
ZAZ	Soils and land use in the Kurrawa Area	1:100,000	CSIRO	1954
ZTB	Land Resources Assessment of the Soils and Land Use in the Toowoomba Area	1:100,000	CSIRO	1954

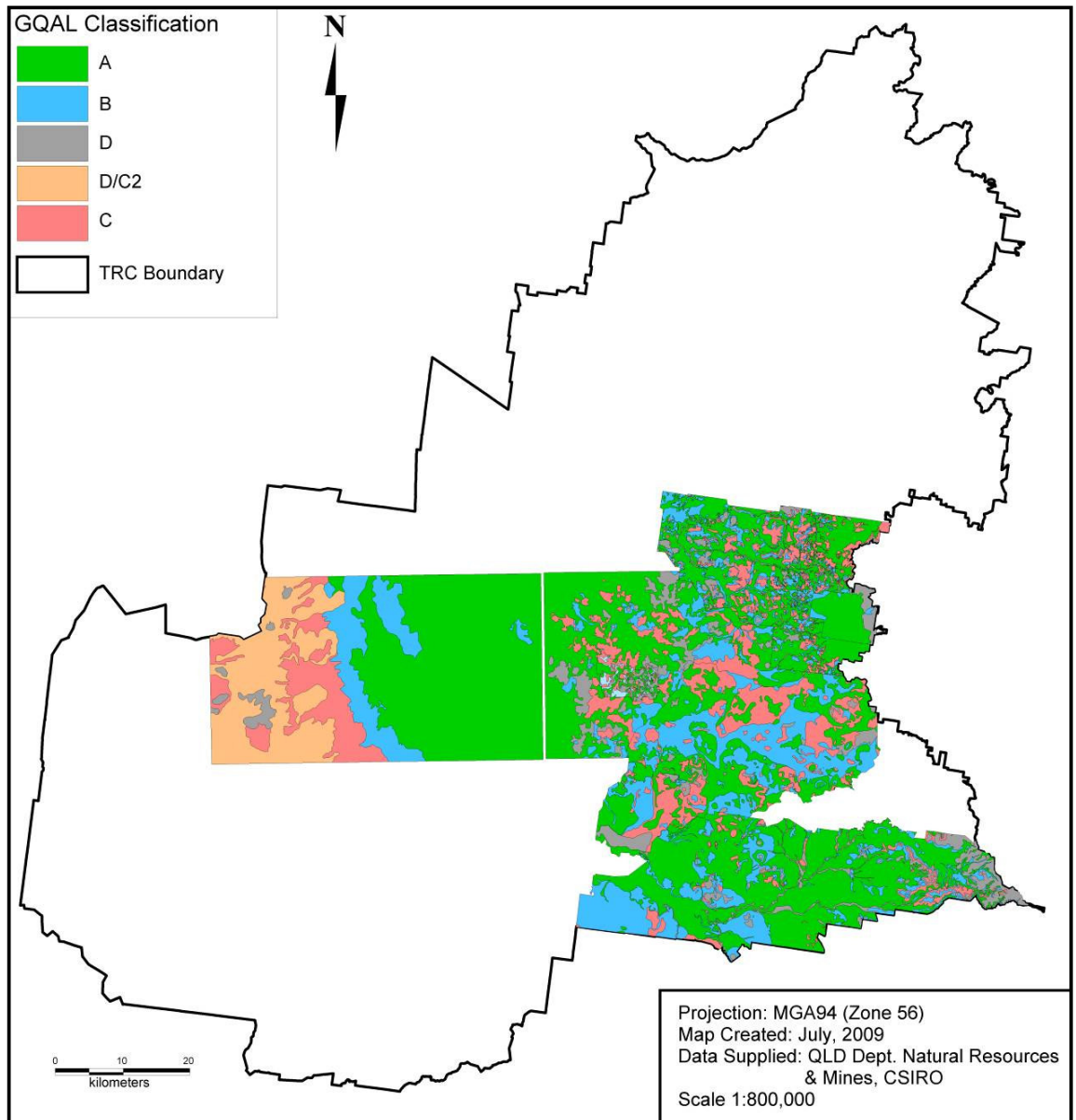


FIGURE 4.3: HIGHER DETAILED LAND CLASSIFICATION MAPPING

Combining the classifications of the previous councils planning schemes land use zone maps, the area and percentage of GQAL and Non GQAL was calculated for each classification (**Table 4.3**). This was calculated by using the GQAL data from the Qld Department of Natural Resources and the Crows Nest Land Management Manual (**Figure 4.1**). These maps were surveyed and/or modelled at 1:250,000 scale. The data given are indicative and should only be used for general regional planning.



4.4 Planning Scheme Options for Protecting GQAL

Strategic Framework

The Strategic Framework sets the policy direction for the whole of the planning scheme and is to be used in the assessment of Impact Assessable applications. The QPP prescribes the inclusion of a mandatory planning principle with local governments to provide further content in terms of the planning principle, elements, strategic outcomes and land use strategies. Such areas are also to be mapped at a conceptual level. In relation to the protection of GQAL the Strategic Framework includes the following mandatory statements in Module A (emphasis added):

3.5 Natural resources and landscape

3.5.1 Planning principle

*Planning ensures that natural resources are sustainably managed to allow communities to meet present and future needs while not compromising the ability of future generations to meet their needs. Natural resources and landscape includes biological, energy, extractive, **land**, air and water resources.*

Development in and adjacent to resource areas is managed to minimise impacts on the continued and future use of the resource. *Landscapes that have aesthetic and amenity values are conserved or protected from development that diminishes their values.*

Module B “natural resources and landscapes” calls up *State Planning Policy 1/92—Development and the Conservation of Agricultural Land* and identifies that agricultural lands, rural industry and rural residential development are key elements to be addressed under this theme. It is recommended that the conceptual mapping of the Strategic Framework identify GQAL and that planning principles be included under both Natural Resources and Settlement Pattern headings in the TRC Planning Scheme which address the following:

- Good Quality Agricultural Land is protected from inappropriate development that may adversely impact on its productive use. Inappropriate development includes uses which may be sensitive to or incompatible with agricultural activities or that which results in the alienation, loss or fragmentation of good quality agricultural land.

Rural Zone

The draft Provisions bring about a return to the use of the “Zone” as the basic organising layer of the planning scheme. A standard suite of Zones is prescribed from which a local government must select the Zones it wishes to apply to land within its jurisdiction. For each Zone, a mandatory Zone Purpose statement has been prepared and is prescribed for inclusion in planning schemes by the draft Provisions. The mandatory Zone Purpose can be added to where it is appropriate to do so in order to respond to local circumstances. In addition to Zones, a local government may elect to use Precincts as a sub-category of particular Zones, in order to provide additional detail including altered levels of assessment and additional place-based assessment provisions.



The preferred option for TRC is for Good Quality Agricultural Land as identified by Classes A and B in Figure 4.1, Figure 4.2 and Table 4.1 to be included in the standard "Rural Zone" and Good Quality Agricultural Land Overlay as proposed by the QPP.

Good Quality Agricultural Land Overlay

The QPP makes allowance for the incorporation of a standard suite of Overlays as a means of identifying and addressing specific state or local interests that may occur in a particular local government area. The QPP includes "Good quality agricultural land" in its suite of standard overlays. This overlay deals with areas of land identified by *State Planning Policy 1/92: Development and Conservation of Agricultural Land*. Each Overlay that a local government elects to incorporate in its planning scheme must be mapped and may be supported by an overlay code, drafted using the standard code structure. As such it is recommended that GQAL as identified by Classes A-B on Figures 4.1 and 4.2 be used as the basis for a GQAL overlay, noting that as the current regional mapping is not sufficiently detailed for the assessment of development proposals, further detailed GQAL mapping should be requested at the time of any relevant development application is made.

The GQAL Overlay Code could state:

- Development that may lead to the alienation or diminished productivity of GQAL is not located on land that is Good Quality Agricultural Land as shown on Overlay Map X;
OR
- The applicant has prepared a land resource assessment in accordance with SPP 1/92 *Planning Guidelines: The Identification of Good Quality Agricultural Land*, which demonstrates that the land is not Good Quality Agricultural Land;
OR
- Development establishes an overriding need for the development in terms of public benefit and there is no other site suitable for the particular purpose.

The Good Quality Agricultural Land Overlay Code should be drafted in such a way to ensure that good quality agricultural land is protected from inappropriate development that may adversely impact on its productive use by present and future generations. Inappropriate development includes that which may be sensitive to or incompatible with the normal impacts of agricultural activities (e.g. residential subdivision), or that which results in the alienation, loss or fragmentation of GQAL (e.g. industrial development), unless:

- (a) there is an overriding need in community terms of public benefit for the proposal, and the proposal cannot be located on alternative sites of poor agricultural quality; or
- (b) the subject land is located so that farming, either alone or in association with surrounding parcels, is not practicable: for example, a small isolated parcel of land surrounded by urban land uses (SPP 1/92, Planning Guideline).

Further it is recommended that the Good Quality Agricultural Land Overlay include a buffer area to ensure that policies can be developed to minimise instances of incompatible uses locating adjacent to agricultural operations in a manner that inhibits



normal farming practice (SPP 1/92, Principle 8). Buffer requirements should be designed in accordance with *Planning Guidelines – Separating Agricultural and Residential Land Uses (1997)*. The QPP provide the opportunity for buffer areas to be included in a Limited development (constrained land) Zone to identify that such areas have severe restrictions on the ability of the land to be developed for urban purposes.

Lot Reconfiguration Code

Minimum lot sizes should be specified in a planning scheme through either the Rural Zone Code, Good Quality Agricultural Land Overlay Code or Lot Reconfiguration Code. Refer to discussion on minimum lot sizes as included in section 5.0 of this report.

Tables of Assessment

In designing Tables of Assessment for the Rural Zone and Good Quality Agricultural Land Overlay, any development for a non-agricultural purpose that may result in the alienation of GQAL or inhibit normal farming practice should be impact assessable.

4.5 Summary

The loss of GQAL to residential and industrial uses in the TRC area is a critical issue that should be addressed in the preparation of the new planning scheme. The preferred option for conservation of GQAL is the inclusion of such areas in a Good Quality Agricultural Land Overlay with Code provisions ensuring that development does not result in the alienation, loss or fragmentation of GQAL unless there is an overriding need in terms of public benefit for the proposal. Further, such areas should be protected from the establishment of incompatible neighbouring land uses through the establishment of appropriate buffer areas, either through the GQAL Overlay or Limited development (constrained land) zone. Requirements for buffer areas should be designed in accordance with the *Planning Guidelines – Separating Agricultural and Residential Land Uses*.



5. Minimum Lot Sizes

5.1 Introduction

The current statutory framework created by the TRC's eight planning schemes contains a range of minimum lot sizes for rural zoned land. While the South East Queensland Regional Plan adopts a minimum lot size of 100 hectares for the Regional Landscape and Rural Production Areas, only parts of TRC are covered by this statutory instrument. In seeking to rationalise the approach to rural subdivision across the TRC area, best practice currently seeks to prevent fragmentation while providing flexibility to enable rural industries to diversify, adjust, innovate and value-add. However, the existing or emerging trends in agriculture that impact on sustainable production include but are not limited to the following:

- continuing cost-price squeeze and need to improve production efficiencies;
- use of economies of scale as one means to improve productivity and profitability;
- an increase in leasing, contracting or share farming;
- the advent of new and/or niche products in response to changing markets;
- an increase in off-farm income;
- the increasing age of farmers; and
- the increasing awareness by farmers of natural resource management.

Each of these factors will impact on the viability of individual farms, with farm size being only one factor in determining viability.

Table 5.1 shows the social, economic and environmental value of the smaller lifestyle farms.

	Advantages of Smaller Rural Lot Sizes	Disadvantages of Smaller Rural Lot Sizes
Social	<ul style="list-style-type: none"> - Breakdown in divide between urban and country dwellers - More people in some rural areas maintaining communities - Greater cultural diversity - New people, new skills, ideas and financial capital - Improved lifestyle for individuals within the community (in response to diversity, new business 	<ul style="list-style-type: none"> - Loss of cultural heritage associated with traditional farming and farm life - Diminished cultural integrity (continuation of local culture and traditions) - Conflicts between values, attitudes, aspirations and practices of small and large farmers - Rapid turnover of properties eroding social capital in rural communities



	Advantages of Smaller Rural Lot Sizes	Disadvantages of Smaller Rural Lot Sizes
	<ul style="list-style-type: none"> ventures) - Improved infrastructure to cater for population increase - Provide scenic attributes 	<ul style="list-style-type: none"> - Potential loss of traditional farming skills - Increased social tension - Increased pressure on services
Economic	<ul style="list-style-type: none"> - More diversified and resilient rural economies. - Increased land values in certain areas. - Flow-on wealth to landowners, real estate. 	<ul style="list-style-type: none"> - Fewer full-time farmers leading to loss of agricultural production and agricultural income. - Rising land value of agricultural land limiting expansion of fully commercial enterprises. - Inefficiency (It is generally recognised that economies of size accrue in farming)
Environmental	<ul style="list-style-type: none"> - More people to undertake conservation work - Land planning - Attraction to nature and land stewardship ethic - Increased biodiversity due to more diverse land management practices - Act as buffers against urban encroachment - Lower intensity of land use - Greater reliance on conservation practices 	<ul style="list-style-type: none"> - Smaller property sizes and higher population densities leading to increased environmental impacts (e.g. farm dams). - Difficulties in coordination of land management activities - Loss of amenity, urban sprawl - Lack of experience, knowledge, interest leading to poor land management of weeds, less awareness of pest and disease risk, over-grazing by amenity livestock, less work on environmental problems like soil health

TABLE 5.1: THE SOCIAL, ECONOMIC AND ENVIRONMENTAL VALUE OF SMALL LIFESTYLE FARMS

In areas of high agricultural value it is generally acknowledged that the disadvantages of smaller rural lot sizes generally outweigh the advantages.

Consultation has identified that there are two key divergent views from farmers regarding subdivision. Some wish to retain the ability to subdivide their agricultural land to provide a potential income source. Factors supporting this view include an increase in the average age of farmers, drought, declining agricultural trade and rising



land prices. Conversely, other farmers believe that agricultural land should not be unduly fragmented by subdivision as this approach reduces the amount of productive land available for agriculture, with consequent problems associated with land use conflict and increases in land prices which in turn make it more difficult for other farmers to buy land to gain economies of scale.

5.2 Planning Scheme Options

Code Provisions

The TRC area hosts such a diverse landscape that a one size fits all minimum lot size as included in the Rural Zone, Good Quality Agricultural Land Overlay or Reconfiguring a Lot Code, is not appropriate for those areas located outside the boundaries of the SEQ Regional Plan. With the changing dynamic of agriculture, creating a minimum lot size could limit potential developments in the future. The degree of variance in minimum lot sizes from the previous councils reflects perceptions that the landscape differs across the TRC Region and that a fixed lot size would not accommodate these differences. For example non GQAL land in the east is often of higher value agriculturally than non GQAL land in the west. Therefore breaking down lot sizes based on GQAL classification across the TRC Region will still not provide an equal approach. To lock in a standard minimum lot size across the region may disadvantage many potential rural enterprises.

The following provides a summary of the key minimum lot size provisions currently included in the eight planning schemes:

- Cambooya and Clifton – 40 hectares in the Plains Areas and 64 hectares in the Uplands Areas;
- Cambooya – 16 hectares in the rural buffer area (identified by Overlay Map 1);
- Crows Nest and Pittsworth – 100 hectares;
- Jondaryan – 80 hectares;
- Millmerran -GQAL land 100 hectares; not GQAL – 300 hectares, and Small Farm Precinct – 40 hectares;
- Rosalie - Intensive Animal Husbandry Exclusion Area – minimum 40 hectares or Rural – 150 hectares; and
- Toowoomba - minimum lot sizes for regular/corner blocks for Future Urban Land Precinct – 10 hectares; Special Escarpment Precinct – hectares; all other circumstances – 4 hectares.

Minimum lot sizes are generally specified in planning schemes is to prevent the fragmentation of rural land, and particularly GQAL, into sizes that are uneconomic and that are only suited to residential or other non-rural uses. Potential options to specify a lot size that will prevent fragmentation include:

- Option 1 – Clearly enunciate in the overall outcomes/specific outcomes that current minimum lot sizes are generally too small to support economically viable rural enterprises and stipulate that fragmentation of lots in areas zoned rural will



not be permitted unless there is an overriding need for the development in terms of public benefit. This avoids difficulties in identifying a lot size or sizes relevant to the wide range of rural enterprises present in the TRC area, but still prevents fragmentation. It also provides a specific indication that fragmentation of smaller lots (40-100 ha) is not permitted;

- Option 2 – Adopt 100 hectare minimum lot size across the region, consistent with the minimum lot size identified under the SEQ Regional Plan. While this option has the benefit of being simple, the exact area to be adopted will undoubtedly be subject to considerable debate and pressure for variation on the basis of location and land quality will be inevitable. A minimum lot size of 300-400 hectare may be more justified for some areas;
- Option 3 - Adopt minimum lot sizes in the current planning schemes as an interim measure while more detailed consultation occurs with key stakeholders.

If minimum lot sizes are to be adopted and a range of sizes to be applied throughout the region, it is recommended that consultation be undertaken with Queensland Primary Industries and Fisheries (part of the Department of Employment, Economic Development and Innovation) and local farming communities.

5.3 Summary

Lots should be of an appropriate size and configuration to sustain the productive capacity of the land for rural purposes, and to minimise potential impacts on the natural environment by supporting implementation of improved land management practices. The TRC area hosts such a diverse landscape that a one size fits all minimum lot size is not appropriate for those areas situated outside the boundaries of the SEQ Regional Plan. The preferred option for resolving minimum lot sizes throughout the region is Option 1.



6. Key Rural Land Uses

6.1 Introduction

Toowoomba Regional Council has a number of broad rural land use units. Intensive horticulture (orchards, floriculture) is common north of Toowoomba on deep red soils where there is access to irrigation water. Intensive vegetable growing is located largely south and west of Toowoomba, typically on areas of deep clay soils (often valley floors) where there is access to irrigation water. Dairy farming is typically located in uplands areas where farms include some access to irrigable pasture. Grain cropping becomes particularly predominant where gradients are lower, and soils deeper. However, even within these broad land use units there are still considerable variations in rural enterprises with forestry, horse studs, boutique horticulture and animal enterprises. Due to historically small lot sizes throughout the TRC area (a relic from the early freehold legislation), the need to maximise returns from relatively small areas is a continuing challenge for rural landholders. One important aspect of rural land use is the need for it to be innovative and able to adapt to change and as such the detailed prescription of rural precincts is not supported.

The following sections provides an analysis of the key rural activities and the preferred options for addressing rural land uses in a planning scheme compliant with the draft QPP. The key rural land uses addressed by this report include:

- (a) intensive animal industries;
- (b) cropping and forestry;
- (c) intensive horticulture and wineries;
- (d) animal husbandry;
- (e) rural industry and rural processing/packaging; and
- (f) rural tourism.

6.2 Rural Activity Analysis

The Darling Downs (which includes the area covered by the TRC) is Queensland's oldest agricultural area. From the time of its European settlement in the 1840s, the pattern and focus of agriculture within the Downs area have changed enormously, and there is much to be learnt from that history. Initially selected under leasehold arrangements, the Downs was originally dominated by large pastoral "runs", with estimates of 1.5 million sheep and 140,000 cattle in the area by 1860. Gradual changes to land tenure and introduction of freehold title led to many of the squatters buying rights to large areas of their previous runs. However, the high initial cost of the land, a series of droughts and then a major depression in 1893 resulted in the large landholders being unable to retain their holdings, which were gradually reduced to smaller estates, especially after the depression of 1893.

The various acts introduced to establish freehold land on the Downs generally stipulated maximum areas, with a common stipulation of 80-120 acres of agricultural land. Wheat cropping in the late 1800s was not economically rewarding, with crops



often lost to rust (a fungal disease), and difficulty in finding markets for the grain. The small size of the blocks made available was a major problem, as it was in the development of other states, and indeed, other countries. One politician is reported to have remarked in 1877 that “*eighty acres was an inducement to the settler’s children to go bushranging. Such a man must always ... be poor*” (Waterson 1968).

With improvements in machinery and in wheat varieties, cereal cropping increased towards the end of the 1800s. After World War 1, the introduction of tractors saw a dramatic increase in grain cropping and dairying, and extension of agriculture onto the flatter, heavy clay soils closer to the Condamine.

During the 20th century, major changes in agriculture included:

- increases in farm size,
- the introduction of a much wider range of summer and winter crops,
- cattle becoming the dominant grazing animal, with sheep numbers drastically reduced,
- the development of irrigation (particularly on heavy clay soils of low gradient in valley floors and bordering the Condamine),
- emergence of cotton as a major irrigated crop,
- reduction in dairying,
- establishment of a significant number of intensive livestock enterprises;
- development of a range of horticultural orchards, particularly avocados, on deep red soils in the north-east of the TRC area; and
- development of vegetable production (usually on areas of irrigated heavy clay soils).

