

Additional Information

Additional Information Attachments

Ordinary Meeting

Thursday, 22 June 2023

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Related Report / Additional Information Request

Meeting:	Ordinary Meeting	Date:	22 June 2023
Requesting Councillors:	Councillor Cox and Councillor O'Pray		
Item:	8.1 – Development permit for an other change – material change of use of premises to extend an existing intensive animal industry (poultry farm), including an environmentally relevant activity (poultry farming), additional sheds and driveway located at 325 and 367 Red Road Beerburum		
Circulation:	Monday 19 June 2023		
Officer (title):	Principal Development Planner	Approving GE (title):	Group Executive, Customer and Planning Services

In response to a question raised by Councillor Cox and Councillor O'Pray please note the following additional information for your consideration.

Question - Councillor Cox:

Have there been any complaints about the existing poultry farm made by nearby residents in relation to odour?

Response:

Officers are not aware of a history of odour complaints made about the operations of the existing poultry farm, however there was one complaint in 2017 from the local area which was referred to the Department of Agriculture and Fisheries to investigate.

It should be noted that, of the few houses in proximity to the poultry farm, one is now owned by Woodlands and forms part the subject application site. This house is no longer considered to be at risk of odour impact from the proposed development, and there are no longer any dwellings external to the site that are located within the 400m separation distance specified in the planning scheme under Table 9.3.16.3.3 *Siting and setback requirements for intensive rural uses*.

Question - Councillor O'Pray:

Can a copy of the previous report to Council for the poultry farm proposal in the Noosa region be provided to all Councillors?

Response:

A report regarding a proposed poultry farm at 136 Top Forestry Road, Ridgewood (MCU12/0184) was brought to Council for decision at the 12 December 2013 Ordinary Meeting. Council resolved to defer the decision on the application to the new Noosa Shire Council after de-amalgamation. A copy of this report is provided in **Attachment 1**.

Noosa Shire Council later decided to refuse the application by decision notice dated 25 November 2015. Noosa officers have advised that an appeal by the applicant was lodged against this decision, but was later discontinued.



An extract from the resolution of the 12 December 2013 Ordinary Meeting is shown below:

ORDINARY MEETING MINUTES

12 DECEMBER 2013

7.1.2 UPDATED REPORT - DEVELOPMENT APPLICATION FOR ANIMAL HUSBANDRY TYPE 2 INTENSIVE (POULTRY FARM) AT 136 TOP FORESTRY ROAD, RIDGEWOOD

File No: MCU12/0184
Author: Development Planner
 Regional Strategy & Planning Department
Attachments: Att 1 - Revised Heavy Vehicle Estimation
 Att 2 - Proposed Upgrades to Top Forestry Road
 Att 3 - Odour Models

Councillor R Green declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to his past association with the applicant. Councillor R Green remained in the meeting room for the debate and decision on this matter.

Council Resolution (OM13/247)

Moved: Councillor T Wellington
Seconded: Councillor S Robinson

That Council defer to the new Noosa Shire Council consideration of application MCU12/0184 for a Development Permit for Material Change of Use for Animal Husbandry Type 2 – Intensive (Poultry Farm) and Environmentally Relevant Activity (ERA 4 - Poultry Farming), situated at 136 Top Forestry Rd, Ridgewood to allow:

- (a) the applicant time to submit their proposed infrastructure agreement and for the matter to be negotiated*
- (b) additional odour modelling to be undertaken to address the missed receptors and the spreading of poultry manure in combination with the sheds and manure stockpiles.*

For: Councillor R Baberowski, Councillor C Thompson, Councillor J McKay, Councillor C Dickson, Councillor J O'Pray, Councillor S Robinson, Councillor T Wellington and Councillor M Jamieson.

Against: Councillor T Dwyer, Councillor P Cox, Councillor G Rogerson and Councillor R Green.

Carried.

Attachment 1. Report from Ordinary Meeting 12 December 2013 shown below:

ORDINARY MEETING AGENDA

12 DECEMBER 2013

**7.1.2 DEVELOPMENT APPLICATION FOR ANIMAL HUSBANDRY TYPE 2
INTENSIVE (POULTRY FARM) AT 136 TOP FORESTRY ROAD,
RIDGEWOOD**

File No:	MCU12/0184
Author:	Development Planner Regional Strategy & Planning Department
Attachments:	Att 1 - Site Plan and Elevations.....47 Att 2 - Traffic Route.....51 Att 3 - Traffic53

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/masterview/Modules/Applicationmaster/default.aspx?page=wrapper&key=1246601>

APPLICATION DETAILS	
Applicant:	W Donald Milligan Pty Ltd
Proposal:	Development Permit for Material Change of Use (Animal Husbandry Type 2 - Intensive) and Environmentally Relevant Activity (ERA 4 - Poultry Farming)
Properly Made Date:	21/11/2012
Information Request Date:	10/12/2012
Info Response Received Date:	08/05/2013
Decision Due Date:	14 November 2013
Number of Submissions:	12 Properly made submissions; and 118 Not properly made submissions
PROPERTY DETAILS	
Division:	12
Property Address:	136 Top Forestry Rd, Ridgewood, Qld, 4563
RP Description:	Lot 21 SP 226606
Land Area:	105.017ha
Existing Use of Land:	Avocado orchard and associated sheds
STATUTORY DETAILS	
SEQRP Designation:	Regional Landscape and Rural Production
Planning Scheme:	The Noosa Plan (8 August 2011)
Planning Locality:	Mary River Catchment
Planning Zone	Rural
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek council's determination of an application for a Development Permit for Material Change of Use for Animal Husbandry Type 2 – Intensive (Poultry Farm) and Environmentally Relevant Activity (ERA 4 - Poultry Farming) at 136 Top

ORDINARY MEETING AGENDA**12 DECEMBER 2013**

Forestry Rd, Ridgewood. The application is before council as there were 101 submissions objecting to, and 29 submissions supporting, the development proposal.

