

Farm buildings



This factsheet provides an overview of the applicable Building and Planning provisions that apply to the establishment of a building and/or structure associated with a farm. This includes buildings typically referred to as “farm sheds”.

What is a farm building?

Part 3.7 of the Queensland Development Code (QDC) defines a farm building.

Farm building means–

- (a) a Class 7 building situated on land used primarily for farming, if the building is used primarily for–
 - (i) farming; or
 - (ii) housing three or more farm vehicles; or
- (b) a Class 8 building situated on land used primarily for farming, if the building is also used primarily for farming.

Background

QDC Mandatory Part 3.7 – Farm Buildings was introduced in 2015 to address difficulties the industry was encountering in appropriately certifying buildings associated with farming. The Explanatory Notes¹ published by the Department of Housing and Public Works provide clarification around the QDC part and gives more insight into the reasons behind the need for the introduction of Part 3.7.

¹ QDC Mandatory Part 3.7–Farm buildings **Fact Sheet** and Newsflashes **69** and **539** also published by the Department of Housing and Public Works provide further guidance in this regard.

Implementation

A shed or other building that is primarily used for farming practices should, in most instances, be approved as a Class 7 or 8 building in accordance with Part 3.7 of the QDC. It is only in rare occasions that a shed on a farm would be suitably classified as a Class 10 building or structure.

Matters that a Building Certifier may consider when designating a building or structure on a farm as a Class 10 building, rather than a Class 7 or 8 building, include whether the proposed building or structure is:-

- used to store less than three vehicles;
- to be used for storage only (excluding storage of produce or potentially flammable products); and
- primarily used for storage of domestic goods associated with the dwelling house (Class 1a) located on the premises.

Amenity and Aesthetics policy

In instances where a Building Certifier is satisfied the building or structure can be considered as a Class 10 building or structure, the building work must also be considered against Council's Amenity and Aesthetics, and Building Work Involving Removal or Rebuilding Policy (Amenity & Aesthetics Policy). The Amenity & Aesthetics policy requires the building application to be referred to Council (acting as a concurrence agency) when, amongst other triggers, the combined floor area of all Class 10 buildings and structures on a site exceeds 250m² where on a lot exceeding two hectares. Any Class 10 areas under the same roofline as a dwelling located on the site are excluded from the combined maximum floor area.



Despite the above, should a Class 10 building or structure be on land for agricultural, floriculture, horticulture or pastoral purposes and be located more than 200m from a property boundary, no building approval is required. The *Building Regulation 2006* prescribes this type of building work as accepted development. As a consequence the Amenity & Aesthetics Policy does not apply and referral is not required. Please note, a swimming pool and its associated fence is not included within this exemption.

Rural uses code of the planning scheme

Prior to a Building Permit being issued, a Building Certifier must be satisfied that all appropriate planning approvals are in place or that the use and building work associated with the building or structure are accepted development. Or, if they are accepted development subject to requirements they must comply with the relevant acceptable outcomes in the planning scheme.

In instances where no material change of use approval is required, the building work for the proposed building or structure is accepted subject to requirements i.e. the acceptable outcomes of the Rural uses code² of the planning scheme. The Rural uses code nominates the minimum lot size a rural use can be undertaken on, setbacks from front, side and rear boundaries, and from watercourses and wetlands. Prior to a building permit being issued the Building Certifier is to ensure that the proposed building work satisfies these acceptable outcomes. When an alternative outcome is proposed to one or more of the acceptable outcomes an application must be made to Council for preliminary approval for Building Works assessable against the planning scheme.

² See Appendix 1 for an extract of the Rural uses code applicable acceptable outcomes.