Table 6.3 shows current values of rural production for the various shires and totals for the TRC area.

Livestock slaughtering (approximately 80% beef cattle and 20% pigs, and including cattle from feedlots) dominates the value of rural production from the TRC area. The large value of livestock slaughtering in the Jondaryan shire is particularly due to the contribution of feedlots in that area.

Vegetable production is particularly high for the Cambooya and Clifton shires, reflecting development of vegetable growing on irrigated clay soils in valley floors in those shires in particular, though not completely restricted to those areas.

High values of production for nurseries, cut flowers, turf, and orchards (mainly avocados) for the Crows Nest shire indicated the importance of the deep, fertile, well-drained red soils along the northern range for those particular crops and enterprises.

The value of livestock products is high, made up of egg (approximately 65% of the total) and milk production (35% of the total).



TABLE 6.1: NUMBER OF VARIOUS CLASSES OF RURAL PRODUCTION ACROSS THE TRC AREA

Commodities	No. in TRC	% of QLD
Sheep and lambs	60629	1.36
Milk cattle (excluding house cows)	30201	15.60
Meat cattle	297939	2.62
Pigs	166095	24.04

Source: Australian Bureau of Statistics, 2006

TABLE 6.2: AREA OF VARIOUS CLASSES OF RURAL PRODUCTION ACROSS THE TRC AREA

Commodities	Area (ha)	% of QLD
Cereals for grain	214994	15.18
Vegetables for human consumption	952	2.53
Orchard trees (including nuts)	3964	11.19
All fruit (excluding grapes)	3979	7.40
Non-cereal broadacre crops	52843	7.64

Source: Australian Bureau of Statistics, 2006



TABLE 6.3: VALUE OF VARIOUS CLASSES OF RURAL PRODUCTION ACROSS THE TRC AREA

	Cambooya (S)	Clifton (S)	Crow's Nest (S)	Jondaryan (S)	Millmerran (S)	Pittsworth (S)	Rosalie (S)	Toowoomba (C)	Toowoomba Regional Council
Crops (Total) (\$)	14,528,040	25,117,561	26,570,001	53,328,178	52,786,345	45,651,668	15,239,572	664,081	233,885,446
Hay (pasture, cereal and other crops) (Total) (\$)	1,304,055	2,535,285	780,628	4,922,750	1,221,626	970,203	3,621,194	0	15,355,741
Nurseries, cut flowers and cultivated turf (Total) (\$)	497,869	655,645	17,403,672	1,068,887	791,626	0	1,956,516	513,891	22,888,106
Vegetables (Total) (\$)	9,003,487	8,881,639	1,309,067	2,318,708	2,435	3,569,784	1,789,371	126,743	27,001,234
Fruit (Total) (\$)	65,044	1,150	6,906,137	97,311	216,582	0	158,174	14,095	7,458,493
Livestock slaughtering (Total) (\$)	11,481,873	25,867,002	16,200,366	108,436,607	80,992,642	25,204,027	54,009,011	231,266	322,422,794
Livestock products (Total) (\$)	5,596,006	4,333,008	7,870,469	6,610,944	37,603,077	28,622,598	16,367,615	0	107,003,717

Source: Australian Bureau of Statistics



Difficult times for agriculture drive innovation, and the TRC area today supports a wide diversity of rural activities apart from those noted above. There are small areas of forestry, thoroughbred horse studs, and a range of boutique horticulture and animal enterprises. Because of the small lot sizes (a relic from the early freehold legislation), the need to maximise returns from relatively small areas is a continuing challenge for rural landholders, and has undoubtedly threatened the economic viability of many farming enterprises from the time when such small lots were created. One important aspect of rural land use in the area is the need for it to remain innovative and able to change.

Productivity of rural enterprises in the TRC area has always depended on two assets - soil and water - which have strongly influenced the distribution of the various rural enterprises. Deep heavy clay soils with high water-holding capacity have been crucial for successful grain cropping in an area of strongly seasonal rain. The availability of water - initially for stock, but subsequently for irrigation - has also been crucial. Many high-value enterprises depend strongly on access to water for irrigation, either from underground sources or from harvested surface runoff, and declines in availability of underground water for irrigation are a continuing concern.

Degradation of soil in the TRC region has been largely due to erosion. Some dryland salinity occurs, but it is not common and generally only affects relatively localised areas, particularly following a series of wet years. Acid sulphate soils are not present. Weed invasion of neglected areas/farms can be a problem, with weedy areas having potential to act as continuing sources of seed for surrounding land.

A number of periods of severe erosion are recognised. During the droughts at the end of the 19th century, over-grazing and death of large numbers of stock occurred, and it is believed that significant loss of land productivity occurred at that time. Between the two World Wars, the rapid increase in tillage frequency and in tilled area was observed to cause excessive erosion in the basaltic uplands. This prompted major soil conservation efforts in the region, commencing after World War 2 and reaching their peak in the 1970s and 1980s. The resulting improvements in agricultural methods and machinery are considered to have drastically reduced erosion problems.

Through much of the 20th century, farms have increased in size in an attempt to become more viable. In some areas - closer to Toowoomba - some holdings are now being fragmented and reduced to single deeds due to strong interest in establishing rural lifestyle blocks. This recent trend - largely within a 50-70 kilometre radius of Toowoomba - is almost certainly the major mechanism by which rural land is being taken out of production. The existence of small 80 acre lots and the difficulty for farms of achieving large enough area to be viable have made this trend inevitable.

Development and change in rural enterprises has been strongly linked, over the years, to transport issues. The ability to move product to ports or to end users has determined what could be produced, and the profitability of such enterprises. In early years, there was emphasis on easily transported products such as wool, and transport of livestock and grain was limited. Initial development of dairying focussed on production of cheese - which, again, was relatively transportable. Currently, volumes of grain, coal and cattle are creating challenges for transport infrastructure, and there is a need for further upgrade of transport links between the TRC region and major product outlets.



6.3 Industry/Stakeholder Consultation

In assessing issues for the various rural industries, discussions were held with:

- Council staff with experience with development planning and approval;
- DERM land mapping specialists in GQAL assessment;
- Public servants involved in forestry management;
- A leading consultant dealing with intensive livestock enterprises;
- Real estate and livestock agents with respect to current real estate movements in rural areas; and
- Land managers representing a range of rural industries.

6.4 Intensive Animal Industries

In the TRC area, these include beef cattle, pigs, and poultry. These industries can be contentious, due to concerns with odour, environmental impacts, disease, and animal welfare. However, they play a significant (interconnected) role within the region's agriculture, being significant users of grain and fodder produced in the region, and providing potential for manure (providing nutrients and carbon) to be returned to farmers' paddocks, thereby creating a more sustainable production system. (Manure production from feedlots in the TRC area has been assessed and found to be considerably less than the amounts that could be usefully and profitably disposed of on agricultural land.) Feedlots are also significant purchasers of cattle produced within the TRC area. Feedlots (particularly if associated with an abattoir) can have significant demand for staff, and typically need to be located within easy commuting distance from one or more population centres to be viable. Not surprisingly, feedlots have significant economic impacts on local areas, with one 1994 study finding that a 25,000 head feedlot would contribute \$8.2M to the regional economy.

Poultry enterprises also need to be located reasonably close to abattoirs, as the distances over which poultry can be transported humanely are limited (refer **Photograph 6.1**). Because of disease considerations, pig and poultry enterprises generally aim to be located significant distances away from any similar activity. Concentration of feedlots in a given area is also generally unlikely due to considerations of increased loadings on the surrounding area with respect to odour and effluent disposal.

Intensive livestock industries are governed by State guidelines, which were specifically intended to create uniform and adequate standards across the state for these industries. Where shires have differing standards, there is potential for intensive agriculture to become excessively concentrated in some areas and to be absent in others, to the detriment of all. (Issues of this type have been widely recognized in the US.) There is potential for Shires to modify the state guidelines; e.g., by requiring greater buffer distances, or by varying the fees charged for development applications, and effectively discouraging intensive livestock development in a shire. (Recent comments mentioned potential for an application fee of \$9.00 per single cattle unit (SCU) in one shire, which would see an application for even a 10,000 head feedlot



costing \$90,000.) However, such actions could cause imbalances in the distributions of intensive agriculture and are considered undesirable. Because of the significant investment required in establishing intensive livestock enterprises, certainty of tenure once established is extremely important.

Figure 6.1 shows the current location of the lots associated with beef feedlots, piggeries and poultry farms in the TRC area. There are currently 43 feedlots with operational licences, 28 with approvals and 8 with development approvals. Development approvals are those which have approvals to operate, but have surrendered their registration certificates. That means that while they are not currently operating, they still have an actual approval in place and can choose to operate at a later date. The total current carrying capacity for the TRC region is 176,918 Standard Cattle Units (SCU). A SCU is the equivalent of a 600kg animal. There are currently 12 piggeries with operational licences, 58 with approvals and 3 with development approvals. The total current carrying capacity for the TRC region is 263,436 Standard Pig Units (SPU). A SPU is the equivalent of a 40kg grower pig.



PHOTOGRAPH 6.1: POULTRY FARM, ATHOL SCHOOL ROAD

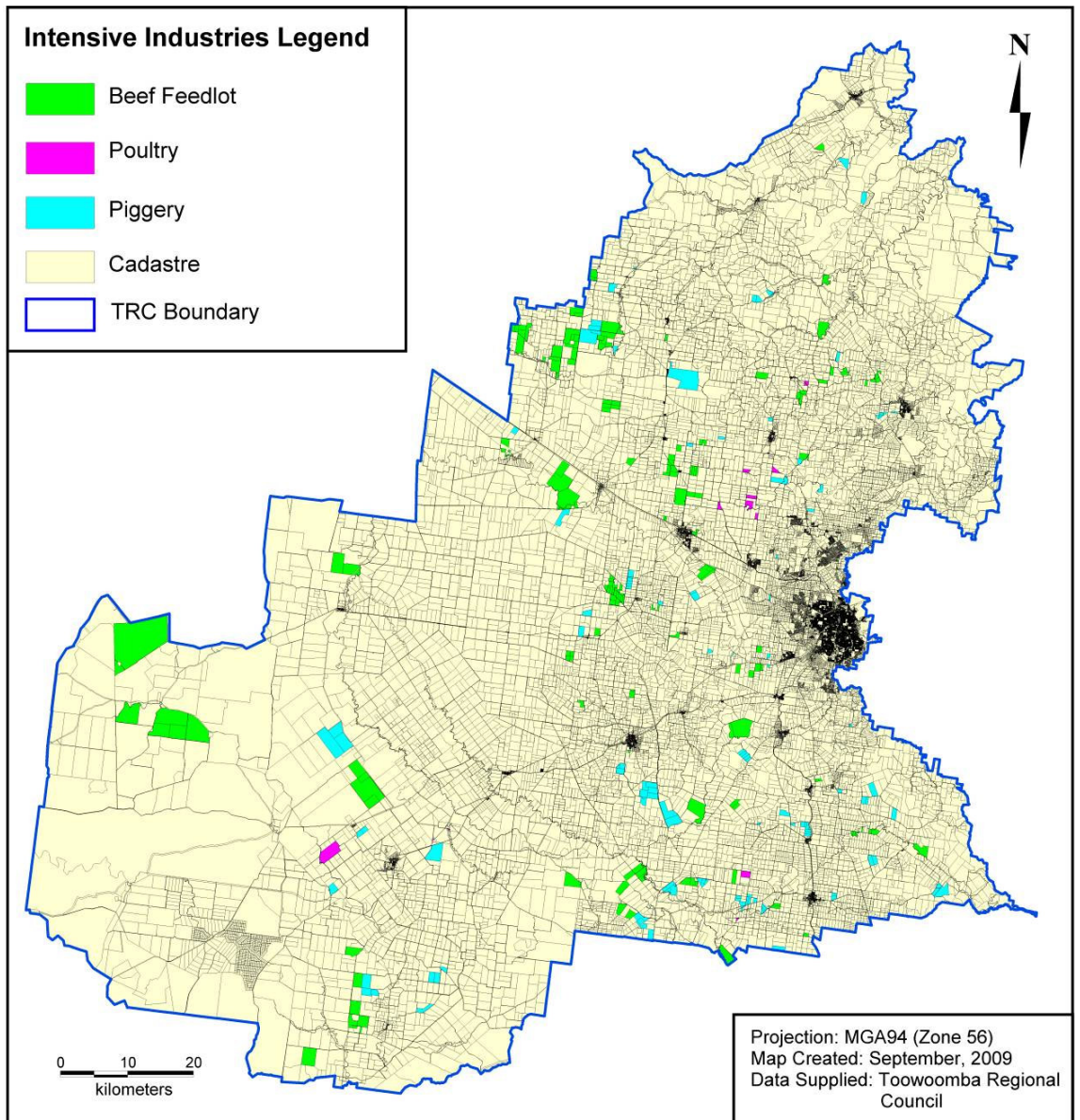


FIGURE 6.1: LOCATION OF PROPERTY LOTS ASSOCIATED WITH INTENSIVE ANIMAL INDUSTRIES IN THE TRC AREA.



6.4.1 Planning Scheme Options for addressing Intensive Livestock Industries

Intensive animal industries are defined by the QPP as “*premises used for the intensive production of animals or animal products in a confined area or enclosure that necessitates the provision of food and water either mechanically or by hand. It includes the storage and packing of feed and produce*”. Intensive animal industries should be sited, designed, constructed and operated to avoid unreasonable interference with the enjoyment of life and property, both on and off site. To reduce the potential for adverse community amenity effects from odour, dust, noise and aesthetics, all intensive industries should be appropriately separated from sensitive receptors. Given the magnitude of the investment involved, operators of intensive animal industries require considerable certainty that their investment will not be threatened by ad hoc or unexpected changes in land use within crucial buffer zones.

Strategic Framework

The Strategic Framework should under the theme of “Economic Development” acknowledge the importance of intensive animal industries to the regional economy.

Tables of Assessment

Intensive animal industries should be listed as being “impact assessment” due to the nature and extent of potential impacts.

Zones and Code Provisions

Intensive animal industries should be limited to the Rural Zone with supporting zone or general code requirements containing guidance on appropriate separation distances and ensuring that sensitive land uses are not intensified within the buffer areas of such activities.

Key principles that should be reflected in the overall outcomes/code include:

- development of intensive animal industries minimises odour and noise impacts on nearby sensitive uses through the provision of separation distances, as outlined below;
- adverse impact on the natural environment is minimised by maintaining water quality (ground/surface waters), providing appropriate effluent disposal, avoiding potential erosion, maintaining natural flood/drainage processes and protecting natural habitat;
- development maintains the physical, chemical, and biological integrity and quality of soil by ensuring nutrient loads do not exceed the buffering capacity of the soil or landscape at that location;
- development ensures that there is adequate water supply available for the proposed use; and
- development maintains visual amenity and rural character.



Separation Distances

Separation distances for intensive animal industries from receptors should be dependent on a number of factors, including:

- number of standard animal units in the enterprise;
- effluent removal procedures employed at the enterprise;
- receptor type (e.g. town, rural residence);
- topography features (e.g. valley drainage) between the enterprise and the receptor; and
- vegetation/surface roughness between the enterprise and the receptor.

Guidelines for separation distances from each enterprise and receptors are given in the published documents listed below:

- *Reference manual for the establishment and operation of beef cattle feedlots in Queensland;*
- *Queensland dairy farming environmental code of practice;*
- *Environmental Code of Practice for Queensland Piggeries; and*
- *Best Practice Technical Guide for the Meat Chicken Industry in Queensland.*

Variable separation distances are based on the dispersion of odours downwind from their source. As each enterprise comprises many variables, a formula is used to establish this minimum distance in the specified guidelines listed above. For some industries, fixed separation distances are also enforced as outlined below.

(i) Piggeries

Fixed separation distances are available for piggeries in conjunction with variable distances. **Table 6.4** shows the fixed separation distances between a piggery and relevant features and receptors that should be reflected in the Rural Zone Code.

TABLE 6.4: FIXED SEPARATION DISTANCES TO OTHER RELEVANT FEATURES.

Feature	Distance (m)
Public road – carrying > 50 vehicles per day	200
Public road – carrying < 50 vehicles per day	100
Major water supply storage	800
Watercourse	100
Groundwater bores	100
Large town (> 2000 persons)	*1000
Town (> 100 persons)	*750
Town (> 20 persons)	*500
Rural residential development	*400
Rural farm residence	*250
Property boundary	20
Neighbouring piggery	2000

*This is a minimum fixed separation distance. The variable separation distance must also be calculated and the greater distance of the two applied.



No piggery is to be sited within a declared catchment area or a declared groundwater area as prescribed under the *Water Resources Act*, unless special consent is granted from the Department of Environment and Resource Management.

(ii) Poultry Farms

The Rural Zone Code should also outline appropriate separation distances between sensitive receptors and other poultry farms. The separation distances between poultry farms are:

- 1,000 m between existing or new meat chicken farm complex and any alternative form of intensive poultry farming; and
- 5 km between a meat chicken farm complex and a meat chicken breeder farm.

Potential odour impacts will have significant impact on the size of the property that is required to ensure necessary buffering can be achieved. The location of the sheds and outlet fans in relation to the property boundaries can assist in reducing impacts.

(iii) Intensive Livestock

As noted above, there are state government guidelines and regulations dealing with intensive livestock industries, which were specifically developed to ensure that the conditions applied to these industries were uniform throughout the State. That ensures not only that all intensive livestock operations meet acceptable standards in their operation, but also that there are not variations in regulation from Council to Council which could lead to unduly high concentrations of intensive livestock operations in some areas and complete absence of such enterprises in others. Highly variable distributions of feedlots are potentially dysfunctional, and have been observed to be so in the United States.

Intensive Animal Industries are separated from sensitive land uses in accordance with the guidelines given above. Due to the high variation between enterprises, a fixed distance should not be used unless it is greater than the calculated variable distance.

Intensive Animal Industries – Overlay

The draft QPPs provide local government with the opportunity to include additional overlays not already listed in the standard suite, where it is necessary to reflect particular local circumstances and does not conflict with or duplicate the overlays in the standard suite. As such, Council could include the current intensive animal industries in an overlay and map their appropriate buffer distance. Any development undertaken within the buffer of such industries would then have to address criteria to ensure that there is no impact on the continued operation of the intensive animal industry.

6.5 Cropping and Forestry

In terms of value of production, dryland and irrigated cropping is a major rural enterprise in the region, exceeded only in value by livestock enterprises. Cultivation for cropping occurs on soils with gradients typically <8%, and is most productive on



deep, heavy clay soils of low gradient (refer **Photograph 6.2**). For that reason, the most productive cropping areas are located on the extensive areas of heavy clay soils in valley floors and bordering the Condamine. Overall, irrigated agriculture is more productive and more reliable in its returns than dryland agriculture. In value, cotton is now a major crop in the area; largely grown under irrigation.

Broad acre cropping is highly mechanized, requiring significant investment in equipment and infrastructure (for tillage, planting, harvesting, spraying, and irrigation when used), and has significant impacts on the regional economy.

For irrigated cropping, reliability of supply of suitable quantity and quality of water for irrigation is a major concern. Restrictions on allocations from the Condamine Basin aquifers have been in place in some areas for years, and the basin appears to be, overall, over-allocated. Consequently, any development activity that impacts on the aquifer and on groundwater supplies could be expected to impact negatively on irrigated agriculture in the region. Farm size is an issue for viability of cropping enterprises, with increases in farm size being desirable where possible. A major issue for the grain industry is transport of product to markets, with access to road and rail transport being essential.



PHOTOGRAPH 6.2: CEREAL CROPPING, ATHOL SCHOOL ROAD



Within the TRC area, forestry activities cover a range of species and situations. There are Pinus plantations managed by Queensland Forests in the Pechey and Crows Nest areas (refer **Figure 6.2** and **Photograph 6.3**), which are located on land controlled by the Queensland Government and which can be expected to continue over the long term. There is also significant harvesting of cypress pine and some hardwood from State Forest areas in the Millmerran area, and State Forest areas near Leyburn and Talgai. Generally, forestry has few issues likely to impact on regional planning, though it should be noted that forestry operations do involve significant road transport of logs, and there are potential costs associated with road maintenance.