EXECUTIVE SUMMARY

This application seeks approval for a Poultry Farm defined by The Noosa Plan as Animal Husbandry Type 2 – Intensive at 136 Top Forestry Road, Ridgewood. The applicant proposes to construct 8 large sheds (100m to 130m long x 16m wide) on the site's ridgeline to house up to 250,000 birds, with day old chicks reared for a period of 6-9 weeks before being transported off site overnight for chicken meat production. The sheds are then cleaned out over a 2 week period and spent litter from the sheds is stockpiled within 2 bunded areas, before being spread on the avocado tree orchard. The cycle then starts again, with up to 6 cycles a year possible.

The site is zoned Rural under The Noosa Plan and, in this zone, a poultry farm is required to follow an impact assessment process. Accordingly, the applicant must demonstrate the selected site is suitable for the proposed use, and that the potential impacts can be appropriately managed.

This report concludes that the site is not suitable and the proposed poultry farm will have unacceptable impacts on the traffic safety of Top Forestry Road, and adverse amenity impacts for residents living near the farm and on the transport route.

Top Forestry Road is not of a suitable standard to cater for the number of heavy vehicles expected to be generated by the poultry farm, being an unsealed road with a number of tight bends. In any one of the 9 week batch cycles, the poultry farm is likely to generate approximately 348 heavy vehicle trips. During peak times, the number of truck movements is anticipated to be 92 trips (in and out) a week, with the last bird collection potentially being up to 90 truck trips over 1 to 2 nights. These truck numbers would also significantly impact on residents living along the traffic route, given bird collection is anticipated to be throughout the night and the route travels through Cooroy's urban residential streets. Dust generated from these movements along Top Forestry Road is also likely to cause a nuisance for residents.

In terms of potential odour impacts, Pacific Environment on behalf of council advise that no data has been provided of the emissions from manure stockpiles and manure spreading. Therefore, they are unable to support the applicant's submission that the poultry farm complies with the Queensland odour guidelines for rural zoned land. Odour modelling also identifies that the closest houses are at risk of distinct odour impacts at times, with the report failing to address one of the closest sensitive receiver locations.

While a number of submissions were concerned about the proposal's potential to adversely impact on water quality in the Mary River Catchment, council's environmental specialist concludes this is unlikely but, were the application to be approved, ongoing monitoring of the waterways would be necessary. Notwithstanding this, it should be noted that discussions with the Department of Agriculture, Forestry and Fisheries indicates that manure should be composted for a minimum of 12 weeks before use on farms and that the proposed application rate is likely to kill the tree crop.

The application is, therefore, recommended for refusal.

ORDINARY MEETING AGENDA

12 DECEMBER 2013

OFFICER RECOMMENDATION

That Council REFUSE Application No. MCU12/0184 for a Development Permit for Material Change of Use for Animal Husbandry Type 2 – Intensive (Poultry Farm) and Environmentally Relevant Activity (ERA 4 - Poultry Farming), situated at 136 Top Forestry Rd, Ridgewood for the following reasons:

1. the proposed poultry farm does not comply with the Overall Outcomes of The Noosa Plan’s Mary River Catchment Locality, Agricultural Uses and Transport, Roads and Drainage Codes
2. the proposed poultry farm does not achieve sufficient separation distance from surrounding residents so as to avoid adverse odour impacts on residents’ amenity, with insufficient details provided on the emissions from manure stockpiles, manure spreading, and for one of the closest sensitive receiver locations
3. the proposal will have unacceptable impacts on the safety of Top Forestry Road and the proposed road improvements are not sufficient to provide the necessary safe environment
4. traffic generated by the development proposed will have significant adverse impacts on the amenity of residents, given Top Forestry Road is unsealed and bird collection is likely to be through the night and
5. the proposed sheds and earthworks necessary for shed construction is likely to adversely impact on the scenic amenity of the area, as the applicant has not demonstrated that they will integrate satisfactorily with the landform and landscape.

FINANCE AND RESOURCING

If council were to approve this development, the applicant would be required to pay infrastructure charges for trunk infrastructure.

Council’s Infrastructure Policy Branch has provided the following estimate of the infrastructure charges required by this development (which excludes infrastructure charges to Unitywater):

Allocation of adopted infrastructure charge to trunk infrastructure networks	Amount Payable
Transport	\$156,672
Public Parks & Land for Community Facilities	\$27,648
Stormwater (applicable to Non-Residential development)	\$500,000
TOTAL (June 2013 index) =	\$684,320

PROPOSAL

The application seeks approval for a Material Change of Use for Animal Husbandry Type 2 – Intensive (Poultry Farm) and Environmentally Relevant Activity (ERA 4 - Poultry Farming), situated at 136 Top Forestry Rd, Ridgewood.