Notes

For further information

Please visit Council's website at:
bundaberg.qld.gov.au

or contact the Duty Planner, Development Assessment on:

1300 883 699

duty.planner@bundaberg.qld.gov.au

Appendix 1 Rural Uses Code Extract

Requirements for accepted development and benchmarks for assessable development

Performance outcomes	Acceptable outcomes
Requirements for animal husbandry, cropping, intensive horticulture, minor aquaculture and wholesale nursery	
<p>PO1</p> <p>The rural use is conducted on a lot that is of sufficient size to reasonably accommodate the use and mitigate potential nuisance arising from noise, dust, odour and other emissions or contaminants generated by the rural use.</p>	<p>AO1</p> <p>The rural use is conducted on a site with an area of at least 4,000m².</p>
<p>PO2</p> <p>The rural use is sited such that natural watercourses and wetlands are protected.</p>	<p>AO2</p> <p>Where the rural use is located on land adjoining a natural watercourse or wetland, as identified in the SPP interactive mapping system, the rural use is set back at least 10m from the high bank of the watercourse or wetland.</p>
<p>PO3</p> <p>Buildings and structures associated with the rural use are set well back from site boundaries so as to:-</p> <ol style="list-style-type: none"> maintain an open or mostly open rural landscape character; protect the visual amenity of scenic rural roads; protect the functional characteristics of the State and local road networks; and provide adequate privacy and visual separation to adjoining properties. 	<p>AO3.1</p> <p>Where located on a lot exceeding 2ha in area, buildings and structures associated with the rural use have front boundary setbacks of at least:-</p> <ol style="list-style-type: none"> 40m from a State-controlled road; or 20m from any other road; or where there is an existing building or structure on the lot with a setback less than (a) or (b) above, the same setback as the existing building or structure. <p>AO3.2</p> <p>Where located on a lot not exceeding 2ha in area, buildings or structures associated with the rural use have front boundary setbacks of at least:-</p> <ol style="list-style-type: none"> 10m; or where there is an existing building or structure on the lot with a setback less than (a) above, the same setback as the existing building or structure. <p>AO3.3</p> <p>Buildings and structures associated with the rural use are setback from side and rear boundaries in accordance with the following:-</p> <ol style="list-style-type: none"> a minimum of 10m where the lot is more than 2ha in area; or a minimum of 3m where the lot is not more than 2ha in area.
Requirements for permanent plantation	
<p>PO4</p> <p>The permanent plantation is located such that it conserves the productive characteristics of agricultural land classification (ALC) Class A and Class B land.</p>	<p>AO4</p> <p>No part of the permanent plantation is located on land identified as ALC Class A or Class B land in the SPP interactive mapping system.</p>

Appendix 1 continued

Requirements for roadside stall

<p>PO5 The roadside stall:-</p> <ul style="list-style-type: none"> a. only displays and offers for sale local rural produce; and b. has a scale and intensity that is appropriate to a rural area. 	<p>AO5.1 The display and sale of goods at the roadside stall is limited to fresh or processed rural produce that is grown, produced or manufactured on the site or an adjoining site.</p> <p>AO5.2 The roadside stall has a GFA not exceeding 50m², and:-</p> <ul style="list-style-type: none"> a. is located in an existing building or part of an existing building; or b. buildings or structures used for the roadside stall are temporary or mobile or are constructed of materials that can easily be dismantled following cessation of the use. <p>AO5.3 The roadside stall is ancillary to a rural use occurring on the same site.</p>
<p>PO6 The roadside stall does not have an adverse impact on the safety or functioning of the road network.</p>	<p>AO6.1 The roadside stall is located on a site adjoining a road other than a State-controlled road or a principal rural road identified in Council's plans for trunk infrastructure in Schedule 3.</p> <p>AO6.2 The roadside stall is located on a site with sufficient area to park at least three cars clear of the road reserve and within 20m of the roadside stall.</p>
<p>PO7 Signage associated with the roadside stall is small, unobtrusive and appropriate to a rural location.</p>	<p>AO7 Not more than one sign is placed on the premises and the sign:-</p> <ul style="list-style-type: none"> a. has a maximum signface area of 0.5m² per side; and b. is not illuminated or in motion.

Notes