PHOTOGRAPH 6.3: STATE FOREST, NEW ENGLAND HIGHWAY, CROWS NEST

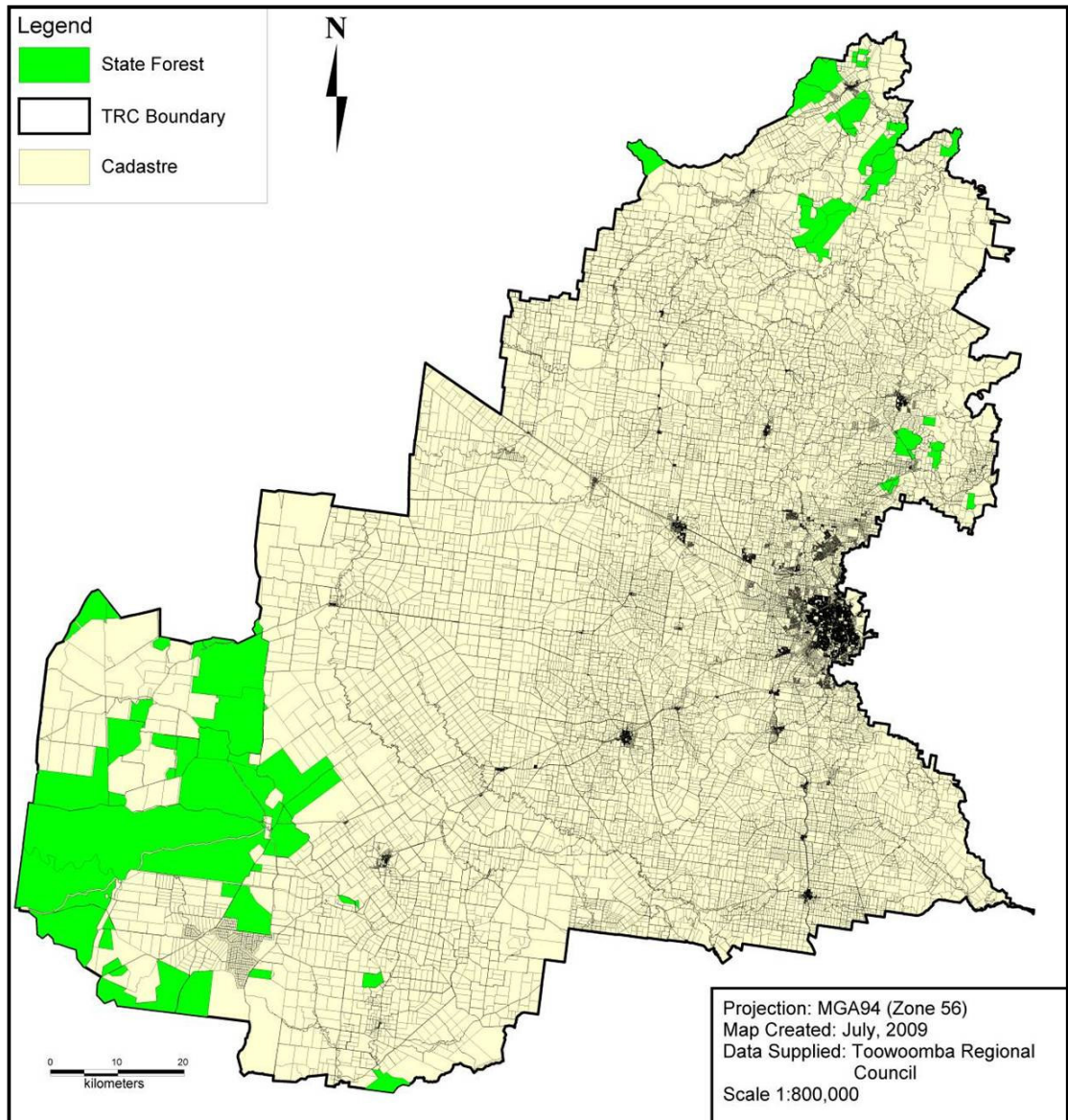


FIGURE 6.2: STATE FOREST AREAS WITHIN THE TRC REGION



6.5.1 Planning Scheme Options for Addressing Cropping and Forestry

Cropping is defined by the QPP as “*premises used for growing plants or plant material for commercial purposes and where dependant on the cultivation of soil. The definition includes harvesting and the storage and packing of produce and plants grown on the subject site*” (e.g. forestry for wood production).

Strategic Framework

The Strategic Framework should, under the theme of “Economic Development”, acknowledge the importance of cropping to the regional economy.

Rural Zone

Areas used for cropping should be included in the Rural Zone. Crops and forests should be established, maintained and harvested in a manner which protects local amenity, environmental values and reflects best practice management. Code provisions should ensure that a Forestry Management Plan is prepared consistent with the standards in the *Code of Practice for Plantation for Wood Production* or *Code of Practice for Native Forest Timber Production*.

Supporting code provisions should also address:

- (a) prevention of residential development on GQAL (see section 4.0); and
- (b) mapping and protection of adequate buffer zones (see section 7.0).

Buffer zone selection should address the potential that some spraying operations may be carried out aerially.

6.6 Intensive Horticulture and Wineries

Horticulture in the TRC area shows a north-south variation. To the south, horticulture largely consists of vegetable production, based on irrigated areas on black cracking clays – commonly on valley floors of the eastern uplands where soils are suitable and there is access to surface and underground water for irrigation. To the north, deep, well-drained red soils support avocado plantations, a range of other fruits, and some floriculture. Viticulture occurs in scattered locations across the region (refer **Photograph 6.4**).

Productivity per hectare is relatively high, so that viable property sizes are smaller than for other enterprises. Overall, horticulture makes a quite significant contribution to rural production in the TRC region. As it is relatively labour-intensive, it also provides significant inputs to the regional economy.

For all forms of horticulture, urban encroachment is of concern. Establishment of buffer zones by residential developers is clearly essential, but appears not to have always been carried out. For the northern areas (particularly in Hampton, Highfields, and Ravensbourne), land cleared of original vegetation – and supporting fruit trees – is perceived to be more easily alienated for sub-division than land still under native vegetation of high conservation value, and therefore more keenly sought for



residential development. Unequivocal definition of future residential development areas is needed to reduce pressure on horticultural land in areas to the north of Toowoomba, and the deep red soils in that area that are highly suited for horticulture should be given priority for preservation as good quality agricultural land. Similar requirements for protection of good quality agricultural land apply to vegetable growing south of Toowoomba.

It should be noted that unique combinations of water, soil, and climate are often critical for developing areas of successful horticulture, and that – at such locations – protection of large enough areas of land to support viable enterprises is crucial.



PHOTOGRAPH 6.4: VITICULTURE AT GOVERNOR'S CHOICE, ATHOL SCHOOL ROAD

6.6.1 Planning Scheme Options for addressing Intensive Horticulture and Wineries

Intensive horticulture is defined by the QPP as “*premises used for the intensive production of plants or plant material on imported media and located within a building or structure or where outdoors, artificial lights or containers are used. The definition includes the storage and packing of produce and plants grown on the subject site*”. For all forms of horticulture and wineries, urban encroachment is of concern and the



establishment of buffer zones by residential developers is essential.

Rural Zone

Areas used for Intensive Horticulture and Wineries should be included in the Rural Zone. Supporting code provisions should address:

- (a) prevention of residential development on GQAL (see section 4.0); and
- (b) mapping and protection of adequate buffer zones (see section 7.0).

These enterprises are commonly relatively labour intensive, so that worker access to the sites and worker amenity on-site may both be important considerations.

6.7 Animal Husbandry

Cattle are the dominant grazing animal in the rural areas of the TRC (refer **Photograph 6.5**). Sheep numbers are small. There are a number of studs breeding thoroughbred racehorses, and small numbers of various exotic animals such as alpacas. Beef cattle grazing is largely restricted to areas of the eastern uplands, where rocky ridges supporting permanent grass pasture are interspersed with arable soils in valley floors and side slopes. Where properties are entirely composed of arable land suitable for cropping, beef cattle are rare. Generally, stocking rates for cattle are considered to be approximately a beast per 2 ha, with a herd of up to 200 head being required to provide an adequate income. Typically, beef cattle are grazed in conjunction with grain cropping, providing supplemental income rather than being the major enterprise on mixed farms, and enabling greater flexibility in the rotation of crops and management of crop residues.

Dairying – although drastically reduced over the last 100 years – is still a significant enterprise. The main end product focus has shifted from cheese production (in the early 1900s) to whole milk, and there has been a considerable reduction in the numbers of dairy farms since de-regulation of the dairy industry in 2000, with commercial processors now controlling the marketing of milk and milk products. Dairy herds are typically located in areas similar to those used for beef grazing, though access to water to enable irrigation of sown pastures (fodder oats, sorghum) is generally critical to ensure continuity of feed and milk supply. Therefore, reliability of irrigation supply is a concern. Dairying involves considerable investment in infrastructure, with technology for milking sheds now being quite advanced, and it is an industry where each enterprise clearly needs certainty of tenure once established.



The cattle industries support considerable off-farm business: carriers, sale yards, retailers of agricultural products, abattoirs, and fencing contractors to name but a few. Currently, low-density grazing is the only option for economic use of permanent pastures on the rocky ridges of the uplands areas.



PHOTOGRAPH 6.5: BEEF CATTLE GRAZING, PITTSWORTH SURROUNDS

6.7.1 Planning Scheme Options for addressing Animal Husbandry

Animal husbandry is defined by the QPP as "*premises used for production of animals or animal products on either native or improved pastures or vegetation. It includes yards, stables and temporary holding facilities and the repair and servicing of machinery*".

Rural Zone

Areas used for Animal Husbandry should be included in the Rural Zone. Supporting code provisions should address:

- (a) preservation of GQAL (see section 4.0);
- (b) appropriate buffer zones (see section 7.0);
- (c) access to irrigation water (see section 10.5); and
- (d) adequate transport resources (see section 11.0).



6.8 Rural Industries and Processing

Rural industries are important in providing economic opportunities for residents in rural areas, however they can also have negative impacts on infrastructure and rural character. Within the rural lands of the TRC area, there are a number of enterprises that could be considered “industrial” rather than rural activities, with some consideration of whether such activities should be located on rural blocks. However, the distinctions are difficult and subtle.

Indicators of “industrial” rather than rural enterprises could include:

- use of product not produced on the block in question or by the enterprise in question;
- purpose-built facilities;
- the activity in question causing significant modification of the materials sourced; and
- employment of significant numbers of staff.

Examples of activities that could be classed as industrial include:

- a large centralised packing shed for eggs, using eggs sourced from a number of different locations/enterprises, with purpose-built facilities, employing significant staff, particularly if not located in conjunction with a poultry operation.
- production of, e.g., vegetable oil in a purpose-built facility using purchased raw materials and employing significant staff; and
- truck depots.

However, rural enterprises such as horticultural production, intensive livestock, and to a lesser degree, grain growing, can quite reasonably require purpose-built facilities on-site to process/pack produce. Such facilities, particularly in the case of horticulture, may well need to be located on-site to minimise transport and associated deterioration of produce prior to its handling. Care should also be taken to exclude cottage industries that may produce small quantities of product, but would not involve significant paid staff, and may not require purpose-built facilities. This group would include the person making jam for a street stall, or husband and wife operations producing some form of foodstuff for limited sale at markets. Such activities simply add to the diversity of the TRC area.

More difficult to define are activities that, to greater or lesser degrees, are simple extensions of existing rural enterprises. Examples would be:

- (a) an existing feedlot which employs staff, buys grain, and prepares its own feed mixes. If such a facility also sold some of that mix, it would possibly be considered to have become “industrial”, though it has not significantly moved from its core activities. Such an enterprise appears to be more reasonably classed as rural from the point of view of consistency with the core rural business.
- (b) grain processing activities, which may include grain drying, fumigation, or blending. Many farms have such facilities, but there are examples of growers who have expanded such facilities and now have significant operations. Whilst “industrial” in some ways, such operations are still carrying out activities that



are typically associated with rural operations, and which – due to potential for dust and possible movement of fumigants, and due to potentially high volume of truck traffic at specific times – are probably better located well away from any townships.

These latter activities appear to be more consistent with rural activities and could be suitably located in rural areas.

6.8.1 Planning Scheme Options for addressing Rural Industries

Rural industry is defined by the QPP as “*premises used for storage, processing and packaging of products from the local rural area*”. Rural processing and packaging has a separate definition under the QPP and is defined as “*premises used for processing and packaging products produced as a result of rural use where the processing and packaging is required to support an existing rural use on or adjacent to the site*”.

Code Provisions

While the definition of Rural Industry is determined by the draft QPPs, the Rural Zone Code provisions or similar could provide further clarification on whether a use is a rural industry that is appropriately located within a Rural Zone or an industrial use that should be located within an Industrial Zone.

Rural industries should only be located within a Rural Zone where such a use:

- is used for the storage, processing and packaging of products generated on-site or within that farm unit;
- is associated with the processing and packaging required to support an existing rural use on or adjacent to the site;
- is associated with small scale repairs to farm machinery;
- avoids loss of or encroachment on good quality agricultural land unless there is an overriding need for the development;
- is designed and finished to a high quality appearance;
- does not have an adverse impact on scenic amenity with uses limited to buildings or structures that are designed, sited and of a scale consistent with the natural landscape features or a maximum height of two storeys (except for silos, windmills and other similar rural structures);
- does not have an adverse impact on the amenity of adjoining areas arising from noise, odour or dust;
- does not have an adverse impact on water resources, electricity, waste management and the local road network.

Where a development does not meet the above, the use should be considered industrial in nature and located within an Industrial Zone.

Code provisions for rural industries and processing/packaging should include specific requirements relating to site layout, minimum lot sizes (e.g. 4000m²), scale, height, aesthetics, setbacks (e.g. 20 from all property boundaries), buffers, parking, impacts on adjacent uses and environmentally sensitive areas, traffic, the potential for visual



disturbance, excessive noise, air, water, and soil pollution.

Levels of Assessment

Council may wish to state that Rural Industries involving building work with a specific gross floor area are Code Assessable while building work involving a greater gross floor area may be Impact Assessable.

6.9 Rural tourism

Rural tourism within the TRC area is extremely limited, with a number of small bed and breakfast and farm stay providers, some heritage-based attractions and several wineries (refer **Photograph 6.6**), but this industry is still in its infancy. There may be potential for further development in locations with significant topographic relief (e.g., the eastern escarpment) where there would be more attractive views, and there may be some potential for school/church camp developments to provide rural experiences for students. There are also a number of events which bring tourists to the rural areas of TRC. These include Sprints (car racing) at Pittsworth and Oakey, open gardens, occasional events such as the gathering of motor-home enthusiasts at Pittsworth, and the wine and food festival at Pittsworth. It appears that there is a range of events that will bring relatively large numbers of visitors to some location. Best examples are the Easter Gospel Music Festival and the Carnival of Flowers, both in Toowoomba, plus those mentioned above. To increase rural tourism (or tourism to the TRC area in general), the strategy most likely to succeed is an increase the number of events and value-adding to those events.

Some major Queensland centres have regular representative sporting competitions, with the availability of a single, cohesive, high-quality and well-resourced venue crucial. Such events bring hundreds of participants (and many more family members), who then spend time touring the region. Central to this is both presence of a suitable sporting complex (typically covering a number of sports), and sporting clubs able, willing (and possibly encouraged by Council support) to organise such events. Equally, there will be cultural and educational events (including various schools at USQ). Importantly, when such events are held, consideration should be given to what events, activities, or attractions could be organised to provide additional interest to attendees, and to encourage them to spend more time in the TRC area. This implies a greater degree of coordination and purposeful planning than appears to be the case at present.



It is important to ensure that there are no barriers in planning policies to appropriately located rural tourism activities.



PHOTOGRAPH 6.6: GOVERNOR'S CHOICE WINERY, CAFÉ AND COTTAGES, ATHOL SCHOOL ROAD



6.9.1 Planning Scheme Options for addressing Rural Tourism

A tourist attraction is defined by the QPP as “*premises used for providing on site entertainment, recreation or similar facilities for the touring or holidaying public*”. The TRC Planning Scheme should provide opportunities for appropriately located rural tourism activities.

Code Provisions

Key principles that should be reflected in the overall outcomes/code include:

- Rural tourism (e.g. farm stays) provides opportunities to diversify the local economic base and should be encouraged where they are:
 - (a) associated with rural activities and have no adverse impact on the viability of such activities;
 - (b) cause no adverse impact on important rural scenic amenity;
 - (c) cause no adverse impact on water quality;
 - (d) are connected to the road network and urban centers by roads capable of safely accommodating the type and volume of traffic likely to be generated; and
 - (e) are provided with a water supply, liquid and solid waste disposal system and electricity supply adequate for all on-site purposes.

6.10 Summary

Rural activities in the TRC area are dominated by beef cattle (grazed and in feedlots) and by grain cropping, but there are also significant contributions from other livestock (poultry, pigs, dairying) and from horticulture. In recognition of the dynamic nature of modern farming, policies should ensure that there is an opportunity to accommodate value added and supplementary activities that increase farm income by permitting a mix of compatible uses on properties where agriculture is the primary use, while ensuring that such activities do not have an adverse impact on the preservation of GQAL.



7. Rural Residential Development

7.1 Introduction

Rural residential development is the use of rural land for primarily residential purposes, where the main source of income is not from a pursuit carried out on the land. The pattern of land use within the TRC area is rapidly changing with diversification in production, increases to productivity and increases in land prices. In addition, the increasing number of small farms in some areas is changing the traditional demographic make-up of the rural community, influencing community values and providing new opportunities for community growth. While the landholder group may build community strength, they may also create conflicts with commercial farmers. Generally, it is accepted that the intrusion of residential development into agricultural areas compromises the continuation of agricultural enterprises. Residential complaints with respect to agricultural activities include noise (equipment, animals), spray drift of agricultural chemicals (fertilisers, insecticides, herbicides, fungicides), dust from tillage operations, odours from animals and movement of machinery and other heavy equipment on local roads.

Residential complaints with respect to agricultural activities include:

- Noise (equipment, animals);
- Spray drift of agricultural chemicals (fertilisers, insecticides, herbicides, fungicides);
- Dust from tillage operations;
- Odours from animals; and
- Movement of machinery and other heavy equipment on local roads.

As well, occupants of residential areas are often ignorant of what constitutes acceptable agricultural practice, and may, e.g., view irrigation as wastage of scarce water, and all spray activities as constituting a major health risk. Apart from the difficulty caused for agriculture by residential complaints, close proximity to residential development also creates concerns for agriculture with respect to:

- Vandalism and theft of equipment/produce;
- Fires (arson);
- Interference with operations (gates left open, settings changed on pumps or other equipment);
- Feral animals (e.g., dogs attacking stock); and
- Possible changes in site hydrology and water pathways affecting local catchment stability.

Consequently, the provision of buffer zones is required for residential developments in contact with agricultural areas. In general, buffer areas are perceived to be effective if implemented, but are often lacking. As a general rule, in the planning of buffer zones, it should be anticipated that all agricultural activities will involve ground-based



spraying activities, and that any broad-acre grain cropping may also involve aerial spraying. The presence of a natural boundary – generally a road – between residential developments and agricultural areas is highly desirable, but should not be considered to substitute for an appropriate buffer zone.

7.2 Planning Scheme Options

Land use strategies should, as far as practicable, aim to isolate GQAL from uses likely to conflict with certain farming activities. The creation of residential allotments in productive rural areas often fragments farmland and may lead to land use conflict, particularly when the occupants of the new dwellings have no direct connection with the surrounding agricultural activities. By separating agricultural uses from residential and other urban uses, buffer areas can reduce conflict and the resulting complaints. Complaints about agricultural practices are often based as much on perception as reality.

Strategic Framework

The QPP require that the Strategic Framework not only sets the policy direction for the whole of the planning scheme, but that the statutory component also be used in the assessment of Impact Assessable applications. In relation to the rural/urban interface the Strategic Framework includes the following mandatory statements in Module A (emphasis added):

3.2 Settlement pattern

3.2.1 Planning principle

*The pattern of planned land use integrates existing and future development and **maintains the natural and scenic qualities** of the landscape. The planned expansion of urban areas is underpinned by community need while maintaining and enhancing access to services, recreational and social infrastructure. The unique architectural, cultural, historic, scientific, social or spiritual qualities of places are conserved and restored.*

Rural residential development is directed to preferred nodes, where land suitable for agricultural uses is not compromised. Development of new or more intensive agricultural uses is located in physically suitable areas and separated from other incompatible land uses.

The impacts of climate change and other natural and industrial hazards are considered in the location, scale and intensity of development.

The Strategic Framework for the TRC Planning Scheme should reinforce that residential development should not be intensified where located in close proximity to GQAL. Where this is not possible, mechanisms such as buffer areas should be used to minimise conflicts in accordance with *Planning Guidelines – Separating Agricultural and Residential Land Uses*.



Rural Residential Zone

The QPP includes a Rural Residential Zone as part of the standard suite of zones. The purpose of the rural residential development is to maintain a semi-rural landscape character and provide a transition between urban and rural areas. The TRC Planning Scheme should include provisions to ensure that rural residential development does not adversely impact on the continued operation of agricultural uses. Further, the boundary of the Rural Residential Zone in TRC should follow natural features, such as watercourses, ridge lines, steeply sloping ground and areas for nature conservation. These features can act as natural buffer areas between farmland and urban areas.

