

Division 3 Agriculture Code

3.1 Overall Outcomes

- (1) The overall outcomes are the purpose of this code.
- (2) The overall outcomes sought by the Agriculture Code are the following:-
 - (a) The siting of buildings, other **structures** and materials storage facilities are appropriate to the desired character and environmental values of the areas in which they are situated; and
 - (b) Acceptable levels of amenity for occupants of adjacent premises are provided and maintained.

3.2 Compliance with the Agriculture Code

- (1) Self assessable development that complies with the acceptable solutions of the Development Requirements *Table 6.1.3A – Assessment Criteria for Self Assessable Development* contained in Section 3.5 complies with the Agriculture Code;
- (2) Assessable development that is consistent with the specific outcomes of the Development Requirements *Table 6.1.3B – Assessment Criteria for Assessable Development* contained in Section 3.5 complies with the Agriculture Code.

3.3 Critical Terms for this Code

The dictionary in Schedule A to this code provides the meaning for a number of critical terms used in the code¹.

3.4 Development Requirements

The development requirements of this code relate to the following elements:-

- (1) Setbacks and Buffers to the Agricultural Activity
- (2) Artificial Lighting
- (3) Additional Outcomes for Turf Farming

3.5 Development Requirements Tables

Table 6.1.3A: Assessment Criteria for Self Assessable Development

Acceptable Solutions For Self Assessable Development	
Setbacks and Buffers to the Agricultural Activity	
AS 1	Mechanised aerial application of chemicals associated with the operation of an agricultural activity is:-
(1)	undertaken in accordance with the applicable measures set out in the Environmental Code of Practice for Agriculture ; and
(2)	<ol style="list-style-type: none"> (a) not undertaken within 300m of a sensitive land use; or (b) separated from a sensitive land use by a buffer having a width of no less than 40m and which incorporates planting to the standard prescribed in Appendix 2 to the Planning Guidelines: Separating Agricultural and Residential Land Uses for a vegetated buffer; or (c) undertaken within a fully enclosed building which is ventilated by openings or exhaust flues that are:- <ol style="list-style-type: none"> (i) located no closer than 300m to a sensitive land use; or (ii) separated from a sensitive land use by a buffer satisfying (b) above.
AS 2	Odour generating activities associated with the operation of premises for agricultural purposes are:-
(1)	undertaken in accordance with the applicable measures set out in the Environmental Code of Practice for Agriculture ; and
(2)	<ol style="list-style-type: none"> (a) not undertaken within 500m of a sensitive land use; or (b) undertaken within a fully enclosed building which is ventilated by openings or exhaust flues that are located no closer than 500m to a sensitive land use.
AS 3	Dust generating activities associated with the operation of premises for agricultural purposes are:-
(1)	undertaken in accordance with the applicable measures set out in the Environmental Code of Practice for Agriculture ; and
(2)	<ol style="list-style-type: none"> (a) not undertaken within 150m of a sensitive land use; or (b) separated from a sensitive land use by a buffer having a width of no less than 40m and which incorporates planting to the standard prescribed in Appendix 2 to the Planning Guidelines: Separating Agricultural and Residential Land Uses for a vegetated buffer.
AS 4	Unless a greater setback is required under the applicable acceptable solutions of another code within this planning scheme which is applicable ² to the development site , the following clearances are maintained between the property boundaries to the development site and any buildings, structures (other than fences and freestanding retaining walls), equipment and materials storage areas associated with the use of land for agricultural purposes:-
(1)	6m between the road boundary and any buildings or other structures ;
(2)	20m between side or rear boundary and any buildings or other structures ; and

Acceptable Solutions For Self Assessable Development

(3) 20m between any boundary and equipment or materials storage areas which are not within fully enclosed buildings.

For purposes of this provision, the property boundary includes any identified **probable future land acquisition line**.

Artificial Lighting

AS 5 Artificial lighting associated with the use of land for agricultural purposes is directed and shielded in such a manner as not to exceed the “recommended maximum values of light technical parameters for the control of obtrusive light” given in Table 2.1 of *Australian Standard AS 4282 (1997) Control of Obtrusive Effects of Outdoor Lighting*. For purposes of that table, “curfewed hours” are taken to be those hours between 10pm and 7am on the following day.

Additional Outcomes for Turf Farming

AS 6 Turf farming does not occur on slopes greater than 15%.

AS 7 Run-off from the **site** does not contain any fertilisers, pesticides, herbicides or silt.