Rural Residential Zone Code and Good Quality Agricultural Land Overlay Code

For areas included in the Rural Residential Zone or within the Good Quality Agricultural Land Overlay Code, Code provisions should require the use of buffer areas within the site being developed for residential purposes. This protects the prior rights of agricultural producers to practice agriculture on rural land. In areas where potential for conflict is identified, each development application should be required to include an assessment of the need for buffer areas and design measures to ensure their effectiveness.

Each farming practice produces varying levels of issues for neighboring residential and industrial land uses. As a general guide for buffer distances, a minimum width of 300m should be required where open ground conditions apply and a minimum width of 40m where a vegetated buffer element can be satisfactorily implemented and maintained. Guidelines outlined in the *Planning Guidelines: Separating Agricultural and Residential Land Uses* give further detail for varying agricultural activities and information on vegetation buffer requirements.

If the required buffer area is incorporated in large residential allotments, the buffer portion of the lot should be suitably designed and protected through conditions of development approval. These include requiring the provision and maintenance of planted areas in the buffer area, defining building envelopes for the location of houses outside the buffer area, or applying vegetation protection controls. The larger residential lots could be designed in such a manner as to allow redevelopment should the buffer area become redundant.

Key principles that should be reflected in the overall outcomes/code include:

- development does not compromise the operation of rural uses and existing or approved intensive animal industries through the provision of appropriate buffer distances;
- development does not have adverse impacts on environmental or scenic values;
- development ensures access points does not reduce the efficiency of the road system; and
- development provides for a high level of residential amenity, access to services and facilities, and safety from risk of natural hazards such as flooding, land slip and bushfire.



7.3 Summary

TRC should avoid, as far as practicable, locating residential development in close proximity to agricultural land. Where this is not possible, the preferred option is for mechanisms such as buffer areas to be used to minimise potential conflicts. Buffer areas should be determined on the basis of the sustainable agricultural land use with the potential to have the most impact on adjacent land uses and which is reasonably likely to be practiced, regardless of current use. Buffer areas should be located within the site being developed for residential purposes, and be provided by the proponent of that development. Where conflicts already exist between agricultural and residential land uses, mechanisms including mediation, source controls and public education should be encouraged.



8. Rural/Urban Interface

8.1 Introduction

The rural/urban interface is the area around an urban settlement where there are increasing numbers of people moving to acreage or housing developments located next to rural areas. The area is typically rural in appearance but many residents will have jobs in the nearby urban area to which they commute. As outlined in previous sections the intensification of residential development in close proximity to rural areas often results in conflicts associated with noise, dust and odour associated with typical farming practices. Based on a review of the *Residential Land Use Study – Preferred Settlement Pattern* the key locations for future potential conflicts between rural/urban areas include Kingsthorpe, Westbrook, Highfields and Pittsworth.

The following section outlines the preferred options for addressing the management of the rural/urban interface in a planning scheme compliant with the QPP.

8.2 Planning Scheme Options

In order to mitigate potential conflicts between rural and urban areas there is a need to create/maintain buffer areas between farming operations and other sensitive land uses such as dwellings. Maintaining an appropriate distance between farming operations and homes, in conjunction with source reduction efforts, is the best solution for odour and dust problems. In this regard, Council may wish to include an Inter-Urban Break Precinct or similar in the TRC Planning Scheme where a limited range of low density commercial, industrial and outdoor recreation activities may be appropriate.

Residential/Urban Zone Codes

Key principles that should be reflected in the overall outcomes/code of any zone which has an interface with a Rural Zone include:

- uses sensitive to spray drift, odour, noise and dust associated with agricultural activities are separated or buffered to avoid conflict with such activities and potential activities on rural land;
- the location of dwellings houses or other sensitive uses does not restrict the operation of rural uses;
- separation distances between rural and residential uses are sufficient to minimise the effects of undesirable air emissions and odours (e.g. 300m where open ground conditions apply or a minimum width of 40m where a vegetated buffer element can be satisfactorily implemented and maintained);



8.3 Summary

The *Planning Guidelines: Separating Agricultural and Residential Land Uses* give further detail for varying agricultural activities and information on vegetation buffer requirements. Each interface will comprise of varying issues therefore these guidelines need to be clearly understood and practiced by the council to ensure the rural/urban interface does not create conflict.



9. Maintaining Rural Character

9.1 Introduction

Rural character is made up of a number of components including open spaces, agriculture, grazing animals, plantations, cropping, sheds, vegetation, houses and outbuildings, varying topography and creeks. Preliminary site inspections have identified that rural land within the region is used for a variety of purposes including advertising, nurseries, Defence establishments, refuse stations and informal rubbish disposal, all of which can negatively impact on the rural character if such uses are not appropriately located or designed (refer **Photograph 9.1**). Other structures/development that may negatively impact on rural character include large sheds used to house trucks, tractors and associated machinery; rural residential development (especially where located on ridgelines or hilltops) (refer **Photograph 9.2**); and industrial development which dominates entry points into a number of rural townships (e.g. Crows Nest and Pittsworth). It is important to ensure that such development is appropriately located and designed to mitigate impacts on rural character or operation of the adjoining land.

Rural landscapes within the TRC were rated as “high in scenic amenity” by the respondents to the TRC/SEQ preference surveys (Conics, 2009). In order to protect this high ranking, fragmentation of rural production areas by inappropriate urban, industrial or rural residential development should be discouraged (Conics, 2009). The following section outlines the preferred options for addressing the protection of rural character in a planning scheme compliant with the draft QPP and the Scenic Amenity Study prepared by Conics as part of the Toowoomba Regional Planning Project.



PHOTOGRAPH 9.1: INFORMAL RUBBISH DISPOSAL, NEAR PITTSWORTH



PHOTOGRAPH 9.2: HOUSING DEVELOPMENT, CROWS NEST

9.2 Planning Scheme Options for Maintaining Rural Character

In order to protect the scenic assets of the TRC area it is necessary for the Council's planning scheme to take account of strategically important landscape elements and views (Conics, 2009).

Rural Zone Code

There are a number of rural uses that require large sheds to house trucks, bobcats and other associated machinery. Sheds should be sited and located so they can blend in with the surrounding landscape and not dominate it. Other structures/development that may negatively impact on rural character include rural residential development (especially where located on ridgelines or hilltops) and industrial development which dominates entry points into a number of rural townships. It is important to ensure that zones and their preferred land uses are appropriately located and designed to mitigate impacts on rural character or operation of the adjoining land.

Significant Vistas, Landscapes and Natural Features Overlay and Code

The draft QPP provide for the inclusion of a "significant vistas, landscapes and natural features" overlay. It is recommended that any development proposed or partly located within a constraint 3 zone as identified in the Conics Scenic Amenity Study be included in a Significant Vistas, Landscapes and Natural Features Overlay with the Code requiring a detailed scenic assessment recommending mitigation measures to protect the specific scenic feature.

In such areas key principles that should be reflected in overall outcomes/code include:

- building height (other than for silos, windmills and similar rural structures) is a



maximum of 2 storeys;

- sheds should be located to the rear of the property or in locations where there visibility from the road is minimised;
- on-site landscaping is established and maintained so as to retain existing native vegetation and enhance the appearance of development from surrounding roads and dwellings;
- important views to and/or across the site are not obstructed or degraded; and
- disruption of the natural profile of the land and visual scarring is minimised.

Code provisions should also be drafted to address site layout, scale, height, aesthetics, setbacks, landscaping and buffers.

9.3 Summary

In order to protect rural landscapes the fragmentation of rural production areas by inappropriate urban, industrial or rural residential development should be discouraged. Structures/development that may negatively impact on rural character including sheds, rural residential development (especially where located in the constraint 3 zone) and industrial development should be appropriately located and designed to mitigate potential impacts on rural character.



10. Resource Management

10.1 Introduction

The TRC region hosts a variety of valuable natural resources (land, water and biological systems). The sustainable management of the region's natural resources is vital to ensure the ongoing social, economic and environmental wellbeing. These resources are highly vulnerable to irreplaceable loss if appropriate management and protection is not exercised.

10.2 Catchment Management

The TRC region falls within two catchments. The majority falls within the Condamine Catchment while the North East corner falls within the Moreton Catchment. The resources provided by these catchments:

- are fundamental in sustaining ecological processes;
- support native ecosystems and maintains biodiversity;
- support food, fiber and mineral production, contributing to the regions economic wealth;
- provide living space;
- support recreational activities;
- preserve geological, historical and evolutionary information; and
- have spiritual, inspirational, scientific, cultural and educational value.

The main pressures affecting the TRC's catchment areas are vegetation clearing, unsustainable agricultural practices, urban development and introduced species. Underlying these are pressures from population growth, economic trends and climatic conditions.

Non-planning scheme options for addressing catchment management include:

- active participation by all sectors of society, including the community, industry, landholders, miners, foresters, developers and governments;
- a holistic view of land, water, native vegetation and biodiversity issues in decision making;
- the need for a regional approach;
- incentives to individuals and groups to adopt ecologically sustainable practices; and
- improved involvement of non-government organisations, local government and traditional owners in natural resource management planning and implementation.



10.2.1 Planning Scheme Options for addressing Catchment Management

Key principles that should be reflected in the overall outcomes/code for successful application of ecologically sustainable development to land resources include:

- development does not result in the degradation of the natural environment through the loss of remnant vegetation or impacts on surface/ground water; and
- development retains remnant vegetation for the protection of scenic quality, habitat and soil and water quality.

10.3 Vegetation Management

There are significant areas of remnant vegetation in TRC. The Queensland Government has in place legislation that prohibits the broadscale clearing of remnant vegetation. This legislation protects Queensland's rich biodiversity and address economic and environmental problems like salinity, soil degradation, erosion and declining water quality. Landholders are able to apply for permits to clear vegetation for ongoing management activities such as weed control, thinning and fodder harvesting; or for clearing necessary for public safety, roads, fences and other necessary infrastructure. Applications to clear are assessed against codes which ensure that clearing is undertaken in a way that protects 'endangered' and 'of concern' ecosystems, prevents land degradation and loss of biodiversity, manages the environmental effects of clearing and reduces greenhouse gas emissions.

10.3.1 Planning Scheme Options for addressing Remnant Vegetation

Key principles that should be reflected in the overall outcomes/code include:

- development retains remnant vegetation for the protection of scenic quality, habitat and soil/water quality; and
- development does not impact on remnant vegetation through grazing or edge effects such as weed or pest infestation.



10.4 Mining

A large proportion of Toowoomba Regional Council is underlain by coal measures of the Clarence-Moreton Basin that are suitable for future exploration and development. It is possible for well-managed agriculture to be sustainable, and for use of underground water resources to be regulated to sustainable levels, though in both cases, there is potential for poor management to rapidly degrade the resource. In comparison, coal mining is a finite activity. Once coal extraction is completed, the disturbed land is rehabilitated, and the mine lease returned to other uses.

In the TRC area, there are currently two active mines: Acland, which has been operational for quite a long time, and Commodore (Millmerran) which is associated with a power station, and has also been operational for a significant period (refer **Figures 10.1 and 10.2**). The Acland mine may affect some GQAL, but the area of the Commodore mine is not high quality cropping land. The proposal to establish a new mine in the Felton area has changed the existing situation significantly in that:

- (a) the proposed mine is located in an area of high-quality cropping land; and
- (b) it effectively represents the first step in significant expansion of coal mining into high-value agricultural land in the eastern Darling Downs.

Generally, the rehabilitation process does not return mined land to its former productivity (though such is often technically possible). Nor, generally, is the entire disturbed area rehabilitated. Typically, open pits will be left, because backfilling can be extremely costly. Consequently, coal mining typically leaves land with its long-term productivity significantly reduced. This represents a long-term cost to the community that must be balanced against potential short-term benefits from increased employment and business opportunities associated with mining.

As well, for the TRC area, there is the added concern that coal mining may severely impact local aquifers. Effects could range from permanent disruption of recharge areas to disruption of flow paths or even pollution of the aquifer by acid mine drainage. There is also potential for pumping to dewater pits to cause local drawdown of the aquifer, and for demand for water by the mine to compete with existing users. (Coal mines typically have quite high demand for water.) Given the extreme importance of groundwater to agricultural productivity and to the water needs of towns and farms, potential impacts of coal mining could spread much further than the area of disturbance.

At this stage, Queensland's coal reserves are immense. In 2003, Measured and Inferred coal reserves totalled 32,729,000,000 tonnes, and exploration since then has undoubtedly located considerably more reserves. In the 2008-9 financial year, Queensland exported approximately 159 million tonnes of coal. Even based on 2003 reserves, that indicates potential to mine coal in Queensland at current rates for another 200 years.

Environmental management and regulation of the mining industry in Queensland is administered by State Government through provisions of the *Environmental Protection Act 1994* (EP Act), which provides for the issuing of environmental authorities for mining activities. Where approval to mine is granted, the government is responsible for:

- setting environmental conditions;
- setting levels of environmental assessment for amendment applications;
- monitoring performance;



- conducting inspections and audits;
- ensuring adequate rehabilitation; and
- enforcing compliance with environmental controls.

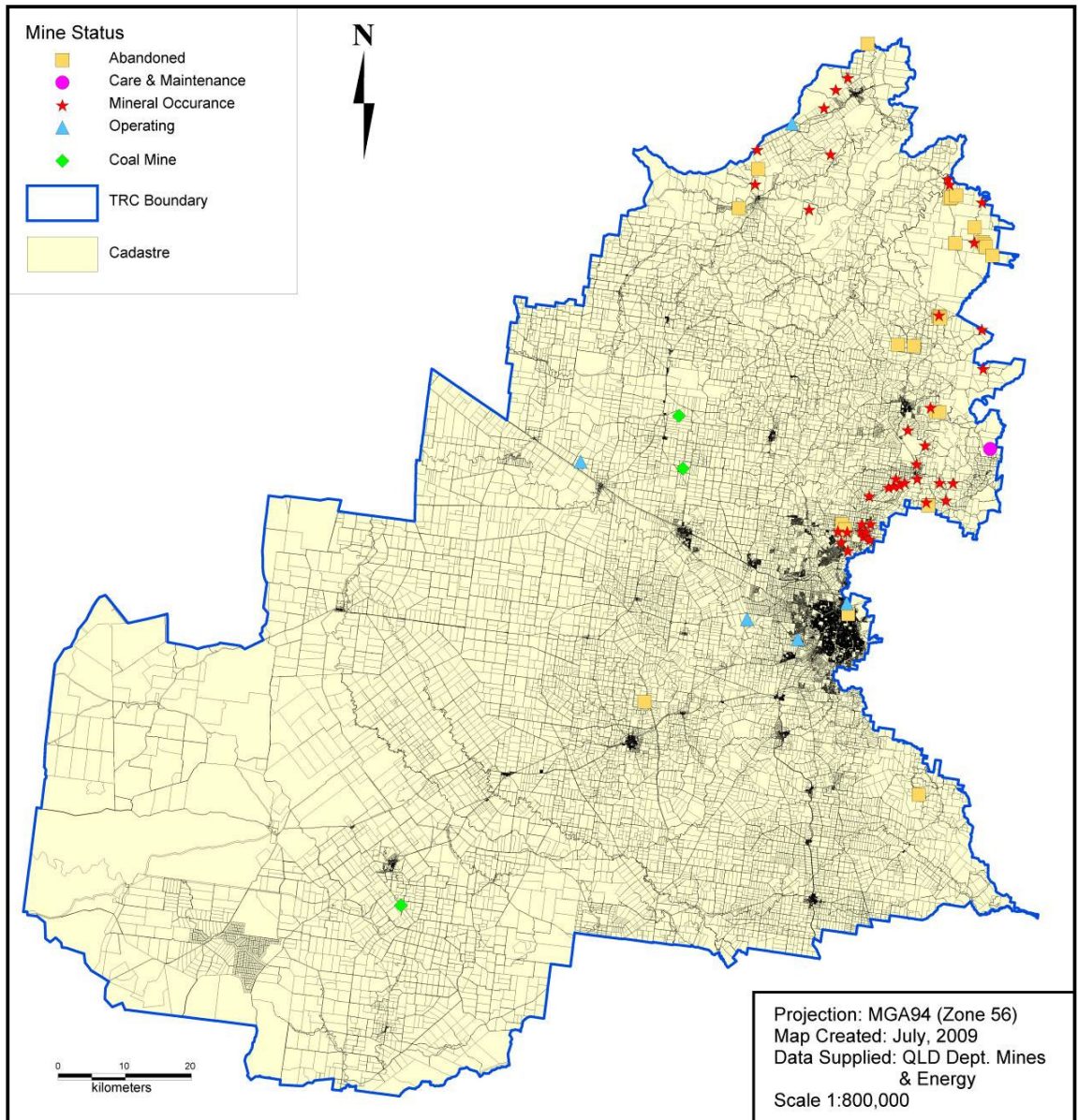


FIGURE 10.1: LOCATION AND STATUS OF MINES IN THE TRC REGION

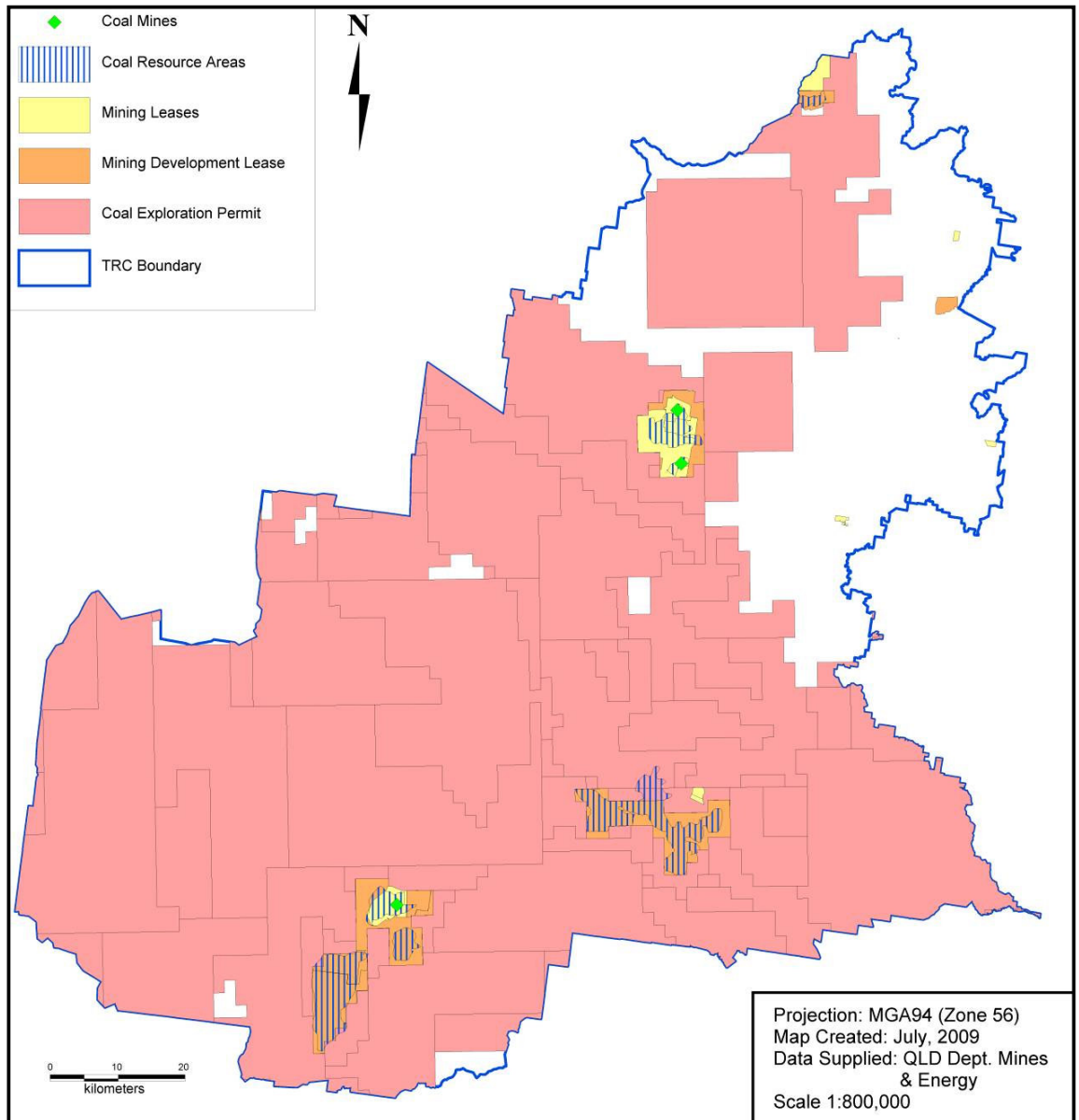


FIGURE 10.2: CURRENT COAL MINING IN THE TRC REGION



10.4.1 Non-Planning Scheme Options for addressing Mining

A large proportion of Toowoomba Regional Council is underlain by coal measures of that are suitable for future exploration and development. However, given the large resources of coal available underlying less-productive land in Queensland, it is not considered that there is any overriding need for mining of productive agricultural or pastoral land at this stage. Mining should, to the greatest extent practicable, not occur in locations where this activity will result in the permanent alienation of GQAL including productive agricultural and pastoral land. Implementation of this recommendation is outside the scope of local government planning schemes and would require high level dialogue with the Queensland Government to establish a clear State-wide approach to managing this emerging issue.

A rational, Statewide approach to coal mining in Queensland is needed to ensure that ensure that:

- mine development is consistent with locations of coal exporting capacity and with areas where coal is needed; and
- productive agricultural (and possibly pastoral) land is not alienated unless absolutely necessary.

The establishment of Rural Precincts will not override the State Government's existing control of mining proposals. Further, the *Integrated Planning Act 1997* under Schedule 9 lists an activity authorised under the *Mineral Resources Act 1989* as being exempt from assessment against a planning scheme. As such, there is limited scope for TRC to influence the location and extent of mining activities as decisions with respect to mining are largely under State government control. However, there is potential for TRC to:

- appeal against alienation of GQAL, particularly as the principle of "overriding need" clearly will not apply; and
- oppose any re-allocation of existing water supplies to a new mine.

It is likely that the limited availability of water may be a major limitation to widespread expansion of coal mining in the TRC area.

10.5 Water Resources

Productivity of rural enterprises in the Toowoomba Regional Council area has always depended on two assets - soil and water. Many high-value enterprises depend on access to water for irrigation, either from underground sources or from harvested surface runoff, and declines in availability of underground water for irrigation are a continuing concern. Competition for underground water comes from rural towns (for drinking water) with 80% of the rural community in the catchment using groundwater for all or part of their domestic requirements, intensive livestock industries, and other industries. Irrigation development is responsible for the greatest extraction pressure in groundwater systems and accounts for some 85% of all groundwater usage within the catchment.



10.5.1 Non-Planning Scheme Options for addressing Water Resources

The Department of Environment and Resource Management (DERM) monitors the implementation of water resource plans across Queensland. The water resource planning process is designed to plan for the allocation and sustainable management of water to meet Queensland's future water requirements in accordance with the *Water Act 2000*. The majority of the TRC Region falls within the Condamine Catchment while the North East corner falls within the Moreton Catchment.

In general, allocation of water from the aquifers is controlled by State government, not by TRC. Nonetheless, there is potential for TRC to affect water availability through:

- (a) Measures/regulations which affect levels of water demand in population centres across the region;
- (b) Consideration of requirements for water as a basis for approval or rejection of development proposals; and
- (c) Policies that maximise efficiency of water use, which must therefore emphasis re-use of effluent water.

10.5.2 Planning Scheme Options for addressing Water Resources

Urban communities, grazing enterprises, intensive livestock holdings, industrial, mining and the irrigation sector rely extensively upon groundwater. The preferred option is for water resources, including the availability and impact on such resources, to be a key issue for Council to consider when assessing the suitability of code and impact assessable development applications in the Rural Zone.

Rural Zone Code

Sustainable water supply should be a key issue for Council to consider when assessing the suitability of development applications in the Rural Zone (e.g. tourism and intensive animal industries).

Key principles that should be reflected in the overall outcomes/code include:

- development demonstrates that development is capable of being provided with a potable and general use water supply sufficient to service the proposed activities and future needs created by development; and
- development protects and maintains water quality by minimising sediment and nutrient contamination, controlling erosion, preventing pollutants entering ground/surface water and preserving riparian vegetation.

Code provisions should also address water quality issues by requiring that wastewater treatment facilities in rural areas be located, constructed and maintained to the highest standards to ensure minimal impacts on water quality and particularly groundwater quality. In un-sewered rural areas new development should be guided towards sites where acceptable wastewater treatment and disposal facilities can be provided, avoiding sites where it is inherently difficult to provide and maintain such



facilities, for example sites prone to extremely high water tables and flooding or where groundwater is particularly vulnerable to contamination.

10.6 Emerging Rural Industries and Practices

At a broad level, regional climate and water supply place limits on what can be grown. Nonetheless, the region has shown continual development in farming practice. Grain cropping, for example, has shown changes in the crops grown, in tillage and planting practices, and in residue management. New crops and industries are constantly being trialled, as agriculture continually strives to increase productivity per unit area.

It is unlikely that any new industry will become a major component of the rural landscape. Rather, it may add to the existing diversity, and flourish in niche areas specifically suited to it. Existing industries likely to show future expansion include horticulture/floriculture, horse and cattle studs, and rural tourism. Vineyards are unlikely to expand, given the current oversupply in the wine industry, but wineries may benefit from expanding tourism opportunities.

10.7 Impacts of Climate Change

In 2009 the Queensland Government released *ClimateQ: toward a greener Queensland* which outlines the steps for Queensland's transition to a lower carbon future. The strategy includes the predicted regional climate change impacts for 13 regions. In relation to the Easter Downs Region the following impacts are predicted for 2030 (medium emissions scenario):

- *Annual and seasonal temperature*: annual mean temperature (the average of all daily temperatures within a given year) is projected to increase by 1.0 °C. There is little variation in projections across the seasons;
- *Annual and seasonal rainfall*: annual rainfall (the total rainfall received within a given year) is projected to decrease by three per cent (-21 mm). The largest seasonal decrease of six per cent is projected for both spring (-11 mm) and winter (-6 mm);
- *Annual and seasonal potential evaporation*: across all seasons the annual 'best estimate' increase is projected to be around 3–4 per cent (52–69 mm), with some models projecting up to a seven per cent increase in winter (16 mm).

The Strategy indicates that key impacts on the agricultural sector are likely to be:

- increased risk of erosion associated with increased intensity of rainfall events;
- challenges in supplying sufficient water to meet demand;
- increased heat stress on intensively managed livestock; and
- changes to pests, diseases and grain quality associated with changes to temperature, seasonality of rainfall and reduced soil moisture.

The Strategy indicates that adaptive responses to these impacts are likely to include diversification of farm enterprises, opportunistic planting, zero till practices, crop selection, increased monitoring and adoption of Integrated Pest Management Practices,



changes to timing of planting and cultivar selection. For the grazing industry, breed selection, increased use of dietary supplements; and increased planting of shade trees may need to be considered. The commercial forestry sector also has the potential to expand further in Queensland, providing economic benefits and emissions offsets through carbon sequestration (Queensland Government, 2009).



11. Infrastructure

11.1 Introduction

Infrastructure provision (electricity, communications, reticulated water, roads, sewerage and community services) is a key issue affecting the health and wellbeing of rural communities. While most rural lots are serviced by electricity/communications, only limited areas have access to reticulated water and sewerage. Additionally, people living in rural areas generally have more limited access to services such as health care, emergency services, education, public transport, quality roads, pedestrian/cycle facilities, community and recreation facilities. Transporting products to market is also a key consideration for all rural industries. It is necessary for the regional freight network to be designed to ensure the efficient, timely and safe movement of agricultural produce. Currently, there is strong competition between agriculture and coal mining for access to rail and road transport capacity.

Infrastructure planning activities undertaken by Council and State Government will be critical in determining those areas that may be appropriate for rural residential development or the further intensification of rural activities.

11.2 Community facilities

Rural communities targeted for growth require the full range of facilities considered essential for community well-being. Likely requirements include:

- (a) good connectivity to Toowoomba (the major regional centre), which means high-quality road connection, and probably some level of public (bus) transport;
- (b) educational facilities (kindergartens, pre-schools, primary schools, high schools);
- (c) medical facilities (doctors, dentist, hospital, aged care);
- (d) essential support services (ambulance, post office, government services, child care); and
- (e) social amenities (community halls, sporting facilities).

As well, there would be a need for a range of businesses supplying a wide range of family requirements, from supermarkets to hairdresser to accountants and newsagents.

We understand that TRC is aware of these considerations and that they are in the process of being investigated through the Place-based Planning Project. Many of the above requirements are not aspects that can be directly controlled by TRC, but will rely on state government funding. However, the timely provision of state-funded facilities is considerably more likely to be achieved if the relevant state government departments are kept closely informed of anticipated population trends. A similar comment applies to facilities supplied by private business.



At the same time, TRC will need to schedule and deliver those facilities for which it is logically responsible and consider potential for industrial estate development in regional centres to foster industries that are specifically relevant to those locations.

Council's current programs to provide a sustainable planning framework for rural towns and localities should continue as a priority for the administration and develop strong connections with infrastructure/service providers.

11.3 Transport

For agricultural industries, transport of produce to markets is a critical requirement, and has strongly impacted rural activities in the area over the last 150 years. State controlled highways and railways are not council responsibilities, however Council can address the freight transport network and provision of truck depots.

Currently, road trains primarily reach Toowoomba along either the Gore Highway (from Goondiwindi) or Warrego Highway (from Dalby), and drivers seek to locate suitable trailer parking space close to each of those highways. Formal, designated areas for trailers to be parked are lacking, with the result that truck drivers are forced to find a range of "informal" areas to park their trailers, resulting in a range of complaints and attempts to prevent such activities. Ideally, a suitable trailer parking area would be sealed, have reasonable security, access to facilities for driver use and offer suitable entry to the main highways. As trucks are large and slow to accelerate when entering onto the highway, it would be highly desirable for highway access to have good visibility and include overtaking lanes to minimise disruption for other traffic. Construction of the northern range bypass would simplify the situation to some degree, in that restrictions on trucks travelling across the range may then no longer apply. As well, it might then be possible to develop a single designated parking area within the Charlton-Wellcamp Industrial area.

As changes in the current range crossing seem unlikely in the near future, it may be wise to encourage development of depots for truck/trailer parking along the major highways at locations close to, but not within, Toowoomba city. For the Gore Highway, possible locations may include Drayton, Westbrook, Southbrook, or Pittsworth, whereas Charlton or Oakey seem logical locations along the Warrego Highway. Location in zones where speed limits are reduced to 60 or 80 km/h may be advisable to minimise traffic disruption.

The degree to which such options would be considered suitable by the truck operators will depend on the costs involved. For example, smaller operators will favour a facility that caters for casual irregular use, and it may well be that large, well-equipped and more costly facilities will not meet the needs of a significant proportion of those currently needing informal depots. If TRC seeks to pursue the option of designating new truck depots to support the area's requirements, it is preferable for such land to be located within an Industry Zone.

11.3.1 Informal Truck Depots

Currently, road regulations prohibit road trains (prime mover plus 2 long trailers) from passing through Toowoomba and using the range crossing to access Brisbane. B-doubles (prime mover plus one short and one long trailer) are allowed. The logical



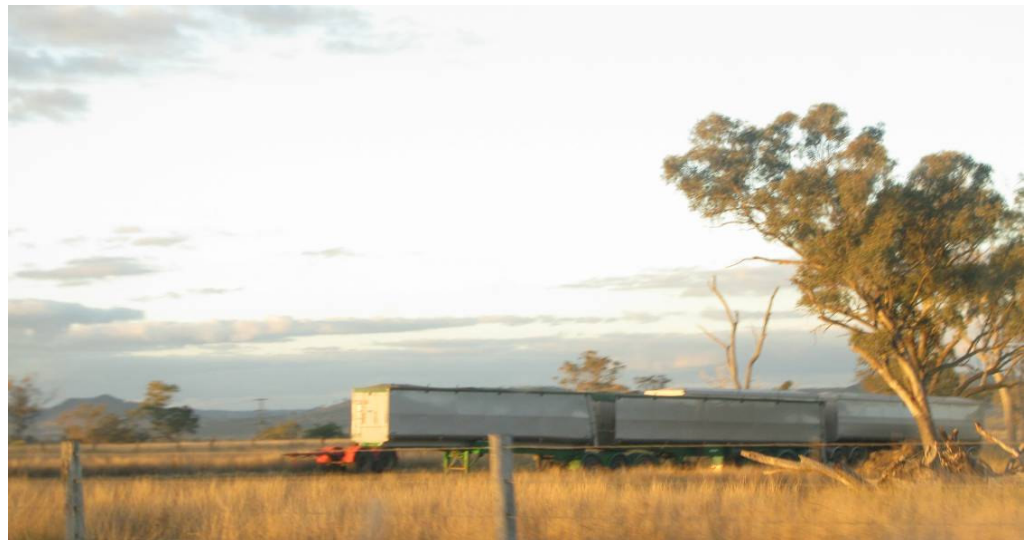
consequence of this is that road trains reaching Toowoomba need to detach one trailer and park that trailer somewhere whilst taking the trailers to Brisbane one at a time.

Formal, designated areas for trailers to be parked are lacking, with the result that truck drivers are forced to find a range of “informal” areas to park their trailers, resulting in a range of complaints and attempts to prevent such activities (refer **Photograph 11.1**). Currently, road trains primarily reach Toowoomba along either the Gore Highway (from Goondiwindi) or Warrego Highway (from Dalby), and drivers seek to locate suitable trailer parking space close to each of those highways. Ideally, a suitable trailer parking area would be sealed, have reasonable security, access to facilities for driver use, and suitable entry to the main highways. As trucks are large and slow to accelerate when entering onto the highway, it would be highly desirable for highway access to:

- (a) Have good visibility; and
- (b) Include overtaking lanes to minimise disruption for other traffic.

Construction of the northern range bypass would simplify the situation to some degree, particularly as it might be possible to develop a single designated parking area within the Charlton Industrial Estate. However, that possibility is clearly at least some years distant.

Consequently, TRC needs to develop some solution to the current situation. One option would be to encourage development of depots for truck/trailer parking along the major highways at locations close to, but not within, Toowoomba city. For the Gore Highway, possible locations may include Westbrook, Southbrook, or Pittsworth, whereas Charlton or Oakey seem logical locations along the Warrego Highway. Location in zones where speed limits are reduced to 60 or 80 km/h may be advisable to minimise traffic disruption.



PHOTOGRAPH 11.1: INFORMAL TRUCK PARKING, PITTSWORTH



11.4 Summary

Infrastructure provision and the road and freight network are key issues affecting the health and wellbeing of rural communities. Infrastructure planning activities undertaken by State Government and Council through its Place-based Planning initiative will be critical in determining those areas that may be appropriate for rural residential development or the further intensification of rural activities.



12. Conclusion

This Final Report brings together all aspects of the Rural Land Use Study into one report and provides direction to underpin all planning scheme content relating to development within the rural areas of Toowoomba. The report recommends that:

- (a) Good Quality Agricultural Land and surrounding buffer areas should be included in a "Good Quality Agricultural Land Overlay" with code provisions limiting any development which may alienate such land for rural purposes, unless there is an overriding need in terms of public benefit;
- (b) Lot sizes are generally too small to support economically viable rural enterprises. Further fragmentation of lots in areas zoned rural should not be permitted unless there is an overriding need for the development in terms of public benefit;
- (c) Rural Residential Zone requirements should ensure that any development which occurs on such lots includes an appropriate buffer on-site to minimise potential impacts with ongoing rural activities;
- (d) Intensive animal industries should be appropriately separated from sensitive receptors through the use of an overlay including appropriate buffer distances as outlined in current industry standards;
- (e) Rural industries impact on infrastructure (e.g. road access) and should have specific requirements within the Rural Zone Code to ensure that site layout, scale, setbacks, buffers and heights are appropriate for location within a rural rather than industrial zone;
- (f) Rural tourism provides opportunities to diversify the local economic base and should be encouraged through the Strategic Framework and Rural Zone Code in locations where it does not conflict with agricultural production or adversely affect rural character/amenity;
- (g) Rural character should be protected by the inclusion of land located in the "Scenic Amenity Study - Constraint 3 zone" in the "Significant Vistas, Landscapes and Natural Features Overlay". The Overlay Code should require development on such land to prepare a scenic assessment which includes any possible mitigation measures to protect the specific scenic feature;
- (h) Mining should, to the greatest extent practicable, not occur in locations where this activity will result in the permanent alienation of GQAL including productive agricultural and pastoral land. Implementation of this recommendation is outside the scope of local government planning schemes and would require high level dialogue with the Queensland Government to establish a clear State-wide approach to managing this emerging issue;
- (i) Water resources, including the availability and impact on such resources, should be a key issue for Council to consider when assessing the suitability of development applications in the Rural Zone (e.g. tourism and intensive animal industries); and



- (j) Infrastructure provision such as community facilities and transport should be coordinated with service providers to ensure that a range of community facilities is available in rural centres in accordance with Council's Place-based Planning Project.



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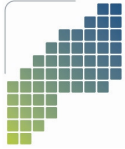
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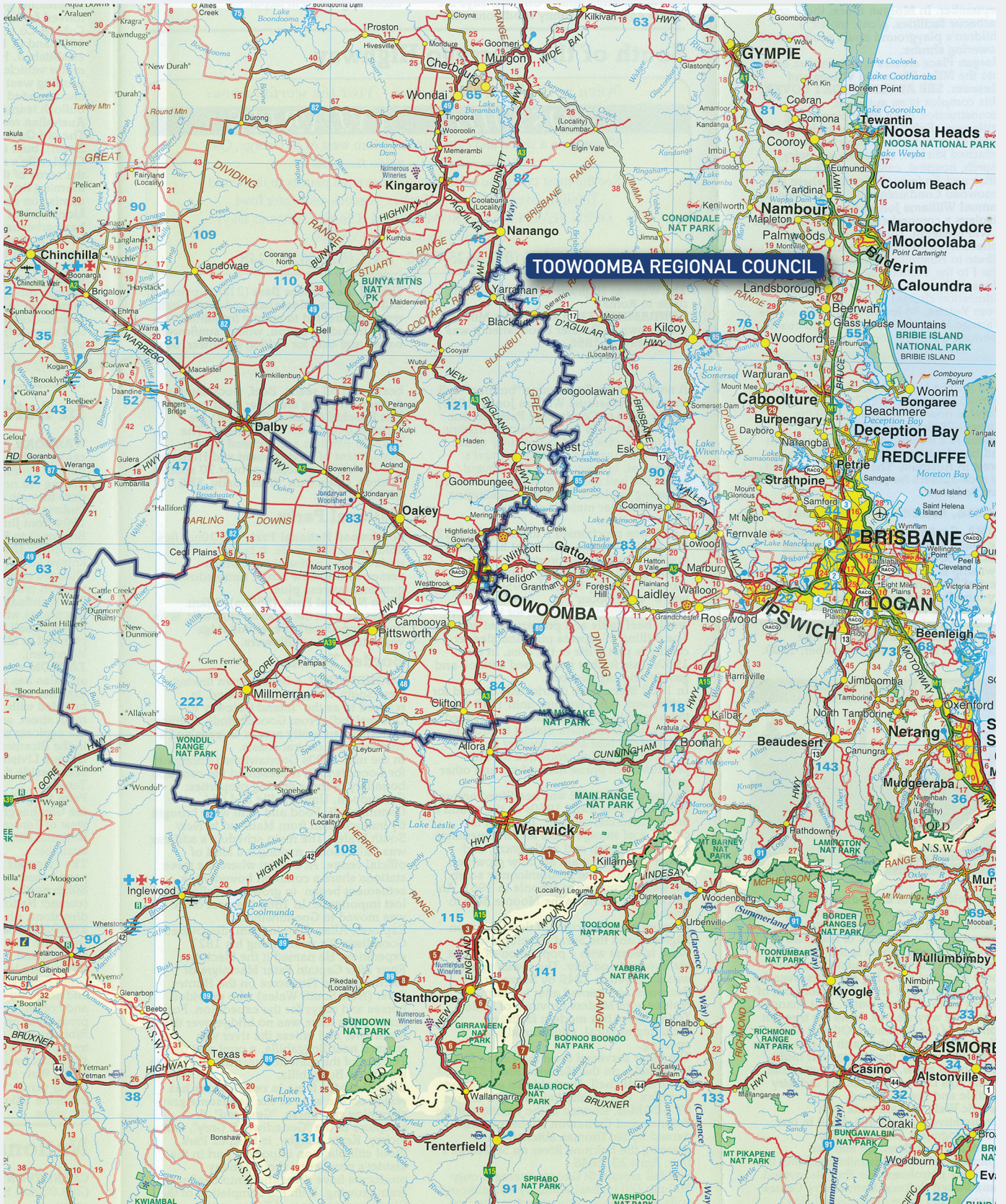
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End Figures