Table 6.1.3B: Assessment Criteria for Assessable Development

Specific Outcomes for Assessable Development	Probable Solutions
Setbacks and Buffers to the Agricultural Activity	
<p>SO 1 Chemical spray drift associated with the operation of premises for agricultural purposes is contained in such a manner as not to cause unreasonable nuisance or annoyance to users of land adjacent to, or within the general vicinity of, that agricultural operation.</p>	<p>PS 1 Mechanised aerial application of chemicals associated with the operation of an agricultural activity is:-</p> <ol style="list-style-type: none"> (1) undertaken in accordance with the applicable measures set out in the Environmental Code of Practice for Agriculture; and (2) (a) not undertaken within 300m of a sensitive land use; or (b) separated from a sensitive land use by a buffer having a width of no less than 40m and which incorporates planting to the standard prescribed in Appendix 2 to the Planning Guidelines: Separating Agricultural and Residential Land Uses for a vegetated buffer; or (c) undertaken within a fully enclosed building which is ventilated by openings or exhaust flues that are:- <ol style="list-style-type: none"> (ii) located no closer than 300m to a sensitive land use; or (iii) separated from a sensitive land use by a buffer satisfying (b) above.
<p>SO 2 Odour associated with the conduct of an agricultural activity is contained in such a manner as not to cause unreasonable nuisance or annoyance to users of land adjacent to, or within the general vicinity of, that agricultural activity.</p>	<p>PS 2 Odour generating activities associated with the operation of premises for agricultural purposes are:-</p> <ol style="list-style-type: none"> (1) undertaken in accordance with the applicable measures set out in the Environmental Code of Practice for Agriculture; and (2) (a) not undertaken within 500m of a sensitive land use; or (b) undertaken within a fully enclosed building which is ventilated by openings or exhaust flues that are located no closer than 500m to a sensitive land use.
<p>SO 3 Dust drift associated with the operation of premises for agricultural purposes is contained, under normal environmental conditions, in such a manner as not to cause unreasonable nuisance or annoyance to users of land adjacent to, or within the general vicinity of, that agricultural operation.</p>	<p>PS 3 Dust generating activities associated with the operation of premises for agricultural purposes are:-</p> <ol style="list-style-type: none"> (1) undertaken in accordance with the applicable measures set out in the Environmental Code of Practice for Agriculture; and (2) (a) not undertaken within 150m of a sensitive land use; or (b) separated from a sensitive land use by a buffer having a width of no less than 40m and which incorporates planting to the standard prescribed in Appendix 2 to the Planning Guidelines: Separating Agricultural and Residential Land Uses for a vegetated buffer.
<p>SO 4 All buildings, other structures, equipment and materials storage areas associated with the use of land for agricultural purposes are located on the site in a manner which:-</p>	<p>PS 4 Unless a greater setback is required under another code within this planning scheme which is applicable² to the development site, the following clearances are maintained between the property boundaries to the development site</p>

Specific Outcomes for Assessable Development	Probable Solutions
(1) does not adversely impact on the existing or desired streetscape for the area; (2) is in keeping with the desired or established character of the area; (3) does not result in significant loss of amenity to uses on adjacent land, or land in the general vicinity of the development site , having regard to:- (a) overshadowing; (b) privacy and overlooking; (c) natural light and ventilation; and (d) noise; and (4) does not result in adverse effects on the safe and efficient operation of the vehicle carriageways and pedestrian thoroughfares within the frontage road.	and any buildings, structures (other than fences and freestanding retaining walls), equipment and materials storage areas associated with the use of land for agricultural purposes:- (1) 6m between the road boundary and any buildings or other structures ; (2) 20m between the side or rear boundary and any buildings or other structures ; (3) 20m between any boundary and equipment or materials storage areas which are not within fully enclosed buildings. For purposes of this provision, the property boundary includes any identified probable future land acquisition line .
Artificial Lighting	
SO 5 Artificial lighting necessarily associated with the use of land for agricultural purposes is operated in such a way as not to cause unreasonable disturbance to any person or animal on adjacent land.	PS 5 Artificial lighting associated with the use of land for agricultural purposes is directed and shielded in such a manner as not to exceed the "recommended maximum values of light technical parameters for the control of obtrusive light" given in Table 2.1 of <i>Australian Standard AS 4282 (1997) Control of Obtrusive Effects of Outdoor Lighting</i> . For purposes of that table, "curfewed hours" are taken to be those hours between 10pm and 7am on the following day.
Additional Outcomes for Turf Farming	
SO 6 Turf farming does not result in erosion or slope instability.	PS 6 Turf farming does not occur on slopes greater than 15%.
SO 7 Turf farming is operated in a manner that does not diminish the quality of watercourses , water storages and drainage systems within the catchment of the site .	PS 7 Run-off from the site does not contain any fertilisers, pesticides, herbicides or silt.

Schedule A to the Agriculture Code – Additional Defined Terms

For the purposes of this code, the following meanings apply to critical terms used in the code:-

(1) **Planning Guidelines: Separating Agricultural and Residential Land Uses**

The guideline of that name dated August 1997 and prepared by the Queensland Government Departments of Natural Resources and Local Government and Planning.

(2) **Environmental Code of Practice for Agriculture**

The Code of Practice of that name approved by the Minister for Environment under the Environmental Protection Act 1994.

(3) **Odour Generating Activities**

Activities associated with the operation of premises for agricultural purposes and are limited to:-

- use of chemical sprays;
- application of fertilisers;
- effluent disposal; and
- storage or composting of waste materials.

(4) **Dust Generating Activities**

Are activities associated with the operation of premises for agricultural purposes and are limited to:-

- cultivation;
- tractor and other vehicle movements over unsealed areas of the **site**;
- harvesting; and
- incineration associated with harvesting or disposal of waste materials.

- ¹ The meaning of other critical terms which are used in this code as well as elsewhere in this **planning scheme** appear as “use definitions” and “administrative definitions” in Chapter 7.
- ² Those codes identified in the assessment table and any overlay code relevant to the land.

Historic Version
PineRiversPlan