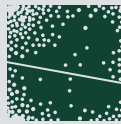


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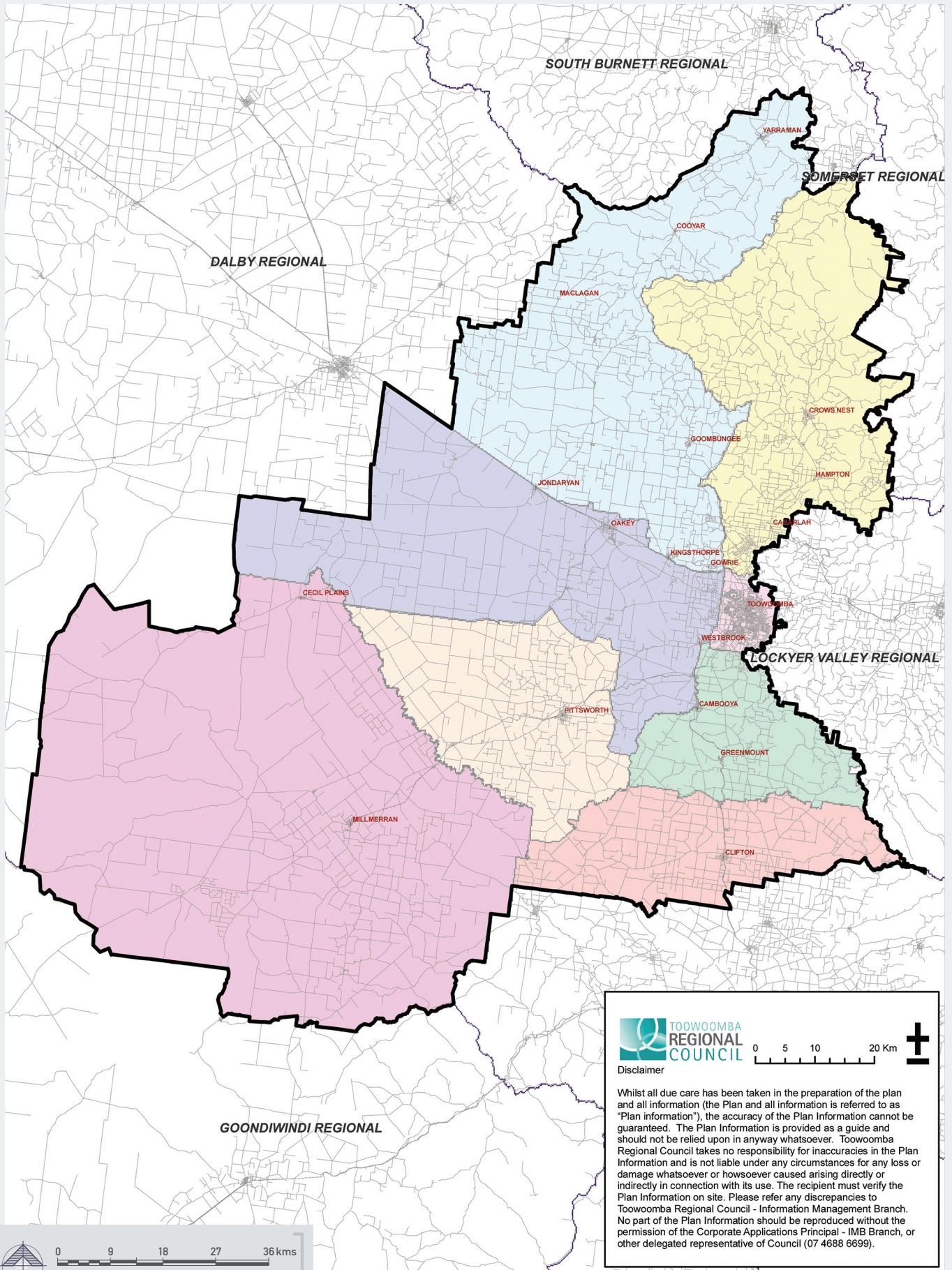


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HUMPHREYS REYNOLDS PERKINS PLANNING CONSULTANTS

Location Map



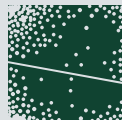
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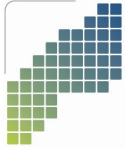
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Toowoomba Regional Council Map



Appendix A – Summary of Rural Planning Scheme Provisions

Appendix A – Summary of Rural Planning Scheme Provisions

Cambooya Planning Scheme

Rural Areas:

Rural Land Use Area

Definitions:

"Agriculture" means the growing and harvesting of crops, pastures, flowers, fruit, vegetables or the like other than for domestic purposes and trees (native or exotic) for forestry. The term includes the storage and packing of produce grown on the same site.

"Animal husbandry" means the keeping, depasturing or stabling of any animal, bird, insect, reptile, fish or crustaceans, other than as domestic pets or for domestic purposes, or where the number of animals is below the threshold which is used to define an intensive animal industry or a kennel or cattery as defined below.

"Dam" means earthworks interfering with natural ground level designed for purposes of capturing and storing water.

"Intensive animal industry" means the keeping of animals, birds, reptile, fish or crustaceans with predominantly introduced water and feeding (as opposed to grazing), including, but not limited to:

- aquaculture where involving:
 - off-site discharge of wastes to natural waters; or
 - freshwater tanks with a total production area of >2000m² (or >750m² where oxygen injection is used); or
 - freshwater ponds with a total surface area of >5ha;
- the keeping of the following animals in numbers exceeding that indicated below:

	Rural Land Use Area
Pigs	20
Poultry	100
Emu/Ostrich	20
Dairy Cows	100
Cattle Feedlots	49
Goats	20
Sheep feedlots	20

"Kennels and catteries" means the boarding, breeding or training of more than two dogs or cats over 4 months of age. The term does not include the keeping of more than two dogs for bona fide farm purposes.

"Vegetation clearing" means to remove, cut down, ringbark, push over, poison or destroy (including destruction by burning, flooding or draining) vegetation in any way, other than for forestry.

Desired Environmental Outcomes:

3.2 PROMOTING ECONOMIC DEVELOPMENT

3.2.1 Natural Economic Resources

Desired Environmental Outcome

Good quality agricultural land and extractive industry deposits are protected from development that could reduce the productivity of these natural economic resources.

3.2.2 Economic Opportunities

Desired Environmental Outcome

Employment opportunities are increased through expansion of existing industry and through the establishment of new economic activities in the Shire.

3.3 ENSURING COMMUNITY WELLBEING

3.3.1 Settlement Pattern

Desired Environmental Outcome

Development, particularly for residential purposes, occurs in a manner that reinforces a sense of community identity and maximises use of existing infrastructure. Rural residential

living is accommodated in preferred areas of the Shire in a manner that protects the rural character and scenic landscapes. Development that improves accessibility of residents to community services, employment opportunities and to alternative forms of transport, and maintains the safe and efficient use of major transport infrastructure is preferred.

3.3.2 Rural Character and Cultural Heritage

Desired Environmental Outcome

The Shire's rural character and places of cultural heritage significance (both indigenous and non-indigenous) are maintained.

Rural Land Use Intent:

The Rural Land Use Area is intended to be used for a range of rural pursuits, including agriculture and animal husbandry. It is also intended to accommodate areas important landscape and /or ecological values.

Landscape Units:

Uplands Landscape – remnant vegetation, indigenous cultural heritage, landscape character

Plains Landscape – highly productive, corresponds with GQAL

Rural Buffer – transition between Rural Residential in north and agricultural activities

Levels of Assessment:

RURAL LAND USE AREA

Self-Assessable –

Agriculture where not within road reserve or watercourse

Animal husbandry where not within road reserve or watercourse

House where not within road reserve or watercourse

Home-based business where involving only minor building work

Host home accommodation where having a capacity for up to 8 persons and involving only minor building work

Code Assessable –

Agriculture where within road reserve or watercourse

Animal husbandry where within road reserve or watercourse

Farm Forestry

Reconfiguring a Lot where lots are greater than:

- 16ha in the Rural Buffer Area;
- 40ha in the Plains Areas;
- 64ha in the Uplands Areas;
- 8,000m² in Felton township

or where the reconfiguring results in lots smaller than those specified above and complies with the circumstances set out in the Acceptable Solutions A1.4 or A1.5 in the Reconfiguring a Lot Code.

Impact Assessable –

Home-based business where not complying with relevant acceptable solutions in the Home Based Business Code

All other purposes

Reconfiguring a Lot – all other circumstances

Code Provisions:

Reconfiguring a Lot Code:

Minimal lot size:

- 16ha in the rural buffer area identified on Overlay Map 1;
- 40ha in the plains areas, as identified on Overlay Map 1;
- 64ha in the uplands areas, as identified on Overlay Map 1.
- 8,000m² in Felton township, as identified on Overlay Map 1.

OR boundary rearrangement to improve relationship to natural features or provide for improved land management practices

OR accommodate activity approval granted, provided sufficient buffers to rural activities

Minimum frontage 200m

Rural Development Code:

Max 2 storeys (other than silos, windmills and similar rural structures)

Boundary clearances

- 50m from the New England Highway;
- 25m from a State controlled road;
- 15m from any other public road; and
- 15m from the boundary.

Stables or animal enclosures – 50m from existing or approved houses on adjoining properties and 15m from house on site

Bee keeping – min 25m setback from road, 200m from Township Area

Kennels and Catteries – min boundary clearance 30m from residential building other than residence on site, 50m from property boundary, min site area 8,000m².

Overlay Maps:

Overlay Map 1 - State-controlled road

Overlay Map 2 - Good Quality Agricultural Land

Overlay Map 3 - Remnant Vegetation

Overlay Map 4 – Vulnerable Groundwater

Overlay Map 5 – Key Resource Areas and Gas Pipeline

Overlay Map 6 - Floodplain

Overlay Map 7 - Bushfire Prone Areas

Clifton Planning Scheme

Rural Areas:

Rural Land Use Area

Definitions:

"Agriculture" means the growing and harvesting of crops, pastures, flowers, fruit, vegetables or the like other than for domestic purposes. The term includes the storage and packing of produce grown on the same site.

"Animal husbandry" means the keeping, depasturing or stabling of any animal, bird, insect, reptile, fish or crustaceans, other than for domestic purposes. The use does not include an intensive animal industry or a kennel or cattery as defined below.

"Intensive animal industry" means the keeping of animals, birds, reptile, fish or crustaceans in close quarters with predominantly introduced water and feeding (as opposed to grazing), including

(a) aquaculture where involving:

– off-site discharge of wastes to natural waters; or
– freshwater tanks with a total production area of >2000 m² (or >750 m² where oxygen injection is used); or

– freshwater ponds with a total surface area of >5 ha;

(b) keeping of the following animals exceeding the numbers indicated for each Land Use area in the table below

	Rural Residential Lots (<20ha)	Rural Lots (>20ha)
Pigs	5	20
Poultry	20	100
Emu/Ostrich	5	20
Dairy Cows	2	100
Cattle	2	50
Goats	5	20
Sheep	5	20

"Kennels and catteries" means the keeping, boarding, breeding or training of more than three (3) dogs or cats over 3 months of age. The term does not include the keeping of more than three (3) dogs for bona fide farm purposes.

"Non-traditional animal industry" means the keeping of animals or birds, other than cattle, sheep or horses for commercial purposes in predominantly free range feeding situations including, but not limited to:

- Pigs (more than 50 standard pig units);
- Poultry (more than 1000 birds).

"Private forestry" means:

(a) "Plantation Forestry" - the use of land for the establishment, silviculture, management, harvesting and limited initial processing, (such as log merchandising, preparing fence posts and poles) of purpose planted native or exotic trees on private land. The term includes portable saw milling but does not extend to kiln drying or other value adding such as chemical treatment or oil extraction techniques.

(b) "Native Forestry" - the use of land for the management, silviculture, harvesting, enrichment planting and limited initial processing, (such as log merchandising, preparing fence posts and poles) of native forests on private land. The term includes portable saw milling but does not extend to kiln drying or other value adding such as chemical treatment or oil extraction techniques.

Desired Environmental Outcomes:

3.2 PROMOTING ECONOMIC DEVELOPMENT

3.2.1 Natural Economic Resources

Desired Environmental Outcome

Good quality agricultural land and extractive industry deposits are protected from development that could reduce the productivity of these natural economic resources.

3.2.2 Economic Opportunities

Desired Environmental Outcome

Employment opportunities are increased through expansion of existing industry and the establishment of new economic activities in the Shire.

3.3 ENSURING COMMUNITY WELLBEING

3.3.1 Settlement Pattern

Desired Environmental Outcome

Urban and rural residential development occurs in a manner that reinforces:

(a) a sense of community identity and maximises the efficiency of existing infrastructure and settlements;

(b) accessibility of residents to community services, and employment opportunities and allows for the provision of alternative forms of transport and maintains the safe and efficient operation of major transport infrastructure.

3.3.2 Cultural Heritage and Rural Character

Desired Environmental Outcome

The Shire is recognised for its rural character and for the conservation of its buildings and places of cultural heritage significance (both indigenous and non-indigenous).

Rural Land Use Area Intent:

The Rural Land Use Area is intended to be used for a range of rural pursuits, including agriculture, horticulture, grazing and farm forestry. It is also intended to accommodate areas with important landscape and /or ecological values.

Landscape Units:

Uplands Landscape – remnant vegetation, indigenous cultural heritage, landscape character

Plains Landscape – highly productive, corresponds with GQAL

Levels of Assessment:

RURAL LAND USE AREA

Self-Assessable –

Agriculture where not within a waterway or road reserve

Animal husbandry

House

Home-based business where involving only minor building work

Host home accommodation where having a capacity for up to 4 persons and accommodated in existing buildings and structures, or involving only minor building work

Code Assessable –

Agriculture where within a waterway or road reserve

Private Forestry

Home-based business where complying with the acceptable solutions in Home Based Business Code and involving building work that is not minor

Host home accommodation where having a capacity for 5 to 12 persons or involving building work that is not minor

Low impact industry, where involving the handling, treating, processing, researching, storage or packing of primary produce (other than animal produce).

Reconfiguring a Lot where lots are at least:

- 40ha in the Plains Areas;
- 64ha in the Uplands Areas

or where the reconfiguring results in smaller lots and meets the circumstances set out in section 6.12.

Impact Assessable –

Home-based business where not complying with relevant acceptable solutions in the Home Based Business Code

All other purposes

Reconfiguring a Lot – all other circumstances

Code Provisions:

Reconfiguring a Lot Code:

Min lot size:

- 40ha in Plains Areas;
- 64ha in Uplands Areas.

A proposed lot is smaller if no additional lots, improves the relationship of the lots to natural features, or provides for the implementation of improved land management practices.

A proposed lot is smaller if accommodates activity approval granted, provided sufficient buffers to rural activities

Proposed lot "*smaller than 5ha where intended principally for residential purposes and complies with performance criterion P2*" (Rural Res)

Rural Development Code:

Max 2 storeys (other than silos, windmills and similar rural structures)

Boundary clearances

- 50m from the New England Highway;
- 25m from a State controlled road;
- 15m from any other public road; and
- 15m from the boundary.

Stables or animal enclosures – 50m from existing or approved houses on adjoining properties, 15m from house on site, not more than 1 horse/2000m², screen fence adjoining Township, Residential or Major Community Facilities Land Use Areas

Bee keeping – setback 25m from road, 200m from Township or Residential Land Use Area
50m setback between buildings and watercourse

Overlay Maps:

Overlay Map 1 – Rural Landscapes

Overlay Map 2 – Good Quality Agricultural Land

Overlay Map 3 – Regional Ecosystems

Overlay Map 4 – Vulnerable Groundwater Areas

Overlay Map 5 – State-Controlled Roads

Overlay Map 6 – Key Resource Areas and Gas Pipeline

Overlay Map 7 – Floodplains

Overlay Map 8 – Bushfire Prone Areas

Crows Nest Planning Scheme

Rural Areas:

Rural Zone

Definitions:

2.5.5 Rural Uses

Agriculture

means the use of any premises or other structures for the growing of crops, fruit, vegetables, and the like including horticulture.

Animal Husbandry

means any premises used for the keeping, depasturing, penning or stabling of animals, birds, insect, reptile or fish.

Cattery

means any premises used for the commercial breeding or boarding of cats.

Forestry

means any premises used or intended for use for the planting, growing, harvesting of trees and limited portable saw milling for log merchandising.

Intensive Rural Use

means any premises used for, keeping animals in open or covered pens, feedlots, stalls or tanks, breeding, or growing animals or fish on an intensive, high density basis and fed with prepared or manufactured fodder; the term includes associated and ancillary uses required for the operations and includes the following:

- a feedlot of any size
- a piggery exceeding 20 standard pig units
- a poultry farm exceeding 25 birds
- a dairy exceeding 10 cattle or goats
- aquaculture where the total pond area exceeds 200m²

Kennel

means any premises used for the commercial boarding or breeding of dogs.

Rural Industry

means any industry handling, treating, processing or packing primary products produced on land on which it is situated. The term includes the servicing on the land of plant or equipment used for the purposes. The term includes, but is not limited to, those listed below:

- Produce store
- Stock and poultry feeds
- Soil additives and mixtures
- Extraction and fermentation of fruit juices
- Wineries (including cellar door sales)
- Secondary processing of forestry products
- Ancillary shop for products produced on the site with a maximum 100m² GFA

Stable

means any premises used for the stabling or keeping of an animal. The term includes a roofed yard.

Desired Environmental Outcomes:

Character and Lifestyle

1. Crows Nest Shire has an identifiable rural amenity and urban character within established areas of development at Crows Nest, Highfields, Hampton, Cabarlah, Blue Mountain Heights and Meringandan.
2. Rural uses and good quality rural agricultural land are protected from urban and rural residential development in accordance with SPP1/92.
3. Cultural heritage features of Crows Nest Shire are protected from significant change.

.....

Green Spaces and Natural Resources

9. The semi-rural character of the Shire is maintained.
10. The interurban breaks to the south and west of Highfields are maintained as non-urban areas supporting activities that reinforce their natural and rural character with no further fragmentation of allotments in the area.

Development and Industry

22. Conflict of uses in urban and rural areas is minimised.

Levels of Assessment:

RURAL ZONE

Exempt –

Agriculture
Animal Husbandry if not associated with aquaculture

Self-Assessable –

Dwelling House
Home Business
Host Premises (if not located in areas designated as Constraint Precinct on the Zone maps)
Rural Industry (if not located in areas designated as Constraint Precinct on the Zone maps)
if primary products utilised are exclusively produced on site

Code Assessable –

Cattery or Kennel (if not located in areas designated as Constraint Precinct on the Zone maps)
Home Business if acceptable solutions of Home Business Code are not complied with
Host Premises (if not located in areas designated as Constraint Precinct on the Zone maps)
if acceptable solutions of Host Premises Code are not complied with
Plant Nursery
Forestry
Rural Industry (if not located in areas designated as Constraint Precinct on the Zone maps)
if off site primary products and onsite products are utilised
Lot Reconfiguration

Impact Assessable –

All other uses

Consistent Uses:

Agriculture
Animal Husbandry(not associated with aquaculture)
Cattery or Kennel (if not located in areas designated as Constraint Precinct on the Zone maps)
Community Activities
Dwelling House (if not located in areas designated as Constraint Precinct on the Zone maps)
Extractive Industry (if located not within the Urban Water Storage Catchment)
Holiday Cabin Development,(if not located in areas designated as Constraint Precinct on the Zone maps)
Home Business (if not located in areas designated as Constraint Precinct on the Zone maps)
Host Premises (if not located in areas designated as Constraint Precinct on the Zone maps)
Park
Plant Nursery
Forestry
Public Utility
Rural Industry (if not located in areas designated as Constraint Precinct on the Zone maps)
Recreational Use (if Outdoor Recreation Area)
Recreational Trails
Refreshment Premises (Café/Restaurant) if in conjunction with a Tourist Attraction
Relatives Apartment (if not located in areas designated as Constraint Precinct on the Zone maps)
Tourist Attraction (low key) in the Inter-Urban Break Precinct

Inconsistent Uses:

Adult Entertainment
Brothel
Commercial Facilities
Caravan Park (if located within the Inter-Urban Break Precinct on the Zone maps)
Extractive Industry (if located within the Urban Water Storage Catchment)
Refreshment Premises if not in conjunction with a Tourist Attraction

Residential Premises

Cattery and Kennel (if located: South of Reushle Road, in areas designated as Urban Water Storages catchment or Constraint Precinct on the Zone maps)

Dwelling house (if located in areas designated as Constraint Precinct on the Zone maps)

Holiday Cabin Development (if located in areas designated as Constraint Precinct on the Zone maps)

Home Business (if located in areas designated as Constraint Precinct on the Zone maps)

Host Premises (if located in areas designated as Constraint Precinct on the Zone maps)

Intensive Rural Use (if located: South of Reushle Road, in areas designated as Urban Water Storages catchment or Constraint Precinct on the Zone maps)

Relatives Apartment (if located in areas designated as Constraint Precinct on the Zone maps)

Recreational Uses (other than Outdoor Recreation Area) (if located in areas designated as Constraint Precinct on the Zone maps)

Rural Industry (if located in areas designated as Constraint Precinct on the Zone maps)

Professional Office

Specific Outcomes/Probable Solutions:

Structures no higher than existing structures or if remote from other buildings, no higher than 10m above ave ground level

Code Provisions:

Lot Reconfiguration Code:

100ha/500m frontage, 1:5 frontage/depth ratio

Agriculture Code:

Horticulture – no exceed 8ha, house on same site, total GFA (other than house and domestic outbuilding) not exceed 180m², cultivation not within 10m of boundary.

Intensive Rural Use Code:

Specific separation distances for different uses (refer to 6.21.3(b)).

Rural Industry Code:

Min separation distances:

- 20m from all property boundaries except rural zones
- 4m side boundary for vacant rural zone land, otherwise 20m
- 50m from property boundaries for
 - bulk stock and poultry feed
 - bulk soil additives and mixtures
 - buildings associated with extraction of fruit juices

Allotment min 4,000m²

Overlay Maps:

Bushfire

Biodiversity, Water Catchment and Water Course

Good Agricultural Land and Extractive Resources

Landslip and Flood Hazard

Vegetation and Wildlife Corridors

Jondaryan Planning Scheme

Rural Areas:

Rural Zone

Definitions:

Agriculture the growing and harvesting of crops, pastures, flowers, fruit, vegetables or any plants or trees, other than for domestic purposes, including the storage, packing and sale of produce grown on the same site. The term includes horticulture and viticulture and the repair and servicing of machinery and activities normally undertaken in regard to agriculture. The term does not include Private Forestry, Plant Nursery or Rural Industry.

Animal Husbandry the keeping, depasturing or stabling of any animal, bird, insect, reptile, fish or crustacean, other than for domestic purposes. The term includes the use of land for cattle, sheep, goat and horse grazing, animal breeding establishments and holding yards where less than 50 head of animals (or 20 pigs) are kept in a confined area. The term does not include Aquaculture, Intensive Animal Husbandry, Stables, Veterinary Establishments and Kennels and Catteries.

Aquaculture the cultivation of live fisheries resources (where such resources are defined in the

Fisheries Act 1994) and includes:

- Aquaculture (minor) where the premises involve freshwater tanks with a total production area of <2000sqm (or <750sqm where oxygen injection is used), or freshwater ponds with a total surface area of <5ha, and no off-site discharge of wastes from the tanks or ponds to natural waters; and
- Aquaculture (significant) where the premises are other than as defined as (minor).

For the purpose of this definition:

- "ponds" mean water containing structures formed by hollowing, excavating or embanking natural surfaces.
- "tanks" mean a free standing vessel made from plastic, metal, concrete or other material designed to hold water.

Dairy premises used as a milking shed in association with a dairy feedlot or the grazing of dairy cattle and goats.

Intensive Animal Husbandry the keeping of more than 50 head of animals (or 20 pigs), birds or reptiles in a confined area with predominantly introduced water and feeding (as opposed to grazing), including, but not limited to; beef and dairy feedlots, piggeries, poultry farms, emu and ostrich farms and other animals eg goats, deer, alpaca and sheep.

Kennels and Catteries the keeping of dogs or cats whether for boarding, breeding, training or other purposes. The term does not include the keeping of domestic pets or more than two dogs for bona fide farm purposes in accordance with Council's Local Law No. 6.

Private Forestry propagating, cultivating, managing and harvesting of native forestry and purpose planted forests on private land for timber production. The term includes portable saw milling only of wood produced on the allotment, but no kiln drying or other value adding such as chemical treatment or oil extraction

Rural Industry an industry (not being a High Impact Industry) for the handling, treating, processing or packing of primary produce (not being animal produce), produced on the same site.

Stables the housing of more than 3 horses. The term includes associated structures such as roundyards, dayards and exercise facilities

Veterinary Farm examination, medical treatment, artificial insemination or surgery of animals where located on a rural property with a minimum site area of 8ha.

Desired Environmental Outcomes:

- a) The Shire's natural and scenic attributes, biodiversity values and ecological processes are protected and maintained.
- b) The Shire's natural economic resources are sustainably managed and utilised in a manner that ensures their ecological and economic values are available for future generations.
- c) Jondaryan Shire has a sustainable industrial and rural base, with a wide range of employment opportunities due to the expansion of existing industries and the establishment of new economic activities, especially those that are of regional importance.....

Levels of Assessment:

RURAL ZONE

Self-Assessable –

Agriculture
Animal Husbandry where allotment is greater than 8ha
Private Forestry
Stables where allotment is greater than 8ha

Code Assessable –

Animal Husbandry where allotment is between 4ha and 8ha
Aquaculture where “minor”
Dairy
Kennels and Catteries
Rural Industry
Stables where allotment is between 4ha and 8ha
Reconfiguring a Lot

Impact Assessable –

Animal Husbandry where allotment is less than 4ha
Aquaculture where “significant”
Intensive Animal Husbandry (inconsistent use where located within the catchment area of Lake Broadwater shown on map OM1A)
Stables where allotment is less than 4ha
Veterinary Farm
All other uses (inconsistent)
Reconfiguring a Lot where any resulting lot is less than the lot size nominated for the Rural Zone in Table 1 of the Reconfiguring a Lot Code.

Specific Outcomes, Acceptable Solutions and Probable Solutions:

Animal Enclosures:

Setbacks -

- 50m from existing or approved residential purpose on adjoining properties;
- 15m from residential purpose on same allotment; and
- 15m from any boundary

Bee keeping – 25m from road, 200m from residential area

Sale of Produce:

Structure max 20m² floor area, setback 15m from boundary

Code Provisions:

Codes for Stated Purposes: Aquaculture, Intensive Animal Industry, Kennels and Catteries, Private Forestry, Stables

Reconfiguring a Lot Code:

Rural Zone – 80ha/300m frontage

Overlay Maps:

Conservation
Economic Resources
Major Infrastructure and Corridors

Millmerran Planning Scheme

Rural Areas:

Rural Zone

Definitions:

"Agriculture" means any premises used for the growing and harvesting of crops, pastures, flowers, fruit, vegetables and the like. The term includes horticulture, the growing and harvesting of plantation timber on private land (i.e. farm forestry) and the storage and packing of produce grown on the same site. The term does not include domestic horticulture or native timber harvesting.

"Cattery or Kennel" means premises used for boarding, breeding, keeping or training of cats or dogs for business purposes or for their impoundment.

"Cattle Feed Lot" means feeding cattle prepared or manufactured stockfeed at levels greater than necessary for survival in a confined area having a capacity of:

- (i) 150 or more standard cattle units;
- (ii) Other in accordance with Environmental Protection Regulations 1998 – Schedule 1(2)

"Forestry" means any land, building or other structure used or intended for use for the planting, growing and harvesting of trees as a commercial venture.

"Intensive Animal Industry" means the use of premises including buildings, structures, pens, storage areas and effluent treatment areas for commercial or other non domestic activities involving the breeding, keeping or depasturing of animals where the animals:

- a. are reliant on prepared or manufactured feed for production purposes¹⁹; and/or
- b. are temporarily held pending transportation or marketing.

The term includes the use of premises for purposes such as:

- (a) Aquaculture
- (b) Dairy
- (c) Commercial Livestock Dip
- (d) Cattle, Sheep or Goat Feed Lot
- (e) Piggery
- (f) Stable
- (g) Cattery
- (h) Kennel
- (i) Commercial Stockyard.
- (ii) Poultry farm

"Piggery" means any premises used for the keeping, pasturing, feeding or watering of pigs, or the disposal of wastes so produced where the number of pigs exceeds ten (10).

"Poultry Farm" means any premises used for the keeping, breeding, feeding or watering of poultry, or the disposal of wastes so produced where the number of birds exceeds one hundred (100).

"Refrigerated Animal Carcass Storage" means refrigerated containers set up to receive and store carcasses of animals.

Desired Environmental Outcomes:

(a) Environment

(i) The areas of high scenic amenity, remnant vegetation, wetlands, fauna habitats and wildlife corridors and regionally significant open space in the Shire are protected.

(ii) Places, areas or sites identified as being susceptible to land degradation, including contamination, erosion, salinity and landslip, are protected and further degradation is minimised.

(iii) Ecological sustainability is achieved by maintaining and improving biodiversity, water and air quality.

(iv) Places of historical and indigenous cultural heritage and social significance are protected, maintained and enhanced.

(b) Economic

(i) Good Quality Agricultural Land is protected as a major economic resource for the region.

(ii) Key Resource Areas, extractive resources, petroleum, gas and mineral resources are protected as a major economic resource for the region.

(iii) Industry, business and employment opportunities are improved and appropriately located to service the community and region, and encourage economic activity within the local area.

(iv) Rural business opportunities are improved to protect and value-add to the existing rural based economy.

(c) Community Well-Being & Lifestyle

(i) A convenient access to roads and services is achieved through well located land uses and the efficient use and timely provision of infrastructure such as water, sewerage and roads, walkways and cycling facilities.

(ii) Rural residential and urban residential development occurs in distinct localities that provide a sense of community, amenity, services, and a safe, affordable living environment, whilst maintaining rural amenity

(iii) Infrastructure networks such as road, rail, water cycle and electricity are protected from encroachment by sensitive land uses which may adversely affect or limit the normal operation of that infrastructure

(iv) The role and identity of Millmerran as the main business and community centre of the shire is consolidated;

(v) The adverse effects from natural and other hazards, including bushfires are minimised.

(vi) The range of housing types, services and facilities meets the needs of the community and other uses.

Levels of Assessment:

RURAL ZONE

Exempt -

Agriculture and Grazing

Code Assessable –

Catteries and Kennels

Forestry where not in Rural Settlement Precinct

Reconfiguring a Lot

Impact Assessable –

Forestry where in Rural Settlement Precinct

All except use for a road

Code Provisions:

Rural Zone Code:

Provisions for Specific Land Uses – Catteries and Kennels and Forestry.

Reconfiguring a Lot Code:

GQAL land – min 100ha

Not GQAL – min 300ha

Small Farm Precinct – min 40ha, min width to depth ration of 1:4

Overlay Maps:

Good Quality Agricultural Land

Protected Areas

Bushfire Hazard Areas

Mining Leases

Pittsworth Shire Planning Scheme

Rural Areas:

Rural Zone

Definitions:

"Aquaculture" - the cultivation of live fish resources (where such resources are defined in the Fisheries Act 1994) and includes:-

- **Aquaculture (minor)** where the premises involve freshwater tanks with a total production area of <2,000m² (or 750m² where oxygen injection is used), or freshwater ponds with a total surface area of < 5 hectares and no off-site discharge of wastes from the tanks or ponds to natural waters;

Aquaculture (major) all aquaculture operations not included in the above description.

For the purposes of this definition:-

- "Ponds" mean structures containing water formed by hollowing, excavating or embanking natural surfaces.

- "Tanks" mean a free standing vessel made from plastic, metal, concrete or other material designed to hold water.

"Agriculture" - refers to the growing and harvesting of crops, pastures, flowers, fruit, vegetables, trees or similar other than for domestic purposes. The definition includes the storage and packing of produce grown on the subject site. The term includes horticulture and viticulture and the repair and servicing of machinery and activities normally undertaken in regard to agriculture.

"Animal Husbandry" - means the keeping of any animal, bird, insect or reptile, other than for domestic purposes. This does not include aquaculture "intensive animal industry", "stables" or a "kennel or cattery" as otherwise defined.

"Domestic Animal Husbandry" - means any premises used or intended for the use of keeping, raising, feeding and watering of animals, birds, insects, reptiles or fish, maximum numbers of which are noted below and which are kept in or about a dwelling house, business or industry for the interest, enjoyment or protection of the premises or the residents therein:

One hive of bees

Dogs, (not more than two over the age of six months)

Ornamental fish (no limit)

Cats (not more than four over the age of four months)

Caged birds (not more than 20)

Poultry (not more than 20)

"Good Quality Agricultural Land" (GQAL) - has the meaning assigned to it under State Planning Policy 1/92 and associated planning guidelines.

"Grazing" - means the use of premises for commercial or other non domestic activities involving the breeding, keeping or depasturing of animals, but does include "Intensive Animal Husbandry" or "Stables".

"Industry - Rural" - means the production, processing, packing and sale of rural produce on rural premises and includes the administration of the industry.

"Intensive Animal Industry" - means the keeping of animals, birds, reptiles, fish or crustaceans in enclosures such that they rely on the provision of introduced feed for their survival. The definition includes:

(a) Feedlot - the keeping of 49 or more beef or dairy cattle, sheep, goats, or other animal where such animals are held in pens or enclosures are sustained in the main on prepared or introduced fodder other than for drought or other emergency feeding.

(b) Piggery - the keeping, pasturing feeding or watering of more than 10 Standard Pig Units. Note: Environmental Authority Approval required from Department of Primary Industries and Fisheries even for 10 pigs or less.

(c) Poultry Farm - the keeping of poultry where the number of birds kept exceeds 20.

(d) Aquaculture (major) - the commercial production of fish, crustaceans or the like where the premises are not defined as minor aquaculture.

(e) Emu/Ostrich farm - the keeping of emus, ostriches and other similar large birds where the number of birds exceeds 20.

"Kennel and Cattery" - means the keeping, boarding or breeding of two or more cats or two or more dogs. The term does not include the keeping of stock-working dogs for bona fide farm purposes

"Rural Uses" - means premises used for activities involving the growing of crops or keeping of livestock including:

- (a) Agriculture;
- (b) Grazing; and
- (c) Intensive Animal Husbandry.

"Stables" - means any premises used or intended for use for the stabling or keeping of horses at a density greater than 1 horse per 0.5 hectare of the occupied area. The term does not include "animal husbandry".

Strategic Framework

Broad Strategies:

- Agricultural, mining and extractive uses are located within the rural area to take advantage of the economic potential of the area's natural resources
- Development is carried out with minimal impact on places of cultural and/or heritage significance.
- Potential for conflict between urban and rural land uses is minimised through the implementation of appropriate buffers and separation distances consistent with guidelines recommended in State Planning Policy 1/92.
- Development protects Good Quality Agricultural Land (GQAL) from fragmentation, alienation or encroachment of incompatible land uses in accordance with the State Planning Policy 1/92 – Development and Conservation of Agricultural Land.

1.8 Local Strategies for the Rural Zone

- (1) Development protects Good Quality Agricultural Land (GQAL) from fragmentation, alienation or encroachment of incompatible land uses in accordance with the State Planning Policy 1/92 - Development and Conservation of Agricultural Land.
- (2) Uses not requiring GQAL to support economic activity are located away from such land unless a site has particular features that make it desirable for the use and those features are not available on other land.
- (3) Development on the floodplain is located in a manner which does not adversely impact upon natural drainage lines and catchments.
- (4) Lot sizes for reconfiguration of land within the rural area is a minimum of 100 hectares.
- (5) All uses, buildings and other works are;
 - (a) located away from or designed to be compatible with and maintain visual and physical access to the cultural heritage features included in Schedule Five of Places of Local Heritage Significance; and;
 - (b) located and designed to avoid adverse effects on;
 - i. remnant vegetation and watercourses; and
 - ii. villages.
- (6) Intensive Animal Industry activities will be located in areas away from the floodplain. Encroachment of incompatible uses which may impact upon the operation of such activities will be avoided.
- (7) Industrial development requiring large land areas will be located in the Murlaggan Road/French Road area.
- (8) Any development in the zone does not prejudice or impact adversely on the Felton Key Resource Area.
- (9) The health and safety of residents and visitors in the rural area, and the amenity they enjoy are maintained.

Desired Environmental Outcomes:

(a) Natural Environment

The protection of Pittsworth Shire's natural environment so that biodiversity, ecological processes, land, water and air quality are maintained.

(b) Economic Development

Pittsworth Shire achieves a vibrant, diverse and sustainable economy.

(c) Community Wellbeing

Residential communities in the shire are well serviced, enjoy high levels of amenity and safety whilst also offering a variety of housing options and lifestyle choices for all households.

(d) Cultural Heritage

To ensure that the rural character of the shire and its places and areas of indigenous and non indigenous cultural heritage are protected and managed so that ongoing significance for the community is maintained or enhanced.

Levels of Assessment:

RURAL ZONE

Exempt –

Animal Husbandry and Grazing

Self-Assessable –

Agriculture

Kennel and Cattery

Code Assessable –

Aquaculture (minor)

Reconfiguring a lot

Impact Assessable –

All other uses (whether defined in this scheme or not except use for a road)

Code Provisions:

Rural Zone Code:

Potentially incompatible uses

- allotments up to 4 ha – min distance 15m from side and rear boundaries, 30m from road frontages

- allotments over 4ha, min distance of 20m from side and rear boundaries, 30m from road frontages

Provisions for specific uses – Intensive Animal Husbandry, Kennel and Cattery

Reconfiguring a Lot Code:

Rural Zone – 100ha, no depth greater than 4 times width of lot.

Lot may be smaller if:

- where a lot is severed by a surveyed public road constructed to sealed standard; and

- the created lots have frontage to a sealed road network; and;

- electricity is made available to each lot prior to separate titles being issued.

Lot may be smaller where land required for public infrastructure or community involvement, or rearrangement of boundaries would not create additional lots, no lot less than original lot size.

Overlay Maps:

Good Quality Agricultural Land

Remnant Vegetation

Felton Potential Key Resource Area

Floodplain constraints

Rosalie Planning Scheme

Rural Areas:

Rural Zone

Definitions:

2.1.1 Rural Uses

Agriculture: means the growing and harvesting of crops, pastures, flowers, fruit, vegetables, trees (either native or exotic) and the like on a commercial basis. The term includes:

- horticultural activities;
- the storage and packing of produce grown on the site; and
- with regard to trees, the primary processing of trees grown on the property to produce pulp, piles, poles, sawlogs, seed, leaf and bark. The term also includes limited secondary processing such as sawmilling, kiln drying, but not chemical treatment or oil extraction techniques.

Animal Husbandry: means the use of premises for the keeping, depasturing or stabling of any animal, bird insect, reptile, fish or crustaceans, other than for domestic purposes¹⁴. The term includes the use of land for dairying, cattle grazing, animal breeding establishments and holding yards or tanks and ponds for aquaculture, but does not include intensive animal industries, kennels and catteries, or stables as otherwise defined.

Intensive Animal Industry: means the use of premises for commercial or other non-domestic operations involving holding, raising or keeping animals in buildings, tanks, ponds, stockyards or stock pens on a long term basis including, but is not limited to:

- Aquaculture where involving:
 - a site within or adjacent to a national park, state forest, environmental reserve, residential area or other sensitive receiving environment; or
 - discharging of waste to natural waters; or
 - tanks or ponds outside the criteria for low-impact aquaculture.
- Cattle feedlots of 50 or more head;
- Emu and ostrich farms where more than 4 mature birds are kept;
- Piggeries, including free range pigs, where more than 10 pigs are kept;
- Poultry farm (enclosed or free range) where more than 20 mature birds are kept; and
- Other animals e.g. goats, deer, alpaca, etc. where more than 4 mature animals are kept.

The term does not include short term periods associated with activities such as mustering and feeding in times of drought.

Kennel/Cattery: means the keeping, boarding, breeding or training of more than two dogs (over the age of 3 months) or 4 cats (over the age of 4 months). The term does not include the keeping of three or more dogs for bona fide farm work purposes where the total area of the property is 10 hectares or more on a rural holding

Stable: means the use of premises, not in the Rural Zone, for the keeping, breeding or stabling of more than 2 horses.

Stock Sale Yard: means any premises specifically used for the offering of animals for sale and includes a public livestock market.

Desired Environmental Outcomes:

3.1 PROTECTION OF ECOLOGICAL PROCESSES AND NATURAL SYSTEMS

3.1.1 Habitat and Biodiversity

Natural habitat, including remnant vegetation, is protected from inappropriate development and enhanced where possible.

3.1.2 Protection of Water, Air and Land Resources

The quality of the Shire's water (underground and surface), land and air resources is enhanced.

3.2 THE PROMOTION OF ECONOMIC DEVELOPMENT

3.2.1 Maintenance of Natural Economic Resources

Good quality agricultural land and extractive and mineral reserves are protected from development that could compromise the productivity of these resources.

3.2.2 Economic Development

Expansion of economic activity and increased employment opportunities in the Shire.

3.3 COMMUNITY WELLBEING

3.3.1 Land use and Settlement Pattern

Development occurs in a manner that reinforces the sense of a livable community by

- being characterised by acceptable levels of safety and amenity in residential, rural, industrial and commercial areas; and*
- maximising the utilisation of existing infrastructure; and*
- providing residents with appropriate access to employment and other services; and*
- providing residents with access to a range of connected open space areas suitable for sport, active and passive recreation purposes.*

3.3.3 Heritage and Character

- The open spaces, natural areas and rural landscapes that are a characteristic of the Shire are maintained.*
- The character of towns and settlements are maintained and enhanced.*
- Development has regard to adverse impacts on cultural heritage (both indigenous and non-indigenous).*

Rural Zone Intent:

The Rural Zone is intended primarily to accommodate the full range of rural and related activities. It also accommodates a range of landscapes and natural features including good quality agricultural land, waterways, areas of remnant vegetation, extractive and mineral resources and range areas.

Levels of Assessment:

RURAL ZONE

Self-Assessable –

Agriculture

Animal Husbandry where involving a total site having an area of 10ha or more

Code Assessable –

Reconfiguring an allotment where:

- the resulting allotments are 40 hectares or greater; or
- the proposed allotments are less than 40 hectares and are consistent with the acceptable solutions set out in A1.2-A1.4 of the Reconfiguration of an Allotment Code.

Impact Assessable –

Animal Husbandry where involving a total site with an area of less than 10ha

All other purposes

Reconfiguring an allotment – where

- the resulting allotments are less than 40 hectares; and
- the proposed allotments do not comply with the acceptable solutions set out in A1.4 – A1.6 of the Reconfiguration of an Allotment Code.

Code Provisions:

Specific Use Codes – Intensive Animal Industry Code, Kennel Code

Reconfiguration of an Allotment Code:

Lot size –

Rural in Intensive Animal Husbandry Exclusion Area – min 40ha, 300m frontage, 1:3 frontage to depth ratio

Rural – otherwise – min 150ha

Lot smaller if:

- boundary realignment, no net increase in allotments, aligns with natural attributes, roadway or railway and improves land management practices
- accommodates approved MCU other than house, home-based occupation, host home accommodation or intensive animal husbandry
- remnant native vegetation or Agricultural Class A are not alienated or fragmented

Incompatible land uses – 1000m separation distance

Rural Development Code:

2 storeys or 8.5m – excludes structures such as silos, windmills and water tanks/stands associated with rural use on site

25m setback from state-controlled road, 15m from other road frontage
New agricultural activities in Village Residential Zone, Rural Residential Zone or Park Residential Zone – 6m setback from side rear boundaries adjoining Residential or Park Residential Zone
Stable – min 2ha, min 10m setback from dwelling, min 40m setback from adjoining residential dwelling, min 20m setback to road, min 0m setback from boundary, max 1 horse/4000m².

Overlay Maps:

Overlay Map 1 - Regional Ecosystems³ and sites of identified ecological significance.

Overlay Map 2 - Flood Plain Areas⁴.

Overlay Map 3 - Key Resource Areas and Areas Subject to Underground Mining.

Overlay Map 4 - Intensive Animal Industry Exclusion Area.

Overlay Map 5 - Good Quality Agricultural Land.

Overlay Map 6 - Bushfire Prone Areas.

Overlay Map 7 - Army Aviation Centre Oakey – Structure Height Zones

Overlay Map 8 - Army Aviation Centre Oakey – Australian Noise Exposure Concept⁵

Overlay Map 9 - Remote Small Lot Rural Subdivisions

Overlay Map 10 - State Transport Network.

Toowoomba Planning Scheme

Rural Areas:

Rural Zone – Future Urban Land Precinct and Special Escarpment Precinct

Definitions:

Animal Keeping means premises used for any of the following:

- the commercial keeping, breeding, training or boarding of companion animals (such as cats, dogs, guinea pigs and rabbits) excluding the ancillary and occasional breeding and sale of animals (of less than 3 months of age) produced by the personal pet of the resident of a Dwelling on the same Site;
- the keeping, breeding, training or boarding of more than 2 racing dogs of more than 3 months of age; and
- the commercial keeping, breeding, training or boarding of more than 1 horse.

It includes kennels, catteries and stables.

Farming means premises used commercially for any of the following:

- the growing of crops, pastures, turf, flowers, fruit, vegetables and the like;
- the breeding, keeping, depasturing or stabling of any animal, including birds and aquatic animals, on an extensive rather than intensive basis;
- the display, retail sale or both of any rural produce grown only on contiguous land in the same ownership provided the area so used does not exceed 30 m²; and
- the storage or packing, but not the processing, of produce grown on the premises.

Forestry means premises used for any of the following:

- the managing, felling and removal of standing timber in a native forest for a business (i.e. natural timber harvesting); and
- the planting of trees or managing, felling and removal of standing timber in a plantation for a business, but not including the use of land for state forest purposes.

Intensive Animal Husbandry means premises used for the commercial breeding or keeping of animals, excluding domestic pets, on an intensive basis where most food is imported from outside the enclosures in which they are kept.

It includes aquaculture, feedlots, piggeries, and poultry, emu and ostrich farming.

4.15 Rural Zone

4.15.1 Statement of Intent

GENERAL

(1) The intent is:

- (a) the retention of the rural or natural environment character of the land;
- (b) in the Future Urban Land Precinct, the provision of a land bank for medium to long term future urban expansion; and
- (c) the provision for limited Rural Uses depending on:
 - i) the physical constraints of the land;
 - ii) the vegetation cover;
 - iii) the proximity of urban development and potential conflicts between such development and the proposed rural use; and
 - iv) infrastructure required to support the rural use.

(2) The Zone contains the following precincts as shown on the Zone Map.

Note:

Not all land in the Zone is located in one of the following precincts.

FUTURE URBAN LAND PRECINCT

(1) The intent is:

- (a) the recognition of areas of the City likely to be needed in the medium to long term for urban development; and
- (b) the coordinated, orderly and efficient development for future urban purposes and infrastructure is not hindered by:
 - i) fragmented land ownership; or
 - ii) inappropriate development.

SPECIAL ESCARPMENT PRECINCT

(1) The intent is:

- (a) the identification of areas on the Eastern Escarpment that are unsuitable for any significant development due to high ecological and landscape values and/or the steepness and potential instability of the land;
- (b) the protection of the landscape and ecological values of the land;

- (c) *the minimisation of risk to property and human life from natural hazards; and*
- (d) *the natural environment, with minimal human intervention evident, overwhelmingly dominates the character of the Precinct.*

Levels of Assessment:

RURAL ZONE

Self-Assessable –

Farming – all other circumstances

Forestry if it is:

- not in the Special Escarpment Precinct;
- on land over 4 ha in area; and
- on land of less than 16% slope.

Reconfiguring a Lot – if all the circumstances apply:

- a) the lot reconfiguration does not create a lot by subdividing another lot; and
- b) it is not a Community Title Scheme under the *Body Corporate and Community Management Act 1997*; and
- c) it is not an access easement; and
- d) no adjustment to services or infrastructure is necessary; and
- e) the boundary setbacks of existing buildings comply with the *Standard Building Regulation 1993*; and
- f) where a boundary adjustment:
 - the shape and orientation of the lots is substantially the same; and
 - the area of all lots meet the minimum lot area for the relevant zone and precinct specified in Schedule 2 of the Lot Reconfiguration Code or the boundary is being adjusted to eliminate a building encroachment and no vacant lot is created; and
 - the lot reconfiguration does not create a lot that is within both an Urban Residential Area and a non Urban Residential Area; and
- g) there are no arrears of rates or charges applying to the premises.

Code Assessable –

Farming if it is fruit or turf farming within the 8km Airport Wildlife Buffer

Forestry – all other circumstances

Reconfiguring a Lot if does not meet Acceptable Measures in applicable codes

Reconfiguring a Lot:

- a) If it is a Community Title subdivision of an existing building(s).
- b) All other circumstances.

Impact Assessable (means 'not preferred') –

Animal Keeping if it is in the Special Escarpment Precinct and All other circumstances.

Farming if it is in the Special Escarpment Precinct

Forestry if it is in the Special Escarpment Precinct

Intensive Animal Husbandry if it is in the Special Escarpment Precinct or Future Urban Land Precinct, and all other circumstances

Reconfiguring a Lot *"where condition (a) in the code assessable column does not apply and the lot reconfiguration creates a lot by subdividing another lot or by boundary adjustment:*

.....

c) the lot reconfiguration is in the Rural Zone, the Park Residential Zone, the Industry Zone or the Escarpment Residential Precinct or Stables Precinct of the Neighbourhood Residential Zone and any proposed lot, other than for a public purpose, does not meet the minimum lot area for the relevant zone and precinct specified in Schedule 2 of the Lot Reconfiguration Code; or*

d) the lot reconfiguration is in the Special Escarpment Precinct of the Rural Zone and any proposed lot, other than for a public purpose, meets the minimum lot area for the zone and precinct specified in Schedule 2 of the Lot Reconfiguration Code; or

e) the lot reconfiguration creates a lot that is within both an Urban Residential Area and a non Urban Residential Area;....."

Code Provisions:

General Development Code:

Applies to Forestry in Rural Zone

Animal Keeping and Intensive Animal Husbandry Code:

Stables – 2ha in Rural Zone, 30m setback from residential building, 1.8m solid screen fence and 3m landscaped buffer strip along adjoining Open Space Zone or Urban Residential Area

Lot Reconfiguration Code:

Regular and Corner lots:

Future Urban Land Precinct – min 10ha, min 75m frontage

Special Escarpment Precinct – min 100ha, min 125m frontage

All other circumstances – min 4ha, min 75m frontage

Hatchet Lots:

Future Urban Land Precinct – min 10ha, min 20m frontage, min 75m width

Special Escarpment Precinct – min 100ha, min 20m frontage, min 125m width

All other circumstances – min 4ha, min 20m frontage, min 75m width

Community Title Scheme:

Future Urban Land Precinct – min 10ha (except for communal lots), min 75m frontage

Special Escarpment Precinct – min 100ha (except for communal lots), min 125m frontage

All other circumstances – min 4ha (except for communal lots), min 75m frontage

Schedule 3 – separation distances;

Agricultural uses – 1000m

Feedlots – 1300m-9200m

Piggeries – 1000m-10000m

Dairy Bails and Yards – 300m

Poultry Sheds and Manure Disposal Areas – 400m

Cattle Dips and Yards – 200m

Kennels – 1500m

Forestry – 200m

Stockyards and Saleyards – 500m

Overlay Maps:

Regulatory Map A:

Future Infrastructure Corridors (Code)

Minor Waterways (Code)

Potential Bushfire Areas (Code)

Steep and/or Potentially Unstable Land (Code)

Visually Sensitive Area

Regulatory Map B - Airport Affected Land (Code)

Valuable Features Map



Appendix B - Draft Queensland Planning Provisions



Introduction

On 28 September 2009 the Queensland Government released the draft Queensland Planning Provisions (QPP). The draft Provisions seek to provide a clear and consistent framework for planning schemes in Queensland and provide for the implementation of policies affecting land use and development (Draft QPP, p4). The final version of the Provisions is expected to be released in December 2009 at the time of commencement of the *Sustainable Planning Act 2009* (SPA).

Strategic Framework

The draft Provisions require that the Strategic Framework not only sets the policy direction for the whole of the planning scheme, but that the statutory component also be used in the assessment of Impact Assessable applications. The draft Provisions prescribe a the inclusion of a mandatory planning principle with local governments to provide further content in terms of the planning principle, elements, strategic outcomes and land use strategies. In relation to rural land uses the Strategic Framework includes the following mandatory statements in Module A (emphasis added):

3.2 Settlement pattern

3.2.1 Planning principle

The pattern of planned land use integrates existing and future development and maintains the natural and scenic qualities of the landscape. The planned expansion of urban areas is underpinned by community need while maintaining and enhancing access to services, recreational and social infrastructure. The unique architectural, cultural, historic, scientific, social or spiritual qualities of places are conserved and restored.

Rural residential development is directed to preferred nodes, where land suitable for agricultural uses is not compromised. Development of new or more intensive agricultural uses is located in physically suitable areas and separated from other incompatible land uses.

The impacts of climate change and other natural and industrial hazards are considered in the location, scale and intensity of development.

3.3 Natural environment

3.3.1 Planning principle

*Planning ensures that the quality of the natural environment, its assets, ecological processes and biodiversity values are conserved, enhanced or restored. This maintains the integrity of areas of ecological significance, their life supporting capacities and contribution to biodiversity for present and future generations. The impacts of development on natural corridors and links through urban and **rural areas** are minimised through appropriate mitigation measures including location, intensity and scale.*



3.4 Community identity and diversity

3.4.1 Planning principle

*Planning manages development to enhance the character and identity of existing and future communities in urban **and rural areas**. It facilitates the provision of services, facilities, open space, parks and linkages, recreation areas, opportunities for active and passive recreation, places to work, live and play and to celebrate culture, history and identity. Planning assists in the timely provision of social infrastructure such as educational institutions and health services.*

3.5 Natural resources and landscape

3.5.1 Planning principle

*Planning ensures that natural resources are sustainably managed to allow communities to meet present and future needs while not compromising the ability of future generations to meet their needs. Natural resources and landscape includes biological, energy, extractive, **land**, air and water resources. **Development in and adjacent to resource areas is managed to minimise impacts on the continued and future use of the resource.** Landscapes that have aesthetic and amenity values are conserved or protected from development that diminishes their values.*

Note: Module B “natural resources and landscapes” calls up State Planning Policy 1/92—Development and the Conservation of Agricultural Land and identifies that agricultural lands, rural industry and rural residential development are key elements to be addressed under this theme.

3.8 Economic development

3.8.1 Planning principle

*Planning maximises economic benefits through a range of strategies that promote appropriate land uses to minimise conflicts with strategic economic infrastructure. Clustering, co-location and innovative land uses achieve synergies that utilise existing and planned infrastructure and provide opportunities for **growth in primary industries** and commercial and administrative activities. The provision of high-amenity land needs for activities such as tourism, services, research and development and the arts ensures economic diversity and greater variety of employment, as well as meeting the changing needs of the community.*



Tables of Assessment

The draft Provisions introduce a standard format for the presentation of all levels of assessment. Assessment tables are only permitted for zones, overlays and local plans. Precincts may also be used within the table to qualify when the level of assessment differs from the base zone.

Zones

The draft Provisions bring about a return to the use of the "Zone" as the basic organising layer of the planning scheme. A standard suite of Zones is prescribed from which a local government must select the Zones it wishes to apply to land within its jurisdiction. For each Zone, a mandatory Zone Purpose statement has been prepared and is prescribed for inclusion in planning schemes by the draft Provisions. The mandatory Zone Purpose can be added to where it is appropriate to do so in order to respond to local circumstances. In addition to Zones, a local government may elect to use Precincts as a sub-category of particular Zones, in order to provide additional detail including altered levels of assessment and additional place-based assessment provisions.

The relevant zones for agriculture are listed under Other Category – Rural Residential and Rural.

Rural residential

Purpose (Mandatory)

The purpose of the rural residential zone is to maintain a semi rural landscape character and provide a transition between urban and rural areas, where the intensity of residential development is generally dispersed.

Development may have limited access to infrastructure and other services.

Development within the zone preserves the environmental and topographical features of the land by integrating an appropriate scale of residential activities amongst these features.

This includes protecting areas of ecological significance.

Low intensity development such as eco-tourism and recreational uses may be appropriate where the impacts of such uses can be minimised.

Suggested overall outcomes (optional)

The overall outcomes sought for the zone are:

- the development of large residential lots which reflect a parkland character*
- development enhances and responds to the environmental features and topographical features of the land*



- *natural features such as creeks, gullies, waterways, wetlands and vegetation and bushland are retained, enhanced and buffered from the impacts of development. Any unavoidable impacts are minimised through location, design, operation and management requirements*
- *development provides a high level of residential amenity*
- *where development is not supported by water and sewer infrastructure, sustainable practices are embraced*
- *non-residential uses may be appropriate where such uses meet the day to day needs of the residential catchment or have a direct relationship to the land in which it is proposed.*

Rural

Purpose (Mandatory)

The purpose of the rural zone is to cater for a variety of rural uses varying in scale and intensity and including cropping, forestry for carbon, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other compatible primary production activities.

Uses embrace sustainable land management practices and contribute to the amenity and landscape of the area.

Residential and other development is appropriate only where directly associated with the rural nature of the zone.

Reconfiguration is minimised within the rural zone.

Suggested overall outcomes (optional)

The overall outcomes sought for the zone are:

- *areas for use for primary production are conserved and are not unnecessarily fragmented*
- *the establishment of a wide range of rural pursuits is facilitated, including cropping, forestry for any purpose, intensive horticulture, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses*
- *the establishment of outdoor recreation and small-scale tourism facilities in suitable locations is facilitated in a manner that minimises land use conflicts*
- *the establishment of uses that conflict with the operational practices of rural activities is avoided*
- *development is reflective and responsive to the environmental constraints of the land*
- *natural features such as creeks, gullies, waterways, wetlands and*



bushland are retained, managed, enhanced and separated from adjacent development where possible

- *adverse impacts of land use both on-site and from adjoining areas are avoided and any unavoidable impacts are minimised through location, design, operation and management*
- *visual impacts of clearing, building design and construction, materials, access ways and other aspects of development and land use are consistent with the zone purpose*
- *the viability of both existing and future rural uses and activities are protected from the intrusion of incompatible uses*
- *land which is susceptible to flooding or drainage problems, including difficulties associated with high ground water tables is protected from urban or inappropriate uses*
- *rural land use is reflective of the surrounding character of the area.*

Overlays

The standard structure prescribed by the draft Provisions makes allowance for the incorporation of Overlays as a means of identifying and addressing specific state or local interests that may occur in a particular local government area. As is the case for zoning, the draft Provisions provide a standard suite of overlays from which a local government may select those which are relevant for incorporation into the planning scheme. Each Overlay that a local government elects to incorporate in its planning scheme must be mapped and may be supported by an Overlay Code, drafted using the standard code structure.

A local government may propose additional overlays where it is necessary to reflect particular local circumstances. Where a local government overlay is used it must not conflict with or duplicate the overlays in the standard suite.

Good quality agricultural land

This overlay deals with areas of land identified by State Planning Policy 1/92: Development and Conservation of Agricultural Land. It includes the identification and protection of land identified within the local government area as containing good quality agricultural land.

Water resource catchments

The water resource catchments overlay deals with declared catchment areas and areas identified by the local government as a water resource requiring protection of water quality (e.g. local catchments or bores).

Mapping of declared catchment areas is available from the Department of Environment and Resource Management.

Extractive resources

The extractive resources overlay deals with extractive resource sites and haulage



routes identified by *State Planning Policy 2/07: Protection of Extractive Resources*. It may also include extractive resource sites and haulage routes of a local nature.

Local Planning

To provide a further opportunity for local governments to adapt the standard structure in response to local dimensions, the draft Provisions prescribe that Part 8 of planning schemes will, at the discretion of the local government, contain Local Plan Codes. Local plans must be divided into the standard suite of Zones and Precincts may be used in the local plans to further divide the zones.

The optional inclusion of Part 8 in planning schemes provides local government with an opportunity to carry through finer grain local planning within a broader, standardised structure.

Other Codes

Other Codes regulate specific uses (e.g. rural) or specific issues (e.g. landscaping, stormwater management, parking and servicing etc). The draft Provisions include one standard code relating to telecommunications, the Telecommunications Facilities Code (the only code of any type detailed in the draft provisions).

Schedule 1 Definitions

Schedule One of the draft Provisions contain the suite of standard use and administrative definitions for the planning scheme. A number of the standard administrative definitions have been taken from the list of standard definitions released by the National Development Assessment Forum. It is a requirement of the draft Provisions that local governments not add a new definition, change or create a variation of development.

The draft Provisions include the following standard definitions relevant to the Options Report:

- *Animal husbandry - Premises used for production of animals or animal products on either native or improved pastures or vegetation. It includes yards, stables and temporary holding facilities and the repair and servicing of machinery;*
- *Animal keeping - Premises used for keeping, breeding or training of companion, show or racing animals. The definition includes temporary and permanent holding facilities on the subject site and the repair and servicing of machinery;*
- *Cropping - Premises used for growing plants or plant material for commercial purposes and where dependant on the cultivation of soil. The definition includes harvesting and the storage and packing of produce and plants grown on the subject site;*
- *Extractive industry - Premises used for extraction and processing of extractive*



resources such as sand, gravel, soil, rock and stone to produce extractive materials and include their transportation to market;

- *Home based business - A dwelling used for an occupation or business activity where secondary to the residential use;*
- *Intensive horticulture - Premises used for the intensive production of plants or plant material on imported media and located within a building or structure or where outdoors, artificial lights or containers are used. The definition includes the storage and packing of produce and plants grown on the subject site;*
- *Rural industry - Premises used for storage, processing and packaging of products from the local rural area;*
- *Rural processing and packaging - Premises used for processing and packaging products produced as a result of rural use where the processing and packaging is required to support an existing rural use on or adjacent to the site;*
- *Tourist attraction - Premises used for providing on site entertainment, recreation or similar facilities for the touring or holidaying public; and*
- *Winery - Premises used for manufacturing and retailing wine.*